

10 Percent Plan Survives in Texas

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Ten years ago, Texas legislators created the “10 percent” plan — an innovative and controversial approach to public college admissions that seemed to assure racial and ethnic diversity at flagship universities, even if they were barred from using affirmative action.

Ever since the plan was created, complaints have come in from the University of Texas at Austin and its would-be students, and for much of the 2007 session of the Texas Legislature, it appeared that this would be the year for the plan to be scaled back. Both the House of Representatives and the Senate passed legislation to do so and a conference committee came up with a compromise version, which passed the Senate. But Sunday night, the House refused to go along, and voted down the idea of changing the 10 percent plan, 75-64.

Legislators representing minority and rural districts, who perceive the 10 percent system as helping their constituents, united to push back the legislation.

The 10 percent plan works like this: Graduates in the top 10 percent of their high school classes are admitted automatically to the public college or university of their choice. Standardized test scores and other factors are not considered. The impetus for the plan was a federal appeals court decision, known as the Hopwood ruling, that barred public colleges in Texas from considering race or ethnicity in admissions. Texas legislators feared that their leading universities would lose their black and Latino enrollments, and reasoned that 10 percent would prevent that from happening. Texas, like many states, has many high schools that are overwhelmingly black or Latino, so 10 percent assured that some of those students would end up in Austin.

That logic encouraged Florida and California to adopt similar plans.

In 2003, the U.S. Supreme Court — in two cases involving the University of Michigan — ruled that public colleges could in certain ways consider race and ethnicity in admissions. Since this decision effectively reversed Hopwood, critics of 10 percent hoped that legislators would no longer see the need for the system. The critics have argued that the system is unfair to very well prepared students at top high schools, who may be in the top 11-15 percent of their classes, but who have a tough time now getting into UT-Austin.

About 70 percent of the freshman class at Austin is admitted through the 10 percent plan. The proposal that almost became law would have capped 10 percent automatic admits at 50 percent of a class, giving preference to those with the highest class ranks. An

additional 10 percent of the class would have been admitted through a combination of 10 percent status and other factors, but Austin would have gained flexibility for the rest of its class. (Austin is the only institution where more than half of its class is admitted through the 10 percent plan.)

Defenders of the 10 percent system said it promoted equity and academic performance in high school. Rep. Helen Giddings was quoted in Texas press accounts as saying that under the current system, “you don’t have to be an athlete today, you don’t have to be related to a large donor today, you don’t have to be wealthy today, you don’t have to be a legacy today. You have to perform.”

Sen. Florence Shapiro, author of the bill, told The Dallas Morning News that the 10 percent system “handicapped” universities in making it impossible for them to admit students whose SAT or ACT test scores demonstrated that they were worthy. “Admission exclusively on the basis of a single criterion — class rank — created an unfair imbalance among Texas high school graduates.”