



**Diverse Coalition of Student and Community Organizations
Permitted to Intervene in Suit to Defend Expanded Access for Black and Latinx Students to New
York City’s Specialized High Schools**

In a recent [decision](#), [Teens Take Charge](#) – a public school student-led organization, the [Hispanic Federation](#), [Desis Rising Up & Moving](#) (DRUM), the [Coalition for Asian American Children and Families](#) (CACF), and multiple Black and Latinx public school students and their families were [granted intervenor status](#) in *Christa McAuliffe Intermediate School PTO v. Bill de Blasio*, a lawsuit filed by the Pacific Legal Foundation, a conservative California-based organization, on behalf of individuals and organizations aiming to halt New York City’s attempts to make its Specialized High Schools more inclusive and representative of the City’s overall student population. The [motion for intervenor status](#) was filed last spring by the NAACP Legal Defense and Educational Fund, Inc. (LDF), [LatinoJustice PRLDEF](#), [New York Civil Liberties Union](#) (NYCLU), and [American Civil Liberties Union](#) (ACLU) to ask the Court to allow these organizations and the families they represent to defend the modest steps the City has taken to increase access for disadvantaged students and rectify the exclusion of Black, Latinx and certain AAPI students caused by the test-only admissions policy.

“The voices of Black, Latinx, and underrepresented Asian Pacific American students must be front and center in any discussion of systemic racial inequity in New York City’s Specialized High Schools,” said Rachel Kleinman, Senior Counsel at LDF. “The students and families we represent will now be able to make the case for educational equity in a court of law, as well as in the halls of government and the streets of New York City, where they have been pushing for much-needed reform. Even though the expansion of the Discovery Program is only a modest and preliminary step towards increasing access to these schools, any effort that begins to address the widespread racial disparities is worth defending.”

“Hearing the opinions of students and families who are directly affected is essential to understanding how much school segregation impacts our lives,” said Tiffani Torres from Teens Take Charge. “We’re ready to play our part in the fight against it.”

“This important legal development will allow students and parents from communities of color to present their compelling case to increase the representation of New York City’s Black and brown students in Specialized High Schools,” said Frankie Miranda, President of the Hispanic Federation. “Admissions to these schools must not rely solely on testing results that often fail to measure the true academic achievements of underserved students. We are eager to stand side-by-side with our community to ensure equitable educational opportunities.”

“The roots of our segregated school system run deep in New York City,” said Donna Lieberman, Executive Director of the New York Civil Liberties Union. “From pre-K to high school, race, income, and geography conspire to create segregated and inequitable institutions. We are glad to be able to bring the voices of parents and students into the courtroom to defend this effort to expand educational opportunity and access to some of the most sought-after schools.”

“It’s indefensible that Latino and Black students comprise only 4% of the incoming class at Stuyvesant,” said Jose Perez, Deputy General Counsel of LatinoJustice PRLDEF. “While the data shocks the

conscience, the feelings of isolation, tokenism, and exclusion that these incoming students will likely endure cannot be underestimated. The experiences of the diverse group of students and community-based organizations that we represent were missing in the case. We are pleased that the Court has granted our clients' motion to intervene because it's critically important to have their voices amplify the factual and legal issues in the case. Their voices also need to inform any decision about the constitutionality of the Discovery Program, which, though we support its expansion, is plainly insufficient by itself to bring true diversity, inclusion and equity to the Specialized High Schools.”

Two weeks ago, New York City's Specialized High Schools admitted 4,265 students. As has been the case in recent years, very few of the opportunities to attend these top public high schools were offered to the City's Black and Latinx students. Despite Black and Latinx students making up 70% of the New York City school system, they [made up only 11.1% of those admitted](#).

The racial disparities are especially stark at Stuyvesant High School, where this year only 10 Black students were admitted among a freshman class of 760. These disparities persist despite sustained advocacy from students, parents and community groups to change the current single-test admissions system for these schools.

Eliminating the test-only admissions policy at three of the Specialized High Schools would require a change in state law, although the New York City Department of Education (NYCDOE) could change the policy for five of the schools on its own. Instead, the NYCDOE took the smaller step of expanding the Discovery Program, which extends admission to the City's Specialized High Schools to high-achieving students from low-income households who score just below the standardized test cutoff. Last year, the expansion required 13% of the Specialized High Schools' incoming class to be comprised of Discovery Program students. Beginning this year, under the program's expansion, 20% of the schools' incoming class will be filled by students from the program. While the expansion of the Discovery Program is a step in the right direction, it has thus far failed to noticeably improve diversity in admissions. Despite this, the Pacific Legal Foundation filed the lawsuit, *Christa McAuliffe Intermediate School PTO v. Bill de Blasio*, to challenge the Discovery Program's expansion as part of its continuous attempt to thwart racial equity efforts in schools throughout the country.

In 2012, LDF filed a federal civil rights administrative [complaint with the U.S. Department of Education](#), along with co-counsel LatinoJustice PRLDEF and [The Center for Law and Social Justice at Medgar Evers College](#), on behalf of a broad coalition of New York education, civil rights and social justice organizations challenging the admissions process at the Specialized High Schools. The complainant organizations include the [NYC Coalition for Educational Justice](#), La Fuente, [Make the Road New York](#), [Alliance for Quality Education](#), [New York Communities for Change](#), [Black New Yorkers for Educational Excellence](#), [Community Service Society of New York](#), [Garifuna Coalition USA Inc.](#), the [Brooklyn Movement Center](#), [UPROSE](#) and [DRUM – Desis Rising Up and Moving](#). The complaint is still pending.

Read the court's decision granting intervenor status [here](#).

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes

innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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For nearly 100 years, the ACLU has been our nation's guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. Whether it's achieving full equality for LGBT people, establishing new privacy protections for our digital age of widespread government surveillance, ending mass incarceration, or preserving the right to vote or the right to have an abortion, the ACLU takes up the toughest civil liberties cases and issues to defend all people from government abuse and overreach.

LatinoJustice PRLDEF works to create a more just society by using and challenging the rule of law to secure transformative, equitable and accessible justice, by empowering our community and by fostering leadership through advocacy and education. For more information about LatinoJustice, visit www.latinojustice.org.

Founded in 1951 as the New York affiliate of the American Civil Liberties Union, the New York Civil Liberties Union is a not-for-profit, nonpartisan organization with eight chapters and regional offices and more than 160,000 members across the state. Our mission is to defend and promote the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution, including freedom of speech and religion, and the right to privacy, equality and due process of law for all New Yorkers. www.nyclu.org.