



July 20, 2016

### **The U.S. Commission on Civil Rights Applauds the U.S. Supreme Court's Recent Decision Upholding the University of Texas' Affirmative Action Admissions Policy**

The U.S. Commission on Civil Rights applauds the U.S. Supreme Court's recent decision in *Fisher v. University of Texas at Austin*, upholding the University's race-conscious admissions program under the Equal Protection Clause of the 14<sup>th</sup> Amendment. The Commission previously issued a [statement](#) in support of the Fifth Circuit *Fisher* decision on November 19, 2015, and we continue to agree that the University's use of race is indeed narrowly tailored to further a compelling government interest.

As the Court and many others have explained, the University, under State law, admits all students – regardless of race – who are in the top 10 percent of their high schools, and this fills approximately 80 percent of the University. The 20 remaining percent of the school seats are filled using a holistic approach, which includes race as one among many other factors. Because the Court has approved this model, other colleges and universities should use it as an inspiration to craft admissions programs that promote racial diversity in their schools.

The Commission agrees with the Supreme Court's recognition that diversity "promotes cross-racial understanding," "helps break down racial stereotypes," "promotes learning outcomes," and "better prepares students for an increasingly diverse workforce and society."<sup>1, 2</sup>

Indeed, all Americans benefit from the Court's decision. Greater educational opportunities for individuals from a variety of backgrounds, including from communities that continue to experience discrimination, benefits not only our college campuses, but also our workplaces and our country as a whole. Until we end racial discrimination in education, housing and employment, affirmative action helps to ensure that we have diverse educated leaders able to work together to tackle the complex issues we face as a

---

<sup>1</sup> *Fisher v. University of Texas at Austin*, 579 U. S., at \_\_\_\_ (slip op., at 11-12)(2016).

<sup>2</sup> Looking back to Justice O'Connor's language in *Grutter v. Bollinger* in 2003, we note that the educational benefits of diversity are substantial, as they can help to breakdown stereotypes and build a classroom discussion that is "livelier, more spirited, and simply more enlightening and interesting" when students have "the greatest possible variety of backgrounds." *Grutter v. Bollinger*, 539 U.S. 306, 330 (2003) (internal citations omitted).

nation. Society on the whole will benefit from this as a wider variety of people bring advanced education and skill sets into the world.

Commission Chair Martin R. Castro stated, “Affirmative action in higher education once again survives the continued assault from those who wish to eliminate opportunity for historically underrepresented minorities. This decision is a victory for all Americans, because we are stronger as a nation when we allow *all* Americans to fulfill their potential, regardless of race, color, or national origin.“

The Commission will continue to remain focused on issues like these to ensure that our nation continues to strive to provide a fair and diverse education in public schools and universities to students of all walks of life.

#####

The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with advising the President and Congress on civil rights matters and issuing a federal civil rights enforcement report. For information about the Commission, please visit <http://www.usccr.gov> and follow us on Twitter: <https://twitter.com/usccrgov>