



Asian American Coalition for Education

Media Briefing

Asian Communities' Fight for Equal Education Rights and Our Unwavering Support of Students for Fair Admissions (SFFA)' lawsuits against Harvard University and the University of North Carolina at Chapel Hill (UNC)

June 5, 2023

In the eve of the U.S. Supreme Court ruling on the SFFA v Harvard/UNC cases, Asian American Coalition for Education (AACE) would like to brief the media on the following facts.

From 1882 to 1943, Chinese Americans were discriminated by the first race-based policy in American history—the Chinese Exclusion Act. Unfortunately, in the 21st century, Asian Americans are still discriminated by race-based college admissions policies, for the similar reason: America's ruling class deemed that there are too many Asians in American colleges!

In the form of de facto racial quotas, higher admission standards and racial stereotypes, the anti-Asian Discrimination in Harvard and selective colleges nationwide has caused tremendous harm to Asian communities and to America, the country we call home.

- a) It unjustly creates unbearable study loads and stress on Asian American students, possibly a major cause of depression, anxiety, and other psychological suffering among some Asian American youths.
- b) It undermines trust in American institutions and attacks Asian American identities. Many Asian American applicants felt the need to hide or downplay their racial identity to get admitted by selective colleges. They felt that they are treated as second-class citizens because their racial identity hinders their acceptances.
- c) It creates racial barriers between Asian Americans and other racial groups.
- d) It undermines the American meritocracy, exacerbates our STEM talent shortage, and jeopardizes economic prosperity.

A. Asian Americans' Early Fight against Anti-Asian Discrimination in College Admissions

As the most discriminated-against racial group in the higher education system, Asian Americans have been fighting against discrimination in college admissions for decades, starting with the first civil rights complaint against Harvard University in 1988.

From 2007, several discriminated-against students courageously filed civil rights complaints individually with the Office for Civil Rights, the U.S. Department of Education: Jian Li 2007, an unnamed Indian American student in 2012, and Michael Wang 2013.

In the Spring of 2014, Asian American parents in California formed unprecedented grassroots movement against SCA5, which aimed to re-introduce affirmative action into California. Several co-founders of AACE joined the fight against SCA5 in California, including Yukong Mike Zhao, Alex Chen, Jeff Wang and Henry Yang.

In June and August 2014, AACE founding president Yukong Mike Zhao published two blogs, calling upon Asian American organizations to unite and jointly file civil rights complaint against Ivy League Schools and to support discriminated-against students such as Michael Wang. Thereafter, many Asian American leaders including Chunyan Li, Jack Ouyang, Jeff Wang, Alex Chen, Yingying Sun and Swann Lee joined his initiative. A group named as "Supporting Michael Wang" was formed in WeChat

The leaders mentioned above then realized that individual complaints were less effective, and contemplated our first action: building alliances in Asian communities and filing group complaints to government agencies, in support of Michael Wang.

B. SFFA Joined Asian Americans' Fight in November 2014

In November 2014, we heard great news from the press: Mr. Edward Blum formed Students for Fair Admissions (SFFA), joining our fight by filing lawsuits against Harvard and UNC. He brought much needed legal talents and resources to help Asian American communities, the most politically marginalized racial group in America.

C. Asian Americans' Unwavering Support to SFFA

However, SFFA's lawsuits were immediately discredited by some liberal media. After hearing the news, co-founders of AACE felt the urgency to support SFFA to win the court of public opinions. We decided to change our original plan: Instead of filing group complaints to support Michael Wang, we formed an organizing committee to file group complaints against Harvard.

In the following five months, co-founders of AACE worked tirelessly in writing the complaint, educating Asian American communities regarding the anti-Asian discrimination in college admissions, and building alliances with Asian American organizations. These trailblazers are not career politicians, nor professional activists, but grassroots parents who care deeply about their children's future. They started their journey by learning relevant laws, and U.S. Supreme Court rulings. They made cold calls, sent cold emails to reach out to Asian American organizations

who never heard about anti-Asian discrimination in college admissions. With their passion, they managed to make it happen.

On May 15, 2015, the [founders of AACE united 64 Asian-American organizations and jointly filed a civil rights complaint](#) with the Department of Education and Department of Justice to request that they conduct investigations into Harvard University's discriminatory admissions practices against Asian American applicants. This was the largest united action taken by Asian American communities over the past few decades. Within days, our action was reported by all major media across the country and around the world. For the first time, the anti-Asian discrimination in college admissions was widely exposed on national and international stages.

Within a month, the U.S. Department of Education of the Obama Administration rejected our complaint, citing a procedural reason. In face of such setback, we did not give up. We officially established Asian American Coalition for Education (AACE) within days, starting a new chapter in Asian Americans' fight for equal education rights: through building alliances in Asian communities and establishing a professional advocacy organization.

Since then, AACE has been galvanizing the Asian American communities, and providing nonwavering support to SFFA for its lawsuits against Harvard and UNC. **When SFFA's lawyers fight in court of law, AACE is uniting Asian American communities and fighting in the court of public opinion.** Our direct support include:

- **July 30, 2018**, representing 156 Asian-American organizations, in collaboration with Asian American Legal Foundation (AALF), AACE filed [an Amicus Brief](#) with the United States District Court in Boston to oppose Harvard University's discriminatory admissions practices and to support the plaintiff (SFFA) in its lawsuit against Harvard University.
- **October 14, 2018**, in collaboration with 15 other Asian American organizations, AACE successfully organized a historical rally in Boston to protest Harvard University's blatant discrimination against Asian American children and to support SFFA's lawsuit against Harvard. In this rally, community leaders from Chinese, Indian, Korean, Vietnamese, Bangladesh, Caucasian and black backgrounds made inspirational speeches, condemning Harvard University's anti-Asian discrimination in admissions and expressing unwavering support to SFFA. Meanwhile, over 10 students spoke passionately at the rally, challenging the kind of unlawful discrimination imposed by Harvard and many other universities nationwide. Hundreds of people attended the rally and thousands of supporters watched the live-streamed video all over the nation. The event was also covered positively by major news media such as [The New York Times](#) and [The Washington Post](#).
- **January 8, 2019**, on behalf of 269 Asian American organizations, [AACE filed an updated Amicus Brief](#), in collaboration with AALF to continue to show support to the plaintiff (SFFA) in its lawsuit against Harvard.

- **October 1, 2019**, in response to Federal Judge Allison D. Burroughs’ ruling on the Harvard admissions case, AACE criticized Judge Burroughs’ shameless defense of Harvard’s discriminatory practices. Mr. Yukong Zhao, President of AACE said: “Today marks a dark day for millions of Asian American children nationwide. Our nation has witnessed another immoral attempt by America’s ruling class to continue its institutionalized discrimination against Asian-American children and treat them as second-class citizens with regard to educational opportunities.”
- **February 26, 2020**, AACE represented 289 Asian American and other organizations, in collaboration with AALF, filed [an Amicus Brief with the United States Court of Appeals for the First Circuit](#) to show our unwavering support of the plaintiff (Students for Fair Admissions, SFFA) in its lawsuit against Harvard’s anti-Asian discrimination in admissions. AACE president, Mr. Yukong Zhao said: “Federal Judge Burroughs’ earlier ruling on the Harvard case was biased and must be corrected by the First Appeals Court. Harvard’s race-based admissions model is a modern-day social injustice done to Asian Americans by powerful institutions and the political establishment. It clearly undermines the spirit of the American Dream, which promises that each American citizen should have equal opportunity to achieve success and prosperity through hard work, determination and initiative.”
- **November 16, 2020**, AACE condemned [the ruling by the First Circuit Court of Appeals](#) on November 12, 2020 regarding Harvard’s anti-Asian discrimination in college admissions. This ruling ignored the overwhelming evidence documenting the school’s egregious anti-Asian discrimination in its college admissions process, which was revealed by SFFA after reviewing 160,000 application records and interviewing many admissions officers and other stakeholders. In particular, the college committed unlawful use of racial stereotypes, unequal admission standards among different ethnic groups, and de facto racial quotas. Mr. Yukong Zhao, President of AACE said: “The ruling is a shameful attempt to legalize the modern-day racial discrimination against Asian American children. Asian-American communities will not give up. We call up all discriminated-against Asian American students to join the fight against Harvard and will continue supporting SFFA’s appeal to the U.S. Supreme Court until the racial discrimination against our children are totally banned.”
- **March 31, 2021**, representing 346 Asian American organizations nationwide, AACE, in collaboration with AALF, filed [an Amicus Brief with the United States Supreme Court](#). In the brief, AACE argued that the U.S. Supreme Court should grant SFFA certiorari to end Harvard’s unlawful use of race in admissions.
- **April 16, 2022**, teamed up with Greater Orlando Chinese Professional Association, AACE hosted an [Education Seminar](#) for SFFA President Edward Blum. In the Seminar, AACE joined Mr. Blum again, calling upon discriminated-against students to join SFFA’s lawsuits against Harvard and UNC.
- **May 9, 2022**, representing 368 Asian-American and other organizations (including 305 nonprofit associations and educational entities), AACE, in collaboration with AALF,

filed an [Amicus Brief](#) with the United States Supreme Court, urging the Supreme Court to ban anti-Asian discrimination in college admissions. It shows our continuous, strong support of SFFA's lawsuits against Harvard and UNC.

- **October 30, 2022**, AACE and 15 partner organizations successfully held an “[Equal Education Rights for All](#)” Rally in front of the U.S. Supreme Court. This rally was held in support of the landmark lawsuits by Students for Fair Admissions (SFFA) against Harvard University and University of North Carolina at Chapel Hill (UNC). Hundreds of parents, students and concerned citizens with diverse racial backgrounds from as close as Virginia, Maryland, North Carolina, and New Jersey, and as far as New York, Connecticut, Florida, Texas and California. joined the rally. Over 20 speakers with diverse racial background delivered inspirational speeches.

Besides directly supporting SFFA's lawsuits against Harvard & UNC, AACE also took the following actions to fight for equal education rights, which also supports SFFA's lawsuits indirectly:

- **From summer 2015**, AACE encourages Asian American students who were unfairly rejected by top American universities to speak out. In response to our call, five more discriminated-against Asian American students have spoken. They either filed the individual complaints with the Office for Civil Rights, Department of Education or joined SFFA's lawsuits.
- **May 23, 2016**, representing 132 Asian American organizations nationwide, AACE submitted an administrative complaint to the U.S. Departments of Education and Justice to request that they conduct investigations into Yale University, Brown University and Dartmouth College for their Anti-Asian discriminatory admission practices. It triggered U.S. Department of Justice's investigation of and lawsuit against Yale University in 2020.
- **In July 2018**, AACE's policy recommendations for college admissions were adopted by the Trump administration. This was a triumphant moment for AACE, as our relentless efforts were accommodated by the federal government and materialized into a major policy reform.
- **Since 2017**, AACE has been taking aggressive action to fight against unlawful racial balancing in K-12 education. AACE joined plaintiffs in a lawsuit against New York City Mayor Bill de Blasio's attempt to reduce Asian American students in specialized high schools. AACE also supported Asian American parents in their fights against the cancelation of objective admission tests in Thomas Jefferson High School and Boston Exam Schools.
- **Since 2019**, AACE supported Asian Americans in Washington (2019) and California (2020) in their decisive wins against the radical left's attempt to restore race-based affirmative action.

- **May 20, 2019, AACE successfully held** the First National Conference on Equal Education Rights at the National Press Club of Washington, DC. Taking an in-depth look into broad issues related to equal education rights, this historic conference featured presentations and speeches by leading scholars, community leaders and government officials from all racial backgrounds. The conference calls for effective, racially harmonious, and sustainable policies to eliminate anti-Asian discrimination and to enhance racial diversity in higher education.

Besides AACE, many other Asian American organizations also provided valuable support to SFFA. For example, Silicon Valley Chinese Association has donated over \$100,000 to SFFA and helped drive SFFA membership to over ten thousands in weeks. Many other organizations such as Long Island Chinese Association, Livingston Chinese Association, Houston Chinese Alliance, and Chinese American Citizens Alliance of New York also hosted Mr. Edward Blum for seminars regarding SFFA's lawsuits against Harvard.

D. AACE's Wholehearted Gratitude to All Supporters of Our Cause

We are truly grateful to many scholars who helped expose this social injustice against Asian Americans, including [Daniel Golden](#) (2007), [Thomas Espenshade](#) (2009), [Ron Unz](#) (2012) and Richard Sanders and many others.

We owe wholehearted gratitude to leaders who directly helped our fight such as [Ward Connerly](#) and Edward Blum, and all outstanding lawyers of SFFA, especially the late Mr. William Consovoy. Their indispensable leadership and actions enabled us to see the light in the tunnel: a real chance to achieve equal education rights in America.

Finally, we'd like to express our sincere thanks to Asian American communities, especially the students, parents, leaders, volunteers, and organizations who took part in this historical fight for equal education rights. Many of them either launched their own fights or joined our civil rights complaints against Harvard in 2015, against Yale in 2016, and/or many of our amicus briefs over the last eight years. Without Asian American communities' involvement, America would have little chance to achieve what Dr. Martin Luther King once dreamed: judge our children not by the colors of their skin, but by the content of their character!

If you are interested in learning more about Asian Americans' fight for equal education rights and our unwavering support of SFFA's lawsuits against Harvard/UNC, please do not hesitate to contact us at info@AsianAmericanForEducation.org.