

November 3, 2017

Ms. Jenny Rickard
President & Chief Executive Officer
Common Application Organization
3003 Washington Boulevard
Arlington, VA 22201-2117

Dear Ms. Jenny Rickard:

On behalf of the Asian American Coalition for Education, an alliance of over one hundred Asian American Organizations fighting for children's equal education rights, I am writing to request Common Application Organization to stop the practice of subdividing Asian American applicants into 10 subcategories in the Common Application. Our request is based on the following legal and moral reasons:

1. It is illegal intrusion of the applicants' privacy because neither the federal government nor any state has passed legislatures that explicitly authorizes subdivision of Asian Americans for educational purpose;
2. The Fourteenth Amendment of the U.S. Constitution guarantees that all American citizens are under the equal protection of the laws. The Civil Rights Act of 1964 stipulates that "*No person in the United States shall, on the ground of race, color, or national origin, ... be subjected to discrimination under any program or activity receiving Federal financial assistance.*" Race, national or ancestral origin should not be used as factors to discriminate against any student during the college admissions processes;
3. The subdivision of Asian American applicants only exacerbates the racial discrimination against Asian American applicants by many American colleges, including Ivy League schools. Further, we have good reason to believe that the ultimate use of this data will not be benign—that it will be illegally used to further impair Asian American rights and limit opportunities based on race, national or ancestral origin.

The Ninth Amendment of the U.S. Constitution says that the "enumeration in the Constitution of certain rights shall not be construed to deny or disparage other rights retained by the people." Without the authorization of any judicially upheld federal or state statute, subdivision of Asian Americans, including requiring details about the applicants' ancestry or national origin information, should not be collected by schools and most likely be used by some misguided admission officers to make potentially determinant college admission decisions. It is also immoral or illegal for colleges to consider factors beyond applicants' abilities and efforts in a

determinant way—to do so is the very definition of racism, regardless of the purported justification.

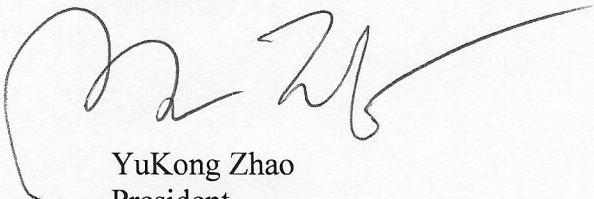
More importantly, there is compelling and extensive evidence that points out that Ivy League colleges and other selective American colleges are engaged in the illegal use of race in college and university admissions in a manner that inflicts extreme discriminations against Asian American applicants. Specifically, they use racial quotas (often disguised as “bands” or “targets”), racial stereotypes and significantly higher standards that unduly harm Asian American applicants. The Common Application uses questions for identifying Asian ancestry or national origin. By doing so, it enables these colleges to illegally limit the admissions of hardworking and high-performing Asian American students. Therefore, it further exacerbates the severe discrimination of Asian American children already suffering from the college application process.

We want to point out that Asian Americans constitute one of the smallest racial groups in the United States. However, the Common Application uses 10 subcategories to micro-classify Asian Americans in an extreme way, while only using three sub-categories to classify Caucasians, the largest racial group in America. That doesn't make any sense—there is no more difference between two people originally from Thailand and China, respectively, than two people originally from Ireland and Slovakia. If using similar standards across all ethnic groups, Common Application could easily use 50 or more subcategories to reflect the ethnic and ancestral origins of “Caucasians,” who resides in more than 50 countries in Europe and other continents. Applying different classifications standards towards different racial groups is discriminatory, period. Common Application should not be used as a tool to further discriminate against Asian-American applicants. This discrimination should be stopped immediately.

We urge you to take an action against this illegal and discriminatory approach to subdividing applicants, and to ban it immediately. By doing so, it would help our country to achieve a merit based education system, not a system based on the student's skin color, or national/ancestral origin. Colleges should award the position to those applicants who are most qualified, and in return, they would be best equipped to contribute to our nation.

We reserve all our legal rights to take necessary steps to stop the Common Application Organization's illegal and immoral behaviors.

Sincerely,



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