



Asian American Coalition for Education

P.O. Box 507
Livingston, NJ 07039
E-mail: Info@asianamericanforeducation.org

April 22, 2025

Subject: Asian American Coalition for Education (AACE) Civil Rights Complaint Against Yale University

Mr. Randolph Wills
Deputy Assistant Secretary for Enforcement
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100

Dear Deputy Assistant Secretary Wills,

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 you to file a civil rights complaint against Yale University for its use of race proxies to discriminate against Asian American applicants during the 2023-2024 admission cycle.

Following the U.S. Supreme Court's 2023 rulings in *Students for Fair Admissions v. Harvard/UNC* (SFFA), which struck down race-based admissions practices, many selective colleges have significantly increased Asian enrollment. At MIT, Asian enrollment rose from 41% in the class of 2027 to 47% in the class of 2028—an increase of nearly 15%. Johns Hopkins University saw a similar trend, with Asian enrollment rising from 32% in 2023 to 46% in 2024, marking a 43% increase.

In contrast, Asian enrollment at Yale University declined, dropping from 30% in the previous year to just 24%—a decrease of approximately 20%. In response, the Asian American Coalition for Education (AACE) conducted a review of Yale's admission policy changes in 2023, specifically analyzing the university's statement "[An Update on Yale College's Response to the Supreme Court Ruling on Race in Admissions](#)" (September 7, 2023). Through this review, AACE identified concerns that Yale University may have unlawfully used race proxies to discriminate against Asian American applicants during the 2023–2024 admissions cycle. If confirmed, such actions would represent a direct violation of the Supreme Court's SFFA rulings.

This is not the first time Yale University has been accused of using race as a factor to discriminate against Asian American applicants. In May 2016, representing over 130 Asian organizations nationwide, AACE filed [a civil rights complaint against Yale University](#), alleging anti-Asian discrimination in its college admissions process. As a result of this complaint, the U.S. Departments of Education and Justice jointly investigated Yale in 2018 and ultimately filed [a lawsuit against Yale University](#) in 2020. The recent decline in Asian enrollment at Yale University strongly suggests that the institution remains committed to its DEI ideology and race-based admissions policies. This ongoing discrimination must be stopped.

Encouraged by Acting Assistant Secretary Trainer's "[Dear Colleague Letter](#)" of February 14, 2025, which is a concrete step in implementing the Supreme Court's SFFA rulings, AACE hereby file a civil rights complaint against Yale University, requesting your office to investigate Yale's admission practices. We demand Yale University to conscientiously implement the U.S. Supreme Court SFFA rulings Of 2023, stop all racial discrimination against Asian and all other Americans.

If Yale University refuses to conscientiously implement the U.S. Supreme Court SFFA rulings of 2023, AACE requests the Federal Government suspend the federal fundings to Yale until it fully complies with the law!

Please read the details of AACE complaint in the following pages.

Thank you very much for reviewing and processing our complaint!

Sincerely,

Yukong Mike Zhao
President
Asian American Coalition for Education
[Asian American Coalition for Education | equal education rights for all](#)

Asian American Coalition for Education (AACE) Civil Rights Complaint Against Yale University

1. Name of the organization filing the complaint:

Asian American Coalition for Education (AACE).

P.O. Box 507

Livingston, NJ 07039

E-mail: Info@asianamericanforeducation.org

Contact person: Mr. Yukong Mike Zhao

Phone number: [REDACTED]

2. Name of person discriminated against (if other than person filing):

Asian American applicants for the class of 2028.

3. Please identify the institution or agency that engaged in the alleged discrimination. Address:

Yale University

New Haven, CT 06520

4. Please indicate the basis of your complaint

Discrimination based on race. Yale University blatantly violated the U.S. Supreme Court SFFA Rulings by illicit use of race proxies.

5. Please describe each alleged discriminatory act. For each action, please include the date(s) the discriminatory act occurred, the name(s) of each person(s) involved and, why you believe the discrimination was because of race, disability, age, sex, etc. Also please provide the names of any person(s) who was present and witnessed the act(s) of discrimination.

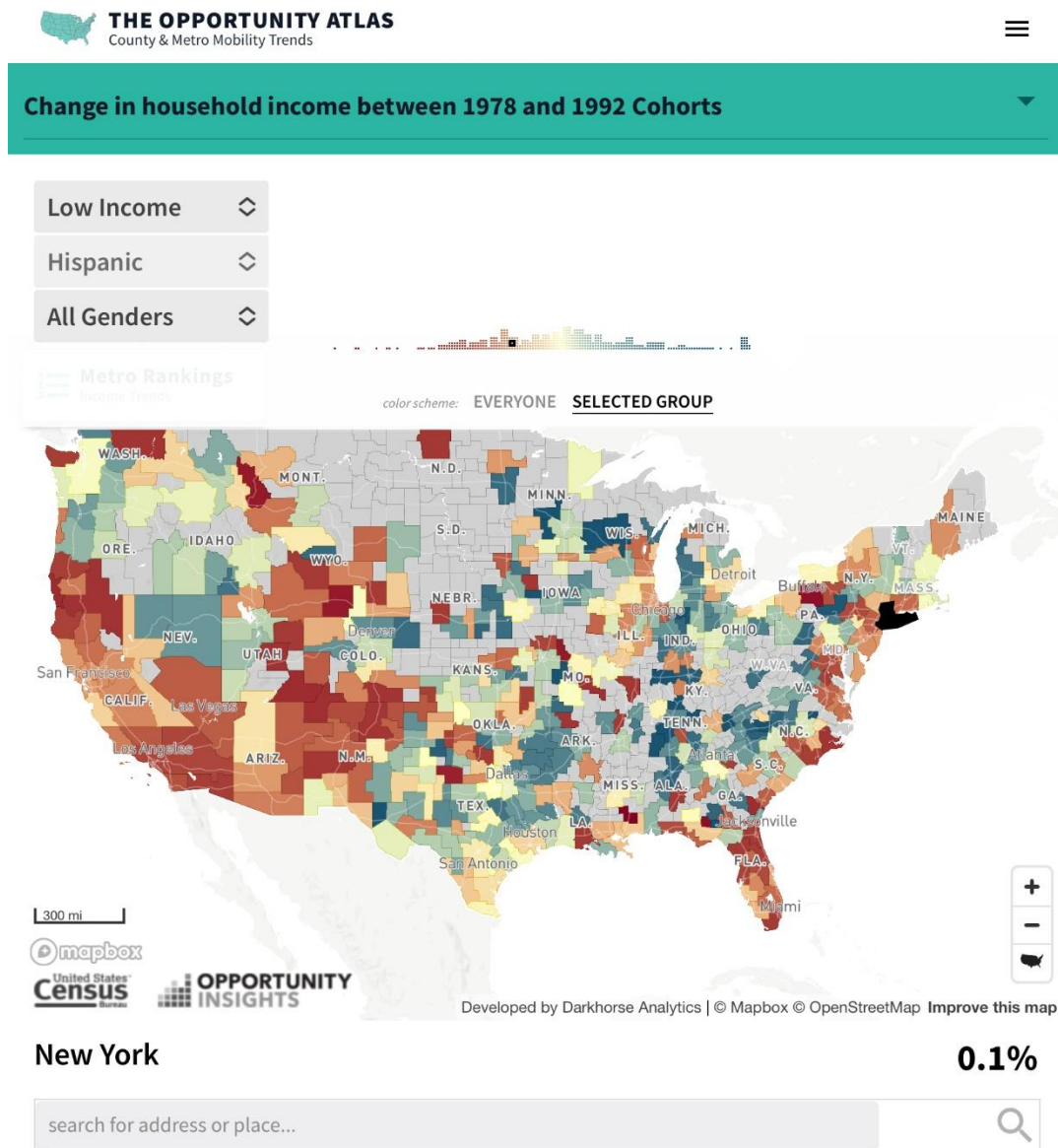
After reviewing Yale's enrollment data for the class of 2028, AACE was shocked to learn that following the U.S. Supreme Court's 2023 ban on the use of race in college admissions, Asian enrollment at Yale dropped from 30% in the previous year to only 24%, a decrease of about 20%. In contrast, most selective colleges have significantly increased Asian enrollment. MIT's Asian enrollment increased from 41% in the class of 2027 to 47% in the class of 2028, an increase of nearly 15%. Johns Hopkins University saw a 14% increase in Asian enrollment after the Supreme Court's SFFA ruling, rising from 32% in 2023 to 46% in 2024.

As a result, AACE conducted a review of Yale University's admission policy changes from 2023, 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:

- a) **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 Yale 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 shadows,” and “the prohibition against racial discrimination is ‘leveled at the thing, not the name.’”

- b) 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 (Please see the following screenshot). This is clearly illegal according to the Supreme Court SFFA rulings.



c) 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 further investigation.

6. Do you have documents or written information that you think will help us to understand your complaint? No Yes If yes, please describe the documents or written information you have.

Yes. AACE Letter to The Yale Board of Trustees, dated on September 10, 2024.

<https://asianamericanforeducation.org/wp-content/uploads/2024/09/AACE-Letter-to-Yale-20240910.pdf>

7. What is the most recent date you were discriminated against?

Application cycle of 2023-2024.

8. If this date is more than 180 days ago, you may request a waiver of the filing requirement. I am requesting a waiver of the 180-day time frame for filing this complaint. Please explain why did not file your complaint within 180 days.

Yes, AACE requests a waiver of the filing requirements. On August 14, 2023, the U.S. Departments of Education and Justice, under the Biden Administration, issued guidance titled "[Questions and Answers Regarding the Supreme Court's Decision in Students for Fair Admissions, Inc. v. Harvard College and University of North Carolina](#)," This guidance openly encourages colleges to use race proxies to circumvent the U.S. Supreme Court's SFFA rulings of 2023. As a result, AACE delayed filing the complaint until we were confident that OCR would conscientiously implement the Supreme Court's SFFA rulings of 2023.

9. Have you complained about the allegations that you raise in this complaint to your school, institution, or another organization or agency? If yes, have you complained about the allegations that you raise in this complaint by: filing an internal complaint or appeal with your school or institution? participating in your school or institution's grievance procedures? participating in a due process hearing either at your school or institution, or through another organization or government agency? If you answered yes to any of the above questions, please describe the allegations that you raised in an internal complaint or appeal, through your school or institution's grievance procedures, or in a due process hearing, identify the date you complained about the allegations and where you made the complaint, and tell us the status of the complaint, appeal, grievance procedures, or due process hearing. If possible, please provide us with a copy of your complaint or grievance or appeal or due process request and, if completed, the decision in the matter.

Yes. On September 10, 2024, AACE sent Letter to The Yale Board of Trustees, using the address published at the website of Yale University. However, the letter was returned.

10. If the allegations contained in this complaint have been filed with any other Federal, state or local civil rights agency, or any Federal or state court, please give details and dates. We will determine whether it is appropriate to investigate your complaint based upon the specific allegations of your complaint and the actions taken by the other agency or court.

No.

11. You do not need to have a lawyer to file a complaint with OCR; however, if you do have a lawyer, OCR staff are required to communicate directly with your lawyer. If you have a lawyer representing you in this matter, please provide the lawyer's contact information.

AACE does have our legal counsel. Please use our organizational contact directly:

P.O. Box 507

Livingston, NJ 07039

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12. If we cannot reach you at your home or work, we would like to have the name and telephone number of another person (relative or friend) who knows where and when we can reach you. This information is not required, but it will be helpful to us.

13. If you are interested in participating in the early mediation process, you must check the box below.

No.

14. What would you like the institution to do as a result of your complaint — what remedy are you seeking?

We demand Yale University to conscientiously implement the U.S. Supreme Court SFFA rulings of 2023. Specifically,

a) **Stop using race or ethnicity in the applications process**

b) **Adopt blind rating approach**

Much like blind grading, remove information from an application (at the time when an application is rated or judged for a decision on admission or denial) that would indicate an applicant's race, such as first and last name, zip code, parent's names and educational institutions, or names of social clubs;

c) **When considering applicants' experiences, treat each applicant as an individual and not as a member of any racial group**

As the Supreme Court rulings specified regarding a student writes race in an essay: "A benefit to a student whose overcame racial discrimination, for example, must be tied to that student's courage and determination. Or a benefit to a student whose heritage or culture motivated him or her to assume a leadership role or attain a particular goal must be tied to that student's unique ability to contribute to the university. In other words, the student must be treated based on his or her experiences as an individual—not on the basis of race."

d) **Handle student race data lawfully.** If required by the law, statistical data regarding students' race should be collected and stored in a separate database not accessible by admissions officers or other participants of student evaluation during the admissions process. It can be only used for post-admission statistical reporting.

e) **Eliminate use of proxies for race or ethnicity,** such as geographic areas of residence, zip code, family background, school districts, or names of individual schools, throughout the admissions process. Similarly, use of community outreach programs to recruit students from allegedly underserved or under-resourced areas is a thin proxy for race that should cease to be used. To conscientiously implement the Supreme Court's rulings, colleges should treat all students of all racial groups the same.

f) **Keep admissions data for at least seven years,** in line with the statute of limitation for civil rights violations.

If Yale University refuses to conscientiously implement the U.S. Supreme Court SFFA rulings of 2023, AACE requests the Federal Government suspend the federal fundings to Yale until it fully complies with the law!

15. We cannot accept your complaint if it has not been signed. Please sign and date your complaint below.

Signature:

Name: Yukong Mike Zhao

Date: April 22, 2025

Attachment:

1. [AACE Letter to The Yale Board of Trustees, dated on September 10, 2024.](#)