

- SUBJECT:** Admissions and scholarships to graduate and professional schools
- COMMITTEE:** Higher Education — favorable, without amendment
- VOTE:** 9 ayes — Rangel, Cuellar, F. Brown, Farabee, Goolsby, J. Jones, Morrison, E. Reyna, Wohlgemuth
- 0 nays
- SENATE VOTE:** On final passage, May 6 — 30-0
- WITNESSES:** For — Joe Sanchez, Mexican American Legal Defense and Education Fund
- Against — None
- DIGEST:** SB 1356 would amend the Education Code by specifying factors that a graduate or professional school program would have to consider when making decisions about admissions or scholarships. It would require a general academic teaching institution or a medical or dental branch of a university to consider all of, any of, or a combination of the following:
- ! an applicant's eligibility for need-based financial aid as an undergraduate student;
  - ! whether the applicant would be the first generation of the applicant's family to attend or graduate from an undergraduate, graduate, or professional program;
  - ! the applicant's degree of bilingual proficiency;
  - ! the applicant's extracurricular responsibilities, including whether the applicant was employed or helped to raise children;
  - ! the applicant's involvement in community activities;
  - ! the applicant's demonstrated commitment to a particular field of study;
  - ! attendance in a high school area underserved by the graduate or professional area to which the applicant had applied;
  - ! the applicant's personal interview; and
  - ! any other factor within the institution's discretion consistent with the institution's stated mission.

The bill would require that an applicant's standardized test performance not be used as the sole criterion for the awarding of program admission or a competitive scholarship.

SB 1356 would require the graduate or professional program to publicize a description of the factors considered in making admission and competitive scholarship decisions. The program would have to provide this information not later than one year before the date that applications for admissions and competitive scholarships were first considered by the program. These requirements would not apply to admissions and scholarships for the 2000 fall semester, but programs would have to make such information available by December 1, 1999.

The bill would authorize the Texas Higher Education Coordinating Board to adopt rules relating to the operation of admission and scholarship processes. Each program would have to report annually to the coordinating board the demographic composition of the entering class of students admitted and enrolled, according to race, ethnicity, and gender.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house and would apply to admissions and competitive scholarships beginning with the 2000-01 academic year. Each program would have to adopt the relevant rules and policies by January 1, 2000.

**SUPPORTERS  
SAY:**

SB 1356 would establish a working plan to encourage graduate and professional programs in Texas to ensure, within the constraints of current law and court rulings, that the population of these programs reflected the population of the state. It would give each program the flexibility to tailor an admissions policy that considered other important criteria that also predict academic success, in addition to standard quantitative measures.

The bill would offer a uniform plan, to be made available to the public, that would give consistency and transparency in the admissions process. It would ensure that graduate and professional schools would consider more than a test score or an index to decide if a student's application was worth reading.

According to recent demographic research, Texas graduate and professional schools have student populations that do not reflect statewide population percentages for certain minorities. It is crucial that Texas provide educational opportunities to all of its citizens, especially populations that traditionally have been underserved by the educational system and that are well on their way to becoming the majority population. For example, at the Texas A&M University Health Science Center, only three African-American students and 25 Hispanics are enrolled out of a total of 257 students. At the University of Texas School of Law, there are only 40 African-American students out of a population of 1,400 students. SB 1356 would help to raise these numbers.

Continuing low rates of college participation among a growing African-American and Hispanic population eventually will make Texas less competitive economically because the work force will lack educational requirements to attract cutting-edge industries. Texas already ranks 48th in the nation in terms of the percentage of students who graduate from college. Texas is likely to lose new jobs, especially in high technology, to states and nations whose populations are better trained. SB 1356 would lay the foundation for keeping Texas competitive in the global economy.

The *Hopwood v. Texas* decision barring affirmative action programs in Texas' higher education institutions has discouraged minority student applications and enrollment at Texas institutions and has put the state at a severe competitive disadvantage with out-of-state schools in recruiting students that reflect the broad diversity of the state. When the best students of all backgrounds leave Texas to seek better educational opportunities elsewhere, they often do not return, to the detriment of the entire state. *Hopwood* did not prohibit the state from promoting a diverse student body reflecting the state's population, consistent with other factors that predict academic success and that enhance the educational experience of all students. SB 1356 would encourage such diversity within the structure of *Hopwood* and subsequent attorney general rulings.

OPPONENTS  
SAY:

The consideration of bilingual proficiency, in addition to the requirement that each graduate and professional program report the racial, ethnic, and gender composition of its entering class to the coordinating board, could serve as a proxy for race. To the extent that such factors are proxies, SB 1356 could violate *Hopwood* and subsequent attorney general opinions regarding the

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consideration of race and ethnicity in the awarding of scholarships in Texas' graduate and professional programs.