



POLICY BRIEF

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The Texas Top Ten Percent Plan's Effect on Historically Marginalized Students Attaining Professional School Degrees

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Executive Summary

The Texas Top Ten Percent Plan (TTTPP)—passed in 1997 following a short-lived Supreme Court ruling that banned race-conscious admissions policies—was implemented as a race-neutral approach to grow college enrollment among traditionally underrepresented students by guaranteeing admission to a percentage of high-performing Texas high school graduates from schools across the state (Flores & Horn, 2015; Holley & Spencer, 1999). Lawmakers passed the TTTPP under the assumption that the top 10% of students from the state's high schools would be representative of the state's population (Montejano, 2001; Olivas, 2005). However, research over the past decade has consistently demonstrated that the TTTPP alone is not sufficient to achieve educational diversity in undergraduate enrollment (Cortes, 2010; Cortes & Lincove, 2019; Harris & Tienda, 2012; Horn & Flores, 2003; Horn & Flores, 2012; Long et al., 2010). Extending previous research by examining the indirect effects of the TTTPP on professional school degrees—those granted after successful bachelor's degree attainment and used to produce future public servants, doctors, lawyers, professors, and other professionals—our research found that the proportion of professional school degrees awarded to historically marginalized groups trended downward in the years following the implementation of the TTTPP.

KEY TAKEAWAYS

While 60% of Texans identify as a member of a historically marginalized racial or ethnic group, they comprise only 45% of those awarded professional school degrees.

The TTTPP has decreased diversity in the population of public servants, doctors, lawyers, professors, and other professionals receiving advanced degrees in Texas.

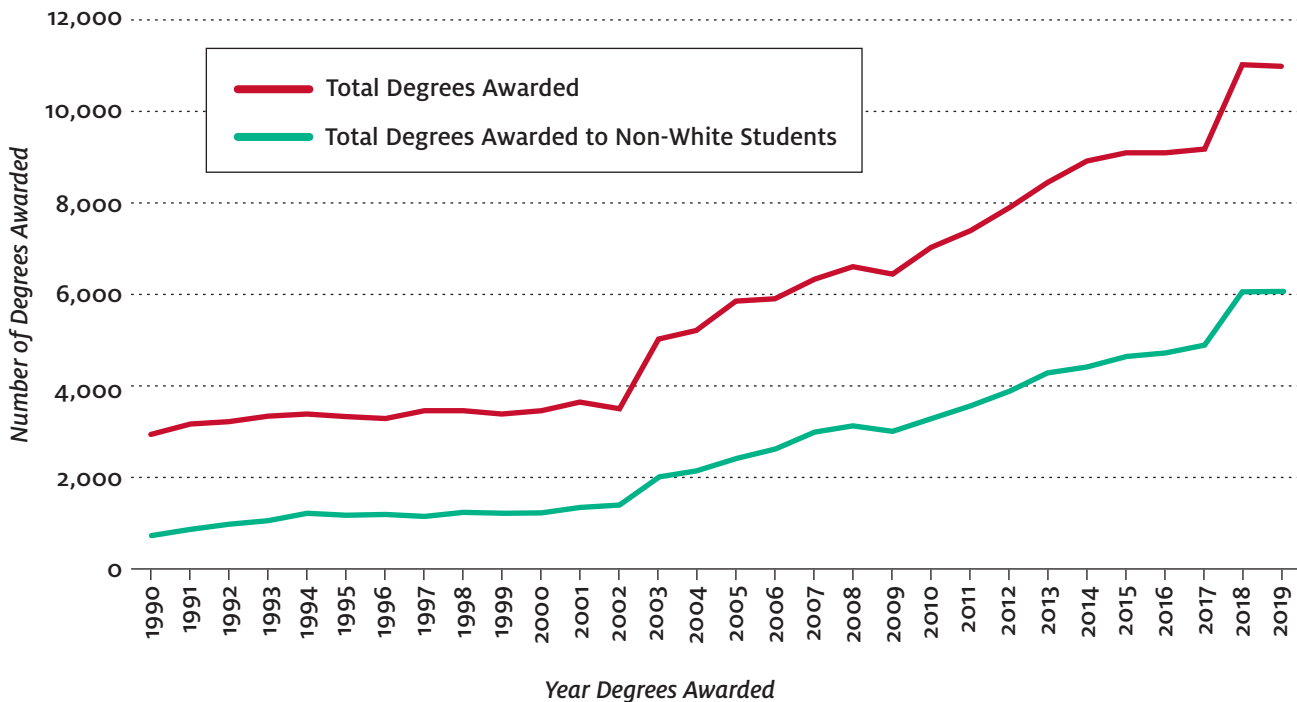
The TTTPP alone is not a substitute for race-conscious admissions policies.

Purpose of the Study

The purpose of this study is to document the indirect effects of the TTTPP on professional school degrees awarded in the state and illuminate the ways in which the policy has decreased diversification of the Texas workforce. Especially important amid new challenges to the use of race-conscious admissions policies in higher education, this study demonstrates the ways in which the TTTPP does not serve as a sufficient policy substitute to appropriately diversify undergraduate and graduate school degrees.

FIGURE 1

Texas Public Professional School Degrees Awarded, 1990–2019



History of Race-Conscious Admissions in the Courts

Originally enacted following the Civil Rights Act of 1964, affirmative action policies in higher education admissions included the use of race as part of a holistic application review to correct for historic racial discrimination in higher education. To date, all Supreme Court rulings—except for one in 1996 that was overturned by subsequent rulings—found the use of race-conscious admissions policies to be necessary and constitutional. The first Supreme Court ruling resulting from a challenge to the use of race-conscious admissions policies occurred in *Regents of the University of California v. Bakke* (1978), where the court ruled affirmative action allowable under the Constitution’s First Amendment and Title VI of the Civil Rights Act of 1964. This ruling was overturned in *Hopwood v. Texas* (1996), but rul-

ings since that time have confirmed the necessity and constitutionality of race-conscious admissions policies, including *Grutter v. Bollinger* (2003), *Gratz v. Bollinger* (2003), and *Fisher v. University of Texas at Austin* (2013 & 2016). In 2023, the Supreme Court is set to rule again on two new challenges to the use of race-conscious admissions policies, *Students for Fair Admissions v. President and Fellows of Harvard College* and *Students for Fair Admissions v. University of North Carolina*.

Data and Methods

This study centers on the 41 public professional degree-granting institutions that existed in Texas between 1990 and 2019. Since 1990, the number of public professional school degrees awarded in Texas has generally increased by an average of about 5% each year, with a notable exception in

2003, when 42% more degrees were conferred than the previous year, perhaps coinciding with the opening of nine different medical schools between 2001 and 2002 (see Figure 1). The percentage of public professional school degrees awarded to historically marginalized students has also increased over the past 30 years. In 1990, 29% of professional degrees awarded by Texas public schools were awarded to historically marginalized students. By 2019, that percentage increased to 55% (see Figure 2). This is consistent with the trend of the Texas population: In 1990, 40% of Texas residents identified as a member of a historically marginalized group, and in 2019, this percentage increased to 60% (Texas Demographic Center, 2020).

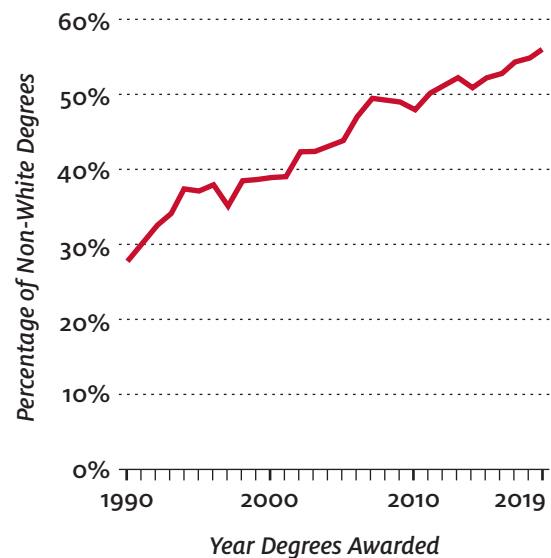
This research employs interrupted time series analysis to examine the impact of the TTTTP on the percentage of professional school degrees awarded to historically marginalized students and then logistic regression to determine the influence of the TTTTP on the odds of attaining a professional school degree. The two complementary analyses were conducted using individual-level data sets constructed from the University of Houston Education Research Center repository. The interrupted time series analysis was conducted using an aggregated statewide data set, while the logistic regression was conducted using an individual-level data set of matched bachelor's degree recipients.

Results

The interrupted time series analysis results show that there was a small increase in professional school degrees awarded to historically marginalized student groups during the first year TTTTP students, after obtaining their undergraduate degrees, would have graduated from professional schools (2007), followed by a gradual decrease in the subsequent years (see Figure 3). In sum, the TTTTP did not contribute to an increased percentage of professional degrees awarded to historically marginalized students. The logistic regression analysis results demonstrated that the odds of Black and Hispanic students earning a professional school degree were significantly less than the odds of White students earning a professional school degree—for both students who were auto-

FIGURE 2

Percent Professional Degrees Awarded to Historically Marginalized Students, 1990–2019



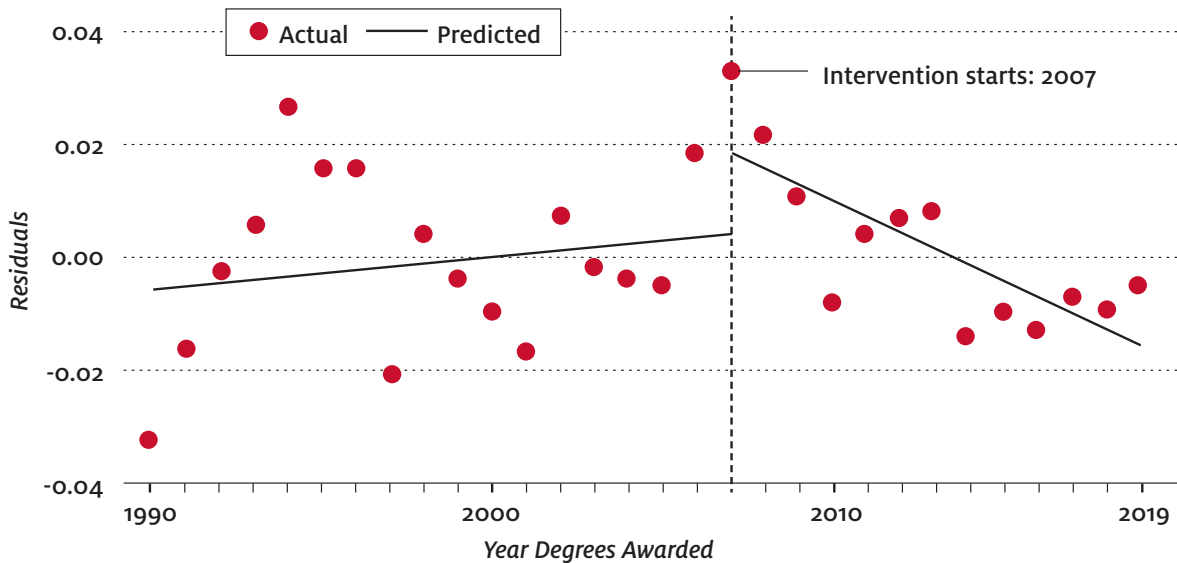
atically admitted into undergraduate schools under the TTTTP and for those who were not.

Conclusion and Implications

The complementary time series and logistic regression analyses conducted in this study provide evidence that even in the presence of race-conscious admissions policies in undergraduate and professional school admissions in Texas, the TTTTP did not increase the proportion of professional school degrees awarded to historically marginalized groups nor did it close the gaps that exist between White and historically marginalized groups in completion of these graduate degrees. In fact, the proportion of professional school degrees awarded to historically marginalized groups trended downward in the years following implementation of the policy.

FIGURE 3

Time Series Analysis of Percentage of Professional Degrees Awarded to Historically Marginalized Students, 1990–2019



The gaps in racial equity as seen in social, economic, and education-related outcomes signal the continued need for race-conscious policies—policies that should be grounded in reparative justice frameworks that acknowledge the historical subjugation and denial of access to specific populations that continue today (Darity & Mullen, 2020; Garces & Gordon da Cruz, 2017). The courts should acknowledge the ways in which societal advancement hinges on the representation of historically marginalized groups in the professional space (Garces, 2012; Lu et al., 2020) and how this representation is controlled indirectly through undergraduate admissions policies.

The indirect influence that undergraduate admissions have on professional school outcomes is inextricably tied to the nation’s ability to advance a diverse workforce, particularly through access to advanced professional occupations. Regarding more localized or state-level implications, the findings shown here further underscore the reality

that increasing the racial diversity of Texas’s graduate and professional school students—which is in step with Texas’s higher education plan strategic goals as well as the objectives sought by other key organizations (e.g., the Texas Medical Association, National Institutes of Health, American Bar Association)—may only be fully achieved through the explicit consideration of race as one factor among many in admissions processes.

Limitations

Results should be interpreted with caution. Though robust, the Texas data repository used in this analysis suffers many of the same limitations of annual data collected in other state education systems. Interrupted time series analysis and logistic regression each have limitations to their interpretations and specifications as well. Further, as previous literature has documented (Horn & Flores, 2012), the TTTTPP does not operate in isolation and is used in conjunction with race-conscious admissions policies.

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