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National Asian American and Pacific Islander Organizations Applaud U.S. Supreme Court Decision in Affirmative Action Case

Asian Americans Advancing Justice (Advancing Justice), the Asian American Legal Defense and Education Fund (AALDEF) and the National Asian Pacific American Bar Association (NAPABA) applaud the U.S. Supreme Court's opinion released today in *Fisher v. University of Texas*. The Court ruled [4-3] in favor of the consideration of race as part of a holistic review of an applicant in university admissions processes.

"Today the Supreme Court affirmed the important role race-conscious admissions policies have in ensuring diversity in our nation's colleges and universities," said NAPABA President Jin Y. Hwang. "As lawyers of color, we see the beneficial impacts of these policies every day in the legal workforce, and we recognize that diversity in higher education is critical to ensuring we have a pipeline of talented lawyers and judges able to serve their communities."

The case centers on the claim by Abigail Fisher, a white student denied admission to the University of Texas, that she was discriminated against by virtue of her race. [Advancing Justice](#), [AALDEF](#) and [NAPABA](#) filed three separate *amicus* briefs in support of the University's use of race as a factor among many factors taken into consideration as part of a holistic review of an application for admission. Together, the briefs represented more than 160 AAPI organizations in support of affirmative action in higher education.

"We are gratified the Supreme Court has recognized the ongoing relevance of race as one of several factors in the college admissions process and the importance of a highly-qualified and diverse student body," commented Margaret Fung, executive director of AALDEF. "We are glad that Justice Kennedy recognized that the consideration of race may be beneficial to any UT-Austin applicant, including Asian American applicants and, citing AALDEF's *amicus* brief, noted that Fisher's assertion that the university discriminates against Asian-Americans is "entirely unsupported by evidence in the record or empirical data." Ms. Fung continued, "UT's individualized review of applicants will continue to benefit Asian Americans and avoid harmful stereotypes based on the 'model minority' myth."

Contrary to popular and damaging beliefs that Asian Americans and Pacific Islanders (AAPIs)

are universally successful in academics and enjoy easy access to universities, [many AAPIs, including Southeast Asian, Native Hawaiian and Pacific Islanders](#), face serious barriers to higher education. Race-conscious admissions programs open the doors of higher education and continue to benefit many AAPI students today. No evidence in the record from *Fisher* supports the erroneous claim that AAPIs are harmed by the university's use of holistic admissions. In fact, the opposite is true.

"We are pleased that the U.S. Supreme Court acknowledges the continued need for affirmative action policies that make it possible for students of all backgrounds, including many historically disadvantaged Asian American and Pacific Islanders, to access higher education and create a stronger country through their contributions to a diverse society," said Mee Moua, president and executive director of Advancing Justice | AAJC.

Today's ruling is a victory for all Americans. Affirmative action policies have been used as an effective tool to promote equality, ensure qualified students from all backgrounds get a fair chance at higher education, and acknowledge that race is relevant context in considering an individual's application. With today's decision, the most vulnerable AAPI students, along with other students of color, will continue to have equal opportunity to enter the institutions that shape tomorrow's leaders, and we continue to affirm that race, as distinct from class, matters.

"In a world where people of color are killed at alarmingly disproportionate rates, students of color are taking much needed action to improve the racial climate on school campuses, and public discourse about race has rightfully taken center stage on a national level, we need race conscious policies now more than ever," says Stewart Kwoh, president and executive director of Advancing Justice-LA.

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 - Atlanta, Advancing Justice - Asian Law Caucus (San Francisco), Advancing Justice - Chicago, and Advancing Justice - Los Angeles.

The Asian American Legal Defense and Education Fund (AALDEF), founded in 1974, is a national organization that protects and promotes the civil rights of Asian Americans. By combining litigation, advocacy, education, and organizing, AALDEF works with Asian American communities across the country to secure human rights for all.

The National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors, and law students. NAPABA represents the interests of over 50,000 attorneys and over 75 national, state, and local bar associations. Its members include solo practitioners, large firm lawyers, corporate counsel, legal services and non-profit attorneys, and lawyers serving at all levels of government. NAPABA engages in legislative and policy advocacy, promotes Asian Pacific American political leadership and political appointments, and builds coalitions within the legal profession and the community at large. NAPABA also serves as a resource for government agencies, members of Congress, and public service organizations about Asian Pacific Americans in the legal profession, civil rights, and diversity in the courts.