



PRESS RELEASE

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SUPREME COURT DECISION PROMPTS SCHOOL DISTRICTS TO FINETUNE RACE-CONSCIOUS MEASURES TO INTEGRATE PUBLIC SCHOOLS

OPPORTUNITIES REMAIN TO PROMOTE THE EDUCATIONAL AND SOCIAL DEVELOPMENT OF ASIAN AMERICAN YOUTH AND THEIR PEERS

San Francisco, CA -- CAA| Chinese for Affirmative Action, the Asian American Legal Defense and Education Fund (AALDEF), and *amici* groups serving Asian American youth and families across the country expressed satisfaction that five of the nine Supreme Court justices upheld the use of race-conscious measures to foster diversity in K-12 education in its decision today in the cases of Meredith v. Jefferson County Board of Education, et al., and Parents Involved in Community Schools v. Seattle School District No. 1. However, they also raised concern that the Supreme Court has limited the options available to school districts in adopting voluntary school integration plans. Civil rights groups CAA and AALDEF today asserted a compelling interest for the nation's public schools to actively ensure equal access to quality education and a diverse learning environment.

In both Seattle, Washington and Louisville, Kentucky, locally elected school boards voluntarily adopted measures to promote racial integration in their public school systems. Under these plans, the cities considered a student's race as one factor among others in kindergarten to 12th-grade school assignments. Last fall, AALDEF, CAA, and 14 Asian American community organizations nationwide filed an *amicus* brief (http://www.aaldef.org/articles/2006-10-10_257_AALDEFAmicusBr.pdf) in support of the respondents.

CAA Director of Community Initiatives Christina Wong said, "In many of San Francisco's schools, racial isolation has dramatically increased in the absence of race considerations in student assignment plans. Our current school assignment process has failed to provide our children with a racially diverse learning environment and, as a result, access to a quality education. Because the Supreme Court has continued to hold racial diversity as a compelling government interest, school districts will still have the opportunity to design a process that will ensure racial integration."

AALDEF Staff Attorney Khin Mai Aung, co-counsel to the *amici* groups, said, "Asian American educational and youth organizations across the country believe that local school boards must have the flexibility to promote racial integration. It is significant in the Supreme Court's decision today that five out of nine justices upheld the consideration of race as one factor to ensure the diverse classrooms that are critical to preparing children for our increasingly multicultural society, notwithstanding that these particular plans were struck down. Toward that end, public schools must be allowed to foster an environment of understanding and respect for all races and ethnicities. This goal cannot be achieved without a diverse learning environment."

The *amici* groups serving Asian American communities emphasized that the consideration of race as a factor in school assignments continues to be vitally important:

- **Asian immigrant parents value racially integrated schools because they will prepare their children to succeed in a diverse society.**

A parent leader with the Visitacion Valley Parents Association in California, Cindy Choy, stated in the *amicus* brief: "I immigrated from Hong Kong to San Francisco five years ago with my family. My daughter attends El Dorado Elementary School in Visitacion Valley. It would be easy to have my only daughter go to a school with a majority of Chinese students like her, but that would not allow her to learn and benefit from other groups of people. The diversity has positively challenged her to be a strong and open-minded youth who appreciates and values other ethnic groups."

- **A diverse learning environment has been shown to decrease incidents of harassment and violence against Asian Americans, which is a major contributor to poor school attendance and educational attainment.**

AALDEF and the United Chinese Association of Brooklyn have found that "youth constituents are more likely to develop cross-racial friendships and become less vulnerable to harassment after attending school in a diverse environment for a few years." In an interview cited in the *amicus* brief, Kwan Wa Shum, a first-generation Chinese American student at Lafayette High School in Brooklyn, New York, observed that racialized harassment against Asian immigrant students occurs because students do not understand the newcomers' culture or practices due to lack of exposure. Qi Ping Li, another Lafayette student, reported that after attending the school for some time, she became friendlier with non-Asian students, who now ask her to teach them some words in Chinese.

- **Racially segregated schools impede the social and educational development of students of all backgrounds, including linguistically isolated Asian Americans.**

According to the 2000 Census, the percentage of Asian Americans who are "linguistically isolated" is approximately 24.7% nationwide. For some Asian American communities, the percentage is significantly higher: Cambodian Americans—31.8%, Vietnamese Americans—45.0%, Hmong Americans—35.1%, Laotian Americans—31.8%.

AALDEF has collected reports in Massachusetts, Pennsylvania, Michigan, and Rhode Island about the difficulties that parents of Southeast Asian American students face because they are generally not native born, and reside in relative racial isolation. In Lowell, Massachusetts, for example, Cambodian American parents are "often unaware of their children's right to a public education and due process in the event of disciplinary or other problems...Greater integration in the Lowell elementary and middle schools would bring with it more parents who are aware of their rights."

The *amicus* brief that AALDEF, CAA, and other Asian American advocacy and direct service groups filed is available at: www.aaldef.org/docs/amicus-K-12_deseg-2006.pdf. The firm Wachtell, Lipton, Rosen & Katz served as co-counsel in the cases.

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CAA | Chinese for Affirmative Action was founded in 1969 to defend and promote the civil and political rights of Asian and Pacific Americans within the context of advancing multiracial democracy in the United States. For nearly 40 years, CAA has advanced policies that secure equal access to quality education for limited-English proficient students in our public schools.

The Asian American Legal Defense and Education Fund (AALDEF), founded in 1974, is a national organization that protects and promotes the civil rights of Asian Americans. By combining litigation, advocacy, education, and organizing, AALDEF works with Asian American communities across the country to secure human rights for all.