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**The Impact of Modified Top Ten Percent Policy (TTPP) on Diversity in University
Admissions in the Texas Flagship University**

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Admissions in the Texas Flagship University**

by

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Dedication

To God, Jesus Christ and my supportive Family

**The Impact of Modified Top Ten Percent Policy (TTPP) on Diversity in University
Admissions in the Texas Flagship University**

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The purpose of this study was to examine the impact of the recently modified Top Ten Percent Policy (TTPP) on diversity in the admissions for the flagship university in Texas, focusing on the policy process and the trend of racial and geographic diversity. In 1997, Texas devised House Bill 588 (HB 588), known as TTPP, to maintain public campuses diversified geographically, which is overlapping racially to compensate the potential loss of racial diversity after the *Hopwood* ruling to ban race-conscious policy. The recent influx of Top Ten percent freshmen caused the necessity to amend the TTPP, and finally, in 2009, Senate Bill 175 (SB 175) allowed UT to restrict automatic admissions to 75 percent of its enrollment capacity to admit resident freshmen. Additionally, UT limited to qualify automatic admission for those who graduate in the top eight percent of their high school in 2011, and top nine percent in 2012. For the quantitative analysis, this study used data publicly available from the Office of Admissions Research from UT-Austin (UT) for the years from 1998 on applicants, admittees, and enrollees.

The data analysis represented that UT seems to make more progress to enhance racial diversity after implementing SB 175. The data showed a decline of Whites coupled with an increase in Hispanics and Blacks. However, this racial diversity was not reflected enough when considering the state's demography. UT still has a long way to go before an underrepresented Black and Hispanic population. Improvements in racial diversity are one such sign, although these demographics lag too far behind in accurately representing Texas' population.

The finding for geographic diversity at UT suggests that the urban, suburban and rural status has not shifted so much beyond the expectation for geographic diversity after modification of TTPP. The initial intention of TTPP was to keep public campuses diverse geographically, that is overlapping racially. However, the data represented little improvement for geographic diversity.

The findings of this study suggest that the focus for beneficiaries would be extended to a realistic plan, which gives specific considerations based not only on race, geography, or similar minority status as standards. Instead, it would match preferences mainly with economic needs since racial categories or the numbers solely are too blunt and inclusive to identify students in need. Also, this new economic version needs to continue to assist the lower class of minorities to break the cycle of deprivation and disadvantage that has overwhelmed earlier generations.

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CHAPTER ONE: INTRODUCTION

The United States has had a long and winding history regarding issues of equal opportunities. The legacy of slavery, modern racism through segregation and finally the Supreme Court action to void "separate but equal", was the volatile historical background upon which in the 1960s, the Johnson administration established Affirmative Action(AA). As is well known, AA was created to diminish the lingering effects of past discrimination by, among many other edicts, permitting consideration of gender, race, ethnicity or disability in higher education admissions and hiring practices.

Texas has attracted attention nationally concerning issues of race and admissions. For example, University of Texas(UT) has been embroiled in extremely sensitive lawsuits since *Sweatt v. Painter* in 1950. Again, very recently, university admissions in Texas were in the spotlight due to *Fisher v. Texas* which followed *Hopwood v. Texas* that proscribed the use of race in college admissions in 1996.

The Supreme Court has dealt with the issue of race in college admissions in five separate cases over the past 65 years; remarkably, three of them have involved Texas, including the very recent lawsuit: *Fisher v. The University of Texas at Austin*, which could change the legal landscape for college admissions across the country. The concept of affirmative action dates back to the Kennedy and Johnson administrations, and it is built on a paradox. Back in the sixties, the hope was to help redress for the disadvantages encountered by minority groups, who had been discriminated against for generations. No

one dreamed that, just a decade or so later, affluent white students would claim that they were victims of reverse discrimination.

The irony of this is that the University of Texas at Austin was once at the center of a landmark case, *Sweatt v. Painter*, that helped break the back of racism in college admissions. Segregation was still the law when Heman Marion Sweatt, who was black, applied to the UT Law School in 1946. Sweatt was denied admission due to his race. The State Court ruled for Texas to establish a law school for African Americans that would meet the “separate but equal” standard. When the school was opened, Sweatt refused to register for that school, asserting that the new school was inferior to UT Law School. In 1950, the case reached the Supreme Court and the Court ordered the UT Law School to admit African Americans (Howard, 1999; Tushnet, 2004).

More than forty years would pass before UT’s next encounter with the courts over affirmative action. This was the *Hopwood* case, which was decided in 1996. At that time, the standard concerning Affirmative Action had been proclaimed in a 1978 Supreme Court case called *Regents of the University of California v. Bakke*. In that lawsuit a white student named Allan Bakke was denied admission to a state medical school, despite having higher scores than many minority applicants. The court ruled that the school’s rigid quota system, which set aside sixteen seats for minority students, was unconstitutional but that race could be used as one factor in making admission decisions to create a diverse student body (*Regents of the University of California v. Bakke*, 1978; Orentlicher, 1998).

Cheryl Hopwood reversed the principles found in the highest Supreme Court in *Bakke*. Like Bakke, Cheryl Hopwood was a white applicant who was rejected admission from UT Law School. Hopwood and other white plaintiffs filed suit in 1992, claiming that the admissions policy, by using quota, was not constitutional. The plaintiffs argued that they had better combined scores on the Law School Admission Test than 36 of the 43 Hispanics and 16 of the 18 blacks admitted. Actually, the law school had different admissions criteria for white and minority students, resulting in the admission of minority applicants with lower combined test scores than Hopwood (*Hopwood v. University of Texas*, 1996; Orentlicher, 1998).

The district court ruled that diversity constituted a compelling state interest but that the law school's particular program was not sufficiently narrowly tailored. On appeal, the Fifth Circuit reaffirmed the decision by the district court but declined the reasoning. In a disputable decision, the Fifth Circuit not only ruled that race-conscious admissions policies are not constitutional, but also overtly reversed Powell's principles found in the highest Supreme Court in *Bakke*. The decision reasoned that diversity was no longer a compelling enough state interest to warrant race-conscious Affirmative Action under the 14th Amendment (*Hopwood v. University of Texas*, 1996; Orentlicher, 1998). Moreover, the Supreme Court declined to hear the case, retaining the ruling valid in three states like Texas, Louisiana, and Mississippi (Laycock, 2004; Crosby, 2004).

After a federal court struck down the use of race-based affirmative action in higher education admissions in 1996, Texas lawmakers established new criteria for policies designed to increase diversity at state colleges and universities without directly

basing admissions on the applicant's race or ethnicity. The Top Ten Percent Policy (TTPP), enacted the following year by the 75th Legislature, guaranteed admission to any public college or university in the state for Texas students who graduated in the top 10 percent of their high school classes.

Since the enactment of the TTPP, there has been much debate about whether this measure has been effective in promoting diversity in Texas universities or whether it unfairly has deprived places at top state institutions for deserving students. In addition, the U.S. Supreme Court decision in 2003 in *Grutter v. Bollinger*, 539 U.S. 306, ruled that race could be a factor of admissions decisions if its review was sufficiently narrowly tailored. *Grutter* reversed the prohibition on race as a factor for admission for Texas colleges and universities established by the *Hopwood v. Texas*, 78 F.3d 932 (5th Cir. 1996). Adhering to Justice Powell's principles in *Bakke*, the Court developed an outline interpreting diversity as a compelling state interest, upheld the constitutionality of race-conscious admissions programs as long as they were narrowly tailored (Anderson, 2004; Sowell, 2004).

Impacted by this background, some legislators attempted to propose revisions to the State's Top Ten Percent Policy (TTPP) such as SB 86, HB 612 and HB 484 during the 78th and 79th legislatures. Finally, Senate Bill 175 (SB 175) of the 81st Texas Legislature (2009) allowed UT to restrict automatic admissions to 75 percent of its enrollment capacity to admit resident freshmen. UT was expected to attain the new cap in the 2011-12 school year by automatically admitting students who graduated in the top EIGHT percent of their high school classes. The remaining slots would be filled through

a holistic review that considered a variety of factors, including a student's race and ethnicity. Under the modified law, UT may cap automatic admissions through the 2015 school year (The University of Texas at Austin, 2012).

Based on this background, diversity is the Supreme Court's chosen ground for adopting and modifying TTPP and rescinding race-based affirmative action in admissions to higher education. Moreover, the rationale for defending affirmative action has shifted from correcting injustice to expanding diversity as passing the generations. The educational policies are embedded in political processes. The policy players have been the typical groups Kingdon (1984) presented: government, parties, interest groups related to parents, students, civil organizations, the media, and academics. They have distinctive identities, roles, expectations and cultures; also, they have the power and strategies to persuade, negotiate, oppose, unite, mobilize, resist, and struggle. The stakeholders can be classified as both supporting and opposing groups.

From the empirical literature, many studies have shown that the TTPP altered application and enrollment patterns of Texas's college-bound high school students. For example, Niu and Tienda (2007) show that the TTPP boosts enrollment at Texas's flagship public universities for eligible students at predominantly minority high schools. However, Niu, Sullivan, and Tienda (2008) show that lack of information about the law mitigates its effect on bringing more minority students to the flagship institutions. Niu, Tienda, and Cortes (2006) study students' preferences over college selectivity levels. Bucks (2002) concludes that the law was unsuccessful at restoring minority enrollment levels at the flagship institutions to pre-*Hopwood* levels. Long and Tienda (2008) show

that average standardized test scores rose at less selective schools following the implementation of the law and that at UT, the trend of increasing standardized test scores halted.

In these veins, the recent changes of TTPP in 2009 resulted in intricate and dynamic interactions embedded in policy environments causing or influencing policy implementation directly and indirectly. Therefore, this study examines how amended TTPP impacted diversity in university admissions in Texas as follows:

1. How has TTPP been implemented and changed over time?
2. What are the trends and differences in students' applications, admissions and enrollment concerning the racial categories at UT Austin (UT)?
3. What are the trends and differences in the students' admissions and enrollment concerning the geographic categories?

CHAPTER TWO: REVIEW OF LITERATURE

In this chapter, I review historical background and a theoretical framework in these two substantive areas: 1) pre-historical background of Top Ten Percent Policy (TTPP) for diversity in Texas; 2) Kingdon's multiple streams theory as a theoretical framework. This review provides the background on which the objectives of this dissertation are based.

The researchers and scholars in policy studies, in general, point out that policy implementation would be analyzed through both the level of policy environments and the level of implementation and process (Honig, 2006; Sabatier, 2007; Birkland, 2005). The policy analysis approached from multiple perspectives contributes to "better understanding the policy problems we study; the relationships among policy discourse, planning, implementation, and practice; the dynamics of policy contexts; and the impact of policy and practice on individuals." (Young, 1999, p.679) Also, the use of more than one framework will "construct research designs and collect data, analyze and interpret the data through the different frames, and compare the similarities and differences in the findings that emerged from the different perspectives." (Young, 1999, p. 679) However, the 18-year-old-TTPP is rarely analyzed from the multiple streams models like institutional, political, or structural perspective. Most studies about TTPP are concerned with the empirical effect before SB 175 focused on exploring the policy and student factors. In this respect, this chapter, especially the latter part dealing with TTPP, will be

beneficial to shed light on a multiple perspective analysis to understand the process and modification of TTPP.

Historical Background surrounding University Admissions concerning Affirmative Action

A vast literature about affirmative action (Harris & Tienda, 2010; Laycock, 2004; Hough, 2006; Tienda et al., 2003) has considered the five major lawsuits as divergent landmark cases that impact racial equality and diversity in university admissions: *Sweatt v. Painter* in 1950, *Regents of the University of California v. Bakke* in 1978, *Hopwood v. University of Texas* in 1996, *Gratz v. Bollinger* and *Grutter v. Bollinger* in 2003. Followed by the five critical lawsuits, most recently, the issue of racial diversity was once again tested as The University of Texas at Austin (UT) successfully defended its use of affirmative action in admissions and now faces review by the Supreme Court concerning the lawsuit, *Fisher v. University of Texas at Austin*. Among six cases, Texas has been embroiled in problems of race, equality and diversity three times beginning with *Sweatt*, *Hopwood* and *Fisher*.

This section provides the historical evolution of Affirmative Action in university admissions. The analysis is divided into the three levels at which the most significant transitions have occurred: structural, institutional, and the individual actor or agent.

Phase 1: Pre-Affirmative Action : Pursuing true racial equality

Structure. American society suffered from the residual problems of slavery, racial violence, and social inequality in the Reconstruction Era following the U.S. Civil War. Although the **Equal Protection Clause of the Fourteenth Amendment** in 1868 extended equal protection to all citizens, the Supreme Court allowed states to pass Jim Crow laws that essentially legalized segregation.

In 1896, legal segregation in the South was extremely reinforced by *Plessy v. Ferguson* (1896) which decreed that a Louisiana law requiring segregated train cars was constitutional as long as equal accommodations were provided. Throughout the South, this “separate but equal” doctrine not only meant separatism in public sectors, but also denied African Americans access to the best and highest-quality of opportunities in employment, housing, and education (Rudio, 2001; Kluger, 2004).

Agent. On the other hand, federal and state courts began to scrutinize segregation more narrowly in this period. This development arose out of the litigation strategy of the National Association for the Advancement of Colored People (NAACP) to pursue true equality for colored people (Lavergne, 2010; Tushnet, 2004). In its early days, the NAACP attracted highly educated middle-class African Americans, most of whom were politically active and in positions to see the opportunities denied to them. The NAACP reasoned that black exclusion from white schools might be most immediately challenged in graduate and professional schools. Actually, at that time, separate black institutions were not generally furnished by states enforcing segregation, which proved to be too expensive to establish (Kluger, 2004; Tushnet, 2004). So the NAACP focused on

combating discrimination in graduate education as the first step in their battle to overturn the *Plessy* decision. Consequently, the Supreme Court has repeatedly been asked to rule the constitutionality of racial separateness in university admissions.

Institution. Whereas in *Sweatt*, the Law School considered the race of applicants to ensure that African-Americans were excluded, later in *Hopwood*, the Law School considered the race of applicants to ensure that all races were included. The Law School was involved in litigation in both cases. Defining the term “substantially equal” in *Sweatt v. Painter*, the court noted that a separate law school for blacks in Texas was explicitly not equal to the whites-only UT Law School both in terms of measurable aspects, such as the variety of courses, and in intangibles, such as reputation and prestige (*Sweatt v. Painter*, 1950). Although the Court did not directly consider or abandon *Plessy*, the *Sweatt* ruling eroded the possibility that schools could be both racially separate and equal (Howard, 1999; Tushnet, 2004).

Public colleges and universities in Texas proscribed formal exclusion of African-Americans *de jure* after *Sweatt*, however, segregated attendance patterns still endured *de facto* from indifference and the inclination of white and minority students to some extent. Because institutional hostility from some of the previously all-white institutions; the long-standing history of discrimination in Texas, and especially because of segregation in elementary and secondary education, suggested that proportionately fewer minorities than whites achieved the highest levels of academic success.

Phase 2: Affirmative Action Era: Correcting Justice (Acquiring Equality de Facto) Compensation for the Past Wrongs

Structure. Finally, the Supreme Court ruled in the *Brown* case that racial segregation in public schools is essentially unequal and unconstitutional. This monumental decision sparked the beginning of the Civil Rights movement, which ended legal segregation in the U.S. As a result, the U.S. Congress passed the Civil Rights Act in 1964, which prohibited discrimination based on race, color, religion, sex, or national origin in the Title VI. The Act, in Title VII, included the creation of the Equal Employment Opportunity Commission to oversee the implementation of the Act in the workplace (Howard, 1999; Kluger, 2004). After extending true legal equality, as a further step in the LBJ administration, affirmative action was established as a remedy for the victims of the long-standing discrimination for legalized segregation, and other types of inequality.

As political resistance to desegregation faded, admissions became more competitive. The baby boom and exploding rates of college attendance made college admissions much more competitive just as schools were willing to admit minority students. Minority enrollment in the Law School remained small in the years after *Sweatt*, and it actually declined as admissions became more competitive.

Institution. However, following the establishment of affirmative action, many universities also developed affirmative action policies to increase the number of minority students on their campuses. During the Carter Administration, federal Office for Civil

Rights (OCR) embodied its negotiating position in regulations that have remained in effect, sometimes with only technical amendments, through the Reagan, George H. W. Bush, Clinton, and George W. Bush administrations. In detail, the regulations specified that beneficiaries be adequately compensated to overcome the effects of prior discrimination (Anderson, 2004; Skrentny, 1996).

In this period, Texas experienced trial and error for many years to develop an effective and practical affirmative action program. Actually, OCR warned the state of Texas a couple of times that Texas had not achieved the plan's goals enough to eliminate vestiges of its former *de jure* racially dual system of public higher education. The notice from OCR contained many of the demands that OCR made in its negotiations with Texas. States were required to adopt specific numeric goals and timetables for sequential implementation to achieve equal matriculation rates for black and white high-school graduates and a 50% reduction in the black-white disparity in enrollment at historically white four-year and upper-division schools. These goals would require a change in admission standards: Schools may need to broaden definitions of potential; to discount the effects of early disadvantage on the development of academic competence; and to broaden the talents measured in admissions tests (Anderson, 2004; Skrentny, 1996).

Phase 3: Diversity as a compromising point: *The Regents of the University of California v. Bakke* : Establishing some standards

Structure. UT's experience was typical of universities' experience overall. For southern schools with selective admissions standards, affirmative action that directly considered race was a necessary step in efforts to meet their desegregation obligations. Although this change strongly encouraged minorities to apply to the flagship universities, one of the greatest enduring barriers at the historically white schools was selective admission standards. Across the board changes in admission standards threatened to destroy the mission of selective institutions. Affirmative action enabled selective institutions to maintain their admission standards, to admit greater numbers of minority students, and to select the best minority students as evaluated on the same criteria applied to all other applicants. Also, affirmative action caused the other equality issue of reverse discrimination surrounding university admissions since the Equal Opportunity Act of 1972. From this period, some lawsuits began to threaten the constitutionality and legality of affirmative action mandates (Kluger, 2004; Rudio, 2001). Finally, affirmative action was first tested on the merits in the Supreme Court, in *The Regents of the University of California v. Bakke*.

Institution. The issue was whether sixteen separate seats could be reserved for minorities in the UC Medical School. The opinion of the Supreme Court was controversial and the liberal justices were highly divided against the new, more conservative justices appointed by President Nixon. Four justices held that UC could not use a separate admissions policy based on race because it violated the 14th Amendment banning racial discrimination. However, four other liberal justices rejected Bakke's challenge reasoning that "race-blind policies in a race-conscious society"(Katznelson,

2005:28) can make access severely difficult for minorities (Katznelson, 2005; Skrentny, 1996). In conclusion, the Supreme Court ruled that it is lawful to consider race or ethnicity as one factor in making admission decisions to create a diverse student body (*Regents of the University of California v. Bakke*, 1978; Orentlicher, 1998).

Agent. Justice Lewis Powell, as the moderator, circumscribed the acceptable boundaries of affirmative action by presenting two principles (Skrentny, 1996). Although he maintained the Constitution of Equal Protection Clause, he was more rigorously reluctant to use the quota than the four liberal justices. Powell authorized affirmative action within the scope of 14th Amendment under strict scrutiny. He claimed that race-use could be operated as a “plus” factor in admission practices. He also reasoned that modifications to race-blind policies could be undertaken to rectify race-conscious disadvantages only when the two principles are met. First, the link between past injuries and present remedy has to be strong and precise. Second, a convincing public goal pursued by affirmative action should be clear and valuable when applied (Katznelson, 2005; Palmer, 2001; Anderson, 2004). Powell’s principles substantially contributed to offer a powerful framework and standard for future cases and legal decisions pertaining to race.

Although the use of overt quotas or set-asides was proscribed in *Bakke*, since Powell’s decision colleges and universities have continued to treat characteristics such as race as plus factors when making decisions on admission among qualified candidates (Crosby, 2004; Orentlicher, 1998).

Phase 4: *Hopwood v. University of Texas*: Deterioration of affirmative action: Returning to Conservatism

Structure. By the mid-nineties, the law school had trained more African-American and Mexican-American lawyers than any other historically white law school, and it had trained a significant fraction of the national total of minority lawyers. More efforts were committed to recruiting the strongest minority students, and the law school deliberately reduced the racial gap in academic credentials. UT operated under *Bakke* and its agreement with OCR. It considered race in admissions, and gave preference to minority applicants until the *Hopwood v. Texas* decision (Anderson, 2004; Crosby, 2004).

Institution. Like *Bakke*, Cheryl Hopwood was a white applicant who was rejected admission from UT Law School. Hopwood and other white plaintiffs had high grades and test scores, and they claimed that they would have been admitted without the Law School's preference for minority applicants. According to their argument, UT law school had different admissions criteria for white and minority students, resulting in the admission of minority applicants with lower outcomes than Hopwood. On the other hand, the UT Law School contended that plaintiffs had weak majors at weak undergraduate institutions and that, regardless of affirmative action, they would not have been admitted. Actually, the UT Law School implemented a dual-committee system, which had a separate committee to review minority applications apart from the committee for the white applicants. Moreover, the standards for admission were lowered for minorities. For example, UT Law School employed the Texas Index (TI) that combined standardized test scores with GPA. A minimum score for admission was ten points higher for whites than

for non-whites. In detail, whereas minorities, specifically African Americans and Mexican Americans, earned scores sufficient to be categorized as “presumptive admits” (certain to be accepted), whites that received the same scores were categorized as “presumptive denials” (certain to be rejected) (*Hopwood v. University of Texas*, 1996; Anderson, 2004; Crosby, 2004).

The Law School accepted that it had preferred minority applicants, but it contended that the reason is to accomplish and restore desegregation of legal education in Texas, to cure past discrimination in public education, and to ensure diversity on campus. In order to achieve this goal, UT had lower admissions standards for minority applicants than for nonminority applicants. However, UT argued that all of the minority students who were admitted were qualified and almost all succeed in graduating from law school and passing the bar exam.

The Judge Sam Sparks in 1994 ruled that diversity constituted a compelling state interest but that the two committee systems was not sufficiently narrowly tailored. On appeal, the Fifth Circuit reaffirmed the decision by the district court but clearly declined the reasoning. In a disputable decision, the Fifth Circuit not only ruled that race-conscious admissions policies are not constitutional but also overtly reversed Powell's principles found in the highest Supreme Court in *Bakke*. The decision reasoned that diversity was no longer a compelling enough state interest to warrant race-conscious affirmative action under the 14th Amendment (*Hopwood v. University of Texas*, 1996; Orentlicher, 1998). Moreover, the Supreme Court declined to hear the case, retaining the

ruling valid in three states like Texas, Louisiana, and Mississippi (Laycock, 2004; Crosby, 2004).

On the contrary, in 2000, the Eleventh Circuit Court of Appeals, in *Smith v. University of Washington*, found the diversity rationale of the admissions policy of the University of Washington Law School was constitutional. In this period, the legality of affirmative action varied from state-to-state as different and the federal district court ended up having opposing findings (Anderson, 2004; Crosby, 2004).

As other universities defended their use of race-conscious admissions practices, uncertainty about the future of affirmative action in college admissions triggered a search for race-blind alternatives that could produce diverse student bodies (Chapa, 2005; Downing et al., 2002; Anderson, 2004). For example, in response to *Hopwood*, the Texas legislature passed HB 588, which guaranteed a place in any Texas public university or college to anyone who had graduated in the top 10 percent of their class (Chapa, 2005; Crosby, 2004). Because schools in Texas were so poorly integrated, this plan paid more attention to the school segregation based on geography which overlapped the racial segregation (Chapa, 2005).

The Context of Top Ten Percent Policy (TTPP)

Fostering diversity in higher education is one of the key issues facing American democracy. The history of affirmative action generally views the evolution of diversity discourses over the past three decades as a response to federal court decisions that have restricted the use of affirmative action policies in admissions (*Bakke v. California*, 1978; *Hopwood v. Texas*, 1996; *Grutter v. Bollinger*, 2003; *Gratz v. Bollinger*, 2003). The conventional wisdom is that institutions have shifted in response to federal court decisions from a social justice framework designed to remedy past and present racial injustice to an educational rationale framework that emphasizes the pedagogical benefits of diverse learning environments. The shift to an educational framework is seen by many higher education observers as primarily a pragmatic response to legal challenges to affirmative action policies that devalues the reality of social inequality in determining higher education access. While the legal climate surrounding diversity policy has undoubtedly affected the rhetoric used to justify its usefulness to institutions, scholars have failed to examine public university diversity as a public policy issue and as such have failed to consider extra-legal, policy based reasons for shifts in rhetoric regarding diversity reforms.

Period	Phase I	Phase II	Phase III	Phase IV
Structure	Post-emancipation Discriminatory Welfare system since Great Depression	Civil Rights Movement Cold War, Vietnam War	Cold War (Agents' Strategy: Moral Leadership)	Agenda shift from Civil Rights to Economics Global Ethnic Conflicts
Major Lawsuits	Sweatt case	Brown Case	Bakke case	Hopwood case
Agent	NAACP's Legal Strategy (Black Middle Class)	NAACP LBJ's Leadership Strategic Agency for AA	Crisis Manager & Pragmatic Administrator Bi-polarization within the Black People	Republican Presidents' Leadership Clinton's Moderate Leadership
Ethos	Separate but Equal	Full Legal Equality	Correcting Injustice (Compensation)	Deterioration of AA
Legal Criteria			No Quota Diversity for the state interest	No Quota No Racial Preference

Figure 1. Major Dynamics and Rationales Surrounding AA Based on the Timelines

Theoretical Framework: Kingdon's Multiple Stream Model

This section will provide a theoretical foundation to examine the dynamics of policy change and process about TTPP. The foundation for this study is Kingdon's three streams theory to analyze the policy change and policy process to offer a clear link with the following empirical findings in Chapter 4.

Several scholars use an evolutionary metaphor to describe the public policy process (Baumgartner & Jones, 1993; Kingdon, 1984; Sabatier & Jenkins-Smith, 1993). Of them, Kingdon (1984) characterized the policy process in the United States as a “primeval soup” in which policy agents modify their ideas to adapt to changing conditions. This evolutionary process, as Kingdon notes, is “akin to biological natural selection” in which certain policy ideas survive changes in the political and social climate while others do not (Kingdon, 1984, p.226). In this primeval soup phase, policy advocates are concerned with ensuring that their proposals remain on the agenda of decision makers. In Kingdon (1984) “primeval soup,” policy advocates must engage in frame transformation to survive long enough to eventually become institutionalized.

Kingdon's theory is based on the premise that policies are developed or changed when three streams—problem, policy, and political—come together at a point called the *policy window* (Kingdon, 1984). To analyze the shift of TTPP, a convergence of three policy streams, such as problem recognition, policy proposals, and political action, occurs at critical junctures, enabling the enactment and amendment of TTPP (Kingdon, 1984).

Kingdon investigated how and why certain agenda items reach the point of action, how alternative agenda items sometimes share, dominate, or are dismissed from the public stage, and how this agenda setting process affects public policy. His focus is on the process, not the individual players or issue though he cites three case studies to use as examples when he presents his model (Kingdon, 1984).

The policy process involves the coordination and collision of ideas, agendas, institutions, individuals, networks, and resources. This complex process is also constantly evolving according to the physical, political, and social environment. Kingdon (1984), in his multiple streams theory offers a model that describes the interplay of these many pieces in the development of policy. This multiple streams approach defines three distinct but complementary processes, or “streams” that align to set the agenda and later converge, resulting in policy change. In policy-making these streams are: (1) the problem stream, where problems are defined and recognized by policy entrepreneurs or policymakers through systematic indicators, focusing events, or feedback, etc.; (2) the policy stream, where the gradual accumulation of knowledge and perspectives regarding solutions, ideas, and alternatives among the policy community comprised specialists in a given policy area, for example, policy makers, academics, and advocates, leads to the generation, debate, redraft, decline or acceptance, and formulation of policies; and (3) the political stream, where elections, public mood swings, interest group demands, and changes in an administration contribute to the political process (Kingdon, 1984).

Though largely distinct in development and operation, these three streams can come together at critical times. Kingdon causes these critical times “windows of

opportunity”, where “a problem is recognized, a solution is available, and the political climate makes the time right for change” (Kingdon, 1984, p.93). It is in this alignment and eventual convergence of these streams and creation of these windows that is key to understanding agenda and policy changes.

The rationale for choosing Kingdon’s (1984) theory for this research was that it takes into account not only problems but also policies and politics associated with a given situation. Kingdon’s three streams theory was suited well for TTPP because it focuses on institutional arrangements and the politics of the policy process, aligns with complex and long policy and decision-making processes

In addition to these streams, Kingdon recognizes actors and the political environment as important to the policy process. In particular, actors outside the government are integral in pushing for the coupling of streams, by defining problems and promoting solutions. According to Kingdon (1984), political institutions may make things possible, but people make things happen. Kingdon’s multiple streams theorize at the systemic level; however the system is bounded within a particular government body. Thus, Kingdon’s model (see Figure 2) considers only those factors specific and internal to the government in which the process is ultimately completed.

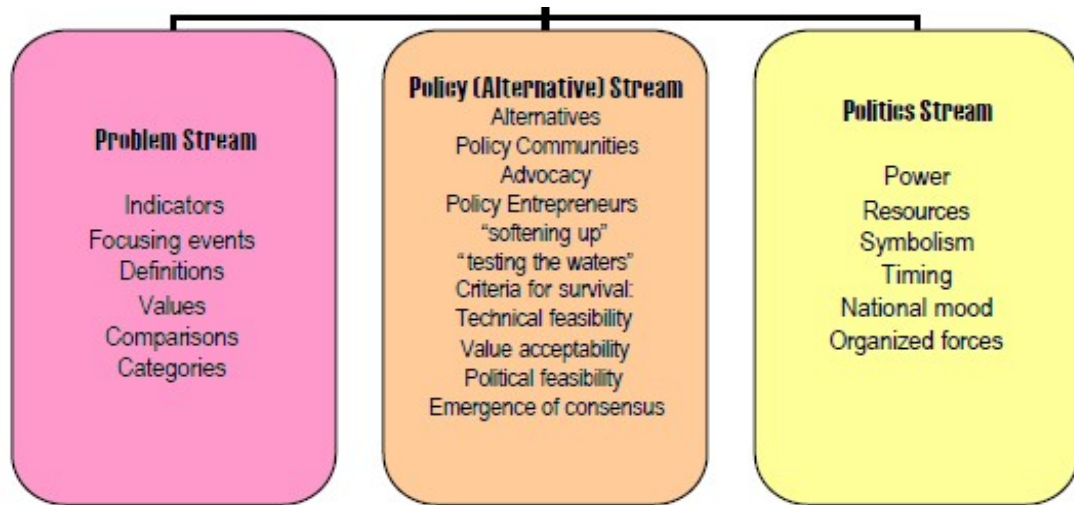


Figure 2. Kingdon's Multiple Streams Model

CHAPTER THREE: DESIGN and METHODS

The purpose of this study was to examine how modification of TTPP impacted diversity in university admissions in the Texas flagship university and what the trend of each diversity was as TTPP shifted by the legislature. This chapter presents the research questions to lead this empirical analysis with the literature review; the data sources and limitations; and the research design such as methodology, and measures for data analyses. To achieve the goal, this study addressed the following research questions.

1. How has TTPP been implemented and changed over time?
2. What are the trends and differences in students' applications, admissions and enrollment concerning the racial categories at UT Austin (UT)?
3. What are the trends and differences in the students' admissions and enrollment concerning the geographic categories?

Data Sources

This study used the data source that is publicly available from the UT Office of Admissions Research (OAR, <http://www.utexas.edu/student/admissions/research/>). To collect data, I requested the databases of all first-year freshmen such as applicants, admittees, and enrollees divided by race, geography, and economic indicators from 1998 to 2015 for UT under the Texas Open Records Act. However, UT declined to release the database about freshmen containing all the information since federal laws prohibited UT

from releasing personally identifiable academic records. Actually, UT has been impacted by the Fisher case since 2008, waiting for the final decision from the Supreme Court. Therefore, the researcher determined to use the data about the UT freshmen on the website that is publicly available from the UT Office of Admissions Research (OAR, <http://www.utexas.edu/student/admissions/research/>). However, the released data is not about the individual level data linking all relevant information together but the aggregated number of freshmen separately for each item. In detail, first, OAR provided the data of the number of all freshmen applications, admits and enrollment organized by race, partly by geography, by Top Ten status from 1998 to 2015.

This limited datasets are useful and relatively new datasets that are suitable for examining the trend before and after modification of TTPP. On the other hand, I reviewed 457 documents of newspaper for the analysis about the policy process and policy change of TTPP.

Table 3 demonstrates an overview to answer three research questions. As shown in Table 3, research question 1(RQ1) examines the trend of racial diversity at UT-Austin (UT) as TTPP shifted by the Legislature.

In detail, the first section presents the analysis about the policy process and policy change to provide the holistic understanding about the implementation of TTPP. Then, the second section presents basic statistics about racial composition for the number of applications and admits from 1998 to 2015 to examine the racial shift as TTPP changed. This section demonstrates admission rates that divide the number of admits into the number of applications. The second section presents descriptive statistics of enrollment

by race and by Top Ten status from 1998 to 2015 for RQ2. To compare with the increase of Texas demography, this section then offers the number and the percentage of UT enrolled freshmen from Texas high schools and graduates from Texas high schools. In addition, this section shows the Top Ten proportion of enrolled freshmen by race. The Top Ten proportion of enrolled freshmen means the proportion of enrolled Top Ten percenters of the two that make up the Top Ten and Non-Top Ten. In detail, the Top Ten proportion is calculated as $100 * (\text{The number of Top Ten enrolled students}) / \{(\text{The number of Top Ten enrolled students}) + (\text{The number of Non-Top Ten enrolled students})\}$. Finally, the third section shows the rate of exodus from Texas and "Out of State" students from out of Texas by using the number of admits and enrollment by each race. With the limited data, it demonstrates the regression lines to examine effects of policy more precisely as the year passes by.

Next, research question 3 (RQ3) examines geographic diversity at UT. The first section presents numbers and percentages of enrolled students from Texas high schools (TXHS) by Texas Education Agency (TEA) district type. This categorization comprises ten school districts depending on size, expansion rates, and accessibility to urban regions divided by TEA. Additionally, this section offers enrollment rates that divide the number of enrollment into the number of admits to compare each school district clearly by Top Ten status. Then, like the first section, the second section presents the same type of data analyses by other types of categorization. The data in the second section was sorted by the state's Regional Education Service Centers (ESC) and UT's regional Admissions

Centers. Since there is no accessible data at UT before 2010, the geographic diversity focuses on the data from 2010 to 2012 organized by either types of classifications.

Limitation and Research Design

This study used a non-experimental research design since there are no controlled or experimental groups and no treatment or measured interventions were applied. For this study, the researcher employed a quantitative research design in order to answer the four research questions of this empirical study.

This study attempted to examine the effects of TTPP on freshmen's diversity with elaborate measures statistically. However, due to the absence of a combined database that can find several factors at the same time, it is very hard to verify to examine by more elaborate measures such as correlation, regression and multi-logit regression. Therefore, this study employed descriptive statistics and regression lines as conditional relationships in part.

To investigate research question 2 (RQ2), for racial diversity at UT, this research divided three sections into admission rate, enrollment and migration status. First of all, for admission rate, the number of applications and admits are employed for descriptive statistics to demonstrate the trend and differences of applications and admits by race as TTPP was changed by the legislature. Then, UT admission rates were divided by the number of admissions into the number of applications by race from 1998 to 2010. There is missing data in public sources from UT about the number of total applications and

admits from 2011 and 2012. Therefore, the analysis for admission rates focuses on the trend of racial diversity before TTPP changed.

Second, for the enrollment by race, the number and the percentage of first-time enrolled freshmen from Texas high schools are presented by race and by Top Ten status. The data analysis through these descriptive statistics, shows the trend of enrollment by Top Ten status by race to examine racial diversity more specifically followed by the demographics of graduates from Texas high schools to compare the Texas population.

Third, for the migration by race, the number of admit and enrolled students are used to show the migration trend of UT by race and by Top Ten status. The descriptive statistics represent two types of information: one is exodus that shows the number and percentage of students who left UT graduated from Texas high schools (TXHS): and the other is “out of State” student that presents the number and the percentage of students from out of state who enrolled at UT. The exodus percentage was calculated as $\text{Exodus} = (\text{Total admit from TXHS} - \text{Enrollment from TXHS}) / (\text{Total admit from TXHS})$. Likewise, the percentage of “Out of State” students was calculated as $\text{“Out of State” students} = (\text{Total enrollment} - \text{Enrollment from TXHS}) / (\text{Total enrollment})$. Like the admission rates, the analysis for “Out of State” students focuses on the trend of racial diversity before TTPP changed due to the missing data of total enrollment in 2011 and 2012.

For more specific scrutiny, regression lines are used to explain time trends that represent association between year and exodus rate by Top Ten status. Regression

extends the concept of correlation that describes the relationship between two variables positively or negatively. Regression begins the process of explaining or predicting relationships between variables. Regression is a technique for finding the best-fitting line for a set of data, to help “predict” outcome measures. The distance between the actual data point (Y) and the predicted point on the line (\hat{Y}) is defined as $Y - \hat{Y}$. The goal of regression is to find the equation for the line that minimizes these distances. Therefore, regression is used to estimate how much one variable contributes to explain another (Gravetter & Wallnau, 2009). As an independent variable, the years explain time trends, the strength of linear association between years and students’ percentages concerning applications, admissions or enrollments. Therefore, large R square figures mean strong relationships between years and the stated variables.

However, this study employed conditional association that does not account for other potential or confounding factors in the relationship between time and concerning percentages due to the absence of a combined databases that can find several factors at the same time. Therefore, it is very hard to verify to examine by more elaborate measures such as correlation, regression and multi-logit regression to examine several related factors at the same time. Hence, this study employed descriptive statistics and regression lines to examine selective conditional relationships.

Table 1

Overview to Answer Research Questions

RQ	Subject of RQ	Contents of each RQ: Descriptive statistics	Contents of each RQ: Regression line
2	Racial diversity at UT	<p>The number and the percentage by each race</p> <ol style="list-style-type: none"> 1) Admission rate=$(\text{Admit}/\text{Apply}) * 100$ 2) Enrollment of Top Ten proportion 3) Exodus rate=$\{(\text{Admit-Enrollment})/\text{Admit}\} * 100$ 4) "Out of State" students from Non-TX =$\{(\text{Total Enrollment-TXHS Enrollment})/\text{Total Enrollment}\} * 100$ 	<p>Top Ten proportion = $100 * (\text{The number of Top Ten}) / \{(\text{The number of Top Ten}) + (\text{The number of Non-Top Ten})\}$</p> <p>Top-10 Proportion by each race</p> <ol style="list-style-type: none"> 1) First-time Enrollment rate 2) Rates of Exodus & "Out of State" students
3	Geographic diversity at UT	<p>The number and the percentage by school district</p> <p>TEA Type</p> <ol style="list-style-type: none"> 1) Enrollment 2) Enrollment rate=$\{(\text{Admit-Enrollment})/\text{Admit}\} * 100$ <p>ESC Type</p> <ol style="list-style-type: none"> 1) Enrollment 2) Enrollment rate=$\{(\text{Admit-Enrollment})/\text{Admit}\} * 100$ 	

For research question 3, the researcher shows descriptive statistics about enrollment status by each district by Top Ten status and enrollment rate for each of two data types to examine geographic diversity at UT. One is distribution by Texas Education Agency (TEA) comprising ten school districts reorganized by the author a bit: D1. Major Urban, D2. Major Suburban, D3. Other Central City, D4. Other Central City Suburban, D5. Independent Town, D6. Non-Metro, D7. Non-Metro, D8. Rural, C: Charters, N: Non Public or Non Reported (University of Texas at Austin, 2012).

The other distribution type is divided into 20 regions by the state's Regional Education Service Centers and UT's regional Admissions Centers: 1. Edinburg, 2. Corpus Christi, 3. Victoria, 4. Houston, 5. Beaumont, 6. Huntsville, 7. Kilgore, 8. Mount Pleasant, 9. Wichita Falls, 10. Richardson, 11. Fort Worth, 12. Waco, 13. Austin, 14. Abilene, 15. San Angelo, 16. Amarillo, 17. Lubbock, 18. Midland, 19. El Paso, 20. San Antonio (University of Texas at Austin, 2012). Like the admission rate, the enrollment rate is divided by the number of admits to examine the students from which school districts tend to finally select UT. Since UT did not provide these two types of data before 2010, this study only focuses on the geographic diversity at UT after 2010.

CHAPTER FOUR: RESULTS

This chapter highlights the main findings of this study to answer the research questions on the effects of TTPP. The purpose of this study was to examine the impact of modified TTPP on diversity in flagship university admissions in Texas. In detail, to achieve this goal, this study establishes three research questions.

1. What are the trends and differences in students' applications, admissions and enrollment concerning the racial categories between Time 1 (HB 588 period; before modified TTPP) and Time 2 (SB 175 period; enacting modified TTPP from 2011) at UT Austin (UT)?

2. How has TTPP been implemented and changed over time?

3. What are the trends and differences in the students' admissions and enrollment concerning the geographic categories between Time 1 and Time 2 at UT?

Research Question 1: Policy Process and Policy Change

Kingdon's multiple streams theory allows us to identify the intentional strategies that diversity advocates use to institutionalize their set of policy reforms. I developed a two stage process to explain how diversity rhetoric has evolved over the past decades. The first stage I call *Diversity targeted for minorities* where diversity advocates must transform conventional norms by arguing for the pragmatic need to adopt reforms. The second stage I call *Diversity for balance* that bridges different frameworks by emphasizing the educational benefits of diversity. I challenge conventional views of diversity rhetoric that suggest that the current education rationale is simply a legal tactic that ignores issues of social inequality and suggest that a frame evolution perspective is a more profitable way of understanding the evolution in higher education diversity policy.

Stage 1: Diversity Targeted for Minorities (Post *Hopwood* before *Grutter*)

Problem Stream. Texas had been barred from using race in college admissions by a 1996 decision known as *Hopwood v. Texas*. In response to this decision, lawmakers devised Top Ten Percent Policy (TTPP) that grants automatic admission to public universities for high school students who graduated in the top ten percent of their class. TTPP was intended to maintain public colleges diverse geographically, which is overlapping racially to compensate the potential loss of racial diversity due to Hopwood ruling. At this time, supporters expected that TTPP would benefit the minority

populations, especially for Hispanic and Black students concentrated in urban and border high schools (Roser, 1998, April 8). However, the stream of this period had found two major problems; TTPP’s slight effect on achieving diversity and rising complaints from the suburban areas that their students were not gaining admission (The Houston Chronicle, 2003, March 30; Roser, 1998, April 8).

As an indicator, the data below demonstrates very slight increases of Blacks and moderate increases of Hispanics while rapid progress of Asians took place at UT. In the early years of TTPP implementation, the main beneficiaries were regarded as Asian students who had not been considered an underrepresented minority group in Texas higher education while Hispanic and Black students were traditionally underrepresented on UT campuses. For the supporters of race-based policy, TTPP did not satisfy their aspiration for racial and geographic diversity enough.

Table 2

Factors of the Problem Stream to analyze the policy change of TTPP

Factors	Outline of Analysis
Indicator	Lower scores of SAT or ACT of minority students & underrepresented admission rate of Black & Hispanic students
Event&Crisis	Rising complaints from suburban parents and students
Feedback	Slight increases on achieving diversity due to lack of the minority students

Lower SAT or ACT for Minorities. Parents and students from suburban schools contended that the more students who are automatically admitted to flagship institutions

with low SAT or GPA, the less room there is for more deserving students who do not attain a certain ranking at high-performed high schools (The Houston Chronicle, 2003).

Table 3

UT Enrolled Freshmen from Texas High Schools (TXHS) and HS Graduates from Texas

UT enrolled first-time freshmen (E) vs. High school graduates from Texas (G)										
	Asian		Black		Hispanic		White		Total	
	E (%)	G (%)	E (%)	G (%)	E (%)	G (%)	E (%)	G (%)	E (%)	G (%)
1998	1061 (17)	6,263 (3.2)	188 (3)	25,165 (12.8)	855 (14)	60,362 (30.6)	3954 (65)	104,792 (53.1)	6110 (100)	197,186 (100)
1999	1168 (18)	6,340 (3.1)	273 (4)	25,708 (12.6)	937 (14)	63,082 (31.0)	4092 (63)	107,777 (53.0)	6521 (100)	203,393 (100)
2000	1259 (18)	6,862 (3.2)	285 (4)	27,507 (12.9)	992 (14)	68,314 (32.1)	4450 (63)	109,721 (51.5)	7059 (100)	212,925 (100)
2001	1325 (20)	7,218 (3.4)	235 (4)	28,295 (13.1)	1001 (15)	69,595 (32.3)	4018 (60)	109,634 (50.9)	6678 (100)	215,316 (100)
2002	1362 (19)	7,707 (3.4)	255 (4)	30,030 (13.3)	1114 (15)	74,466 (33.1)	4391 (61)	112,386 (49.9)	7234 (100)	225,167 (100)
2003	1080 (18)	8,045 (3.4)	258 (4)	31,801 (13.4)	1057 (17)	80,776 (33.9)	3580 (59)	116,817 (49.1)	6093 (100)	238,109 (100)

Sources: University of Texas at Austin. (2008). *Top 10% Report 11*. Retrieved May 1, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html State AEIS Report Retrieved April 22, 2013, from <http://ritter.tea.state.tx.us/perfreport/aeis/2012/state.html>

Related with those complaints, the second issue was the lower GPA and SAT of admitted minority students. As the indicator the table Among UT students enrolled in 1996, 14 percent of the black freshmen at UT had SAT (or ACT equivalent) scores below 1000, compared with 13 percent of Hispanics, 2 percent of whites and 3 percent of Asian-Americans. By 2001, 23 percent of blacks had very low SAT scores, compared with 17 percent of Hispanics, 3 percent of whites, and 4 percent of Asians (The University of

Texas at Austin, 2007, pp.10-15). However, TTPP was also evaluated to be implemented for the initial intention exactly by giving deserving minorities a fair chance to attend the state’s prestigious universities by this time.

Table 4

UT Enrolled First-Time Freshmen from Texas High Schools by Race by Top Ten Status

All enrolled first-time freshmen from Texas high schools (TXHS)										
	Asian		Black		Hispanic		White		Total	
	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)
1998	519 (21)	542 (15)	69 (3)	119 (3)	414 (16)	441 (12)	1497 (60)	2457 (68)	2513 (100)	3597 (100)
1999	609 (21)	559 (16)	160 (5)	113 (3)	513 (18)	424 (12)	1620 (55)	2472 (69)	2925 (100)	3596 (100)
2000	653 (20)	606 (16)	156 (5)	129 (3)	591 (18)	401 (11)	1921 (57)	2529 (68)	3346 (100)	3713 (100)
2001	718 (21)	607 (19)	137 (4)	98 (3)	575 (17)	426 (13)	1942 (57)	2076 (64)	3423 (100)	3255 (100)
2002	800 (20)	562 (17)	156 (4)	99 (3)	703 (18)	411 (12)	2203 (56)	2188 (66)	3932 (100)	3302 (100)
2003	781 (18)	299 (17)	194 (5)	64 (4)	858 (20)	199 (11)	2378 (55)	1202 (67)	4289 (100)	1804 (100)

Sources: University of Texas at Austin. (2008). *Top 10% Report 11*. Retrieved May 1, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html

Political Stream. Texas State legislators passed House Bill 588 (HB 588) known as TTPP to increase college diversity after the Hopwood decision and George W. Bush signed the legislation into law in 1997 when he was a governor of Texas. Bush touted TTPP as a race-neutral alternative to affirmative action, and his administration had challenged affirmative action at the University of Michigan. However, in 2003, the U.S.

Supreme Court ruled that the University of Michigan could not assign points to ethnicity as part of their admissions policy, yet allowed ethnicity as one factor for schools to admit a more diverse class. This ruling essentially invalidated the Hopwood decision. As a result, this leads to revival of affirmative action at UT from 2005.

Table 5

Factors of the Political Stream to analyze the policy change of TTPP

Factors	Outline of Analysis
Power	Bush Administration supported race-neutral TTPP instead of AA
Timing	The Supreme Court ruled in favor of the University of Michigan that supported race-use policy.
National Mood	Another cases of the race-neutral percentage plans in California and Florida.

California and Florida also have percentage plans. Enacted by California voters, California Proposition 209, as a state constitutional amendment, banned racial use in state and local agencies including public universities and employment. In response to this amendment, California guaranteed admission to any University of California System campus to students in the Top FOUR percent (Murray, 2003, June 30). By contrast, Florida granted top 20 percent students spots at one of the state’s public universities. In part because the Texas law allows students to pick the campus they want, UT, the popular flagship, has seen applications rise to record levels.

Policy Stream. Even if a coherent core can emerge, a committed core of supporters, however, does not necessarily equate with policy success. Kingdon (1984)

suggests that policy ideas need an initial process of “softening up” decision makers before they can be considered as legitimate options. As such a frame amplification strategy is limited in the initial phase of a policy adoption process. However, once a reform has made it to the institutional agenda via frame transformation, staying there requires committed, coherent and sustained support. Continued enabling legislation is required as well. With respect to diversity reforms on university campuses, two competing justice frames have existed in an uneasy tension with each other, a social reflection discourse and a social remedy discourse.

From 2001, the UT business school became the first of the UT’s colleges to depart from strict adherence to the law. In fall 2000, students admitted under TTPP composed 104 percent of the business school’s target enrollment. The surplus excluded students who did not graduate in the top 10 percent of their classes, students who attended high schools that do not rank graduates, and out-of-state and foreign students. As a result, the university allowed the business school to limit the number of students admitted under TTPP to three-quarters of the school’s freshman students (Stanley, 2000, May 12; Moreno, 2001, October, 23).

Since 86 percent of its students in 2001 were admitted under the TTPP, the college of communications followed the business school’s steps. From 2002 class, freshmen applicants who graduated in the top ten percent of their classes no longer would be guaranteed admission into the College of Communication at UT. UT allowed its colleges to employ a limit the number of students admitted under automatic admission to

control the college's admissions quota (Stanley, 2000, May 12; Moreno, 2001, October, 23).

Stage 2: Diversity for balance (Post *Grutter*: Revival of affirmative action)

Problem Stream

Non-flexibility for the influx of Top Ten Percent Students. As an indicator, the reorganized statistical data below, originally from the admissions office at both flagship universities, showed rapid growth of the percentage for the enrolled students especially at UT under automatic admission. The enrollment percentage of Top Ten percent students started from 41 percent in the beginning year of 1998, however jumped to over 70 percent, in 2003 and 2006, finally 81 percent in 2008. As the percentage of Top Ten percent students rise at flagship campus, the remaining slots for the Non-Top Ten students diminished drastically. An increasing number of students from high-performing high schools, that it is very hard to attain top ten percent, have been rejected by the flagship campus despite having high GPAs and high SAT scores. Consequently, the complaints arose from the Non-Top Ten students who argued that they had higher SAT scores and GPAs under strict curriculum in high performed schools than many automatically admitted students (Fischer, 2005, April 22).

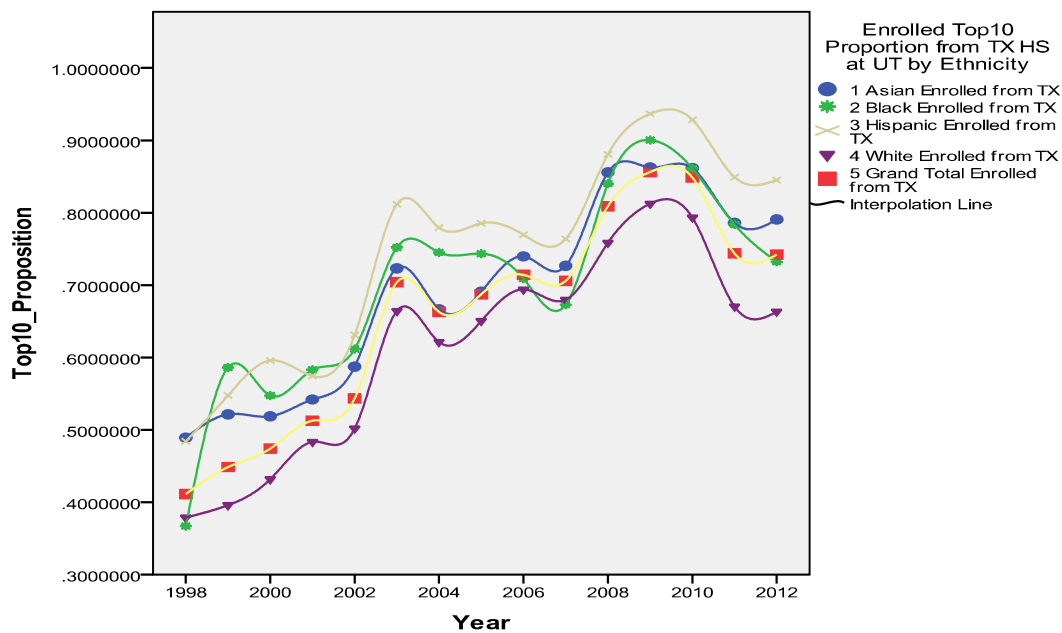


Figure 3. Top Ten Proportion enrolled at UT from TX High schools by Race

Such a heavy concentration of students admitted under a single criterion has alarmed some faculty members at UT and the students from the suburban. First of all, faculty members worry that high school students have focused more on grades than on the critical thinking skills that need to succeed in college. Also, the UT President Faulkner was concerned with the potential of exceeding applicants under automatic admission and argued the necessity to amend TTPP to limit automatic admission to 50 percent of a college’s student body (Fischer, 2005, April 22).

Political Stream. According to the data above, the enrolled freshmen at UT under automatic admission comprised 75 percent in 2003. As the freshmen admitted by sole criteria TTPP increased, university officials struggled with crowding on campus in this

period. President Faulkner changed his prior position and asked state legislators to consider the amendment of TTPP by limiting seats for the automatic admission (Fischer, 2005, April 22).

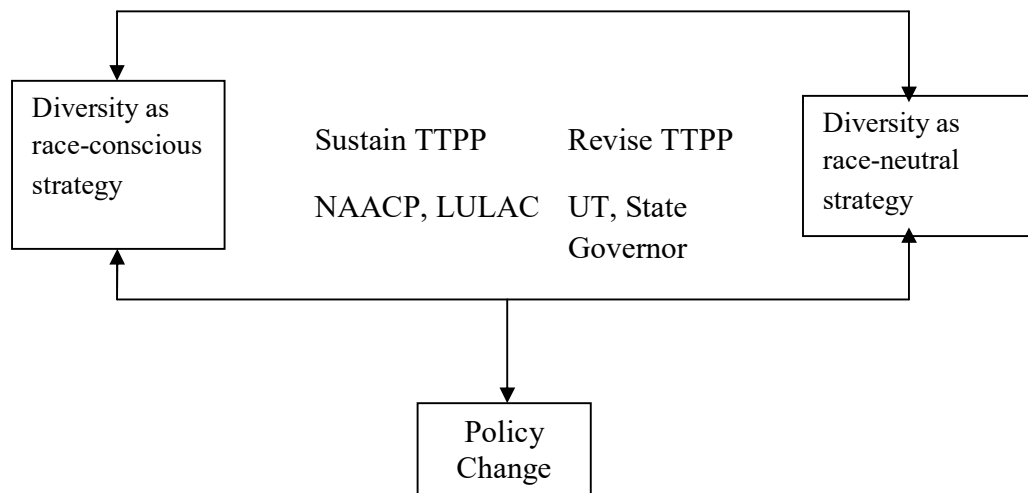


Figure 4. Framework about advocacy position

State lawmakers have been considering changes to the law, which grants automatic admission to students who graduate in the top 10 percent of their high school class. At this time, Governor Rick Perry requested TTPP’s amendment in the measure, stating that TTPP forced high-achieving students who are enrolled in more rigorous schools to attend out of state colleges. However, advocates for minority groups contended that any changes to TTPP would hurt efforts to diversify state universities and the future work force (Elliott, 2004, October, 9). For example, officials from the NAACP’s Houston office criticized efforts to amend or abolish TTPP. The Texas League of United Latin American Citizens (LULAC) joined the NAACP in opposing changes. Democrats and

Republicans, including President Bush, had supported the existing law as a race-neutral method of ensuring diversity.

But the universities complained that TTPP impeded universities' ability to select students based on holistic factors, such as musical talent or hardship, etc. UT and other schools have suggested capping the number of top 10 students at 50 percent of incoming freshmen (Elliott, 2004, October 09). At UT, about 70 percent of incoming freshmen in 2003 were admitted under TTPP (see *figure 3*).

The Texas NAACP and the LULAC requested Governor Perry to maintain the existing measure. But Perry and his colleagues voiced concerns about a brain drain, which some Texas students who did not graduate in the top 10 percent would leave the state to attend prestigious colleges out of state (Elliott, 2004, October 09).

Policy Stream. To dispel the complaints about excellence issues of TTPP that qualified all graduates within Top Ten ranked in their class regardless of the quality of school curriculum, Senate Bills were proposed in 2001 and 2003. For example, according to SB 974 in 2001, only students who complete the recommended high school curriculum will qualify under TTPP (Guerra, 2001, April 3).

In 2005, UT resumed considering race after the *Grutter v. Bollinger* decision in 2003 that supported a race-conscious admissions. In this decision, Justice O'Connor stated that the educational benefits of racial diversity were substantial (Rhor, 2012, February 22) suggesting that some racial factors in college admission could be used to improve diversity. Consequently, the post-*Grutter* program was intended to expand TTPP

by sometimes considering race as a factor in the remaining freshman-class places at the university.

On the other hand, administrators of the state's two flagship universities requested legislators that they need flexibility to control the number of incoming freshmen under automatic admission from TTPP. Confronting with more than 70 percent of enrollees under automatic admission at UT from 2003, UT President also asked the House Committee on Higher Education to allow the university to limit the portion of the student body. In this period, in Texas, including the current Governor, Rick Perry, Republicans were skeptical about the necessity of TTPP as a class-rank policy after reviving affirmative action from 2005. As a result, some bills such as HB 1046 in 2005, SB 101 and SB 1186 in 2007 had been proposed in the Legislature to limit the spots for automatic admission to 50 percent, or to limit the benefit to the Top 7.5 percent (HB 400 in 2007) of high school graduates (Fischer, 2005, April 22). House Bill 2330 proposed to limit the number of Top Ten students at 50 percent but to give priority to students who complete the state-recommended curriculum, which extended from SB 974 in 2001 and SB86 in 2003. The House Committee also considered HB 320 in 2005 that would abolish TTPP completely (Adams, 2005, April 12) however, attempts to cap admission under TTPP at 60 percent or 50 percent failed in 2003 and 2005.

However, with the flooding of enrollment rate under the single criterion, automatic admission left too little discretion for UT officials to control to admit students who do not rank in the top ten percent. For example, the freshmen's enrollment rate under automatic admission came to be 81 percent in 2008. Finally, in 2009, Senate Bill

175 (SB 175) allowed UT to limit Top Ten percent students to 75 percent of entering freshmen from Texas. The author of SB 175, Shapiro expected that capping automatic admittance would contribute to maintain a more well-rounded student body (Haurwitz, 2009, May 29). SB 175 was implemented from 2011 that restricted the slots for enrollment capacity by automatic admission to 75 percent and limited top eight percent in 2011 and top nine percent in 2012 (The University of Texas at Austin, 2012).

Table 6

Attempt to modify TTPP

Bills	Year	Contents
SB 974	2001	The bills that proposed strict curriculum for TTPP
SB 86	2003	The bills that proposed strict curriculum for TTPP
HB 2330	2005	The bills that proposed to cap TTPP
HB 1046	2005	The bills that proposed to cap TTPP
HB 400	2006	The bills that proposed to cap TTPP
SB 101	2007	The bills that proposed to cap TTPP
SB 1186	2007	The bills that proposed to cap TTPP
HB 52	2008	The bills that proposed to cap TTPP

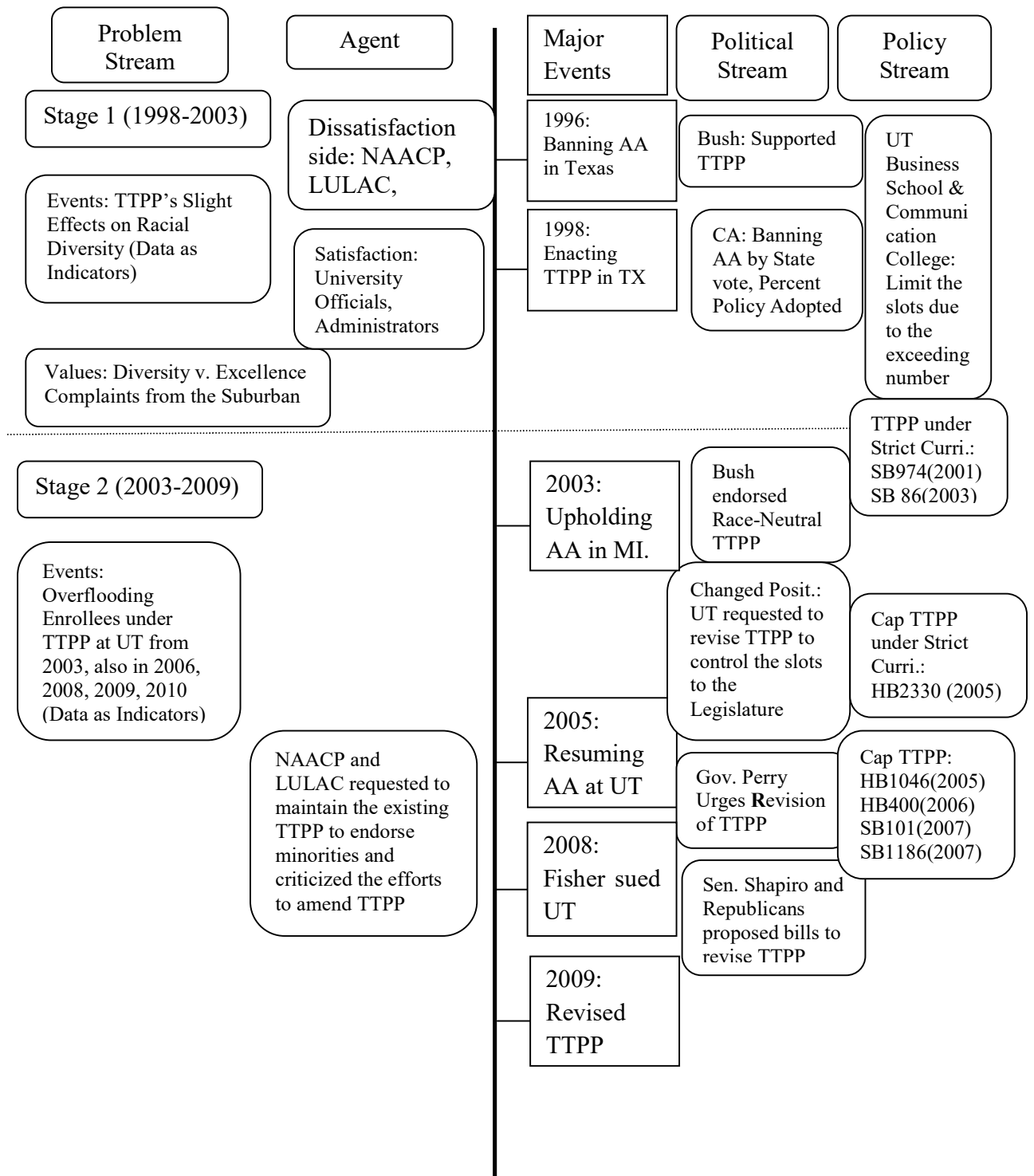


Figure 5. Holistic Analysis of TTPP from Kingdon's Multiple Streams

Research Question 2: Racial Diversity at UT

The Trend of Applications, Admits and Admission Rates at UT

Table 7 illustrates UT admission rates divided by the number of admissions into the number of applications {Admission Rate = (Number of Admission / Number of Applications)*100}. Since there is no accessible data from UT about applications from 2011 to the present time after implementing SB175, Table 7 provides those rates from 1998 to 2010. Generally, the number of applications at UT has grown faster than adding slots for admissions or enrollment at UT. In detail, according to the most recent accessible data in 2009 and 2010, UT received over 31,000 applications from high school seniors, however only about 14,500 were admitted. This result suggested that the competition for admission to UT has been extremely severe continuously with the inception of TTPP from 1998.

Among all races, Asians have the highest admission rate that exceeded the total admission rate, which showed from 78.0 percent in 1998 to 55.7 percent in 2010 whereas Asians constitute the lowest percentage of the Texas population(<http://quickfacts.census.gov/qfd/states/48000.html>). After moderate fluctuations up and down between 57.9 percent in 2003 and 60.1 percent in 2007, the admission rates of Asians have dropped steadily and stayed between 53.2 percent in 2008 and 55.7 percent in 2010.

Blacks have the lowest application percentage and this leads to the lowest admission rate among all races. For example, the application percentage began with the lowest percentage, from four percent($660/16797=0.039\dots$) in 1998 and rose very slowly

to seven percent($2240/31022 = 0.072\dots$) without much fluctuation. Also, the percentage of admits does not overcome the lowest application percentage and this trend reflected the admission rate less than 30 percent in 2009.

The percentage of Hispanic applications has risen steadily and exploded from 2003 as the population of Hispanic graduates from Texas high schools has risen continuously, especially from 35 percent in 2004 to 37.5 percent in 2008 (see Table 9). Also, the increasing rate of Hispanic applications followed this growing trend. Although the increasing percentage of Hispanic admits has not overtaken the rising number and percentage of Hispanic applications, the Hispanic rate of admits has risen steadily reaching very near to the total admits rate for all races.

The percentage of White applications dropped gradually as the percentage of the White graduates from Texas high schools has decreased from 1998 and actually, the number of White graduates' population has also reduced from 2004(see Table 9). For example, the Whites' percentage of applications began to arrive at 50 percent($13659/27237=0.501\dots$) in 2007 and has dropped to less than 50 percent continuously since 2008. However, comparing with the dropped percentage of applications, since the percentage of admits falls slowly, the White admission rate still remained high until 2010 that exceeds the total admission rate.

With regard to the admission rates at UT, Black people who apply to UT have less chance of being accepted, about 32.5 percent, than the 45.4 and 51.3 percent of Hispanics and whites and 55.7 percent of Asians. In Texas, 44.5 percent of people are White, 12.3

percent Black, 4.2 percent Asian, and 38.2 percent are of Hispanic ethnicity according to the 2010 U.S. Census (<http://quickfacts.census.gov/qfd/states/48000.html>).

Table 7
UT Admission Rates

	Asian %	Black %	Hispanic %	White %	Total %
1998	1942/2491 78.0	401/660 60.8	1620/2338 69.3	7659/10138 75.5	11975/16797 71.3
1999	1970/2668 73.8	517/1030 50.2	1705/2831 60.2	7421/11051 67.2	11949/18930 63.1
2000	2151/2939 73.2	562/1186 47.4	1823/3087 59.1	8162/12737 64.1	13256/21539 61.5
2001	2198/3123 70.4	445/1053 42.3	1815/3164 57.4	7787/11723 66.4	12733/20986 60.7
2002	2298/3259 70.5	494/1159 42.6	1945/3487 55.8	8258/12603 65.5	13476/22179 60.8
2003	1991/3459 57.9	448/1351 33.2	1795/4101 43.8	6852/13944 49.1	11504/24519 46.9
2004	2013/3262 61.7	569/1456 39.1	1911/4035 47.4	6814/12417 54.9	11788/23008 51.2
2005	2076/3483 59.6	617/1552 39.8	2183/4457 49.0	6745/12552 53.7	12207/23925 51.0
2006	2315/4005 57.8	683/1915 35.7	2406/5148 46.7	7280/14301 50.9	13307/27315 48.7
2007	2498/4159 60.1	747/1952 38.3	2632/5335 49.3	7310/13659 53.5	13800/27237 50.7
2008	2309/4344 53.2	728/2234 32.6	2621/6081 43.1	6582/14038 46.9	12843/29501 43.5
2009	2625/4694 55.9	689/2350 29.3	2928/6697 43.7	7262/14510 50.0	14213/31362 45.3
2010	2373/4257 55.7	729/2240 32.5	3209/7066 45.4	7152/13928 51.3	14583/31022 47.0

Sources: University of Texas at Austin. (2008). *Top 10% Report 11*. University of Texas at Austin. (2009). *Top 10% Report 12*. University of Texas at Austin. (2012). *Automatic Admission (SB 175) Report 12*. Retrieved May 1, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html
Note: Admission Rate = (Number of Admissions / Number of Applications) * 100

Considering Texas demography, the finding represented that Black and Hispanic students are underrepresented at UT while Asians are overrepresented. Moreover, Black and Hispanic students are less likely to apply to UT than their White and Asian peers although the Hispanic percentage of applications is changing. For instance, in extremely rounded records, one-in-two Asians applied to UT, one-in-four Whites, one-in-17 Hispanics, and one-in-17 Blacks applied to UT in 2010.

Enrolled Freshmen from Texas High Schools by Race by Top Ten Status

Table 8 provides descriptive statistics about UT Enrolled First-Time Freshmen from Texas High Schools by race. Actually, from 2011, UT provided the data to the public about the freshmen who graduated from the only high schools in Texas. When selecting the data about all freshmen including the freshmen who graduated from the high schools out of state, the data is only available through 2010. However, to demonstrate the impact of modified policy after implementing SB 175 from 2011, this section presents the data about the freshmen from Texas High Schools (TXHS) available through 2015. Therefore, this section demonstrates the number and percentage of enrollment organized by race and by Top Ten status for more elaborate investigation.

With the inception of TTPP in 1998, Asians were estimated to benefit the most from the new policy until 2002. For instance, Asian Top Ten percenters were more than 20 percent until 2002. However, from 2003, the number of Top Ten enrolled Asians decreased slightly and maintained 18 percent for three years and then the increasing trend was restored again from 2007 until very recently. The conspicuous change was also made in the percentage of Asian Non-Top Ten percenters. There was a drastic increase of Asian Non-Top Ten percenters from 16 percent in 2000 to 19 percent in 2001 and a radical decrease from 19 percent in 2007 to 14 percent in 2008, and again, rebounding into 19 percent in 2009. After implementing SB175, the Top Ten percenters of Asians rose again from 19 percent in 2010 to 24 percent in 2015 while the slight decrease and rebounding of Non-Top Ten from 17 percent in 2010 to 16 percent in 2011, 21 percent in 2014 and 25 percent in 2015.

The number of Black enrolled students is the most stable among the major four races. The stable enrolled percentage of Blacks does not seem to be affected by the modification of the policy and concerning events at each periodic stage. The only remarkable change is the number of Black Non-Top Ten percenters from 4 percent in 2005 to 6 percent in 2006, which seem to be affected by the revival of Affirmative Action at UT.

After the initiation of TTPP, the statistical data showed the most obvious shift on Hispanics' enrollment at UT among all races. In detail, the percentage of Hispanics' total enrollment demonstrates steady increase, from 14 percent in 1998 to 22 percent in 2009 (see Table 9). In addition, from 2010 one year before implementing SB 175, the increasing percentage of 25 percent is slightly higher than the previous years. Also, this similar tendency is found in the Top Ten percenters' enrollment among Hispanics despite slight up and down fluctuations before the modification of TTPP. However, the enrollment percentage of Hispanics' Non-Top Ten percenters is lower and inconsistent than the percentage of both Hispanics' Top Ten percenters and total Hispanics.

Since the enactment of HB588 in 1998, the enrolled percentage of White Top Ten percenters decreased remarkably despite fluctuating up and down between 1998 and 2000 from 60, 55 percent to 57 percent in order for the first three years. However, since 2001, the White Top Ten percenters began to decrease gradually and since 2007, White Top Ten percenters have decreased drastically. Comparing with White Top Ten percenters, higher enrolled White percentage of Non-Top Ten percenters decreased more rapidly since 2004. But the Non-Top Ten percenters exceptionally increased in 2008 and 2009

due to the saturation of Top Ten percenters (81%, 85%) and their potential exodus from UT, but noticeably decreased again from 2010. As a result, White students constitute less than half of the first-time freshmen enrollment at UT since 2010 for the first time in the school's history, and very recently, in 2015 White students were 40 percent according to Table 9.

Top Ten Proportion Enrolled at UT from Texas High Schools by Race

Since 2003, earlier estimates had demonstrated dramatic changes that over 70 percent (Top 10 Proportion here is .7039225) of Texans in the freshman class were guaranteed admission under the Top Ten Percent Policy (TTPP). Moreover, as shown in *figure 6*, the Top Ten proportion was on the culmination of 81 percent in 2008, 86 percent in 2009, and 85 percent in 2010. The linear regression line tells us whether the variable of academic year contributes to explain the change of the Top Ten proportion as a group. Figure 3 found R^2 to have a value of .7 (see Chart below), which means that I can explain 70 percent of the students' Top Ten Proportion by accounting for the effects of policy as TTPP shifted by the Legislature. In detail, the Top Ten proportion of Asians is .848, Hispanics .809, White .748 and Black .663. Therefore, more than 80 percent (.814 for Total R^2) of the home-state Top Ten freshman can be explained for by the effects of TTPP as the policy was modified by the Legislature.

Table 8

UT Enrolled First-Time Freshmen from Texas High Schools by Race by Top Ten Status
All enrolled first-time freshmen from Texas high schools (TXHS)

	Asian		Black		Hispanic		White		Total	
	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)	Top10 (%)	NT10 (%)
1998	519 (21)	542 (15)	69 (3)	119 (3)	414 (16)	441 (12)	1497 (60)	2457 (68)	2513 (100)	3597 (100)
1999	609 (21)	559 (16)	160 (5)	113 (3)	513 (18)	424 (12)	1620 (55)	2472 (69)	2925 (100)	3596 (100)
2000	653 (20)	606 (16)	156 (5)	129 (3)	591 (18)	401 (11)	1921 (57)	2529 (68)	3346 (100)	3713 (100)
2001	718 (21)	607 (19)	137 (4)	98 (3)	575 (17)	426 (13)	1942 (57)	2076 (64)	3423 (100)	3255 (100)
2002	800 (20)	562 (17)	156 (4)	99 (3)	703 (18)	411 (12)	2203 (56)	2188 (66)	3932 (100)	3302 (100)
2003	781 (18)	299 (17)	194 (5)	64 (4)	858 (20)	199 (11)	2378 (55)	1202 (67)	4289 (100)	1804 (100)
2004	776 (18)	388 (18)	225 (5)	77 (4)	887 (21)	251 (12)	2270 (54)	1384 (64)	4241 (100)	2157 (100)
2005	782 (18)	350 (18)	252 (6)	87 (4)	966 (22)	264 (13)	2288 (52)	1230 (62)	4391 (100)	1997 (100)
2006	929 (19)	327 (17)	268 (5)	110 (6)	1049 (21)	314 (16)	2524 (51)	1163 (59)	4902 (100)	1962 (100)
2007	1005 (21)	378 (19)	284 (6)	138 (7)	1109 (23)	343 (17)	2359 (48)	1112 (55)	4870 (100)	2030 (100)
2008	1025 (20)	173 (14)	305 (6)	58 (5)	1164 (23)	158 (13)	2480 (48)	790 (65)	5114 (100)	1208 (100)
2009	1135 (20)	181 (19)	307 (5)	34 (4)	1373 (24)	93 (10)	2659 (47)	614 (65)	5634 (100)	946 (100)
2010	1027 (19)	165 (17)	304 (5)	49 (5)	1518 (27)	117 (12)	2361 (43)	615 (62)	5546 (100)	989 (100)
2011	972 (21)	265 (16)	279 (6)	77 (5)	1244 (26)	321 (14)	1944 (41)	956 (59)	4712 (100)	1624 (100)
2012	1114 (21)	295 (16)	298 (5)	109 (6)	1568 (29)	287 (15)	2128 (39)	1081 (57)	5425 (100)	1885 (100)
2013	1105 (22)	250 (17)	247 (5)	78 (5)	1391 (28)	207 (14)	1947 (39)	888 (59)	4957 (100)	1511 (100)
2014	1093 (25)	432 (21)	192 (4)	81 (4)	1132 (26)	278 (13)	1615 (37)	1150 (56)	4310 (100)	2061 (100)
2015	1129 (24)	495 (25)	287 (6)	83 (4)	1359 (28)	272 (14)	1699 (36)	968 (49)	4769 (100)	1956 (100)

Sources: University of Texas at Austin. (2008). *Top 10% Report 11*. University of Texas at Austin. (2009). *Top 10% Report 12*. University of Texas at Austin. (2012). *Automatic Admission (SB 175) Report 12*. Retrieved May 1, 2013, from http://www.utexas.edu/student/admissions/research/top10_reports.html

Note: Top10 means students who are admitted by automatic admission policy including Top 8 and Top 9 while NT10 means students who are admitted by holistic review, not by automatic admission policy.

There are definitely a few signs of a more conscientious, racially diverse campus. Based on the data about the enrollment percentage by race in Table 8 and Table 9, a decline occurred in the number and percentage of White students, which is coupled with an increase in Hispanic students and Black students. This reflects the state's changing demography to a very slight degree. As a flagship university, this analysis represented that UT seems to make a progress to enhance racial diversity in some ways to create an educational environment that represents the state's population.

For example, of the 6,725 first-time freshmen in 2015, Table 9 demonstrates that 40 percent identified themselves as White, compared with the three previous years of 44 and 43 percent in order, which reflected the gradual decreasing trend. The Hispanic rose from 14 percent in 1998, to 22 percent in 2009 and 24 percent in 2015 while White enrollees dropped from 65 percent in 1998, 50 percent in 2009 to 40 percent in 2015. Additionally, the number of Asians enrolled at UT slightly dropped by 1 percent to 19 percent in 2012 from 20 percent in 2009 before revising TTPP. Blacks show stable data consistently from the first enactment of TTPP in 1998 as their enrollment rose by 1 percent to 6 percent in 2012 resulting from the Legislative decision to modify the TTPP in 2009.

In sum, slowly, minority enrollment started climbing again, but progress was slow until 2003, when the U.S. Supreme Court overturned the 5th Circuit's decision with a ruling on two University of Michigan affirmative action cases. With both affirmative

action and TTPP to attract qualified minority students, UT had a 2003 freshman class that was the most diverse in the institution's history before revival of affirmative action in 2005 at UT. Nevertheless, as the percentage of UT's Top Ten freshmen has grown from 40 percent in 1997 up to 86 percent in 2009 as shown on Figure 3.

Moreover, this racial diversity was not mirrored enough when we consider the state's demography. UT still has a long way to go before an underrepresented Black and Hispanic population on campus that does not reflect the state's demography. In Texas, 44.5 percent of people are White, 12.3 percent Black, 4.2 percent Asian, and 38.2 percent of Texans are of Hispanic ethnicity, according to the 2010 U.S. Census (<http://quickfacts.census.gov/qfd/states/48000.html>). Furthermore, Hispanic high school graduates constitute 46.8 percent of the state's population while Whites make up 34.2 percent in the 2014 freshmen class in Table 9. Improvements in campus diversity are one such sign, although these demographics lag too far behind in accurately representing Texas' population.

Table 9

Enrolled Freshmen from Texas High Schools (TXHS) and HS Graduates from Texas

UT enrolled first-time freshmen (E) vs. High school graduates from Texas (G)										
	Asian		Black		Hispanic		White		Total	
	E (%)	G (%)	E (%)	G (%)	E (%)	G (%)	E (%)	G (%)	E (%)	G (%)
1998	1061 (17)	6,263 (3.2)	188 (3)	25,165 (12.8)	855 (14)	60,362 (30.6)	3954 (65)	104,792 (53.1)	6110 (100)	197,186 (100)
1999	1168 (18)	6,340 (3.1)	273 (4)	25,708 (12.6)	937 (14)	63,082 (31.0)	4092 (63)	107,777 (53.0)	6521 (100)	203,393 (100)
2000	1259 (18)	6,862 (3.2)	285 (4)	27,507 (12.9)	992 (14)	68,314 (32.1)	4450 (63)	109,721 (51.5)	7059 (100)	212,925 (100)
2001	1325 (20)	7,218 (3.4)	235 (4)	28,295 (13.1)	1001 (15)	69,595 (32.3)	4018 (60)	109,634 (50.9)	6678 (100)	215,316 (100)
2002	1362 (19)	7,707 (3.4)	255 (4)	30,030 (13.3)	1114 (15)	74,466 (33.1)	4391 (61)	112,386 (49.9)	7234 (100)	225,167 (100)
2003	1080 (18)	8,045 (3.4)	258 (4)	31,801 (13.4)	1057 (17)	80,776 (33.9)	3580 (59)	116,817 (49.1)	6093 (100)	238,109 (100)
2004	1164 (18)	8,304 (3.4)	302 (5)	33,213 (13.6)	1138 (18)	85,412 (35.0)	3954 (57)	116,497 (47.7)	6398 (100)	244,165 (100)
2005	1132 (18)	8,363 (3.5)	339 (5)	32,811 (13.7)	1230 (19)	84,566 (35.3)	3518 (55)	113,212 (47.2)	6388 (100)	239,716 (100)
2006	1256 (18)	9,037 (3.8)	378 (6)	32,183 (13.4)	1363 (20)	85,455 (35.5)	3687 (54)	112,994 (47.0)	6864 (100)	240,485 (100)
2007	1383 (20)	9,625 (4.0)	422 (6)	32,139 (13.3)	1452 (21)	86,332 (35.8)	3471 (50)	112,215 (46.5)	6900 (100)	241,193 (100)
2008	1198 (19)	9,750 (3.9)	363 (6)	33,873 (13.4)	1322 (21)	94,571 (37.5)	3270 (52)	112,983 (44.8)	6322 (100)	252,121 (100)
2009	1316 (20)	10,462 (4.0)	341 (5)	35,982 (13.6)	1466 (22)	104,854 (39.7)	3273 (50)	112,016 (42.4)	6580 (100)	264,275 (100)
2010	1192 (18)	9,967 (3.6)	353 (5)	36,988 (13.2)	1635 (25)	119,365 (42.6)	2976 (46)	108,577 (38.7)	6535 (100)	280,520 (100)
2011	1237 (20)	10,468 (3.6)	356 (6)	38,755 (13.3)	1465 (23)	127,746 (44.0)	2900 (46)	107,597 (37.0)	6336 (100)	290,581 (100)
2012	1409 (19)	10,871 (3.7)	407 (6)	38,213 (13.1)	1855 (25)	131,106 (44.8)	3209 (44)	105,767 (36.1)	7310 (100)	292,636 (100)
2013	1355 (21)	11,650 (3.9)	325 (5)	38,798 (12.9)	1598 (25)	139,785 (46.4)	2835 (44)	104,466 (34.7)	6468 (100)	301,418 (100)
2014	1525 (24)	12,420 (4.1)	273 (4)	38,046 (12.6)	1410 (22)	141,907 (46.8)	2765 (43)	103,764 (34.2)	6371 (100)	303,109 (100)
2015	1624 (24)	-	370 (6)	-	1631 (24)	-	2667 (40)	-	6725 (100)	-

Sources: University of Texas at Austin. (2008). *Top 10% Report 11*. University of Texas at Austin. (2009). *Top 10% Report 12*. University of Texas at Austin. (2012). *Automatic Admission (SB 175) Report 12* Retrieved May 1, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html State AEIS Report Retrieved April 22, 2013, from <http://ritter.tea.state.tx.us/perfreport/aeis/2012/state.html> & from <https://rptsvr1.tea.texas.gov/perfreport/tapr/index.html> Texas Academic Performance Reports Retrieved July 19, 2016,

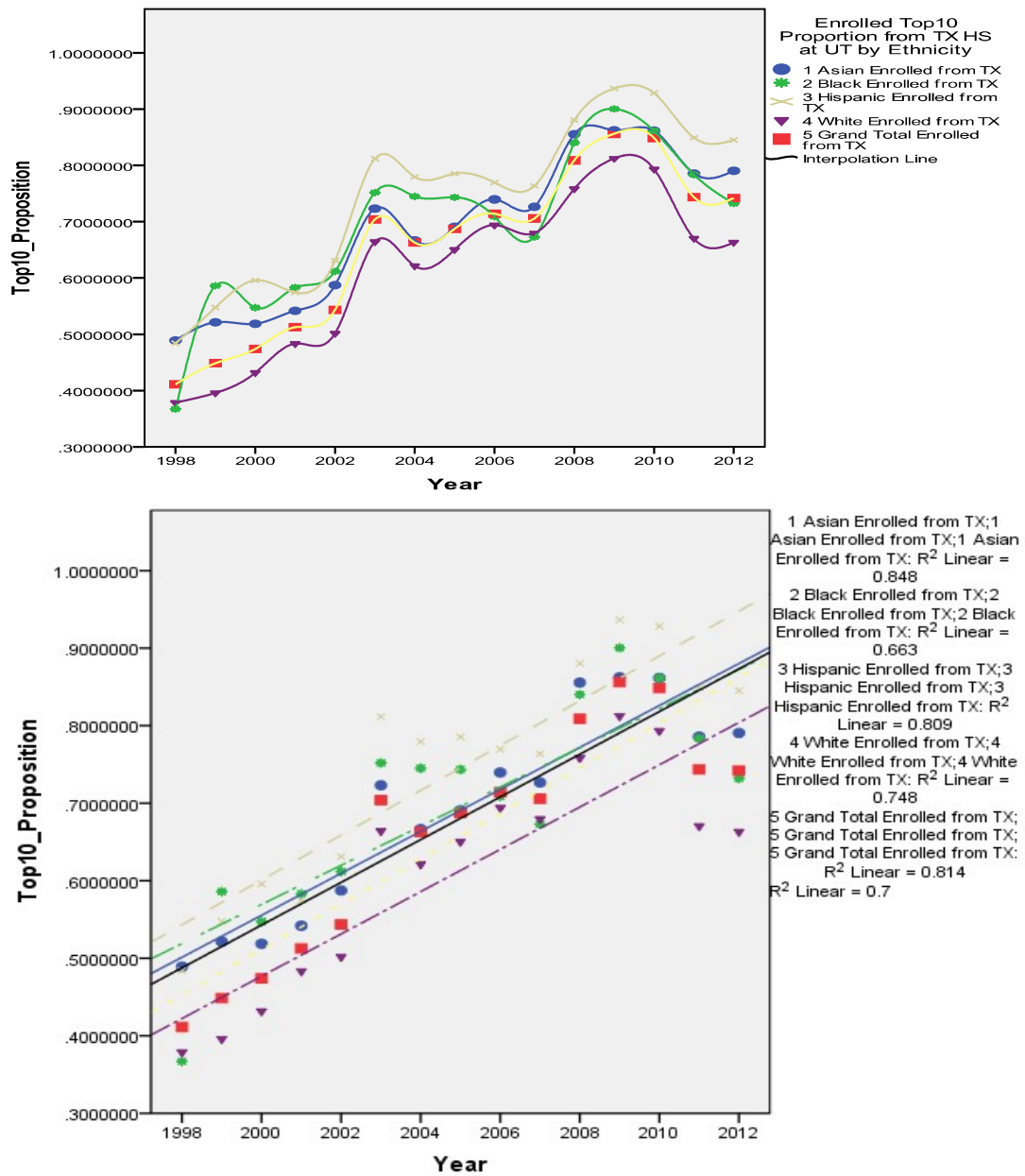


Figure 6. Top Ten Proportion enrolled at UT from TX High schools by Race

Exodus and "Out of State" students at UT

Table 10 and *Figure 7* present the data of admits who do not finally enroll at UT and the data of enrolled students who are not from Texas high schools. The data indicate two additional types of information: one is Exodus (Ex) that shows the number and percentage of students who left UT and graduated from Texas high schools (TXHS); and the other is "Out of State" students (OS) that represent the number and the percentage of students from out of state who enrolled at UT. For clear analysis, the exodus percentage is below each number, was calculated as $Ex. = (\text{Total admits from TXHS} - \text{Enrollment from TXHS}) / (\text{Total admits from TXHS})$. Likewise, the percentage of "Out of State" students was calculated as $OS = (\text{Total enrollment} - \text{Enrollment from TXHS}) / (\text{Total Enrollment})$. There are missing data in public sources from UT about the number of total admits from 2011 and 2012, and the number of UT admits from Texas high schools in 1998. Therefore, Table 10 has missing data for EX. in 1998 and for OS. in 2011 and 2012.

Regardless of race, *Figure 7* illustrates that the percentage of Top Ten percenters' exodus is much higher than that of Non-Top Ten percenters'. Moreover, the gap widened from 2003, especially from 2008 to 2010 for all races. This severe gap seems to be related with the deluge of Top Ten percenters each year. Some of the Top Ten percenters seemed to have more choices for other prestigious colleges, which enabled them to easily shift in their final selection, and they may have left UT in droves more than in any other years.

Table 10

Admits Who Did Not Enroll at UT from TXHS and Enrollees at UT from Non-TXHS

The number of admits who did not select UT and enrollees at UT from Non-TXHS (%)									
	Asian		Black		Hispanic		White		Total
	Ex.	OS	Ex.	OS	Ex.	OS	Ex.	OS	OS
1998	–	72 (6.4)	–	11 (5.5)	–	36 (4.0)	–	445 (10.1)	634 (9.4)
1999	660 (36.1)	53 (4.3)	218 (44.4)	13 (4.5)	706 (43.0)	39 (4.0)	2572 (38.6)	355 (8.0)	519 (7.4)
2000	682 (35.1)	66 (5.0)	246 (46.3)	11 (3.7)	761 (43.4)	19 (1.9)	2744 (38.1)	351 (7.3)	627 (8.2)
2001	584 (30.6)	88 (6.2)	189 (44.6)	7 (2.9)	713 (41.6)	23 (2.2)	2611 (39.4)	429 (9.6)	659 (9.0)
2002	603 (30.7)	90 (6.2)	197 (43.6)	17 (6.3)	703 (38.7)	23 (2.0)	2578 (37.0)	491 (10.1)	701 (8.8)
2003	645 (37.4)	73 (6.3)	167 (39.3)	9 (3.4)	688 (39.4)	11 (1.0)	2424 (40.4)	286 (7.4)	451 (6.9)
2004	659 (36.1)	54 (4.4)	251 (45.4)	7 (2.3)	722 (38.8)	11 (1.0)	2478 (40.4)	247 (6.3)	398 (5.9)
2005	733 (39.3)	60 (5.0)	253 (42.7)	12 (3.4)	889 (42.0)	14 (1.1)	2388 (40.4)	320 (8.3)	524 (7.6)
2006	804 (39.0)	70 (5.3)	283 (42.8)	9 (2.3)	955 (41.2)	23 (1.7)	2631 (42.0)	391 (9.7)	553 (7.5)
2007	780 (36.1)	91 (6.2)	285 (40.3)	9 (2.1)	1098 (43.1)	18 (1.2)	2725 (44.0)	368 (9.6)	579 (7.7)
2008	881 (42.4)	51 (4.1)	337 (48.1)	12 (3.2)	1231 (48.2)	16 (1.2)	2584 (44.1)	243 (6.9)	393 (5.9)
2009	870 (39.8)	107 (7.5)	289 (45.9)	15 (4.2)	1321 (47.4)	37 (2.5)	2524 (43.5)	430 (11.6)	669 (9.2)
2010	830 (41.0)	68 (5.4)	319 (47.5)	19 (5.1)	1412 (46.3)	44 (2.6)	2555 (46.2)	487 (14.1)	740 (10.2)
2011	1016 (45.1)	–	343 (49.1)	–	1604 (52.3)	–	2509 (46.4)	–	–
2012	968 (40.7)	–	375 (48.0)	–	1965 (51.4)	–	2645 (45.2)	–	–

Sources: University of Texas at Austin. (2008). *Top 10% Report 11*. University of Texas at Austin. (2009). *Top 10% Report 12*. University of Texas at Austin. (2012). *Automatic Admission (SB 175) Report 12* Retrieved May 1, 2013, from. http://www.utexas.edu/student/admissions/research/topten_reports.html

Note: Ex.(Exodus) = (admit from TXHS – enrollment from TXHS) / Grand total admit from TXHS

Im.("Out of State" students) = (Total enrollment – Enrollment from TXHS) / Grand Total Enrollment

In addition, *Figure 7* illustrates this trend clearly that as the number of Top Ten percenters who were admitted and leaving UT increased, the number of Non-Top Ten percenters who left UT decreased. By increasing the exodus rate in 2003, 2005, 2006, 2008 and 2010, Asians and Whites showed the most sensitive response to these periodic changes with the increasing Top-Ten proportion.

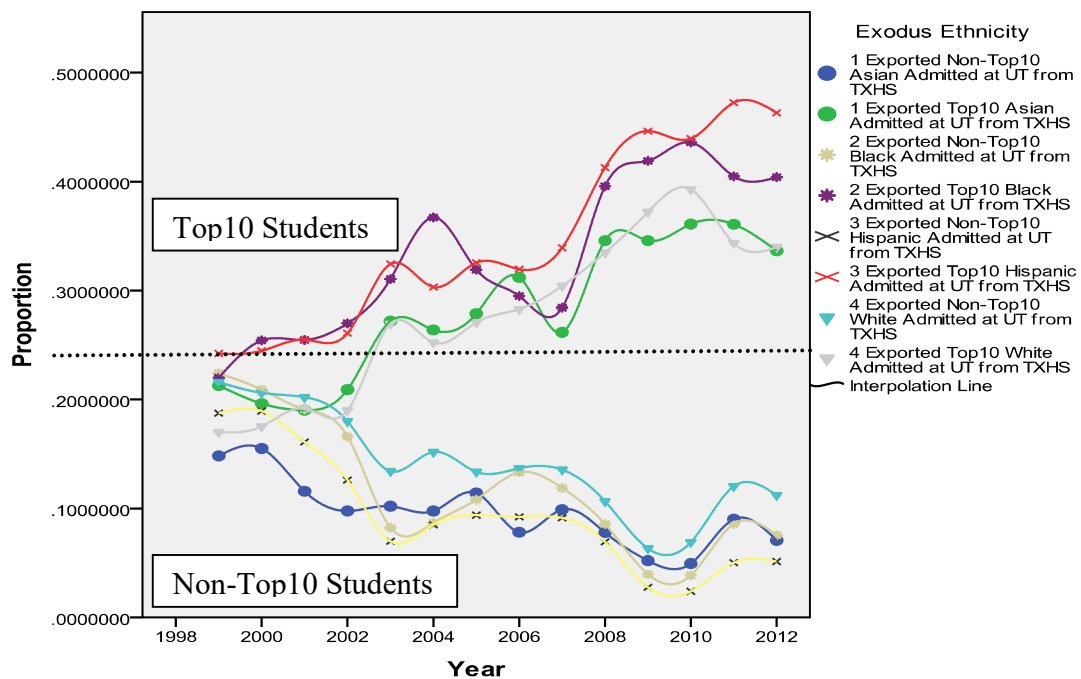


Figure 7. Non-Enrollees Who Were Admitted at UT by Race from TXHS

Figure 8 illustrates the regression lines for exodus organized by Top Ten status and by race. The linear regression demonstrates that each year contributes to explain the association with this exodus trend for each group. *Figure 8* found R^2 to have a value of .341 for general exodus whereas it was .727 (*Figure 9*) and .607 (*Figure 10*) for the

exodus of Top Ten and Non-Top Ten each (see Charts below). This means that Year, as the independent variable in the time trend line, can explain the stronger relationship with the exodus data when organized by Top Ten and Non-Top Ten than the general exodus. In detail, the Top Ten exodus of each race is: Hispanics .932, Asians .854, Black .778, and White .727. The large figure of R^2 can be interpreted as the year's strong relationship with the Top Ten exodus. Therefore, the time trend concerning policy modification has the strongest relationship with the Hispanic Top Ten Exodus (see Figure 9).

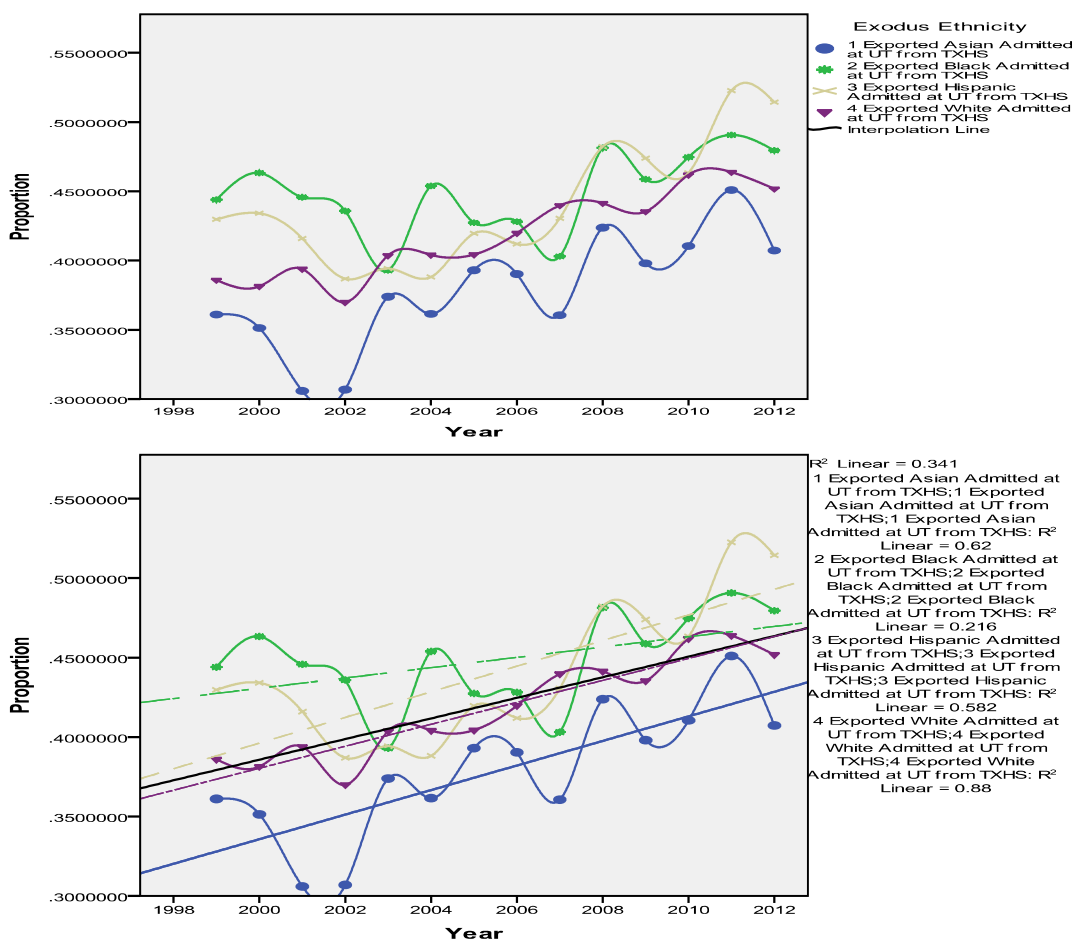


Figure 8. Non-Enrollees Who Admitted from UT by Race from TXHS

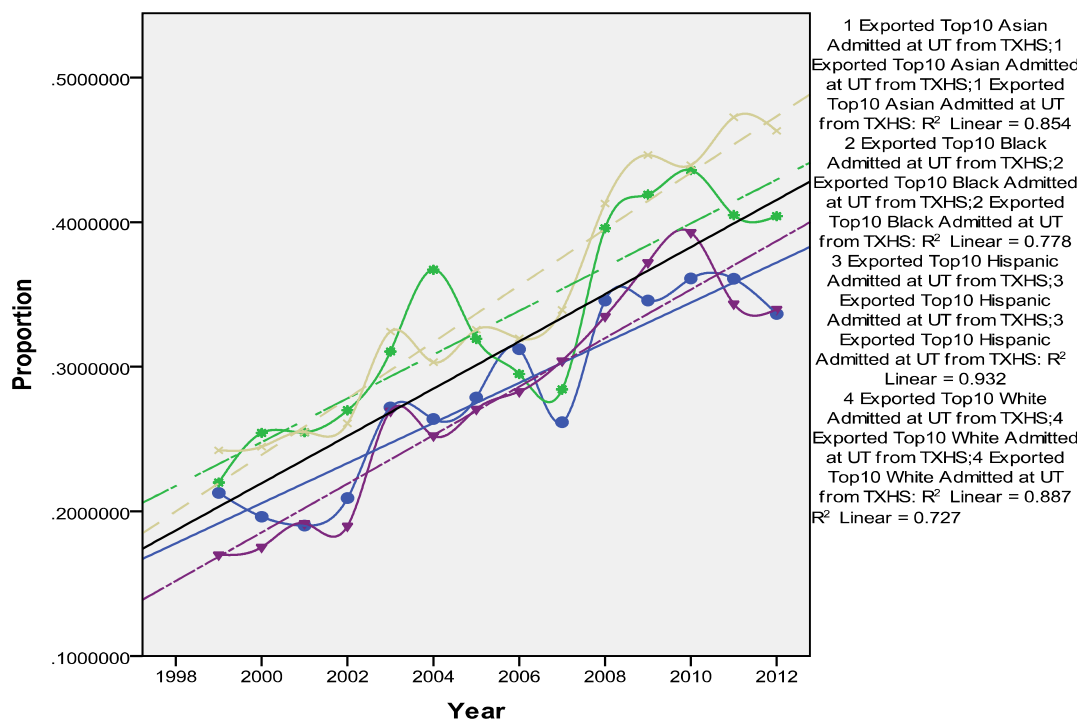
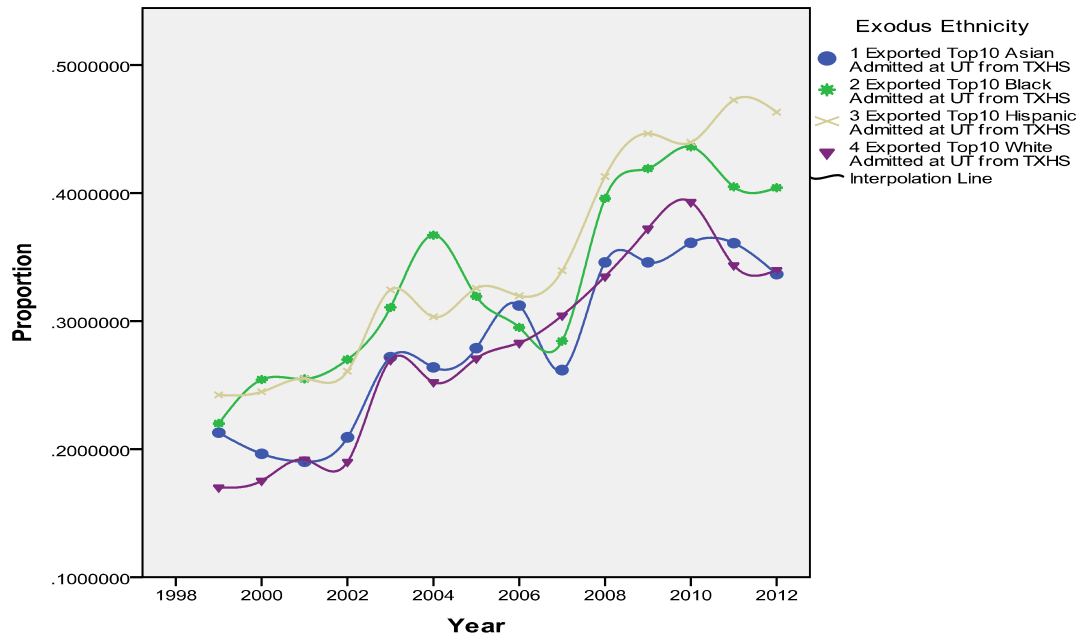


Figure 9. Non-Enrollees Who Admitted by Top Ten from UT by Race from TXHS

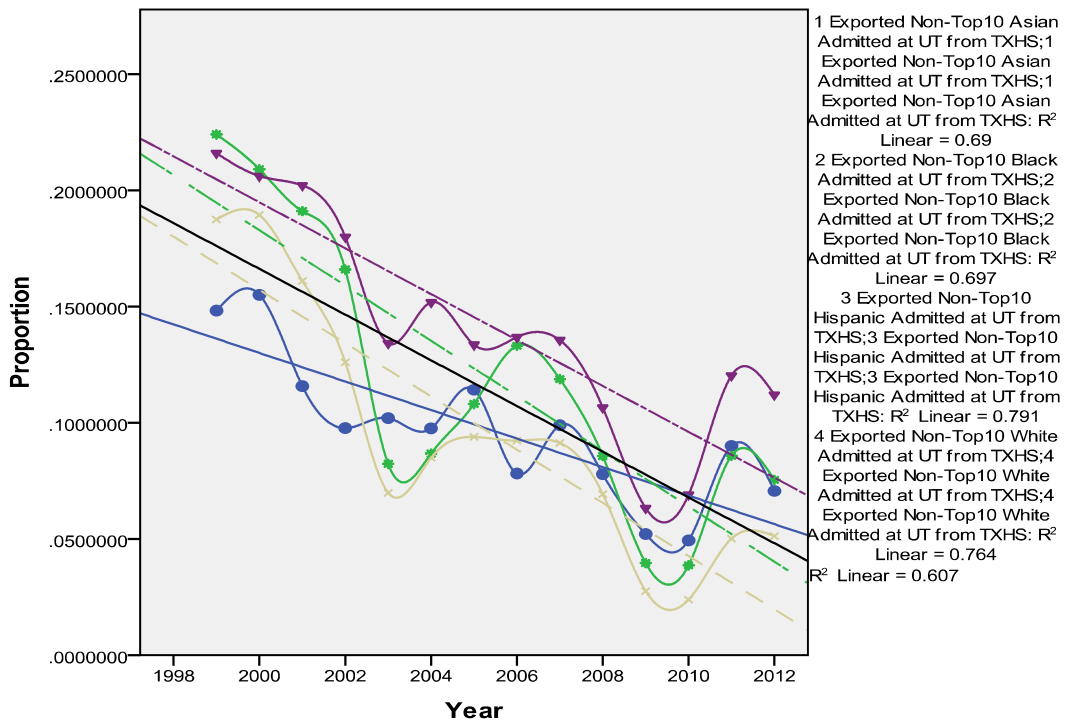
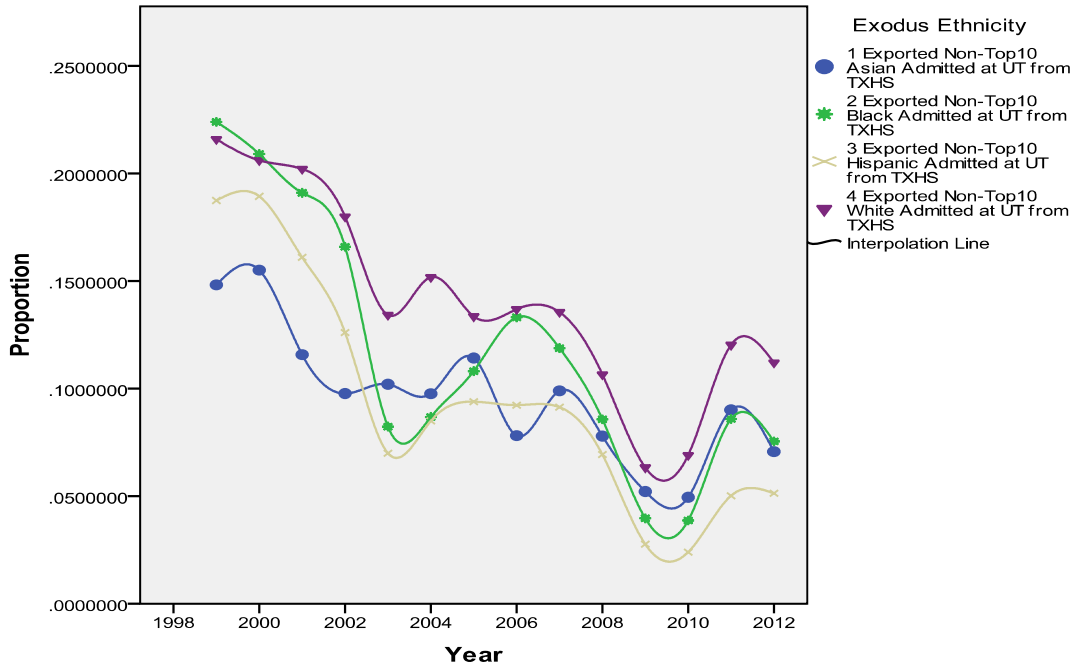


Figure 10. Non-Enrollees Who Admitted by Non-Top Ten from UT by Race

When it comes to “Out of State” students from out of Texas, Table 10 shows that White students have the highest percentage among all “Out of State” students and Asians have higher rates than their Black and Hispanic peers. As Texas has the highest Hispanic population of high school graduates, Hispanic “Out of State” students did not increase any more since only Texas Hispanics completed the available slots at UT. Therefore, Hispanics have the lowest proportion of “Out of State” students of all. Whites and Asians have almost the same trend of change while Black “Out of State” students have different trends from the other “Out of State” students.

Comparing with the “Out of State” students to UT, more and more Texas high school graduates who desire the background with a good academic reputation seem to find it outside Texas with or without the severe Top EIGHT or NINE ranking. The number of Texas students who left UT while winning automatic admission is growing year by year. That is about 6,000 in 2012 and over 5100 students in 2010 up from about 4,200 students in 1999. Meanwhile, UT imported only 740 students from other states in 2010, up from 634 students in 1998. The net loss for Texas is growing year by year.

After implementing SB 175 from 2011, the exodus rates for all races at UT tend to rise as the Texas Legislature limited automatic admission spots into 75 percent and capped the Top rank to an enhanced Top EIGHT or NINE percent. I use the term “enhanced” because that allows UT flexibility in admitting students for 25% of their freshmen enrollment outside of TTPP.

Figure 11 illustrated the above-mentioned trend with linear regression lines very clearly although instead of admission rates, the dependent variable is the Top Ten proportion of admitted students by race at both campuses. Year, as the independent variable to examine the conditional effects of policy, explains the strongest relationship (.882) with Asians' admitted Top Ten proportion at UT. However, for each of Blacks' (.773) and Hispanics' (.858) association, they do not have much difference comparing with Asians'.

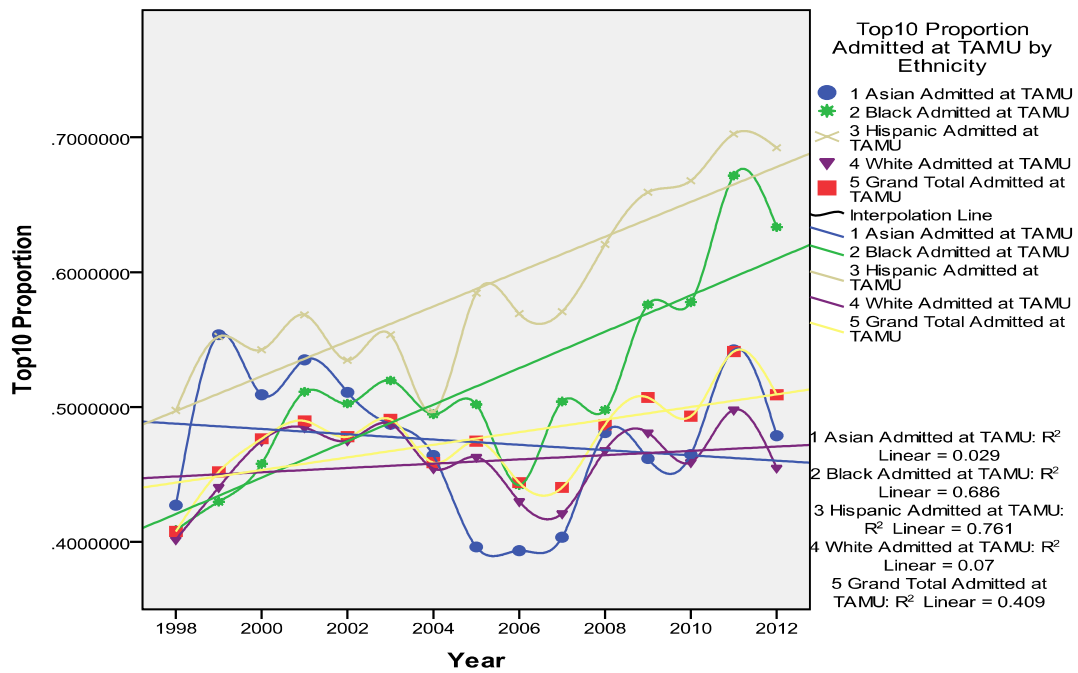
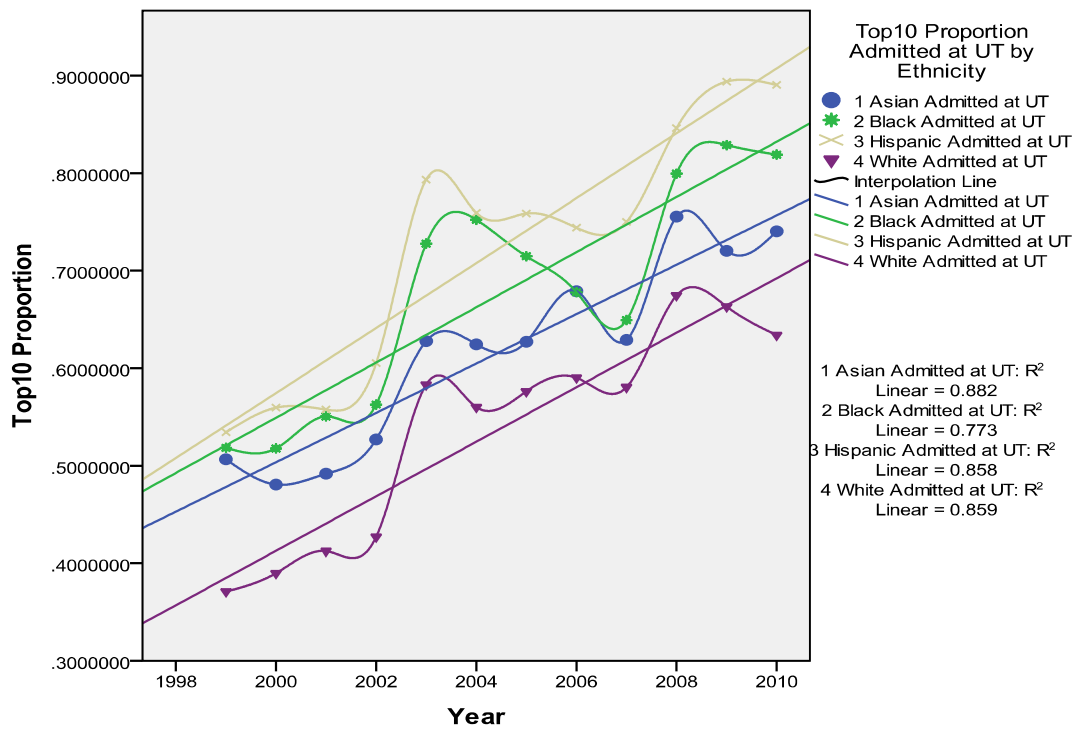


Figure 11. Regression line of Admitted Top Ten Proportion at Both UT and A & M

Exodus from UT

Table 10, *Figures 5 and 8* suggest the relationship between the increase of the proportion for Top Ten enrollment and the exodus rate at UT by 2010. For example, *Figure 8* demonstrates that Asians have higher Top Ten proportions of admission at UT in 2003, 2006, 2008 and 2010. Also, the Asians' exodus rate is higher in those years than the other ones. This finding suggests that as the Top Ten proportion of Asians' admissions at UT rise, Top Ten admitted Asians who seem to have more choices for other prestigious colleges, tend to emigrate out of UT.

Black, Hispanic and White students also apply to this conditional relationship. According to *Figure 8*, Blacks' culmination for Top Ten admission is in 2003, 2004, 2008, 2009 and 2010. In these years, their exodus rates at UT are likely to climb except in 2003.

Research Question 3: Geographic Diversity at UT

Enrolled Students at UT by TEA type

To examine geographic diversity at UT for research question 3 (RQ3), Table 11 presents numbers and percentages of enrolled students by Texas Education Agency (TEA) district type. This classification comprises ten school districts depending on each of size, expansion rates, and accessibility to urban regions divided by TEA: 1. Major Urban, 2. Major Suburban, 3. Other Central City, 4. Other Central City Suburban, 5. Independent Town, 6. Non-Metro, 7. Non-Metro, 8. Rural, C: Charters, N: Non Public or Non Reported (University of Texas at Austin, 2012). The footnote below Table 11 provides more information about these categories in detail. The analyses focus on from regions 1 to 8 that are mainly composed of public institutions.

As SB 175 implemented from 2011, which limited the slots for enrollment capacity by automatic admission to 75 percent and capped Top EIGHT percent in 2011 and Top NINE percent in 2012, the enrollment by the automatic admission, absolutely, decrease in all of the districts. Despite the decline of Top Ten proportion for admission, the percentage of Top Ten enrollment does not decrease in every region depending on the school district.

District 1 (D1), D3, D5 has relatively a lower Top Ten proportion than the rest of the districts. In detail, D1, as a major urban including the metropolitan cities like Houston and Dallas and the other major city such as San Antonio, Fort Worth and Austin, etc, compensates for the lower enrollment of Top Ten proportion of the higher percentage of

Non-Top Ten enrollment. Therefore, the total percentage of enrollment is the second highest to 16 percent in 2010 and 2011, and this high percentage increases slightly to 17 percent even in 2012 after the modification of TTPP. The increase of Non-Top Ten percentage of 15 percent enables a major urban region (D1) to remain at this high total percentage of enrollment. D3 has the lowest enrollment of Top Ten Proportion, however, like D1, since the enrollment percentage of Non-Top Ten is the highest, the total percentage is extremely high among all districts. Contrary to D3, since both the total percentage of enrollment and each percentage of Top Ten and Non-Top Ten for D5 is remarkably low (all were only one percent), the Top Ten proportion of D5 is also very low for 86.2 percent in 2010 before enacting SB 175.

On the other hand, D2, D4, D6 and D8 have relatively higher Top Ten proportion over ninety percent in 2010. However, D2 and D4, as major suburban and other central city suburban, have lower Non-Top Ten enrollment percentages comparing with its higher Top Ten proportion enrollment. This trend is stable even after modification of TTPP. Despite the higher enrollment of the Top Ten proportion for D6 and D8, each of them has low enrollment percentages of both Top Ten and Non-Top Ten, like D5. This trend shows little change from 2010 to 2012.

As TTPP changed from HB588 to SB175, D3 demonstrated the most sensitive response, especially for a steady decrease of Non-Top Ten enrollment from 49 percent in 2010, 47 percent in 2011, to 46 percent in 2012. Still, this decrease did not impact the total percentage of enrollment without a decline of its Top Ten percent.

Table 11

UT Enrolled Students from Texas High Schools (TEA type¹)

	2010				2011				2012			
	Top10 (%)	Non- Top10 (%)	Total (%)	% Top10 Prop.	Top8 (%)	Non- Top8 (%)	Total (%)	% Top8 Prop.	Top9 (%)	Non- Top9 (%)	Total (%)	% Top9 Prop.
D 1	946 (17)	124 (13)	1070 (16)	88.4	815 (17)	208 (13)	1023 (16)	79.7	941 (17)	275 (15)	1216 (17)	77.4
D 2	755 (14)	47 (5)	802 (12)	94.1	633 (13)	74 (5)	707 (11)	89.5	721 (13)	97 (5)	818 (11)	88.1
D 3	2393 (43)	484 (49)	2877 (44)	83.2	2069 (44)	767 (47)	2836 (45)	73.0	2313 (43)	871 (46)	3184 (44)	72.6
D 4	505 (9)	33 (3)	538 (8)	93.9	523 (11)	73 (4)	596 (9)	87.8	613 (11)	77 (4)	690 (9)	88.8
D 5	50 (1)	8 (1)	58 (1)	86.2	38 (1)	18 (1)	56 (1)	67.9	50 (1)	18 (1)	68 (1)	73.5
D 6	185 (3)	11 (1)	196 (3)	94.4	170 (4)	17 (1)	187 (3)	90.9	220 (4)	14 (1)	234 (3)	94.0
D 7	263 (5)	8 (1)	271 (4)	97.0	233 (5)	21 (1)	254 (4)	91.7	240 (4)	19 (1)	259 (4)	92.7
D 8	45 (1)	2 (0)	47 (1)	95.7	43 (1)	6 (0)	49 (1)	87.8	51 (1)	5 (0)	56 (1)	91.1
C	11 (0)	1 (0)	12 (0)	91.7	18 (0)	7 (0)	25 (0)	72.0	23 (0)	10 (1)	33 (0)	69.7
N	393 (7)	271 (27)	664 (10)	59.2	170 (4)	433 (27)	603 (10)	28.2	253 (5)	499 (26)	752 (10)	33.6
T	5546 (100)	989 (100)	6535 (100)	84.9	4712 (100)	1624 (100)	6336 (100)	74.4	5425 (100)	1885 (100)	7310 (100)	74.2

¹ D1. Major Urban. The state's eight largest metropolitan districts serving the Houston, Dallas, San Antonio, Fort Worth, Austin, Corpus Christi, and El Paso areas.

D2. Major Suburban. Other districts in and around the major urban areas. (e.g., Aldine, Boerne, Clear Creek, Desoto, Dripping Springs, Richardson, Ysleta)

D3. Other Central City. Major districts in other large Texas cities. (e.g., Abilene, Amarillo, Beaumont, Lubbock, Waco, Tyler)

D4. Other Central City Suburban. Other districts in and around the other large, but not major, Texas cities. (e.g., Belton, Corsicana, Denison, Frisco, Harlingen, Temple)

D5. Independent Town. Largest districts in counties with populations of 25,000 to 100,000. (e.g., Brenham, Greenville, Lufkin, Marble Falls, Victoria)

D6. Non-Metro: Fast Growing. Districts not fitting in any of above categories but exhibiting a five year growth rate of at least 20 percent with at least 300 students enrolled. (e.g., Avalon, China Spring, Elgin, Thrall, Wylie)

D7. Non-Metro: Stable. Districts not fitting any of above categories but with an enrollment exceeding the state median. (e.g., Brady, Columbus, Dekalb, Fort Stockton, Hempstead, Madisonville) C: Charters N: Non Public or Not Reported T: Total

D8. Rural. Districts not fitting any of above categories; districts either with an enrollment between 300 and the state median and a growth rate less than 20 percent, or with an enrollment less than 300. (e.g., Abbott, Archer City, Celeste, Fort Davis, Menard, Paint Rock, San Saba)

C: Charters N: Non Public or Not Reported T: Total

Sources: Reorganized based on the raw data from the University of Texas at Austin. (2013). *Automatic Admission (SB 175) Report 11*. Retrieved July 10, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html

Consequently, the total percentage of enrollment for D3 (Other Central City) maintained 44 or 45 percent with the highest percentage of enrollment status. This finding suggests that the urban, suburban and rural status has not shifted so much beyond the expectation for geographic diversity after modification of TTPP. The initial intention of TTPP was to keep public campuses diverse geographically, that is overlapping racially. However, the data represented little improvement for geographic diversity.

Additionally, Table 12 presents enrollment rates, which divided the enrollment number by the admit number, to examine the students from which districts tend to finally select UT. After modification of TTPP with SB175, the total enrollment rate dropped, especially for automatically admitted students under TTPP. On the other hand, Non-automatic admitted students are more likely to select UT than top-ranked admitted students.

According to the newspaper (The Dallas Morning News, April 26, 2009), the more vocal complaints about TTPP came from competitive suburban high schools, where existing tales about the student in the top 11 percent who got admission from an Ivy League school but not UT, not that rural schools actually have suffered.

Table 12 presents the enrollment rate organized by automatic admission status depending on school districts by TEA type. With regard to the enrollment rate under automatic admission, as SB 175 changes its Top rank cap year by year, the change of the enrollment rates under automatic admission seems to be closely related with its Top rank percent policy. In detail, when Top Ten Percent Policy limited its Top rank into Top Eight percent, the enrollment rate is also likely to decline in 2011 in most of the school districts except the three areas such as other central city suburban (D4), rural (D8) and charters (C). Likewise, again, as Top Eight Percent Policy increases its Top Rank into Top Nine Percent Policy in 2012, the enrollment rate tends to rise except for four areas such as major suburban (D2), other central city suburban (D4), non-metro (D6), and charters (C).

On the other hand, concerning Non-automatic admission, the enrollment rate is much higher than that of automatic admission except for rural (D8) and charters (C) that have very few numbers of enrollment students, less than one percent. In the four major areas, D1 through D4, whose total percentages of enrollment at UT are higher than the others, the enrollment rate of Non-automatic admitted students declined in the Top Eight period. However, the enrollment rate rebounded again in the Top Nine period nearly restoring the rate to the level of the Top Ten period. Only the major urban region (D1) enhanced their enrollment rates of Non-automatic admitted students steadily right after implementing SB 175. To examine the trend of these major areas in detail for geographic diversity, the next section will address the school districts more specifically divided by ESC types.

Table 12

UT Enrollment Rate for the Students from Texas High Schools (TEA Type)

	2010 (%)			2011(%)			2012(%)		
	Top10	Non-Top10	Total	Top8	Non-Top8	Total	Top9	Non-Top9	Total
D1	50.9	59.0	51.8	46.5	60.1	48.7	48.4	65.5	51.4
D2	53.5	74.6	54.5	49.4	64.3	50.6	48.8	71.3	50.7
D3	55.5	69.9	57.5	51.4	64.0	54.3	52.7	68.1	56.2
D4	50.7	66.0	51.4	53.8	64.0	54.8	52.6	63.1	53.6
D5	43.1	61.5	45.0	37.6	62.1	43.1	48.5	60.0	51.1
D6	57.6	84.6	58.7	54.0	70.8	55.2	59.1	82.4	60.2
D7	62.0	66.7	62.2	61.3	72.4	62.1	55.8	70.4	56.7
D8	54.9	66.7	55.3	55.1	85.7	57.7	60.7	45.5	59.0
C	44.0	25.0	41.4	47.4	43.8	46.3	37.7	32.3	35.9
N	47.9	50.3	48.9	38.8	49.3	45.8	42.5	51.2	47.9
GT	53.5	61.9	54.6	50.2	58.9	52.2	51.1	61.9	53.5

Sources: Reorganized based on the raw data from the University of Texas at Austin. (2013). *Automatic Admission (SB 175) Report 11*. Retrieved July 10, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html

Note: Enrollment Rate = (Enrollment / Admit) * 100

Enrolled Students at UT by the State's Regional Education Service Centers (ESC)

To present geographic diversity more specifically, Table 13 presents numbers and percentages of enrolled students by Top Ten status by the state's Regional Education Service Centers (ESC) and UT's regional Admissions Centers to report on the University's geographic diversity. This classification consists of 20 regions: 1 Edinburg, 2 Corpus Christi, 3 Victoria, 4 Houston, 5 Beaumont, 6 Huntsville, 7 Kilgore, 8 Mt Pleasant, 9 Wichita Falls, 10 Richardson, 11 Fort Worth, 12 Waco, 13 Austin, 14 Abilene, 15 San Angelo, 16 Amarillo, 17 Lubbock, 18 Midland, 19 El Paso, 20 San Antonio.

This section concentrates on analyzing some regions of major urban and major suburban that can produce significant explanation with moderate number and percentage. Among major urban, Houston (4), Austin (13), and San Antonio (20) are focused for main findings. Also Richardson (10), as a major suburban, is mainly analyzed for RQ3, and Edinburg (1) is included for this analysis, which does not belong to any regions by TEA type.

Table 13 shows that the Non-automatic admission's percentage climbs remarkably in Houston (4) in 2012. Moreover, the percentage of automatic admission's declines by only two percent in 2011, and then rebounds to 26 percent in 2012. Like Houston (4), this trend of automatic admission enrollment also shares in Antonio (20) with slight boost of Non-automatic admission's. The only major suburban, here, Richardson (10) demonstrates the same trend as Houston with regard to steady growth of Non-automatic admission and stable maintenance of automatic admission. Like Richardson (10), Austin (13) and Edinburg (1) also show the slight growth of Non-

automatic admission, though less than Richardson (10). Furthermore, the percentage of automatic admission ascends both in 2011 and 2012 in Austin (13).

Based on investigation by ESC type, the findings demonstrate the stable preservation without fluctuant variation, especially for the rest of regions except Huntsville (6) that has a few percentage, less than three percent. The five central areas present comparative achievements, finally in the enrollment of automatic admission as well as of Non-automatic admission. As the central areas with higher percentages of enrollment, revised SB 175 does not erode their competitive capacity at all for the five central areas.

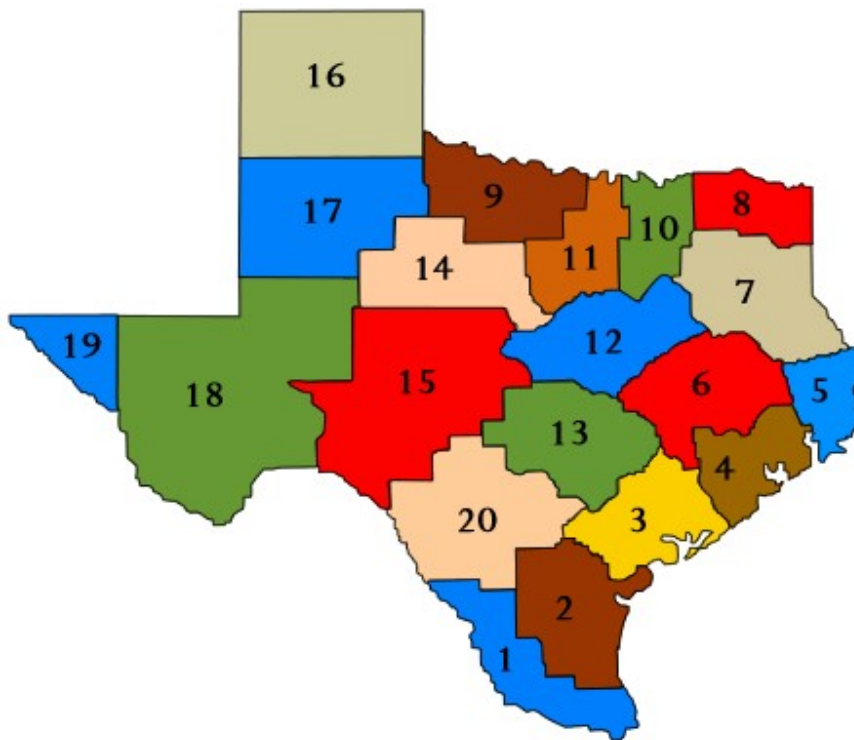


Figure 12. Map of Regional Education Service Center (ESC) Coverage Areas

Sources: Reorganized based on the raw data from the University of Texas at Austin. (2013). *Automatic Admission (SB 175) Report 11*. Retrieved July 10, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html

Table 13

Enrolled Students from Texas High Schools by ESC Type

	2010				2011				2012			
	Top10 (%)	Non-Top10 (%)	Total (%)	% Top10 Prop.	Top8 (%)	Non-Top8 (%)	Total (%)	% Top8 Prop.	Top9 (%)	Non-Top9 (%)	Total (%)	% Top9 Prop.
1	345	10	355	97.2	264	21	285	92.6	383	28	411	93.2
2	102	3	105	97.1	90	5	95	94.7	101	4	105	96.2
3	61	2	63	96.8	36	0	36	100	52	3	55	94.5
4	1373 (25)	198 (20)	1571 (24)	87.4	1089 (23)	352 (22)	1441 (23)	75.6	1431 (26)	566 (30)	1997 (27)	71.7
5	57	4	61	93.4	55	4	59	93.2	70	8	78	89.7
6	146	11	157	93.0	119	37	156	76.3	166	68	234	70.9
7	100	5	105	95.2	97	8	105	92.4	121	24	145	83.4
8	22	2	24	91.7	13	4	17	76.5	14	0	14	100
9	15	3	18	83.3	9	3	12	75.0	12	2	14	85.7
10	710 (13)	179 (18)	889 (14)	79.9	603 (13)	242 (15)	845 (13)	71.4	732 (13)	363 (19)	1095 (15)	66.8
11	466	49	515	90.5	419	82	501	83.6	427	180	607	70.3
12	117	5	122	95.9	116	13	129	89.9	138	12	150	92.0
13	647 (12)	153 (15)	800 (12)	80.9	638 (14)	240 (15)	878 (14)	72.7	743 (14)	314 (17)	1057 (14)	70.3
14	17	2	19	89.5	18	3	21	85.7	20	2	22	90.9
15	45	0	45	100	29	1	30	96.7	38	4	42	90.5
16	27	1	28	96.4	31	2	33	93.9	27	5	32	84.4
17	34	0	34	100	32	1	33	97.0	56	7	63	88.9
18	49	2	51	96.1	47	1	48	97.9	54	5	59	91.5
19	125	6	131	95.4	97	6	103	94.2	156	24	180	86.7
20	375 (7)	36 (4)	411 (6)	91.2	284 (6)	57 (4)	341 (5)	83.3	457 (8)	113 (6)	570 (8)	80.2
21	713 (13)	318 (32)	1031 (16)	69.2	626 (13)	542 (33)	1168 (18)	53.6	227 (4)	153 (8)	380 (5)	59.7
	5546 (100)	989 (100)	6535 (100)	84.9	4712 (100)	1624 (100)	6336 (100)	74.4	5425 (100)	1885 (100)	7310 (100)	74.2

Sources: Reorganized based on the raw data from the University of Texas at Austin. (2013). *Automatic Admission (SB 175) Report 11*. Retrieved July 10, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html

Table 14 shows the enrollment rate organized by automatic admission status by ESC type. After enacting SB 175, students are somewhat less likely to enroll at UT in the central five areas except Austin(13). The total enrollment rate of Richardson (10) declines slowly maintaining not less than 50 percent while Edinburg (1) dropped steeply less than 45 percent. Exceptionally, as the home-city of UT, Austin has the highest enrollment rate during the three years with the noticeable enrollment rate of Non-automatic admission.

This result suggested that revised SB 175 has caused admissions to UT to be severely competitive; moreover, the admitted students who live far from Austin can rarely overcome the geographic barriers for the students. As a result, concerns arise that many top students graduating from excellent schools are leaving Texas to attend college out of Texas.

Like the previous section, concerning Non-automatic admission, the enrollment rate is much higher than that of automatic admission except the areas that have very few numbers of enrollment students less than three percent.

Table 14

Enrolled Students from Texas High Schools by ESC Type

	2010 (%) (Enroll/Admit)*100			2011(%) (Enroll/Admit)*100			2012(%) (Enroll/Admit)*100		
	Top10	Non- Top10	Total	Top8	Non- Top8	Total	Top9	Non- Top9	Total
1 Edinburg	53	58.8	53.1	43.6	61.8	44.6	43.7	54.9	44.3
2 Corpus Christi	57.6	60.0	57.7	51.4	71.4	52.2	45.7	28.6	44.7
3 Victoria	66.3	100.0	67.0	56.3	0	54.6	58.4	75.0	59.1
4 Houston	55.3	65.6	56.4	49.4	65.9	52.7	50.3	62.2	53.2
5 Beaumont	51.4	100.0	53.0	55.0	66.7	55.7	55.6	53.3	55.3
6 Huntsville	47.9	61.1	48.6	51.5	62.7	53.8	48.8	69.4	53.4
7 Kilgore	54.1	83.3	55.0	56.1	66.7	56.8	59.9	64.9	60.7
8 Mt Pleasant	56.4	100.0	58.5	37.1	66.7	41.5	38.9	0	38.9
9 Wichita Falls	40.5	100.0	45.0	40.9	50.0	42.9	42.9	66.7	45.2
10 Richardson	52.1	69.9	54.9	50.1	63.5	53.3	49.4	60.5	52.6
11 Fort Worth	52.7	63.6	53.5	48.7	54.3	49.5	47.4	57.5	50.0
12 Waco	60.3	83.3	61.0	61.1	72.2	62.0	64.2	57.1	63.6
13 Austin	58.8	70.8	60.8	61.7	65.8	62.8	60.7	67.5	62.6
14 Abilene	46.0	100.0	48.7	50.0	100.0	53.9	60.6	100.0	62.9
15 San Angelo	64.3	0	63.4	58.0	100.0	58.8	56.7	66.7	57.5
16 Amarillo	54.0	25.0	51.9	63.3	50.0	62.3	36.5	50.0	38.1
17 Lubbock	44.7	0	44.7	47.1	33.3	46.5	60.2	63.6	60.6
18 Midland	56.3	66.7	56.7	55.3	33.3	54.6	63.5	55.6	62.8
19 El Paso	55.3	85.7	56.2	41.6	60.0	42.4	45.6	75.0	48.1
20 San Antonio	51.2	70.6	52.5	44.7	58.2	46.5	49.6	60.4	51.4
Non Public/ Not Reported	48.7	51.5	49.6	47.1	51.4	49.0	53.4	59.1	55.6
Total	53.5	61.9	54.6	50.2	58.9	52.2	51.1	61.9	53.5

Sources: Reorganized based on the raw data from the University of Texas at Austin. (2013). *Automatic Admission (SB 175) Report 11*. Retrieved July 10, 2013, from http://www.utexas.edu/student/admissions/research/topten_reports.html

CHAPTER FIVE: DISCUSSION and IMPLICATIONS

This chapter begins with a brief overview of this current study, followed by a presentation of the findings, discussion, implications, limitations and considerations for future research. Again, the purpose of this study was to explore the impact of modified Top Ten Percent Policy (TTPP) on diversity in flagship university admissions in Texas. This research examined the policy process and the trends in the flagship university in Texas, from the perspective of racial and geographic diversity.

In 1997, Texas devised TTPP that satisfied the Supreme Court's broader conception of diversity, considering anything in an applicant's background that contributes to the diversity of the campus. The recent influx of Top-10 percent freshmen caused the necessity to amend the TTPP for enhancing diversity on campus. Finally, in 2009, Senate Bill 175 (SB 175) of the 81st Texas Legislature allowed UT to restrict automatic admissions to 75 percent of its enrollment capacity to admit resident freshmen. Additionally, UT attained the new cap from 2011 by automatically admitting students who graduate in the top 8 percent of their high school classes. Moreover, Texas is a favorable research site due to its diverse high school student population now and the major litigation problems related to race, equality and diversity about university admissions policies.

For the analysis, this study use data publicly available from the Office of Admissions Research from UT-Austin (UT) for the years from 1998 to 2015 on applicants, admittees, and enrollees. For better understanding about the modified TTPP,

for the first step, this study will analyze to understand the stream and the implementation of TTPP on diversity in university admissions. This study will explore the evolutionary implementation, process and amendment of TTPP and its embedded rhetoric on diversity from the Kingdon's perspective to offer a clear link with the limited statistical data.

Then, I will demonstrate the descriptive aspects of applications, admissions and enrollments on racial and geographic differences between before modified and modified policy regimes.

Summary of Findings

Racial Diversity: Admission rate

With regard to the admission rates, UT has provided less admission seats from 2003 although UT has consistently had more applications than the counterpart. This tendency broadened much more, which flooded enrollment of Top Ten percenters' than any other years after UT revived Affirmative Action from 2005 combining with TTPP. Specifically, Black people who apply to UT have less chance of being accepted than the other races. Considering the Texas demography, the finding represented that Black and Hispanic students are underrepresented at UT while Asians are overrepresented. Moreover, Black and Hispanic students are less likely to apply to UT than their White and Asian peers although the Hispanic percentage of applications is changing.

Racial Diversity: Enrollment

At the beginning period of TTPP from 1999 to 2002, UT had more enrolled freshmen than after 2003. In detail, from 2003, descriptive statistics about enrollment at UT demonstrated that a decline in the number and percentage of White students coupled with an increase in Hispanic students and Black students. This reflects the state's changing demography to a very slight degree as the shift of the graduates' population of Texas high schools. Still, Blacks have consistently been lower at UT while Hispanics, high concentrated in the Texas population, steadily increased at the campuses.

As a flagship university, this analysis represented that UT seems to make progress to enhance racial diversity in some ways, however, this racial diversity was not mirrored enough when we consider the state's demography. UT still has a long way to go before an underrepresented Black and Hispanic population on campus that does not reflect the state's demography. Improvements in campus diversity are one such sign, although these demographics lag too far behind in accurately representing Texas' population.

Racial Diversity: Migration (Exodus and "Out of State" students)

Comparing with the "Out of State" students to UT, more and more Texas high school graduates who desire the background with a good academic reputation seem to find it outside Texas with or without severe Top EIGHT or NINE rank. The number of Texas students who left UT with winning automatic admission is growing year by year. That is about 6,000 in 2012 and over 5,100 students in 2010 up from about 4,200 students

in 1999. Meanwhile, UT imported only 740 students from other states in 2010, up from 634 students in 1998. The net loss for Texas is growing year by year. After implementing SB 175 from 2011, the exodus rates for all races at UT tend to rise as the Texas Legislature limited automatic admission spots into 75 percent and capped the Top rank to an enhanced Top EIGHT or NINE percent.

Geographic Diversity

To investigate geographic diversity at UT, this study uses classifications from the Texas Education Agency (TEA), areas distributed by the state's Regional Education Service Centers (ESC) and UT's regional Admissions Centers. Analysis through these data demonstrates that representation by geographic areas is relatively stable. Also, geographic stability increased for those students who are enrolled under Non-automatic admissions. The only category showing a significant difference is "Non-public or Not Reported." This outcome resulted from a large number of new schools sending enrolled students to UT. Moreover, these schools are mostly private or charters schools. This finding suggests that the urban, suburban and rural status has not shifted so much beyond the expectation for geographic diversity after modification of TTPP. The initial intention of TTPP was to keep public campuses diverse geographically, that is overlapping racially. However, the data represented little improvement for geographic diversity.

Summary

The data analysis demonstrated that UT seems to make more progress to enhance racial diversity after implementing SB 175. The data showed a decline of Whites coupled with an increase in Hispanics and Blacks. However, this racial diversity was not reflected enough when considering the state's demography. UT still has a long way to go before an underrepresented Black and Hispanic population. Improvements in racial diversity are one such sign, although these demographics lag too far behind in accurately representing Texas' population.

The finding for geographic diversity at UT suggests that the urban, suburban and rural status has not shifted so much beyond the expectation for geographic diversity after modification of TTPP. The initial intention of TTPP was to keep public campuses diverse geographically, that is overlapping racially. However, the data represented little improvement for geographic diversity.

Discussions and Implications

The findings of this study suggest that Black and Hispanic students are more likely to be the first in their family to attend college than their White or Asian peers. In addition, Black and Hispanic students also tend to come from families with lower incomes. For them, UT is a huge campus in Central Texas too far from their home to access. Moreover, UT has its higher tuition since the 2003 deregulation policy compared to community colleges or satellite campuses such as UT-Pan American, which affects their selection.

Even with the TTPP, high schools do not all send their top graduates to UT at the same rate. Some students still do not consider applying. In the case of the disadvantaged students, they never thought of leaving home due to financial concerns such as not wanting to take on student debt. Maybe they are reluctant to begin campus life at a huge campus which is larger than their whole town. Maybe they do not know how they can afford it while working and paying for living expenses, besides also paying for tuition and books.

The same assumption applies to ethnic diversity. UT draws more Black and Hispanic freshmen than a decade ago, but they are still greatly underrepresented comparing with the state demographics. Nonetheless, this much bigger difference in recent years caused recruitment. In detail, leaders at UT has made more efforts to draw more students from more places, both urban and rural. They visited high schools all over Texas offering more scholarships. This needs to continue as a policy.

High schools, meanwhile, are recommended to keep preparing their students for college, mentally and academically. It would be suggested to encourage students to visit a four-year campus and guide them through the complex world of financial aid. For both urban and rural schools, that rarely sent high school graduates to the state's most prestigious universities, the law has inspired fresh hopes of attending institutions once considered out of reach if considered at all.

Moreover, the focus for beneficiaries would be extended to a realistic plan, which gives specific considerations based not only on race, gender, or similar minority status as standards. Instead, it would match preferences mainly with economic needs adding automatic race-conscious plans since racial categories or the numbers solely are too blunt and inclusive to identify citizens in need. Also, this new economic version needs to continue to assist the lower class of minorities to break the cycle of deprivation and disadvantage that has overwhelmed earlier generations.

Limitations and Suggestions for Future Studies

Previous researches about Top Ten Percent Policy (TTPP), generally, tend to focus on the empirical effects of TTPP on freshmen's admission factors or enrolled students' achievement on campus before its amendment. In this respect, the current empirical study with multiple analysis of its process about recently modified TTPP will be beneficial to shed light on abundant analysis for the new version of TTPP.

In order to overcome the limitation of the data, the current empirical study also provided multiple analyses from Kingdon's perspective to explore the history and

orientation of TTPP after its amendment. It explained how the policies have been implemented over time and across policy contexts.

For further empirical studies, combined data-access is required to reveal how relevant factors have influenced one another on the campus diversity. Further research would be needed to indicate whether the diversity would be a result of policy effects or not by including more relevant variables. Researchers can also include more analysis by performing in-depth field observation or interviews for rich information about TTPP.

In order to connect both perspectives of empirical study and multiple policy analyses, further studies are required to explore the relevant alternatives which focus on understanding the specific, contextual, process-oriented and comprehensive policy realities embedded in the policy environment.

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