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TEXAS' TOP-10-PERCENT POLICY HURTS MINORITIES' CHANCES FOR COLLEGE
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One in a series of commentaries on the University of Michigan affirmative action cases, scheduled to be argued April 1 before the U.S. Supreme Court.

President George W. Bush is wrong in thinking his Texas 10 Percent Plan -- which guarantees admission to state universities to students who graduate within the top 10 percent of their high school class, no matter how bad the school or how low their SAT scores -- is a preferable alternative to affirmative action programs. (Similar plans apply to students graduating in the top 4 percent of their high school classes in California and the top 20 percent in Florida.)

Those who criticize the president's plan as discriminating against affluent white kids are also wrong.

My colleagues and I analyzed application, admission and enrollment data from 1990 to 2000 at the University of Texas at Austin and at Texas A&M, the state's public universities with the most selective admissions that had considered race, among a myriad of factors, prior to the 1996 Hopwood v. University of Texas Law School ruling. That U.S. Appeals Court ruling said that the university could not use race as a factor in admissions.

Prior to Hopwood, African Americans represented 3.7 percent of Texas A&M enrollees, but only 2.4 percent afterward. During the same period, Hispanic enrollment dropped from 12.6 percent to 9.2 percent. At UT-Austin, African-American enrollment dropped from 4 percent to 3.3 percent, while Hispanic enrollment went from 15.8 percent to 13.7 percent.

This is an abysmal showing for a state whose population will become predominantly minority, with Hispanics soon to surpass whites. Together, African Americans and Hispanics represented more than half of Texas' college-age population in 2000, and they produced 45 percent of high school graduates.

Most critics don't know that the 10-percent plan merely codified what was already happening. Prior to Hopwood, the top 10 percent of high school graduates were admitted with near certainty to Texas' public flagship universities, so the new law impacts graduates ranked below the top 10 percent. Hopwood reversed the favorable admission probability enjoyed by African-American and Hispanic applicants ranked in the second and third deciles of their graduating classes, but it greatly improved the admission chances of similarly ranked white students.

Contrary to public criticism alleging that the 10-percent plan privileges high-performing students who attend low-performing schools,

the admission probability of students from the most affluent suburban high schools who ranked in the second decile actually rose at both Texas A&M and UT-Austin. UT applicants from 20 affluent feeder schools (out of 1,450 public high schools), who accounted for 23 percent of all admittees and 35 percent of enrollees at UT in 2000, have a 32-percent higher chance of admission after the top-10-percent law was enacted than before 1996.

If the top-10-percent policy were good for minorities, their admission chances would not have dropped. But at Texas A&M, the admission probability of African-American students ranked in the 80th to 89th percentile of their senior class fell from 85 percent to 72 percent, and from 87 percent to 76 percent for Hispanics. Likewise, at UT-Austin, the admission probability of white students of the same rank leapt from 80 percent to 91 percent. Once again, the president's allegedly color-blind policy ensures that minority youths fall further behind in their access to college.

Despite efforts by UT and A&M administrators to recruit high achieving students from poor and minority school districts, the admission and enrollment analyses demonstrate that by itself, the top-10-percent policy is not an alternative to affirmative action for diversifying campuses of selective universities. To be minimally effective, it requires a sustained, vigorous outreach program to segregated high schools and a substantial financial commitment for scholarship support.

Before I began investigating what really happened in Texas, I thought that percent-plan alternatives to affirmative action could achieve similar goals. But the facts reveal otherwise. A supposedly color-blind plan that capitalizes on persistent and egregious segregation by race and class that leaves thousands of Texas children behind in primary and secondary school cannot equalize college opportunity for minorities, either now or when they become the majority population.

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