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More than 800 Scholars File Brief with U.S. Supreme Court
Supporting Diversity Policies in College Admissions

Los Angeles--More than 800 social scientists from all parts of the U.S. recently submitted a [brief](#) to the U.S. Supreme Court presenting evidence on the need to maintain colleges' rights to consider race as *one of many factors* in selecting students. We believe that this brief is the most massive outpouring of scholarly support ever for a social science brief in a civil rights case.

When the Supreme Court this year decided to take the University of Texas affirmative action case for a second time, Civil Rights Project Co-Director Gary Orfield brought together a group of leading scholars to summarize the latest and best research on the main issues before the Court, and Professor Liliana Garces agreed to serve as counsel of record.

This is a rare second consideration of a lawsuit filed in the name of one single potential student who, the University shows, would not have been admitted even if there was no consideration of race as one among many factors in admissions, and who now has graduated from another university. We had hoped this issue was settled in the University of Michigan cases in 2003 or in the first consideration of the *Fisher* case, in which the educational value of student body diversity was recognized, but no decision was reached on whether or not there were non-racial ways to attain it. This case could have grave consequences for all universities, including private ones, and for undergraduate, graduate and professional education. As it considers an issue that is so critical for all of the nation's selective colleges and universities, the goal of this friend-of-the-court brief was to provide the Court the newest and most rigorous peer-reviewed research and statistical analyses.

Brown v Board of Education in 1954 was the first ruling in which a social science brief was a key element in the Supreme Court's decision. Since then these documents have contributed to the court's understanding of the issues. The UCLA Civil Rights Project, working together with leading national scholars, has initiated a series of social science briefs created by social science researchers and signed by hundreds of researchers across the nation.

The basic approach in generating these collaborative briefs is to bring together the most important materials from researchers across the U.S., subject those materials to critical discussion by leading authorities, and condense the key findings and sources as much as possible into the Supreme Court's 9000 word limit, an enormous challenge when summarizing large and complex bodies of research.

"The job of synthesizing and condensing this important work within the required format and page limits was superbly handled by our excellent counsel-of-record," commented Professor Orfield. "Professor

Liliana Garces once again worked tirelessly to uphold the highest of standards while collaborating with a very active committee of scholars.”

For the latest brief, a final draft brief was then circulated to hundreds of scholars across the nation for their consideration, suggestions, and signing. The intense process of outreach to social scientists and verification of the academic positions of the signatories, was carried out by Civil Rights Project staff before being submitted to the Supreme Court.

We sought broad participation of scholars for two reasons: 1) to demonstrate the high degree of consensus in the research -- and by the researchers -- that there is no nonracial approach to feasibly produce the diverse student body that provides clear benefits for all student groups on college campuses, and 2) to create a growing network of scholars familiar with the newest research findings and engaged in this area of research in all parts of the nation.

Contrary to what critics contend, support for diversity is surging not declining. The 2012 brief created in the first consideration of the Texas case was signed by 444 scholars and researchers from 172 institutions and centers in 42 states. This latest brief drew well over 800 signers from 237 universities and research centers in 44 U.S. states.

“We were astonished by the outpouring of support from across the academic world for this work,” stated Garces, “and it was a great pleasure to work with experts with such an array of knowledge and skills who were always ready to help.”

There is obviously a rising tide of concern across many parts of the academic world -- from those with the deepest knowledge of the issues at colleges across our diverse nation -- that the justices must consider significant research when deciding on the rights of colleges to take voluntary positive action to maintain diversity.

The Supreme Court will hear oral arguments in this case on December 9, 2015, and will issue its decision before the next academic year. The [Brief of 823 Social Scientists as Amici Curiae](#) can be read [here](#).

Interested readers can also examine the brief by the American Educational Research Association and other national scholarly associations on the compelling educational advantages of college diversity. <http://www.scotusblog.com/case-files/cases/fisher-v-university-of-texas-at-austin-2/>

About the Civil Rights Project

Founded in 1996 by former Harvard professors Gary Orfield and Christopher Edley, Jr., the Civil Rights Project/Proyecto Derechos Civiles is now co-directed by Orfield and Patricia Gándara, professors at UCLA. Its mission is to create a new generation of research in social science and law, on the critical issues of civil rights and equal opportunity for racial and ethnic groups in the United States. It has commissioned more than 500 studies and more than 16 books, including five on access to higher education, and issued numerous reports from authors at universities and research centers across the country. The U.S. Supreme Court, in its 2003 *Grutter v. Bollinger* decision upholding affirmative action, cited the Civil Rights Project’s research.

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