Ten Percent

The jury is still out on an alternative to affirmative action.

When classmates at Houston’s Charles H. Milby High asked Jovanny Salgado her grade point average, she did not know she had one. She did not realize she ranked in the top 5 percent of her senior class until a guidance counselor told her so. The first member of her family to graduate from high school, she had excellent grades but may have lacked the necessary savvy and competitive drive to gain admission to, let alone thrive at, a prestigious university.
That was two years ago. Today, Salgado, a psychology major, is a sophomore at the highly selective University of Texas at Austin and has a grade point average of 3.7. “My family is proud,” she says. “All of their eyes are on me.”

A Hispanic American, Salgado is a star of a new approach by the state of Texas to increase diversity at its colleges and universities without relying on affirmative action. The change was not voluntary. A court decision in 1996 forced Texas, Louisiana and Mississippi to abandon their longstanding use of race or ethnicity as a factor in admissions at public colleges and universities, a ban the Texas attorney general broadened to apply to scholarship, recruitment and retention programs in his state as well. The decision initially met with great concern that ending affirmative action would cripple diversity. In response, the legislature passed a law requiring public colleges and universities to admit any graduate of an accredited Texas high school whose grade point average placed him or her in the top 10 percent of the class.

Salgado and the other minority students who have matriculated since the top 10 percent law passed have made the University of Texas at Austin the most diverse in its history. The percentage of white students in the summer and fall 2001 freshman classes stood at 61 percent, an all-time low, compared with 65 percent in 1996, before the top 10 percent law. What’s more, many of the minority students, including Salgado, are from high schools that historically sent few students to the university. The gains have been uneven among racial groups, however. For example, freshman African-American enrollment is still slightly below its percentage level in 1996, and Asian-American enrollment is considerably higher. In addition, many students from top suburban high schools contend they are being unfairly shut out of the best state schools in favor of less-deserving top 10 percent students from weaker schools.

Now a team of researchers led by Marta Tienda, a professor of sociology and public affairs at Princeton University, is conducting a comprehensive analysis of the program in order to paint a fuller picture of the changes wrought by the top 10 percent law. The findings should be crucial in helping determine whether percent plans, which are being considered in several states, can really take the place of affirmative action in boosting minority enrollment.

The Princeton study also promises to be hugely influential in the national debate at a time when affirmative action is being challenged nationwide. Although some states and courts have banned racial criteria in admissions, the U.S. Supreme Court is expected to review the decision of an appeals court last May upholding policies at the University of Michigan law school that use race as a factor in admissions. “When the study is complete, we will know a lot more about what one might do with the loss of affirmative action,” says Bruce Walker, director of admissions at the University of Texas at Austin.

The case that ended affirmative action in Texas college admissions, Cheryl J. Hopwood, et al v. State of Texas, was decided by the U.S. Fifth Circuit Court of Appeals in 1996. The court ruled in favor of Hopwood and three other white students, who claimed they were unfairly denied admission to the University of Texas law school because it gave preferential treatment to minority students. The top 10 percent law, largely fashioned by African-American and Hispanic lawmakers, took effect September 1, 1997. Under the plan, an applicant’s high school rank is determined by his or her high school, which can decide whether more difficult courses count for more than easier ones. At the University of Texas, the administration’s response to the law included de-emphasizing test scores in admissions decisions. By the fall of 2000, top 10 percent students automatically admitted under the law made up just less than half the freshman class at the Austin campus and slightly more than half at Texas A&M.

The Princeton-led study, which also includes researchers from the University of Texas and the University of Iowa, will eventually consist of three main parts:

- Data on applicants, admitted students and matriculating students from 20 Texas colleges and universities of varying selectivity. So far the group has collected 10 years of data from the University of Texas and Texas A&M and expects
One early finding is that under the new law, the University of Texas is drawing students from a greater number of high schools and from a wider geographic area, a change that benefits white as well as minority students.

Also, the University of Texas has restored diversity to pre-Hopwood levels, but Texas A&M has not. Tienda says that the research so far has not shown why this is so, though she suggests that the University of Texas may employ more effective outreach programs.

Chief among the university’s initiatives is the Longhorn Scholars program (see p. 19) for top students from 70 high schools in economically disadvantaged areas that historically had sent few students to the university. These students benefit from an interdisciplinary approach that features small classes taught by top professors. Longhorn Scholars also are brought together for monthly social events and are assigned advisers who work with them over four years.

In fact, officials at both the University of Texas and Texas A&M learned early on that they could not rely solely on the top 10 percent law, that simply making students eligible to attend their schools was not enough. Joseph A. Estrada, assistant provost for enrollment at A&M, says the law initially scared students away from the flagship institutions. For many of them the barriers were social as well as economic. “College-going behavior is socially embedded,” says Walker. “We realized we needed a dramatic effort to change that behavior.”

A&M has a program called Century Scholars, in which students are also selected from high schools that have sent few applicants in the past. Based on their academic performance and their ability to present themselves, some of these students later return to their high schools to recruit other students. Like Longhorn Scholars, Century Scholars also get help from peer mentors and faculty advisers.

Since it became law, the top 10 percent plan has generated a backlash among many middle-class suburban high school students, who contend that they are being shut out of the best state schools in favor of less-deserving minority students from less rigorous schools. Such arguments are similar to those once made against affirmative action. “The kids have something to blame for why they didn’t get in,” says Tienda. “The devil has a name.”

Caroline Mittle, a University of Texas admissions counselor, says she is often asked if the university considers the competitiveness of applicants’ high schools. “This question comes from
large suburban public schools, small magnet public schools, and private schools, you name it," she says. "This feeling of being shut out of the flagship universities of the state exists in more than just high-performing suburban schools. Many Texans feel it is their right to go to their state flagship university, not realizing that there simply isn't enough room to accommodate all qualified students."

The evidence to date does not support the critics' complaint. A study by the University of Texas admissions department shows that top-10 percent scorers are performing about as well as other students who had scored 200-300 points better on the S.A.T.

At the high school level, the Princeton research has found growing awareness of the law among students and increasing efforts by faculty to prepare students to succeed at college. But it also has found significant differences among racial groups and between sophomores and seniors on their knowledge of the law and their perceptions of its significance. So far, the researchers have results from a pilot survey, conducted in spring 2001, of 600 seniors and 1,100 sophomores at three high schools in or near Austin.

At the three high schools, the percentage of seniors who had heard some or a lot about the law was highest among African-Americans, at 77 percent, and lowest among Hispanics, at 55 percent. Among sophomores, the range was from 60 percent for whites to 37 percent for Hispanics. The percentage of seniors who believe the top 10 percent law is unfair to students who attend highly competitive high schools ranged from 49 percent for whites to 26 percent for blacks. Among sophomores, the range was from 38 percent for whites to 30 percent for Hispanics and others, a category that includes Asians.

The Princeton results, although preliminary, have significance beyond Texas as battles over affirmative action continue nationwide. Racial criteria have also been prohibited in Washington, California and Florida. The appeals court that ruled in the Michigan case, however, said that the U.S. Constitution permits colleges and graduate schools to seek minority students as long as they work toward targets rather than quotas. Depending on how the Supreme Court rules in that case, many more states could soon be seeking various alternatives to affirmative action.

The Princeton researchers emphasize that the early results of their study leave many questions unanswered. Key among them, according to Tienda, are whether more students are leaving Texas to attend college than before, how students choose among several colleges to which they are admitted, whether growing numbers of top 10 percent students will someday crowd out other competitive students, and whether the top 10 percent law will bring about greater diversity, reflecting the changing demographics of Texas and the nation. "The jury is still out" as to whether percent plans are a viable alternative to affirmative action, Tienda says.

For now she points to the broader geographic diversity at the University of Texas and praises the creative recruiting and retention strategies both there and at Texas A&M. "I was a first-generation college-goer myself," Tienda says, "and I can tell you that when somebody opens the door and says come in, it makes a difference."

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"The Staff Really Wants Us to Succeed."

The first time Tasha Pemell flew in an airplane, she was accompanying the president of the University of Texas at Austin to her old high school, where she made a speech and handed out scholarships to several students, including her sister Michell.

Tasha, now a junior at the university, and Michell, a freshman, both ranked in the top 10 percent of their graduating classes at Skyline High School in Dallas, and both are new Longhorn Scholars. Such red-carpet treatment is not uncommon for participants in the program, who are key to the university's efforts to attract and retain talented minority students in the wake of a court decision banning race-based criteria from admissions.

The scholars are drawn from 70 high schools whose students were historically underrepresented at the university, and they receive scholarships ranging from $8,000 to $20,000 over four years. They also are the first beneficiaries of the university's adoption of a 1998 report, the Boyer Commission's "Reinventing Undergraduate Education: A Blueprint for America's Research Universities," which called for removing barriers to interdisciplinary education, involving students in research early on and paying much more attention to undergraduate education overall.

Participants take freshman seminars and a writing course limited to 15 students; they also take forum seminars and classes in the school's Bridging Disciplines Program, both of which introduce students to collaborative research with faculty. Many Longhorn Scholars enroll in smaller sections of large lecture classes, and they have advisers who help them plot their time at the university.

Lucia Albino Gilbert, a vice provost and professor who directs the Longhorn Scholars program, said officials monitor whether students are using university services effectively or are in danger of losing their scholarships because of poor grades. Every month, there is a Lady Longhorns tailgate party or an ice cream social or other event. "Coming to the University of Texas is more of a transition for these students," she says. "African-Americans often come from a high school where everyone looks like them to a very Anglo place."

"The staff really wants us to succeed," says Derrick Miller, a junior. Yudith Vargas, also a junior, says, "Students who aren't in the program are always asking us how they can get into it."

In the fall 2002 class, there will be some 300 Longhorn Scholars, out of 7,000 freshmen. Of the 626 scholars attending the university through 2001, 58 percent were Hispanic, 28 percent African-American, 8 percent white and 6 percent Asian. —R.G.