

College Choice and the Texas Top 10% Law: How Constrained are the Options?

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Introduction

The challenge of maintaining a diverse student body at selective institutions increased when the 5th Circuit Court judicially prohibited affirmative action in college admissions decisions.¹ In response, the Texas legislature passed H.B. 588—better known as the “top 10% law”—which guarantees automatic admission to *any* public university to high school seniors who graduate in the top decile of their class. As the first state to develop and implement a percent plan, Texas is an important case to evaluate the social and demographic consequences for higher education of using class rank as the major criterion for admitting a large share of college aspirants.²

Whether H.B. 588 increased application and matriculation *probabilities* of black and Hispanic students is unclear. This is because, with a few notable exceptions (Tienda, et al., 2003; Kain and O’Brien, 2003; Bucks, 2003), virtually all studies of the Texas percent plan focus on *institutional* diversification impacts to the relative neglect of how prospective college students behave. Critics of H.B.588 claim that the most academically accomplished students are leaving the state because the top 10% law favors graduates from low performing schools over highly qualified students who attend academically rigorous schools who do not graduate in the top decile of their class (Yardley, 2002; Nissimov, 2000). However, even existing studies that consider students’ college application and enrollment behavior can not address how many or which students leave the state (e.g., students above or below the percent admission threshold) or what institutional alternatives are considered in students’ matriculation decisions. This is because administrative data lack information either about alternative choices available to students, which include non-college options.

Accordingly, this paper addresses whether and how the top 10% law influences college choice and enrollment behavior among Texas public high school students. We use survey data designed to evaluate how the top 10% law influences college-going behavior in Texas to address whether and for which students does the top 10% law influence college choice. Of course, for H.B.588 to change college enrollment propensities, students must *know* about its provisions and *their* eligibility. Yet, only 16 percent of Hispanic high school seniors knew about the automatic admission provision compared with approximately one in three white seniors, 22 percent of black seniors and half of all Asian

¹ *Hopwood v. University of Texas* 78 F.3d 932, 944 (5th Cir. 1996)

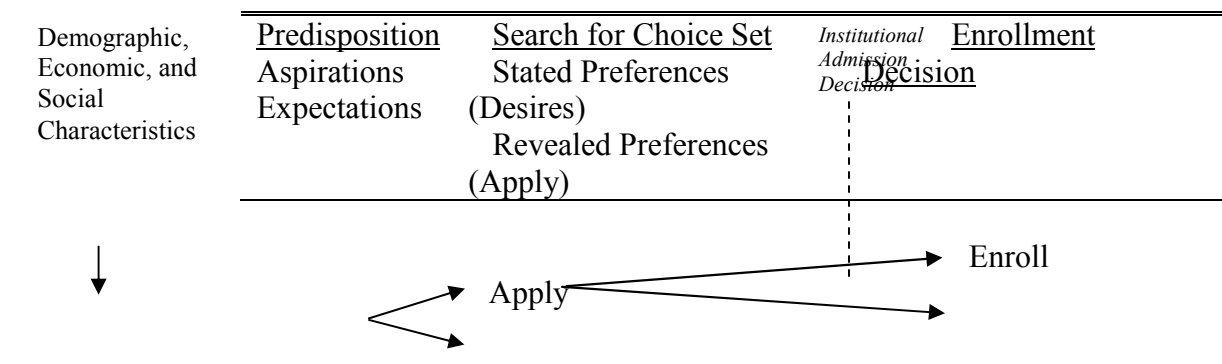
² When H.B.588 went into effect, 43% of UT freshmen were top decile graduates, but the share of automatic admits for the freshman 2003-04 entering class exceeded 70%.

seniors (THEOP, 2003).³ Furthermore, less than 60 percent of Hispanic seniors reported knowing their class rank compared with approximately 70 percent of whites and blacks, and almost 85 percent of Asians. We hypothesize that race and ethnic differences in students' knowledge of the top 10% law and their awareness of their rank-based eligibility will lower their odds of applying and enrolling in 4-year public institutions that differ in the selectivity of their admissions and their instate (vs. out of state) location.⁴ We evaluate this hypothesis using a school-based, longitudinal survey that represents Texas sophomores and seniors enrolled in Texas high schools during spring, 2002. Following a brief overview of our theoretical approach to college choice, we describe the survey and present preliminary analyses based on the full baseline survey and a "beta" sample of the wave 2 results.⁵

Background

First generation studies of college choice acknowledged that decisions about postsecondary schooling reflect the culmination of a *process* grounded in aspirations for post secondary schooling, yet the process was portrayed (and analyzed) in stages. Hossler and Gallager (1987) synthesized these ideas in a three-stage model representing the sequential decision process undergirding college enrollment decisions: (1) "*predisposition to attend college;*" (2) "*search for a choice set;*" and (3) "*matriculation*" (Hossler, et al., 1999). (See Figure 1) The identification of the choice set is concluded when students apply to one or more institutions, but its less clearly demarcated "onset" is signaled by pursuing a college prep curriculum, taking AP courses, taking entrance examinations and maintaining college aspirations (Hossler, et al., 1999; DesJardins, et al., 1999). During the search stage, students presumably test their aspirations against realistic options based on their calculated probability of admission (Soss, 1974; Fuller, et al., 1982; Manski and Wise, 1983), which frequently results in lowered expectations.

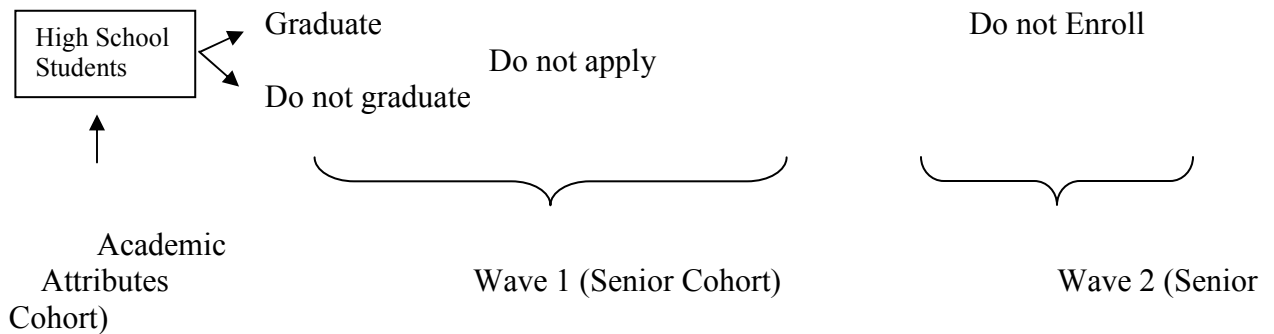
Figure 1. Conceptual Representation of Students' College Choice Process



³ Summary tabulations from the baseline survey are available at: www.texas10.princeton.edu/presentations

⁴ In- and out-of-state location is important because the top 10% law applies only to Texas public institutions.

⁵ The wave 2 senior survey is nearing completion. We anticipate completion of 6000 follow-up interviews, of which approximately 4,200 were available at the time of this writing. The second wave data will be available by mid-October, with ample time to complete the analysis for PAA.



College choice is a dynamic process not only in the activities leading to matriculation, but also in the antecedent behaviors and decisions that influence academic curriculum, scholastic performance, and extra-curricular activities. The formation of college aspirations also develops over a protracted period and affects high school academic achievement in ways that constrain subsequent alternatives (DesJardins, et al., 1999; Kao and Tienda, 1998). By portraying college choice as a linked set of mutually inter-dependent *nested outcomes*, second generation studies of college choice explicitly acknowledged the sequential and cumulative character of the underlying *process* in their statistical modeling (Fuller, et al., 1982; Behrman, et al., 1998). For example, Manski and Wise (1983) represented the time path of sequential, inter-dependent choices as a set of nested behavioral decisions.⁶

Empirical studies have identified three categories of influences on college choice, namely (1) *individual student characteristics*, including race/ethnicity, sex, family SES, academic ability, and achievement, educational aspirations, educational expectations, and extracurricular activities; (2) *institutional influences*, such as tuition, school reputation, location and selectivity, size, type (public/private and 2- or 4-year), etc.; and (3) *contextual influences*, such as parent, teacher and counselor encouragement, peers' plans; high school climate and performance ranking, etc.

Family background, personal attributes, family environment and school achievement are particularly salient influences on students' college aspirations and plans (Kao and Tienda, 1998; Kao, et al., 1996; Stage and Hossler, 1989; Hossler and Stage, 1992), but also choice of college and likelihood of application and enrollment (Hearn, 1984; 1991; Karen, 2002; Alon and Tienda, 2003; Velez, 1985). Parental expectations and reference group influences (i.e., counselors, peers and significant others) also influence college intentions and decision-making via information gathering that produces a "college choice set" (Hossler, et al., 1999; McDonough, 1997). Tuition and financial aid also are important influences on the matriculation decision (Alon, 2003a; 2003b; Manski and Wise, 1983; Alon and Tienda, 2003). Application to colleges reveal preferences and enrollment represents the final choice among ranked alternatives.

⁶ Restricting their analyses to high school graduates introduced nonrandom selection bias in the first nested transition. This is substantively significant because the effect of family background on college choice operates both directly and indirectly, through high school achievements (Soss, 1974; Behrman, et al., 1998; Hout, 2000; Hoxby, 2001).

Data and Methods

Analyses research will use primary survey data of a representative sample of Texas public high school seniors as of spring, 2002, of which a longitudinal subsample is being followed prospectively.⁷ Surveying high school students and observing their college choices prospectively rather than retrospectively avoids two sources of selection biases inherent in studies based on college enrollees (e.g., Bowen and Bok, 1998; Massey, et al., 2003), namely, whether to apply to college, and, conditional on acceptance, where (i.e., institutional type and selectivity) to attend. The prospective longitudinal survey design allows us to identify the full range of students' post-secondary school choices, including part-time enrollment, postponement, and intermittent participation, as well as full time attendance.

Baseline Sample

Using a two-stage stratified sampling design, we interviewed 13,803 seniors and 19,960 sophomores during spring, 2002.⁸ For cost reasons we are following a subsample of the baseline senior cohort and two subsamples of the sophomore cohort. The precision requirements of the first follow-up study call for a representative subsample of approximately 6,000 completed interviews. This represents about 44 percent of the 13,803 seniors who participated in the spring 2002 baseline survey. Analytic goals require comparative analyses among Texas' major demographic subgroups, namely whites, Hispanics, blacks and Asians, as well as for students who do and do not pursue post-secondary education.⁹

Follow-up survey

Cost and time considerations dictated a subsample for the longitudinal cohort to be followed over time. To preserve efficiency for the longitudinal sample, we considered a proportionate sampling scheme, presuming that sizes would be adequate for small population groups, such as non-college-bound Asian Americans and college-bound African Americans. However, diagnostics of the expected distribution of race/ethnicity by *post-high school intentions* based on a proportionate sample of 6,000 senior baseline survey respondents did not yield adequate samples of blacks and Asians. Therefore, to guarantee the maximum possible precision for blacks and Asians, all baseline respondents from these groups were included in the longitudinal sample; proportionate samples of Hispanics and non-Hispanic whites were randomly drawn for the sample

⁷ We also interviewed 19,969 sophomores, but they will not be analyzed for this paper.

⁸ 108 schools were randomly selected from 62 PSUs to represent the target student population. Of these, three schools were ineligible because they were special needs schools, and 98 of the remaining 105 schools cooperated by permitting in-class administration of the survey (86) or providing student addresses (12) so that a mail survey could be administered. Only two of the non-cooperating schools were outright refusals and the remaining five were long-term recalcitrant. The school-level cooperation rate of 93.3 percent (98/105) is outstanding—all the more so because of the sensitive testing period in which we requested additional class time.

⁹ The Native American population of Texas is too small for separate analyses. The baseline sample included too few to sample.

balance, and weights ensures representativeness of the sample to all Texas high school seniors in 2002.

In addition to basic demographic, socioeconomic and standard tracking information, the baseline survey obtained information about course taking and grades, test scores and experiences with guidance, knowledge and perceptions of college admissions, future plans, including college preferences, applications and admission decisions (seniors only), perceptions about college. All college choices have been IPEDS-coded, with institutional characteristics appended to the individual records, which permits classification of college choices by institutional type (e.g., junior college, 4-year public or private, etc.), location and selectivity.

The primary focus of the senior wave 2 interviews, which will be completed by fall, 2003, is on the respondents' activities *after* high school graduation, but a few questions about high school experiences and preparedness for college are also included. Specifically, we solicit information about post-secondary education and work or military service activities, reasons for choosing to enter post-secondary education as opposed to the workforce (or vice versa), and future life plans as a young adult. These items have been taken from survey instruments used for nationally representative studies of high school seniors and college freshmen (e.g., NELS and HS&B) and thus can be benchmarked against national data. Wave 2 data will also permit corroboration of respondents' reported application and acceptance outcomes.

Modeling College Choice

To model college choice behavior we follow closely the empirical methodology outlined in Manski and Wise (1983), which is derived from the random utility framework, except that we will address selection bias that results from excluding students who did not graduate from high school by modeling school-specific attrition using the sophomore cohort. Given predispositions to attend college, three decisions characterize students' college choice: (1) identification of a choice set; (2) application based on expected utility and anticipated likelihood of admission probability; and (3) enrollment (see Figure 1). Conditional on graduation, students apply to a given institution if attendance yields a higher payoff than not attending (equation 1.1). However, application does not guarantee admission unless students are ranked in the top 10 % and their choice includes Texas public institutions, which we explicitly model.¹⁰

$$\Pr(A_{ij}=1 | G_i=1) = p_{1i} \quad (1.1)$$

Selective colleges not bound by admission guarantees (i.e., private institutions and non-Texas alternatives) admit applicants who surpass a specified threshold (equation 1.2a); students falling below the minimum threshold are denied admission (equation 1.2b).

¹⁰ H.B.588 applies only to public institutions, but the prohibition of affirmative action included private institutions.

Obtaining consistent estimates of the application and admission process requires joint estimation of the following three equations using a nested logit procedure:

$$\Pr(A_{ij} = 1, I_j \text{ observed}, S_{ij}^{n\text{-th}} = 1)_i = p_{2i}; \quad (1.2a)$$

$$\Pr(A_{ij} = 1, I_j \text{ observed}, S_{ij}^{n\text{-th}} = 0)_i = p_{3i}; \quad (1.2b)$$

where A_{ij} is a 1/0 variable indicating application to college j for student i ; G_i is a 1/0 variable indicating high school graduation status; I_j is a categorical school quality variable; and $S_{ij}^{n\text{-th}}$ is a 1/0 variable indicating if student i was accepted to their n^{th} choice college.¹¹ The values p_{1i} , p_{2i} , and p_{3i} are the associated probabilities of admission. The choice process is represented by the following functional forms:

$$\text{Application: } A_{ij} = E_i\beta + R_i\theta + T_i\lambda + V_i\pi + \epsilon_{ij}; \quad (1.3)$$

$$\text{Admission: } S_{ij}^{n\text{-th}} = E_i\beta + R_i\theta + T_i\lambda + V_i\pi + I_j\gamma + \mu_{ij}, \quad (1.4)$$

where E_i , R_i , and T_i are indicators of race/ethnicity; class rank; and knowledge of the top ten 10% plan, respectively. V_i is a vector of covariates previously defined. In equation (1.4), I_j is an indicator of college selectivity. Equations (1.3) and (1.4) will also be extended by including several interactions from the vectors E_i , R_i , and T_i to evaluate whether blacks and Hispanic who graduate in the top decile of their class and who know about the 10% law are to aspire and apply to a 4-year institution.

Finally, to model college enrollment we will estimate (2.1) using a multinomial logit and ordered probit, respectively, when the dependent variables are unordered or ordered categorical response categories:

$$\Pr(\text{enrollment} \mid \text{admission} = 1)_i = \Pr(E_i\beta + R_i\theta + T_i\lambda + V_i\pi + \mu_i), \quad (2.1)$$

where *enrollment* indicates a student's actual matriculation decision. College enrollment will be portrayed using metrics for institutional type (2 vs. 4-yr), selectivity ranking (Barrons') and location (in-state vs. out-of-state). The terms E_i , R_i , T_i , and V_i are as previously defined. Inclusion of interaction terms in (2.1) permits testing specific hypotheses about race and ethnic differences in propensity to matriculate conditional on rank and knowledge of the law.

¹¹ The survey recorded up to five ranked college choices. We plan to analyze the top three choices because only small fractions of students provided four or more preferences.

Descriptive Results

Table 1 presents a cross-tabulation of students' college intentions by self-reported class rank.¹² College intentions are based on two different items: expected primary activity after graduating from high school and college preferences. Specifically, students who reported that they expected to take academic courses as a 2 or 4-year college or university were designated college bound. These, in turn were classified according to their expressed college preferences, conditional on having applied. Thus, among students who reported they expected to attend post-secondary schooling, we distinguish between those who had not and those who had actually applied for admission. Among the latter, we further differentiate among those who applied for admission to a 2-year institution only; to both 2-year and 4-year institutions; and to 4-year institutions only.¹³

Table 1 About Here

Although class rank is self-reported and probably contains measurement error, the pattern of results corresponds to expectations inasmuch as the share of students expecting to pursue post-secondary education class rank declines monotonically as class rank falls. Not only are race and ethnic differences in students' college plans clearly evident, but they widen as class rank drops. Virtually all Asian students ranked in the top decile of their senior class reported plans to attend college after high school graduation, as did 90 percent of black and Hispanic top decile students, and 94 percent of white students. Among students ranked below the 20th percentile of their class, four in five Asians reported college attendance as their main post high school activity, as did three-fourths of white students, but only three in five similarly ranked Hispanics.

Relative to the shares of students who reported college intentions, lower shares reported actually having applied for admission. Between 81 and 85 percent of top 10% Hispanic and black students had applied to a 2 or 4 year college by spring semester of their senior year, compared with 91 percent of white and Asian students. Among students ranked below the 20th percentile of their class, 59 percent of white students and about half of nonwhite students reported having applied for college admission. Because many post-secondary institutions, including 4-year universities, have open or rolling admissions, failure to apply does not preclude enrollment within the next year, as Table 2 illustrates.

¹² Because of the human subjects implications of interviewing minors, we did not request permission to solicit student transcripts. However, we plan to contact students who are included in the wave 2 longitudinal follow-up survey to request permission to append their actual transcript data, including class rank, to their individual records.

¹³ Q41 asks: What do you expect will be your primary activity in the fall after you leave high school? Students elected from several response options, including: taking academic courses at a two- or four-year college; taking vocational or technical courses at any kind of school; participating in an apprenticeship or training program; a full-time job; active duty in the Armed Forces or military academy; homemaker (without other job outside of the home); taking a break from work and school; other; and don't know. Q50 asks students to think about the colleges/universities that you are likely to attend and order them by your preference. For each institution listed, students indicated whether they had already applied, were accepted, applied for financial aid and/or scholarships and whether they received these.

Table 2 About Here

This cross-tabulation is based on the beta file of the first follow-up survey with seniors, which includes only two-thirds of the expected respondents. However, it serves to illustrate the congruence between college intentions and actual behavior of Texas high school seniors whose college options and decisions were governed by the top 10% law. For the sample as a whole, there is a strong association between 4-year college intentions and enrollment in a 4-year institution, but the experience of college bound students who had not applied for admission by spring of their senior year testifies that college options were not sealed. In fact, nearly 40 percent of students who had no plans to attend college had attended a 2 or 4-year post-secondary institution within a year of high school graduation. Even more dramatic are the college destinations of “college bound” students who did not have concrete preferences during their senior year, among whom nearly 80 percent had enrolled within a year of graduation.

The lower panel, which disaggregates these results according to class rank, shows that the propensity of college bound students to enroll in 4-year institutions, despite their lack of concrete plans as late as spring of their senior year of high school, derives from the behavior of students ranked in the top and second deciles of their class. Among the former, nearly 63 percent of college bound students enrolled in a 4-year college and an additional 32 percent enrolled in a 2-year college. This means that the latter will forego the automatic admission guarantee of the top 10% law which is in force for two years following high school graduation provided that students do not enroll in a two-year college. Equally striking are the high rates of enrollment at two-year colleges among top 10% students who had applied to both 2- and 4-year colleges by spring of their senior year.

Nest Steps

These tabulations are intended to be illustrative of the relationships we intend to explore once the full wave 2 survey is available for analysis. We anticipate this will arrive in mid October and that the task of adding IPEDS codes and appending institutional characteristics to the individual records. Once completed, we can begin the multivariate modeling along the lines outlined above.

Table 1.
Variation in College Intentions and Application
by Race, Ethnicity and Class Rank

	% Class Rank			Total	Share
	10	20	30-100		
% Plans to Attend 2 or 4 year					
<i>White</i>	94	90	77	5,330	77
<i>Black</i>	90	89	70	1,510	72
<i>Hispanic</i>	89	81	62	4,310	62
<i>Asian Pacific Islander</i>	98	86	81	605	87
	--	--	--	11,755	--
<hr/>					
	% Class Rank			Total	Share
	10	20	30-100		
% Applied to 2-year only					
<i>White</i>	2	4	8	4,986	6
<i>Black</i>	4	1	5	1,397	5
<i>Hispanic</i>	2	7	8	3,963	6
<i>Asian Pacific Islander</i>	0	0	6	570	2
	--	--	--	10,916	--
% Applied to 4-year only					
<i>White</i>	80	62	44	4,986	46
<i>Black</i>	79	73	35	1,397	40
<i>Hispanic</i>	71	49	28	3,963	30
<i>Asian Pacific Islander</i>	88	69	37	570	60
	--	--	--	10,916	--
% Applied to 2- and 4-year					
<i>White</i>	9	6	7	4,986	6
<i>Black</i>	2	6	10	1,397	8
<i>Hispanic</i>	8	12	13	3,963	10
<i>Asian Pacific Islander</i>	4	6	6	570	5
	--	--	--	10,916	--

Source: Texas Educational Opportunity Study, Survey of High School Seniors (Baseline).

Table 2. Actualization of College Plans by Class Rank^a

All Seniors

College Intentions	Attendance Behavior			
	<i>No College</i>	<i>2-Year</i>	<i>4-Year</i>	<i>N</i>
<i>No Plans</i>	62	27	11	837
<i>2-Year Only</i>	24	72	4	201
<i>2- & 4-Year</i>	14	74	12	361
<i>4-Year Only</i>	7	17	76	1887
<i>College Bound</i>	21	50	29	483
				3769

Top 10% Seniors

College Intentions				
	<i>No College</i>	<i>2-Year</i>	<i>4-Year</i>	<i>N</i>
<i>No Plans</i>	32	22	46	42
<i>2-Year Only</i>	28	72	0	9
<i>2- & 4-Year</i>	2	74	24	40
<i>4-Year Only</i>	3	3	94	565
<i>College Bound^a</i>	5	32	63	42
				698

Second Decile (11 – 20%) Rank Seniors

College Intentions				
	<i>No College</i>	<i>2-Year</i>	<i>4-Year</i>	<i>N</i>
<i>No Plans</i>	62	26	12	71
<i>2-Year Only</i>	47	44	9	26
<i>2- & 4-Year</i>	15	67	18	64
<i>4-Year Only</i>	4	16	80	474
<i>College Bound^a</i>	9	43	48	69
				704

Seniors Ranked 30% and below

College Intentions				
	<i>No College</i>	<i>2-Year</i>	<i>4-Year</i>	<i>N</i>
<i>No Plans</i>	63	29	8	687
<i>2-Year Only</i>	17	82	1	163
<i>2- & 4-Year</i>	15	77	8	251
<i>4-Year Only</i>	10	27	63	831
<i>College Bound^a</i>	25	54	21	361
				2293

Notes: ^aStudent intends to attend a 2 or 4 year institution, however, no stated institutional

type preference where indicated in the survey. Numbers shown are in percents.
Source: Texas Educational Opportunity Study, Survey of High School Seniors (Baseline
and First Follow-Up Beta sample).

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