

Black students file brief in support of UT admissions policy

Andrew Messamore | Monday, August 13, 2012

AUSTIN - African-American students at the University of Texas at Austin filed a brief Monday supporting the university's race-inclusive admissions policy, which is under challenge in Fisher v. Texas, the first Supreme Court case on affirmative action since 2003.

Co-authored by the NAACP, the Black Ex-Students of Texas and UT's Black Students Alliance, it was one of several friend-of-the court briefs filed Monday backing UT's admissions system, including one from the Obama administration calling diversity crucial to the missions of the U.S. armed forces and numerous federal agencies.

In court documents last week, UT defended its use of race as one of many factors in admissions decisions, arguing that its policies represent a constitutional "holistic review" that promotes diversity.

35 groups back UT

The Supreme Court is expected to hear oral arguments Oct. 10. Its ruling could affect university affirmative-action policies nationwide.

The case stems from a suit filed by Abigail Noel Fisher, a white student who claimed her race prevented her from being admitted as an undergraduate in 2008.

Seventeen amicus briefs have been filed on her behalf, including those of the Cato Institute, the Texas Association of Scholars and the Center for Individual Rights.

More than 35 organizations are supporting UT in the case, including the Anti-Defamation League, the National League of Cities and the Asian American Legal Defense and Education Fund.

The black students' brief argues that removing UT's "holistic review" would cause a decline in African-American enrollment and that of other underrepresented minorities, and that race neutrality in admissions "would severely impair UT's ability to achieve its educational mission." The decline in diversity, they say,

would harm all students by limiting their exposure to different people and experiences.

Student support

UT students interviewed on campus last week offered support for the university's policy but said there was room to improve.

"The university, by its own admission, is still not doing a great job on diversity," said student Joshua Tang, who is African-American and Asian.

"We know the problem, and then we have cases like Fisher where the very little that is being done is threatened," Tang said.

While African-Americans comprise 12 percent of the state's population, only 4 percent to 5 percent of UT students are black and only 5 percent of graduating African-American high school seniors applied to UT in 2010, according to a 2011 study done by the university's African & African Diaspora Department.

Blacks in classes

Choquette Hamilton, a UT graduate student who was named in the brief, said removing race from the admissions process would reinforce the idea the university is unwelcoming, which she said happened after *Hopwood v. Texas* eliminated affirmative action in admissions in 1996.

In 2002, one year before the university began its current policy, 90 percent of UT's most common classes had zero or one black student, the university has argued.