

Court chose right path in U-M affirmative action case

At a time when common sense, let alone sanity, is in short supply in our public affairs, the U.S. Supreme Court's decision on the University of Michigan affirmative action admissions policy cases is welcome.

The court ruled Monday that universities may continue to use race as a factor in achieving a diverse student body. The 5-4 ruling applied to the U-M's law school admissions process, which uses a relatively unstructured system to achieve a "critical mass" of diverse students. But in a split decision, the court also held, 6-3, that the method used by the U-M's undergraduate admissions — to assign an automatic 20 points to minorities out of a 150-point index — was unconstitutional.

Writing for the 5-4 majority opinion on the U-M law school admissions case, Justice Sandra Day O'Connor wrote: "Our conclusion that the law school has a compelling interest in a diverse student body is informed by our view that obtaining a diverse student body is at the heart of the law school's proper institutional mission."

The key issue in both opinions, surely the most important having to do with affirmative action and higher education in a generation, was whether the country has a "compelling interest" in promoting diverse student bodies at universities. In the 1978 Bakke decision, the court ruled that race cannot be used to achieve a specific quota of races on campus, but that race could be used as a "plus" factor in granting college admission.

U-M President Mary Sue Coleman hailed the decision as "a tremendous victory for the University of Michigan, for all of higher education." She also said the university would modify its undergraduate admissions system to comport with the court's ruling.

I can't say the court's ruling was a surprise. To have flatly banned taking race into consideration in college admissions — an objective fervently wished by conservatives — would have thrown the entire higher education system in the country into turmoil and, very probably, would have resulted in the resegregation of college campuses. But U-M's excessively mechanical point-based undergraduate admissions system has always seemed to me the triumph of administrative expediency over fair-mindedness.

I served as a member of the university's Board of Regents while the affirmative action cases were being litigated, so I have some understanding of both the moral and practical issues lurking behind all the legal language.

The basic practical issue for years has been how the university could possibly sort through the 25,081 admission applications (in this case, for the class of 2002) for the 5,166 undergraduate places. With a limited number of staff, the U-M admissions office has for years argued the only way to sift through this mass of applications is to award points for things like standardized test scores, grade-point average, geography, athletic prowess and, of course, race.

When confronted with objections that the complex grids used to make admissions decisions looked pretty mechanistic and did not take individual potential into consideration, the office in essence argued it had no administrative choice. The university will now have to retool its admissions procedures to meet what everybody recognizes is still a nebulous standard as set out by the court.

The law school, with a far smaller student body, considered 5,243 admissions for the 352 places in the class of 2005. The school's admissions process was much more individualistic and, if I may say, consciously vague and indefinite. Were the admissions officers seeking a specific quota of minority students? No, but they wanted more than a minimum number. What was that? Can't really say. OK. Deliberately obscure rules yielded a desirable outcome, at least in the minds of this court.

Overall, I think the evidence is pretty clear that the system of college admission by affirmative action used by this country's elite universities over the past 25 years has produced exactly the objective intended: The middle and upper ranks of business, government and the military are now populated by people of many different racial and ethnic backgrounds. And the country is far stronger for it.

On the downside, I am afraid that in sanctifying "diversity" as a compelling social objective, the Supreme Court has accepted the device of defining individuals by their racial or ethnic origin in order to achieve a desirable social objective rather than considering individuals by their own merits. Plainly, a diverse society is far better than a segregated one. But a society that tolerates racial characterization as the price we pay for avoiding segregation is still a society that has a long way to go to achieve color-blind justice.

My sense of the Supreme Court's decisions is that the justices recognized both points of view and struggled to achieve an equilibrium of common sense. Both the extreme liberals and conservatives will be disappointed in its decisions — certain evidence the court chose the right path.

Phil Power is the chairman of the board of the company that owns this newspaper. He would be pleased to get your reactions to this column either at (734) 953-2047 or at ppower@homecomm.net.

Scholarships have MERIT and should be saved, despite budget cuts

The MERIT Award has proven to be a great help to many Michigan families struggling to send a child off to college. House Democrats believe that this program is worth protecting, despite the budget crisis facing Michigan.

House Republicans have devised two plans to save the MERIT scholarships. One plan would maintain the Award at \$2,500, but would slash funding to the Michigan Economic Development Corporation (MEDC), a partnership between the state and local communities charged with attracting new jobs and retaining current ones in Michigan.

With approximately 330,000 men and women out of work, we need this vital tool in crafting innovative solutions to jump start Michigan's economy. The Republican plan would gut the MEDC to fund the MERIT scholarships. Pitting job creation against scholarships is a wrong-headed, short-sighted approach.

Another Republican-sponsored plan would cut \$60 million from health care for Michigan's seniors and families. House Democrats believe that protecting health care is a top priority.

Governor Granholm's budget not only protects health care, it expands prescription drug coverage and improves access to many who have been shut out in the past — working families, seniors and children.

Again, pitting health care against scholarships is the wrong approach.

We've found a way that we can do both. The House Democratic plan allows us to maintain funding to MERIT, without compromising either job creation or health care.

Under the plan, MERIT Award recipients would receive four equal disbursements of the award over a four-year period, rather than in one lump sum, encouraging students to stay in school until they receive their degrees.

With approximately 330,000 men and women out of work, we need this vital tool in crafting innovative solutions to jump start Michigan's economy. The Republican plan would gut the MEDC to fund the MERIT scholarships. Pitting job creation against scholarships is a wrong-headed, short-sighted approach.

This will also allow students to better prepare for future college expenses while enabling Michigan to keep the award at \$2,500. Also, by spreading the disbursement over four years, Michigan would save approximately \$24 million for the fiscal year 2004, and the state could then permanently factor future payments into future budgets.

The Republican plan strips millions from the MEDC and health care programs and will cost the state an additional \$24 million for the fiscal year 2004.

Their plan pits scholarships against health care, or scholarships against job creation.

Our view: This does not have to be an "Either/Or" situation.

This is no time to play politics with education, economic development or health care. We need to expand educational opportunities for all Michigan students.

Both sides of the aisle must come together to find a solution that protects the things we all hold dear — education, health care and Michigan jobs. All of these things can — and should — be protected. We urge support of this plan.

State Rep. Aldo Vagnozzi serves the 31th District, which includes the cities of Farmington and Farmington Hills. He can be contacted at (517) 373-0193.



Aldo Vagnozzi



Phil Power

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