

# For now, top 10% law will stay as is

## Lawmakers vow to revisit college admissions rule when they convene again in 2007.

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Efforts to limit the number of high-ranking students guaranteed admission to the state's public colleges and universities have collapsed and will not be revived in the current legislative session, lawmakers said Wednesday.

However, the legislative protagonists in the debate pledged to work toward a resolution in two years, when the Legislature next meets. A key figure, Sen. Royce West, D-Dallas, who filibustered two years ago to preserve the law, acknowledged that it needs to be revised to address capacity problems at the University of Texas at Austin.

"It's over. We met many times. . . . It just never jelled," said Sen. Florence Shapiro, R-Plano, who chairs the Senate Education Committee, referring to discussions among senators and UT-Austin officials aimed at reaching an 11th-hour agreement.

State law entitles Texas students graduating in the top 10 percent of their high school classes to attend any public college or university in the state. It was enacted in 1997 as a tool to promote racial and ethnic diversity after a court ruling resulted in a ban on the use of affirmative action in admissions.

The U.S. Supreme Court ruled in 2003 that limited use of race in college admissions was permissible, prompting some lawmakers to call for repeal of the top 10 percent law.

The Senate and House were far apart on the issue this session.

West authored legislation, which the Senate approved, that would have changed little beyond requiring high school students to take more rigorous classes to qualify for admission based on a top 10 percent ranking.

A proposal approved by the House would have allowed universities to limit the number of students accepted under the law to half their freshman classes, taking the highest-ranking ones first. The remaining top 10 percent students, along with other students, would have been considered for admission based on a broad review of their academic record and personal background.

Critics of the House approach said it would have left Texas students unsure of their prospects because the number of students guaranteed admission would have depended on the size of the applicant pool.

"We need a clear, concise message for students and also parents," West said. Other sticking points included how to address UT-Austin's capacity problems while avoiding reductions in racial, ethnic and geographic diversity of its student body, West said.

Seventy-two percent of the Texas students admitted to UT-Austin this year qualified on the basis of a top 10 percent ranking, a situation that doesn't leave much room for students with special talents, such as musical ability, who might not rank that high, UT President Larry Faulkner said.

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