



Talking about the Supreme Court's Decision in Fisher v. University of Texas

This morning, the U.S. Supreme Court issued a decision in Fisher v. University of Texas, upholding the University of Texas's diversity admission policy. In a 4 to 3 decision, the Court held that carefully crafted admissions policies that consider racial diversity as one factor in creating a well-rounded student body is constitutional under the Equal Protection Clause.

This is a major victory for universities, social justice, and our nation. In communicating about the case, our messaging should promote the importance of diversity policies to the nation and praise the Court's recognition of their importance. After reviewing the Justices' decisions, it may also be appropriate to critique the dissenting opinion as short-sighted interpretations that would have held our increasingly diverse nation back at a critical time.

Topline Message:

Today's decision is good news for all Americans. We are thrilled that four members of the Court ruled in favor of equal opportunity in higher education and recognized that, in this post-University of Missouri America, it is critical that schools remain able to encourage diverse and inclusive student bodies. As the leading opinions noted, the national interest demands that talented students from a variety of backgrounds get a close look and a fair chance at overcoming obstacles to higher education. Providing a diverse learning environment benefits students, our workforce, and the country as a whole. Indeed, the Court's decision makes clear that more of America's educational, business, and other institutions should be pursuing fair and thoughtful ways of fostering diverse participation.

More broadly, our communications about diversity policies and this decision should emphasize the following themes:

- ▶ **Expanding Opportunity:** It's in everyone's interest to see that talented students from all backgrounds get a close look and a fair shot, and have the chance to overcome obstacles to educational opportunity.

- ▶ **The Benefits of Diversity:** Learning with (and from) people from different backgrounds and perspectives benefits our students, our communities, our work force, our military and our country as a whole.
- ▶ **Preventing Racial Isolation:** In a post-Ferguson, post-University of Missouri America, it is more important than ever that schools build student bodies that foster meaningful diversity that does not isolate any one group.
- ▶ **Our National Interest:** Fostering educational diversity and greater opportunity is critical to our nation's future in a global economy and an increasingly interconnected world.
- ▶ **Broad Support:** Diversity policies, and the UT policy in particular, are supported by a broad cross-section of American society, including military leaders, major corporations, small business owners, educators, and students from all backgrounds.

Finally, while hailing the *Fisher II* decision, communicators should note that the Court's affirmance of the Fifth Circuit's decision in *U.S. v. Texas* by an equally-divided court, while creating no precedent, will exact significant hardship on families, communities, the economy and our nation. Praise for *Fisher II* should not spill over into praise for the Court in general, given today's mixed outcomes.

www.opportunityagenda.org

The Opportunity Agenda is a social justice communication lab dedicated to the idea that our nation should be one where everyone enjoys full and equal opportunity.