



# Edward Rincón: Hands off 10% law

This program is a tremendous success

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Experts who track financial indicators of wealth have noted that indeed "the rich are getting richer, and the poor are getting poorer" – an observation that may be troublesome to all but the wealthy.

Yet two Texas legislators have worked diligently to dismantle Texas's "top 10 percent" law – a program that has been successful in narrowing the gap between rich and poor Texans by expanding access to an affordable college education.

The top 10 percent law was created to ensure diversity in Texas public colleges when the Texas Supreme Court ruled over a decade ago that the use of race was no longer permissible in admissions decisions. For students graduating in the top 10 percent of their high school class, the law provides automatic admission to any public college or university in Texas. Crafted by Sen. Royce West, the law has worked because:

- It is race-neutral – meaning that it applies equally to all racial groups.
- It relies on high school rank, the best known predictor of college grades.
- It minimizes reliance on college aptitude tests, which have documented biases related to race, gender and income.
- It prioritizes merit over other factors by providing automatic admission to the best scholars, regardless of the advantages or disadvantages that they may have experienced.

Aside from expanding the reality of an affordable college education to a broader diversity of Texans, the most compelling argument in favor of the law comes from research conducted by the University of Texas at Austin that clearly shows that students admitted through the top 10 percent program earned higher grades in college than students admitted through the traditional admissions criteria.

In their wildest dreams, why would anyone want to change this incredibly successful program?

Leading the charge to dismantle the top 10 percent law are Texas Sens. Florence Shapiro and Jane Nelson, who initially tried to eliminate the law altogether. Speaking on behalf of students who come from their wealthy districts, these legislators argue that since students from competitive high schools are better prepared academically for college than students from less competitive high schools, competing under the top 10 percent law results in too many promising students being eliminated from consideration for automatic admission to flagship institutions like UT and Texas A&M.

The revised top 10 percent legislation would help such students by placing a cap of 60 percent on automatic admissions under the top 10 percent law and providing admissions officers more discretion to admit students under traditional criteria like college admissions tests, grades and other factors.

In other words, students from competitive high schools – who generally have higher incomes, more test preparation classes, more credentialed teachers and superior instructional environments – apparently need more advantages than what they already have.

The two lawmakers could not have picked a worse time for launching their offensive against the top 10 percent law. Spiraling college tuition costs, national efforts to end race preferences in college admissions and continued shortages of women, African-Americans and Hispanics in scientific and professional jobs all point to the need to expand access to a college education rather than restrict it.

Texas has not won any accolades recently for its ability to produce college graduates: Among people 25 years or older, only 20 percent of African-Americans and 9 percent of Hispanics completed a bachelor's degree or higher in 2006 – substantially lower than the rate of 34 percent for non-Hispanic whites and 55 percent for Asians.

At this time, the revised top 10 percent law has passed in the Texas Senate and now goes before the Texas House for consideration – still sufficient time for concerned Texans to join Sen. Royce West in the battle to keep the top 10 percent law in its current form.

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