

State lawmaker wants ten-percent rule

Automatic college admission policy has been implemented in Texas, Calif. and Fla.

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A state lawmaker has proposed a plan that would guarantee admission to any of Michigan's 15 public universities to students in the top 10 percent of their class at Michigan high schools.

The plan, modeled after Texas's decade-old 10-percent law, was introduced last week by State Rep. Rick Jones (R-Grand Ledge), who said the plan would ensure that students from rural farming communities or urban areas would have the same access to education as students from affluent suburbs.

Critics of the plan say it would infringe on the independence of Michigan's universities and force them to admit students who don't meet a college's academic standards.

Because Michigan's 15 public universities have autonomy under the state constitution, Jones said he plans to propose the admissions system as a constitutional amendment.

For the amendment to appear on the ballot this November, both houses of the Michigan Legislature must approve the measure by July to give voters the required three months to review the measure.

Jones said he hopes to introduce a draft of his plan to the legislature this week.

Percent-based admissions plans have often been discussed and implemented in states where affirmative action admissions policies have been struck down.

Since the ballot initiative Proposal 2 passed in Nov. 2006, race- and gender-based affirmative action has been banned in state institutions.

The Texas 10-percent law after which Jones is modeling his legislation was proposed there to circumvent a federal appeals court ruling banning the consideration of race in college admissions. California and Florida have followed suit with similar plans since Texas banned the practice in 1997.

Under California's Eligibility in Local Context plan, first used in 2001, the top 4 percent of high school seniors are guaranteed admission to any University of California campus. Under Florida's Talented 20 plan, passed in 2000, Florida high school students who graduate in the top 20 percent of their class are guaranteed admission to any of the 11 public universities within the Florida State University System.

Jones said he was concerned that Michigan's top schools have become too elitist by admitting out-of-state and international students over in-state students.

"I think an awful lot of people out there are trying to protect their kingdoms, saying, 'It won't work here,' " Jones said.

Jones said that if universities accept any form of state funding, including appropriations, their first priority should be educating Michigan residents. If universities aren't willing to abide by directives from the state government, he said, they should become private.

"Tax-funded universities should first be open to in-state students," Jones said.

Rep. Pam Byrnes (D- Chelsea), whose district includes North Campus, said she couldn't comment on Jones's proposal because she hasn't seen a draft. She said the idea behind the plan is admirable but that it seemed ill-suited for Michigan because the state's public colleges are not governed by one or two administrative systems as in the states where the percent plans have implemented.

She said the plan could "jeopardize some of the distinctions" between the schools that have very different missions and admissions standards.

Byrnes, who chairs the appropriations subcommittee for higher education, said her main priority is increasing funding to the state's universities. She questioned how many students would benefit from the plan, because many who graduate in the top 10 percent of their class will already be admitted to the state's universities.

"We need to be focusing on not just the top 10 percent, but the bottom 50 percent as well," she said.

Michael Boulus, executive director of The Presidents Council, State Universities of Michigan - a Lansing-based interest group that lobbies on behalf of Michigan's 15 public universities - said he opposes the proposal. He said it infringes on the schools' independence from the state and may force them to admit students who aren't prepared to meet the schools' academic standards.

"It's an affront to constitutional autonomy," he said. "There is no guarantee that the top 10 percent of every school is prepared to succeed at each and every one of our state schools."

Cynthia Wilbanks, the University's vice president for government relations, said she couldn't comment on the plan because a draft of the proposal hasn't been introduced yet, but said the University has had concerns in the past with similar proposals.

In an argument presented to the Supreme Court during the 2003 *Gratz v. Bollinger* case regarding the University's undergraduate admissions policy, then-University President Lee Bollinger argued that a 10-percent plan couldn't replace the consideration of race in an application process. He said that plans like the one used in Texas "require certain demographic features not present in all states or in all public university systems."

Jones said he began considering a percent plan after reading a study that found that students admitted under the Texas 10-percent law perform as well as their peers.

However, a series of academic research papers on the effect of Texas's 10-percent law published by the Texas Higher Education Opportunity Project arrived at mixed conclusions on the law's effects on admissions and higher education.

According to a paper written by Maria Tienda, THEOP's lead investigator, and Dawn Koffman, a statistical programmer at Princeton University's Office of Population Research, eligible students were still only half as likely as more affluent students to apply to the University of Texas at Austin and Texas A&M University - the state's two flagship institutions.

Tienda and Koffman found that flagship universities were still dominated by affluent students four years after the law's enactment.

Another THEOP paper written by Tienda, Tel Aviv University Sociology Prof. Sigal Alon and Sunny Niu, a research associate at Princeton's Office of Population Research, found that the amount of black and Hispanic students eligible for admission to the two flagship universities increased but neither of the two schools saw increased black and Hispanic enrollment.

Jones said if the plan is met with strong resistance, he is willing to compromise with other lawmakers and propose that the system begins with a smaller percentage of students guaranteed admission.