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Contact: Ian Weiner, Lawyers' Committee for Civil Rights Under Law,

idweiner@lawyerscommittee.org, c. (443) 694-1028

Michelle Boykins, Asian Americans Advancing Justice, mboykins@advancingjustice-aajc.org, (202) 604-1760

Circuit Court Upholds Harvard's Race-Conscious Admissions Policy, Groups Are Likely Headed to the Supreme Court

Harvard's Holistic Consideration of Race is Within Supreme Court Precedent

Cambridge, MA — The U.S. Court for the First Circuit in Massachusetts ruled in a 2-0 decision today in *SFFA v. Harvard* that Harvard's race-conscious admissions policy is lawful and does not discriminate against Asian American students. The court found that Harvard's policy is within Supreme Court precedent for diversity requirements and upheld the lower court's opinion. The following are statements from civil rights groups who presented oral arguments before the court on behalf of a diverse cohort of current and former Harvard students:

"Affirmative action has proven to be a critical and effective tool for advancing equal access to educational opportunity on campuses across our country," said [Kristen Clarke](#), **president and executive director of the [Lawyers' Committee for Civil Rights Under Law](#)**. "As the court makes clear, Harvard's race-conscious admissions complies with Supreme Court precedent and is critical for promoting diversity, which enriches the educational environment for all students and better prepares students to thrive in an increasingly multi-ethnic society. Race-conscious policies also better ensure highly-qualified students from all walks of life have a fair shot in a system that too often stacks the deck against people of color and lower-income communities. As our nation continues to undergo a national reckoning with ongoing racism, it is critical that courts respect precedents that have helped move our nation forward when it comes to racial justice and diversity."

"Common sense and fairness have prevailed once again. The court's decision affirms the right for all Asian Americans to have a chance to share the whole story of who they are as part of the college admissions process because overcoming racial discrimination is a big part of a student's story," said [John C. Yang](#), **[Asian Americans Advancing Justice - AAJC](#)'s president and executive director, representing the Asian Americans Advancing Justice affiliation of five independent Asian civil rights organizations**. "The ruling today allows Asian American

students who struggle against dehumanizing stereotypes or have to overcome other struggles to attain higher education.”

Background:

The case was appealed from a lower-court ruling which validated the race-conscious admissions policy, and for more than 40 years, the U.S. Supreme Court has held that it is lawful for universities to have an admissions plan that considers race as one of many factors. The court notes on page 63 of the decision: "Harvard's interest in student body diversity and its consideration of race to attain it is also not unique. Many other colleges and universities consider an applicant's race, in addition to many other factors, in admissions. And the business community has communicated its interest in having a well-educated, diverse hiring pool both in this case and in the prior governing Supreme Court cases."

The national Lawyers' Committee is also currently in trial in *SFFA v. UNC-Chapel Hill* and is presenting witness testimony from prospective and current students, as well as alumni, about how UNC's race-conscious admissions policy is beneficial and must be upheld.

Read the full ruling [here](#).

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About the Lawyers' Committee for Civil Rights Under Law – The Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee), a nonpartisan, nonprofit organization, was formed in 1963 at the request of President John F. Kennedy to involve the private bar in providing legal services to address racial discrimination. The principal mission of the Lawyers' Committee for Civil Rights Under Law is to secure, through the rule of law, equal justice for all, particularly in the areas of voting rights, criminal justice, fair housing and community development, economic justice, educational opportunities, and hate crimes. For more information, please visit <https://lawyerscommittee.org>.

Asian Americans Advancing Justice is a national affiliation of five leading organizations advocating for the civil and human rights of Asian Americans and other underserved communities to promote a fair and equitable society for all. The affiliation's members are: Advancing Justice | AAJC (Washington, D.C.), Advancing Justice - Asian Law Caucus (San Francisco), Advancing Justice - Los Angeles, Advancing Justice - Atlanta, and Advancing Justice - Chicago.