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UT System regent decries opaque admissions as case heads to high court

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Two days before the U.S. Supreme Court takes up a case on the use of race in decisions to admit students to the University of Texas, a maverick UT System regent called admissions at UT and most other schools opaque, unaccountable and potentially corrupt.

Regent Wallace Hall, a Dallas businessman, was among those on a Washington think tank's panel Monday evening speaking on the pending case against UT filed by Abigail Fisher, a white woman who was denied admission to the university. The Supreme Court in June decided for a second time to review racial considerations in undergraduate admissions at UT, setting the stage for a ruling that is likely to have repercussions in universities across the nation.

Hall did not specifically stake out a position on the case during the discussion held by the Cato Institute, a Libertarian think tank, which had a series of speakers argue Monday for and against affirmative action in higher education. But Hall said his experience battling UT over access to admissions records had raised serious questions about the university's use of race in admission practices.

"Given the deliberate opacity of the admissions program at issue and the lack of evidence, I don't see how a court can reject the Cato Institute's conclusion that the university uses race in an ad hoc fashion, entirely divorced from the stated justification," he said.

UT and many other schools have a hidden admissions system that allows favoritism and the influence of politicians, Hall said, adding that he had no recourse but to sue Chancellor Bill McRaven to get access to admissions records.

"The result is a system that is unsatisfying to the majority of applicants at virtually every university in the nation and too easily manipulated by insiders who seek to avoid having to justify their decisions," he said.

Hall cited an investigation into UT's admissions that in February found that former UT-Austin President Bill Powers sometimes overruled the admissions office to ensure that applicants touted by lawmakers, regents and others were accepted, despite subpar academic credentials. The investigators found that 73 such applicants had enrolled from 2009 to 2014.

UT officials have argued that its admissions program is fair, and regents approved a policy in August that permits a campus president to order the admission of a "qualified student" who might otherwise be rejected, but only on "very rare" occasions and only in situations of "highest institutional importance."

Officials declined to respond to Hall on Monday, but UT-Austin President Gregory L. Fenves said recently that "our admissions policy is narrowly tailored, constitutional and has been upheld by the courts multiple times. We look forward to making our arguments before the Supreme Court later this year."

Hall received a rare public rebuke in October by the UT System board, which said he should stop making negative, inaccurate comments about the system and McRaven. Hall told the Cato audience he was speaking for himself.