

## What is Affirmative Action?

**Affirmative action** is an effort to promote employment and educational opportunities for women, people of color, and other minorities that have historically been excluded.<sup>1,2</sup> Examples include when organizations have programs to hire more diverse cohorts or to recruit more women into their workforce.<sup>3</sup> Most commonly, affirmative action is widely used by colleges and universities as they consider criteria such as race, ethnicity, disability, gender, sexual orientation, and age in the admissions process.<sup>4</sup>

## Improving Education for All

One of the most valuable resources for students is their peers. Affirmative action recognizes this, and creates inclusive and diverse environments to provide students an opportunity to learn from individuals from a variety of backgrounds and perspectives. Through this exposure, all students are better prepared to communicate with others in their community, to work alongside their colleagues in the workplace, and to contribute to a multicultural world.<sup>5</sup>

## Uplifting the Latino Community

**Increases Access to Higher Education:** Affirmative action helps Latino/a students and their families overcome financial and academic barriers to higher education. By providing additional support and resources, including scholarships, mentoring, and academic counseling, affirmative action gives communities who would otherwise be excluded from higher education, an opportunity to gain a higher degree.<sup>6</sup>

**Addresses Systemic Inequality:** Affirmative action has helped our country address its discriminatory past which held back and excluded Latinos/as from higher education through segregation, language barriers, and inadequate funding and resources.<sup>7</sup> By having initiatives driven around diversity, universities can help address these disparities and create a more level playing field for all students.

**Increases Economic Mobility:** Education is often seen as the great equalizer, as one of the key pathways to the middle class. Yet, Latino/a families are disproportionately impacted by economic barriers that prevent them from accumulating wealth, causing middle-income Latino/a households to have half the wealth as their white counterparts.<sup>8</sup> Affirmative action programs can help break down these barriers and provide Latino/a students with the tools and resources they need to achieve economic stability.

## Key Supreme Court Cases on Affirmative Action

### Previous Rulings

*Grutter v. Bollinger* is the 2003 Supreme Court case that allowed colleges and universities to use “all pertinent elements of diversity” as part of a holistic process in the college admissions process.<sup>9</sup> *Fisher v. University of Texas* similarly ruled in 2016 that colleges could take into account factors beyond academic achievements, like race and ethnicity, in their admissions decisions.<sup>10</sup>

### Current challenges

*Students for Fair Admissions v. Harvard* and *Students for Admissions v. University for North Carolina* are a pair of lawsuits that are currently challenging these previous rulings and the ability for public and private universities to use race as a factor in college admissions.<sup>11</sup>

The non-profit organization, Students for Fair Admissions, argues that policies like affirmative action led to discrimination and unfair admissions and rejections of worthy White and Asian students, despite a lack of findings that can support this.<sup>12 13</sup>

If the Supreme Court rules in favor of the non-profit, colleges and universities will no longer be able to consider race in the admissions process and the college acceptance rate of Latino/a students will plummet, undoing decades of progress.<sup>14</sup> When affirmative action policies were ended in California, the enrollment of students of color in higher education declined and these students became less likely to earn graduate degrees.<sup>15 16</sup>

## Why We Still Need Affirmative Action

With the United States diversifying at a fast rate,<sup>17</sup> and with the Latinos/as accounting for over half the country's population growth in the last decades,<sup>18</sup> the United States needs to prepare the coming generations for academic and professional success. Our country has to foster academic environments with student bodies that reflect our nation's diversity and that can expose all students to varied perspectives and stories.

Despite all the progress that has been made Latino/a students are more underrepresented at selective universities today than they were 35 years ago.<sup>19</sup> If affirmative action is ended, less Latino/a students will be accepted into colleges and universities, putting the promise of the American dream farther out of reach for Latinos/as nationwide.

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## Endnotes

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10. Adam Liptak, "Supreme Court Upholds Affirmative Action Program at University of Texas," *The New York Times*, June 23, 2016, <https://www.nytimes.com/2016/06/24/us/politics/supreme-court-affirmative-action-university-of-texas.html>.
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17. William H. Frey, "The nation is diversifying even faster than predicted according to new census data," Brookings, July 1, 2020, <https://www.brookings.edu/research/new-census-data-shows-the-nation-is-diversifying-even-faster-than-predicted/>.
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