



PRESS RELEASE

**Attorney General Frosh Joins Multistate Brief in Support of
Harvard College’s Race-Conscious Admissions Program**
*Case Against Harvard Challenges Affirmative Action as Unconstitutional; States
Argue Programs Ensure Meaningful Diversity for Institutions of Higher
Education*

BALTIMORE, MD (May 21, 2020) – Maryland Attorney General Brian E. Frosh today joined a [multistate amicus brief](#) in support of Harvard College’s consideration of race or ethnicity among other forms of diversity in its admissions program, arguing that the benefits of diversity in our education institutions are vital to preparing all students to succeed in an increasingly diverse society.

The brief, filed in the U.S. Court of Appeals for the First Circuit, seeks to affirm a previous District Court judgment in the case *Students For Fair Admissions, Inc. v. President & Fellows of Harvard College* that ensures public and private institutions of higher education have the flexibility to craft admissions policies to achieve meaningful diversity.

The brief also demonstrates the “grave necessity” of the benefits that diversity can bring to higher education institutions to ensure that students are prepared to work and lead in diverse workplaces and communities when stakes are high for communities of color. The brief highlights the value of diversity in educating medical professionals, for example, to address disparate access and treatment outcomes for people of color. In the field of medicine, the brief explains, the quality of patient care is closely tied to medical professionals’ ability to communicate with patients, which can be enhanced if the professional either comes from a patient’s community or has learned the capacity to work with different communities.

“Our educational institutions should represent the diversity of our country,” said Attorney General Frosh. “Over the last decade, our universities and colleges have made great strides to address inequities on college campuses. We should be increasing opportunities for students to learn from each other in diverse educational settings, not limiting those opportunities”

According to the brief, the attorneys general share Harvard’s interest in considering race as part of its individualized review of candidates for admission. The states argue that the educational benefits of diversity are necessary to prepare students to succeed in our society and to ensure diversity among our future leaders. Colleges and universities are responsible for educating a significant portion of our state workforces and, in particular, are gateways to leadership in both the private and public sectors.

The brief also highlights the reasons why ensuring diversity in higher education admissions is vital. For many students, due to continuing racial segregation of our neighborhoods and schools, college represents students' first opportunity to obtain the benefits of learning in a meaningfully diverse environment. And in states where race-conscious admissions policies have been banned, race-neutral efforts by public colleges and universities to achieve meaningful diversity have fallen short.

“Our colleges and universities must provide students with an education that prepares them to work in an increasingly diverse country and a multicultural, global economy, and to participate in our democracy, including as voters, civic leaders, and public servants. Today, such an education requires the benefits that come from learning amidst a diverse student body bringing diverse experiences, perspectives, and ideas to the classroom and daily life of the school,” the brief states.

The case, brought by an organization called Students For Fair Admissions, Inc., challenges the use of race in college admissions and also alleges that Harvard College intentionally discriminated against Asian-American applicants in violation of Title VI of the Civil Rights Act of 1964. The District Court ruled in favor of Harvard College on all claims.

The brief was led by Massachusetts Attorney General Maura Healy and in addition to Maryland, was joined by the attorneys general of California, Colorado, Delaware, the District of Columbia, Hawai'i, Illinois, Maine, Minnesota, Nevada, New Mexico, New York, Pennsylvania, Rhode Island, and Virginia.