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Federal Court Allows Fairfax County School District's Race-Neutral Admissions Policy to Continue for Fall 2022 Applicants

Today, the U.S. Court of Appeals for the Fourth Circuit stayed an earlier decision by the U.S. District Court for the Eastern District of Virginia enjoining the race-neutral admissions process adopted by the Fairfax County Public School's Thomas Jefferson High School for Science and Technology (TJ). As a consequence of [the Fourth Circuit's order](#), nearly 2,500 applicants will continue to enjoy the benefits of a more equal chance to be admitted to TJ.

The Fourth Circuit's ruling indicates that a majority of the appellate panel was persuaded that the school board is likely to succeed in its appeal, which argues that the district court erred and there is not discrimination against Asian American applicants within the race-neutral admissions process.

In response, the [NAACP Legal Defense and Educational Fund, Inc. \(LDF\)](#), [Asian Americans Advancing Justice – AAJC](#), and [LatinoJustice PRLDEF](#)—who joined together to file [an amicus brief in support of the stay](#) on behalf of their clients TJ Alumni for Racial Justice, CASA Virginia, Hispanic Federation, Asian American Youth Leadership Empowerment and Development, and the Hamkae Center — released the following statement:

“We commend the court for correctly recognizing the importance of maintaining a system that provides all students with a fairer chance to compete for admission to TJ, including Black and Latino students, as well as low-income and English Language Learner students, including Asian American students. Allowing TJ's

admissions process to proceed — without the \$100 application fee, admissions test, or recommendation letters, but with a guarantee of admission to the top 1.5% of the eighth-grade class at each middle school in Fairfax County, Loudoun County, Prince William County, Arlington County, and Falls Church City, respectively — was the correct decision.

“Every student has a right to a fair shot at receiving an excellent education, regardless of their income, where they grew up, or their racial and ethnic background. But for well over a decade, the TJ admission process failed to identify all Black, Latino, and underserved Asian American students with the aptitude to excel. It would have been a serious mistake — and, as the court’s order notes, contrary to Supreme Court precedent — to allow this fairer system to be enjoined.

“We remain firm in our belief that all students benefit from a system that promotes fair opportunities for all; and as racial justice advocates, we will continue to support race-neutral policies to better ensure that every student’s right to an equal educational opportunity is recognized.”

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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. LDF 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. Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).

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 nearly 50 years, LatinoJustice PRLDEF has acted as an advocate against injustices throughout the country. To learn more about LatinoJustice, visit www.LatinoJustice.org.

Asian Americans Advancing Justice – AAJC has a mission to advance the civil and human rights of Asian Americans and to build and promote a fair and equitable society for all. Visit our website at www.advancingjustice-aaajc.org.