

## Supreme Court's Ruling May Lead to Reduced Racial Balancing Efforts at Schools

By Shaileja Mammen

On Thursday, the Supreme Court returned a five-justice-majority ruling stating that students cannot be admitted to schools on the basis of race. This decision addressed practices followed by public schools in Seattle, Kentucky, and Louisville. Public schools in these states had adopted voluntary programs to achieve racial diversity in the classroom.

The nine judges were divided on ideological grounds. The court ruled that the public schools in question had violated the Constitution's guarantee of equal protection to individuals.

In a 2003 decision (*Grutter v. Bollinger*), the Supreme Court upheld the right of colleges to make admissions decisions based on race under certain special circumstances. This case addressed affirmative action policies at the University of Michigan's law school.

In the Supreme Court's recent decision, many of the legal briefs cited *Grutter v. Bollinger*. There was a fear that the court would attack this decision. However, the court's ruling used the decision to distinguish the constitutionality of affirmative action from the constitutionality of other policies.

Legal experts who have delved deeper into the ruling believe the decision does not directly support affirmative action as it is practiced by many schools. On the other hand, the decision clarifies what colleges need to do to comply with earlier case law. It reaffirms that schools should ensure that they assess applicants individually and not based on race or ethnicity.

Some experts say the new ruling may lead districts to drop their efforts to ensure racial balance in schools. Education experts also warn against assuming that the rulings involving elementary and secondary education can be applied to higher education. Most K-12 students are assigned to schools, while college students are not assigned to specific institutions. College admissions are based on a wide range of criteria.