**U.S. Department of Justice U.S. Department of Education**

*Civil Rights Division* *Office for Civil Rights*

**EMBARGOED FOR RELEASE**

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**NEW GUIDANCE SUPPORTS VOLUNTARY EFFORTS TO PROMOTE DIVERSITY AND REDUCE RACIAL ISOLATION IN EDUCATION**

Today, the Departments of Justice and Education released two new guidance documents – one for school districts and one for colleges and universities – detailing the flexibility that the Supreme Court has provided to educational institutions to promote diversity and, in the case of elementary and secondary schools, reduce racial isolation among students within the confines of the law.

The guidance makes clear that educators may permissibly consider the race of students in carefully constructed plans to promote diversity or, in K-12 education, to reduce racial isolation.  It recognizes the learning benefits to students when campuses and schools include students of diverse backgrounds.

“Diverse learning environments promote development of analytical skills, dismantle stereotypes, and prepare students to succeed in an increasingly interconnected world,” said Attorney General Eric Holder.  “The guidance announced today will aid educational institutions in their efforts to provide true equality of opportunity and fully realize the promise of Brown v. Board of Education.”

“Racial isolation remains far too common in America’s classrooms today and it is increasing,” said Education Secretary Arne Duncan.  “This denies our children the experiences they need to succeed in a global economy, where employers, co-workers, and customers will be increasingly diverse.  It also breeds educational inequity, which is inconsistent with America’s core values.”

The guidance is primarily based on three Supreme Court decisions, Parents Involved in Community Schools v. Seattle School District No. 1, Grutter v. Bollinger and Gratz v. Bollinger, which specifically addressed the consideration of race by educational institutions. In addition, the guidance provides numerous examples of options that schools and postsecondary institutions can consider to further diversity or reduce racial isolation.  For K-12 schools, the guidance discusses school and program siting, drawing school attendance boundaries, grade realignment and restructuring feeder patterns, among other options.  The guidance for postsecondary institutions describes how race can be taken into account in admissions, in pipeline programs, in recruitment, and in mentoring, tutoring, retention and support programs as efforts to achieve diversity.

The guidance lays out legal standards under the Equal Protection Clause of the Fourteenth Amendment and Titles IV and VI of the Civil Rights Act of 1964, which are enforced by the Departments.  Previous guidance issued by the Bush Administration in 2008 is being withdrawn today

To review the guidance, please visit:

* DCL: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201111.html>
* Guidance PSE: <http://www2.ed.gov/about/offices/list/ocr/docs/guidance-pse-201111.html>
* Guidance ESE: <http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.html>

For more information about the Department of Education’s Office for Civil Rights, please visit <http://www2.ed.gov/about/offices/list/ocr/index.html?src=oc>.  For more information about the Educational Opportunities Section of the Department of Justice’s Civil Rights Division, please visit <http://www.justice.gov/crt/edo/>.

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