

# at HOMESTEAD BANK, SSB

## 4 CAMPUS

## Hopwood ruling prompts summit for Texas universities Corps lead

#### By Joey Jeanette Schlueter Staff writer

In response to the *Hopwood* decision, a "National Post-Hopwood Summit" has been planned for October 23-25 in Austin, with the goal of discussing Texas universities' roles in promoting, protecting and encouraging diversity on their campuses

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how Hopwood

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Marlen Whitley, student government president of University of Texas, said he organized the summit because the Hopwood decision has had a detrimental effect on the diversity of the University of Texas' student body.

A Supreme Court ruling in the July 1996 *Hopwood* case eliminated race as a factor in admissions and scholarships at state-supported colleges in Texas.

In the Hopwood case, the 5th U.S. Circuit Court of Appeals ruled the University of Texas law school's former admissions policy unconstitutional, which had considered African American and Hispanic applicants separate from other applicants. Plaintiff Cheryl Hopwood and three other white students sued after being denied admission.

The Texas 75th Legislature passed a bill that requires Texas schools to accept applicants in the top 10 percent of their graduating class. After admitting those students, colleges can consider other applicants for admission.

Representatives of other colleges, including Texas A&M, are expected to attend the summit and discuss the importance of diversity, the parameters of law, and the future, stressing that Texas' ethnic breakdown will change. The Department of Rural Sociology at Texas A&M University reported that the percentage of whites in the Texas population will decrease from 57 to 37 percent and African-Americans will decrease from 11.5 to 9.5 percent, but Hispanics will increase from 28 percent to 46 percent.

#### Here is a chronology of the Hopwood decision compiled from the 5th District Court:

- 1978: The U.S. Supreme Court rules in Bakke v. The UC-Davis Medical School that specific racial quotas in admissions are forbidden, but that schools may use race as a factor in admissions.
- September 29, 1992: Cheryl Hopwood and Stephanie Haynes file a reverse discrimination suit in U.S. District Court. Both say they were denied admission to UT Law School, even though they possessed the necessary academic requirements, because they were not black or Hispanic.
- October 1992: Statistics from the 1992 entering class at the UT School of Law show that African-American and Hispanic students were admitted with lower GPA and LSAT standards than non-minority applicants, according to an internal law school memorandum. In addition, 1992 admission numbers of 8 percent African-American and 10.7 percent Hispanics remained nearly constant in relation to total law school enrollment since 1988. Critics of the admissions policies say the percentages are evidence of a quota system.

January 14, 1993: Stephanie Haynes drops her name from the lawsuit for "personal reasons.

- April 25, 1993: Five plaintiffs file a second reverse discrimination suit against UT Law School, alleging they also did not get into the 1992 freshman class because of their race. The plaintiffs are Kenneth Elliot, Kelli Arnold, David Rogers, Douglas Carvell and George Armstrong.
- May 1994: During the eight-day Hopwood trial in U.S. District Court, deans from the University of Michi gan, Stanford University, the University of Nort Carolina and the University of Minnesota testify for the defense, as does Commissioner of Higher Edu cation Kenneth Ashworth. Ashworth says UT's admissions policy was constrained by a consent de cree established in 1983between the federal government and the state.
- May 25, 1994: Testimony ends in U.S. District Court on Hopwood; the verdict is expected after June 13 the deadline for both lawyers to file post-trial briefs.
- Aug. 19, 1994: U.S. District Judge Sam Sparks rules that the 1992 admissions policy discriminated against the plaintiffs, but allows the University to continue affirmative action, saying: "It is regrettable that affirmative action programs are still needed in our so ciety. However, until society sufficiently overcomes the effects of its lengthy history of pervasive racism, affirmative action is a necessity.
- Aug. 8, 1995: Attorneys make appellate arguments to the 5th U.S. Circuit Court of Appeals in Louisiana.
- March 19, 1996: Administrators suspend all admissions decisions after the 5th Circuit Court rules affirmative action policies at the law school unconstitutional.
- **April 7, 1996:** The 5th U.S. Circuit Court of Appeals re-fuses to hear the appeal of the Thurgood Marshall Legal Society and the Black Pre-Law Association, represented by the NAACP, to intervene in the case.
- April 10, 1996: Steven Smith, attorney for Cheryl Hopwood, files a class-action lawsuit for 1994 "all white or nonpreferred minority applicants" who were rejected at UT and subsequently enrolled at either Baylor Law School or Southern Methodist University Law School.
- April 15, 1996: Commissioner of Higher Education Kenneth Ashworth says \$1.5 million in minority scholarships are "suspended until something more definite" is decided by the court.
- April 30, 1996: Texas Attorney General Dan Morales files an appeal with the U.S. Supreme Court requesting certiorari. Attorney for Hopwood files another lawsuit for Francois Lesage against the College of Education alleging that affirmative action programs kept him from the doctoral program in counseling psychology.
- May 24, 1996: U.S. Solicitor General Drew S. Days files a brief requesting the Supreme Court hear the case.
- July 1, 1996: U.S. Supreme Court denies certiorari to Hopwood v. The State of Texas.



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# City names Wolf Pen Creek top site for hotel center

#### **By Robert Smith** Staff writer

In July, the College Station City Council chose the Wolf Pen Creek area as the top site to build a hotel and conference center rather than a Northgate site.

College Station citizens will vote in November to decide if the center will be built.

Four proposals were made this year for hotel and conference centers. Three of the proposals were for locations on Northgate and one was for Wolf Pen Creek.

The city council chose between two of the proposals in July. The first of the two proposals was by John Culpepper, who proposed a Northgate hotel and conference center on the "mudlot" he owns. The second proposal was made by the Wolf Pen Creek Group.

Barren Hobbs, general manager of the College Station Hilton and Conference Center and president of the Brazos Valley Hotel/Motel Association, opposed a Northgate hotel.

The Hilton made a proposal for a Northgate hotel and conference center, but the Hotel/Motel Association opposed this offer. Hobbs led two interests for the hotel and conference center, but he maintained he was acting in the best interest of each group.

The Hotel/Motel Association turned in a petition to block a Northgate hotel, and hired students to collect student signatures on campus.

### Council's decision will not affect Northgate revitalization, mayor says

The students used a "Save Our Mudlot" campaign slogan to gather signatures.

Some Northgate business owners disputed the city's choice, saying the Northgate area was a better choice because of its proximity to Texas A&M.

Some Northgate business owners said the city's Northgate revitalization plan would not be completed because of the hotel site decision.

College Station Mayor Lynn McIlahaney said the city's decision would not affect the Northgate revitalization efforts.

The city did not rule out the possibility of a Northgate hotel/conference center. If the city does not reach an agreement with the Wolf Pen Creek Group, it will begin negotiating with Culpepper for a Northgate hotel and conference center.

The Wolf Pen Creek proposal includes a full-service hotel, an office building and a conference center. The proposed location is at Dartmouth Street and Holleman Drive.

Parking issues in Northgate also arose this summer.

A 70-space Northgate parking lot next to Patricia Street opened this month. Temporarily, there will not be a charge to park in the lot.

Todd McDaniel, the College Station development analyst, said parking in the lot will be free until it is completed in December. He said about 70 percent of the construction on the lot is done.

The city of College Station will close Patricia Street in two weeks and the street will become part of the parking lot.

The parking lot is part of the city's Northgate revitalization effort, which includes the parking lot and a promenade.

The city voted in June to build the parking lot and relocate the Burger Boy restaurant that is on Patricia Street.

George Sopasakis, the Burger Boy owner, said the city owed him money for forcing him to relocate his business.

The city voted in June to give Sopasakis \$10,000 to relocate his business after Sopasakis claimed College Station owed him \$45,000. Sopasakis was not satisfied with the vote and filed an appeal with Housing and Urban Development (HUD)

HUD ruled in June that the city owed Sopasakis relocation funds to cover the cost of relocating his business

College Station and Sopasakis are negotiating the amount of money for the relocation.



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