HOWARD UNIVERSITY | School of Law
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LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

**TO:** Daniel Thies, Council Chair (via NoticeandComment@americanbar.org)

**FROM:** The Civil Rights Clinic at Howard University School of Law
Lawyers' Committee for Civil Rights Under Law

**DATE:** April 13, 2026

**SUBJECT:** Proposed Repeal of Standard 206 (Diversity and Inclusion)

## INTRODUCTION

The Howard University School of Law Civil Rights Clinic and the Lawyers' Committee for Civil Rights Under Law stand in firm opposition to the American Bar Association's ("ABA") proposed repeal of Standard 206. Standard 206 provides both a mandate and guidance for law schools to demonstrate a commitment to diversity and efforts to include underrepresented groups in the legal profession. After the Supreme Court's decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181 (2023), the ABA proposed—and nearly ratified—changes to Standard 206 to respond to the Court's ruling. But in the midst of this administration's ongoing and unjustified attacks on diversity in virtually every aspect of American life, the ABA's Council of the Section of Legal Education and Admissions ("Council") first suspended Standard 206 from February 2025 until August 31, 2026, and is now primed to repeal Standard 206 altogether. The ABA's proposed repeal is flawed for several reasons: 1) repealing Standard 206 would constitute preemptive compliance with overbroad and legally dubious Executive pressure; 2) the ABA already proposed modifications to Standard 206 that are fully responsive to the Court's ruling in *SFFA v. Harvard;* and 3) the ABA must ensure that the legal profession is held to the highest standards, which necessarily includes diversity and anti-discrimination measures. Howard's Civil Rights Clinic conducted a survey of students at law schools across the country to evaluate the current environment concerning diversity

efforts at law school and the potential harm that a repeal of Standard 206 poses to law schools across the nation. A summary of those results is provided below.

## I. Repealing Standard 206 would represent preemptive and unnecessary compliance with overbroad Executive pressure.

The proposed repeal of Standard 206 represents the Council's preemptive compliance with overbroad and legally dubious Executive pressure, ranging from vague anti-diversity proclamations to an explicit (but unfounded) threat that Standard 206 violates the law. The ABA proactively updated Standard 206 to respond to *SFFA* and should stand by those significant revisions instead of abandoning the Standard in response to thinly-veiled and coercive enforcement threats made by this Administration.

In President Trump's first week in office, he issued two Executive Orders that marked the beginning of his second administration's campaign against diversity, equity, and inclusion ("illegal DEI") efforts: Executive Order 14151 directs the termination of all federal "diversity, equity, inclusion, and accessibility" programs, while Executive Order 14173 requires agencies to eliminate what it characterizes as "discriminatory" preferences and mandates a strictly merit-based framework. Exec. Order No. 14,151, 90 Fed. Reg. 8339 (Jan. 20, 2025); Exec. Order No. 14,173, 90 Fed. Reg. 8633 (Jan. 21, 2025). Together, these orders seek to dismantle all efforts across the federal government that have been in place to combat discrimination and promote more diverse, equitable and inclusive institutions. In some cases, the administration's ill-conceived efforts have involved pressure on law firms, non-profit organizations and private institutions.

Initially, the ABA resisted, asking the Trump administration to amend its directives to clarify that they would not be enforced against organizations exercising their First Amendment

rights, including the right to speak on the value of diversity.[1] Then, the Department of Education issued a "Dear Colleague Letter" in February 2025, through which the Administration sought to define the limitations imposed on academic institutions regarding diversity measures following *SFFA*.[2] In the letter, the Department of Education claimed that *SFFA* "clarified that the use of racial preferences in college admissions is unlawful, sets forth a framework for evaluating the use of race by state actors and entities covered by Title VI."[3] Referencing both executive orders on DEI and the "Dear Colleague Letter," the ABA suspended Standard 206 pending forthcoming review and amendment.[4]

But pressure from the Executive continued to mount: by the end of February 2025, then-Attorney General Pam Bondi issued a letter to the ABA in which she challenged the ABA to abandon its diversity measures entirely or risk losing its status as the sole accrediting body of law schools.[5] The letter claimed that Standard 206 violated *SFFA v. Harvard* and invoked the same two executive orders and the Dear Colleague Letter as justification.

But this rationale does not withstand legal scrutiny. A federal court struck down the "Dear Colleague Letter" as "textbook viewpoint discrimination." *Am. Fed. of Tchrs v. Dep't of Educ.*, 796 F. Supp. 3d 66, 106-07, 111-13 (D. Md. 2025). And the Department conceded vacatur, effectively recognizing the unconstitutionality of the guidance. *See Nat'l Educ. Ass'n. v. Dep't of*

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[1] *See ABA House Adopts Policy on Judicial Security and Ethics, Presidential aActions, Llawyer hHealth*", (Feb. 4, 2025), https://www.americanbar.org/news/abanews/aba-news-archives/2025/02/aba-house-adopts-policies-judicial-security-ethics/.
[2] *See* Craig Trainor, *Dear Colleague Letter* (Feb. 14, 2025), https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf.
[3] *See Id.*
[4] *See* "American Bar Association Statement re: Standard 206" (Feb. 22, 2025), https://www.americanbar.org/news/abanews/aba-news-archives/2025/02/aba-statement-re-standard-206/?login.
[5] *See* Pam Bondi, *Letter to Council of the Section of Legal Education and Admissions to the Bar* (Feb. 28, 2025), https://www.justice.gov/ag/media/1392081/dl?inline.

*Educ.*, No. 25-cv-00091, ECF. No. 99, Joint Mot. to Dismiss (D.N.H. Feb. 3, 2026). Multiple courts have enjoined this administration's executive orders concerning diversity as well. *See, e.g.*, *Chi. Women in Trades v. Trump*, 778 F. Supp. 3d 959, 984-85 (N.D. Ill. 2025); *City of Chi. v. Dep't of Just.*, No. 25 CV 13863, 2026 WL 114294, at *6 (N.D. Ill. Jan. 15, 2026); *Wash. State Ass'n of Head Start v. Kennedy*, C25-781-RSM, 2026 WL 35858, at *2, *10, *13 (W.D. Wash. Jan. 6, 2026). What's more, as explained below, *SFFA v. Harvard* does not require repeal of Standard 206.

In short, there is no sound legal basis for the repeal of Standard 206. Rather, if the ABA follows through with the repeal, it will be succumbing to overbroad and ideologically motivated pressure by the Administration.

## II. The ABA already proposed modifications to Standard 206 that are fully responsive to *SFFA v. Harvard*. A full repeal of the modified Standard 206 is unnecessary.

After the Supreme Court issued its *SFFA v. Harvard* decision, the ABA set out to modify Standard 206 to respond to the Court's ruling. After a period of notice and comment, on February 13, 2025, the ABA issued a memo entitled, "Recommended Revisions for Final Approval—Standard 206" (the "Recommended Revisions").[6] The revisions call for law schools to "demonstrate by concrete actions, a commitment to" "diversity, inclusion, and access to the study of law and entry into the legal profession for all persons including those with identities that historically have been disadvantaged or excluded from the legal profession . . . ." *Id.* at 2. Included in these revisions was an explicit statement that the "pursuit of diversity required by Standard 206 does not mean law schools' hiring and admissions criteria need to be lowered." *Id.* Lastly, the

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[6] *See Memorandum Re: Recommended Revisions for Final Approval—Standard 206* (Feb. 13, 2025), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/feb25/25-feb-council-standards-memo-standard-206-with-appendix.pdf ("Recommended Revisions").

revisions laid out a series of "concrete actions" that provided examples of actions law schools could undertake to maintain a commitment to diversity, which included "admissions policies, processes, and practices aimed at evaluating each applicant's potential holistically, including consideration of the applicant's individual experiences and challenges . . . ." *Id.* at 3. Though the ABA abandoned its efforts to finalize the Recommended Revisions because of Executive pressure, these changes fully comport with the *SFFA* decision—repeal is not necessary to effectuate the Supreme Court's mandate.

*SFFA* addressed race-conscious admissions decisions, not the affirmative efforts to expand access to educational opportunity, which is what Standard 206 is focused on. *Additionally, SFFA* does not ban any acknowledgement of race. Indeed, Chief Justice Roberts stated that "[n]othing in this opinion should be construed as prohibiting universities from considering an applicant's discussion of how race affected his or her life, be it through discrimination, inspiration, or otherwise." *Id.* at 230. And Justice Kavanaugh stated in his concurring opinion that "governments and universities still can, of course, act to undo the effects of past discrimination in many permissible ways that do not involve classification by race." *SFFA*, 600 U.S. at 317.

Under the Recommended Revisions, rather than mandating action that runs contrary to the *SFFA* ruling, Standard 206 would require law schools to identify and remove any barriers to access and inclusion for historically underrepresented groups. The Standard would encourage law schools to conduct a holistic review of each applicant's individual experiences and challenges. *See* Recommended Revisions at 3, Interpretation 206-1(1). It would also recommend "recruitment efforts targeted at groups that have been disadvantaged in or excluded

from the legal profession;" "programs aimed at meeting the academic and financial needs of all students;" and "efforts aimed at creating a supportive learning environment for all students." *Id.*

The Recommended Revisions would address structural inequities that disproportionately affect certain groups, in alignment with the *SFFA* ruling. The text and interpretations included make clear that compliance can be achieved through race-neutral, lawful means. *See* Recommended Revisions at 4 ("diversity and excellence are complementary").

What's more, courts have already rejected attempts to read *SFFA* as broadly prohibiting all initiatives that aim to promote equal access to opportunity and inclusive environments. For example, in *Coalition for TJ v. Fairfax County School Board*, the Fourth Circuit upheld a race-neutral admissions policy adopted with awareness that it might increase representation of historically underrepresented students. 68 F.4th 864 (4th Cir. 2023), *cert denied*, 146 S. Ct. 541 (2024). The court in *Coalition for TJ* made clear that such awareness does not transform a facially neutral policy into a racial classification and therefore does not raise the constitutional concerns addressed in *SFFA*. *Id*. at 887–89; *see also Bos. Parent Coal. for Acad. Excellence Corp. v. Sch. Comm. for City of Bos.,* 89 F.4th 46, 54 (1st Cir. 2023), *cert denied*, 145 S. Ct. 15 (2024) (finding that Boston Public schools did not violate the Equal Protection Clause when they took zip codes into account for admissions). Accordingly, expansive interpretations of *SFFA*, like those reflected in this administration's executive orders and that operated as the impetus for the ABA's current consideration of repealing Standard 206, are inconsistent with how courts have interpreted the Court's ruling.

To put a finer point on it, recent executive actions do not change the constitutional parameters established in *SFFA*. The Court's decision restricted the use of individual students' race in admissions decisions and expressly preserved universities' ability to consider applicants'

individual experiences and backgrounds, while also leaving institutions room to engage in race-neutral diversity initiatives. *SFFA*, 600 U.S. at 230. Law schools are still required to comply with the anti-discrimination obligations under Title VI of the Civil Rights Act. Accordingly, they should continue to closely examine patterns of underrepresentation and implement proactive measures to ensure that qualified applicants from historically marginalized backgrounds receive full and fair consideration—consistent with the Recommended Revisions. Law schools should ensure that their admissions practices do not erect barriers for students based on any protected characteristic, including race. The ABA, therefore, must not allow legally dubious threats or inaccurate readings of the *SFFA* ruling to serve as the basis for repealing Standard 206 and the central role that the ABA has played in moving legal education into the 21st Century.

**III. The ABA must ensure that the legal profession is held to the highest standard, which necessarily includes diversity measures.**

The legal profession has unique obligations tied to legitimacy and justice. As the Supreme Court has long recognized, "[l]awyers are essential to the primary governmental function of administering justice." *Goldfarb v. Va. State Bar*, 421 U.S. 773, 792 (1975). The legitimacy of the justice system is strengthened when the profession is accessible, and law schools foster a sense of belonging, as this leads to cross-cultural understanding, better advocacy, and greater public confidence. *See* Recommended Revisions at 4, Interpretation 206-4 (acknowledging this value of a diverse legal profession). A legal profession that lacks diversity cannot credibly claim to deliver justice in a diverse society. *See Grutter v. Bollinger*, 539 U.S. 306, 332 (2003) (recognizing that "[t]he path to leadership must be visibly open to talented and qualified individuals of every race and ethnicity."). Standard 206, as modified through the Recommended Revisions, is necessary to

satisfy that objective. This is because law schools have a long history of race-exclusive barriers, leading to persisting racial disparities in the legal profession. And diversity in the legal profession leads to better outcomes for everyone.

**a. Law schools have a long history of race-exclusive barriers.**

Law schools have a long history of excluding Black students. Several lawsuits against law schools in the 1930s and 40s challenged racially exclusionary practices that prevented Black students from enrolling.[7] Law schools at Historically Black Colleges and Universities ("HBCUs") were birthed out of this history of segregation at predominantly white law schools and the need to create spaces where Black students could be educated as lawyers.[8] Measures like Standard 206 are necessary to ensure that law schools do not backslide and continue to rise to a mandate of inclusion that accounts for this history and ongoing racial disparities in the legal profession.

**b. Repeal would exacerbate existing disparities in the legal profession.**

The history of racial exclusion in and systemic barriers to entry to law schools permeates the legal profession to the present day. The percentages of Black and Latinx law students remain relatively low in comparison to their white counterparts, with Black students making up 7.5% of the law school student population though they are 13.7% of the population, and Latinx students making up 14.5% of the law school student population though 20% of the U.S. population overall.[9] The ABA must push law schools to actively identify and remove the structural barriers that contribute to these persisting racial disparities.

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[7] *See* Carl W. Tobias, *Brown and the Desegregation of Virginia Law Schools*, 39 U. Rich. L. Rev. 39 at 41-44 (2004) (discussing the cases that Thurgood Marshall took on to desegregate law schools between the 1930s and 1940s).
[8] *See* Harold R. Washington, *History and Role of Black Law Schools*, 5 N.C. Cent. L. Rev. 2 (1974), https://archives.law.nccu.edu/ncclr/vol5/iss2/4.
[9] *See* Gabriel Kuris, *Minority Law School Applicants: What to Know*, U.S. News & World Rep. (Jan. 20, 2026), https://usnews.com/education/blogs/law-admissions-lowdown/articles/minority-law-school-applicants-what-to-know#:~:text=According%20to%202025%20data%20from,13.7%25%20of%20the%20U.S.%20population.

Additionally, most first-generation law students come from historically underserved groups.[10] On average, these students face significantly greater financial pressure during their time in law school. *Id.* The ABA has an obligation to ensure that these students receive institutional support and resources that can help ensure that they thrive and succeed in law school. *Id.* As one law school professor observed, first-generation law students "tend to think outside the box because they have not come from the box. They offer fresh, new ways of approaching problems and set an example for other students." *Id.* Thus, efforts are necessary to ensure that underrepresented students not only gain access to legal education but are supported in ways that allow them to succeed once admitted.

Despite this, law schools continue to abandon, without basis or good reasoning, efforts that concern diversity, even resorting to self-censure and complete silence concerning diversity.[11] The ABA must be a check on the indefensible abandonment of diversity that threatens to harm legal education and the legal profession generally. The unnecessary abandonment of diversity-related discussions and efforts would only escalate were the ABA to repeal Standard 206.

To make matters worse, law firms have in recent years rolled back tailored programs that were geared toward remedying barriers across the profession, further exacerbating existing disparities. Recent data shows that, for the second consecutive year, the representation of Black or African American summer associates at law firms has declined, while law school enrollment data

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[10] Anthony E. Varona, *The Plight and Promise of Today's First-Gen Law Students*, A.B.A. (Mar. 19, 2025), https://www.americanbar.org/groups/crsj/resources/human-rights/2025-march/plight-promise-todays-first-gen-law-students/.

[11] *See* Christine Charnosky, *Law Schools Are Quietly Changing DEI Messaging. What Does That Mean for Big Law's Future Talent Pipeline*, Am. Law. (June 24, 2025), https://www.law.com/americanlawyer/2025/06/24/law-schools-are-quietly-changing-dei-messaging-what-does-that-mean-for-big-laws-future-talent-pipeline/.

reveals similar decreases among Black and Hispanic students.[12] Although overall diversity numbers have shown modest gains, those gains are fragile and uneven, and due mostly to an increase in the number of Asian American students. *Id.* More importantly, these disparities widen over time, as the National Association for Law Placement explains, associates of color "convert to partners at much lower rates than White associates," resulting in a nearly 20 percentage point gap between associate and partnership representation. *Id.* At the current pace, it will take nearly 27 years for partners of color to reach parity with where associates of color stand today. *Id.* At the highest levels of the profession, only 10.2% of equity partners are people of color, and just 24.8% are women. *Id.* And the pressure to dismantle diversity initiatives is already negatively impacting the legal profession. After *SFFA*, anti–civil rights advocates have weaponized the Court's decision to challenge diversity-related programs at major law firms.[13] As a result, several firms have either scaled back or eliminated programs designed to address structural barriers, or historic patterns of exclusion. Standard 206 is necessary to help encourage law firms to eliminate barriers to opportunity for underrepresented groups.[14]

These trends are particularly troubling because social science research confirms that diversity in legal education is essential to producing lawyers capable of serving an increasingly diverse society.[15] Students in diverse academic environments demonstrate stronger critical

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[12] Nat'l Ass'n for L. Placement, *2024 Report on Diversity in U.S. Law Firms* (2024), https://www.nalp.org/reportondiversity. Though the National Association for Law Placement issued a 2025 report, it cautioned against use of that data for evaluating longer-term trends because of a substantial decline in the 2025 respondent pool. https://www.nalp.org/uploads/PressReleases/2025DiversityReportMediaRelease0326.pdf.
[13] *See generally* Darreonna Davis, *Two Law Firms Sued Over DEI Programs After Affirmative Action Overturned*, FORBES (Aug. 22, 2023), https://www.forbes.com/sites/darreonnadavis/2023/08/22/two-law-firms-sued-over-dei-programs-after-affirmative-action-overturned/?sh=22b20eb51322 (reporting that some law firms were eagerly defending their diversity pipeline programs against legal challenges).
[14] *See* Jeff Green & Kelsey Butler, *Corporate America is Rethinking Diversity Hiring as Legal Challenges Rise*, Bloomberg (Nov. 22, 2023), https://www.bloomberg.com/news/articles/2023-11-22/corporate-diversity-becomes-next-dei-target-after-us-supreme-court-decision.
[15] *See* David Hinojosa & Chavis Jones, *Overturning SFFA v. Harvard*, 26 Scholar 256, 279-80 (2024).

thinking skills, greater cognitive complexity, and a more developed ability to engage across cultures. *Id.* Long-term studies also show that such exposure enhances individuals' capacity to recognize inequality, strengthens their sense of professional purpose, and increases civic engagement. These outcomes directly align with the competencies required of lawyers. *See* Model Rules of Prof'l Conduct r. 6.1. The ABA has itself recognized the essential role that diversity plays in the legitimacy and effectiveness of the legal system. [16] Standard 206 reflects the ABA's longstanding recognition that diversity strengthens the profession and enhances the administration of justice. Conversely, repealing the Standard will "diminish[] lawyers' ability to participate in the legal system and public policy impartially, thereby impeding the administration of justice." Hinojosa & Jones, *supra*, at 281.

In the wake of significant rollbacks by law schools and law firms to their diversity, equity, and inclusion programs, Standard 206 is necessary to provide law schools with guardrails and guidance to ensure all students can participate fully and without fear of hostility or intimidation. Eliminating this standard may send the opposite message and leave students from historically marginalized backgrounds to endure alienating conditions without meaningful institutional support.

## IV. The Civil Rights Clinic's 2026 Survey of Law Schools Across the Nation Demonstrates the Effects of the Proposed Repeal on the Law School Experience.

The Civil Rights Clinic at Howard University School of Law conducted a recent survey of Black students attending law schools across the nation to better understand their perceptions of how universities have responded to this administration's wholesale, and often unlawful, attack on

[16] *See* Brief for the American Bar Association as Amicus Curiae in Support of Respondents at 20–21, *SFFA. v. Harvard.*, 600 U.S. 181 (2023) (No. 20-1199), 2022 WL 3108796 (reiterating a quote by Former Justice Ruth Bader Ginsburg that states "[a] system of justice is . . . [is] "poorer," . . . if its members-its lawyers, jurors, and judges-are all cast from the same mold").

diversity and equity. Our goal is to provide the ABA with new information from respondents' perspectives, regarding the current environment on law school campuses in the wake of the administration's wholesale assault on diversity. The survey asked students about law schools' responses to the *SFFA* ruling and the administration's various executive orders and lawsuits concerning diversity, admissions, recruiting, and financial aid. The survey also sought information on the academic experience and student life. The sample is representative of students from coast to coast and includes both students at predominantly white institutions ("PWIs") and HBCUs.

At least 57% of respondents indicated that the lack of diversity undermines their ability to receive an adequate educational experience, and 71% percent of surveyed students reported that the lack of diversity affects their ability to participate in class, events, or activities. For example, one student at Washington University in St. Louis shared that their peers have grown more hesitant to express their identities in academic spaces, that discussions at the intersection of law and identity feel diluted, and that engagement on social justice issues in the classroom has noticeably declined. Another student at Texas Tech School of Law identified significant changes in campus climate, noting that "students [of color] fear being in law school" and "many of the students [who oppose DEIA] are extremely vocal, which creates an unwelcoming environment."

Organizations like the Black Law Student Association ("BLSA") have provided a critical space for students to build relationships and feel a sense of belonging within institutions that may not otherwise reflect their experiences. They have also organized important and inclusive public education programming that complements the law school experience for all. While 90% of surveyed students reported having affinity groups at their law school, some students believe there are no safe and supportive environments to discuss diverse perspectives. Moreover, affinity organizations across the country have faced increasing restrictions on both funding and

programming choices. For example, one student at Texas Tech School of Law noted that the institution places limitations on BLSA's ability to use language concerning diversity, equity, and inclusion, and places limitations on whom BLSA can invite to their events. A student at Washington University in St. Louis described a similar dynamic and noted that there is now a "watchful eye" over their approach to fundraising, including who they solicit and how. The student also expressed that BLSA lacks meaningful leadership support from the dean. Finally, students at Pepperdine's Caruso School of Law believe their BLSA is critically underfunded at the institution.

The consequences of diminished support are tangible and immediate. Students at Pepperdine Law reported that BLSA is unable to send members to education-related conferences, host events regularly, or provide adequate resources to its membership. As noted by a Columbia law student, less support from the schools means less funding for BLSA events, fewer firm partnerships, and a broader signal to the legal industry that "there is no longer special value in engaging with affinity organizations." The repeal of Standard 206 would ultimately remove the one tool that the ABA has used to encourage institutions to foster environments where all students can thrive.

Survey responses also reveal a pattern in which law schools respond to the Trump Administration's attack on diversity, equity, and inclusion with silence and retreat. Over 80% of respondents answered that, in their view, their law school has failed to take action to defend policies that promote a healthy and inclusive environment. Students reported that many law schools have failed to provide clear communication regarding federal and state attacks on diversity, equity, and inclusion efforts and most students are not confident that their university leadership will resist preemptive and unnecessary action when it comes to diversity, equity and inclusion. Also, multiple students reported that their school has censored certain language on their forms,

websites, and social media pages, commonly when the language centers principles of diversity. Lastly, more than one-third of students confirmed that their schools have removed certain diversity-related initiatives.

We also assessed the current state of scholarship opportunities or specialized programs since SFFA was decided. Students at Pepperdine Law reported that the school no longer advertises or offers its HBCU scholarship. Several students reported notable changes. Similarly, a first-year law student at Columbia Law School cited a "removal of diversity scholarships" as a perceived change to the institution's funding opportunities. Separately, a student at Washington University School of Law noted that the institution removed orientation programming that had been tailored for underrepresented students. These actions make the legal profession less accessible for historically disadvantaged groups. Overall, our survey results underscore the need for the ABA to maintain Standard 206.

## CONCLUSION

Diversity is not illegal. Equity is not illegal. Inclusion is not illegal. Indeed, these principles are hallmarks of the legal profession and of our democracy. We urge the ABA to not be chilled by the complex legal, statutory, and enforcement landscape surrounding diversity initiatives at both the federal and state levels. Instead, the ABA must continue to courageously take affirmative steps to ensure that Standard 206 remains both effective and legally compliant. In addition to ratifying the Recommended Revisions to the Standard, the ABA could establish a standing committee to monitor state-level developments and identify lawful, race-neutral pathways for compliance across jurisdictions. A coordinated, state-by-state analysis would allow the Association to provide concrete guidance to accredited law schools navigating any legal pressures while preserving the core purpose of Standard 206.

Repeal of Standard 206 would exacerbate existing inequities in access to legal education to persist, despite the Court's recognition that education is "the very foundation of good citizenship" and must be made available on equal terms. *Brown v. Bd. of Educ.*, 347 U.S. 483, 493 (1954). Overlooking underserved communities is the opposite of equal treatment. Equality of opportunity can be achieved, however, through holistic evaluation, intentional recruitment of historically excluded groups, and sustained academic and financial support. Because law schools are the "gateway to the legal profession," the ABA must carry out its long-standing and central role and responsibility of ensuring that law schools are not only open in theory but genuinely open and accessible in practice.

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