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Diverse Coalition of Students and Community Organizations Ask to Intervene in Suit to Defend Expanded Access to Elite New York City Public Schools

LDF, ACLU, NYCLU, and LatinoJustice PRLDEF File Motion to Intervene to Allow Students and Advocacy Groups to Join the Defense of Efforts to Improve Racial Equity at Specialized High Schools

A diverse group of public school students and local community-based organizations [asked a federal court to allow them to intervene](#) in a lawsuit over a program designed to improve racial and economic equity in admissions to New York City's eight elite public high schools. Since the parties announced their request to intervene in defense of the program last month, they appeared in court before the presiding judge who allowed the process to move forward.

The NAACP Legal Defense and Educational Fund, Inc. (LDF), the New York Civil Liberties Union (NYCLU), the American Civil Liberties Union (ACLU), and LatinoJustice PRLDEF filed a [motion to intervene](#) in the federal lawsuit *Christa McAuliffe Intermediate School PTO v. Bill de Blasio* on behalf of 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. The motion asks the Court to allow these families and organizations to join the lawsuit in order to defend the modest steps taken by New York City to increase access for disadvantaged students to New York City's most competitive and highly-regarded public high schools, and redress the systemic racial exclusion caused by the deeply flawed, test-only admissions policy.

“The Discovery Program is a modest first step towards addressing the near complete exclusion of Black and Latinx students from New York City's highly-lauded public schools, and its small gains are worth protecting,” said [Rachel Kleinman, Senior Counsel at LDF](#). “No single test can be an accurate measure of educational potential, and the single-test admissions to these schools has consistently locked out talented individuals of all races who could thrive in these competitive schools. We will continue to fight to protect and expand upon all efforts to ensure that these schools become considerably more diverse.”

The *McAuliffe* lawsuit centers around a decision last year by New York City Mayor Bill de Blasio and Department of Education Chancellor Richard A. Carranza to implement a modest set of measures to expand the long-standing Discovery Program. These changes enable high-achieving students from low-income households who attend middle schools with high economic need and score just below the standardized test cutoff for the city's Specialized High Schools to earn admission after completing a summer preparation session. This move was a response to sustained advocacy highlighting the deeply troubling racial and geographic disparities within these schools. For example, Black and Latinx students received only 190 of the 4,324 offers of admission to the eight Specialized High Schools for the coming school year. Moreover, while most public schools send no students to the Specialized High Schools, 50 percent of all offers go to students from fewer than 30 of the approximately 600 middle schools.

The *McAuliffe* suit is being brought by opponents of school desegregation, who wish to challenge these new policies aimed at increasing opportunity and equitable access to these prestigious schools for students across New York City. The proposed intervenors seek to help defend any attempts to increase access to the educational opportunities provided by the Specialized High Schools in New York, and the civil rights groups filing on their behalf remain committed to defending similar efforts around the country.

“The racial disparity in New York City’s elite public high schools is undeniable,” said **Jose Perez, Deputy General Counsel of LatinoJustice PRLDEF**. “We are intervening in this lawsuit because Plaintiffs challenge seeks to undermine an attempt—albeit modest—to ensure that Latinx, Black, and underrepresented Asian Pacific American students have a fair chance at attending these schools. The fact that Latinxs only represent 2.5 percent of Stuyvesant’s students shows how these schools perpetuate racial disparities in a public school system where 40 percent of the student population is Latinx. Reform of the Specialized High School Admissions Test is vital if we hope to develop a more equitable, dynamic and vibrant City.”

“The City’s effort to expand access to the Specialized High Schools is a small step to address the extreme racial segregation and disparities in our public schools, but one that is well worth defending,” said **Donna Lieberman, Executive Director of the New York Civil Liberties Union**. “New York City schools are some of the most segregated in the country, and all too often race, poverty, and geography conspire to lock capable students out of educational opportunities. We need to not only enable more equitable access to top schools, but also continue tirelessly fighting to promote diversity and equality in our public schools across the board.”

Read the motion to intervene [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.