

# Immigrant DREAMs: English Learners, the Texas 10% Admissions Plan, and College Academic Success

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English learners (ELs) are facing unique issues in higher education that remain largely unexplored. This research focuses on college choice, enrollment, and graduation among high-achieving ELs who were eligible for automatic admission to any public higher education institution in Texas by having graduated in the top 10% of their high school class. We found that large enrollment gains for ELs were not observed until revised Texas DREAM (Development, Relief, and Education for Alien Minors) legislation stipulated that immigrant students fulfilling reformulated residency requirements were entitled to in-state tuition rates. The majority of top 10% ELs enrolled at border institutions, were largely first-generation college students, and experienced generally higher cohort graduation rates at Texas flagship universities.

**Key words:** English learner students, college admission, educational policy, higher education, diversity, enrollment trends, selective admission

We are, after all, a nation of immigrants. According to the 2000 Census (U.S. Census Bureau, 2000), more than 380 languages or language families other than English are spoken in U.S. homes, including Spanish (28 million speakers), Chinese (2 million speakers), French (1.6 million speakers), German (1.4 million speakers), and Tagalog (1.2 million speakers; Shin & Bruno, 2003). Furthermore, the number of immigrants living in U.S. households rose 23% between 2000 and 2007 (U.S. Census Bureau, 2006, 2007). Two thirds of all immigrants live in the six states that have historically attracted them: California, New York, Texas, Florida, New Jersey, and Illinois (U.S. Census Bureau, 2000). The Texas Comptroller of Public Accounts<sup>1</sup> (2006a) reported that based on 2000 Census data, the state had 2.9 million foreign-born residents, the third highest total of any state, trailing only California and New York.

From 1990 to 2000, the national enrollment of the children of immigrants grew by 64% in secondary schools and 46% in elementary schools (Capps et al., 2005). By 2000, children of immigrants accounted for close to 1 in 5 of all U.S. school-age children (U.S. Census Bureau, 2001). According to Ruiz de Velasco and Fix (2000), 40% of all foreign-born youths in U.S. schools are designated as limited English proficient. This designation refers to a student who is learning English as a second language (in this article we refer to such students as English learners [ELs] rather than as limited English proficient because of the deficit overtones of the latter term). Although most EL students are recent arrivals who have attained various levels of schooling in their country of origin (Olsen, 2006; Ruiz de Velasco, 2004), a minority are “lifers,” or long-term ELs who have attended U.S. schools for many years (Olsen, 1997, 2006).

The population of ELs has risen dramatically in Texas primary and secondary schools as well. In 2000, Texas ranked second only to California in the number of ELs enrolled in public schools (Texas Education Agency, 2000b). Between the 2000–2001 and 2007–2008 school years, EL enrollment increased by 40%, more than double the overall enrollment growth in the state (Texas Education Agency, 2000a, 2008). In the 2007–2008 school year, 775,000 ELs were enrolled in Texas elementary and secondary public schools, representing about 17% of all students (Texas Education Agency, 2008). Despite the dramatic growth in the number of EL students in Texas and U.S. schools, little is known about their college choice, matriculation, and graduation.

Whether or not they are documented, immigrants participate in higher education, yet their enrollment appears to lag behind that of their peers. Though the proportion of foreign-born individuals with a bachelor's degree or higher is similar to that among the native-born population, about 27%, the rate is

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<sup>1</sup>The comptroller of public accounts (comptroller), the state's chief financial officer, book keeper, and economic forecaster, performs many functions important to the state budget (Senate Research Center, 2009).

only 11.6% for immigrants from Latin America (U.S. Census Bureau, 2004). Furthermore, the association between EL higher education outcomes and state-level admissions legislation is an unexplored area in the research literature. Accordingly, this study asks the following questions: Has the proportional representation of minorities improved in Texas public universities and colleges? Have student outcomes for ELs improved under the Texas Top 10% Plan (TxTTPP)? To what extent did the Texas Development, Relief, and Education for Alien Minors Acts (DREAM Acts) influence the higher education enrollment of high-achieving EL students? Are there differences in enrollment and graduation between ELs and non-ELs? If so, do the outcomes vary by type of institution?

## PRIOR RESEARCH

National and state-level data on EL higher education outcomes are limited. However, it is known that Latinas/os lag behind every other population group in college matriculation rates, college retention rates, and numerous socioeconomic categories (A. Hurtado, Figueroa, & García, 1996; S. Hurtado, Kurotouchi Inkelas, Briggs, & Rhee, 1997; S. Hurtado, Sáenz, Santos, & Cabrera, 2008). Notably, just over 50% of all Latinas/os enrolled in higher education are located in California and Texas (National Center for Education Statistics, 2002). Yet despite the large numbers of Latinas/os attending higher education in Texas, Latina/o students are concentrated at lower tier institutions in the Lone Star state's higher education system (Vega & Martinez, 2008). Recent reports have revealed that although the absolute number of Latinas/os participating in Texas higher education has indeed increased since the establishment of a statewide mandate to "close the gaps" in 2000 (Texas Higher Education Coordinating Board [THECB], 2009), it is unknown whether the rate of participation among ELs has increased relative to the population increase. If EL students are to reach educational equity with their English-proficient peers, the transition to college, persistence, and graduation for ELs are critical issues.

As noted previously, there is little research on the academic success of ELs in higher education. Community colleges, institutions that often offer open enrollment, provide both access and a low "sticker price" attractive to Latino students (see, e.g., Bunch, 2008; Langrehr & Somers, 2008; Somers et al., 2006), especially compared to traditional 4-year institutions (Curry, 2004). Typically, 4-year colleges prefer and recruit students who are fully fluent in English, have recently graduated from high school, and have either the financial means or the opportunity to gain sufficient federal and state financial aid to attend college. Because using these criteria for admission is common, the unique needs and challenges of ELs interested in enrolling or transferring to 4-year institutions may

be overlooked. However, legislative initiatives in Texas and elsewhere seek to deal with the challenges of ELs' limited access to and opportunity in higher education.

### DREAM Acts

In 1996, influenced by anti-immigrant policy such as California's Proposition 187, the federal Illegal Immigration Reform and Immigrant Responsibility Act (Public Law 104–208) specified that undocumented students were not eligible for federal financial assistance for college based on state residency eligibility (Flores & Chapa, 2009). Since 2001, yearly efforts to pass a federal DREAM Act (Gonzales, 2009) that would supersede certain provisions of the Illegal Immigration Reform and Immigrant Responsibility Act and allow undocumented students to be eligible for federal financial aid have failed. Since 2006, four states (Georgia, Oklahoma, Colorado, and Arizona) have made it more difficult for undocumented immigrants to attend institutions of higher education by classifying them as ineligible for in-state tuition rates. In 2010, Arizona went one step further, passing the “papers, please” bill, which requires any person visiting, studying, or living in the state to carry proof at all times that they are in the United States legally.

By stark contrast, 10 states—including California, Kansas, New York, and Texas—have created DREAM Acts during the past 10 years to allow undocumented students access to state financial assistance and/or eligibility for in-state tuition as residents (Wood, 2009). Incipient research has indicated that Latino foreign-born students in such states are significantly more likely to enroll in and complete college compared to students in those states that do not have DREAM Act legislation (American Association of State Colleges and Universities, 2005; Erisman & Looney, 2007; Flores & Chapa, 2009; Gonzales, 2009).

Identifying undocumented immigrants participating in higher education in Texas is difficult because the students can be considered Texas residents if they meet residency requirements; if not, they are classified as international students (Texas Comptroller of Public Accounts, 2006b). In 2004, almost 3,800 noncitizen college students were classified as Texas residents, with 2,894 of these students attending community colleges (Texas Comptroller of Public Accounts, 2006b). More recently, the THECB (2008) revealed,

The number of students qualifying under these [DREAM Act] provisions is relatively small. The full population of students reported as residents under the residency provisions of [Texas Education Code] 54.052(a)(3) totaled 9,062 students in fall 2007. The state's public institution total enrollment that term was 1,102,572. Therefore, the [Texas Education Code] 54.052(a)(3) students represented slightly more than eight tenths of one percent of the public institution enrollment. (p. 2)

In 2001, the Texas Legislature passed House Bill 1403, which provided in-state tuition for students who had established residency by graduating from a Texas high school, living in the state with their parents for at least 36 months, and signing an affidavit establishing the intent to become a permanent resident at the earliest opportunity (Texas House Bill 1403, 2001). Four years later, Senate Bill 1528 repealed House Bill 1403 and dropped the requirement of having lived with a parent and establishing residency at 12 months (Texas Senate Bill 1528, 2005).

### TxTTPP

Although recent research has indicated that foreign-born Latino students are more likely to enroll in and complete college in states with DREAM Acts (see American Association of State Colleges and Universities, 2005; Erisman & Looney, 2007; Flores & Chapa, 2009; Gonzales, 2009), there is no research on the association between the Texas DREAM Acts and the TxTTPP. Horn and Flores (2003) identified four types of admission: access based on meritocracy, access based on an academic index, access based on academic and personal indices, and access based on state plans. The last of these admission heuristics is access based on state-mandated percentage plans used by three primarily minority states—California, Texas, and Florida.

As a direct response to *Hopwood v. Texas* (1996), the 75th Legislature of 1997 passed House Bill 588, also known as the Texas Top 10% Plan (TxTTPP), which mandated that all Texas high school students graduating in the top 10% of their class be granted admission to any Texas public college or university (Texas House Bill 588, 1997). The success of the TxTTPP has been debated in the literature. Despite the size of the Latina/o population in Texas and more than a decade of experience with the plan, studies have indicated that Latina/o students are still underrepresented at elite Texas colleges and universities (Chapa & Horn, 2007; Horn & Flores, 2003; Niu, Tienda, & Cortes, 2006; Tienda & Niu, 2006a, 2006b). Even with the advantage afforded by the TxTTPP to minority students attending highly concentrated minority schools, students of color continue to have a lower likelihood than Whites of enrolling at the elite institutions of Texas (Niu et al., 2006).

The TxTTPP has faced political challenges during every biennial legislative session since 1997. The Texas legislature modified the plan when it passed Senate Bill 175 in the spring of 2009 (Texas Senate Bill 175, 2009). Applicable only to the University of Texas at Austin, the bill allows this university to admit Texas high school graduates in the top 10% of their graduating high school class but only until such students make up 75% of the incoming freshman class (Root, 2009). In 2008, 81% of the entering class was admitted under the TxTTPP.

Considering the preeminence of percentage plans in the discourse on affirmative action in admissions, this unique and groundbreaking research is important to understanding the interaction of the percentage plan and Texas DREAM legislation on EL enrollment at public institutions of higher education in the state of Texas, most of which have historically matriculated large White majorities (Goldstone, 2006).

## COLLEGE CHOICE AND COMPLETION FRAMEWORKS

Seismic demographic shifts, the result of both immigration and changed childbearing patterns, have spurred a reexamination of the research on college going. Because Baby Boomers tended to delay marriage and childbearing, colleges experienced a “baby bust” before the “Baby Boom Echo” (born 1976–1998) and the “Echo Boomlet” or Millennial cohort (projected 2006–2028), which is now overcrowding preschools (“Growing Pains,” 2000). In addition, higher birth rates among some subpopulations and increased immigration (both documented and undocumented) have contributed to the population growth. Indeed, the changes in birth rates alone account for about 50% of the increase in the number of college-eligible 18- to 24-year-olds. As a result of more encouragement from their parents and teachers to aspire to a postsecondary education, the college-going rate for this age group increased from 39.1% in 1990 to 45.8% in 2000 (National Center for Education Statistics, 2007). Of all the generations since World War II, this group has been the most diverse, including more immigrants, more students of color, more students from various ethnic backgrounds, and more returning older students.

This diversity has also spurred research on college choice and persistence among the various subpopulations, producing new theories and models. Hurtado, Figueroa & García (1996) examined college choice for African Americans, Whites, Asians, and Latinos. Among other findings, Hurtado et al. suggested that “for a substantial portion of various populations, the college search and choice patterns are distinct, and may not follow the traditional model of college choice hypothesized by Hossler and Gallagher (1987)” (p. 11). They added that Latinos are “the least prepared regarding knowledge about college” (p. 18). McDonough and Antonio (1996), using data from the Cooperative Institutional Research Program Freshman Survey, discovered that Latinos placed a higher priority on college cost than their White and Asian peers, which resulted in the Latinos attending less expensive colleges. Using the same data, Kim (2004) found that “high school academic achievement, family income, or college preferences such as location and size are more significant for Latina/os” (p. 62). Engle, Bermeo, and O’Brien (2006) found that many Latino students are more likely to be the first in their families to attend college, are nonnative English speakers,

and choose to begin their postsecondary education at a 2-year institution closer to home. Despite the research over the past two decades on Latino college choice, there is a void in the literature on high-achieving EL students and higher education enrollment patterns.

Perna (2000) argued that further research on college choice is necessary to allow researchers to “tease out” racial and ethnic differences in the process and outcomes among the newly diverse college applicant pool. In her feminist Chicana college choice theory, Martinez (2009) suggested that the intersectionality of race, gender, class, and sexual orientation as well as identity-defining characteristics such as language proficiency and age are important considerations for Latino college choice and persistence. Taken together, this research suggests the gaps that still remain in understanding Latino college choice and graduation by specifically illuminating the intersectionality of how EL students’ contextual factors interact with state-level admissions policies.

## METHOD

Despite the enormous growth of Texas’s EL population, there is a dearth of research on EL students in higher education in Texas. Furthermore, the impact of the legislatively mandated admissions and residency plans on ELs is unknown. We used data from the THECB on more than 50 public universities and colleges to descriptively examine recent enrollment trends in Texas higher education since 2000. Here we consider TxTTPP EL students’ college choice, persistence, and completion. We also describe the demographic characteristics of TxTTPP EL students and review Texas’s public university enrollment by race, gender, and generational status. We conclude with an analysis of longitudinal TxTTPP EL student enrollment and graduation.

## RESULTS

Since the inception of the TxTTPP, Texas’s flagship institutions have experienced a limited reversal of minority enrollment declines attributed to the *Hopwood* decision (Chapa & Horn, 2007; Horn & Flores, 2003; Niu et al., 2006; Orfield & Miller, 1998; Tienda & Niu, 2006a). Yet the underrepresentation of minorities relative to the statewide proportions of minorities at the two flagship institutions of Texas remains a salient policy issue. For example, in the fall of 2008, the total enrollment at the University of Texas at Austin was 49,984. The proportional student breakdown was Whites (55%), Latinas/os (16%), African Americans (4%), Asian Americans (15%), and international students (9%; University of Texas at Austin, 2008). Based on the Current Population Survey (U.S. Census Bureau, 2008), the difference between enrollment proportions relative to their statewide

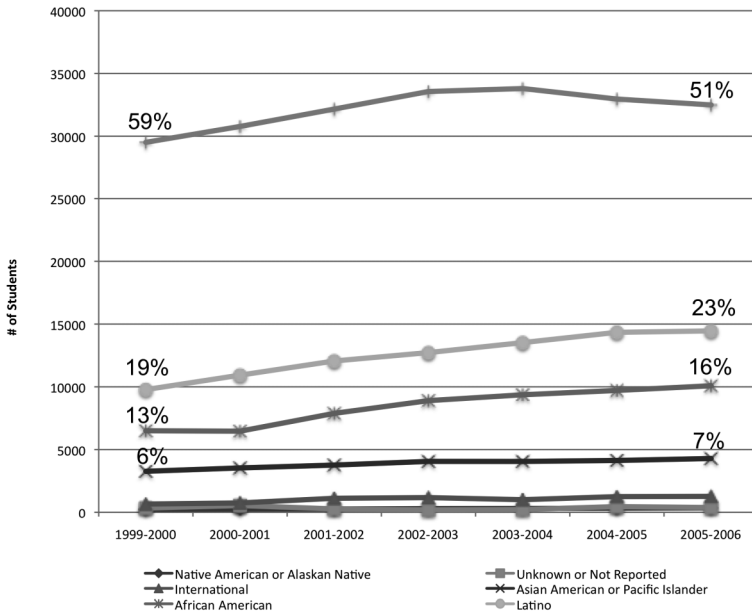


FIGURE 1 Texas public university enrollment: first-year bachelor's seeking by ethnicity.

population was dramatic for Latinas/os and African Americans at 22% and 7%, respectively.

Thus, we begin with an overview of enrollment in Texas's public colleges and universities. Since the start of this millennium, the proportion of enrolled first-year, nontransfer White students has dropped 8% in Texas (see Figure 1). Concurrent with demographic population growth in Texas, minority student enrollment has increased. Latinas/os have experienced the largest growth at 4% while African American enrollment has increased 3%, Asian American enrollment has increased a modest 1%, and Native American enrollment has been static. In line with Vega and Martinez's (2008) research, although the overall minority enrollment increased, the bulk of growth occurred at less selective universities and colleges and not at the University of Texas at Austin and Texas A&M (results not shown). We now turn to THECB data on TxTTPP EL enrollment in Texas public institutions of higher education.

### TxTTPP Texas ELs

As noted earlier, ELs make up more than 17% of all students enrolled in Texas K-12 public schools (Texas Education Agency, 2008). Considering that 71% of



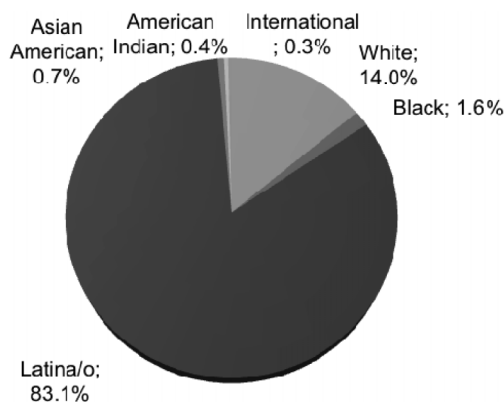


FIGURE 2 Top 10% Spanish-language fluency by enrollment and ethnicity (2007–2008).

Texas immigration originates from Mexico or other Latin American countries (Texas Comptroller of Public Accounts, 2006a), EL is often synonymous with Latina/o in the Texas context. Figure 2 shows TxTTPP students' responses to the THECB application language survey, which asks students to report the first language learned and used in the home.

The majority (83%) of TxTTPP Spanish-speaking ELs enrolled in Texas public institutions of higher education are of Latina/o descent. The proportion of students self-identifying as Asian American and African American were about 1% and 2%, respectively. About 14% of students identifying as White reported speaking Spanish fluently in the home. This finding may be explained by European immigrant students or perhaps Latinas/os self-identifying as White. Better specification of data and more research are necessary to understand this particular finding. Follow-up qualitative research could seek out college-bound, Spanish-speaking EL students to provide more insight into the reported ethnicities and first-language acquisition.

A majority (66%) of students in Texas higher education who speak a language other than Spanish or English are of Asian American descent (see Figure 3). The proportion of African Americans is 5%. Those percentage of students who self-identified as Latinas/os but who speak a language other than Spanish or English in the home was 4%. Of students speaking a language other than English or Spanish in the home, 23% identified themselves as White.

### TxTTPP EL Enrollment

We also sought to understand TxTTPP EL enrollment at universities in the Texas Borderlands. Thus, in several of the forthcoming analyses, we delimited Texas

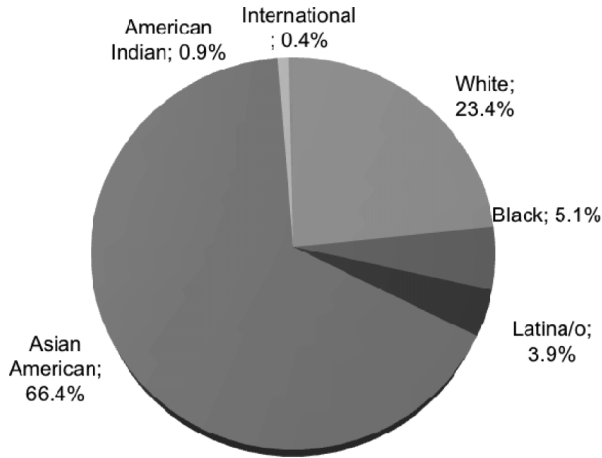


FIGURE 3 Top 10% other-language fluency by enrollment and ethnicity (2007–2008).

public universities by type (see the Appendix). Top tier universities are the flagship institutions of Texas A&M–College Station and the University of Texas at Austin. Ten public institutions were viewed as Borderland institutions. As a result of *League of United Latin American Citizens et al. v. Richards* (1993), the South Texas Border Funding Initiative stipulated that new brick-and-mortar funds be allocated by the state for Borderland universities (Valencia, 2008). Notably, Bexar County (San Antonio) and the University of Texas at San Antonio were considered a part of the border region.

John Sharp (1998), Texas Comptroller, also defined the border regions in *Bordering the Future*. This analysis of health, education, and crime delineated the border region in approximately the same manner as *League of United Latin American Citizens et al. v. Richards* (1993). Furthermore, the THECB currently delineates two areas in the Borderlands: the Upper Rio Grande Region (Far West Texas) and the South Texas Region (which includes Bexar County). These three empirical configurations were combined to define the Borderland universities considered in this article. Finally, the remaining 23 Texas universities that are non-flagship and non-border institutions were placed in an “other” category (see the Appendix).

*Where are TxTTPP students enrolling?* The vast majority (82%–90%) of Top 10% students enrolled in public universities in Texas were monolingual or did not specify their language abilities in 2007–2008 (see Table 1). At 90%, the largest

TABLE 1  
Top 10% Enrollment at Texas Public Universities by Type (2007–2008)

<i>Language</i>	<i>Border University</i>	<i>Top Tier University</i>	<i>Other Texas University</i>	<i>Grand Total</i>
Monolingual/unknown				
Count	1,273	7,629	5,038	13,940
% Column	82%	89%	90%	
% Row	9%	55%	36%	
English/Spanish bilingual				
Count	268	592	364	1,224
% Column	17%	7%	7%	
% Row	22%	48%	30%	
English/other bilingual				
Count	18	374	169	561
% Column	1%	4%	3%	
% Row	3%	67%	30%	
Grand total	1,559	8,595	5,571	15,725

proportion of monolingual students was observed in the other Texas universities.<sup>2</sup> Notably, border institutions had the largest share of TxTTPP Spanish EL students at 17%. About 7% of the TxTTPP students enrolled at the flagship and other universities were Spanish ELs. Overall, the majority ( $n = 8,595$ ) of TxTTPP students, including Spanish ELs (48%) and “other language” ELs (67%), chose to attend the top tier universities. Although they proportionally enrolled the largest share of TxTTPP Spanish ELs, the border institutions attracted only 1,559 TxTTPP students.

*Are there gender differences in TxTTPP student enrollment?* For all TxTTPP students, there were large differences by gender, as there were more female Top 10% students at each type of institution. The smallest gender differential for all groups was in the top tier universities. In fact, there were slightly more male other language ELs at the top tier institutions. The largest gender gap was 56% among other language ELs at border universities (see Table 2).

*Are there differences in TxTTPP higher education legacy?* For monolingual and other language EL students, there was a wide overall gap (34%) between students whose parents had attended higher education institutions and those whose parents had not (see Table 3). The largest gap for monolingual students was at the top tier institutions, where more than 70% of the TxTTPP students

<sup>2</sup>Students whose language status was unknown were added to the monolingual category for all analyses.

TABLE 2  
Top 10% Enrollment at Texas Public Universities by Gender (2007–2008)

<i>Language</i>	<i>Border Universities</i>	<i>Top Tier Universities</i>	<i>Other Texas Universities</i>	<i>Grand Total</i>
Monolingual/unknown				
Female	64%	58%	66%	61%
Male	36%	42%	34%	39%
English/Spanish bilingual				
Female	63%	51%	63%	57%
Male	37%	49%	37%	43%
English/other bilingual				
Female	78%	49%	61%	54%
Male	22%	51%	39%	46%

TABLE 3  
Top 10% Enrollment at Texas Public Universities by Legacy Status (2007–2008)

<i>Language</i>	<i>Border Universities</i>	<i>Top Tier Universities</i>	<i>Other Texas Universities</i>	<i>Grand Total</i>
Monolingual/unknown				
1st generation college	51%	28%	44%	33%
≥2nd generation college	49%	72%	56%	67%
English/Spanish bilingual				
1st generation college	73%	65%	72%	68%
≥2nd generation college	27%	35%	28%	32%
English/other bilingual				
1st generation college	43%	29%	41%	33%
≥2nd generation college	57%	71%	59%	67%

were legacy students. About 70% of Spanish EL TxTTPP students were first-generation college students. It may seem unusual for 30% of EL students to be university legacies; however, it must be considered that the population is high-achieving EL students, those who finished in the top 10% of their high school class.

*Where do TxTTPP ELs enroll?* The TxTTPP mandates that all Texas high school students graduating in the top 10% of their class be granted admission to any Texas public college or university. As previously discussed, the literature has suggested that the plan may influence some groups of students more dramatically than others (Niu et al., 2006; Tienda & Niu, 2006a, 2006b). However, there is no current research on ELs' college choice in the current TxTTPP environment.

We now examine TxTTPP admissions since 2000 by demographic group to better understand how the program is influencing EL students across Texas. Figure 4 shows the overall enrollment trends in Texas’s top tier universities.

Since 2000, the total proportion of monolingual TxTTPP students has remained about the same at 88%. Until 2006, only about 1% of applicants admitted to top tier institutions under the Top 10% plan were Spanish EL students. Notably, Spanish ELs had an enrollment increase of about 5% in 2006. We believe that a major factor that influenced this increase was the passage of Texas Senate Bill 1528 in 2005 (the DREAM Act), which made it easier for immigrant students to qualify for in-state tuition rates. Notably, there is a simultaneous drop of about 5% at the top tier institutions for other language ELs, a finding that requires further research.

Figure 5 shows a 5% drop in monolingual TxTTPP students attending border universities. Concurrently, the percentage of Spanish ELs admitted under the Top 10% admission plan rose steadily to 17% of TxTTPP students in border universities—about an 8% increase since 1999. Of the other language EL students admitted to the border universities, only about 1% were admitted via the TxTTPP by the end of the time period. Thus, it is readily apparent that EL students

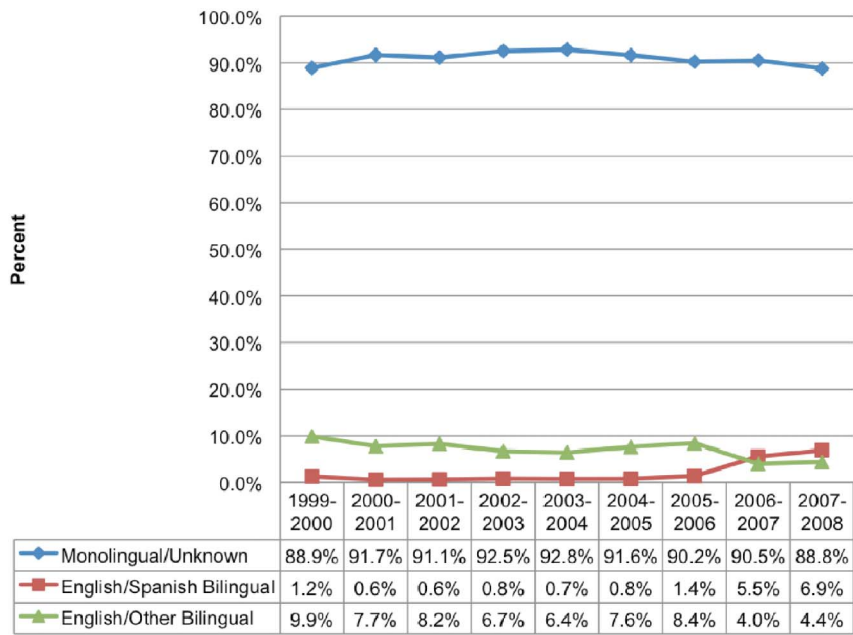


FIGURE 4 Top 10% enrollment at Texas top tier universities by language (1999–2008). (Figure is provided in color online.)

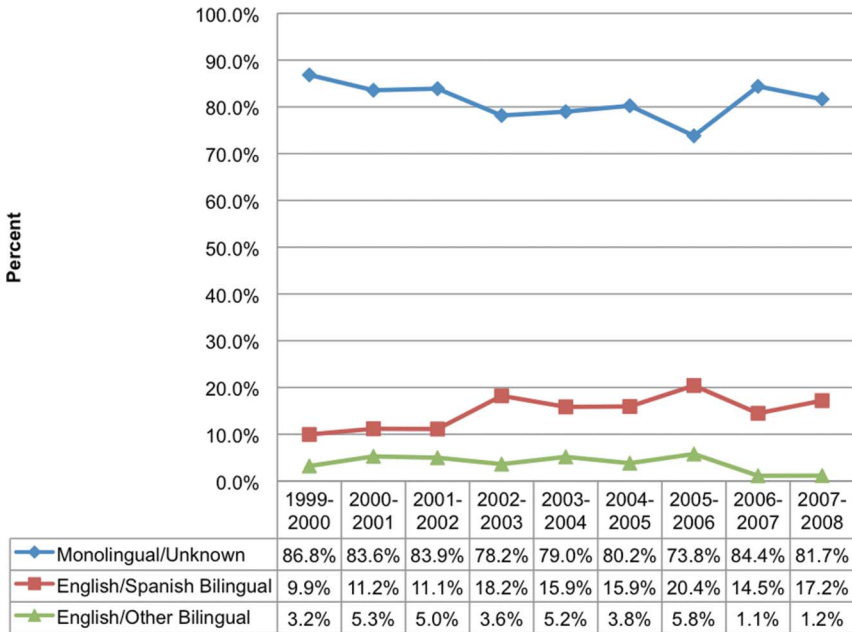


FIGURE 5 Top 10% enrollment at Texas border universities by language (1999–2008).  
(Figure is provided in color online.)

have proportionally benefited from the TxTTPP at border institutions by achieving enrollment gains. This result must be tempered by the total numbers of TxTTPP students enrolling at border universities versus top tier universities. As shown in Table 1, the overall number of TxTTPP students attending border universities was about 80% less than the TxTTPP enrollment at the University of Texas at Austin and Texas A&M–College Station.

The other universities (non-border and non-top tier) in the analysis also showed a drop in TxTTPP monolingual students of about 5%. There was an increase of about 4% among Spanish TxTTPP students. The largest increase was in 2005, about 2%. There was also a slight increase for EL students from other language groups. Notably, these students do not appear to have experienced the same increase that Spanish EL students showed in 2005 (see Figure 6).

### TxTTPP EL Graduation

Top 10% student cohort graduation rates were generally higher at Texas flagship universities than they were at lower tier institutions (see Table 4). Spanish EL TxTTPP graduation rates were higher in the flagships in three of the four cohorts.

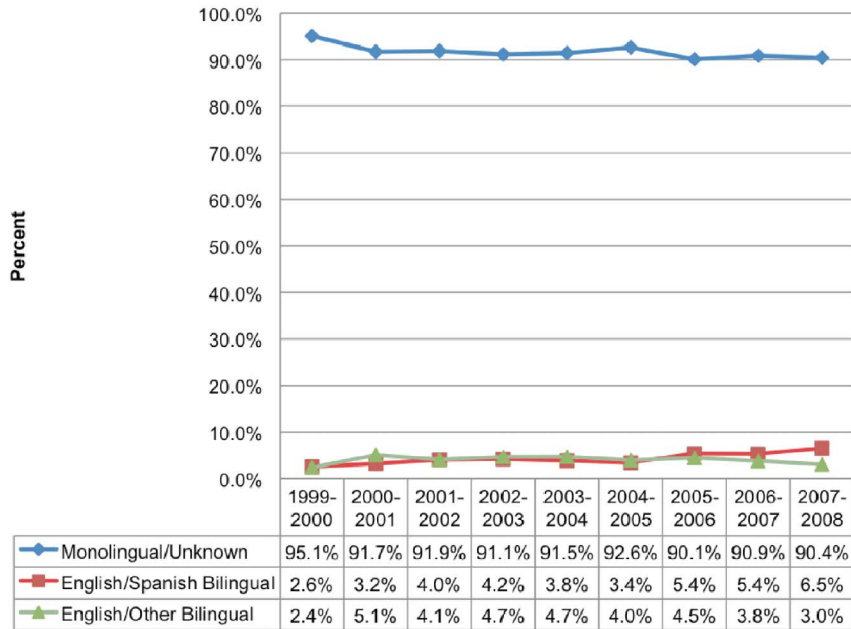


FIGURE 6 Top 10% enrollment at non-border non-flagship Texas universities by language (1999–2008). (Figure is provided in color online.)

In the border institutions, TxTTPP students had higher graduation rates for the 2002–2003 cohort than TxTTPP Spanish EL students at the University of Texas at Austin and Texas A&M–College Station. Barring this exception, the graduation rates of TxTTPP students at the top tier institutions were more than 20% higher than those of students at the lower tier institutions regardless of language proficiency status.

## DISCUSSION

When the Texas State Legislature began its 81st session in the winter of 2009, the Top 10% plan, the most recent policy enacted to increase diversity at Texas’s colleges and universities, emerged at the top of the legislative agenda. Some constituencies argued that the statewide admissions policy that called for the automatic acceptance of students in the top 10% of their class into their choice of any of Texas’s 35 state public higher education institutions had created greater diversity on the campuses of state universities. The University of Texas at Austin administration argued in the Texas legislature that the University was adamantly opposed to the Top 10% policy as implemented because the threshold admissions

TABLE 4  
Top 10% 6-Year Cohort Graduation Rates at Texas Public Universities  
(Entering 2000–2003)

<i>Language</i>	<i>Border Universities</i>	<i>Top Tier Universities</i>	<i>Other Texas Universities</i>	<i>Grand Total</i>
1999–2000				
Monolingual/unknown	60%	86%	66%	76%
English/Spanish bilingual	56%	74%	67%	65%
English/other bilingual	48%	85%	68%	82%
2000–2001				
Monolingual/unknown	62%	85%	68%	77%
English/Spanish bilingual	58%	74%	63%	62%
English/other bilingual	68%	80%	77%	78%
2001–2002				
Monolingual/unknown	58%	85%	66%	76%
English/Spanish bilingual	58%	75%	62%	62%
English/other bilingual	68%	84%	67%	79%
2002–2003				
Monolingual/unknown	62%	85%	67%	77%
English/Spanish bilingual	66%	64%	61%	64%
English/other bilingual	54%	82%	67%	76%

plan took away from the discretion of the University in admissions and actually limited minority enrollment (“Erasing Race,” 2009). In 2009, the 81st Texas legislature modified the Top 10% plan and limited TxTTPP admissions to 75% of the incoming freshman class at the University of Texas at Austin beginning in the 2011–2012 academic year (Texas Senate Bill 175, 2009).

Although many opponents of the TxTTPP appeared to have social justice concerns at heart, it is difficult to ignore the fact that African American and Latina/o enrollment at the University of Texas is at its highest point since the establishment of the policy. Furthermore, this analysis finds that although EL students have matriculated in larger numbers from border and non-flagship public universities in Texas, enrollment at Texas’s flagship institutions has improved dramatically in recent years. What caused this dramatic increase in the enrollment of Spanish EL students at Texas flagships and, to a lesser degree, at border and non-flagship institutions of higher education?

As a response to *Hopwood v. Texas* (1996), the TxTTPP has produced improved results for Latinos; however, dramatic gains for EL students were not observed until 2005–2006. In 2005, the Texas Legislature passed Senate Bill 1528, which allowed students fulfilling residency requirements to establish Texas residency status for the purpose of receiving in-state tuition rates (Texas Senate Bill 1528, 2005). Considering the immediate increase in Spanish EL enrollment at Texas flagships, and, to a lesser extent, the rise in enrollment at border universities,



Senate Bill 1528 appears to have dramatically influenced the number of Spanish ELs attending the University of Texas at Austin and Texas A&M—College Station.

In addition to gains in opportunity and access, EL students have experienced generally higher cohort graduation rates at Texas flagship universities than at lower tier institutions. Spanish TxTTPP graduation rates are higher in the flagships in three of the four cohorts. In the border institutions, TxTTPP students have higher graduation rates for the 2002–2003 cohort than TxTTPP Spanish EL students at the University of Texas at Austin and Texas A&M—College Station. Barring this exception, the graduation rates of TxTTPP students are more than 20% higher at the top tier institutions regardless of language proficiency status.

What is important is that this analysis demonstrates that a sense of urgency and a coordinated approach to improving EL enrollment at Texas flagship universities is warranted. A conversation with a long-time Texas higher education administrator revealed that the state system had never (or at least had not recently) considered EL student enrollment and graduation in a comprehensive and strategic fashion (P. Reyes, personal communication, August 11, 2009). A meeting with the leadership team at one of Texas's flagship institutions to discuss the impact of the Top 10% program on ELs elicited a somewhat tepid response—the university had never considered access and opportunity for EL and immigrant students. Considering the rapid growth of EL student populations in Texas and their representatively low enrollment across Texas public universities, this research is a call to action to better address opportunities for and access to higher education among Texas's burgeoning EL student population.

## CONCLUSION

The nation is in flux as immigration, the evolving international knowledge economy, and the economic downturn all present daunting challenges to educators. The influx of Spanish speakers is a redux of earlier waves of immigrants that included Italians, Germans, Chinese, and other nonnative speakers who also sought instruction in U.S. schools to improve their functional language skills and to gain access to better jobs and higher education. If current population trends continue, by 2025 up to half of college-bound students could be immigrants requiring preparatory instruction in English as a second language (Hodgkinson, 1995). Providing opportunities for and access to higher education among ELs is likely *the* civil rights issue of the 21st century; it is a matter of economic survival in a global marketplace.

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## APPENDIX

## Texas Public 4-Year Universities by Type

Border Universities	University of Texas at El Paso	Other Texas Universities	Angelo State University	Texas State University San Marcos
	University of Texas Pan American		Lamar University	Texas Tech University
	University of Texas San Antonio		Midwestern State University	Texas Woman's University
	University of Texas at Brownsville		Prairie View A&M University	University of Houston
	Texas A&M University—Kingsville		Sam Houston State University	University of Houston—Clear Lake
	Texas A&M International University		Stephen F. Austin State University	University of Houston—Victoria
	Sul Ross State University		Tarleton State University	University of North Texas
	Sul Ross State Rio Grande College		Texas A&M University at Galveston	University of Texas Arlington
	Texas A&M University Corpus Christi		Texas A&M University Texarkana	University of Texas at Dallas
	University of Texas Brownsville		Texas A&M University—Commerce	University of Texas at Tyler
Top Tier Universities	Texas A&M—College Station		Texas Southern University	University of Texas Permian Basin
	University of Texas at Austin		West Texas A&M University	