



NACAC SCOTUS Decision Talking Points June 29, 2023

Today, the Supreme Court ruled against Harvard and UNC's use of race in college admissions decisions on the grounds that they violated the 14th Amendment's Equal Protection Clause. While this is a major setback for our country's commitment to equity, it will not deter institutions' commitment to ensuring they are building diverse classes that will benefit from one another and meet institutional goals.

- The Supreme Court ruled against both Harvard and UNC today on the grounds that they violated the 14th Amendment's Equal Protection Clause by incorporating race and ethnicity into their admission decision-making process.
- The Court acknowledged that race and ethnicity are related to a student's experience, noting: "nothing prohibits universities from considering an applicant's discussion of how race affected the applicant's life, so long as that discussion is concretely tied to a quality of character or unique ability that the particular applicant can contribute to the university." That said, the Court made it clear that race could not, on its own, be a consideration for admission decisions.
- NACAC is deeply disappointed in the Court's decision and believes it reflects an extremely limited understanding of both the practice of college admission and the state of racial inequity in the United States today.
- The Court's decision places it well outside of the mainstream of today's students. A forthcoming NACAC Harris Poll indicates that 76% of students believe that a diverse student body is absolutely essential to their higher education experience.
- Not only is this decision out of step with where the American people are, it is bad for democracy by limiting avenues to diverse perspectives and onramps to civic participation.
- For too long, admissions has been a misunderstood endeavor. Our role moving forward is that everyone, including the Court, has a more educated view of how college admission actually works. This was a partisan/activist court decision willfully ignorant to the admission process.
- To students of color, you still matter, and we will continue to show up for you. We need your leadership, and do not let the Supreme Court tell you where YOU belong.
- Despite this Supreme Court ruling, we remain committed to ensuring equitable pathways to higher education.
- NACAC is currently reviewing the decision and will provide additional resources in the coming days and weeks.