



Asian American Coalition for Education

P.O. Box 507
Livingston, NJ 07039
September 10, 2024

The Yale Board of Trustees, and
Dr. Maurie McInnis, President of Yale University
P.O. Box 208230
New Haven, CT 06520-8230

Subject: Request for Review and Correction of Potential Illegal Practices in Yale College Admissions for the Class of 2028

Dear Dr. McInnis and Yale Board of Trustees:

On behalf of the Asian American Coalition for Education (AACE), a national alliance of over three hundred Asian American organizations advocating for equal education rights, I am writing to request a review and correction of potential illegal practices in Yale College's admissions for the class of 2028.

After reviewing Yale's enrollment data for the class of 2028, AACE was shocked to learn that following the U.S. Supreme Court's 2023 ban on the use of race in college admissions, Asian enrollment at Yale dropped from 30% in the previous year to only 24%, a decrease of about 20%. In contrast, MIT's Asian enrollment increased from 41% in the class of 2027 to 47% in the class of 2028, an increase of nearly 15%.

As a result, AACE conducted a quick review of your admission policy changes from last year, titled "[An Update on Yale College's Response to the Supreme Court Ruling on Race in Admissions](#)" (September 7, 2023, hereafter referred to as "Yale College's Response"). We have identified the following potential illegal practices that do not fully comply with the Supreme Court SFFA rulings:

1. In "Yale College's Response," Professor Pericles Lewis and Mr. Jeremiah Quinlan failed to communicate the Supreme Court SFFA rulings in a comprehensive and balanced way. They did not inform your admission staff that the Court has not only banned the use of race but also the use of race proxies. As Chief Justice Roberts wrote: "[D]espite the dissent's assertion to the contrary, universities may not simply establish through application essays or other means the regime we hold unlawful today." "[W]hat cannot be done directly cannot be done indirectly. The Constitution deals with substance, not

2. Although “Yale College’s Response” explicitly bans admission officers from accessing applicants’ race information, it encourages them to use tools where race proxies are available, such as data from [Opportunity Atlas](#). This tool allows users to select race as a criterion to identify and favor students from certain geographic locations. This is clearly illegal according to the Supreme Court rulings.
3. Yale’s use of the [College Board’s Landscape tool](#) and some of your recent admission outreach expansion programs may also involve the illicit use of race proxies, which requires detailed review.

As a result, **AACE requests that the Yale Board of Trustees conduct a thorough review of the recent changes in Yale’s admissions practices and correct any illegal practices that have caused the unreasonable drop in Asian enrollment for the class of 2028. Yale University owes Asian American communities an explanation for this unreasonable drop.**

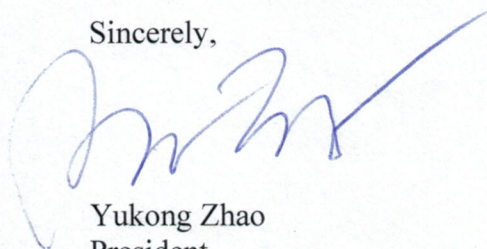
As the organization that filed the 2016 civil rights violation complaint against Yale University, which triggered the U.S. Department of Justice’s 2020 lawsuit against Yale, AACE will continue to monitor and ensure that the Supreme Court SFFA rulings are faithfully implemented by all applicable colleges. If Yale University continues discriminating against Asian American applicants using race or race proxies, we reserve the right to take further actions to protect Asian Americans’ equal education rights under the law.

Here, I’d like to share with you a copy of the AACE Policy Statement “**It’s Time for All American Colleges to Restore Meritocracy in Their Admission Processes,**” which details AACE’s position on college admissions.

Finally, I believe many members of the Yale Board of Trustees have personally benefited from meritocracy in the private sector and have also learned a hard lesson from recent antisemitism demonstrations resulting from decades-long over-politicizing of higher education by college administrators. It’s time for Yale to shift from promoting woke DEI programs back to the mission of higher education: selecting and educating the best and brightest. It is the diversity of ideas, not just demographics, that enriches the academic environment!

I look forward to hearing from you!

Sincerely,



Yukong Zhao
President
Asian American Coalition for Education
<http://asianamericanforeducation.org/en/home/>