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Council of the Great City Schools Files Amicus Brief in Higher Education Admissions Cases

On behalf of the Council of the Great City Schools (CGCS), a coalition of 76 of the nation's largest urban public-school systems, Husch Blackwell submitted an amicus brief to the Supreme Court of the United States in connection with the cases *Students for Fair Admissions v. President and Fellows of Harvard College* and *Students for Fair Admissions v. University of North Carolina*, urging the Court to retain the race-conscious admissions procedures allowed under its prior decisions, including *University of California v. Bakke* (1978), *Grutter v. Bollinger* (2003), *Fisher v. University of Texas* (2013), and *Fisher v. University of Texas* (2016).

Oral arguments in *Students for Fair Admissions v. President and Fellows of Harvard College* have been scheduled to proceed on October 31, 2022.

The Council's brief details the persistent role segregation and educational inequality at the elementary and secondary level have played in creating and maintaining racial and ethnic achievement gaps among K-12 students. As the brief argues, “[b]ecause of unequal economic and educational opportunities, African American and Hispanic students suffer from educational outcomes at the elementary and secondary level that often do not fairly reflect their academic potential. As a result, race neutral efforts to promote diversity at select colleges and universities like Harvard and the University of North Carolina cannot effectively promote diverse enrollments and do not treat many minority students equitably.”

“Our member school districts serve more than 7.6 million urban students, many of them from minority backgrounds, so we have a close-up perspective on the current and legacy challenges these students face on a daily basis,” said CGCS Executive Director Ray Hart. “Eliminating race-conscious criteria for

college admissions will do nothing to rectify these challenges; indeed, our data suggest the opposite. The Council strongly supports efforts to preserve the educational benefits of diverse public-school enrollments and believe our students will be harmed if race-conscious college admissions procedures are no longer allowed.”

“I’m very proud of our team for putting together a compelling argument for why race-conscious admissions procedures unfortunately remain necessary to maintain diversity on college campuses,” said John W. Borkowski, the Husch Blackwell partner leading the project.

The Husch Blackwell team led by Borkowski included Aleks Rushing, A.J. James, Mackenzie Conway, Graham Johnson, Marissa Hotujac, Naomie Kweyu, and Claire Hawley, among others. The CGCS team was led by Julie Wright Halbert, legislative counsel, Manish Naik, Akisha Osei Sarfo, Moses Palacios and Ray Hart.

Download the Council’s amicus curiae brief.