



FACT SHEET: Fairfax County Public Schools' Race-Based Admissions Policy Violates State and Federal Civil Rights Laws

In 2020, the Fairfax County School Board overhauled Thomas Jefferson High School's admissions process with the intention to deny Asian American students the opportunity to attend one of the premiere public high schools in the United States.

Through a series of written messages, they revealed their intention and amended their policies from a race-neutral, merit-based system to a "holistic" approach designed to exclude one specific minority. FCPS succeeded in their mission, reducing the percentage of Asian American students from 73% to 54% in just one year alone.

These are the facts.

The Intended Outcome of FCPS Policy Changes:

In 2020, the Fairfax County School Board overhauled Thomas Jefferson High School for Science and Technology's (TJ) admissions process to ensure TJ's "demographics represent[ed] the [Northern Virginia] region." To do so, Fairfax County Public Schools (FCPS) replaced TJ's race-neutral, merit-based admissions policy with one designed to decrease Asian American admissions. One Board member stated the goal was to move "towards greater equity, to be clearly distinguished from equality." Board members acknowledged, both publicly and privately, that the aim was to change TJ's racial makeup.

"An Anti-Asian Feel" – Process Irregularities and Race Based Decision Making:

The policy was rushed through with last-minute amendments, minimal transparency, and little public input. One Board member said in her nine years serving she could not recall "messier execution of Board-level work."

In messages, Fairfax County School Board members admitted:

- "there has been an anti asian feel underlying some of this, hate to say it lol,"
- that Asian students were "discriminated against in this process,"
- **They said the Superintendent "[c]ame right out of the gate blaming Asian students.**
- They knew the proposal would "whiten our schools and kick ou[t] Asians."
- and "Asians hate us."

\$455,000 for Equity Consulting:

In 2022, FCPS signed a contract with a California-based consultant for a mere nine months of service at a price tag of \$455,000—funded by taxpayers. This consultant advised FCPS to pursue the goal of "equal outcomes for every student, without exception" and advised "purposefully unequal" action.

Admissions Impact:

Asian American representation among admitted students fell from 73% to 54% in a single year after the new policy's implementation.

Academic Integrity Impact:

In recent years, TJ's national ranking has fallen from #1 to #14, while its number of National Merit Semifinalists dropped from 165 to 81 in first class admitted under the new admissions policy.

Determination:

The revised admissions policy was a deliberate, race-based system designed to help some and disadvantage others. The otherwise qualified students not admitted to TJ lost out because they were Asian American.

Pursuant to this investigation, the Office of the Attorney General's Office of Civil Rights has found reasonable cause to believe that FCPS discriminated against Asian American students on the basis of race in violation of the Virginia Human Rights Act and Title VI of the Civil Rights Act of 1964.

Next Steps:

The Office of the Attorney General has referred this matter to the U.S. Department of Education and U.S. Department of Justice for further enforcement under federal civil rights law.

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