

Texas Lawmakers Are Urged to Supplement 10-Percent Admissions Policy With Affirmative Action

By [MICHAEL ARNONE](#)

Texas has seen the number of minority students attending its flagship universities drop since a federal court ordered it to ban affirmative action in admissions, and it should amend its policy to reflect recent U.S. Supreme Court decisions supporting the practice, affirmative-action advocates told state lawmakers on Thursday.

The advocates also submitted a [report](#), "Blend It, Don't End It: Affirmative Action and the Texas 10-Percent Plan After *Grutter* and *Gratz*," to the State Senate's Subcommittee on Higher Education. The report recommends changing the law to support the controlled use of race in admissions decisions.

The law the advocates are seeking to alter automatically admits Texas students in the top 10 percent of their high-school classes to any public university in the state. The plan has had the greatest effect on the two flagship universities, Texas A&M University at College Station and the University of Texas at Austin.

The groups said they oppose proposals to end the top-10-percent plan. They suggested that the universities continue to admit a percentage of students under the plan, and consider race, among other factors, to fill remaining slots. They recommended that the universities develop policy statements on diversity that set goals and the criteria to reach them. They suggested that the institutions review their policies for "legacy" students (the offspring of alumni), document how diversity benefits education, and describe how the institutions discriminated in the past. Finally, they suggested that the flagship campuses periodically seek new, race-neutral alternatives to affirmative action.

Several nonprofit groups collaborated on the report: the Mexican American Legal Defense and Educational Fund, the Equal Justice Society, the Society of American Law Teachers, and Americans for a Fair Chance, which works with the Leadership Conference on Civil Rights Education Fund. Representatives from each organization spoke to lawmakers about the report.

The report particularly emphasizes the importance of raising minority attendance at Texas A&M at College Station, which has seen its minority population drop from 18.8 percent of freshman enrollments in 1995 to 12.6 percent of freshman enrollments in 2003.

A federal appeals court ruled in 1996 that race could not be used in college admissions in Texas ([The Chronicle](#), March 29, 1996), but the U.S. Supreme Court largely reversed that finding, within certain limits, in two cases last year ([The Chronicle](#), July 4, 2003). After those rulings, in cases known as *Gratz v. Bollinger* and *Grutter v. Bollinger*, the University of Texas at Austin announced that it would resume considering race as a factor in admissions. But Texas A&M said it would not.

"We conclude that Texas A&M was seriously mistaken when it recently concluded that it can significantly improve diversity without affirmative action, and we urge the institution to revisit this decision," the groups said in a statement.

The University of Texas at Austin has fared better under the top-10-percent plan, with the proportion of minority students rising from 17.5 percent in 1995 to 20.6 percent in 2003. It still faces a capacity crisis, however, with students under the percent plan taking up nearly 70 percent of its freshman class.

Marta Tienda, a professor of sociology and public affairs at Princeton University who completed a [study](#) of the percent plan last year, was among the advocates who spoke to lawmakers on Thursday. Based on the findings of the Princeton study, Ms. Tienda recommended that the flagships admit 50 percent of their students through the percent plan and focus on high schools that traditionally have sent few students to them.