UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

Stanley Zhong, Nan Zhong as next friend of his Minor Son**,**

Plaintiffs,

v.

The Regents of the University of California; Maria Anguiano, Elaine E. Batchlor, Josiah Beharry, Carmen Chu, Michael Cohen, Gareth Elliott, Howard "Peter" Guber, Jose M. Hernandez, Nancy Lee, Richard Leib, Hadi Makarechian, Ana Matosantos, Robert Myers, Lark Park, Janet Reilly, Mark Robinson, Gregory Sarris, Jonathan "Jay" Sures, each in their personal capacity and their official capacities as regents of the University of California; **Michael V. Drake**, in their personal capacity and their official capacity as President of the University of California; **Katherine S. Newman**, in their personal capacity and their official capacity as Provost and Executive Vice President of Academic Affairs of the University of California; **Han Mi Yoon-Wu,** in their personal capacity and official capacity as Associate Vice Provost and Executive Director of Undergraduate Admissions of the University of California; **Erwin Chemerinsky**, in their personal capacity and official capacity as Dean

Case No. 2:25-cv-00495

FIRST AMENDED COMPLAINT

JURY TRIAL DEMANDED

of the Law School of the University of California at Berkeley; **The University of California at Davis; Gary S. May,** in their personal capacity and their official capacity as Chancellor of the University of California at Davis; **Robert Penman**, in their personal capacity and their official capacity as Executive Director of Undergraduate Admissions of the University of California at Davis; **Dipak Ghosal**, in their personal capacity and their official capacity as Chair of the Department of Computer Science of the University of California at Davis; **The University of California at Berkeley; Rich Lyons,** in their personal capacity and their official capacity as Chancellor of the University of California at Berkeley; **Carol Christ,** in their personal capacity and their official capacity as former Chancellor of the University of California at Berkeley; **Olufemi Ogundele**, in their personal capacity and their official capacity as Director of Undergraduate Admissions of the University of California at Berkeley; **Claire J. Tomlin**, in their personal capacity and their official capacity as Chair of the Department of Computer Science of the University of California at Berkeley; **The University of California at Santa Barbara; Henry T. Yang,** in their personal capacity and their official capacity as Chancellor of the University of California at Santa Barbara; **Lisa Przekop**, in their official capacity as Executive Director of Admissions of the University of

California at Santa Barbara; **Divyakant Agrawal**, in their official capacity as Chair of the Department of Computer Science of the University of California at Santa Barbara; **The University of California at Los Angeles; Gene Block,** in their personal capacity and their official capacity as Chancellor of the University of California at Los Angeles; **Gary Clark**, in their personal capacity and their official capacity as Director of Undergraduate Admissions of the University of California at Los Angeles; **Todd Millstein**, in their official capacity as Chair of the Department of Computer Science of the University of California at Los Angeles; **The University of California at San Diego; Pradeep K. Khosla,** in their personal capacity and their official capacity as Chancellor of the University of California at San Diego; **Blia Yang**, in their personal capacity and their official capacity as Executive Director of Undergraduate Admissions of the University of California at San Diego; **Sorin Lerner**, in their personal capacity and their official capacity as Chair of the Department of Computer Science of the University of California at San Diego; **Other persons Does 1-10** acting in concert with those named above; **The U.S. Department of Education** and **Linda McMahon**, in their official capacity as the U.S. Secretary of Education,

Defendants.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND DAMAGES

I. INTRODUCTION

1. Plaintiffs Stanley Zhong (“Stanley”) and Nan Zhong (“Nan”), collectively referred to as “Plaintiffs,” bring this civil rights action against the University of California (“UC”) and the named UC officials (collectively, “Co-Defendant UC”) for engaging in racially discriminatory admissions practices that disadvantage highly qualified Asian-American applicants, including Stanley.

2. Despite Stanley’s exceptional academic achievements and remarkable professional accomplishments at a young age, his applications to undergraduate programs at five University of California campuses were either rejected or waitlisted. These results stand in stark contrast to his receipt of a full-time job offer from Google for a position requiring a Ph.D. degree or equivalent practical experience.

3. Stanley’s experience is emblematic of a broader pattern of racial discrimination against highly qualified Asian-American applicants at UC. These admissions practices violate the Fourteenth Amendment to the United States Constitution, Title VI of the Civil Rights Act of 1964, and the

California Constitution's prohibition on racial discrimination in public education.

4. Plaintiffs also assert claims against the U.S. Department of Education ("ED"), named herein as a Co-Defendant ("Co-Defendant ED"), challenging the use of numeric racial targets in its federal grant programs, which not only violates the Fifth Amendment but also incentivizes violations of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964.

5. Plaintiffs further assert claims against Co-Defendant ED for its failure to properly investigate and address UC's racially discriminatory practices, in violation of the Administrative Procedure Act (APA).

II. JURISDICTION AND VENUE

6. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331, as this action arises under the Constitution and laws of the United States, including Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d.

7. Venue is proper in this district under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claim occurred, and will occur, in this district.

8. The U.S. Department of Education cannot invoke sovereign immunity. The APA's waiver of sovereign immunity extends to constitutional claims. *See Muniz-Muniz v. U.S. Border Patrol*, 741 F.3d 668, 673 (6th Cir. 2013).

III. PARTIES

A. Plaintiffs

A1. Co-plaintiff Stanley Zhong

9. Co-plaintiff Stanley Zhong, born in 2005, is an Asian American residing in California. Stanley's parents are first-generation immigrants to the United States from China. Stanley Zhong is a US citizen.

10. As a self-taught programmer, Stanley has distinguished himself in various coding contests, ranking highly enough to receive an invitation from Google for a full-time job interview in 2019, without Google realizing he was only 13 years old. Upon disclosure of his age, the interview was canceled due to Google's policy against hiring minors (See Exhibit 1 for email exchanges with a Google recruiter).

11. Competing against top professionals from around the world, Stanley advanced to the Google Code Jam Coding Contest semi-final in 2021 with a global rank of 427 (See Exhibit 2).

12. Competing against top professionals from around the world, Stanley advanced to the Meta (Facebook) Hacker Cup semi-final in 2023 with a global rank of 329 (See Exhibit 3).

13. Stanley won the 2nd place in MIT (Massachusetts Institute of Technology) Battlecode's global high school division twice (2nd place and 1st place in the US, respectively) (See Exhibit 4). He was invited to MIT with expenses paid.

14. Stanley won the 2nd Place in CMU (Carnegie Mellon University) cybersecurity competition picoCTF (See Exhibit 5). He was invited to CMU with expenses paid.

15. Stanley won the 6th place in Stanford ProCo (See Exhibit 6).

16. Stanley advanced to the USA Computing Olympiad (USACO) Platinum Division (See Exhibit 7).

17. In April 2020, after seeing an NPR news story that the unemployment office's system programmed in COBOL was not keeping up with the workload caused by COVID (See Exhibit 8), Stanley taught himself COBOL, sent his sample code on GitHub (See Exhibit 9) to COBOL Cowboys featured in the news story, and volunteered to help. Mr. Bill Hinshaw, COBOL Cowboys CEO, graciously called Stanley and offered encouraging words (although he did mention putting a 14-year-old in front

of his clients would probably freak them out). (See Exhibit 10 for the email exchange with Mr. Bill Hinshaw to set up the call.)

18. After the attempt to volunteer for COBOL Cowboys fell through, Stanley saw news reports about surging demand for e-signing services caused by the COVID lockdown. Stanley was unhappy that DocuSign didn't provide any relief. So, he launched an unlimited free e-signing service named RabbitSign in 2021 (See Exhibit 11).

19. Built on Amazon Web Services (AWS), RabbitSign was designed and implemented so well that AWS's Well-Architected Review concluded that it was "one of the most efficient and secure accounts" they'd ever reviewed (See Exhibit 12).

20. To showcase RabbitSign's exemplary use of AWS Serverless and compliance services, AWS decided to feature it in a case study—a prestigious recognition that is notoriously difficult to attain, even for seasoned professionals (See Exhibit 13).

21. Shortly before Stanley turned 18, five randomly selected full-time Google engineers, who were specifically trained and qualified to evaluate candidates, devoted no less than ten hours collectively to evaluating Stanley's skills, including his technical expertise and soft skills, such as teamwork. Based solely on their assessments, without any external influence, these Google engineers concluded that Google should hire

Stanley for an L4 position, which requires a Ph.D. degree or equivalent practical experience. Consequently, Google made an offer for a full-time L4 position to Stanley in September 2023, shortly after Stanley turned 18 (See Exhibit 14).

22. Google's compensation structure is tied to the level of its employees' positions, creating a natural disincentive to over-assess an employee's qualifications.

23. Mr. Dan Bloomberg, a longtime Google employee who served on hiring committees for 18 years, has agreed to testify that Google's interview process is structured in such a way that employees not involved in the hiring process are effectively unable to identify the interviewers or influence their evaluations in any manner.

24. In January 2025, Stanley received his performance evaluation as a Google employee for the entirety of 2024, with a rating and manager assessment indicating that he fully met the expectations for his position at Google and demonstrated a strong growth trajectory.

25. Because of his groundbreaking work to provide the world's only unlimited free HIPAA-compliant e-signing service to help lower America's healthcare cost, Stanley received an inbound interview request from *Viewpoint with Dennis Quaid*, a series of short documentaries on innovations aired on CNBC, Fox Business, Bloomberg, and public TV stations across the US.

Their past guests included President George H.W. Bush, Secretary Colin Powell, and Fortune 500 CEOs. (See Exhibit 15 for the industry news coverage for RabbitSign's free HIPAA-compliant e-signing. See Exhibit 16 for the episode of *Viewpoint with Dennis Quaid* featuring RabbitSign and Stanley.)

26. Stanley's high school grade point average was 3.97 (unweighted) and 4.42 (weighted) (See Exhibit 17).

27. Although Stanley's high school does not publish individual student rankings based on grade point average, he is confirmed to be within the at least top 9% of his class, as he qualified for the UC's "Eligibility in the Local Context" (ELC). (See Exhibit 18 for Stanley's ELC qualification.) ELC guarantees admission to a UC campus for California high school students who rank in the top 9% of their class, as determined by their GPA in UC-approved coursework completed in the 10th and 11th grades.

28. Stanley also satisfied UC's A-G subject requirements. In fact, UC Merced offered him admission even though he did not apply, as UC policy requires admitting students who qualify for ELC to at least one of its campuses.

29. U.S. News and World Report ranks Stanley's high school (Henry Gunn High School) #14 in California and #135 nationally (See Exhibit 19).

30. Niche ranks Stanley's high school (Henry Gunn High School) #1 best public high school in San Francisco Bay Area and #4 best public high school in California (See Exhibit 20).

31. Stanley achieved a maximum PSAT score without any preparation (See Exhibit 21).

32. Stanley scored 1590 (out of 1600) on the SAT with only a few nights of self study without any paid test prep (See Exhibit 21 as well). He took the SAT only once.

33. Stanley was a National Merit Scholarship finalist (See Exhibit 22).

34. While in high school, Stanley participated in and led numerous extracurricular and volunteer activities.

35. Stanley served as a founding officer and president of the competitive programming club at his high school (See Exhibit 23).

36. Stanley co-founded and served as the 2nd president of a nonprofit named OpenBrackets, which brought free coding lessons to 500+ kids in underserved communities in California, Washington, and Texas over 2 years (See Exhibit 24). It received positive feedback from Stackoverflow co-founder, Mr. Jeff Atwood.

37. Because of his work at OpenBrackets, Stanley received the highest level of the President's Volunteer Service Award (See Exhibit 25).

38. Stanley's college application essay was pretty much captured in the Viewpoint interview mentioned supra. It discussed why he created RabbitSign, how he overcame rejections to eventually find a partner to provide free HIPAA-compliant e-signing to help lower America's healthcare cost, and how RabbitSign is the first Activism Corporation created to counter corporate greed.

39. For enrollment in fall 2023, Stanley applied to the undergraduate Computer Science programs at five UC campuses, namely the University of California at Davis, the University of California at Berkeley, the University of California at Santa Barbara, the University of California at Los Angeles, and the University of California at San Diego.

40. Stanley's applications to all five UC campuses were either rejected or waitlisted.

41. In direct connection with UC's rejection of his applications, Stanley Zhong suffered emotional distress.

42. Stanley's story was reported in national news in October 2023 (See Exhibit 26) and cited in a congressional hearing in September 2023 (See Exhibit 27).

43. After Stanley's story hit the news in October 2023, multiple college admission counselors examined his application, including his essay. None

of them could figure out a legitimate reason why Stanley was rejected. Some of them have offered to testify as expert witnesses when this lawsuit proceeds to trial.

44. Mr. Josh Paley, Stanley's high school computer science teacher, has offered to testify as a character witness.

45. Stanley was denied the opportunity to compete for admission to UC on equal footing with other applicants on the basis of race or ethnicity due to UC's discriminatory admissions policies and practices.

46. Stanley is ready and able to apply to UC when it ceases its intentional discrimination against Asian Americans.

47. Stanley and Nan reached out to multiple legal resources and entities for representation. However, these entities either declined to take the case or failed to respond. Consequently, Stanley is compelled to represent himself as a pro se litigant.

48. More details of Stanley's college application can be found at https://sword.education.

A2. Co-plaintiff Nan Zhong

49. Co-plaintiff, Nan Zhong, an Asian-American resident of California, is Stanley Zhong's father.

50. A first-generation immigrant from China, Nan has a direct and personal stake in this matter due to the discriminatory practices of UC's admissions process.

51. The 2024 decision of the Second Circuit Court of Appeals in *Chinese American Citizens Alliance of Greater New York (CACAGNY) v. Adams*, 116 F.4th 161, affirms that an "equal protection claim can be asserted by individuals alleging they suffered harm from the discriminatory policy or law, as well as other individuals (such as a parent or guardian) or organizations that also have standing to sue."

52. Under Article III of the Constitution, as construed by precedents such as *Gratz v. Bollinger,* 539 U.S. 244 (2003)*,* and *Northeastern Fla. Chapter, Associated Gen. Contractors of Am. v. City of Jacksonville*, 508 U.S. 656 (1993), an imminent discriminatory barrier (like a university's admissions policy) constitutes a sufficient "injury in fact" for standing. Federal Rule of Civil Procedure 17(c) further permits parents to litigate on behalf of minor children.

53. Nan's 16-year-old child, Stanley's younger sibling, intends to apply to all UC campuses and, because of UC's discriminatory admissions policies, will be denied the opportunity to compete on equal footing. This places the child at risk of rejection based on race or ethnicity, rather than merit.

These specific and impending harms establish Nan's standing to pursue this claim.

54. Nan suffered financial loss as a result of UC's rejection of Stanley's applications, necessitating preparations to bear the significantly higher costs of out-of-state tuition at alternative institutions. This loss, directly tied to UC's discriminatory policies, reinforces his standing to bring this claim.

55. Stanley and Nan reached out to multiple legal resources and entities for representation. However, these entities either declined to take the case or failed to respond. Consequently, Nan is compelled to represent himself as a pro se litigant.

B. Defendants

56. Co-Defendant UC is a public university system in the State of California, subject to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et. seq*.

57. Co-Defendant ED is an executive agency of the federal government responsible for the enforcement and administration of the Higher Education Act and the HSI program. Co-Defendant ED's OCR (Office of Civil Rights) is responsible for enforcing federal anti-discrimination laws at UC.

58. Co-Defendant Linda McMahon is the Secretary of the U.S. Department of Education. The Secretary is responsible for the administration and enforcement of the Higher Education Act and the HSI program. See, e.g., 20 U.S.C. §§1003(17), 1067q(b)(1)(A), 1101(c), 1102a(a). She is sued in her official capacity.

IV. FACTUAL ALLEGATIONS

A. Asian Applicants Receiving Discriminatory Results Again and Hostility

59. In 2023, Stanley applied to five UC campuses. Despite his extraordinary qualifications, he was rejected or waitlisted by all five campuses. These outcomes defy common sense and contradict expert assessments of his application. As the Supreme Court noted in *Miller v. Johnson*, 515 U.S. 900,901 (1995), "bizarreness" can serve as "persuasive circumstantial evidence that race for its own sake…was a legislature's dominant and controlling rationale." Similarly, the stark disparity between Stanley's qualifications and the UC campuses' admissions decisions raises serious concerns about the role of race in UC's admissions process. This striking incongruity strongly suggests that UC's admissions policies are being applied in a discriminatory fashion.

60. Plaintiffs believe and allege that Stanley's rejection from these UC campuses was not based on his qualifications but on his race, as an Asian American.

61. This belief is supported by a pattern of similar rejections experienced by other Asian-American applicants with outstanding qualifications.

62. Beyond receiving discriminatory admissions results, Asian-American students face enormous social pressure when asserting their legal rights in college admissions. Public hostility toward such efforts is well-documented, particularly on college campuses.

63. For example, during the *SFFA v. Harvard* trial, widespread protests erupted against SFFA's challenge to race-conscious admissions (See Exhibit 28). Even after the Supreme Court ruled against Harvard, then-president Claudine Gay responded with open defiance, stating, "We will comply with the court's decision. But it doesn't change our values." (See Exhibit 29.) While the first half of her statement reflects legal necessity, the latter half unmistakably signals defiance. Notably, following the Supreme Court's ruling in *SFFA*, not a single Harvard administrator apologized for the harm their policies inflicted on Asian-American applicants.

64. Academics such as Professor Janelle Wong and Professor Viet Thanh Nguyen publicly asserted that no Asian American had suffered discrimination in the college admissions process, misleading the public with statements like, "Not a single Asian-American student has testified that they faced discrimination in the high-profile Harvard case." (See

Exhibit 30.) Such assertions are demonstrably inaccurate and serve to suppress legitimate grievances. On November 4, 2024, Nan challenged both Professor Janelle Wong and Professor Viet Thanh Nguyen to a public debate. Neither replied as of the filing of this lawsuit.

65. A particularly striking example occurred at a panel discussion following a screening of the MSNBC documentary *Admission Granted* in San Francisco on May 9, 2024. The reaction of the audience, a few hundred people strong, vividly illustrated this bias. When the moderator introduced a Harvard student advocating for race-conscious admissions, the room erupted in thunderous applause and cheers. In contrast, the Asian-American student whose case launched the SFFA lawsuit received only sparse clapping—approximately a quarter of which likely came from Nan alone.

66. This pervasive social hostility—manifesting in microaggressions and overt hostility—discourages Asian-American students from challenging discriminatory policies, effectively silencing those who have been harmed. It is therefore reasonable to infer that numerous Asian-American applicants, either already harmed by UC's admissions practices or anticipating future discrimination, remain silent due to legitimate concerns about retaliation or social pressure.

67. This hostile climate has a direct, suppressive effect on potential plaintiffs. Many Asian-American applicants rejected by UC initially expressed interest in joining this lawsuit. However, after spending just a few months on college campuses as freshmen, the vast majority of them withdrew.

B. Widespread Culture of Anti-Asian Discrimination at Elite Universities

68. UC has a documented history of discrimination against Asian Americans. After the state audit in 1987 (See Exhibit 31), UC Berkeley Chancellor Ira Michael Heyman publicly apologized in 1989 for admissions policies that led to a decline in Asian-American undergraduate enrollment (See Exhibit 32).

69. On September 22, 2016, *Inside Higher Education* released a survey of admission officers. It revealed 42% of admission officers from private colleges and 39% of admission officers from public colleges believe that colleges hold Asian-American applicants to a higher standard (See Exhibit 33).

70. On May 25, 2016, Dr. Michele Hernandez, former Dartmouth admission officer, revealed on *Huffington Post* "how even the so-called 'holistic process' can discriminate against Asian students" and how Ivy League college admission officers often use racial stereotypes to discriminate against Asian-American applicants (See Exhibit 34).

71. Harvard openly gave preferential treatment to some racial groups at the expense of Asian-American applicants until its practice was ruled illegal by the Supreme Court in *SFFA v. Harvard* in 2023. Notably, following the Supreme Court's ruling in SFFA, not a single Harvard administrator apologized for the harm their policies inflicted on Asian-American applicants.

72. As documented in the SFFA's legal complaint against Harvard (page 60), Asian-American applicants and their families know that they are being discriminated against by elite universities (See Exhibit 35).

73. As documented in the SFFA's legal complaint against Harvard (page 57), college counselors acknowledge discrimination against Asian Americans at elite universities (See Exhibit 36).

74. It is well documented that many Asian-American applicants attempt to appear "less Asian" on their college applications to avoid potential bias (See Exhibit 37).

75. Admission officers at elite universities have described Asian-American applicants using derogatory racial stereotypes, such as labeling them as "yet another textureless math grind" (See Exhibit 39).

76. Evidence also shows that elite universities were aware of discriminatory practices but often ignored or denied the issue until confronted with legal

challenges. For instance, in 2006, Jian Li, an Asian-American applicant, filed a formal complaint against Princeton University for racial discrimination in admissions. Following this action, Princeton's admission rate for Asian-American students rose from 14.7% in 2007 to 25.4% in 2014 (See Exhibit 38). Similarly, after SFFA sued Harvard in 2015, the percentage of Asian-American admits increased from 17% in 2014 to 22% in 2016 (See Exhibit 38 as well).

77. These patterns demonstrate a troubling reality: institutions were capable of increasing Asian-American enrollment without changing applicant qualifications, suggesting prior suppression of Asian admissions through discriminatory policies. This raises serious legal concerns about UC's own admissions practices, especially given its pursuit of numeric racial targets (See infra). Legal scrutiny is warranted to uncover the extent of UC's awareness of and complicity in similar practices that have disadvantaged highly qualified Asian-American applicants.

C. Documented Instances of Race-based Discrimination in UC's Admissions and Hiring

78. Compiling his Pulitzer Prize-winning reporting into a book titled *The Price of Admission*, Daniel Golden documented multiple highly qualified Asian applicants rejected by UC. For example, UCLA and UC Berkeley rejected Stanley Park, a Korean American student who faced serious adversity

(single immigrant parent with cancer and no college degree), while accepting non-Asian students with SAT scores 520 points lower. (See Exhibit 39 for the relevant excerpt from *The Price of Admission*.)

79. In 2003, Mr. John Moores, then chairman of the UC Board of Regents, accused UC's flagship campus of "blatantly" discriminating against Asian Americans (See Exhibit 40).

80. Following the implementation of a holistic review system, UCLA prohibited faculty members on its Admissions Committee from accessing admissions data. In response, Professor Tim Groseclose invoked whistleblower protections and resigned from UCLA in protest (See Exhibit 41). In *Cheating: An Insider's Report on the Use of Race in Admissions at UCLA*, Professor Groseclose described how then-UCLA Chancellor Norm Abrams explicitly cited raising African American enrollment as the motivation behind adopting holistic admissions. In addition, Professor Groseclose's statistical analysis showed that, for a group of applicants receiving the same scores from their initial readers, UCLA admitted 55% poor African Americans, 38% rich African Americans, 23% poor North Asians and 18% rich North Asians. Note that *rich* African Americans were admitted much more frequently than *poor* North Asians. UC never disputed the accuracy of Professor Groseclose's account. (See Exhibit 42 for excerpts from Professor Tim Groseclose's book *Cheating*.)

81. Around 2018, UC refused to fulfill public records requests and litigated against a lawsuit that sought access to its admissions data for research purposes (See Exhibit 43). This was despite having provided similar data in 2008. UC's actions are part of the persistent pattern of concealing admissions data from 3rd-party examinations. The public needs to know why the UC goes to such extraordinary lengths to hide their admissions data.

82.

83. UC's application readers must evaluate each applicant's transcript, extracurricular activities, essays, recommendation letters and other application documents. UCLA pays its application readers just $2.57 per application (see Exhibit 81). By comparison, the minimum wage for hotel workers in Los Angeles is $22.50 per hour. Given that UCLA requires application readers to hold at least a bachelor's degree, their effective wage should meet or exceed this minimum. To avoid falling below it, a reader would need to review at least 8.75 applications per hour—allowing under 7 minutes per application. Compounding the challenge, readers are expected to maintain consistency across 146,276 undergraduate applications (UCLA's 2024 applicant pool). This is, in effect, a near-impossible task. By contrast, Google invests over 10 hours per interviewee, highlighting just how superficial such rapid evaluations must

be. The so-called “holistic” review appears less a rigorous evaluation than a cover for subjective decision-making.

84. Moreover, UC insists on implementing both “holistic reviews” and a “test-blind” admissions policy. However, this position is inherently contradictory and makes consistency even more elusive. A review cannot be truly holistic if it deliberately excludes objective measures like standardized tests, especially for STEM applicants where such metrics are crucial for assessing academic preparedness. According to the UC Regents’ Bylaws, the Academic Senate holds the authority to “set the conditions of admissions.” In 2020, the UC Academic Senate overwhelmingly voted 51-0, with one abstention, to retain standardized tests such as the SAT (See Exhibit 44). Despite this overwhelming endorsement amid growing applicant pools and widespread grade inflation, the UC Board of Regents, composed primarily of political appointees, overruled the recommendation (See Exhibit 45), raising significant concerns about their underlying motivations. Although UC claimed in 2020 that it would develop a “new test,” no such test was ever created, resulting in the complete elimination of standardized testing from the admissions process. This decision appears to be a calculated move to compromise intellectual honesty and academic integrity, potentially facilitating the concealment of discriminatory practices against Asian-American applicants. Notably, leading institutions like MIT,

Dartmouth, Yale, Brown, Harvard, Caltech, Cornell, and the University of Texas at Austin have reinstated standardized testing, further highlighting the questionable nature of UC's continued "test-blind" policy post-COVID. The UC is increasingly isolated in its stance as an "SAT Denier", where they avoid releasing objective data by refusing to collect it in the first place. These circumstances necessitate legal scrutiny of UC's policy, its underlying motivations, its disparate treatment of Asian-American applicants, and whether UC continues to merit the traditional judicial deference granted to bona fide academic institutions.

85. In nearly every case examined by the Plaintiff, available SAT data indicates that Asian-American applicants face significantly higher score thresholds for admission compared to other racial groups. For example, in 2023, if African-American enrollees at Cornell University and the University of Michigan were held to the same SAT score standards as Asian-American enrollees, these institutions would have admitted at least 7.1% and 9.6%, respectively, of all African-American SAT-takers nationwide who scored within the top 1400–1600 range—an outcome that is statistically improbable given the geographic distribution of high-achieving students. (For verification of this calculation, see the legal complaints against Cornell University and the University of Michigan.) While SAT scores are not the sole measure of merit, this statistical irregularity raises serious concerns about whether Cornell University and

the University of Michigan's admissions policies comply with constitutional and legal prohibitions against racial preferences.

86. UC does not collect or publish SAT scores for its admissions. If such data were available, it would provide a basis to evaluate whether rejecting Stanley—who scored 1590—was reasonable. Additionally, it would allow for an assessment of whether UC's admissions exhibit similar statistical irregularities in SAT scores.

87. UC does not publish the number of National Merit Finalists in its admissions data. If such information were available, it would help evaluate whether rejecting Stanley—a National Merit Finalist—was reasonable.

88. UC San Diego employs a point-based system for admissions to selective majors for continuing students, assigning one point for each of the following four criteria: a 3.0 GPA or higher in major screening courses, California residency, Pell Grant eligibility, and first-generation college status (See Exhibit 46). Assuming all applicants are California residents, under this point-based system, a middle-class applicant with a 4.0 GPA can earn a maximum of only two points. In contrast, an applicant from a poor family may earn three points even with a 1.0 GPA. This policy exemplifies UC's decision-making that weighs students' immutable characteristics far more than academic criteria. When used excessively as overriding criteria, these immutable characteristics can act as proxies for

race, resulting in disparate treatment of Asian-American applicants by "insulat(ing) applicants who belong to certain racial or ethnic groups from the competition for admission." *Grutter*, 539 U.S. at 334 (citation omitted). This put further doubt on whether UC continues to merit the traditional judicial deference granted to bona fide academic institutions.

89. Admissions and hiring are inherently interconnected and inseparable in the context of racial discrimination within educational institutions. Faculty and administrators play a pivotal role in shaping academic standards, mentoring students, and influencing the culture and policies of a university, including admissions criteria and practices. A racially biased hiring process can create and perpetuate a discriminatory culture by fostering an environment where certain racial perspectives are prioritized over objective, merit-based considerations. Racially-motivated hiring policies often have a direct ripple effect on student admissions. It is unrealistic and unreasonable to assume that a university can operate one process in a race-conscious manner while keeping the other race-neutral, as both are fundamentally linked in their goals and execution. Therefore, examining both admissions and hiring practices is essential to providing a holistic assessment of whether a university's policies violate constitutional and statutory protections against racial discrimination.

90. While the Supreme Court's *Grutter* decision permitted a limited, time-bound consideration of race in college admissions, no such exception

has ever been allowed for hiring. Consequently, if a college intentionally incorporates race into its hiring decisions, it's plausible they do the same for student admissions.

91. In a public talk to a large audience, Professor Erwin Chemerinsky, the Dean of UC Berkeley Law School, admitted that his school systematically considers race in its internal decision-making and actively conceals this practice (See Exhibit 47). As evidenced in the video, when discussing the consideration of race in faculty hiring, Mr. Chemerinsky described and preached the “unstated Affirmative Action” practiced at UC as follows: “Don’t say that [you are considering the candidate’s race]. You can think it. You can vote it… Don’t ever articulate that is what you are doing.” He also said "If I'm ever deposed, I'm going to deny I said this to you." His statements reveal deliberate intent by senior UC administrators to actively conceal their use of race in decision-making. His statements demonstrated reckless or callous indifference to federally protected rights. Consequently, the merit of Plaintiffs’ allegations should be evaluated based on whether UC’s admissions process has a discriminatory effect on Asian-American applicants, without any further need to establish the discriminatory intent. As Mr. Chemerinsky admitted in the video, statistical analysis is key to identifying racial discrimination in admissions. Plaintiffs intend to conduct such an analysis during the discovery phase of this lawsuit.

92. The expert witnesses for *Students for Fair Admissions* have agreed to conduct statistical analysis on the admissions data once obtained in discovery of this lawsuit.

93. In November 2022, *The New Yorker* staff writer Jay Caspian Kang quoted Mr. Erwin Chemerinsky as follows:

> "What colleges and universities will need to do after affirmative action is eliminated is find ways to achieve diversity that can't be documented as violating the Constitution," Mr. Chemerinsky stated. "So they can't have any explicit use of race. They have to make sure that their admissions statistics don't reveal any use of race. But they can use proxies for race." (See Exhibit 47 as well.)

This statement is a clear acknowledgment that university officials, including those within the University of California system, intend to bypass constitutional and legal prohibitions on racial discrimination by employing indirect methods—namely, "proxies for race"—to achieve the same racial outcomes that explicit race-based policies once facilitated. Again, his statements demonstrated reckless or callous indifference to federally protected rights.

94. The use of racial proxies to achieve racial balancing is unconstitutional. In *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701, 743 (2007), the Supreme Court held that racial balancing is

not a compelling state interest and that the government may not achieve racial diversity through indirect methods that amount to race-conscious decision-making. Similarly, in *SFFA v. Harvard*, 600 U.S. 181 (2023), the Supreme Court reaffirmed that admissions policies designed to achieve racial diversity by using proxies for race are equally unconstitutional.

95. The statements made by Professor Chemerinsky provide strong circumstantial evidence that UC is knowingly and deliberately structuring its admissions policies to evade legal prohibitions on racial discrimination.

96. As a law professor, Mr. Chemerinsky must know what he was preaching is illegal. By his own admission, he clearly knew it was illegal. Yet, he preached it with a sense of pride and braggadocio. It is worth emphasizing that Mr. Chemerinsky is the Dean, the top administrator, of UC Berkeley Law School. Mr. Chemerinsky's statements happened to be in a public talk, happened to be captured in video, and happened to be shared on the web. What is visible to the public must be only the tip of the iceberg. It is reasonable to infer the preaching and practice of "unstated Affirmative Action" is widespread at UC's admissions and hiring process, which lacks transparency and accountability.

97. The I-am-proud-of-it attitude that Mr. Chemerinsky demonstrated in the video when talking about his action of breaking the law and hiding it compounded the emotional distress Stanley and Nan have endured.

98. Senior UC administrators not only preach and practice “unstated Affirmative Action”, they also actively persecute those who advocate for academic excellence over identity politics. From 2022 to 2024, Professor Perry Link, Chancellorial Chair for Teaching Across Disciplines at UC Riverside and a leading authority on modern and contemporary Chinese literature and culture, faced disciplinary action after expressing concerns during a faculty search committee meeting about prioritizing a Black candidate’s race over qualifications. His comments, which he stated were intended to caution against elevating race as the “overriding criterion,” were reported to university officials without his knowledge. Professor Link was subsequently removed from the search committee and subjected to a prolonged disciplinary process, including hearings resembling a trial, where termination was suggested as a penalty. Although a faculty committee unanimously found him innocent of the charges, Chancellor Kim Wilcox issued a formal letter of censure, overriding the committee’s recommendation (See Exhibit 48). Professor Perry Link was accused of making racist comments during the hiring process but was not informed of the specific remarks deemed problematic until nearly a year later. UC Riverside eventually acquitted him of all charges but allegedly threatened to penalize him if he spoke publicly about the ordeal. Despite UC’s threats, Professor Link, a distinguished scholar at age 80, courageously made the incident public (See Exhibit 49). If UC has attempted to silence a prominent tenured professor, it is reasonable to infer the tremendous

pressure any professor, non-tenured administrator or staff would face if they were to speak up. Therefore it is reasonable to infer that numerous similar cases exist at UC in which victims chose to remain silent, fearing retaliation that could jeopardize their careers and livelihoods. This incident highlights senior UC administrators' preoccupation with immutable characteristics such as race, in clear violation of the California Constitution, Title VII of the Civil Rights Act, and 42 U.S.C. 1981, which bans racial discrimination in contracts. It also demonstrates the great lengths to which they go to silence any dissidents or whistleblowers. Furthermore, it clearly illustrates the importance of exercising the chilling effect doctrine when it comes to the legal standing in lawsuits concerning UC’s student admissions and faculty hiring.

99. Professor Perry Link has provided a sworn affidavit attesting to his direct knowledge of racial considerations in the university's faculty hiring practices, as well as the retaliation he experienced. He is prepared to testify when this lawsuit proceeds to trial.

100. Professor C. L. has also provided a sworn affidavit attesting to his direct knowledge of racial considerations in the university's faculty hiring practices as well as in graduate students admissions. He is prepared to testify when this lawsuit proceeds to trial.

101. Whistleblower G. B. has also provided a sworn affidavit attesting to their direct knowledge of racial considerations in the university's faculty hiring practices as well as in graduate students admissions. G.B. is prepared to testify when this lawsuit proceeds to trial. To protect against potential retaliation, their testimony will be provided under a Protective Order with an “Attorneys’ Eyes Only” (AEO) designation, pursuant to Federal Rule of Civil Procedure 26(c).

102. The Standing Order of UC Regents 101.1(d) explicitly states: “No political test shall ever be considered in the appointment and promotion of any faculty member or employee.” However, UC flagrantly violates this mandate by using diversity statements as a decisive factor in faculty hiring. At certain UC campuses, if a faculty applicant's diversity statement fails to satisfy the diversity bureaucrats, their application is summarily excluded from consideration without any review of their academic qualifications. In 2016, at least five campuses — Berkeley, Davis, Irvine, Riverside and Santa Cruz — decided their hiring committees could perform an initial screening of candidates based only on diversity statements (See Exhibit 50). For instance, at UC Davis, the vice provost explicitly instructed search committees to disqualify candidates who did not “look outstanding” on diversity, regardless of the quality of their academic research (See Exhibit 50 as well). Similarly, during the 2018-19 academic year, UC Berkeley’s hiring process for a life sciences position

narrowed 894 applicants to 214, peremptorily disqualifying 76% of applicants based solely on diversity statements. According to UC's summary report, "The LSI [Life Sciences Initiative] Committee conducted a first review and evaluated candidates based solely on contributions to diversity, equity and inclusion. Only candidates that met a high standard in this area were advanced for further review, narrowing the pool down to 214 for serious consideration." Under this faculty hiring system, even Nobel Prize winners would not be considered if they focused on academic research instead of diversity. This approach disproportionately affected applicants of different racial groups, increasing the representation of African American candidates in the pool from 2.8% to 6.1%, while reducing the representation of Asian candidates from 25.7% to 18.7% (See Exhibit 51). As a further example, Mr. Yoel Inbar, a noted psychology professor at the University of Toronto, was rejected for a position at UCLA because his podcast expressed skepticism about the use of diversity statements in hiring (See Exhibit 52). In sum, UC's use of diversity statements in faculty hiring violates academic freedom and the First Amendment.

103. After Dr. Jennifer Lucero took over UCLA medical school admissions in June 2020, the number of Asian matriculants at UCLA medical school declined from 84 to 55 from 2019 through 2022, a drop of 35% (See

Exhibit 53). Precipitous changes in admission rates strongly suggest deliberate conscious race-based directives.

104. Mr. Steven Dubinett, the dean of UCLA medical school, directs a center that houses a race-based fellowship. Its web page was deleted after media exposure (See Exhibit 54), indicating awareness of its illegality.

105. A New York Times opinion piece by a former UC admissions reader shared her detection of “unspoken directives”, questioned whether “Proposition 209 serve(s) merely to push race underground” and described the admission reading process as “an extreme version of the American non-conversation about race.” (See Exhibit 55.)

106. The University of California, Los Angeles (UCLA) posted a position for a "Tenure-Track Assistant Professor in Pacific Islander Experiences in Engineering," which was reviewed on December 1, 2024. The position description emphasized “strong ties to Pacific Islander experiences in the United States” and “the success of Pacific Islander scholars.” (See Exhibit 82.) On their face, these requirements have the clear and impermissible effect of limiting and classifying applicants based on their race and national origin, thereby creating an unlawful preference that restricts the candidate pool.

107. Given that UC is not conducting itself as a bona fide academic institution for student admissions or faculty hiring, any traditional judicial deference afforded to academic institutions should not apply in lawsuits concerning student admissions or faculty hiring at UC.

D. Statistical Evidence That UC Discriminates Against Asian-American Applicants

108. In a study commissioned by UCLA, only later obtained through public records requests, sociology professor Robert Mare documented a consistent pattern of anti-Asian discrimination in admissions at UCLA. His report said, "'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships." It further indicated that "among otherwise equivalent applicants, whites, African Americans and Latinos are overrepresented among those admitted, and Asian-American applicants are underrepresented." Additionally, the report noted that "the disadvantages of Asian applicants occur, with varying magnitudes, throughout the admissions process." (See Exhibit 56).

109. In nearly every case examined by the Plaintiff, available SAT data indicates that Asian-American applicants face significantly higher score

thresholds for admission compared to other racial groups. For example, in 2023, if African-American enrollees at Cornell University and the University of Michigan were held to the same SAT score standards as Asian-American enrollees, these institutions would have admitted at least 7.1% and 9.6%, respectively, of all African-American SAT-takers nationwide who scored within the top 1400–1600 range—an outcome that is statistically improbable given the competitive nature of college admissions and the geographic distribution of high-achieving students. (For verification of this calculation, see the legal complaint against Cornell University and the University of Michigan.) While SAT scores are not the sole measure of merit, this statistical irregularity raises serious concerns about whether Cornell University and the University of Michigan's admissions policies comply with constitutional and legal prohibitions against racial preferences.

110. UC does not publish SAT scores for its admissions. If such data were available, it would provide a basis to evaluate whether rejecting Stanley—who scored 1590—was reasonable. Additionally, it would allow for an assessment of whether UC's admissions exhibit similar statistical irregularities in SAT scores.

111. UC does not publish the number of National Merit Finalists in its admissions data. If such information were available, it would help evaluate whether rejecting Stanley—a National Merit Finalist—was reasonable.

112. Studies comparing the academic qualifications of admitted students by race fail to fully capture the extent of racial discrimination faced by Asian-American applicants. By rejecting highly qualified Asian-American applicants like Stanley, UC artificially narrows the academic qualification gap between admitted students of different racial groups. As a matter of mathematical fact, the more highly qualified Asian-American applicants the university rejects, the smaller the observed qualification gap among admitted students becomes. To accurately assess the extent of racial discrimination, it is necessary to compare not only the admitted Asian-American students but also the rejected Asian-American applicants against admitted students from other racial groups. However, limitations in the publicly available UC admissions data currently prevent such an analysis. The plaintiffs intend to pursue this essential data comparison during the discovery phase of this lawsuit.

113. Following public outcry over the Varsity Blues scandal, California state lawmakers commissioned an audit of the University of California's admissions practices. The California State Auditor's 2020 report found that UC "has allowed for improper influence in admissions decisions, and it has not treated applicants fairly or consistently." Specifically, the audit revealed that UC Berkeley and UCLA "admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission." (See Exhibit 57).

114. The audit also identified significant bias within the admissions process. Despite UC's guidelines excluding personal details such as race, gender, and birthplace from the 14 official admission factors, several campuses allowed application readers to access such details. For example, UC Berkeley, UCLA, and UC San Diego permitted readers to view students' names and native languages. Additionally, UC Berkeley and UCSD exposed applicants' gender, while UC Berkeley and UCLA displayed applicants' birthplaces. The audit warned that this practice could lead readers to infer race or ethnicity, introducing bias into decisions (See Exhibit 58).

115. While the audit did not explicitly examine racial preference in UC admissions—as this fell outside the scope defined by the state legislature—its findings of improper influence and access to personal data underscore the need for a comprehensive investigation. Such an inquiry is necessary to evaluate whether UC's admissions practices comply with constitutional and statutory protections against racial discrimination.

E. Corruption in UC's Admissions and Untrustworthy Top Management

116. In response to the Varsity Blues scandal, UC conducted an internal review of its admissions practices, concluding that only two cases involved potential improper admissions (See Exhibit 59). However, this self-assessment was sharply refuted by the findings of the California State

Auditor's report, which identified 64 cases of inappropriate admissions. These cases involved preferential treatment due to applicants' family donations and personal connections to campus staff. The report also warned that the true number of compromised admissions could exceed **400 students**—a far more pervasive issue than UC acknowledged (See Exhibit 58 as well).

117. The audit highlighted systemic favoritism at UC Berkeley, stating that "UC Berkeley Frequently Gave Preferential Treatment to Relatives and Friends of Faculty, Staff, and Donors". This behavior exemplifies a disregard for fairness in admissions decisions. In one egregious case, a UC Regent violated university policies by advocating for a waitlisted applicant through a personal letter to the UC Berkeley Chancellor; the applicant was subsequently admitted (See Exhibit 60). Despite this clear breach of policy, neither the Regent nor the Chancellor faced any consequences.

118. Compounding these concerns, the California State Auditor's report criticized UC's Office of the President for failing to provide adequate oversight, which allowed significant procedural weaknesses to persist across campuses. The report explicitly stated, "The University Has Not Made Sufficient Changes Following the National College Admissions Scandal" (See Exhibit 57 as well). This pattern of inadequate accountability and ineffective self-regulation raises serious doubts about

UC's commitment to integrity and fairness in admissions, warranting further scrutiny and legal action to enforce compliance with constitutional and statutory obligations.

119. Following the release of the California State Auditor's report, UC President Michael V. Drake claimed that UC's internal audit recommendations aligned with those of the state auditor. However, this assertion was publicly refuted by the state auditor, who noted significant differences between the two assessments (See Exhibit 58 and Exhibit 61). The state auditor warned that the entire UC admissions process requires an **overhaul**, citing inconsistent standards and practices that allowed applicants to be evaluated on inappropriate reasons. (See Exhibit 58 as well.)

120. Further reinforcing these concerns, California State Auditor Grant Parks stated in a July 2024 letter to a state lawmaker that UC's actions had failed to adequately address the weaknesses identified in its 2020 recommendations. Parks remarked, "We have found [UC's] responses to not address weaknesses we have seen in their implementation of [the 2020] recommendation" (See Exhibit 62).

121. This ongoing failure to implement meaningful reforms calls into question UC's commitment to transparency, accountability, and equitable treatment of all applicants. The discrepancies between UC's internal

audits and the findings of independent oversight bodies demonstrate UC's systemic unwillingness to acknowledge and correct entrenched problems within its admissions framework, jointly and severally across its campuses.

122. UC's admissions process has been repeatedly compromised by scandals involving favoritism and fraud. In 2007, *The Daily Bruin*, UCLA's student newspaper, uncovered significant ethical violations within the orthodontics residency program. The investigation revealed that the program granted preferential admissions to major donors and their relatives, directly contravening UC policies. Internal emails and interviews exposed a systemic practice of advancing donor-affiliated applicants despite lower qualifications, undermining fairness and merit-based admissions (See Exhibit 63).

123. In 2020, UCLA men's soccer coach Jorge Salcedo was sentenced to eight months in prison for his role in the Varsity Blues scandal. Mr. Salcedo facilitated the fraudulent admission of students by falsely designating them as recruited athletes with fabricated soccer credentials (See Exhibit 64). Mr. Salcedo's actions would not have been possible without substantial cooperation from the UC Admissions office.

124. These cases illustrate a persistent pattern of unethical admissions practices that prioritize personal connections and financial influence over academic merit. The breadth and frequency of such incidents point to

systemic flaws within UC's admissions framework, necessitating comprehensive third-party oversight.

125. Although UC may invoke autonomy as a shield against external scrutiny, its repeated lapses in admissions integrity demonstrate that its autonomy cannot supersede the need for transparency, fairness, and compliance with anti-discrimination laws. Without robust external review mechanisms, the integrity of UC's admissions system remains fundamentally compromised.

F. Unconstitutionality of ED's Numeric Racial Targets

126. The U.S. Department of Education (ED) administers Minority Serving Institution (MSI) grant programs with eligibility requirements tied to numeric racial targets. Examples include: the Hispanic-Serving Institution (HSI) Program, which requires at least 25% Hispanic enrollment (See Exhibit 65); the Alaska Native-Serving and Native Hawaiian-Serving Institutions (ANNH) Program, which requires at least 20% Alaska Native or at least 10% Native Hawaiian students; and the Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI) Program, which requires at least 10% enrollment of Asian American or Native American Pacific Islander students.

127. These numeric racial targets are inherently rigid and inflexible.

128. These numeric racial thresholds are arbitrary, incentivizing institutions to manipulate or strategically balance the racial composition of their student bodies to qualify for federal grant funding (See Exhibit 66).

129. These numeric racial targets fail to preserve or advance national security interests.

130. These numeric racial targets do not remedy specific instances of federal government discrimination.

131. Even if racial diversity in the college student body were recognized as a compelling government interest, these numeric racial targets may not reflect genuine diversity, as any institution meeting the numerical target qualifies, even if its student body remains racially homogeneous beyond that threshold.

132. These numeric racial targets are not narrowly tailored. If Minority-Serving Institution (MSI) programs' primary purpose is to improve educational opportunities for historically underserved communities, that objective could be more effectively and legally achieved through race-neutral alternatives. For example, reallocating MSI program funding to existing need-based programs, such as the Pell Grant program, would directly support economically disadvantaged students regardless of race, ensuring equal access to higher education without violating constitutional principles.

133. These numeric racial targets facially discriminate among institutions based on the racial and ethnic balances of their student bodies. They are "a facially discriminatory law or policy that expressly classifies individuals on the basis of race". See *Chinese Am. Citizens All. of Greater N.Y. v. Adams*, 116 F.4th 161, 170 (2d Cir. 2024). As the Supreme Court affirmed in *Miller v. Johnson*, 515 U.S. 900, 911 (1995), "At the heart of the Constitution's guarantee of equal protection lies the simple command that the Government must treat citizens as individuals, not as simply components of a racial, religious, sexual or national class." The Supreme Court reaffirmed in *SFFA v. Harvard*, 600 U.S. 181, 206 (2023), "Eliminating racial discrimination means eliminating all of it."

134. Under Title VI, a federal fund recipient's express or admitted use of a classification based on race, color, or national origin establishes intent without regard to the decision-makers' animus or ultimate objective. Such classifications demonstrate a discriminatory purpose as a matter of law. *See Miller v. Johnson*, 515 U.S. 900, 904–05 (1995); *see also Wittmer v. Peters*, 904 F. Supp. 845, 849–50 (C.D. Ill. 1995), *aff'd*, 87 F.3d 916 (7th Cir. 1996). "Put another way, direct evidence of intent is 'supplied by the policy itself.'" *Hassan v. City of New York*, 804 F.3d. 277, 295 (3d Cir. 2015) (quoting *Massarsky v. Gen. Motors Corp.*, 706 F.2d 111, 128 (3d Cir.1983) (Sloviter, J., dissenting)).

135. Where a plaintiff demonstrates that a challenged policy overtly and expressly singles out a protected group for disparate treatment, "a plaintiff need not prove the malice or discriminatory animus of a defendant …." *Bangerter v. Orem City Corp.*, 46 F.3d 1491, 1501 (10th Cir. 1995); *see also Ferrill v. Parker Grp., Inc.*, 168 F.3d 468, 473 n.7 (11th Cir. 1999) ("[I]ll will, enmity, or hostility are not prerequisites of intentional discrimination."). Rather, the focus is on the "explicit terms of the discrimination," *Int'l Union, United Auto. Aerospace & Agric. Implement Workers of Am. v. Johnson Controls, Inc.*, 499 U.S. 187, 199 (1991); that is, how the federal fund recipient's actions specifically deprived or otherwise adversely affected the individual or individuals of access to a federally funded program or benefit. Even benign motivations for racial classifications are presumptively invalid and trigger strict scrutiny in Equal Protection Clause and Title VI cases. *Adarand*, 515 U.S. at 223–24 (1995); *Grutter*, 539 U.S. at 326.

136. These numeric racial targets fail to meet the strict scrutiny standard required for race-based government policies, as they are neither narrowly tailored nor serve a compelling governmental interest. As a result, these targets violate the Equal Protection principles of the Fifth Amendment and are unconstitutional. The Supreme Court has held that the federal government is subject to the same Equal Protection standards as state and local governments through a process known as reverse incorporation. Under this doctrine, the Fifth Amendment's Due Process Clause imposes the same restrictions on the federal government that the Fourteenth

Amendment's Equal Protection Clause imposes on states. See *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995).

137. These numeric racial targets incentivize universities to suppress Asian-American enrollment as seen in UC's case infra.

G. UC's Motive and Intent for Racial Balancing its Student Body

138. Given that the undergraduate admissions office operates as a close-knit unit without the protections of tenure, it is unsurprising that no whistleblower has come forward from that office—even as we have obtained multiple whistleblower reports regarding the use of race in faculty hiring and graduate admissions. Nonetheless, UC's intent to racially balance its undergraduate student body remains discernible.

139. In June 2020, the UC Board of Regents unanimously endorsed Assembly Constitutional Amendment 5 (ACA 5) and the repeal of Proposition 209, which had banned the consideration of race and gender in admissions decisions since 1996. In a released statement, the Board declared, "UC has long been committed to creating and maintaining a student body that reflects California's laudable cultural, racial, geographic, and socioeconomic diversity." UC President Janet Napolitano added, "It makes little sense to exclude any consideration of race in admissions when the aim of the University's holistic process is to fully understand and evaluate each applicant through multiple dimensions." (See Exhibit 67.)

These are statements from decision-makers that express a discriminatory motive. While it remains unclear how UC defines its ideal student body composition—a point Plaintiffs intend to explore during discovery—it is evident that UC was dissatisfied with the existing demographic makeup of its student population and wants to balance it.

140. In its amicus brief filed with the US Supreme Court in *SFFA v. Harvard*, UC stated:

> "At many of UC's campuses, especially the flagship campuses, there remain stark differences between the demographics of UC's enrolled student population and the demographics of the applicant pool that UC seeks to serve—that is, California public high school graduates. To be clear, UC does not maintain any 'specified' racial targets based on the demographics of high school graduates or any other baseline. See *Fisher v. University of Texas at Austin, 570 U.S. 297, 311 (2013) ('Fisher I')* (demographic targets constitute impermissible racial balancing) (citation omitted). Instead, UC looks at demographics to determine whether there are *substantial* demographic disparities of the sort that this Court has recognized can undermine a university's ability to provide the educational benefits of diversity." (See Exhibit 68, page 21.)

While UC claims it does not use “specified” racial targets, the brief fails to explain how it defines or measures “*substantial* demographic disparities”—a point Plaintiffs intend to explore during discovery. Nevertheless, UC’s statement reveals its intent to increase enrollment for certain racial groups, a motive that implicates strict scrutiny under constitutional law.

141. In July 2023, following the Supreme Court’s ruling in *SFFA v. Harvard*, UC President Michael V. Drake stated that he was “disappointed in the U.S. Supreme Court’s decision to bar the use of race in college admissions” (See Exhibit TBD: https://www.universityofcalifornia.edu/press-room/uc-statement-scotus-decision-regarding-use-race-college-admissions). This statement openly signaled the university’s continued desire to consider race in admissions, despite the Court’s decision. It is a statement from a decision-maker that expresses a discriminatory motive.

142. Professor Shannon Speed holds multiple senior roles at UCLA, including the Paula Gunn Allen Chair in American Indian Studies and service as the Director of the American Indian Studies Center and as a Special Advisor to the Chancellor on Native American and Indigenous Affairs. In a published interview with the *Daily Bruin* on December 2, 2023, Professor Speed articulated a clear institutional goal of racial balancing for the university's student body, stating:

> "We're a minority-majority state, so I think it's important that all the UC campuses become minority-serving institutions... **We need to be at least educating certain communities at a proportionate rate to their presence in the state population.**"

(Emphasis added. See Exhibit 80.) This statement by a senior UCLA administrator, who advises the Chancellor, publicly advocates for achieving a student body that is proportionally representative of the state's racial demographics.

143. Even isolated comments may constitute direct evidence of discrimination if they are "contemporaneous with the [adverse action] or causally related to the [adverse action] decision making process." *Kennedy v. Schoenberg, Fisher & Newman, Ltd.*, 140 F.3d 716, 723 (7th Cir. 1998) (citations omitted).

144. The type of direct evidence of discriminatory intent does not require "a virtual admission of illegality." *Venters*, 123 F.3d at 973. For example, direct evidence need not take the form of an admission where the defendant states "I'm [taking this adverse action] because you're in a protected group." *Sheehan v. Donlen Corp.*, 173 F.3d 1039, 1044 (7th Cir. 1999); see *Venters*, 123 F.3d at 973. The court in *Venters* explained that "the evidence need not be this obvious to qualify as direct evidence." *Id.* And the Sheehan court explained why: because such a requirement

"would cripple enforcement of the ... discrimination laws." *Sheehan*, 173 F.3d at 1044.

145. When a plaintiff relies on the *Arlington Heights* method to establish intent, "the plaintiff need provide very little such evidence ... to raise a genuine issue of fact ...; any indication of discriminatory motive ... may suffice to raise a question that can only be resolved by a fact-finder." *Pac. Shores Props.*, 730 F.3d at 1159 (citations omitted).

146. Because disparate impact is not the only factor in an *Arlington Heights* case, "showing disproportionate impact, even if not overwhelming impact, suffices to establish one of the circumstances evidencing discriminatory intent." *N. Carolina State Conference of NAACP*, 831 F.3d at 231.

147. Using the *Arlington Heights* method of proving intent, the court analyzes whether discriminatory purpose motivated a recipient's actions by examining factors such as statistics demonstrating a "clear pattern unexplainable on grounds other than race." *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 266 (1977).

148. In *International Brotherhood of Teamsters v. United States*, 431 U.S. 324 (1977), a case brought under the "pattern or practice" provision of Title VII, the Court stated that "statistics showing racial or ethnic imbalance are probative … because such imbalance is often a telltale sign of purposeful discrimination." *Id*. at 339 n.20. Accordingly, statistical evidence

of a sufficiently “gross disparity” between the affected population and the general population may establish an inference of intentional discrimination. *Hazelwood Sch. Dist. v. United States*, 433 U.S. 299, 307–08 (1977) (“Where gross statistical disparities can be shown, they alone may in a proper case constitute *prima facie* proof of a pattern or practice of discrimination.”).

149. In Comm. Concerning Community Improvement v. City of Modesto, 583 F.3d 703 (9th Cir. 2009), the Ninth Circuit stated that “proof of disproportionate impact on an identifiable group, such as evidence of 'gross statistical disparities,' can satisfy the intent requirement where it tends to show that some invidious or discriminatory purpose underlies the policy.” The gap between Asian population growth and declining admissions at UC documented infra strongly suggests “gross statistical disparities.”

150. As the Supreme Court explained in *Columbus Board of Education v. Penick*, 443 U.S. 449, 464–65 (1979), “[a]ctions having foreseeable and anticipated disparate impact are relevant evidence to prove the ultimate fact, forbidden purpose. . . . [T]he foreseeable effects standard [may be] utilized as one of the several kinds of proofs from which an inference of segregative intent may be properly drawn. . . . Adherence to a particular policy or practice, with full knowledge of the predictable effects of such adherence . . . is one factor among many others which may be considered

by a court in determining whether an inference of segregative intent should be drawn." In light of the well-documented racial disparities in SAT scores, the foreseeable impact of eliminating the SAT by UC as an admissions criterion further supports an inference of racial intent.

151. The Equal Protection Clause of the Fourteenth Amendment prohibits states from denying any person "the equal protection of the laws." The Clause's "central purpose is to prevent the States from purposefully discriminating between individuals on the basis of race." See *Shaw v. Reno*, 509 U.S. 630, 642 (1993). Thus, a state law or policy that discriminates on the basis of race is subject to strict scrutiny, regardless of its intended beneficiaries. See *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995).

152. As the Supreme Court noted in *SFFA v. Harvard*, 143 S. Ct. 2141, 2169 (2023), "College admissions are zero-sum. A benefit provided to some applicants but not to others necessarily advantages the former group at the expense of the latter." The distinction between preferential treatment and adverse impact is illusory—both actions are inherently racially motivated and inseparable, representing merely different ways of describing the same net discriminatory conduct. In a zero-sum situation, when assessing whether a policy constitutes racial discrimination, courts should focus on the presence of racial intent, regardless of whether that intent manifests as preferential treatment or adverse impact. As the

Supreme Court affirmed in *SFFA v. Harvard*, “[W]hat cannot be done directly cannot be done indirectly. The Constitution deals with substance, not shadows," and the prohibition against racial discrimination is "levelled at the thing, not the name." *Cummings v. Missouri*, 71 U.S. (4 Wall.) 277, 325, 18 L.Ed. 356 (1867).

153. Article I, Section 31 of the California Constitution unequivocally states: “The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.” This provision explicitly prohibits both discrimination and preferential treatment on the basis of these characteristics.

154. In light of the evidence indicating racially discriminatory intent, Plaintiffs are entitled to proceed to discovery.

H. UC’s Action for Racial Balancing its Student Body

155. In addition to its evident motive and intent for racial balancing, UC possesses the means and opportunity to manipulate the racial composition of its student body under its current “holistic” admissions framework, which has a history of corruption and lacks transparency, independent third-party oversight and accountability. Indeed, UC’s intent is matched by its actions.

156. Despite claiming it does not maintain racial targets, UC actively pursues Hispanic-Serving Institution (HSI) status at all its campuses. HSI designation requires at least 25% Hispanic student enrollment (See Exhibit 65 as well). In or around 2019, UC Berkeley and UCLA established task forces led by their respective Chancellors—Carol Christ and Gene Block—to achieve this racial target (See Exhibit 69). These task forces demonstrate that UC has adopted policies aimed at meeting specific numeric racial goals, contradicting its statements in the *SFFA v. Harvard* amicus brief. This type of race-based decision-making is subject to strict scrutiny. Under *SFFA v. Harvard*, it cannot survive strict scrutiny. It also violates the California Constitution.

157. A university policy that amounts to racial balancing is "patently unconstitutional." *Grutter v. Bollinger*, 539 U.S. 306, 329 (2003). Racial balancing seeks to ensure a specified percentage of a racial group within the student body merely due to race or ethnicity. *Id.* Courts have consistently rejected proportional representation as a constitutional justification for race-based admissions. See *Id.* at 343.

158. These actions also raise serious concerns that UC misrepresented material facts to the Supreme Court in its amicus brief to *SFFA v. Harvard*.

159. The deliberate use of numeric racial goals incentivizes actions that limit Asian-American enrollment despite their growing demographic presence.

According to the 2020 U.S. Census, California's Asian population grew by 25% over the prior decade, making it the fastest-growing ethnic group in the state (See Exhibit 70). However, Asian student representation at UC declined from 38% in 2002 to 32% in 2022, with a general decline in Chinese American enrollment between 2018 and 2024 (See Exhibits 71 and Exhibit 72). At UC Berkeley, one of the most selective campuses of the UC system, Asian admits trended significantly downward in recent years. The percentage of Asian applicants admitted by UC Berkeley went from 18.9% (3,188 out of 16,866) in 2014 to 15.8% (4,416 out of 27,875) in 2023. (See Exhibit 73. 2023 is the latest year for which the data is publicly available.)

160. The gap between Asian population growth and declining admissions strongly suggests systemic discrimination. As the Court explained in *Reno v. Bossier Parish School Board*, 520 U.S. 471, 487 (1997), the natural consequences of an action often provide probative evidence of intent. Here, the persistent adverse impact on Asian-American applicants indicates a racially motivated policy, despite UC's denials.

161. The argument that Asian Americans are over-represented in UC's student body relative to the general population does not negate claims of discrimination. Equal protection requires that individuals be treated as individuals, not as members of a racial class. See *Miller v. Johnson*, 515 U.S. 900, 911 (1995). Even if aggregate Asian enrollment remains

relatively high, systemic bias may suppress their numbers below what they would be in a race-neutral system. “[I]nvidious discrimination does not become less so because the discrimination accomplished is of a lesser magnitude.” See *Personnel Administrator of Massachusetts v. Feeney*, 442 U.S. 256, 277 (1979). The “law’s focus on individuals rather than groups [is] anything but academic.” *Bostock* v. *Clayton County*, 590 U.S. 644, 659 (2020). Chief Justice John Roberts unequivocally articulated in *SFFA v. Harvard* that “the student must be treated based on his or her experiences as an individual—not on the basis of race.”

162. The Second Circuit’s 2024 decision in *Chinese American Citizens Alliance of Greater New York (CACAGNY) v. Adams* supports this case. The court held that a facially neutral policy driven by racial motives violates equal protection, even if aggregate enrollment improves. The ruling states “if discriminatory intent is proven, a negative effect or harm from that discriminatory policy on individual Asian-American students applying to the SHSs [Specialized High Schools] would be sufficient to trigger strict scrutiny review”. The court further held that a policy or a program “is not immunized from strict scrutiny because it underperforms in an unconstitutional mission with respect to a targeted racial group in the aggregate.” Therefore, policies aiming to reach HSI designation at UC—whether or not the 25% target has been met—are subject to strict scrutiny and won't survive it.

163. Moreover, *CACAGNY* rejected the defense that admitting students to any school within a system negates discrimination claims. The Second Circuit Court stated that denying a student access to their preferred institution due to race is actionable. Similarly, admitting Asian-American students to less selective UC campuses does not absolve more selective campuses from discrimination claims.

164. In *CACAGNY*, the Second Circuit Court stated that "Applying Supreme Court precedent, we have generally recognized three types of discriminatory laws: (1) a facially discriminatory law or policy that expressly classifies individuals on the basis of race; (2) a facially neutral law that is enforced in a discriminatory fashion; and (3) a facially neutral law that was adopted with discriminatory intent and resulted in a discriminatory effect. *See Chabad Lubavitch of Litchfield Cnty., Inc. v. Litchfield Hist. Dist. Comm'n,*768 F.3d 183, 199 (2d Cir. 2014)."

165. In this case, all three types of discriminatory policies and practices identified by the Second Circuit Court are evident:

a. **Facially discriminatory policies**: Ample evidence shows that UC employs explicitly race-based discriminatory policies–including numerical racial targets–that are directly tied to student admissions.
b. **Discriminatory enforcement**: UC's regular and frequent absurd and incongruous admission outcomes strongly indicate that UC exercises its admissions policies in a discriminatory fashion.

c. **Discriminatory intent and effect:** There is substantial evidence of adverse effects on Asian-American applicants, both individually and collectively. Additionally, UC's faculty hiring practices are demonstrably racially motivated, resulting in disparate treatment of various racial groups. Moreover, a senior UC administrator openly advocated for circumventing legal scrutiny by ensuring racial intent was carried out without being explicitly documented—effectively endorsing discrimination through covert means.

These actions constitute violations of the Equal Protection Clause of the Fourteenth Amendment, Title VI of the Civil Rights Act of 1964, and Article I, Section 31 of the California Constitution.

I. UC Officials's Callous Indifference to Plaintiffs' Federally Protected Rights

166. UC officials have consistently ignored or dismissed complaints regarding absurd admissions outcomes and allegations of racial discrimination, highlighting reckless or callous indifference to Plaintiffs' federally protected rights across the board.

167. More than a year passed between Nan Zhong's initial complaint to the UC Board of Regents about Stanley's admission results and the filing of this lawsuit, during which the Board took no meaningful action. Nan initially contacted the UC Board of Regents in November 2023, and spoke four times directly to the Board during the public comment period of the

UC Board of Regents meetings. Nan specifically requested their action after the Admissions Office was apparently dismissive. Yet, the UC Board of Regents took no action. The entire UC Board of Regents demonstrated reckless or callous indifference to Plaintiffs' federally protected rights. (See Exhibit 74 for the full record of Nan's year-long correspondence with UC prior to filing this lawsuit.)

168. Ms. Han Mi Yoon-Wu, UC's Associate Vice Provost and Executive Director of Undergraduate Admissions, repeatedly dismissed the complaints offhandedly, asserting that Nan's allegations of racial discrimination were unfounded because California law prohibits such practices. By that logic, any criminal could claim innocence simply because the law prohibits the very act they are accused of committing. When Nan questioned whether the mere existence of a law guaranteed compliance, Yoon-Wu failed to answer. (See Exhibit 74.)

169. Doesn't Ms. Han Mi Yoon-Wu understand the absurdity of her statement? For someone with the level of her position, the answer must be yes. Her dismissive and irrational response can only be interpreted as an act of arrogant disregard for Asian applicants and their families, conveying an implicit message: *I can do and say whatever I want; there is nothing you can do about it. Get lost.*

170. Yoon-Wu demonstrated reckless or callous indifference to Plaintiffs' federally protected rights.

171. Michael V. Drake, the President of the University of California, and Katherine S. Newman, the Provost and Executive Vice President of Academic Affairs of the University of California, were both cc'd in the email exchanges between Nan and Han Mi Yoon-Wu. As a Regent, Mr. Drake was also present at the UC Board of Regents meetings when Nan made his comment to the Board multiple times over several months. Neither took any action. They demonstrated reckless or callous indifference to Plaintiffs' federally protected rights.

172. Nan also contacted the chairs of the Departments of Computer Science of the five UC campuses multiple times, asking them to give their assessments of Stanley's application. Only Prof Divyakant Agrawal and Prof Todd Millstein replied. The rest of them demonstrated reckless or callous indifference to Plaintiffs' federally protected rights.

173. This cavalier attitude has only compounded the emotional distress endured by Stanley and Nan, intensifying the pain caused by the University's discriminatory practices.

174. The denial of Stanley's applications to five UC campuses—combined with UC's complete failure to even acknowledge the issue for over a year—cannot be dismissed as mere random error. Rather, these actions

reveal a pattern of systemic bias and deliberate indifference, suggesting malice toward Stanley and, by extension, other similarly situated Asian-American applicants. While it is true that Google's job offer came after UC's rejections—meaning UC could not have foreseen that Google would recognize Stanley's skills had already reached the Ph.D. level—the fundamental issue remains: the technical achievements included in Stanley's UC applications were substantially the same as those sent to Google. While Google found Stanley's achievements sufficient to consider him for a Ph.D.-level position, UC, in contrast, deemed him unqualified for undergraduate admission. This stark contrast underscores a systemic barrier that profoundly affects Asian-American applicants' experiences in college admissions. Even when their qualifications reach the Ph.D. level, they may still be denied undergraduate admission. This fosters a pervasive sense of helplessness—the belief that the system is rigged to reject you regardless of your merits—that contributes significantly to the mental health challenges within the Asian-American youth community.

175. This case echoes the dark legacy of the Chinese Exclusion Act of 1882—a shameful chapter in our nation's history for which Congress formally apologized in June 2012. Disturbingly, as of this lawsuit's filing—a full year after UC became aware of Google's assessment of Stanley's skills—UC still refuses to engage in any meaningful discussion about his

applications, which only compounded the emotional distress Stanley and Nan have endured.

J. A Prima Facie Case under the *McDonnell Douglas* Framework

176. In addition to the analysis under the *Arlington Heights* framework, the circumstances surrounding Stanley Zhong's rejection also support a claim of racial discrimination under the *McDonnell Douglas* burden-shifting framework.

177. To establish a prima facie case of racial discrimination in admissions under this framework, Plaintiff Stanley Zhong must demonstrate that:

(1) he is a member of a protected class;

(2) he was eligible for admission to the University;

(3) he was denied admission or otherwise treated adversely; and

(4) similarly situated individuals outside the protected class received more favorable treatment.

Stanley Zhong satisfies each of these elements. *See McDonnell Douglas Corp. v. Green,* 411 U.S. 792 (1973) and *Brewer v. Bd. of Trs. of Univ. of Ill.*, 479 F.3d 908, 921 (7th Cir. 2007). In *Ames v. Ohio Dep't of Youth Services*, 605 U.S. ___ (2025), the Supreme Court also unanimously reiterated its "instruction to avoid inflexible applications of the prima facie standard. *Teamsters v. United States*, 431 U. S. 324, 358. Pp. 4–7."

178. First, he is a member of a protected class—Asian Americans.

179. Second, Stanley applied for admission to the Computer Science programs at several University of California campuses for the Fall 2023 admissions cycle. He was not merely qualified, but possessed exceptionally rare, objectively verifiable qualifications. His achievements place him in the highest echelon of applicants worldwide. These achievements include, but are not limited to:

- Dominance in High School Coding Competitions:
    - Securing top ranks in multiple prestigious coding contests for his age group, including placing #1 in the United States in the MIT Code Battle.
- Elite Performance in Professional Coding Competitions:
    - Achieving the rank of 427 worldwide in the Google Code Jam semifinals, a competition primarily for professional software engineers.
    - Achieving the rank of 329 worldwide in the Meta (Facebook) Hacker Cup semifinals, another competition primarily for professionals.
- Innovation and Industry Recognition:
    - Developing RabbitSign, a novel and free e-signing service that gained significant traction. This service was lauded by Amazon Web Services (AWS) in a technical review as “one of the most efficient and secure accounts” they had ever reviewed.

- Ultimate Professional Validation:
    - Being hired by Google at age 18 for a software engineering position (Level 4) that ordinarily requires Ph.D.-level expertise or many years of equivalent industry experience.

Collectively, these accomplishments demonstrate that Plaintiff Stanley Zhong's qualifications far exceeded the academic and technical standards required for admission to even the most selective university programs.

180. Third, despite his extraordinary qualifications, Stanley received adverse admissions decisions from all five UC campuses to which he applied—UC Berkeley, UCLA, UC Davis, UC Santa Barbara, and UC San Diego.

181. Fourth, the circumstances surrounding these rejections give rise to a strong inference of racial discrimination. Preliminary investigation, including review of publicly available information such as LinkedIn profiles, has identified non-Asian students admitted to these Computer Science programs whose documented academic performance, technical skills, and extracurricular achievements appear substantially less distinguished than Stanley's exceptional, internationally recognized accomplishments. For the Fall 2023 cycle, these programs admitted 375 students at UC Berkeley, 368 at UCLA, 989 at UC Davis, 1,006 at UC Santa Barbara, and 1,621 at UC San Diego. (See Exhibit 75). It is implausible that all the admitted

students across these campuses possessed qualifications equal to or exceeding Stanley's.

182. On May 24, 2024, Plaintiff Nan Zhong emailed the UC's Directors of Admissions and Computer Science department chairs, stating:

> "Alternatively, if any of the CS chairs cc'd is willing to put their academic reputation on the line, and vouch that all admitted non-Asian students are reasonably equally or more qualified than the rejection cases we compiled, that would move the conversation forward in a meaningful way too. Feel free to use Stanley's case as an example rejection case." (See Exhibit 74.)

No response was received. Their silence speaks volumes and suggests that the University's position may be indefensible in light of the facts.

183. The rejection of a candidate with Stanley's exceptional credentials by five UC campuses gives rise to a plausible inference that race, rather than merit, was a determinative factor in the admissions decisions. This disparity warrants discovery into the University's admissions records and decision-making processes to assess the role of race under the then-prevailing legal framework and to ensure compliance with current constitutional standards.

K. Lack of Response by Government Officials

184. Stanley's mother filed a civil rights complaint with the Office for Civil Rights (OCR) at the U.S. Department of Education. However, the OCR dismissed the case after misinterpreting her email, relying on reasoning that directly contradicted her intended meaning. When she pointed out the misunderstanding, the OCR refused to reopen the case, stating it had been closed. The official dismissal letter cited a rationale the OCR knew to be false. Despite her repeated requests to correct the letter and remove the inaccurate reasoning, the OCR declined to make any changes, even after she escalated the matter (See Exhibit 76 for the full record of email exchanges with the OCR). ED's failure to enforce civil rights laws has let the direct harm to Stanley and other Asian-American applicants persist.

185. Nan also raised his concerns with California Assemblymember Marc Berman, mentioning that hundreds of his constituents were deeply concerned about UC's admissions practices. Despite several email exchanges, Mr. Berman did not respond substantively (See Exhibit 77 for the full record of email exchanges with Mr. Berman and his staff).

186. In November 2023, Nan organized a petition that gathered over 4,000 endorsements for letters expressing concerns about UC admissions. These letters were sent to Governor Gavin Newsom and Lt. Governor Eleni Kounalakis, both of whom serve as ex officio Regents of the

University of California. Neither replied. (See Exhibit 78 and Exhibit 79 for the letters.)

187. Plaintiffs have made every reasonable effort to engage in dialogue and pursue resolution before filing this lawsuit.

L. Legal Basis

188. The Supreme Court's decision in *SFFA. v. Harvard* unequivocally established that racial discrimination in college admissions is unconstitutional.

189. UC's racial discriminatory admission policies and practices violate the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

190. UC's racial discriminatory admissions policies and practices also violate Title VI of the Civil Rights Act of 1964, which prohibits racial discrimination in programs receiving federal financial assistance.

191. UC's racial discriminatory admissions policies and practices also violate Article I, Section 31 of the California Constitution, which expressly forbids racial discrimination in public education.

192. In addition to direct evidence of discrimination, racial "prejudice or stereotype" may be proven through circumstantial evidence. *See Village of*

Arlington Heights v. Metropolitan Housing Development Corp., 429 U.S. 252, 266 (1977).

193. Further supporting this claim, the Second Circuit Court of Appeals, in *Chinese American Citizens Alliance of Greater New York (CACAGNY) v. Adams*, 116 F.4th 161 (2d Cir. 2024), unanimously affirmed that an equal protection claim may proceed if "any individual has been negatively affected or harmed by a discriminatory law or policy based on race, even if there is no disparate impact on members of that racial class in the aggregate." Under the principle of stare decisis, this ruling provides persuasive authority for the present lawsuit.

194. Further supporting this claim, the Supreme Court in *Ames v. Ohio Dep't of Youth Services*, 605 U.S. ___ (2025), unanimously held that Title VII protects "individuals," not groups, and protects "minority and majority" alike. It reaffirmed two key principles: first, that "the standard for proving disparate treatment under Title VII does not vary based on whether the plaintiff is a member of a majority group"—a principle that logically extends to Title VI, particularly for groups that may be overrepresented in a college's student body relative to the general population; and second, the Court reiterated its longstanding guidance against rigid or inflexible applications of the prima facie standard.

V. CLAIMS FOR RELIEF

COUNT I - Violation of the Fourteenth Amendment (Equal Protection Clause)

195. Plaintiffs reallege and incorporate by reference the allegations set forth above.

196. As a public institution, Co-Defendant UC's admissions policies and practices violate the Equal Protection Clause of the Fourteenth Amendment by discriminating against Asian-American applicants, including Stanley, on the basis of race.

197. As a result of Co-Defendant UC's discriminatory policies and practices, Plaintiffs have suffered harm, including the loss of educational opportunities, emotional distress, financial loss, and reputational damage.

198. Plaintiffs have been and will continue to be injured by Co-Defendant UC's ongoing discriminatory admissions policies, which deny them an equal opportunity to compete for admission based on race or ethnicity.

199. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C. §2201, and a permanent injunction because there is no plain, adequate, or speedy remedy at law to prevent Co-Defendant UC from continuing to use admissions policies and practices that discriminate on the basis of race or ethnicity in violation of the Fourteenth Amendment and because the harm Plaintiffs will otherwise continue to suffer is irreparable.

200. Plaintiffs seek this relief under 42 U.S.C. § 1983 and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

201. Plaintiffs seek this relief only against the individual defendants, and not against the institutional defendants.

COUNT II - Violation of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)

202. Plaintiffs reallege and incorporate by reference the allegations set forth above.

203. Co-Defendant UC receives federal financial assistance and is therefore subject to Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Co-Defendant UC's admissions policies and practices discriminate against Asian-American applicants, including Stanley, in violation of Title VI.

204. As a result of Co-Defendant UC's discriminatory policies and practices, Plaintiffs have suffered harm, including the loss of educational opportunities, emotional distress, financial loss, and reputational damage.

205. Plaintiffs have been and will continue to be injured by Co-Defendant UC's ongoing discriminatory admissions policies, which deny them an equal opportunity to compete for admission based on race or ethnicity.

206. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C. §2201, and a permanent injunction because there is no plain, adequate, or speedy remedy at law to prevent Co-Defendant UC from continuing to use admissions policies and practices that discriminate on the basis of race or ethnicity in violation of Title VI of the Civil Rights Act of 1964 and because the harm Plaintiffs will otherwise continue to suffer is irreparable.

207. Plaintiffs seek this relief under Title VI, 42 U.S.C. § 1983, and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209 U.S. 123 (1908).

208. Plaintiffs seek this relief only against the institutional defendants and not the individual defendants.

COUNT III - Violation of 42 U.S.C. § 1981

209. Plaintiffs reallege and incorporate by reference the allegations set forth above.

210. 42 U.S.C. § 1981(a) guarantees individuals the same right to make and enforce contracts without regard to race. Co-Defendant UC violates 42 U.S.C. § 1981(a) by discriminating against Asian Americans.

211. As a result of Co-Defendant UC's discriminatory policies and practices, Plaintiffs have suffered harm, including the loss of educational opportunities, emotional distress, financial loss, and reputational damage.

212. Plaintiffs have been and will continue to be injured by Co-Defendant UC's ongoing discriminatory admissions policies, which deny them an equal opportunity to compete for admission based on race or ethnicity.

213. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C. §2201, and a permanent injunction because there is no plain, adequate, or speedy remedy at law to prevent Co-Defendant UC from continuing to use admissions policies and practices that discriminate on the basis of race or ethnicity in violation of 42 U.S.C. § 1981 and because the harm Plaintiffs will otherwise continue to suffer is irreparable.

214. Plaintiffs seek this relief under 42 U.S.C. § 1983, as well as the implied right of action that the Supreme Court has recognized to enforce 42 U.S.C. § 1981(a), and any other law that might supply a cause of action for the requested relief, including the Declaratory Judgment Act (28 U.S.C. § 2201) and the implied cause of action recognized in *Ex parte Young*, 209

U.S. 123 (1908). *See Johnson v. Railway Express Agency, Inc.*, 421 U.S. 454, 459–60 (1975) and *Runyon v. McCrary*, 427 U.S. 160 (1976).

215. Plaintiffs seek this relief only against the individual defendants, and not against the institutional defendants.

COUNT IV - Violation of California Constitution (Article I, Section 31)

216. Plaintiffs reallege and incorporate by reference the allegations set forth above.

217. Article I, Section 31 of the California Constitution prohibits racial discrimination in public education. Co-Defendant UC's discriminatory admissions policies and practices violate this provision by denying Asian-American applicants, including Stanley, equal access to public educational opportunities.

218. As a result of Co-Defendant UC's discriminatory policies and practices, Plaintiffs have suffered harm, including the loss of educational opportunities, emotional distress, financial loss, and reputational damage.

219. Plaintiffs have been and will continue to be injured by Co-Defendant UC's ongoing discriminatory admissions policies, which deny them an equal opportunity to compete for admission based on race or ethnicity.

220. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C. §2201, and a permanent injunction because there is no plain, adequate, or

speedy remedy at law to prevent Co-Defendant UC from continuing to use admissions policies and practices that discriminate on the basis of race or ethnicity in violation of Article I, Section 31 of the California Constitution and because the harm Plaintiffs will otherwise continue to suffer is irreparable.

COUNT V - Violation of the Due Process Clause of the Fifth Amendment

221. Plaintiffs reallege and incorporate by reference the allegations set forth above.

222. Co-Defendant ED's use of numeric racial targets, including but not limited to the 25% Hispanic enrollment requirement for Hispanic-Serving Institution (HSI) status under 20 U.S.C. § 1101a, constitutes racial discrimination in violation of the Due Process Clause of the Fifth Amendment, which encompasses equal protection principles.

223. The Fifth Amendment prohibits the federal government from treating individuals differently based on race unless the policy is narrowly tailored to serve a compelling governmental interest. Co-Defendant ED's racial targets fail this standard, functioning as rigid racial quotas that unlawfully disadvantage students of non-preferred racial groups, including Asian-American applicants.

224. As a direct result of ED's unlawful policies, Plaintiffs have suffered harm, including the denial of equal access to federally funded educational programs, loss of educational opportunities, reputational damage, and emotional distress resulting from the perception that the federal government endorses racial discrimination in higher education.

COUNT VI - Violation of the Administrative Procedure Act (APA)

225. Plaintiffs reallege and incorporate by reference the allegations set forth above.

226. Co-Defendant ED's failure to investigate and enforce federal anti-discrimination laws, including Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), constitutes arbitrary and capricious agency action in violation of the Administrative Procedure Act (APA), 5 U.S.C. § 706.

227. As a direct result of ED's unlawful actions and omissions, Plaintiffs have suffered harm, including the denial of equal access to federally funded educational programs, loss of educational opportunities, reputational damage, and emotional distress caused by the federal government's failure to uphold anti-discrimination protections in higher education.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, Stanley and Nan, respectfully request that this Court:

228. Declare Numeric Racial Targets in Federal Funding Unconstitutional

a. Declare that the numeric racial targets established under the 1992 reauthorization of the Higher Education Act—such as the 25% Hispanic enrollment requirement for Hispanic-Serving Institution (HSI) status under 20 U.S.C. § 1101a—are unconstitutional.

b. Issue a permanent injunction prohibiting Co-Defendant ED from implementing, enforcing, or conditioning federal funding eligibility on numeric racial targets.

229. Declare Co-Defendant ED's OCR (Office of Civil Rights) Failed Its Duty and Mandate Its Reform

a. Declare that OCR failed to properly investigate and enforce federal anti-discrimination laws, including Title VI of the Civil Rights Act of 1964, in violation of its statutory and constitutional obligations.

b. Declare that OCR's failure to act constitutes arbitrary and capricious agency action in violation of the Administrative Procedure Act (APA), 5 U.S.C. § 706.

c. Issue an injunction requiring OCR to implement procedural reforms ensuring timely and transparent investigations of civil rights complaints.

d. Issue a writ of mandamus compelling OCR to enforce federal anti-discrimination laws as required by statute, including taking

appropriate corrective actions against institutions found to be in violation.

e. Issue an injunction requiring OCR to conduct a full, independent audit of its complaint-handling process, with the results publicly disclosed.

f. Order the removal or disciplinary review of OCR officials responsible for failing to investigate or enforce anti-discrimination laws as required by Title VI.

230. Declare UC's Admissions and Hiring Practices Unconstitutional

a. Declare that Co-Defendant UC's student admissions and faculty hiring policies and practices violate:

i. The Fourteenth Amendment to the U.S. Constitution,

ii. Title VI of the Civil Rights Act of 1964,

iii. Violation of 42 U.S.C. § 1981, and

iv. Article I, Section 31 of the California Constitution (Proposition 209).

b. Enjoin Co-Defendant UC from engaging in racially discriminatory admissions and hiring practices, and order it to take all necessary steps to eliminate the effects of past discrimination.

231. Mandate Institutional Reforms & Accountability Measures at UC

a. Issue an injunction requiring Co-Defendant UC to publish a formal public statement acknowledging that its past admissions practices have been found by this Court to be unlawfully discriminatory, and

outlining the specific remedial steps it will take to ensure future compliance with federal and state anti-discrimination laws. Said statement to be published in a full-page advertisement in a national newspaper.

b. Issue an injunction requiring Co-Defendant UC to dismiss, after a full and fair public hearing, all Admissions Directors and other administrators responsible for the admission cycles that are determined to be racially discriminatory since 1996.

c. Issue an injunction requiring Co-Defendant UC to dismiss, after a full and fair public hearing, all administrators who knowingly defend this lawsuit while being aware of racial preferences in admissions or hiring.

d. Issue an injunction requiring Co-Defendant UC to dismiss, after a full and fair public hearing, all administrators who knowingly certified compliance with federal anti-discrimination laws while being aware of racial preferences in admissions or hiring.

e. Refer individuals who knowingly made false certifications under penalty of perjury for criminal prosecution.

232. Mandate Oversight & Transparency in Admissions at UC

a. Issue a permanent injunction requiring Co-Defendant UC to establish an independent admissions oversight board, approved by this Court, with sole authority over the hiring and firing of Admissions Directors at each UC campus.

b. Issue a permanent injunction requiring Co-Defendant UC to fund recurring independent audits of its admissions process, approved by this Court, including a breakdown of accepted and rejected applicants' qualifications by racial group.

c. Issue a permanent injunction requiring Co-Defendant UC to implement admissions procedures that prevent personnel from accessing or inferring an applicant's race or ethnicity.

d. Issue a permanent injunction requiring Co-Defendant UC to implement hiring procedures that prevent personnel from accessing or inferring a candidate's race or ethnicity.

e. Require Co-Defendant UC to repeat its admission process independently on a small group of randomly chosen applicants for each admission cycle in order to demonstrate repeatability and self-consistency in admissions decisions.

233. Require Mandatory Training & Compliance Measures at UC

a. Require annual Proposition 209 training for all UC personnel involved in admissions or hiring.

b. Require all trained personnel to explicitly acknowledge that violating Prop 209 or failing to report violations may result in disciplinary action, including termination.

234. Declare Judicial Scrutiny of UC's Academic Policies

a. Declare that Co-Defendant UC should no longer receive traditional judicial deference as a bona fide academic institution unless it:

i. Collects standardized test scores in its admission process,

ii. Ceases prioritizing immutable characteristics over academic merit in admissions and transfers,

iii. Eliminates diversity statements from its faculty hiring process, and

iv. Censures administrators who persecuted Professor Perry Link for prioritizing academic qualifications over identity politics.

235. Mandate Legal and Ethical Accountability

a. Issue an injunction requiring the State Bar Association to initiate disciplinary proceedings, including potential disbarment, against the authors of UC's misleading and untruthful amicus brief submitted to the U.S. Supreme Court in *SFFA v. Harvard*.

b. Issue an injunction requiring the State Bar Association to conduct an investigation into whether Mr. Erwin Chemerinsky, Dean of UC Berkeley School of Law, has violated professional ethics rules by advocating for unlawful actions and instructing universities on how to conceal race-based admissions practices in circumvention of constitutional and statutory prohibitions. If such violations are found, the Bar Association should initiate appropriate disciplinary proceedings, including potential disbarment, in accordance with its professional responsibility rules.

236. Award Monetary Damages & Attorney's Fees

a. Award to Plaintiffs nominal damages in the amount of $1.
b. Award to Plaintiffs compensatory damages in an amount equal to the application fee.
c. Award to Plaintiffs punitive damages from liable defendants in their personal capacity in an amount to be determined at trial.
d. Award reasonable attorneys' fees and costs incurred in this action. While Plaintiffs currently appear pro se, they expressly reserve the right to recover any documented legal expenditures should they retain counsel or incur other recoverable costs.
e. Grant such other and further relief as this Court deems just and proper.

VII. JURY DEMAND

Pursuant to the Seventh Amendment to the United States Constitution and Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs hereby demand a trial by jury on all issues so triable.

I declare under penalty of perjury that the allegations in the complaint are true.

Respectfully submitted,

Stanley Zhong (Pro Se)

211 Hope St #390755

Mountain View, CA 94039

Nan Zhong (Pro Se)

211 Hope St #390755

Mountain View, CA 94039

nanzhong1@gmail.com

Dated: May 25, 2025

EXHIBIT 1

EMAIL FROM GOOGLE RECRUITER IN 2019

Hello from Google! Inbox × Coding Work ×

[redacted]@google.com> Tue, May 21, 2019, 10:13 AM

to me

Hi Stanley,

I wanted to send you a friendly note and see if you are open to hearing about Software engineering opportunities at Google. We are gearing up for some groundbreaking projects and would love to have a discussion with you.

If you are interested, please let me know what your availability looks like for a 30 minute discussion over the phone.

Warm regards,
[redacted]

--

[redacted]
Google Technical Recruiter
[redacted]
careers.google.com

Stanley Zhong [redacted] Thu, May 23, 2019, 5:29 PM

to [redacted]

I'm available next week on all of Monday and also on Tuesday after 4pm. I will also be open on Wednesday through Friday after 8pm. My resume can be found here: https://docs.google.com/document/d/[redacted]/edit?usp=sharing. It's also attached to this email.

Just to make sure you know, I'm 13 years old.

Stanley

Stanley Zhong's Resume

•••

One attachment • Scanned by Gmail



Stanley Zhong's R...

[redacted] Mon, May 27, 2019, 1:39 PM

to me

Thank you for taking the time to put together a resume Stanley! Your competitive programming accomplishments are very impressive. Thanks for being transparent about your age. Due to this factor, we won't be able to visit opportunities at Google. I've uploaded your resume to provide visibility to our intern recruiting team for future follow up. Have a great Memorial Day!

•••

EXHIBIT 2

STANLEY'S RANKING IN GOOGLE CODE JAM



EXHIBIT 3

Stanley's ranking in Meta (Facebook) Hacker Cup

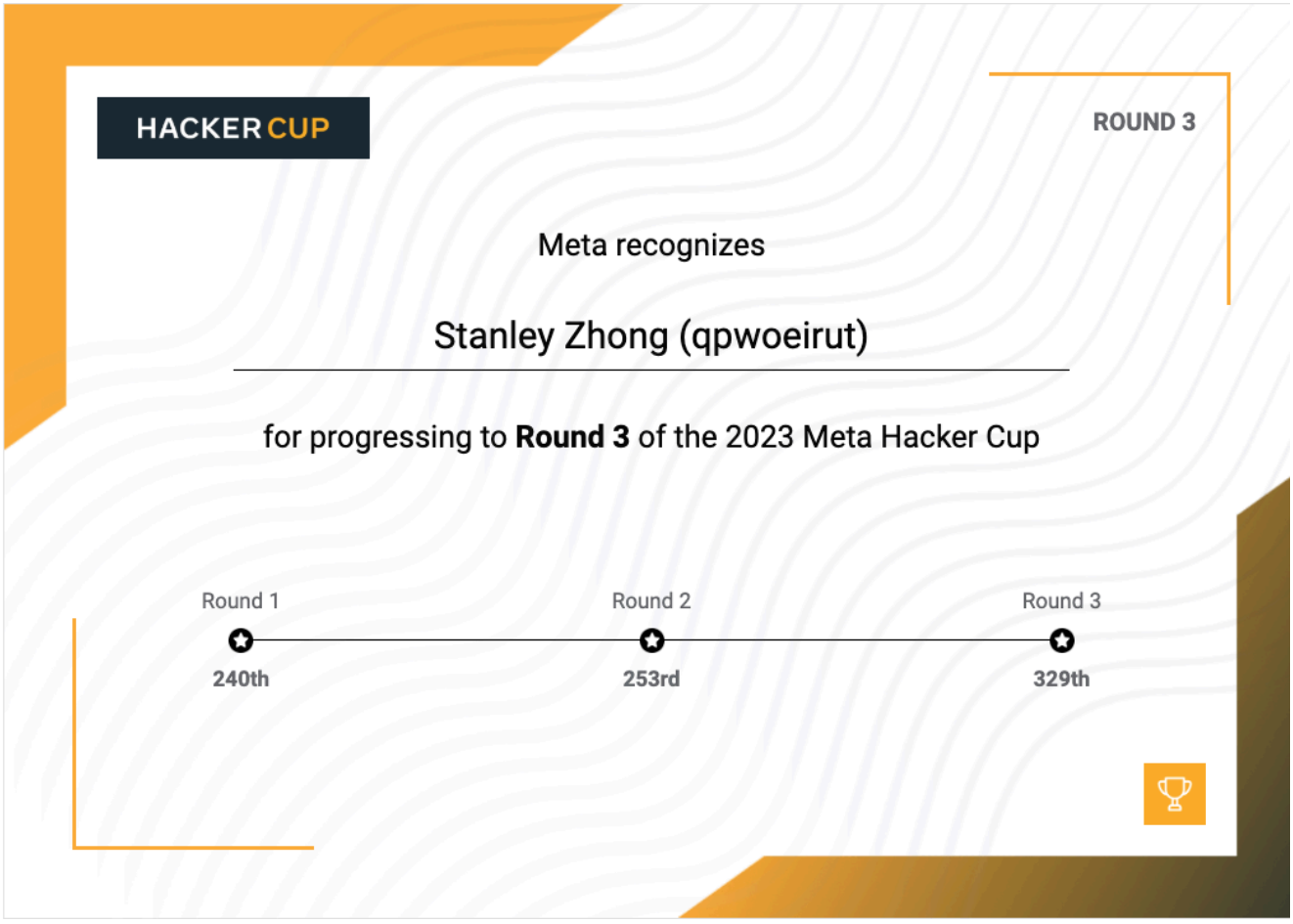


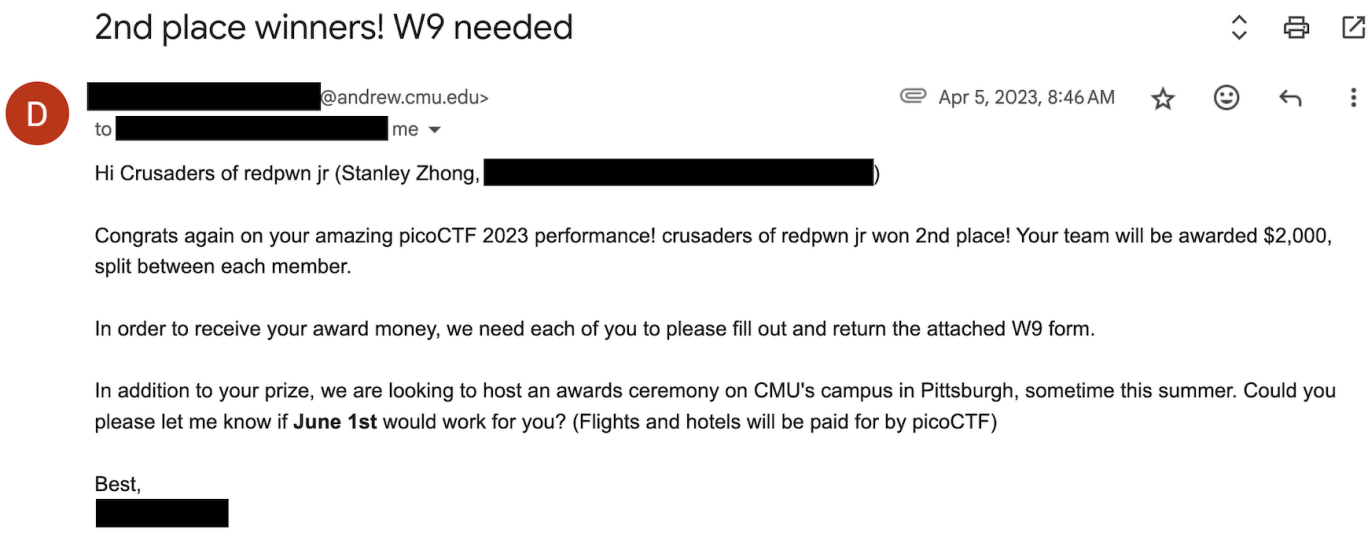
EXHIBIT 4

STANLEY'S RANKING IN MIT BATTLECODE



EXHIBIT 5

STANLEY'S RANKING IN CMU PICOCTF



2nd place winners! W9 needed

D [redacted]@andrew.cmu.edu> Apr 5, 2023, 8:46 AM

to [redacted] me

Hi Crusaders of redpwn jr (Stanley Zhong, [redacted])

Congrats again on your amazing picoCTF 2023 performance! crusaders of redpwn jr won 2nd place! Your team will be awarded $2,000, split between each member.

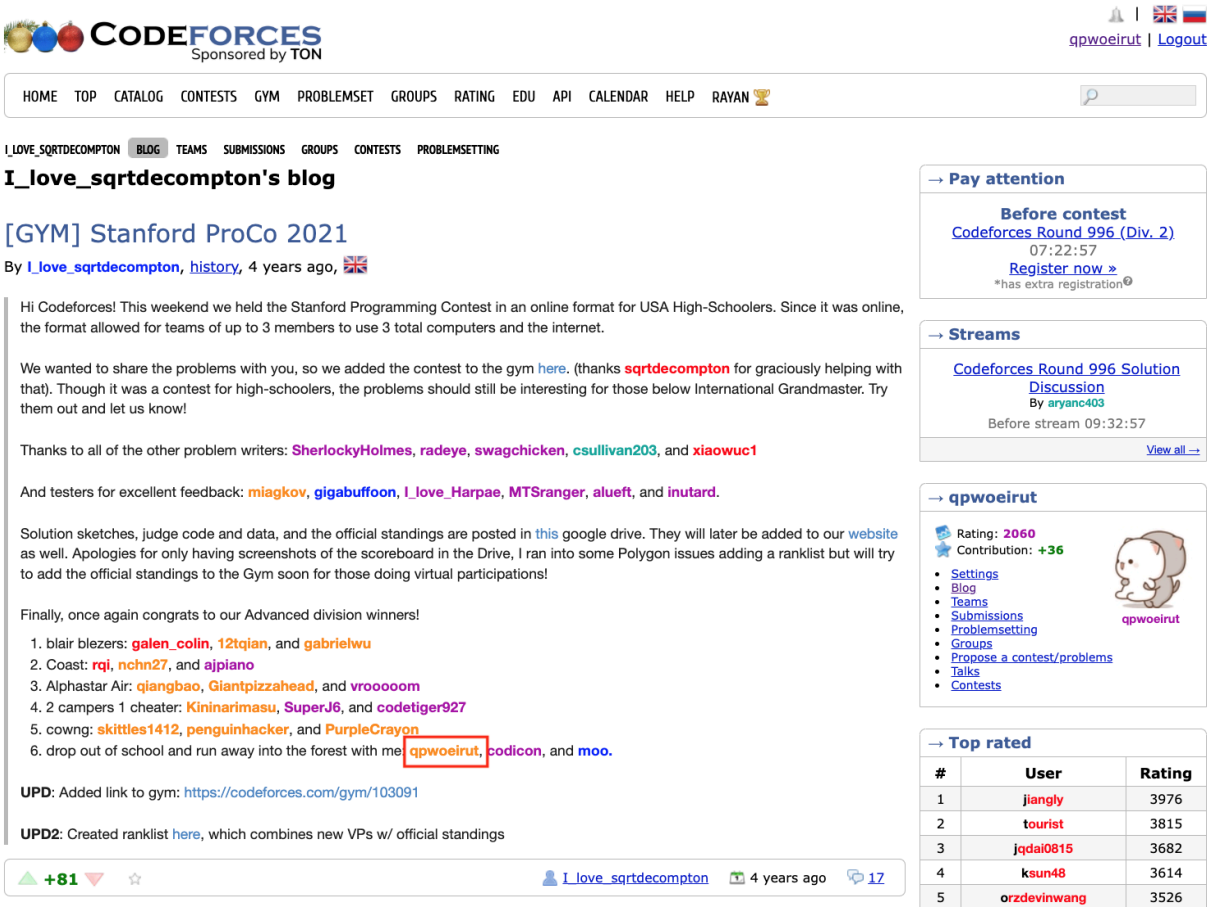
In order to receive your award money, we need each of you to please fill out and return the attached W9 form.

In addition to your prize, we are looking to host an awards ceremony on CMU's campus in Pittsburgh, sometime this summer. Could you please let me know if **June 1st** would work for you? (Flights and hotels will be paid for by picoCTF)

Best,
[redacted]

EXHIBIT 6

STANLEY'S RANKING IN STANFORD PROCO



CODEFORCES
Sponsored by TON

qpwoeirut | Logout

HOME TOP CATALOG CONTESTS GYM PROBLEMSET GROUPS RATING EDU API CALENDAR HELP RAYAN

I_LOVE_SQRTDECOMPTON BLOG TEAMS SUBMISSIONS GROUPS CONTESTS PROBLEMSETTING

I_love_sqrtdecompton's blog

[GYM] Stanford ProCo 2021

By I_love_sqrtdecompton, history, 4 years ago,

Hi Codeforces! This weekend we held the Stanford Programming Contest in an online format for USA High-Schoolers. Since it was online, the format allowed for teams of up to 3 members to use 3 total computers and the internet.

We wanted to share the problems with you, so we added the contest to the gym here. (thanks **sqrtdecompton** for graciously helping with that). Though it was a contest for high-schoolers, the problems should still be interesting for those below International Grandmaster. Try them out and let us know!

Thanks to all of the other problem writers: **SherlockyHolmes**, **radeye**, **swagchicken**, **csullivan203**, and **xiaowuc1**

And testers for excellent feedback: **miagkov**, **gigabuffoon**, **I_love_Harpae**, **MTSranger**, **alueft**, and **inutard**.

Solution sketches, judge code and data, and the official standings are posted in this google drive. They will later be added to our website as well. Apologies for only having screenshots of the scoreboard in the Drive, I ran into some Polygon issues adding a ranklist but will try to add the official standings to the Gym soon for those doing virtual participations!

Finally, once again congrats to our Advanced division winners!

1. blair blezers: **galen_colin**, **12tqian**, and **gabrielwu**
2. Coast: **rqi**, **nchn27**, and **ajpiano**
3. Alphastar Air: **qiangbao**, **Giantpizzahead**, and **vroooooom**
4. 2 campers 1 cheater: **Kininarimasu**, **SuperJ6**, and **codetiger927**
5. cowng: **skittles1412**, **penguinhacker**, and **PurpleCrayon**
6. drop out of school and run away into the forest with me: **qpwoeirut**, **codicon**, and **moo.**

UPD: Added link to gym: https://codeforces.com/gym/103091

UPD2: Created ranklist here, which combines new VPs w/ official standings

+81 I_love_sqrtdecompton 4 years ago 17

→ Pay attention

Before contest
Codeforces Round 996 (Div. 2)
07:22:57
Register now »
*has extra registration

→ Streams

Codeforces Round 996 Solution Discussion
By aryanc403
Before stream 09:32:57

View all →

→ qpwoeirut

Rating: 2060
Contribution: +36

- Settings
- Blog
- Teams
- Submissions
- Problemsetting
- Groups
- Propose a contest/problems
- Talks
- Contests

qpwoeirut

→ Top rated

#	User	Rating
1	jiangly	3976
2	tourist	3815
3	jqdai0815	3682
4	ksun48	3614
5	orzdevinwang	3526

Candidate Master

qpwoeirut

Stanley Zhong, Palo Alto, United States
From Henry M. Gunn High School

Contest rating: **2060** (max. master, 2291)

Contribution: **+36**

Friend of: 217 users

My friends

Change settings

[redacted] (not visible)

Last visit: **online now**

Registered: 6 years ago

Blog entries (27), comments

Write new entry

View my talks



Change photo | Unset photo

→ Pay attention

Before contest
Codeforces Round 996 (Div. 2)
07:18:51
Register now »
*has extra registration

→ Streams

Codeforces Round 996 Solution Discussion
By aryanc403
Before stream 09:28:51

View all →

→ qpwoeirut

Rating: **2060**
Contribution: **+36**



qpwoeirut

- Settings
- Blog
- Teams
- Submissions
- Problemsetting
- Groups
- Propose a contest/problems
- Talks
- Contests

EXHIBIT 7

STANLEY ADVANCING TO USA COMPUTING OLYMPIAD PLATINUM IN 2021

USACO 2021 US OPEN, PLATINUM

The platinum division had 453 total participants, of whom 333 were pre-college students. We saw quite impressive results on the platinum problems in this contest, with several perfect scores. Results for top scorers are here. Congratulations to all of the top participants for their excellent results!

Your score on this contest was **469 (rank 104 among all pre-college participants in this division)**. Each problem contributed 1000/3 possible points, with equal points assigned to each test case; you can recall your performance on each test case by clicking on a problem below and looking at your results in analysis mode.

1 **United Cows of Farmer John**
View problem | Test data | Solution | Your submission

2 **Routing Schemes**
View problem | Test data | Solution | Your submission

3 **Balanced Subsets**
View problem | Test data | Solution | Your submission

USACO 2021 US OPEN, GOLD

The gold division had 856 total participants, of whom 676 were pre-college students. All competitors who scored 750 or higher on this contest are automatically promoted to the platinum division. Detailed results for all those promoted are here.

Your score on this contest was **1000 (rank 1 among all pre-college participants in this division)**. Each problem contributed 1000/3 possible points, with equal points assigned to each test case; you can recall your performance on each test case by clicking on a problem below and looking at your results in analysis mode.

1 **United Cows of Farmer John**
View problem | Test data | Solution | Your submission

2 **Portals**
View problem | Test data | Solution | Your submission

3 **Permutation**
View problem | Test data | Solution | Your submission

EXHIBIT 8

NPR NEWS REPORT ABOUT COBOL COWBOYS

https://www.npr.org/2020/04/22/841682627/cobol-cowboys-aim-to-rescue-sluggish-state-unemployment-systems

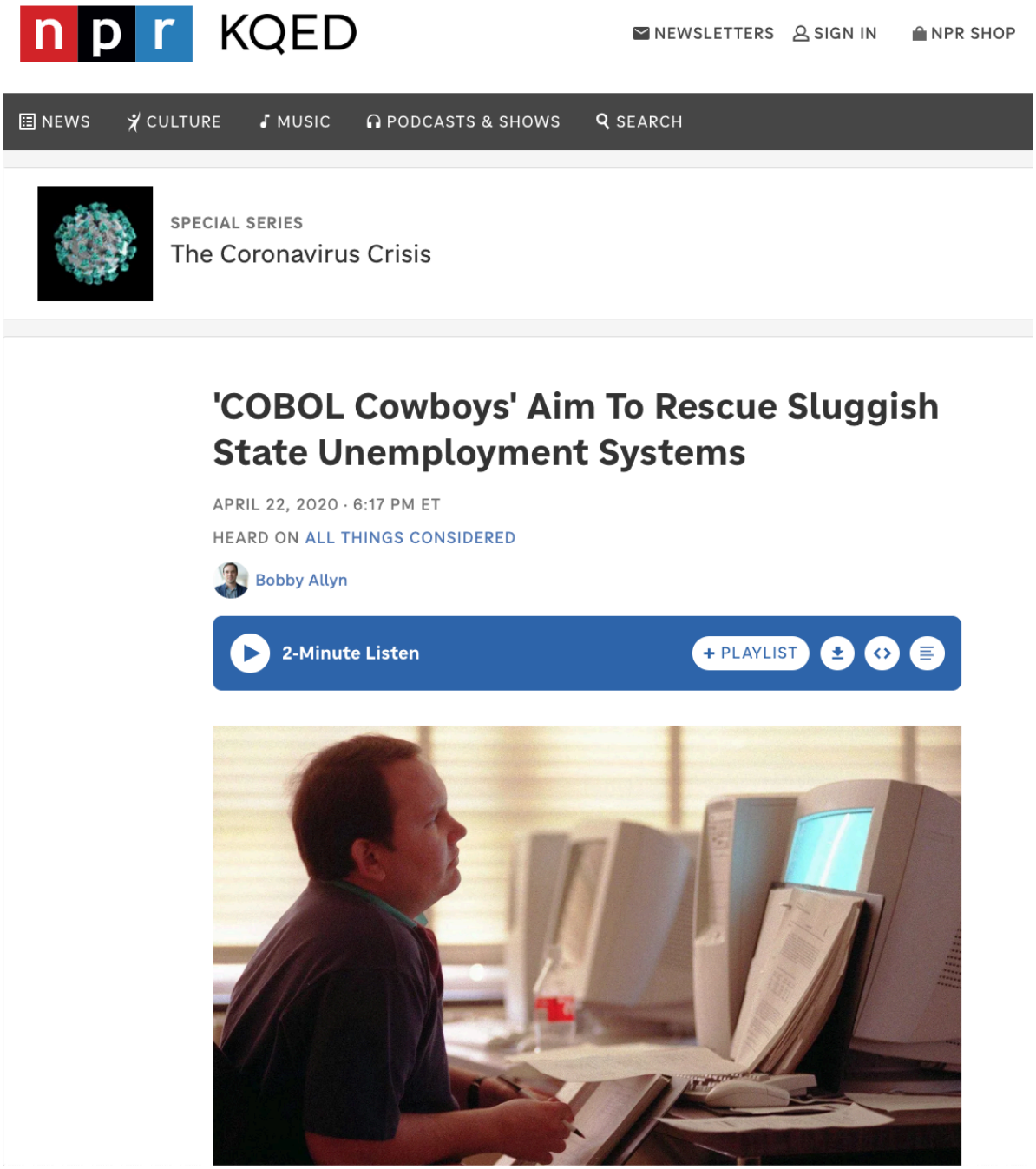


EXHIBIT 9

STANLEY'S COBOL CODE ON GITHUB

https://github.com/qpwoeirut/LearningCOBOL

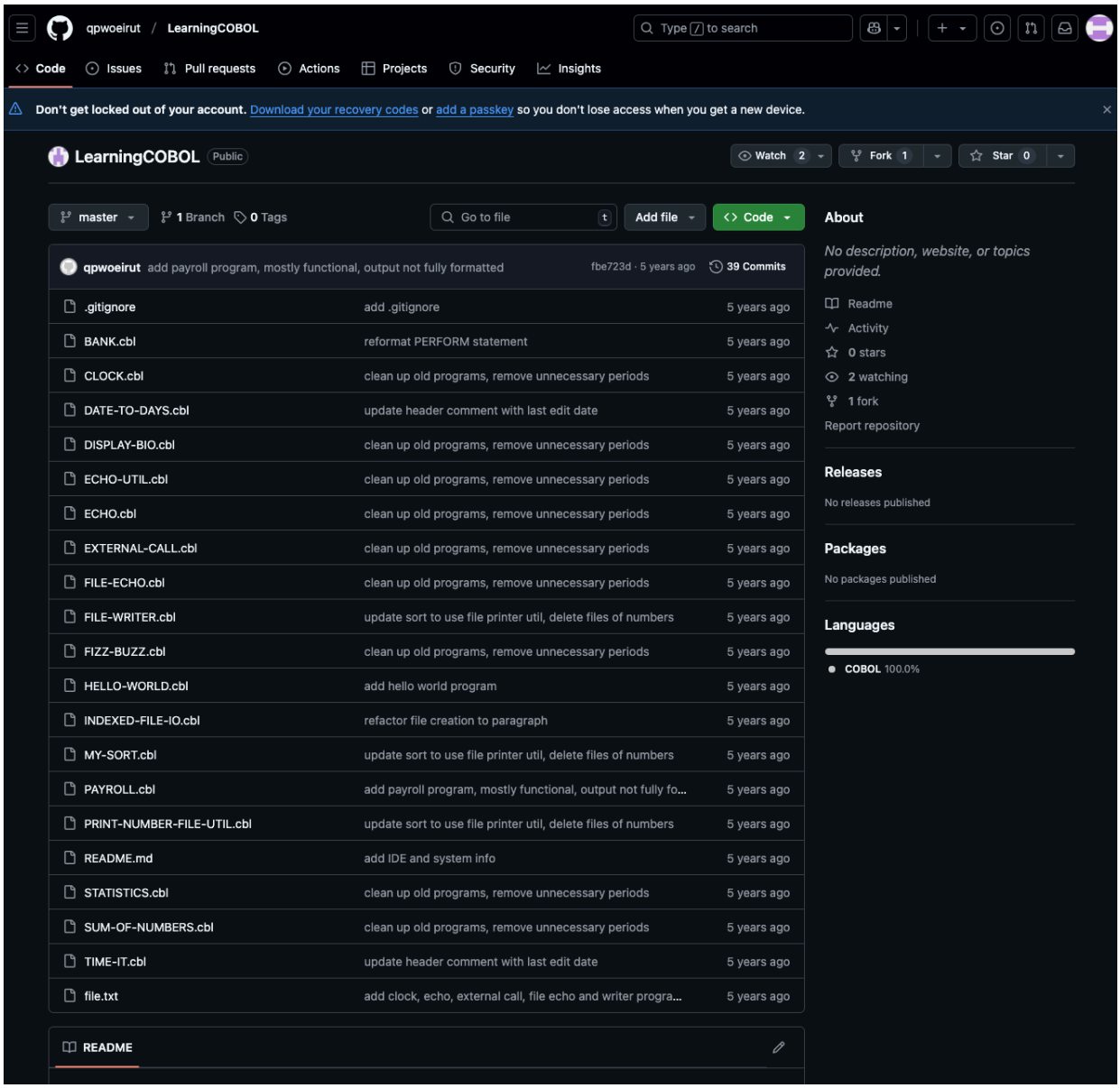


EXHIBIT 10

Email exchange with Cobol Cowboys in 2020

On May 25, 2020, at 6:52 PM, YYY <YYY@YYY.com> wrote:

Dear COBOL Cowboys,

We hope you are having a wonderful Memorial Day.

Our names are YYY and Stanley Zhong. We are programming enthusiasts. We became interested in COBOL after learning how the current COVID-19 pandemic has caused issues with outdated COBOL programs. In the last month, we have been learning it to see if we could help. Our code can be found on GitHub here and here.

We found out about the COBOL Cowboys on the news and saw the work you are doing to help people with their COBOL programs. If possible, we would like to help. Would you be interested in us doing volunteer work for you?

As a matter of disclosure, we are both 14 years old, but ready and eager to help the world in any way we can.

YYY and Stanley

From: XXX <XXX@cobolcowboys.com>

Date: Tue, May 26, 2020 at 12:22 PM

Subject: Re: Volunteers Interested in COBOL

To: YYY, Stanley

YYY and Stanley—

Howdy from Cobol Cowboys!

Thank you for reaching out and offering your volunteer services. We also appreciate you sending us samples of your code. Good work guys.

We (Bill Hinshaw, Founder and myself) are intrigued by your interest and would like to have further discussions with both of you.

An important next step, given your ages, would be to make contact with a parent/guardian. I will need to talk to them on the phone and also get an OK in writing (a quick email is fine) with their written approval for Cobol Cowboys, LLC, to have an introductory teleconference with you both as well as follow-up emails.

YYY and Stanley, please forward this email to your parent/guardian and ask them to phone me at xxx-xxx-xxxx, so we may proceed. I am available today: now until 7pm and tomorrow through Friday, from 9am to 1pm.

Please let me know the name of your parent/guardian that will be calling with an approximate time of their call.

Bill Hinshaw and I look forward to possible future discussions pertaining to COBOL.

XXX, COO

Cobol Cowboys, LLC

Cell: xxx-xxx-xxxx

Email: XXX@cobolcowboys.com

not our first rodeo ...

Nan Zhong <nanzhong1@gmail.com> Tue, May 26, 2020 at 11:31 PM

To: XXX <XXX@cobolcowboys.com>

Cc: Stanley, YYY@YYY.com

Hi XXX,

I am Stanley's dad. Thanks for your quick response to the boys! I know Stanley was excited to see it.

Yes, please accept this email as the written approval for Cobol Cowboys, LLC, to have an introductory teleconference with Stanley as well as follow-up emails. I am sure you will hear from YYY's parent soon as well.

BTW, summer coding job is nothing new to Stanley. He interned at my startup in 2018, and programmed (in Python) the backend service (on AWS) that automatically runs insurance quotes. These days he is very much into competitive programming (mostly in C++) and computer security contests.

YYY and Stanley are school friends. Both live the Bay Area, CA. Based on the NPR news story, I believe you live in Gainesville, Texas, 2 hours ahead of us. If that is correct, can I call you at 11am your time (9am my time) on Wednesday 5/27? I will call from my mobile number xxx-xxx-xxxx.

Looking forward to speaking with you!

Thanks,

Nan

XXX <XXX@cobolcowboys.com> Wed, May 27, 2020 at 6:48 AM

To: Nan Zhong <nanzhong1@gmail.com>

Nan—

9am your time (11amCST) today works fine.

The work you've described that Stanley has been doing is most impressive.

Thanks so much for your email.

Will talk soon.

XXX, COO

Cobol Cowboys, LLC

Cell: xxx-xxx-xxxx

Email: XXX@cobolcowboys.com

not our first rodeo ...

EXHIBIT 11

RabbitSign founded by Stanley in 2021

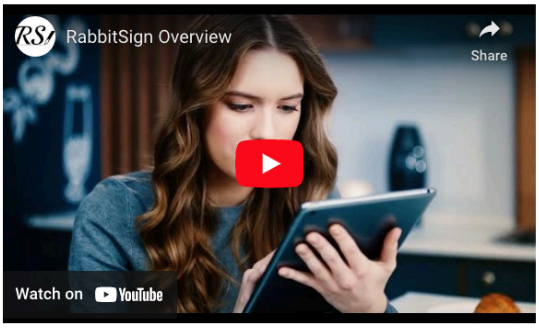
www.rabbitsign.com

RabbitSign Features FAQ Team Contact Sign Up Log In

Get Unlimited Free E-Signing

Not a free trial. Not a free tier. Completely free. Period.
See how.

Get Started



Won Accolades from Experts

An AWS Well-Architected Review concluded that RabbitSign was "**one of the most secure and efficient accounts**" reviewed. RabbitSign is in the editorial pipeline to be featured in an AWS case study for its exemplary usage of AWS Serverless and compliance services.

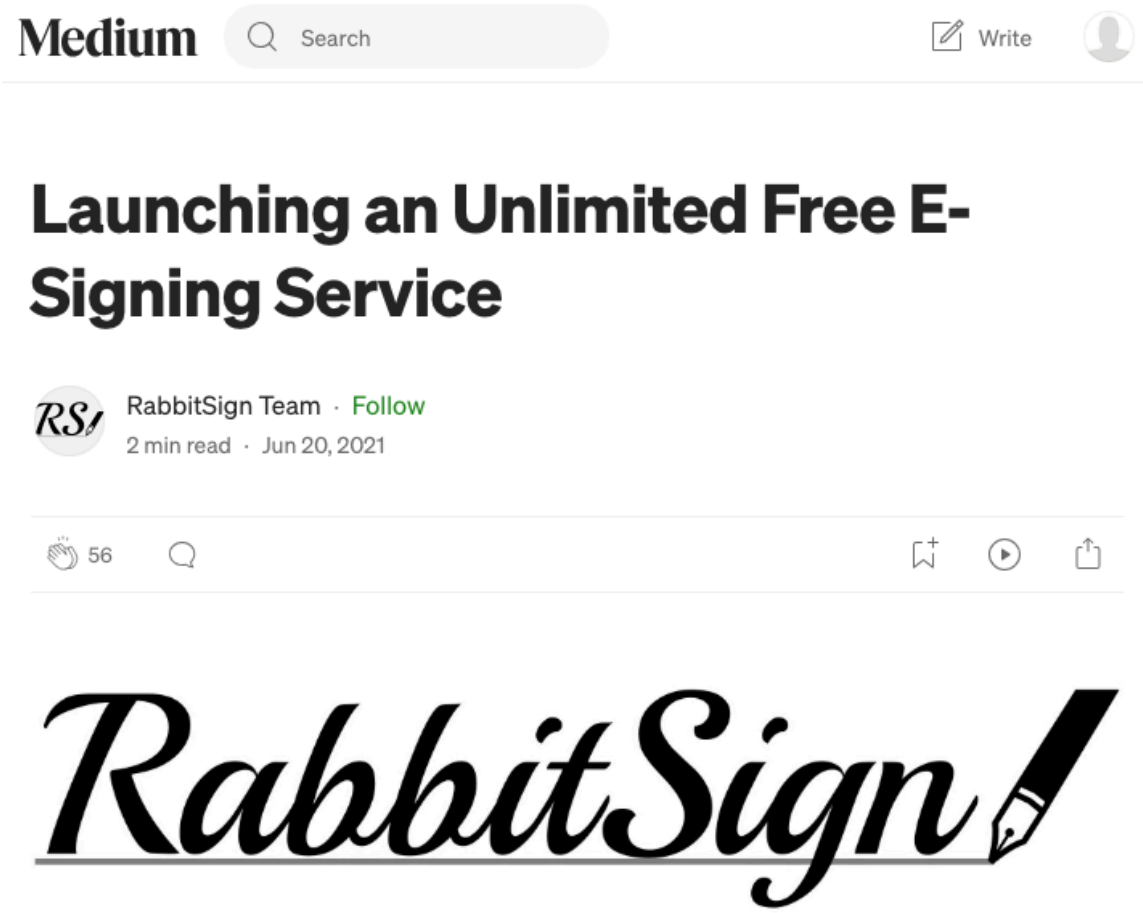
Audited by Trusted Third Parties

RabbitSign has achieved both SOC 2 Type II compliance with an unqualified opinion and ISO 27001:2022 compliance. Sign in to download RabbitSign's compliance reports. Verify RabbitSign's ISO 27001:2022 certification on IAF here.





https://blog.rabbitsign.com/launching-an-unlimited-free-e-signing-service-fe77a50a66aa



I'm Stanley, founder of RabbitSign.

The pandemic made e-signing essential. But I got frustrated that all the e-signing solutions had very limited free tiers (or no free tier at all) so I decided to make an unlimited free e-signing solution. This led to the creation of RabbitSign.

EXHIBIT 12

Excerpt of the AWS Well-Architected Review (WAR) for RabbitSign

- **Reducing administrator privileges to follow IAM best practices**, protecting themselves from potential insider threats.
- **Enabling WAF for CloudFront Distributions**, which will help protect Rabbit Sign's web application from common web exploits like SQL injection and cross-site scripting.
- **Enabling server-side encryption on their SNS topics** for encryption at rest and also enabling delivery status logging, ensuring that their SNS topics are secure and that they can track the delivery status of their messages.

Overall, Cloud303 concluded that Rabbit Sign's account is one of the most efficient and secure accounts they have reviewed. The remediations that were implemented demonstrate Rabbit Sign's commitment to following AWS security best practices. They also ensure the confidentiality, integrity, and availability of data and infrastructure, protecting Rabbit Sign and its customers from potential security threats. Cloud303 believes that this account would be an ideal AWS case study to demonstrate how using serverless infrastructure can help companies operate more cost-efficiently.

[redacted]@amazon.com> Fri, Mar 10, 2023, 4:51PM

[redacted]

Stanley,

I am back from my 2nd ski trip now, yes. Had to head down to CO for [redacted]'s birthday and to teach him a few things on the mountain. Glad to hear the feedback after the WAR, that's an accomplishment my man. Cloud 303 correct me if I am wrong but have done more WARs than AWS Partner ever? That's awesome. Throw some time on my calendar for next week and I'll sync up with [redacted] on my side. Looking forward to catching up

Schedule 20 Min Meeting w/AWS [redacted]

aws | [redacted] | Account Manager
E: [redacted]
O: [redacted]
Work hard. Have fun. Make history.





EXHIBIT 13

EMAILS FROM AWS REGARDING THE RABBITSIGN CASE STUDY

[redacted]@amazon.com> May 8, 2023, 6:24 AM

to [redacted]

Great news! The blog proposal has been accepted. @Stanley from RabbitSign I have to get RabbitSign added to our internal reference finder for us to be able to write about their journey – I have submitted this request and will let you know if there is anything I need from you for this.

EXHIBIT 14

GOOGLE'S FULL-TIME EMPLOYMENT OFFER LETTER



Stanley Zhong
[redacted]
20 September 2023

This offer supersedes and replaces any prior versions

Dear Stanley,

Thank you for your interest in Google LLC! We are delighted to offer you the exempt position of Software Engineer in the Sunnyvale office. We look forward to working with you!

EXHIBIT 15

INDUSTRY NEWS COVERAGE FOR RABBITSIGN'S FREE HIPAA-COMPLIANT E-SIGNING

https://www.hipaajournal.com/rabbitsign-achieves-hipaa-compliance-for-its-free-e-signing-solution/

RabbitSign Achieves HIPAA Compliance for its Free e-Signing Solution

Posted By Steve Alder on Sep 8, 2022

RabbitSign, a Palo Alto, CA-based provider of a free-to-use, unlimited e-signing solution, has been assessed by Compliancy Group's HIPAA compliance experts who determined the solution is compliant with the HIPAA Rules.

RabbitSign was devised and developed during the COVID-19 pandemic as a zero-cost e-signing solution for businesses, non-profits, and government entities, with the company providing the solution for the greater good rather than to maximize profits.

All software solutions used by HIPAA-covered entities which come into contact with the protected health information of individuals must support HIPAA compliance. Since the e-signing solution could be used in connection with electronic PHI, RabbitSign would be classed as a business associate under HIPAA if the solution was provided to HIPAA-covered entities.

To broaden its userbase and allow HIPAA-covered entities to use the solution, RabbitSign partnered with Compliancy Group and used the company's HIPAA compliance methodology to take all the necessary steps to ensure compliance with the HIPAA Privacy, Security, Breach Notification, Omnibus Rules, and the HITECH Act. The company's progress toward HIPAA compliance was tracked using Compliancy Group's HIPAA compliance tracking software solution – *The Guard*.



THE HIPAA JOURNAL READER OFFER

Get The FREE HIPAA Compliance Checklist

Immediate Delivery of Checklist Link To Your Email Address

Work Email *

Get Free Checklist

Please Enter Correct Email Address

Your Privacy Respected
HIPAA Journal Privacy Policy

Through that process, which involved a 6-stage risk analysis and remediation program, RabbitSign demonstrated its good faith effort toward HIPAA compliance, and the company was awarded the HIPAA Seal of Compliance, which demonstrates to current and future users of the solution that the company is committed to ensuring the security of ePHI and has an effective HIPAA compliance program in place.

EXHIBIT 16

Episode of Viewpoint with Dennis Quaid featuring RabbitSign and Stanley

https://www.viewpointproject.com/features-postidd3e6da7a/

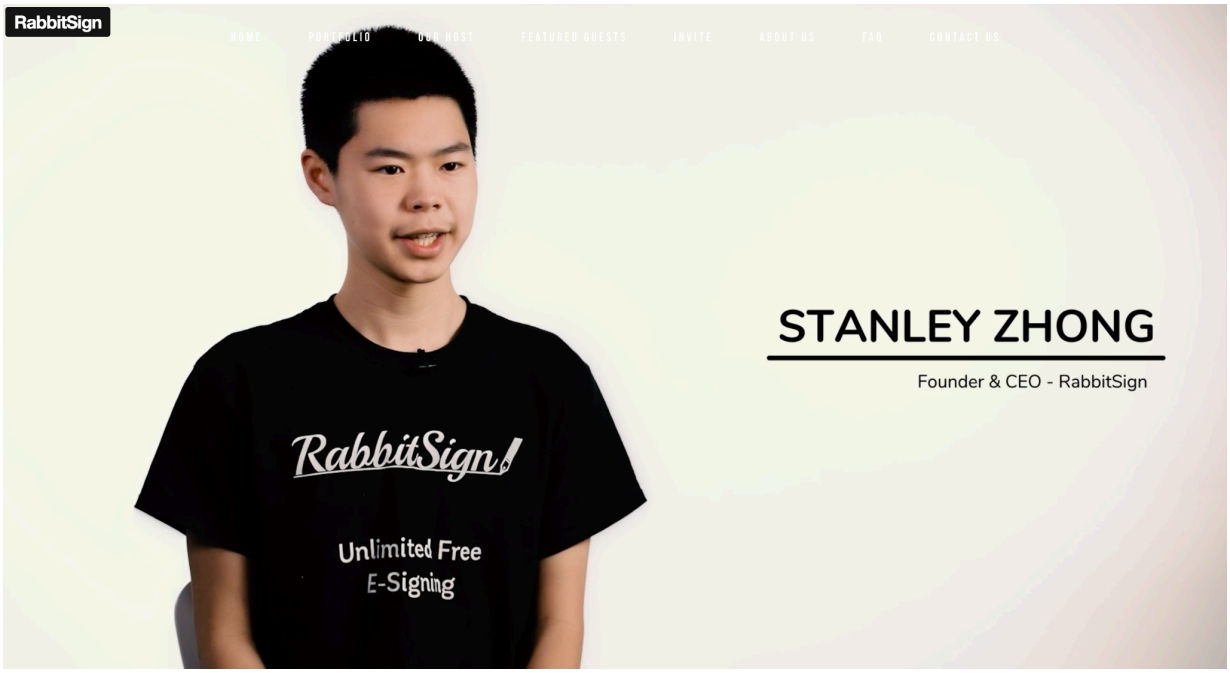


EXHIBIT 17

STANLEY'S GPA

Student Information

Student Number: [redacted] **Grade:** 12
Birthdate: **Gender:** M
State ID:
Counselor:

GPA Summary

Cumulative GPA (Weighted)	4.4242
Cumulative GPA (Unweighted)	3.9697
Weighted 10-12 A-G GPA	4.5833

#4332904 Henry M. Gunn High

Course	Mark	Weight	Credit
2019-2020 Grade 09 Term 1			
6205 Art Spec 1	A	5.0000	5
3115 Biology 1A	A	5.0000	5
4010 Chinese 1	A+	5.0000	5
1180 Communic	A	5.0000	5
2408 Geom H	A	5.0000	5
2791 PE 9/11	A	5.0000	5
1625 Wld Hist	A	5.0000	5
Credit: 35.000 GPA: 4.0000 U/W GPA: 4.0000			
2019-2020 Grade 09 Term 2			
6205 Art Spec 1	CR	5.0000	5
3115 Biology 1A	CR	5.0000	5
4010 Chinese 1	CR	5.0000	5
2408 Geom H	CR	5.0000	5
2792 PE 9/12	CR	5.0000	5
0117 Western Literature	CR	5.0000	5
1625 Wld Hist	CR	5.0000	5
Credit: 35.000 GPA: 0.0000 U/W GPA: 0.0000			
2020-2021 Grade 10 Term 1			
2416 Alg2/TrigH	A	5.0000	5
2491B APCompSci A	A	5.0000	5
3625 Chemistry H	A	5.0000	5
4020 Chinese 2	A+	5.0000	5
1193 Lit Style	A	5.0000	5
2696 PE 10	A+	5.0000	5
1753 US Govt	A+	5.0000	5
Credit: 35.000 GPA: 4.4286 U/W GPA: 4.0000			
2020-2021 Grade 10 Term 2			
2416 Alg2/TrigH	A	5.0000	5
2491B APCompSci A	A	5.0000	5
3625 Chemistry H	A	5.0000	5
4020 Chinese 2	A	5.0000	5
1191 Cont Herit	B+	5.0000	5
1641 ContWld 11	A	5.0000	5
2696 PE 10	A	5.0000	5
Credit: 35.000 GPA: 4.2857 U/W GPA: 3.8571			
2021-2022 Grade 11 Term 1			
2399 Analysis H	A+	5.0000	5
3824 AP Physics 1	A	5.0000	5
1699 AP US History	A	5.0000	5
8638 CS Capstone	A	5.0000	5
5092 Prnc Of Engr H PLTW	A	5.0000	5
7662 World Classics H	A	5.0000	5
Credit: 30.000 GPA: 4.8333 U/W GPA: 4.0000			
2021-2022 Grade 11 Term 2			
2399 Analysis H	A	5.0000	5
3824 AP Physics 1	A	5.0000	5
1699 AP US History	A-	5.0000	5

#4332904 Henry M. Gunn High

Course	Mark	Weight	Credit
2021-2022 Grade 11 Term 2			
8638 CS Capstone	A	5.0000	5
1179 Philos Lit	A	5.0000	5
5092 Prnc Of Engr H PLTW	A-	5.0000	5
Credit: 30.000 GPA: 4.6667 U/W GPA: 4.0000			

#500 PAUSD Summer School

Course	Mark	Weight	Credit
2021-2022 Grade 11 Term 3			
8458 Liv Skill	CR	5.0000	5
Credit: 5.000 GPA: 0.0000 U/W GPA: 0.0000			

In-Progress Courses

1525 AnalyticCollWrit	5.000
2459 AP Calculus BC	5.000
1762 AP Human Geography	5.000
3859A AP Physics C: Mechanics	5.000
2319 AP Statistics	5.000
1811 Econ AP	5.000
0676 Tchr Asst	5.000

Credit Summary

Curriculum Program: Gunn Graduation 2018 & Up - Alg in Middle School

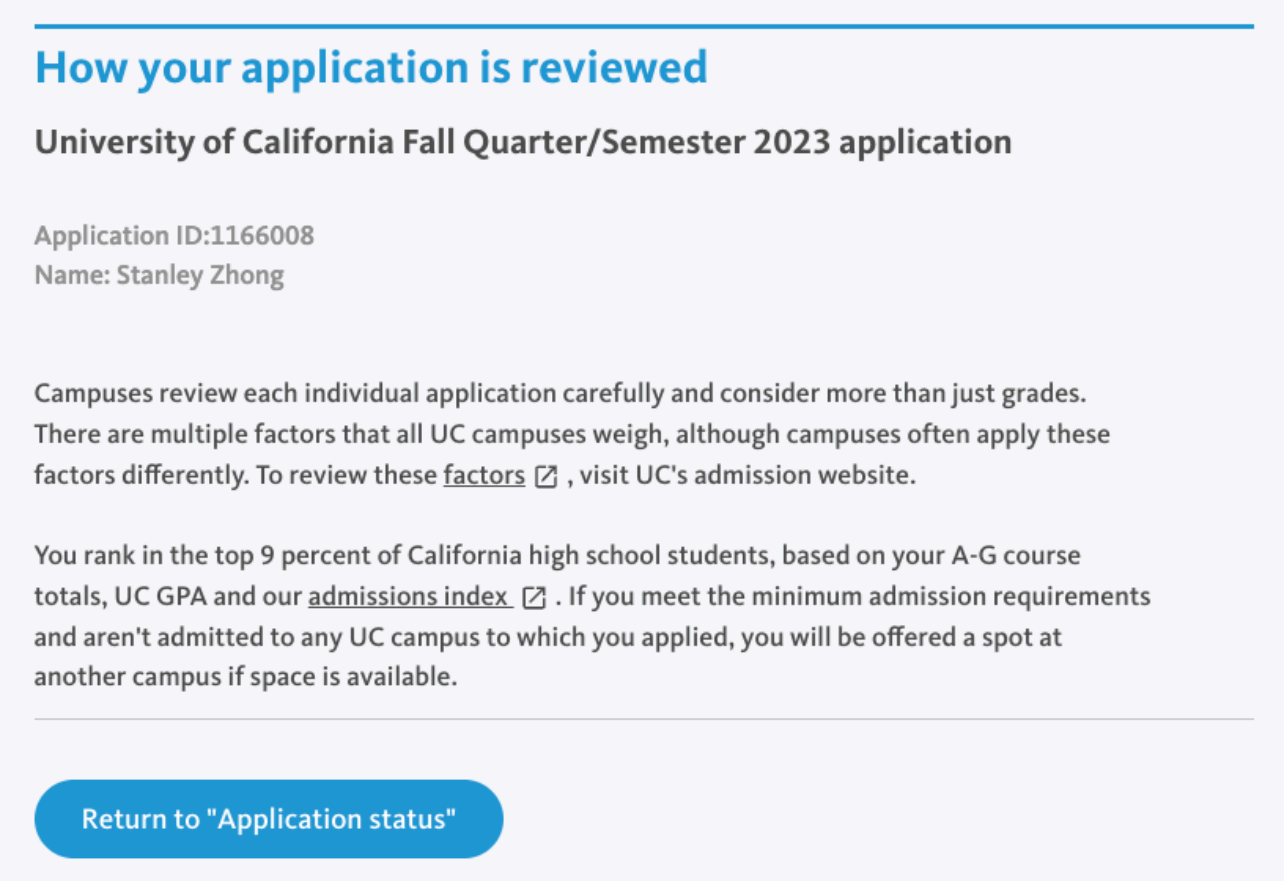
High School	Attempted	Earned	Required	Remaining
Wldh	10.000	10.000	10.000	0.000
USGovt	5.000	5.000	5.000	0.000
Contwld	5.000	5.000	5.000	0.000
USH	10.000	10.000	10.000	0.000
Econ	0.000	0.000	5.000	5.000
S St	0.000	0.000	5.000	5.000
English	30.000	30.000	40.000	10.000
Algebra	0.000	0.000	0.000	0.000
Geometry	10.000	10.000	10.000	0.000
Algebra 2	10.000	10.000	10.000	0.000
Math	10.000	10.000	0.000	0.000
Biol Sci	10.000	10.000	10.000	0.000
Phys Sci	20.000	20.000	10.000	0.000
World Lang (Level 2)	10.000	10.000	10.000	0.000
Fine Arts	10.000	10.000	10.000	0.000
Career Voc Ed	30.000	30.000	10.000	0.000
Living Skills	5.000	5.000	5.000	0.000
PE	20.000	20.000	20.000	0.000
Electives	10.000	10.000	45.000	0.000
Total	**205.000**	**205.000**	**220.000**	**20.000**

Comments

This is an UNOFFICIAL transcript

EXHIBIT 18

STANLEY'S QUALIFICATION FOR ELIGIBILITY FOR LOCAL CONTEXT (ELC)



How your application is reviewed

University of California Fall Quarter/Semester 2023 application

Application ID:1166008
Name: Stanley Zhong

Campuses review each individual application carefully and consider more than just grades. There are multiple factors that all UC campuses weigh, although campuses often apply these factors differently. To review these factors , visit UC's admission website.

You rank in the top 9 percent of California high school students, based on your A-G course totals, UC GPA and our admissions index . If you meet the minimum admission requirements and aren't admitted to any UC campus to which you applied, you will be offered a spot at another campus if space is available.

Return to "Application status"

EXHIBIT 19

High school rankings by US News and World Report

https://www.usnews.com/education/best-high-schools/california/districts/palo-alto-unified-school-district/henry-m-gunn-high-school-2992

Henry M. Gunn High School

780 Arastradero Rd., Palo Alto, California | (650) 354-8200 | Award Winning

#135 in National Rankings

Overall Score 99.24/100

Overview | Student Body | Test Scores | Map

Overview of Henry M. Gunn High School

Henry M. Gunn High School is ranked 14th within California. Students have the opportunity to take Advanced Placement® coursework and exams. The AP® participation rate at Henry M. Gunn High School is 83%. The total minority enrollment is 72%, and 10% of students are economically disadvantaged. Henry M. Gunn High School is 1 of 4 high schools in the Palo Alto Unified School District.

Henry M. Gunn High School 2024 Rankings

Henry M. Gunn High School is ranked #135 in the National Rankings. Schools are ranked on their performance on state-required tests, graduation and how well they prepare students for college. Read more about how we rank the Best High Schools.

All Rankings

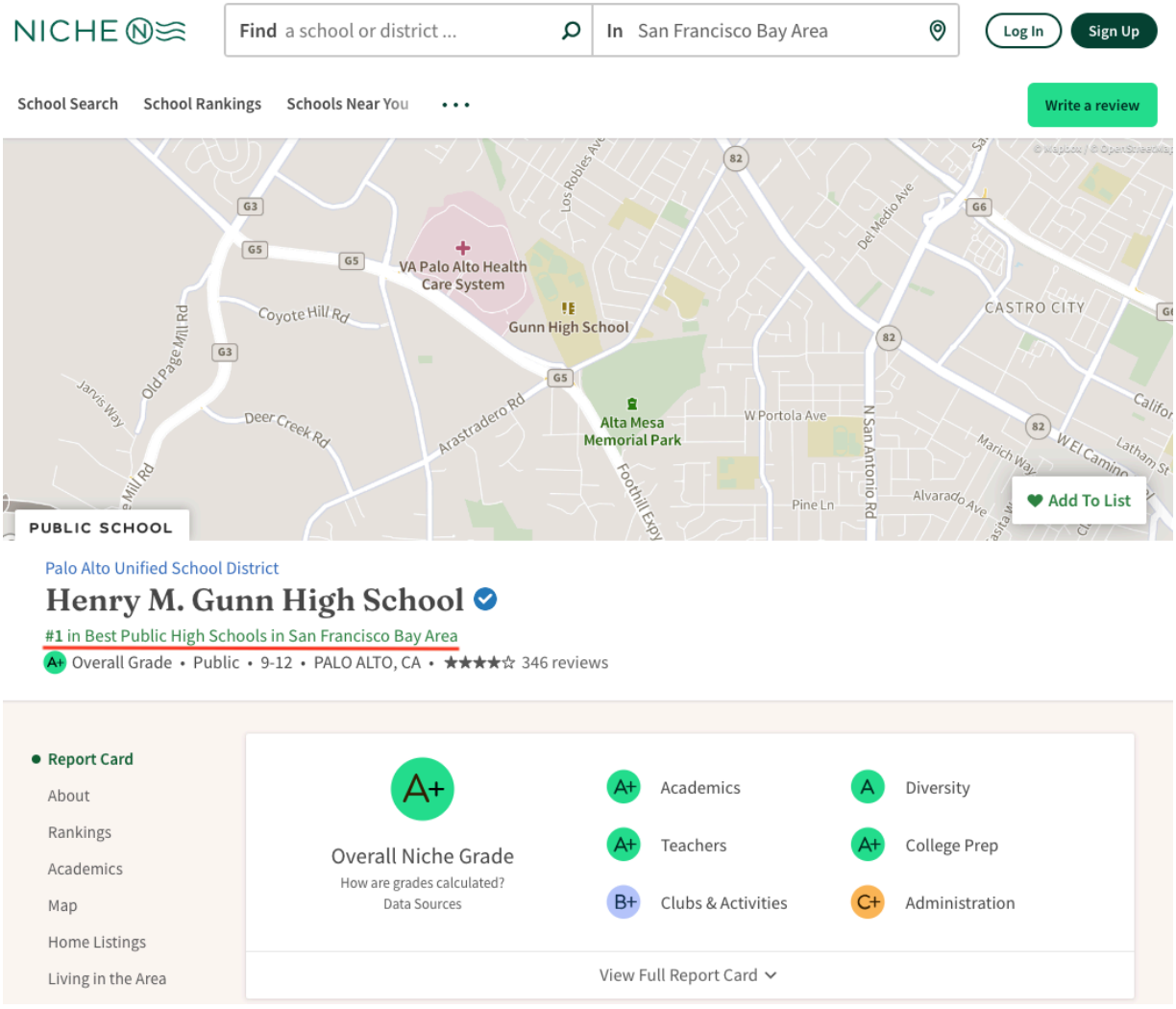
- **#135** in **National Rankings**
- **#14** in **California High Schools**
- **#4** in **San Jose, CA Metro Area High Schools**
- **#38** in **STEM High Schools**

SCORECARD	99.24
Took at Least One AP® Exam	83%
Passed at Least One AP® Exam	78%
Mathematics Proficiency	82%
Reading Proficiency	87%
Science Proficiency	81%
Graduation Rate	96%

EXHIBIT 20

HIGH SCHOOL RANKINGS BY NICHE

https://www.niche.com/k12/henry-m-gunn-high-school-palo-alto-ca/



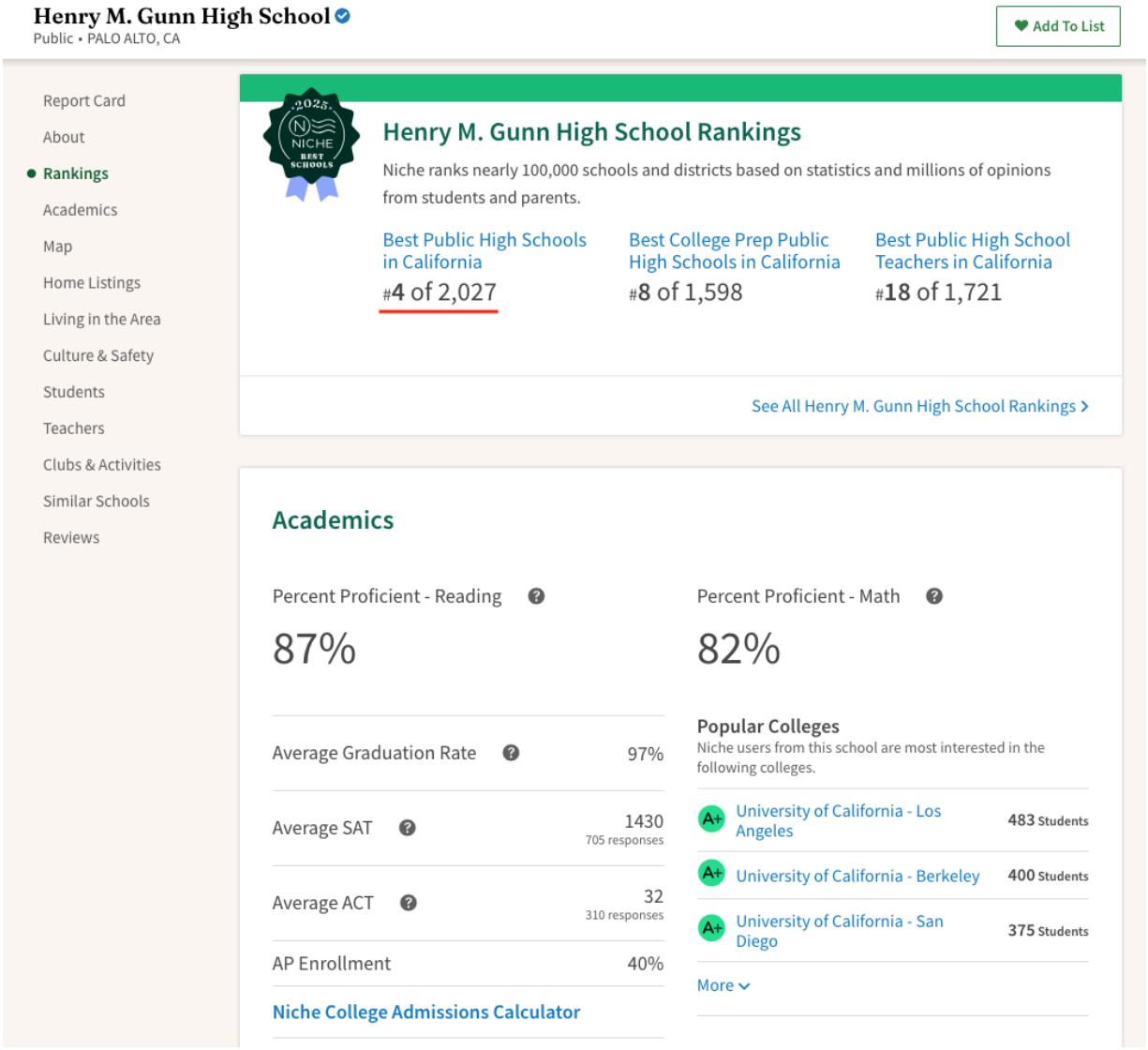

Henry M. Gunn High School
Public • PALO ALTO, CA
Add To List
Report Card
About
Rankings
Academics
Map
Home Listings
Living in the Area
Culture & Safety
Students
Teachers
Clubs & Activities
Similar Schools
Reviews
2025
NICHE
BEST SCHOOLS
Henry M. Gunn High School Rankings
Niche ranks nearly 100,000 schools and districts based on statistics and millions of opinions from students and parents.
Best Public High Schools in California
#4 of 2,027
Best College Prep Public High Schools in California
#8 of 1,598
Best Public High School Teachers in California
#18 of 1,721
See All Henry M. Gunn High School Rankings
Academics
Percent Proficient - Reading
87%
Percent Proficient - Math
82%
Average Graduation Rate
97%
Average SAT
1430
705 responses
Average ACT
32
310 responses
AP Enrollment
40%
Niche College Admissions Calculator
Popular Colleges
Niche users from this school are most interested in the following colleges.
A+ University of California - Los Angeles
483 Students
A+ University of California - Berkeley
400 Students
A+ University of California - San Diego
375 Students
More

EXHIBIT 21

STANLEY'S PSAT AND SAT SCORES

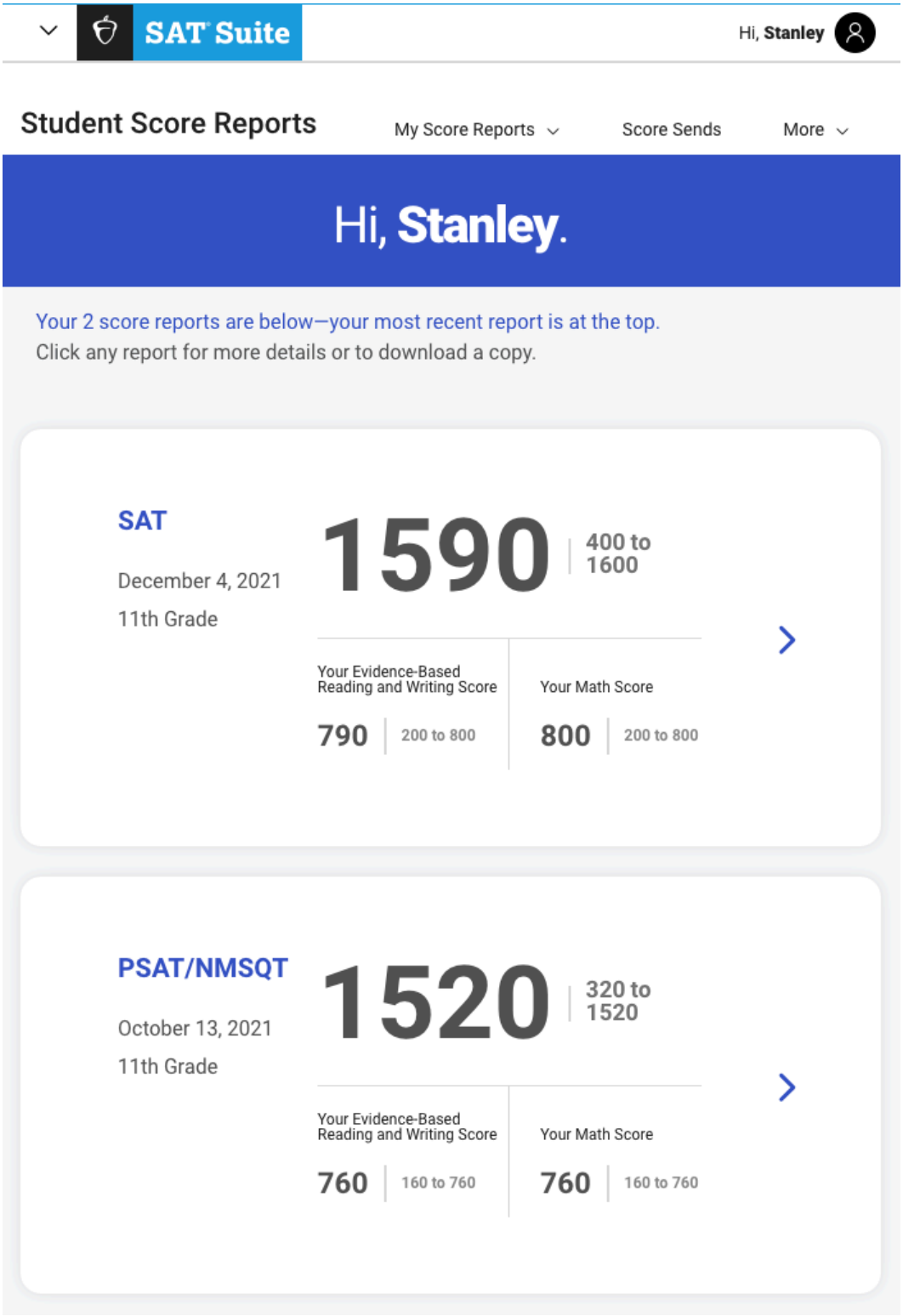

SAT Suite
Hi, Stanley
Student Score Reports
My Score Reports
Score Sends
More
Hi, Stanley.
Your 2 score reports are below—your most recent report is at the top.
Click any report for more details or to download a copy.
SAT
December 4, 2021
11th Grade
1590
400 to 1600
Your Evidence-Based Reading and Writing Score
790
200 to 800
Your Math Score
800
200 to 800
PSAT/NMSQT
October 13, 2021
11th Grade
1520
320 to 1520
Your Evidence-Based Reading and Writing Score
760
160 to 760
Your Math Score
760
160 to 760

EXHIBIT 22

Stanley's National Merit Scholarship finalist certificate

NATIONAL MERIT SCHOLARSHIP CORPORATION
1560 Sherman Avenue, Suite 200, Evanston, Illinois 60201-4897 (847) 866-5100

February 13, 2023

STANLEY L. ZHONG
[redacted]
PALO ALTO CA 94306

Semifinalist ID #: **23-16372**

Selection Unit #: **05-2130**

Dear Finalist:

Congratulations! You have advanced to Finalist standing in the 2023 National Merit® Scholarship Program, a distinction that places you in a group of more than 15,000 students, representing less than one percent of U.S. high school graduating seniors. A *Certificate of Merit* attesting to this accomplishment has been sent to your principal for presentation to you.

The National Merit Scholarship Program is privately financed, and the majority of scholarships offered are underwritten by approximately 340 independent sponsor organizations and institutions. Although this nationwide academic competition is the largest of its kind, scholarship funds are limited and only about 7,250 of the Finalists will receive a Merit Scholarship® award.

Three types of National Merit Scholarships will be offered in 2023; no Finalist can receive more than one award.

- All Finalists are being considered for one of the 2,500 single-payment National Merit $2500 Scholarships that will be offered on a state representational basis.

- Finalists who meet specific criteria of a company or business sponsor will be considered for one of about 950 corporate-sponsored Merit Scholarship awards. Most of these awards are designated for Finalists who are children of a sponsor's employees, but some are offered for residents of areas where the company is located, and a limited number are reserved for students planning to enter career fields a sponsor wishes to encourage.

- Finalists who meet the three conditions *listed on the reverse side of this letter* may be considered for one of about 3,800 college-sponsored Merit Scholarship awards to be financed by U.S. colleges and universities that have made sponsor arrangements with National Merit Scholarship Corporation (NMSC®).

Every Merit Scholarship award must be used for full-time attendance at a college or university in the United States that holds accredited status with a regional accrediting commission on higher education. Our records show that as of January 12, 2023, the regionally accredited U.S. college you reported to NMSC as your first choice is:

Stanford University

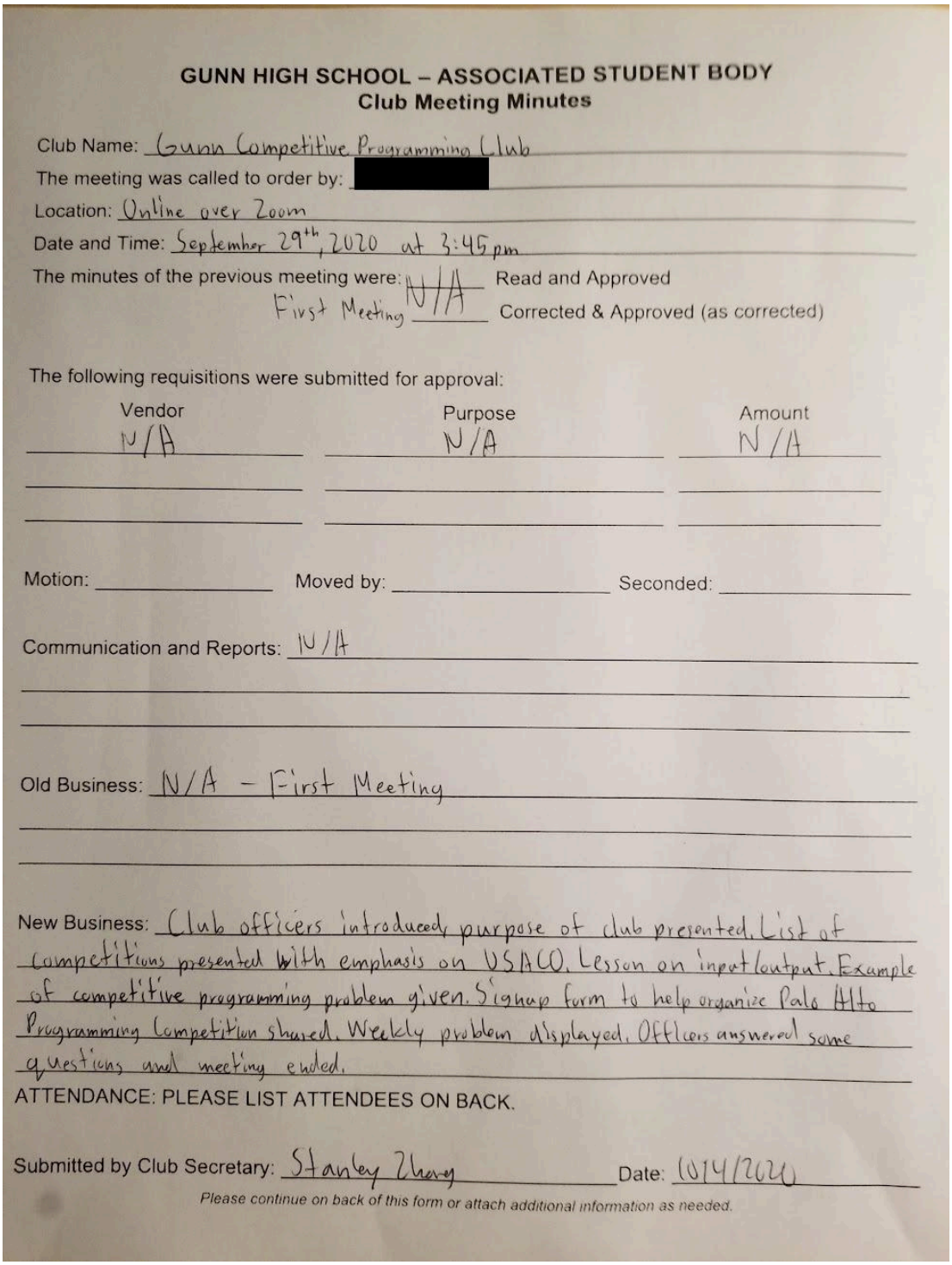
Please log in to NMSC's Online Scholarship Application (OSA) to keep your email and mailing addresses up to date throughout the spring. We will begin notifying winners of National Merit Scholarship awards by email in March. Finalists who have not been chosen to receive a Merit Scholarship award will be informed by mail in mid-May after most selections have been completed. All of us associated with the National Merit Scholarship Program salute you for your attainments to date and offer our best wishes for the realization of the high goals you set for yourself.

Sincerely,

James C. Wittenberg
Director of Scholarship Administration

EXHIBIT 23

STANLEY'S ROLE AS A FOUNDING OFFICER AND PRESIDENT OF THE COMPETITIVE PROGRAMMING CLUB AT HIS HIGH SCHOOL



GUNN HIGH SCHOOL – ASSOCIATED STUDENT BODY
Club Meeting Minutes

Club Name: Gunn Competitive Programming Club
The meeting was called to order by: [redacted]
Location: Online over Zoom
Date and Time: September 29th, 2020 at 3:45 pm
The minutes of the previous meeting were: N/A Read and Approved
First Meeting _____ Corrected & Approved (as corrected)

The following requisitions were submitted for approval:

Vendor	Purpose	Amount
N/A	N/A	N/A

Motion: _____ Moved by: _____ Seconded: _____

Communication and Reports: N/A

Old Business: N/A - First Meeting

New Business: Club officers introduced, purpose of club presented. List of competitions presented with emphasis on USACO. Lesson on input/output. Example of competitive programming problem given. Signup form to help organize Palo Alto Programming Competition shared. Weekly problem displayed. Officers answered some questions and meeting ended.

ATTENDANCE: PLEASE LIST ATTENDEES ON BACK.

Submitted by Club Secretary: Stanley Zhong Date: 10/4/2020

Please continue on back of this form or attach additional information as needed.

EXHIBIT 24

OpenBrackets co-founded by Stanley

https://www.openbrackets.us/

openbrackets

Home | Spring 2025 | Past Semesters | About | Contact | Get Involved

The OpenBrackets Spring Semester starts on Monday, February 3rd and end on Friday, April 11th. Click here to register your free spot today (spots are limited, so hurry)!

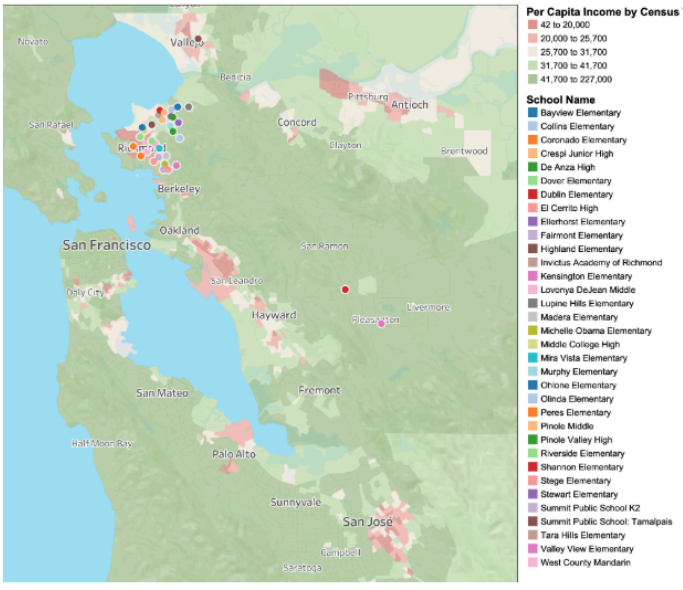
Bridging the Digital Divide

Our Mission

At OpenBrackets, we want to help bridge the digital divide. Inspired by the Black Lives Matter movement in Spring/Summer 2020, we wanted to make an immediate change in our community. Through our courses, we provide support in computer science to middle and high school kids who may not receive it at home, and encourage kids to consider tech as a career, regardless of their background. We also provide students with the opportunity to hear from Guest Speakers in the industry, to see the versatility a computer science foundation can provide. OpenBrackets is run by students, for students.

Impact

Our students come from the following schools. Most of the schools are in low-income areas with a higher percentage of residents of color.



Testimonials

"*All your staff were amazing and worked so well with our children considering the circumstances. My son had never done any coding before and not only did he learn so much from this experience but enjoyed his time with you all as well.*"

"*I wanted to thank you all for having this class for our children. Though I know that it was difficult to navigate remotely, my son was still able to get so much out of it. All your staff were amazing and worked so well with our children considering the circumstances. My son had never done any coding before and not only did he learn so much from this experience but enjoyed his time with you all as well. Thank you again for your guidance and patience and for bringing so much joy to our son.*"

"*This was my son's first experience with coding and he has really enjoyed this class. Having this opportunity at no cost was amazing and such a nice addition to a school year that is anything but normal.*"

"*Thank you to everyone involved from OpenBrackets in conducting and offering this opportunity to our children FREE of charge. If it was not for your team, your program and your generosity, I would have never been able to enroll my coding enthusiast daughter in a coding program as they*

EXHIBIT 25

Stanley's President's Volunteer Service Award

For his volunteer work at OpenBrackets, Stanley received the highest level of PVSA in 2021. His volunteer hours were certified by two adult advisors at OpenBrackets.

EXHIBIT 26

News reports on Stanley's college admission story

ABC7 Interview of Stanley and Nan on 10/10/2023

https://abc7news.com/stanley-zhong-college-rejected-teen-full-time-job-google-admissions/13890332/

Bay Area high school grad rejected by 16 colleges hired by Google

ABC7 follow-up interview of Stanley on 10/13/2023

https://abc7news.com/high-school-grad-rejected-by-colleges-stanley-zhong-schooler-lands-google-job-bay-area/13909470/

High school grad rejected by 16 colleges reveals how he got Google job

ABC7 follow-up interview of Nan on 10/16/2023

https://abc7news.com/stanley-zhong-google-bay-area-teen-college-admissions-transparency/13925114/

Dad of CA teen rejected by colleges but hired by Google calls for admissions trans…

CBS 10/20/2023

https://www.cbsnews.com/news/stanley-zhong-google-software-engineer/

CNBC 11/8/2023

https://www.cnbc.com/2023/11/08/dad-of-18-year-old-google-engineer-shares-his-top-parenting-rule.html

People 10/20/2023

https://people.com/high-school-graduate-rejected-over-dozen-colleges-lands-jobs-at-google-8364398

USA Today 10/13/2023

https://www.usatoday.com/story/news/education/2023/10/13/google-hired-high-school-grad-colleges-rejections-stanley-zhong/71166136007/

Business Today 10/17/2023

https://www.businesstoday.in/technology/news/story/google-vs-college-google-hires-18-year-old-as-software-engineer-after-16-colleges-reject-him-402101-2023-10-16

Yahoo News 10/11/2023

https://news.yahoo.com/bay-area-teen-rejected-16-204200918.html

Palo Alto Online 10/23/2023

https://www.paloaltoonline.com/news/2023/10/23/from-gunn-to-google-meet-stanley-zhong-the-18-year-old-college-reject-who-landed-every-techies-dream-job

Sing Tao Daily 10/4/2023

https://epaper.singtaousa.com/flippingbook/epaper_sf/2023/20231010/21/

World Journal 10/13/2023

https://www.worldjournal.com/wj/story/121469/7504367

https://www.worldjournal.com/wj/story/121472/7504474

EXHIBIT 27

CONGRESSIONAL HEARING CITING STANLEY'S COLLEGE ADMISSION CASE

https://www.youtube.com/live/4Zu5cdfv9kk?si=XufizKznBZZZlnWo&t=2587



https://democrats-edworkforce.house.gov/imo/media/doc/mike_zhao.pdf

(Appendix A, page 4)

Stanley Zhong, an exceptional student rejected by 16 colleges in 2023

- **Academic Performance:** GPA (UW/W): 3.97/4.42. SAT: 1590 & National Merit Scholarship finalist
- **Finalist of major global programing competitions:**
  - Advanced to the Google Code Jam Coding Contest semi-final
  - Led his team to the 2nd place in MIT Battlecode's global high school division (1st place in the US)
- **An innovator and entrepreneur: Created an e-signing startup (RabbitSign.com) that's**
  - Grown to tens of thousands of users organically.
  - Recognized by an Amazon Web Services Well-Architected Review as "one of the most efficient and secure accounts" they have reviewed.
  - Featured by Amazon Web Services case study for its exemplary use of AWS Serverless and compliance services.
  - Interviewed by Viewpoint with Dennis Quaid, a series of short documentaries on innovations. (past guests included President George H.W. Bush & Fortune 500 CEOs.)
- **Co-founded a non-profit that brought free coding lessons to 500+ kids in underserved communities in California, Washington, and Texas.**
- **Hired by Google (full-time) but rejected by 16 colleges** including Stanford, MIT, CMU, UC Berkeley, UCLA, UC San Diego, UC Santa Barbara, UC Davis, California Polytechnic State University, Cornell, Univ of Illinois, Univ of Michigan, Georgia Tech, CalTech, Univ of Wisconsin, and Univ of Washington.

Copyright © Asian American Coalition for Education 2023. All rights reserved.

EXHIBIT 28

PROTESTS AGAINST SFFA AND RACE-NEUTRAL ADMISSIONS

https://www.harvardmagazine.com/2023/07/rally-against-scotus-admissions-ruling

HARVARD MAGAZINE

Harvard Students Protest Supreme Court Ruling

With a march and speeches, students vowed to fight back.

by Ryan Doan-Nguyen



At a rally in Harvard Yard on July 1, demonstrators expressed their opposition to the Supreme Court decision ending race-conscious admissions.

https://www.youtube.com/watch?v=OFN4SeF-Lh4

Harvard Students Rally in Support of Affirmative Action After Supreme Court Ruling



https://youtu.be/Ruc1BlRvsDo?si=FFkWoJiWy_gmHawn&t=89

University of Texas students argue over anti-affirmative action bake sale



---

https://www.youtube.com/watch?v=61ywDq-vEZg

Protesters Clash in Washington After Supreme Court Ends Affirmative Action



---

https://www.youtube.com/watch?v=zzeeOBthe9A

Affirmative action supporters rally against Supreme Court ruling in 2005



EXHIBIT 29

HARVARD THEN-PRESIDENT CLAUDINE GAY RESPONDING TO SUPREME COURT RULING

https://www.nbcnews.com/politics/supreme-court/supreme-court-strikes-affirmative-action-programs-harvard-unc-rcna66770

At 1:46 of the video clip

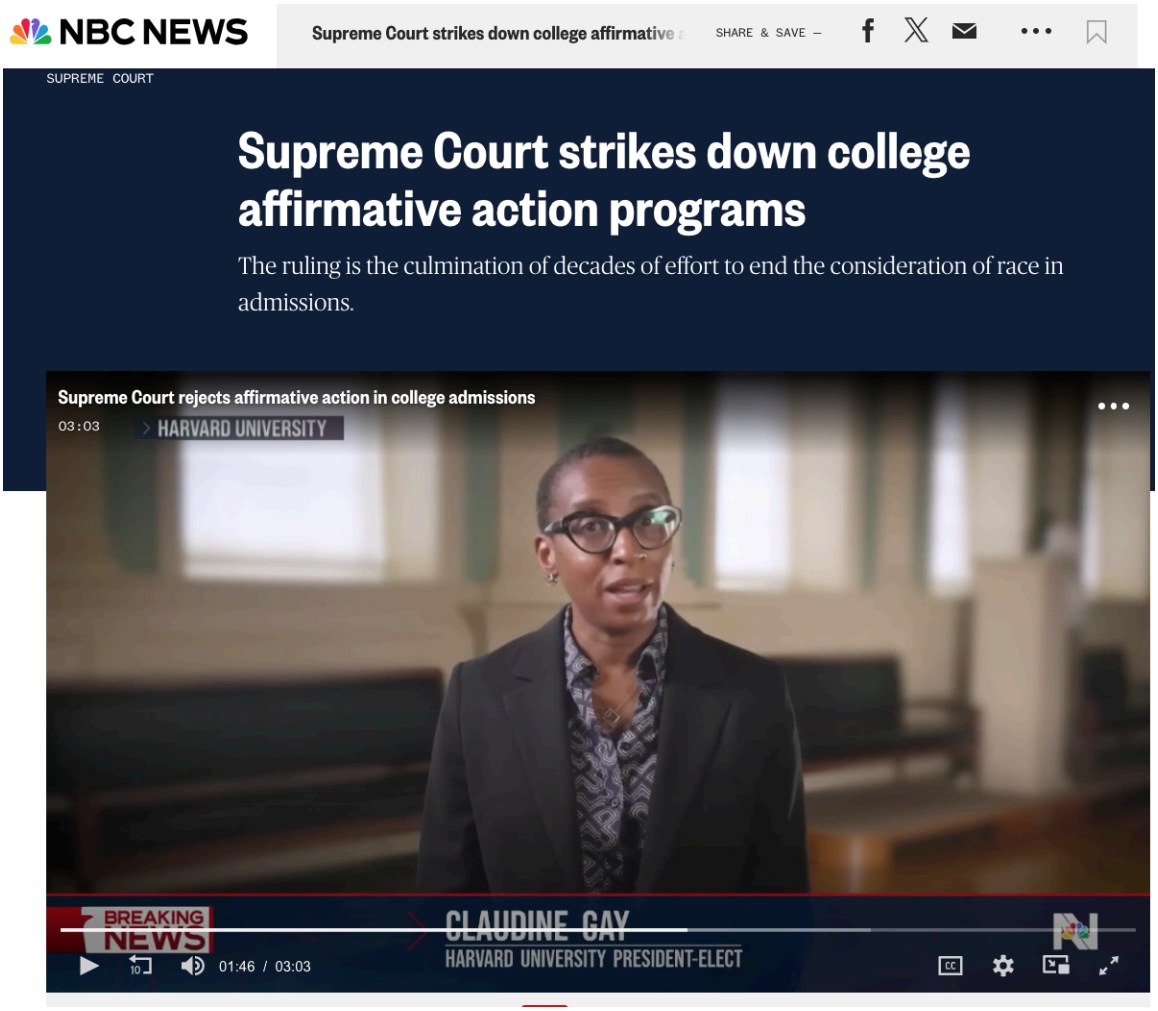


EXHIBIT 30

Professor Janelle Wong and Professor Viet Thanh Nguyen's LA Times Opinion Piece

https://www.latimes.com/opinion/story/2023-06-14/affirmative-action-supreme-court-harvard-case-asian-americans

Los Angeles Ti SUBSCRIBE LOG IN

Opinion: Affirmative action isn't hurting Asian Americans. Here's why that myth survives



Supporters of affirmative action in higher education rally in front of the U.S. Supreme Court before oral arguments in Students for Fair Admissions vs. President and Fellows of Harvard College and Students for Fair Admissions vs. University of North Carolina on Oct. 31, 2022. (Chip Somodevilla / Getty Images)

By Janelle Wong and Viet Thanh Nguyen

EXHIBIT 31

State audit of UC Berkeley's admissions in 1987

https://www.auditor.ca.gov/pdfs/oag/p-722.pdf

EXHIBIT 32

UC Berkeley Chancellor's apology in 1989

https://www.latimes.com/archives/la-xpm-1989-04-07-mn-1075-story.html

CALIFORNIA

UC Berkeley Apologizes for Policy That Limited Asians

L.A. Times Archives

April 7, 1989 12 AM PT

Share

SPECIAL TO THE TIMES

OAKLAND — Seeking to put to rest a five-year dispute, UC Berkeley Chancellor Ira Michael Heyman apologized Thursday for admissions policies that caused a recent decline in Asian undergraduate enrollment and pledged to help change those entrance requirements.

"It is clear that decisions made in the admissions process indisputably had a disproportionate impact on Asians," Heyman said at a press conference here with leaders of the local Asian community. "That outcome was the product of insensitivity. I regret that that occurred."

Heyman said he could not determine whether officials who developed and implemented the admissions policies were intentionally trying to set a ceiling on Asian enrollment, as members of the Asian community have charged.

EXHIBIT 33

SURVEY OF COLLEGE ADMISSIONS DIRECTORS

https://www.insidehighered.com/news/survey/pressure-build-class-2016-survey-admissions-directors

Admissions Directors on Asian-American Applicants

Statement	Public % Yes	Private % Yes
Do you believe that some colleges are holding Asian-American applicants to higher standards?	39%	42%
At your college, do Asian-American applicants who are admitted generally have higher grades and test scores than other applicants?	41%	30%

EXHIBIT 34

Former Dartmouth admission officer on discrimination against Asians

https://www.huffpost.com/entry/the-ivy-league-asian-prob_b_10121814

From where we sit as advocates for transparency in admissions and as advocates for high school students and their parents, the complaint is valid. I've seen from the inside (as a former admissions officer at Dartmouth College) how even the so-called "holistic process" can discriminate against Asian students. I share some of this insider information here: Behind the Scenes in an Ivy League Admissions Office. Often high-scoring Asian applicants with top GPA's were seen as "passive," "robotic," and "just another violin/piano playing standout" with "lack of spark." Though I don't think discrimination was intentional, there persisted a stereotype that the majority of Asian applicants were strong in math/science, played the violin or piano at a high level, attended Chinese (or Korean) school on weekends and often did tutoring, Kumon, high level math contests and award-centered activities like Academic Decathlon or Quiz Bowl. At committee discussions, Asians students were often rejected because they "didn't stand out," were "too quiet," "low impact" or "too one-sided."

Having seen this kind of discrimination first-hand working in an Ivy League admissions office, it comes as no surprise that working with students in private consulting for the past 20 years, we've seen continued discrimination. We tell the Asian clients we work with (both US citizens and international students) that it's not good enough to have the "average" Ivy SAT scores of 730 or so - if you are Asian, you have to be well above average (a third party study proved that number was actually 140 points higher than the average for white students) to get into top US Colleges. We also focus our Asian clients on high level reading and vocabulary as the quickest way for Asians to be rejected is a low Critical Reading score on the SAT. Though 800's on the SAT math section is de rigueur, fewer Asian students excel on the Critical Reading section of the SAT. We put our younger students on a strict reading and vocabulary program for this reason. As educators first, we want our students to have college choices, of course, but we also want them to deepen their love of learning and ability to embrace and even enjoy the classics.

EXHIBIT 35

Excerpt from the SFFA's legal complaint about Asian-American applicants and their families

E. Asian-American Applicants And Their Families Know That They Are Being Discriminated Against By Elite Universities.

262. Asian Americans are not blind to the discrimination employed by Harvard and other elite colleges and universities.

263. According to Princeton economist Uwe Reinhardt, "within the Asian community, of which I'm a part, there's this feeling that, for you to get into Harvard or Princeton, you've got to be better than everybody else."

264. According to Kara Miller, a former Ivy League admissions officer, "Asian kids know that when you look at the average SAT for the school, they need to add 50 or 100 to it. If you're Asian, that's what you'll need to get in."

265. For example, Iris Wang, a senior at Hunter College High School, one of the best public high schools in America, scored a 1520 SAT score and had top grades. Her

father is a chemist and her mother a postal worker. She was rejected by Harvard, as well as numerous other schools. According to Wang, "All the schools basically say, 'we don't discriminate.' But I went to the Columbia session and they said they value a multicultural community. If they want to be multicultural, there's only so many of one culture they can take."

266. Daniel Golden, the Pulitzer Prize-winning reporter then of *The Wall Street Journal*, described Jamie Lee, who applied to Harvard, as well as six other elite private schools: According to Mr. Golden, "Jamie Lee was a superb student. Born in Hong

EXHIBIT 36

EXCERPT FROM THE SFFA'S LEGAL COMPLAINT ABOUT COLLEGE COUNSELORS

industry knows that." Without affirmative action, "our elite campuses will look like UCLA and Berkeley," and "[t]hat wouldn't be good for Asians or for anyone else."

D. College Counselors Acknowledge Discrimination Against Asian Americans At Elite Universities.

252. College counselors and advisors recognize that discrimination against Asian Americans occurs at elite universities such as Harvard and thus tell Asian Americans to hide their identity, to emphasize personal characteristics that avoid Asian stereotypes, and, in many cases, to lower their expectations and apply elsewhere.

253. For example, the Princeton Review, the leading guide to college admissions, gives specific recommendations for Asian-American students applying to elite schools such as Harvard on how to overcome these schools' anti-Asian-American bias. Its recommendations are both honest and discouraging.

254. According to the Princeton Review: "Asian Americans comprise an increasing proportion of college students nationwide. Many Asian Americans have been extraordinarily successful academically, to the point where some colleges now worry that there are 'too many' Asian Americans on their campuses. Being an Asian American can now actually be a distinct disadvantage in the admissions processes at some of the most selective schools in the country. Increasingly, the standard for affirmative action isn't minority status, but under-represented minority status. Since Asian American populations at many colleges exceed the proportion of Asian Americans to the population of the state or country as a whole, Asian Americans are a minority, but not an under-represented minority, at those colleges…. If you are an Asian American—or even if you simply have an Asian or Asian-sounding surname—you need to be careful about what you do and don't say in your application."

EXHIBIT 37

ASIAN-AMERICAN APPLICANTS TRIED TO APPEAR "LESS ASIAN"

https://www.nytimes.com/2022/12/02/us/asian-american-college-applications.html?unlocked_article_code=1.pk4.Oskn.OpS2fQgjTg2C&smid=url-share

The New York Times

Applying to College, and Trying to Appear 'Less Asian'

The affirmative action lawsuit against Harvard seemed to confirm advice given for years to Asian Americans: Don't play chess, don't check the box declaring race.

When it came time to fill out his college application form, Max Li chose not to declare his race. Even though he knew his last name sounded Chinese, he selected “prefer not to say.”

Clara Chen was advised to avoid the Advanced Placement exam for Chinese because college admissions officers might assume, based on her last name, that she already spoke the language, which could undermine the value of her score. She took the test for Advanced Placement French instead.

When Marissa Li was growing up, she loved playing competitive chess, and spent hours studying the matches of some of her favorite players, like Bobby Fischer. But on her college application, she barely mentioned her interest in the game because she was afraid that it might come across as too stereotypically Asian.

Sasha Chada, the founder of Ivy Scholars, a college admissions counseling company based in Texas, said that while his company’s Latino clients often emphasized their ethnicity and their engagement with Hispanic cultural organizations on their college applications, his company frequently gave Asian American students the opposite advice, urging them to shift away from “classically Asian activities” to improve their chances of getting into the country’s elite universities.

EXHIBIT 38

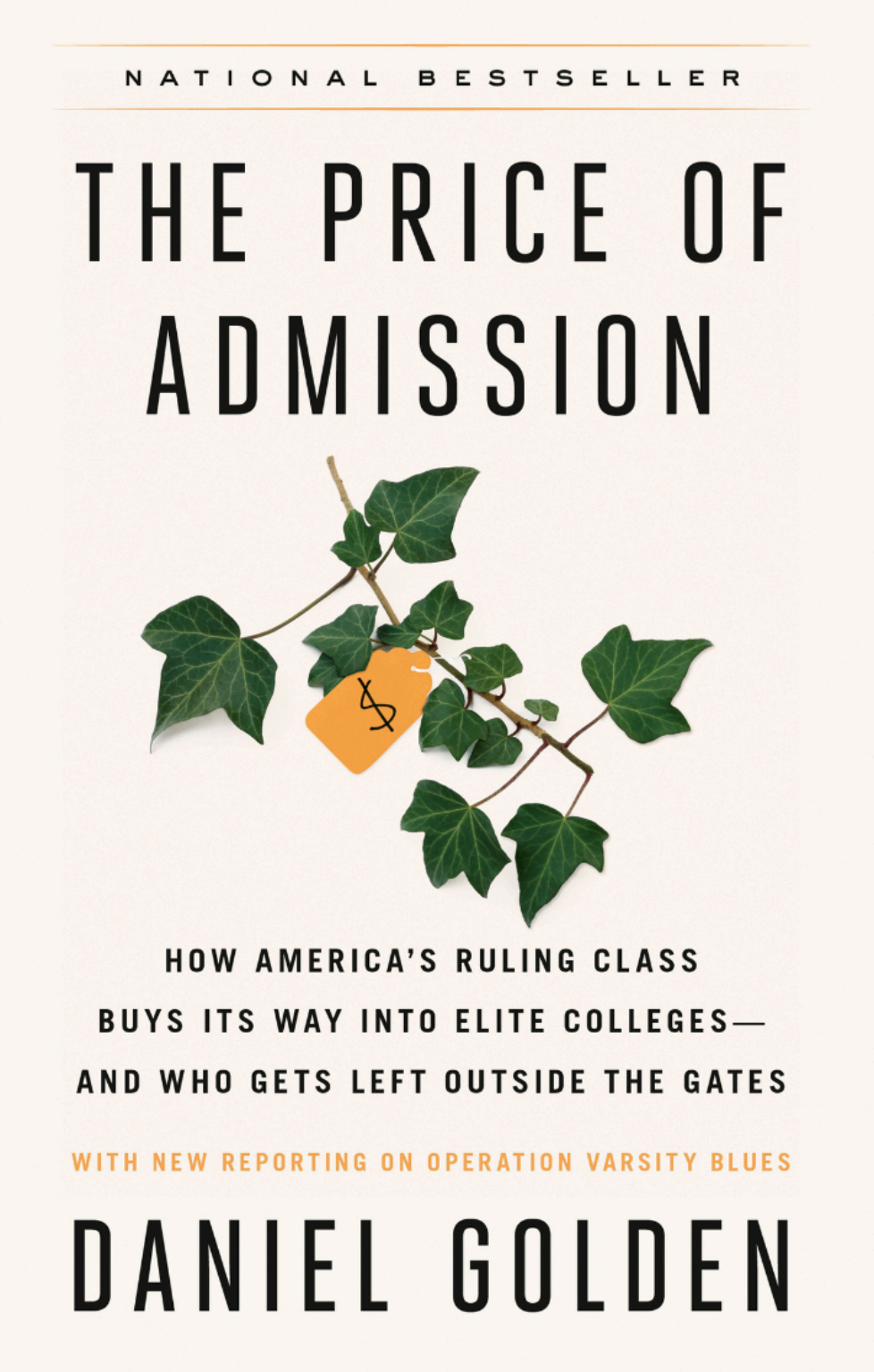
ASIAN-AMERICAN ENROLLMENT ROSE AFTER LEGAL PRESSURE

https://asianamericanforeducation.org/en/call_for_complaint_2017_en/

 * After the Student for Fair Admissions filed a lawsuit in 2014 and Asian American Coalition for Education (AACE) filed a joint complaint against Harvard University in 2015, Harvard's admission rate of Asian-Americans jumped from 17% prior 2014 to 22% in 2016.
 * After a few Asian-American students filed a complaint against Princeton University since 2006, its admission rate of Asian Americans increased from 14.7% in 2007 to 21.9% in 2012 and 25.4% in 2014.

EXHIBIT 39

EXCERPT FROM CHAPTER 7 IN *THE PRICE OF ADMISSION*



7

THE NEW JEWS

Asian Americans Need Not Apply

Americans. His parents had gone to college in Korea, ruling out legacy preference for their son in the United States, and they couldn't afford to donate to a university; in fact, Henry applied for financial aid to pay his college tuition.

His Groton guidance counselor knew the score. She discouraged Henry from applying to the Ivy League, telling him it was a long shot at best, and advised him to lower his expectations to second- and third-tier schools. When Henry disregarded her advice, he was spurned by four Ivies—Harvard, Yale, Brown, and Columbia—as well as Stanford University and Massachusetts Institute of Technology. While they rejected Henry, Ivy League universities admitted thirty-four of his Groton classmates. Brown accepted the daughter of a best-selling author; Harvard, the grandson of one of its biggest donors; Columbia, an African American candidate; and Stanford, the daughter of an oil tycoon who chaired the university's board.

"When the decisions came out, and all these other people started getting in, I was a little upset," Henry told me. "I feel I have to hold myself to a higher standard." Added his mother, Suki Park, "I was naive. I thought college admissions had something to do with academics."

Unlike Henry, Stanley Park seemed to have a special hook to bolster his academic credentials, which included a 1500 SAT score. Stanley was born and raised in California, where voters abolished affirmative action in public university admissions in 1996. In the wake of that ban, the University of California, Los Angeles, revamped its admissions criteria to favor students who had conquered "life challenges," such as family illness, being raised by a single parent, or being the first in the family to go to college.

Stanley, who graduated from University High in Irvine in 2002, had overcome more than his share of adversity. After his parents—immigrants of modest means with only high school educations and little English—divorced in 1999, he lived with his mother. When she was diagnosed with breast cancer a year later, he began tutoring children to help pay the rent.

"All the money he earned tutoring was donated to his family," his high school guidance counselor wrote in Stanley's college recommendation. "In the time I have known Stanley I have been impressed with his incredible balance. It's easy to view him as a top mathematics student, but there is so much more to this complex young man that makes him interesting. For the past three years, he has gone to the Bethel Korean Church at 6:30 a.m. every Sunday

morning. Once there, he loads vans with food, and with other church members distributes food to the homeless."

Stanley's own college application essay movingly recounted how his mother's illness had inspired him. "I have the most loving and caring mother anyone can ever have," he wrote. "I admire her so much because she works hard even after her divorce last year. She sacrificed her youth and free time so that I might have a promising future. She went as far as to giving up her whole Christmas bonus to pay for an SAT class. Then something unfair happened to my mother; she was diagnosed with breast cancer. When my mother had her breasts removed, I could visibly see the pain and shame on her face. Although I am very grateful that she is alive, I could not bear to see my mom in that kind of pain. Now that she can't work as hard as she used to, I do not want to let all my mom's past sacrifices for me to be in vain. I slowly realized that the only thing I can do to help out was to make her happy by showing her the fruits of her sacrifices. I began to study harder in school and take my volunteer work… more seriously."

Nevertheless, UCLA and the state university's other elite campus, Berkeley, rejected Stanley while admitting black and Hispanic applicants with far lower scores. Stanley learned the hard way that the "life challenge" preference at his state university was a back-door substitute for affirmative action. It was never meant for him or other Asian Americans at all.

—

ASIAN AMERICANS are the new Jews, inheriting the mantle of the most disenfranchised group in college admissions. The nonacademic admissions criteria established to exclude Jews, from alumni child status to leadership qualities, are now used to deny Asians. "Historically, at the Ivies, the situation of the Asian minorities parallels very closely the situation of the Jewish minorities a half a century earlier," said former Princeton provost Jeremiah Ostriker.

Once ostracized, Jewish students are now widely coveted for their intellectual prowess. Today, many Jewish applicants have admissions hooks, often as children of alumni, donors, or faculty. Having apologized profusely for restricting Jewish enrollment in the past,

At another mainly Hispanic high school near Los Angeles, Belmont, UCLA student and outreach worker Alex Paredes helped Rosaura Novelo edit her application essay, which appeared tailored to fit the "life challenge" criterion. "It has been difficult for my parents, Mexican immigrants who did not even get to third grade in school, to raise a family of seven," Rosaura's essay began. "My father is the only person in the family who works, getting only minimum wage....Our situation has taught me to appreciate education, learn how to overcome challenges that I have been faced with, and to take advantage of the benefits that come from all my hard work....Taking advantage of the opportunities my parents have provided me with has sometimes been difficult because of all the challenges I have had to overcome....Things have not been handed to me on a silver platter, which makes it challenging for me....My community has also been an obstacle: gangs and violence are an everyday occurrence." UCLA—which took twenty-four Belmont seniors in 2002, tripling the previous year's number—admitted Rosaura despite an SAT score of 980, 520 points below Stanley Park's.

When I dropped by University High in Irvine on the same trip, I found that its admissions to Berkeley and UCLA were plummeting. University High is one of the best public schools in California, with a mean SAT score of 1247 in 2003–4 compared with a state average of 1015. It's also 45 percent Asian American. UCLA admits from University High dropped from 112 in 1998 to 65 in 2004, and Berkeley admits from 91 to 46 over the same period, relegating more University High graduates to less selective campuses such as Riverside and Santa Cruz. As a highly ranked school, University High didn't qualify for University of California outreach, hurting its students' prospects under comprehensive review. In other words, Stanley Park's mother had moved to a cramped Irvine apartment she could barely afford to provide him a better education—and may thereby have thwarted his admission to Berkeley and UCLA.

from rural states, popularized to squelch Jewish applicants from New York City, now hurts Asian students concentrated in metropolitan areas, particularly Los Angeles.

Now as then, a lack of preferences can be a convenient guise for racism. Much as college administrators justified anti-Jewish policies with ethnic stereotypes—one Yale dean in 1918 termed the typical Jewish student a "greasy grind"—so Asians are typecast in college admissions offices as quasi-robots programmed by their parents to ace math and science tests. Asked why Vanderbilt poured resources into recruiting Jews instead of Asians, a former administrator told me, "Asians are very good students, but they don't provide the kind of intellectual environment that Jewish students provide."

Similarly, MIT dean of admissions Marilee Jones rationalized the institute's rejection of Henry Park by resorting to stereotypes. Although she wasn't able to look up his application because records for his year had been destroyed, "it's possible that Henry Park looked like a thousand other Korean kids with the exact same profile of grades and activities and temperament," she emailed me in 2003. "My guess is that he just wasn't involved or interesting enough to surface to the top." She added that she could understand why a university would take a celebrity child, legacy, or development admit over "yet another textureless math grind." College administrators who made such remarks about black or Jewish students might soon find themselves higher education outcasts.

—

"ASIAN AMERICAN" is not an identity deeply rooted in history or tradition. Chinese and Japanese students popularized the term in the 1970s in an effort to be included in affirmative action programs. In 1977, the federal government (which had previously counted immigrants from China, Japan, Korea, and so forth by their countries of origin) introduced "Asian or Pacific Islander" as a data collection category—defined as "a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands."

The strategy worked almost too well. Soaring Asian enrollment soon provoked a backlash. In 1984, with Asian Americans accounting for more than a quarter of its freshman class,

EXHIBIT 40

MR. JOHN MOORES'S ACCUSATION IN *THE PRICE OF ADMISSION*

on her SATs and is the daughter of a struggling Korean-immigrant pastor. "No matter how bad your situation is, someone has it worse."

Asian applicants to Berkeley or UCLA who hadn't confronted a life challenge soon rued this gap in their resumes. Albert Shin, another University High student and the son of an engineer, scored 1540 on his SAT, had a 3.9 grade point average, and could read English, Korean, and Latin. Both Berkeley and UCLA turned him down. "It would be okay to look at social disadvantage a little bit, but judging it more than academics would be wrong," Albert told me. He, Stanley Park, and Hyejin Jae enrolled at the university's San Diego campus. As of March 2006, Stanley Park was a senior bioengineering major with a 3.5 grade point average, and "pretty worried" about admission to medical school. Financial aid and a job as a nuclear medicine assistant at a San Diego hospital had helped pay his tuition.

By 2003, parental complaints that comprehensive review meant rejecting top Asian and white students caught the attention of John Moores, then chairman of the university's board of regents. Studying Berkeley's admissions records, he found that in 2002—the year Albert, Stanley and Hyejin were rebuffed—Berkeley turned down 1,421 Californians with SAT scores above 1,400, including 662 Asian Americans. Of the 359 students accepted with SAT scores of 1,000 or less, 231 were black, Hispanic, or Native American.

The regents chairman accused his flagship campus of "blatantly" discriminating against Asian Americans and denounced comprehensive review as "fuzzy…It's silly to pretend that very low scoring applicants should be admitted to one of America's premier universities with the expectation that somehow these students will learn material that they missed in K–12." University officials disputed Moores's contention, noting that SAT scores are an imperfect measure of academic ability. Still, in April 2004, a university study group compared a statistical model of how the UC admissions process was supposed to work with actual cases. Buried deep inside its report was the finding that "somewhat fewer Asian students, and more African American and Chicano/Latino students (and, in some cases, White students) were admitted" on most campuses than would have been expected. One possible explanation: "small but real racial or ethnic effects on admissions decisions."

EXHIBIT 41

Professor Tim Groseclose's protest

https://youtu.be/zUsuIr1E_6s?si=c7acYOK9LykvZh8a&t=31

Professor Tim Groseclose talking to media about his observations of UCLA violating Prop 209

---

https://dailybruin.com/2012/11/08/submission-faculty-letter-misrepresents-mare-reports-findings

Professor Tim Groseclose talking about racial discriminations identified in Professor Robert Mare's reports

COMMUNITY, OPINION

Submission: _Faculty letter misrepresents Mare report's findings_

By Daily Bruin Staff
Nov. 8, 2012 11:53 p.m.

Editor's Note: Portions of this submission have been previously published on Professor Tim Groseclose's blog, specifically his analyses of tables in the Mare report.

By Tim Groseclose

In an Oct. 30, 2012 Daily Bruin column, a group of 57 professors criticized a Daily Bruin news article and column, which documented evidence that UCLA is using race in admissions, a violation of Proposition 209.

The 57 faculty also criticized a report by law professor Richard Sander, who described statistical analyses showing that UCLA is using race in admissions.

The 57 professors cite a report by UCLA sociologist Robert Mare. They write that "(Mare's) report found no signs of race-based reader bias in the awarding of applicant holistic scores."

The professors either did not read the Mare report carefully, or they are intentionally trying to misrepresent its findings.

Mare analyzed two major parts of the admissions process: the scores that each applicant receives from two initial reviewers in the first round of the process, and the scores that some applicants receive in "second chance" (Mare's term) reviews by senior admissions staff. The latter reviews include "Final Review," "Supplemental Review," and "School Review."

Sander and Mare found little, if any, evidence of racial bias in the initial reviews. However, both researchers found evidence of bias in the second-chance reviews. Sander was not given data about particular aspects of the second-chance reviews; he could therefore only conclude that the total effect of all aspects of the second-chance reviews contained racial bias. Meanwhile, Mare analyzed each aspect of the second-chance reviews separately.

With the latter analysis at least three of his statistical estimates imply racial bias.

The first of these estimates is the .391 number in column F of his Table 10. Because it is

The first of these estimates is the .391 number in column F of his Table 10. Because it is positive and statistically significant, this means the following: Suppose you take a black and a white student who are identical on every other variable in Professor Mare's data set. That is, they have identical grades and SAT scores, have parents with identical incomes and educational backgrounds, etc. They're also identical on the "Limits to Achievement" variable that Professor Mare created.

To construct this, Mare recorded such things as whether the applicants' life experience includes homelessness, whether their life experience includes incarceration, whether their life experience includes being a victim of discrimination, and so on.

The .391 number means that the black student has a significantly higher probability of being selected for "Supplemental Review." Remember the two students are identical on everything but race. Thus, it indicates a violation of Prop. 209.

The second of Mare's estimates that implies racial bias is the -.706 number in column G of his Table 10. It indicates the following: suppose you take two students who have been selected for supplemental review.

Suppose one is black and one is white, but otherwise they are identical on all the variables that Professor Mare included in his analysis. The fact that the number is negative (and highly significant statistically) means that the black student is more likely to receive a lower holistic score than the white student. Lower scores are better, which means that the black student is more likely to be admitted. Once again, that's a violation of Prop. 209.

A third estimate by Mare that implies a racial bias is the -.865 number in column D of his Table 10. This number indicates that black students receive significant racial preferences in the "Final Review" stage of the admissions process. (The latter occurs when the scores of two initial readers differ by more than 1.0. When this happens, a senior staff member conducts a third holistic review of the applicant. The applicant's final holistic score is determined by that senior staff member.)

Mare's Table 10 contains eight columns. Five do not show any statistically significant evidence that UCLA is giving racial preferences toward African Americans; however, three do. It is thus false to conclude that Mare found "no signs of race-based reader bias."

Further, when he calculates the net effect of the entire admissions process (that is, all eight aspects, represented by the eight columns of Table 10), Mare finds that the net effect is substantial. Specifically, on page 74, he writes: "Absent the adjusted disparities estimated in this analysis 121 fewer Black applicants would have been admitted, which amounts to approximately 33 percent of the actual number admitted."

The 57 professors also claim the following about Mare's report: "An extensive, independent analysis of UCLA's holistic review process concluded that it works as intended by our faculty."

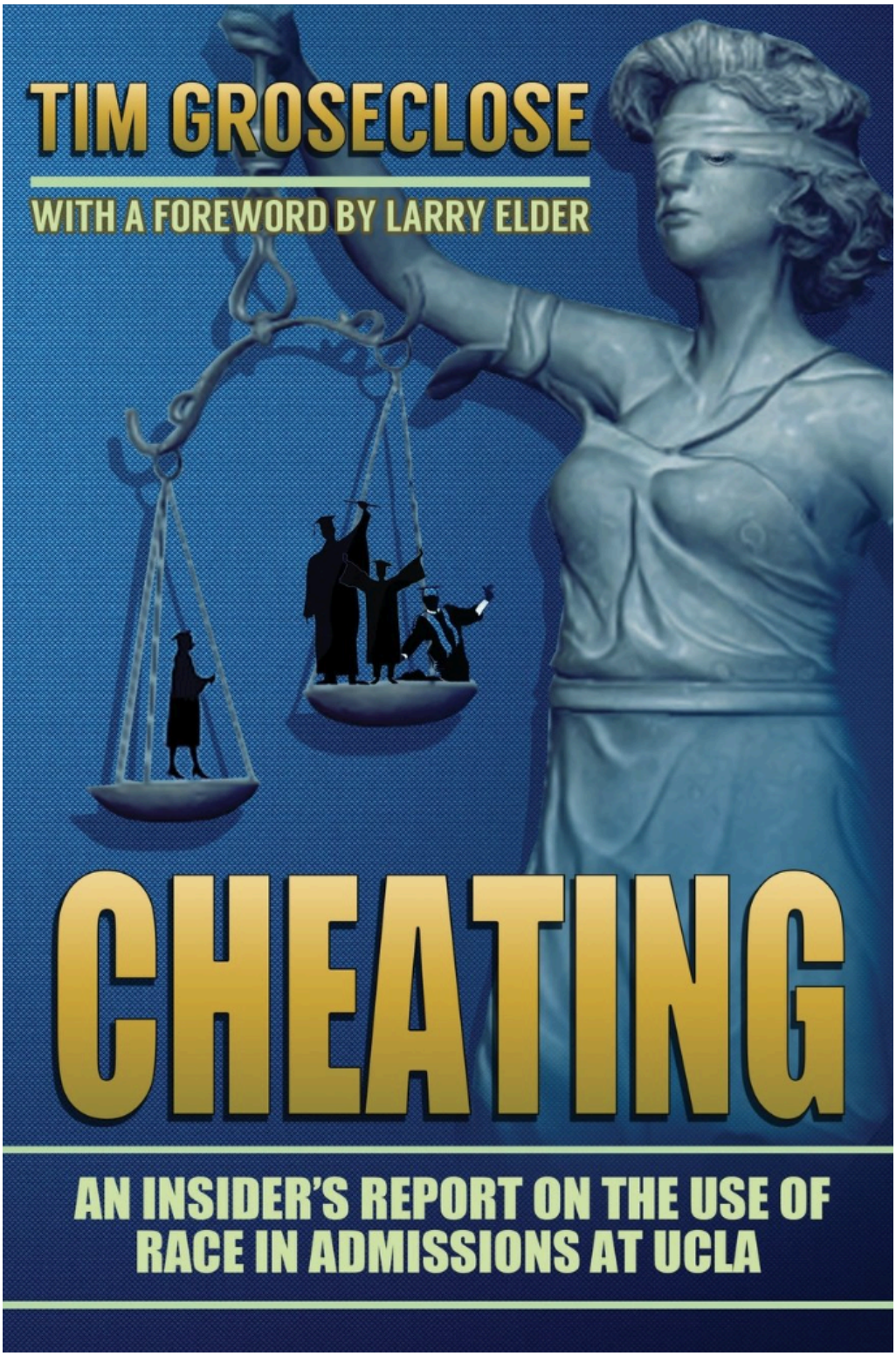
Here, however, is what Mare actually wrote: "The holistic ranking process for freshman admissions at UCLA appears to work much as intended." Note that the 57 professors omitted the word "much."

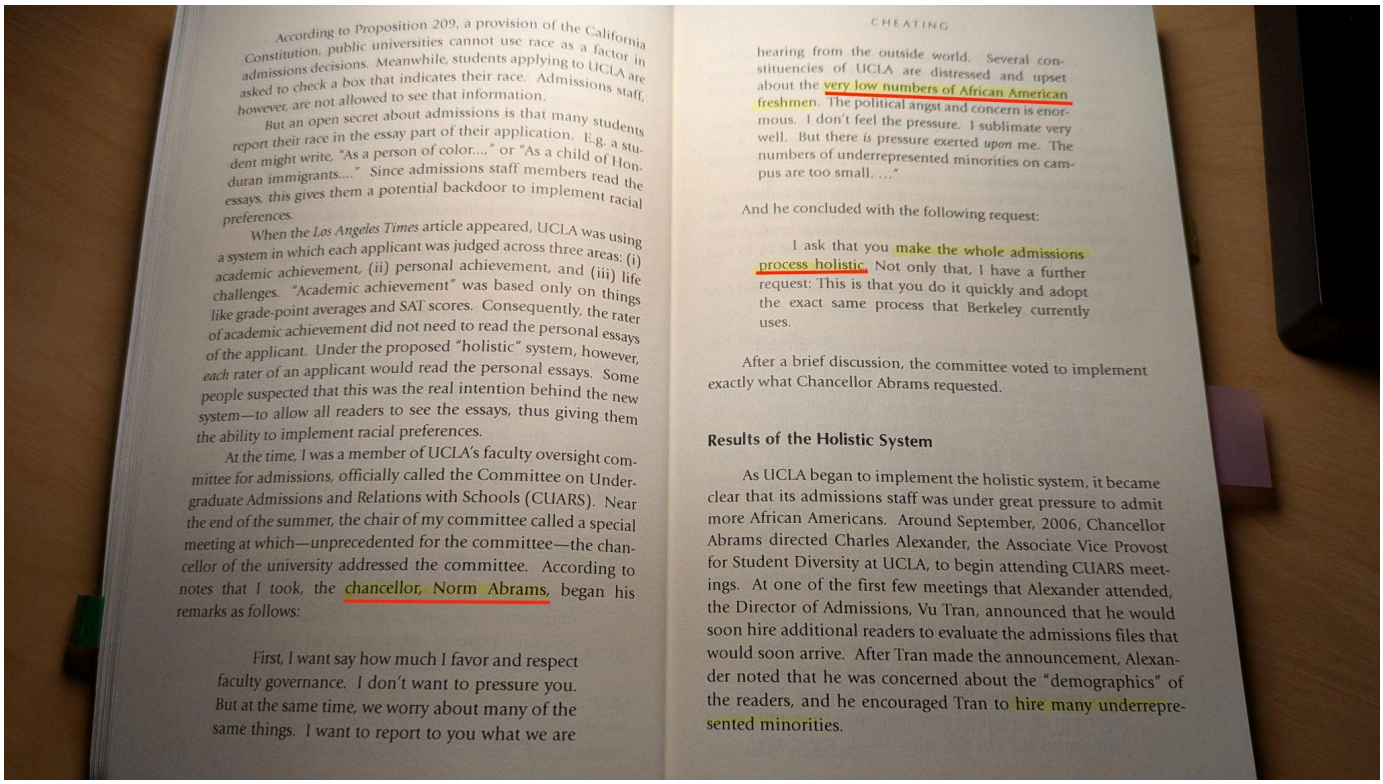
Again, they either did not read the report carefully, or they are intentionally trying to misrepresent its findings.

Groseclose is a professor of political science.

EXHIBIT 42

EXCERPTS FROM PROFESSOR TIM GROSECLOSE'S BOOK *CHEATING*


TIM GROSECLOSE
WITH A FOREWORD BY LARRY ELDER
CHEATING
AN INSIDER'S REPORT ON THE USE OF RACE IN ADMISSIONS AT UCLA



According to Proposition 209, a provision of the California Constitution, public universities cannot use race as a factor in admissions decisions. Meanwhile, students applying to UCLA are asked to check a box that indicates their race. Admissions staff, however, are not allowed to see that information.

But an open secret about admissions is that many students report their race in the essay part of their application. E.g. a student might write, "As a person of color...," or "As a child of Honduran immigrants...." Since admissions staff members read the essays, this gives them a potential backdoor to implement racial preferences.

When the *Los Angeles Times* article appeared, UCLA was using a system in which each applicant was judged across three areas: (i) academic achievement, (ii) personal achievement, and (iii) life challenges. "Academic achievement" was based only on things like grade-point averages and SAT scores. Consequently, the rater of academic achievement did not need to read the personal essays of the applicant. Under the proposed "holistic" system, however, *each* rater of an applicant would read the personal essays. Some people suspected that this was the real intention behind the new system—to allow all readers to see the essays, thus giving them the ability to implement racial preferences.

At the time, I was a member of UCLA's faculty oversight committee for admissions, officially called the Committee on Undergraduate Admissions and Relations with Schools (CUARS). Near the end of the summer, the chair of my committee called a special meeting at which—unprecedented for the committee—the chancellor of the university addressed the committee. According to notes that I took, the chancellor, Norm Abrams, began his remarks as follows:

> First, I want say how much I favor and respect faculty governance. I don't want to pressure you. But at the same time, we worry about many of the same things. I want to report to you what we are

> hearing from the outside world. Several constituencies of UCLA are distressed and upset about the very low numbers of African American freshmen. The political angst and concern is enormous. I don't feel the pressure. I sublimate very well. But there *is* pressure exerted *upon* me. The numbers of underrepresented minorities on campus are too small. ..."

And he concluded with the following request:

> I ask that you make the whole admissions process holistic. Not only that, I have a further request: This is that you do it quickly and adopt the exact same process that Berkeley currently uses.

After a brief discussion, the committee voted to implement exactly what Chancellor Abrams requested.

Results of the Holistic System

As UCLA began to implement the holistic system, it became clear that its admissions staff was under great pressure to admit more African Americans. Around September, 2006, Chancellor Abrams directed Charles Alexander, the Associate Vice Provost for Student Diversity at UCLA, to begin attending CUARS meetings. At one of the first few meetings that Alexander attended, the Director of Admissions, Vu Tran, announced that he would soon hire additional readers to evaluate the admissions files that would soon arrive. After Tran made the announcement, Alexander noted that he was concerned about the "demographics" of the readers, and he encouraged Tran to hire many underrepresented minorities.

Of the students who fell into the above category, the following were the admission rates of African Americans and North Asians, broken down by whether they were rich or poor:

Group	Admission Rate
Poor African Americans	55%
Rich African Americans	38%
Poor North Asians	23%
Rich North Asians	18%

Note that *rich* African Americans were admitted much more frequently than *poor* North Asians.[58]

The following thought experiment helps illustrate just how remarkable these numbers are. Suppose you were a rich North Asian student applying to UCLA, and suppose you learned that your initial evaluators gave you scores of 2.5 and 4.0. Now suppose you're only goal is to maximize your chance of being admitted to UCLA, and suppose a magic genie allows you to change (i) your income status to poor or (ii) your skin color to black. Which would you choose?

It's obvious from the above statistics that you're better off changing your skin color. That raises your probability of admission by 20%—from 18% to 38%. By contrast, if you change your income status, that raises your probability of admission only 5%—from 18% to 23%.

The change in skin color would give you four times the advantage that you'd receive from changing your family income. Although this is only a rough measurement, it suggests that, in at least one aspect of its admissions process, the degree to which UCLA grants racial preferences is about four times the degree to which it grants class-based preferences—even though the former is illegal and the latter is legal.

EXHIBIT 43

UC'S DENIAL OF ACCESS TO ITS ADMISSIONS DATA FOR RESEARCH PURPOSES

https://www.nbcnews.com/news/asian-america/law-professor-sues-university-california-admissions-data-about-race-n941416



https://www.nytimes.com/2018/11/15/us/university-of-california-admissions.html

The New York Times

With Echoes of Harvard Case, University of California Faces Admissions Scrutiny

Share full article



Students at the University of California, Berkeley. An academic is accusing the University of California system. Ben Margot/Associated Press

By Anemona Hartocollis

Nov. 15, 2018

An academic who studies affirmative action filed a lawsuit on Thursday against the University of California system, seeking access to a trove of records that he says could reveal whether the system defied state law by surreptitiously reintroducing race as a factor in admissions.

EXHIBIT 44

UC Academic Senate's vote to retain standardized tests

https://regents.universityofcalifornia.edu/regmeet/may20/b4attach2.pdf

Assembly also strongly endorsed the STTF recommendations that UC not make standardized tests optional for applicants at this time, and that UC not adopt the Smarter Balanced Assessment (SBAC) to replace standardized tests.

The Assembly motion communicates the Senate's support for the STTF's overall recommendations, including the recommendation that the tests remain mandatory for the time being. The motion also recognizes that the conclusions regarding undergraduate admissions in the STTF report need regular evaluation, and that a re-examination of the role of the SAT/ACT tests should occur in five years, using the same analyses in the 2020 Report, to see if the results in the report are upheld with a different population of students seeking admission. The Senate is committed to taking the lead in this effort, as it has for decades as part of shared governance and our delegated authority over admissions. The thoughtful, analytical, and scholarly STTF report reflects this commitment, and represents the very best of the Academic Senate, including its commitment to the high quality educational mission of the University.

The Academic Senate delivers these recommendations to you in accordance with Bylaw 40.1, delegating to the Academic Senate authority over admissions. As the Chair of the Assembly, and in light of the Regents' expectation, I ask that you as President of the University and President of the Assembly of the Academic Senate, convey these recommendations to the Regents for consideration at their May 2020 meeting.

Please do not hesitate to contact me if you have additional questions.

Sincerely,

Kum-Kum Bhavnani, Chair
Academic Council

cc: Assembly Members
STTF
BOARS
Provost Brown
Director Yoon-Wu
Senate Directors

3

EXHIBIT 45

UC Board of Regents' overruling of Academic Senate's vote

https://www.universityofcalifornia.edu/press-room/university-california-board-regents-unanimously-approved-changes-standardized-testing

University of California Board of Regents unanimously approved changes to standardized testing requirement for undergraduates

UC Office of the President May 21, 2020

***Nov. 24, 2020 update to May 21, 2020 release**: Subsequent events have changed how the University of California will evaluate applications for Fall 2021 admissions. UC will not consider SAT or ACT test scores when making admissions decisions or awarding Regents and Chancellor's scholarships. For students who choose to submit standardized test scores as part of their applications, the University may use them to determine eligibility for the California statewide admissions guarantee, as an alternative method of fulfilling minimum requirements for eligibility, or for course placement after they enroll.*

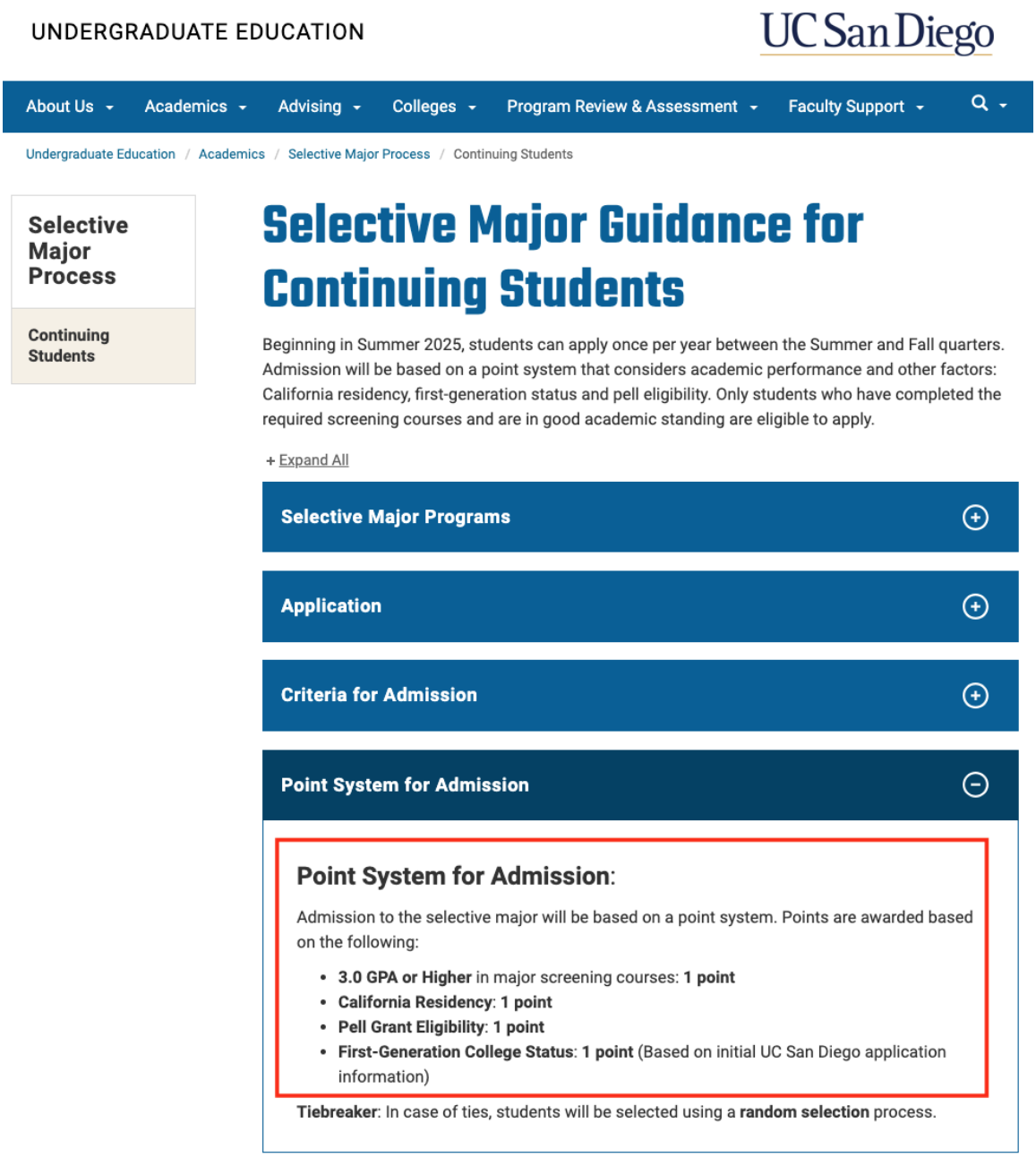
The University of California Board of Regents today (May 21) unanimously approved the suspension of the standardized test requirement (ACT/SAT) for all California freshman applicants until fall 2024. The suspension will allow the University to create a new test that better aligns with the content the University expects students to have mastered for college readiness. However, if a new test does not meet specified criteria in time for fall 2025 admission, UC will eliminate the standardized testing requirement for California students.

"Today's decision by the Board marks a significant change for the University's undergraduate admissions," said UC President Janet Napolitano. "We are removing the ACT/SAT requirement for California students and developing a new test that more closely aligns with what we expect incoming students to know to demonstrate their preparedness for UC."

EXHIBIT 46

UC San Diego's point-based system for selective majors

https://undergrad.ucsd.edu/academics/selective-major-process/for-continuing-students.html#Point-System-for-Admission



UNDERGRADUATE EDUCATION

UC San Diego

About Us | Academics | Advising | Colleges | Program Review & Assessment | Faculty Support

Undergraduate Education / Academics / Selective Major Process / Continuing Students

Selective Major Process

Continuing Students

Selective Major Guidance for Continuing Students

Beginning in Summer 2025, students can apply once per year between the Summer and Fall quarters. Admission will be based on a point system that considers academic performance and other factors: California residency, first-generation status and pell eligibility. Only students who have completed the required screening courses and are in good academic standing are eligible to apply.

+ Expand All

Selective Major Programs

Application

Criteria for Admission

Point System for Admission

Point System for Admission:

Admission to the selective major will be based on a point system. Points are awarded based on the following:

- **3.0 GPA or Higher** in major screening courses: **1 point**
- **California Residency**: **1 point**
- **Pell Grant Eligibility**: **1 point**
- **First-Generation College Status**: **1 point** (Based on initial UC San Diego application information)

Tiebreaker: In case of ties, students will be selected using a **random selection** process.

EXHIBIT 47

UC Berkeley Law School Dean, Mr. Erwin Chemerinsky's **public teaching to use race while concealing it**

https://x.com/realchrisrufo/status/1674548940522549248



https://www.newyorker.com/news/our-columnists/the-sad-death-of-affirmative-action

> "What colleges and universities will need to do after affirmative action is eliminated is find ways to achieve diversity that can't be documented as violating the Constitution," Erwin Chemerinsky, the dean of the University of California, Berkeley, School of Law, told me. "So they can't have any explicit use of race. They have to make sure that their admissions statistics don't reveal any use of race. But they can use proxies for race."

EXHIBIT 48

UC Riverside Chancellor's letter of censure to Professor Perry Link

https://drive.google.com/file/d/1rlivgzTvMD1BeGMAZsFJou-5MXlhN97f/view?usp=drive_link

UC RIVERSIDE

Office of the Chancellor
4108 Hinderaker Hall
900 University Avenue
Riverside, CA 92521

August 16, 2024

Professor Perry Link,

I write to impose discipline in the form of this Letter of Censure. This is my determination after carefully reviewing and considering the Hearing Committee Report ("Hearing Report") of the Committee on Privilege and Tenure ("the Committee") dated June 21, 2024, the hearing transcripts and exhibits/evidence, including the post hearing briefs from you and the administration, and the post-Hearing Report Letter from you and the Administration's response.

As outlined in my decision letter, to which this letter is attached, I conclude that clear and convincing evidence was presented in the hearing on this matter before the Committee on Privilege and Tenure establishing that you engaged in conduct that violated APM 015, Part II, Sections D.1 and C.5.

I issue this Letter of Censure pursuant to my authority under APM 016, Section II:

> 1. Written Censure A formal written expression of institutional rebuke that contains a brief description of the censured conduct, conveyed by the Chancellor. Written censure is to be distinguished from an informal written or spoken warning, and must be delivered confidentially to the recipient and maintained in a designated personnel file or files indefinitely or for a lesser period of time specified in the writing. Informal written or spoken warning is not an official disciplinary action.

Consistent with APM 016, this Letter of Censure will remain indefinitely in a confidential personnel file maintained by the Office of the Vice Provost for Administrative Resolution and will not be subject to disclosure unless permitted by applicable privacy laws and University policy.

Sincerely,

Kim A. Wilcox
Chancellor

EXHIBIT 49

UC Riverside's persecution of Professor Perry Link

https://www.wsj.com/opinion/uc-riversides-dei-guardians-came-after-me-39d8e26e

The Wall Street Journal
December 12, 2024 at 10:07 PM ·

From Wall Street Journal Opinion: UC Riverside's DEI guardians came after me. The university censured me after I spoke out against race taking over the faculty hiring process, writes Perry Link.



WSJ.COM

Opinion | UC Riverside's DEI Guardians Came After Me

The university censured me after I spoke out against race taking over the faculty hiring process.

https://en.wikipedia.org/wiki/Perry_Link

This article **needs additional citations for verification**. Please help improve this article by adding citations to reliable sources. Unsourced material may be challenged and removed.
Find sources: "Perry Link" – news · newspapers · books · scholar · JSTOR
(December 2024) (Learn how and when to remove this message)

Perry Link



Born	1944 (age 80–81)
Nationality	American
Alma mater	Harvard University
Scientific career	
Thesis	*The rise of modern popular fiction in Shanghai* (1976)
Chinese name	
Chinese	林培瑞
Transcriptions	[show]

Eugene Perry Link, Jr. (Chinese: 林培瑞; pinyin: *Lín Péiruì*; born 6 August, 1944 Gaffney, South Carolina) is Chancellorial Chair Professor for Innovative Teaching Comparative Literature and Foreign Languages in College of Humanities, Arts, and Social Sciences at the University of California, Riverside and Emeritus Professor of East Asian Studies at Princeton University. Link taught Chinese language and literature at Princeton University (1973-77 and 1989-2008) and UCLA (1977-1988). He specializes in modern Chinese literature and Chinese language. [1]

Link is a Harvard University alumnus who received his B.A. in philosphy in 1966 and his Ph.D. in 1976. Link has been a Board Member of the Committee for Freedom in Hong Kong (CFHK) since 2021. CFHK is a US-based non-profit organisation, which presses for the preservation of freedom, democracy, and international law in Hong Kong.[2]

Tiananmen Square [edit]

Link helped Chinese dissident Fang Lizhi and Fang's wife obtain refuge at the U.S. Embassy following the crackdown on the 1989 Tiananmen Square protests.[3] Fang remained at the embassy for a year until negotiations resulted in Fang's being allowed to leave and settle in the U.S.[3]

Link has translated many Chinese stories, writings and poems into English. Along with Andrew J. Nathan, he translated the *Tiananmen Papers*, which detailed the governmental response to the 1989 democracy protests. In 1996, China blacklisted Link, and he has been denied entrance ever since. In 2001, Link was detained and questioned upon arriving in Hong Kong because of his involvement in the *Tiananmen Papers*. After roughly one hour, he was allowed to enter Hong Kong, where he spoke at the Hong Kong Foreign Correspondents Club. He has been banned from the People's Republic of China since, however.[4]

Controversy at U.C. Riverside [edit]

From 2022 to 2024, Link faced disciplinary action at U.C. Riverside after expressing concerns in a faculty search committee about prioritizing a Black candidate's race over qualifications.

Link was removed from the search committee and subjected to a disciplinary process, including hearings resembling a trial, where termination was suggested as a penalty.

Link said his comments were intended to caution against elevating race as the "overriding criterion," and that the comments were reported to the university without his knowledge.

Although a faculty committee unanimously found that Link did not violate any conduct codes, UC Riverside chancellor Kim Wilcox issued Link a formal letter of censure.[5][6] [7]

Link was recommended by the university to keep the process confidential and warned that the disclosure of any details of his disciplinary process "may result in discipline."

In December 2024, Link went public about his experience in an op-ed published in the Wall Street Journal.[8]

EXHIBIT 50

UC'S INITIAL SCREENING OF FACULTY CANDIDATES BASED ON DIVERSITY STATEMENTS ONLY

https://www.nytimes.com/2023/09/08/us/ucla-dei-statement.html

How It Started

A decade ago, California university officials faced a conundrum.

A majority of its students were nonwhite, and officials wanted to recruit more Black and Latino professors. But California's voters had banned affirmative action in 1996. So in 2016, at least five campuses — Berkeley, Davis, Irvine, Riverside and Santa Cruz — decided their hiring committees could perform an initial screening of candidates based only on diversity statements.

Candidates who did not "look outstanding" on diversity, the vice provost at U.C. Davis instructed search committees, could not advance, no matter the quality of their academic research. Credentials and experience would be examined in a later round.

The championing of diversity at the University of California resulted in many campuses rejecting disproportionate numbers of white and Asian and Asian American applicants. In this way, the battle over diversity statements and faculty hiring carries echoes of the battle over affirmative action in admissions, which opponents said discriminated against Asians.

At Berkeley, a faculty committee rejected 75 percent of applicants in life sciences and environmental sciences and management purely on diversity statements, according to a new academic paper by Steven Brint, a professor of public policy at U.C. Riverside, and Komi Frey, a researcher for the Foundation for Individual Rights and Expression, which has opposed diversity statements.

According to a report by Berkeley, Latino candidates constituted 13 percent of applicants and 59 percent of finalists. Asian and Asian American applicants constituted 26 percent of applicants and 19 percent of finalists. Fifty-four percent of applicants were white and 14 percent made it to the final stage. Black candidates made up 3 percent of applicants and 9 percent of finalists.

EXHIBIT 51

UC Berkeley's use of diversity statements in hiring process for a life sciences position

https://math.berkeley.edu/~lott/lifesciences.pdf

Initiative to Advance Faculty Diversity, Equity and Inclusion in the Life Science at UC Berkeley

Year End Summary Report: 2018-2019

Co-Chairs for the Initiative to Advance Faculty Diversity, Equity and Inclusion in the Life Sciences:

Dr. Rebecca Heald
Regional Associate Dean, Service Center 2
Professor, Molecular and Cell Biology

Dr. Mary Wildermuth
Associate Professor, Plant and Microbial Biology

I. Building a Critical Mass, Faculty Searches

The Cluster Search

The Berkeley campus committed five FTE for a broad search in the Life Sciences. This open area recruitment solicited applications from outstanding early career research scientists who also demonstrated strong potential to enhance equity, inclusion and diversity. The job ad was widely distributed to highly regarded journals and societies, and through personal outreach to PPFP and Chancellor's Fellows (and other prestigious fellowship programs) and to institutions with strong academic standing. A total of 993 applications were received, of which 893 met basic qualifications. The LSI Committee conducted a first review and evaluated candidates based solely on contributions to diversity, equity and inclusion. Only candidates that met a high standard in this area were advanced for further review, narrowing the pool down to 214 for serious consideration. The remaining applications were then opened to review by the departmental ad-hoc search committees for short-list consideration. Twenty-two candidates were selected for the short list and interviewed across six departments. Five finalists were ultimately proposed for hire; two in Molecular and Cell Biology (MCB), one in Integrative Biology (IB), one in Plant and Microbial Biology (PMB), and one in Environmental Science, Policy and Management (ESPM) with several outstanding alternative candidates identified. Ultimately, the "cluster search" was one of the most successful interventions of the initiative. It will result in an increase in faculty committed to advancing faculty diversity, equity and inclusion on the campus.[1]

Both the 'cluster search' and the ESPM search yielded significant increases in URM candidates advanced to shortlist consideration:

Table A: Life Science Faculty (Cluster) Search Demographics:

GENDER	Applicant Pool	Longlist	Shortlist
Count	894	214	22
Female	41.70%	60.30%	63.60%
Male	56.50%	39.30%	36.40%
Unknown	1.80%	0.50%	0.00%
RACE/ETHNICITY	Applicant Pool	Longlist	Shortlist
Count	894	214	22
African American	2.80%	6.10%	9.10%
Hispanic	13.20%	22.90%	59.10%
Native American	0.40%	1.40%	0.00%
Asian	25.70%	18.70%	18.20%
White	53.70%	48.10%	13.60%
Unknown	4.10%	2.80%	0.00%

EXHIBIT 52

Professor Yoel Inbar's rejection by UCLA

https://www.nytimes.com/2023/09/08/us/ucla-dei-statement.html?unlocked_article_code=1.pk4.U7bn.nB23TQyJ0HHz&smid=url-share

The New D.E.I. Standards

These new expectations upended Dr. Inbar.

He favored affirmative action. But five years ago, he questioned diversity statements in a podcast — "Two Psychologists, Four Beers," that he hosted with another academic. He described the statements as "value signaling" that required applicants to demonstrate allegiance to a particular set of liberal beliefs.

"It's not clear that they lead to better results for underrepresented groups," he said.

On another episode in 2022, he noted that a professional society of psychologists officially opposed a Georgia law banning abortion. He favors abortion rights but argued that professional associations represent members of many ideological shades and should avoid taking political stances.

All of this angered the graduate students. "His hiring would threaten ongoing efforts to protect and uplift individuals of marginalized backgrounds," the students wrote. They argued he was not committed to a "safe, welcoming and inclusive environment." The students sent the letter to the entire psychology faculty and posted it online.

EXHIBIT 53

UCLA MEDICAL SCHOOL'S ASIAN ENROLLMENT DECLINED 35% FROM 2019 TO 2022

https://www.latimes.com/business/story/2024-05-30/is-ucla-a-failed-medical-school-debunking-a-dumb-right-wing-meme

https://www.yahoo.com/news/column-ucla-failed-medical-school-130036473.html

(As for a case Sibarium mentions in which Lucero supposedly pushed to admit a Black student whose grades and test scores were below the UCLA average, he doesn't say whether the student was admitted.)

It's true that the entering medical school class at UCLA has become more diverse over time. Figures issued by UCLA and published by the Beacon show that from 2019 through 2022, the number of whites in the 173-member class declined to 46 from 49, the number of Black students rose to 25 from 22, Hispanic students rose from 25 to 37, a catchall "other" category grew to 20 from eight, and American Indians, Hawaiians and other Pacific Islanders went from zero to three. The number of Asian students declined to 55 from 84.

Does this validate the article's assertion, voiced by an anonymous source (of course), that "a third to a half of the medical school is incredibly unqualified"?

The math doesn't pencil out. As blogger and statistics maven Kevin Drum notes, given that the number of nonwhite and non-Asian students increased by only 30 in three years, even if "every single one of these students was woefully unqualified, that's about 17% of the class. How do you get from there to 'a third to a half'?"

By the way, the median grade-point averages and scores on the Medical College Admission Test of accepted applicants haven't declined at all since 2020 — the MCAT average in 2023 was the same as in 2020, and the GPA rose by a hair.

In emails to the medical school class, Dubinett and his fellow deans have reinforced their commitment to merit-based admissions and diversity training. "Students and faculty members are held to the highest standards of academic excellence," they wrote. "Highly qualified medical students and trainees are admitted ... based on merit in a process consistent with state and federal law." That said, "we are enriched by the diverse experiences each of you brings to our community."

UCLA, then, is standing firm against the right wing's drive to pretend that racial and ethnic discrimination doesn't exist in our society and to undermine efforts to wipe it out. Would that more institutions took that stand, instead of capitulating to a dishonest, braying mob.

This story originally appeared in Los Angeles Times.

EXHIBIT 54

UCLA MEDICAL SCHOOL'S RACE-BASED FELLOWSHIP PROGRAM

The Dean of UCLA Medical School says it does not discriminate based on race. His own research center runs a Fellowship program (named 'iDIVERSE') that barred white and Asian researchers from applying.

https://freebeacon.com/campus/the-dean-of-ucla-medical-school-says-it-does-not-discriminate-based-on-race-his-own-research-center-runs-a-minorities-only-fellowship/

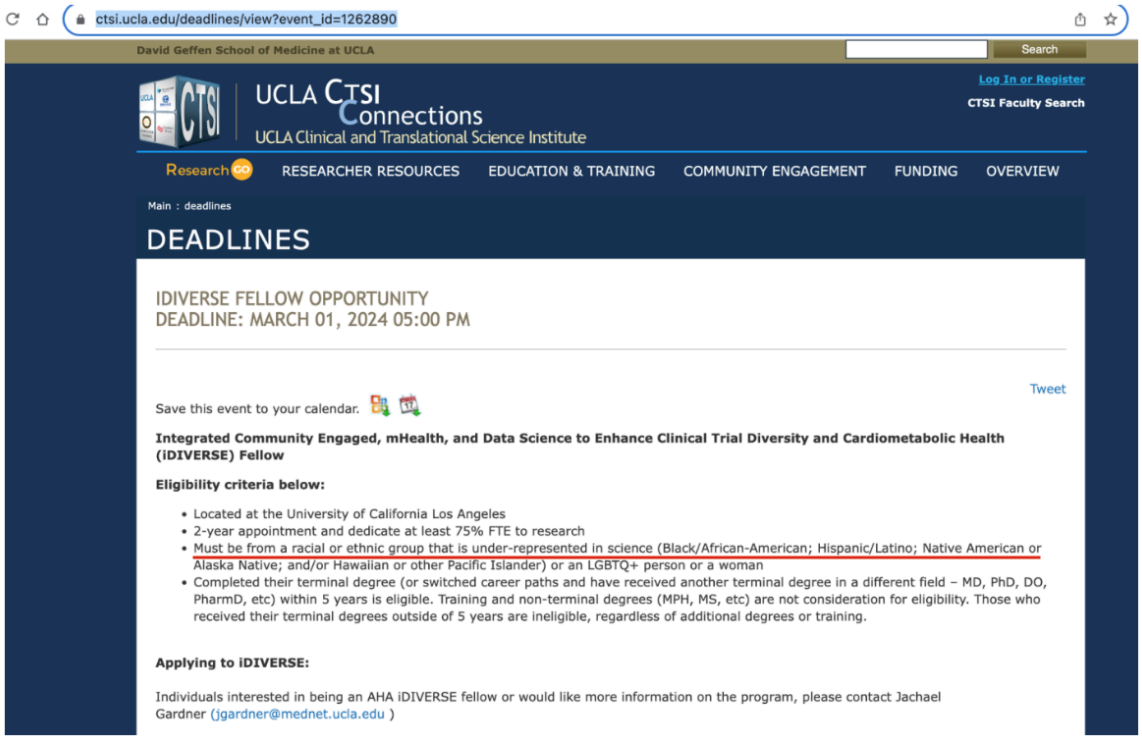


EXHIBIT 55

UC Admission Reader's Opinion Piece in New York Times

https://www.nytimes.com/2013/08/04/education/edlife/lifting-the-veil-on-the-holistic-process-at-the-university-of-california-berkeley.html?unlocked_article_code=1.6Ew.hDKN.WtxDzNosRmxO&smid=em-share

After the next training session, when I asked about an Asian student who I thought was a 2 but had only received a 3, the officer noted: "Oh, you'll get a lot of them." She said the same when I asked why a low-income student with top grades and scores, and who had served in the Israeli army, was a 3.

≡ The New York Times EDUCATION LIFE | Confessions of an Application Reader

Officially, like all readers, I was to exclude minority background from my consideration. I was simply to notice whether the student came from a non-English-speaking household. I was not told what to do with this information — except that it may be a stressor if the personal statement revealed the student was having trouble adjusting to coursework in English. In such a case, I could refer the applicant for a special read.

Why did I hear so many times from the assistant director? I think I got lost in the unspoken directives. Some things can't be spelled out, but they have to be known. Application readers must simply pick it up by osmosis, so that the process of detecting objective factors of disadvantage becomes tricky.

It's an extreme version of the American non-conversation about race.

When the invitation came to sign up for the next application cycle, I wavered. My job as an application reader — evaluating the potential success of so many hopeful students — had been one of the most serious endeavors of my academic career. But the opaque and secretive nature of the process had made me queasy. Wouldn't better disclosure of how decisions are made help families better position their children? Does Proposition 209 serve merely to push race underground? Can the playing field of admissions ever be level?

For me, the process presented simply too many moral dilemmas. In the end, I chose not to participate again.

Ruth A. Starkman teaches writing and ethics at Stanford and, from 1992 to 1996, taught writing at the University of California, Berkeley.

EXHIBIT 56

HOLISTIC REVIEW IN FRESHMAN ADMISSIONS BY UCLA PROFESSOR ROBERT MARE

https://asianamericanforeducation.org/wp-content/uploads/2023/10/Holistic-Review-in-Freshman-Admissions-at-UCLA-2009-2011-Update.pdf

ranking. Although these factors have the largest effects on favorable ranking and admission, other factors, such as whether an applicant has an impressive profile of extracurricular activities, shows involvement in the high school or local community, or works outside of school either in a way that is academically enriching or that contributes to family finances, all contribute to favorable holistic ranking. An applicant who has many of these assets will win out against an applicant who lacks them. In each year, net disparities among ethnic identity groups in holistic ranking in Regular Review are very small.

2. In Supplemental Review, UARS staff place considerable weight on socioeconomic hardship, challenges, and limits to academic achievement. Among applicants who are otherwise similar in measured academic qualifications and challenges, African American and Latino applicants are disproportionately represented in Supplemental Review. In both Final and Supplemental Review, African American applicants receive somewhat more favorable and "North Asian" (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships.
3. Relative to their representation in the applicant pool, White and North Asian applicants are more heavily represented among admitted students than African American, Latino, and Southeast Asian applicants. These disparities arise principally in Regular Review and are dampened, to some degree, in Final and Supplemental reviews. If we adjust for ethnic identity group differences in the characteristics of applicants, a different pattern of ethnic disparity emerges.

Among otherwise equivalent applicants, Whites, African Americans, and Latinos are overrepresented among those admitted and Asian American applicants are underrepresented. For Black and Latino Applicants, these disparities arise principally in Final and Supplemental Review. The disadvantages of Asian applicants occur, with varying magnitudes, throughout the admissions process. Relative to the entire cohort of admitted students, these disparities are quite small – none as large as 2.5 percent of applicants. Relative to group-specific totals of admitted applicants, the disparities appear larger, but this depends on the size of the admitted group.

4. Although net disparities among ethnic identity groups persist, especially in the Final and Supplemental Review stages of the admissions process, the net advantages to African American and Latino applicants have declined somewhat over the 2007-11 period. The disadvantages experienced by some Asian applicant groups, however, have not declined over this period.
5. An important change between 2007 and 2011 is the growth in numbers of international applicants who are admitted to UCLA. Among those who applied for freshman admission in Fall 2011, international students are admitted in higher numbers than would be expected on the basis of their measured qualifications. The net advantage of these applicants and disadvantage of some Asian American applicants are much larger than disparities for the other major ethnic identity groups (African American, Latino, and White).

https://www.nytimes.com/2018/11/15/us/university-of-california-admissions.html

The report, by Robert D. Mare, a sociology professor at U.C.L.A., said that "among otherwise equivalent applicants, whites, African Americans and Latinos are overrepresented among those admitted, and Asian-American applicants are underrepresented."

EXHIBIT 57

California State Auditor's report on UC's admissions in 2020 - Public Letter

https://information.auditor.ca.gov/reports/2019-113/index.html

September 22, 2020
2019-113

The Governor of California
President pro Tempore of the Senate
Speaker of the Assembly
State Capitol
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As directed by the Joint Legislative Audit Committee, my office conducted an audit of the University of California's (university) admissions process. Our review assessed the risk for fraud and inappropriate admissions activities at four campuses and we conclude that the university has allowed for improper influence in admissions decisions, and it has not treated applicants fairly or consistently.

From academic years 2013–14 through 2018–19, we found the four campuses we reviewed—UC Berkeley, UCLA, UC San Diego, and UC Santa Barbara—unfairly admitted 64 applicants based on their personal or family connections to donors and university staff. Campuses admitted 22 of these students through their student-athlete admissions processes, even though the students did not have the athletic qualifications to compete at the university. UC Berkeley admitted the remaining 42 students, most of whom were referred to the admissions office because of their families' histories as donors or because they were related or connected to university staff, even though their records did not demonstrate competitive qualifications for admission. By admitting 64 noncompetitive applicants, the university undermined the fairness and integrity of its admissions process and deprived more qualified students of the opportunity for admission.

The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for how they determine which applicants to admit. Nevertheless, both of those campuses admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications.

The Office of the President has allowed the weaknesses in these practices to persist because it has not conducted adequate oversight of campuses' admissions processes. Although it conducted an internal review of admissions processes after the recent nationwide college admissions scandal, the Office of the President relied heavily on campuses to review themselves and did not attempt to identify inappropriate admissions activity. Stronger standards and oversight are necessary to improve the university's ability to guarantee a fair and merit-based admissions process and to detect and prevent inappropriate admissions decisions.

Respectfully submitted,

ELAINE M. HOWLE, CPA
California State Auditor

EXHIBIT 58

CalMatters' report on UC audit

https://calmatters.org/education/2020/09/state-auditor-uc-admissions-process/

The audit report found that four UC campuses "unfairly admitted 64 applicants based on their personal or family connections to donors and university staff" between 2013–14 through 2018–19. Most of the applicants were white and at least half came from families with incomes of $150,000 or more.

Of those, campus employees at UC Berkeley, UCLA, UC San Diego and UC Santa Barbara "falsely designated" 22 applicants as student-athletes "because of donations from or as favors to well-connected families." That number could be a significant undercount and actually exceed 400 students, according to the audit. In addition, UC Berkeley admitted 42 unqualified students beyond athletics, even though some of them had "the lowest possible scores on their applications." Multiple managers were involved in these inappropriate admissions decisions. These actions meant that more privileged students "took the places" of more qualified applicants.

The audit began in January, having been requested in May 2019 by Assemblymember Tasha Boerner Horvath, an Encitas Democrat. Six staff members from the state auditor's office worked on the report.

New UC President Michael V. Drake responded to the state audit's findings last month, writing that the system's internal audits recommendations are similar to what the state auditor found. The state auditor disagreed.

The UC audit "did not address significant aspects of the admissions process," the state audit team wrote in a public response. The audit team also said its recommendations are stronger and "address serious deficiencies that it did not identify."

One shortcoming the audit identified in the UC's self-scrutiny was that it did not detect how staff outside of admissions, including fundraising staff "inappropriately influenced admissions decisions at UC Berkeley." Beyond overt cases of admitting unqualified students, the state audit warned that the entire UC admissions process needs an overhaul because of inconsistent standards or practices that could result in applicants being judged for the wrong reasons.

Another problem, according to the audit, is that some campuses place personal data on applications that can lead to bias. At three campuses — UC Berkeley, UCLA and UC San Diego — application readers can see the students' names and native languages. Berkeley and UCSD let readers see an applicant's gender; Berkeley and UCLA allow readers to see where applicants were born. Readers could then wrongly make inferences about a student's race or ethnicity, the audit warned. The audit finds the practice strange because UC guidelines for how students are admitted do not include these details in the 14 factors for admission.

EXHIBIT 59

NPR's REPORT ON UC AUDIT

https://www.npr.org/2020/09/23/916305081/audit-university-of-california-admitted-64-students-over-more-qualified-applican

Following the massive college admissions scandal that involved UCLA among many other institutions dubbed Operation Varsity Blues, the University of California underwent its own internal audit, implementing several recommendations following its own system-wide look at admission practices. This audit was released earlier this year and only identified two cases of possible improper admissions.

However, the state auditor said because campuses were allowed to evaluate themselves, that study was incomplete and there was more to be done.

"The office of the president has allowed the weaknesses in these practices to persist because it has not conducted adequate oversight of campuses' admissions processes," she wrote.

Reese Oxner is an intern on NPR's News Desk.

EXHIBIT 60

California State Auditor's report on UC's admissions in 2020 - Sections

https://information.auditor.ca.gov/reports/2019-113/sections.html

We identified that UC Berkeley admitted 17 of the 42 applicants because of their connections to donors or potential donors. These admissions occurred after UC Berkeley's development office—which is responsible for the campus's fundraising and donations—referred the applicants to the admissions office. In most cases, the executive director of operations at the UC Berkeley Foundation within the development office made these referrals. In one case, the development office referred a potential applicant to admissions staff so that they could meet with the applicant in person. An assistant director in the admissions office then informed the former admissions director that she would meet with the "VIP student…whose family is [a] potential donor." After the applicant applied to UC Berkeley, the former admissions director was the first person to read and rate the application, assigning it a rating of *Strongly Recommend*. The former admissions director then admitted the applicant, despite the fact that the second application reader gave the applicant the lowest possible rating of *Do Not Recommend*.

Each of these 17 applicants received uncompetitive ratings from application readers such that they were unlikely to be admitted to UC Berkeley without the referral they received from the development office. In fact, five of these applicants received the lowest possible rating from both of UC Berkeley's application readers. Under normal circumstances, these application scores would have resulted in denial of admission.

UC Berkeley admitted another 11 of the 42 applicants because of their connections to campus staff, university staff, or the acquaintances of campus staff, such as the enrollment director for a private college who was a colleague of UC Berkeley's former admissions director. In one example, admissions staff requested that an applicant receive additional consideration because the applicant was the child of a director-level UC Berkeley staff member. Although the applicant had already received a *Do Not Recommend* score from both application readers, UC Berkeley admitted the applicant without any justification for doing so. In a similar example, the former associate dean of students contacted the former director of admissions through email and asked the director to conduct an additional review of an applicant. The former director of admissions responded, "Shhhh. You have to keep it a secret, but good news is coming [the applicant's] way." UC Berkeley admitted this applicant even though the applicant had received the lowest possible application rating from both readers, again without any justification. Without connections to campus staff members, these applicants almost certainly would not have been admitted.

UC Berkeley also admitted another 14 of the 42 applicants from its waitlist because of their connections to donors, staff, and influential individuals. Like other campuses, after selecting applicants for admission, UC Berkeley offers certain other applicants a place on its waitlist, from which it admits additional students as space allows. To be admitted from the waitlist, applicants must accept a waitlist offer by "opting in" to the waitlist. Only a small percentage of applicants receive a waitlist offer, and admission from the waitlist is competitive. For academic year 2018–19, UC Berkeley offered a place on the waitlist to only 10 percent of applicants who were not offered admission, and it admitted 34 percent of the applicants who opted-in to the waitlist. According to the campus's public *Frequently Asked Questions* document about the waitlist process, UC Berkeley focuses primarily on the content of the original application when making decisions about whom it will admit from the waitlist. However, it is unlikely that UC Berkeley admitted these 14 applicants because of their original applications. In all 14 cases, the applicants received uncompetitive scores from readers that gave them poor chances of being admitted. Rather, these applicants' connections to donors, staff, or influential individuals drove the decision to admit them.

One case from these 14 admissions decisions is particularly problematic. UC Berkeley appears to have admitted this student because of an inappropriate letter of support from a university Regent. University policy states that members of the Board of Regents should not seek to influence inappropriately the outcome of admissions decisions beyond sending letters of recommendation, when appropriate, through the regular admissions process. However, the Regent did not submit this letter through the regular admissions process. Rather, after the campus placed this applicant on its waitlist, the Regent wrote a letter to UC Berkeley's chancellor advocating for the applicant, and the chancellor's staff sent the letter to UC Berkeley's development office, which in turn forwarded the letter to the admissions office.

EXHIBIT 61

California State Auditor's report on UC's admissions in 2020 - Response

https://information.auditor.ca.gov/reports/2019-113/response.html

Dear Ms. Howle:

Thank you for the opportunity to review and respond to the draft audit report on the University of California's admissions practices.

The University is committed to safeguarding the integrity of its admissions practices. We hold ourselves to the highest standards and will take prompt action to address issues raised in the State Auditor's draft report. Many of the draft report's recommendations are similar to those that our internal audits identified and presented to the Board of Regents over the past year, and that UC campuses and the Office of the President have largely implemented. The draft report identified important issues that will help us in addressing any ongoing problems. (1) (2)

I have zero tolerance on matters of integrity, and will do everything I can to ensure inappropriate admissions do not happen on any of our campuses. To that end, I appreciate the State Auditor's assistance in providing the relevant underlying data and information supporting the audit's conclusions. The University will then be able to take additional appropriate action as necessary and maintain the highest standards in our admissions processes. (3)

I sincerely appreciate the time and resources the State Auditor's office has committed to helping us improve and strengthen our admissions policies and processes.

Sincerely,

Michael V. Drake, MD
President

COMMENTS

CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM THE UNIVERSITY OF CALIFORNIA

To provide clarity and perspective, we are commenting on the university's response to our audit. The numbers below correspond to the numbers we have placed in the margin of the university's response.

(1) The university's internal audit, and its recommendations, did not address significant aspects of the admissions process that we reviewed during our audit. Furthermore, our recommendations are stronger than those made by the university's internal audit and address serious deficiencies that it did not identify. Left unaddressed, these issues will continue to harm qualified applicants who apply to the university.

Although both audits addressed the potential for inappropriate influence in the admissions process, as we state earlier in the report, the university's audit did not detect the ways in which staff from the development office and other university staff inappropriately influenced admissions decisions at UC Berkeley. Further, the internal audit did not review or make any recommendations related to training and monitoring of application readers. Our review in this area—the details of which we describe earlier in the report—found the inconsistency among readers negatively affects many thousands of applicants each year. Finally, the internal audit did not include an examination of whether the Office of the President has conducted sufficient and appropriate oversight of the admissions process. Our review found that the Office of the President has not adequately safeguarded the admissions process, and we recommend that it conduct regular audits of its campuses.

(2) As we describe earlier in the report, the Office of the President has allowed campuses to respond to its internal audit recommendations by each developing their own corrective actions. Further, the Office of the President has not reviewed the campuses' implementation of those corrective actions. As a result, the actions campuses have taken have been inadequate and inconsistent. For example, our report describes how UCLA decided not to implement the Office of the President's recommendation to adopt a policy prohibiting communication between development and admissions offices about prospective students. The inadequacies in the campuses' implementation of the internal audit recommendations led us to recommend, in our report, that the Office of the President directly monitor the way campuses address those recommendations—an oversight activity it had not planned to perform.

(3) We look forward to reviewing the actions the Office of the President takes to address the deficiencies in the university's admissions process that we identify in our report. During our audit we had several discussions with each of the campuses and the Office of the President wherein we described the deficiencies we found, the information we had reviewed to come to our conclusions, and our

EXHIBIT 62

California State Auditor Grant Parks's response to state lawmaker inquiry

https://drive.google.com/file/d/1RdiBcho7HELmIJKISIgPU_XgV441FOLS/view?usp=sharing

Grant Parks *State Auditor*
Mike Tilden *Chief Deputy*

July 18, 2024

Assemblymember Marc Berman
California State Assembly
1021 O Street, Suite 8130
Sacramento, CA 95814

Dear Assemblymember Berman:

I am writing in response to your letter inquiring about the status of implementation of recommendations by the University of California (UC) related to audit 2019-113 entitled "The University of California: Qualified Students Face an Inconsistent and Unfair Admissions System That Has Been Improperly Influenced by Relationships and Monetary Donations" released in September 2020. Specifically, your letter is inquiring about the status of two specific recommendations that we have made that have only been partially implemented by the UC, and whether we can provide any updates on the progress of UC in fully implementing them.

As you note in your letter, Recommendation #5 relates to UC requiring each campus to document and implement specified selection methodologies, and to develop and implement processes to document their rationale for admitting applicants who are not eligible for admission. Our report that included this recommendation was released in September 2020, and we follow up on our recommendations with auditees 60 days after the report release, 6 months after the report release, and 1 year after the report release. For any recommendations not fully implemented at that time, we follow up annually thereafter. Throughout our follow up intervals since the report release, the UC system has provided regular updates on their implementation progress. However, we have found their responses to not address weaknesses we have seen in their implementation of this recommendation.

To begin, the University of California Office of the President (UCOP) has required campuses to individually implement Recommendation #5 and document their processes and procedures. The UCOP has received documentation of compliance from all campuses and reviewed that documentation, and believes that the recommendation has been fully implemented. However, our office disagrees with that assessment. In documentation of policies that we have reviewed, some campuses provide insufficient and vague descriptions of their admission selection process, describing general characteristics that they consider when evaluating applicants, but no specific articulation of a priority order for how they decide which students to admit, particularly between similarly rated students. These vague processes do not correct the ambiguity we identified in the campuses' admissions processes during the audit and fail to provide necessary transparency in admission decisions.

The University disagrees with our assessment and believes that the level of specificity provided by the campuses is appropriate and that disclosure of more specificity has the potential to unfairly advantage well-resourced families and those in the college consulting business. However, as we have stated in

response to the UCOP, our recommendation is not that UCOP should make the relevant criteria and processes public. Instead, we note that in our audit we found that two campuses, UCLA and UC Berkeley admitted students who the campuses had determined were less qualified for admission than other applicants who were denied admission, and that neither campus was able to explain those admission decisions. This recommendation is meant to address that finding.

Therefore, we believe that documenting a methodology for selecting students for admission, including the circumstances when lower-rated students will be admitted in place of higher rated students, will lend greater accountability and fairness to the process. Until the campuses establish those specific methodologies, which need not be public, we do not believe this recommendation will be fully implemented and the campuses will still lack an important tool for ensuring accountability and fairness in admission decisions.

In addition, Recommendation #7 asks the UC to establish application reader proficiency and training programs, and ensure that for campuses that do not admit all eligible transfer applicants, that two readers must review all transfer applications, and that second readers cannot see the ratings of first readers. Similarly for this recommendation, we have received multiple updated responses from the UCOP as to their progress, which we have found to not be adequately implementing this recommendation.

First, while the Office of the President has ensured that all campuses have required that second readers cannot see the ratings of first readers and has also established appropriate policies related to application reader proficiency training, not all campuses have also established appropriate monitoring programs to ensure continued reader proficiency, which results in a lack of adequate assurance that their application reviewers are actually consistent in their application reviews.

Additionally, some campuses have not established policies that would ensure that all transfer applications receive a second review at campuses where all eligible transfer applicants are not admitted, instead opting to only conduct a second reading for a sampling of applications due to resource constraints, arguing that this sampling is an effective statistical tool that allows campuses to ensure that transfer applications are appropriately evaluated. While this is an improvement to prior processes, it does not fully implement this recommendation because some eligible transfer applicants who are denied admission will not have the benefit of a second reading of their applications, which could affect the fairness of the evaluation of their application.

For the reasons described above, as of September 2023, we have assessed the University of California's implementation of these two specific recommendations as only partially implemented. We expect that the University of California will submit further responses and any relevant documentation by October 2024 noting their further progress, at which point we will evaluate those responses and issue an updated determination as to the implementation status of these two recommendations, which will be posted on our website.

I hope this information is helpful and responsive to your inquiry, and my office will keep you updated on any developments that may arise, as well as when we have published our next annual response and assessment. In the meantime, should you need anything or have any questions, please feel free to contact my office through Kris Applegate, our Chief of Legislative and Governmental Affairs, at KrisA@auditor.ca.gov or 916-445-0255.

Sincerely,



GRANT PARKS
California State Auditor

EXHIBIT 63

UCLA Orthodontics Department Admissions Scandal

NEWS

Donations influence admissions



By Robert Faturechi
Nov. 12, 2007 9:54 p.m.

UCLA's elite orthodontics residency program has violated University of California policy and standards governing public schools by giving special consideration in admissions to major donors and their relatives.

Hundreds of pages of e-mails and internal documents obtained during a months-long Daily Bruin investigation, along with dozens of interviews, show that the program and the officials at its helm developed a system of preferential treatment over the past five years.

In this unprecedented practice within the School of Dentistry, applicants related to donors giving six-figure gifts were automatically advanced over other students despite their lower test scores and grades.

In one case, an applicant was told by a member of the admissions board that a $60,000 gift could greatly improve his chances.

Orthodontics is arguably the most competitive of dental specialties, and the program at UCLA is regarded as one of the nation's best, typically accepting applicants with extensive research experience and top scores.

But in four of the last five years, major donors' close relatives have landed one of six highly coveted residency spots in the program.

In 2006, real estate developer David Lee pledged $1 million to the school of dentistry. His niece was admitted into the orthodontics program soon after.

In 2005, Dr. Norman Nagel pledged half a million dollars. His son was admitted the next year.

In 2004, Dr. Bruce Molen pledged $400,000. His son was admitted the next year.

In 2003 and 2005, Dr. Thomas Bales helped lead major fundraising campaigns within the School of Dentistry, and in 2001, he pledged a half million dollars as well. The orthodontics clinic is named after him. In 2003, his daughter was admitted.

EXHIBIT 64

UCLA'S ROLE IN ADMISSIONS SCANDAL

U.S. NEWS

Former UCLA coach sentenced to 8 months in college admissions cheating case

Jorge Salcedo's sentence is one of the longest handed down so far in the "Operation Varsity Blues" case.



Jorge Salcedo arrives at the federal courthouse in Boston, on March 25, 2019.

Brian Snyder / Reuters file

SAVE

March 19, 2021, 5:44 PM PDT

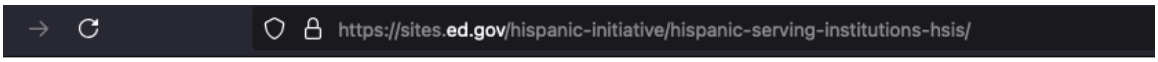
By Phil Helsel

A former UCLA men's soccer coach was sentenced to eight months in prison Friday for taking $200,000 in bribes to get students admitted as athletic recruits, prosecutors said.

EXHIBIT 65

Definition of Hispanic-Serving Institutions

https://sites.ed.gov/hispanic-initiative/hispanic-serving-institutions-hsis/



President Joe Biden signed a new Executive Order (EO) establishing at the U.S. Department of Education, the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity through Hispanic-Serving Institutions (HSIs) and a President's Board of Advisors for HSIs.

- Read the new EO establishing the HSIs White House Initiative and a President's Board of Advisors for HSIs, here.
- Follow our Initiative on this webpage, Facebook and X/Twitter for additional links and resources.
- Share statements of support from you/your organization by emailing whitehousehispanicinitiative@ed.gov and posting on social media, using the hashtag #WHLatinos and tagging @WhiteHouseHPI, @USEdGov, @SecCardona, @WhiteHouse and @LaCasaBlanca.

President Biden's EO marks a critical moment for the Hispanic community, which has been seeking this action for over twenty years. HSIs now number over 500 higher education campuses across the U.S. — educating over 55 percent of Latino students, 30 percent of all Pell grant recipients and more than 4.7 million students as a whole. This new EO is an important systemic action aimed at improving the federal government's capacity to more intentionally address historic equity issues faced by HSIs, Latino students and educators.

Hispanic-Serving Institutions:

A Hispanic-Serving Institution (HSI) is **defined as** an institution of higher education that—

- is an eligible institution; and
- has an enrollment of undergraduate full-time equivalent students that is at least 25 percent Hispanic students at the end of the award year immediately preceding the date of application.

EXHIBIT 66

Federal grant money motivation

UCLA HSI Task Force report in Spring 2022, page 9

https://www.chicano.ucla.edu/files/news/Cultivating%20the%20Seeds%20of%20Change%20Becoming%20a%20Hispanic-Serving%20Institution-1.pdf



Strengthening Graduate School Access and Success

New initiatives are needed to ensure that more Latinx students find their way into graduate and professional programs, and we provide support for students from severely underrepresented groups in particular fields of study. Graduate division data currently show Latinx enrollment is very low in some graduate programs, whereas others have increased in recent years. All programs now require a focus on providing support for Latinx graduate and professional school success. Although Latinx graduate students play a critical role in mentoring, providing instruction, and contributing to the achievement of Latinx undergraduates, many units fail to make concerted efforts to recruit, fund, and support underrepresented graduate students. Faculty must take responsibility for mentorship and provide research opportunities that will advance graduate student careers. More Latinx faculty working in diverse academic fields are also needed, as their presence attracts more diverse graduate students. Once UCLA obtains HSI designation with undergraduate enrollment, it will be poised to secure funding from specific federal agencies for initiatives to increase graduate student recruitment and career success with programs and initiatives.

Institutional Investment

Becoming an HSI requires revitalizing current efforts and implementing innovative strategies to not only reach federal thresholds for HSI designation, but also advance "servingness." Servingness refers to practices and initiatives implemented to achieve educational excellence and equity for Latinx, first-generation, low-income students, and other racially minoritized students on campus (Garcia, Núñez, & Sansone, 2019). The Task Force offers recommendations but also calls for innovations and equity-minded practices from academic and administrative units chiefly responsible for many of the areas indicated in this report. Together, we can do this!

This report responds to the Chancellor's charge to the HSI Task Force to provide concrete steps and a campus action plan to become an HSI (see action steps below). Recommendations address the three organizing areas of the report: Achieving HSI federal designation by Improving Enrollment Efforts, Improving Equity in Degree Completion and Student Experiences, and Strengthening Access and Graduate Career Success. Further details on each recommendation are in the full report, with concrete suggestions for improvements offered by faculty, staff and students on the Task Force.

KEY ACTION STEPS: BECOMING AN HSI AND BEYOND

1. Reinvigorate Efforts. New strategies in admissions and financial aid are needed to increase the admission and yield of Latinx students to reach the 25% federal enrollment threshold and 35% Pell-grant recipient criteria.

2. Message and Mobilize. Educate campus and stakeholder communities about the HSI goal. Study, report, and devise efforts to close equity gaps in degree completion. Mobilize collective efforts to attain UC 2030 equity goals for first-generation, low-income, and target racial groups.

3. Fund Innovation. Create incentives for faculty, staff, and administrators to lead innovative HSI initiatives, addressing key transition points, student learning and development, retention, and entrance into graduate and professional programs. Some efforts will begin as HSI proposals to federal agencies, others require initial resource allocation.

4. Activate Application. When the 25% enrollment threshold is achieved, confirm federal eligibility, apply for HSI designation, and request the waiver of core expenses criteria (as other UCs have requested).

5. Institutionalize Efforts. Maintain HSI designation by annually submitting waivers, reviewing federal guidelines for opportunities, and continuing to implement initiatives and evaluate efforts.

https://calmatters.org/education/higher-education/college-beat/2022/11/hispanic-serving-institutions-california/

Sylvia Hurtado, a professor of education at UCLA, talked about access to federal grant money as a motivation.

The quest to become an HSI

At the University of California, change is also underway. In 2018, the UC launched its Hispanic-Serving Institutions Initiative, an effort to designate all nine of its undergraduate campuses as HSIs. Hurtado said the push stems partially from a desire to embrace the diversity of surrounding communities – but access to federal grant money can be an important motivating factor as well.

---

https://www.fox4now.com/news/local-news/local-university-aims-to-become-hispanic-serving-institution

“Achieving an HSI status allows us to become eligible for a lot of funding. That then can support our students, our faculty and support our staff so it’s really important to have ability to have access to additional funding that is specifically designated for Hispanic serving institutions," said Mitch Cordova, vice-president of student success and management at Florida Gulf Coast University.

EXHIBIT 67

UC ENDORSED ACA 5, REPEAL OF PROP. 209

https://www.universityofcalifornia.edu/press-room/uc-board-regents-unanimously-endorses-aca-5-repeal-prop-209

UNIVERSITY OF CALIFORNIA

UC Board of Regents unanimously endorses ACA 5, repeal of Prop. 209

UC Office of the President June 15, 2020

The University of California Board of Regents today (June 15) unanimously endorsed Assembly Constitutional Amendment 5 (ACA 5) as well as the repeal of Proposition 209, which banned the consideration of race and gender in admissions decisions a quarter-century ago. The votes from the governing board of the world's preeminent public research university underscore the proactive need to help address systemic and perpetual inequalities in public education.

"There is amazing momentum for righting the wrongs caused by centuries of systemic racism in our country. The UC Board of Regents' votes to endorse ACA 5 and to repeal Proposition 209 plays a part in that effort," said Board Chair John A. Pérez. "As we continue to explore all the University's opportunities for action, I am proud UC endorsed giving California voters the chance to erase a stain, support opportunity and equality, and repeal Proposition 209."

UC has long been committed to creating and maintaining a student body that reflects California's laudable cultural, racial, geographic and socioeconomic diversity. However, Proposition 209 has challenged the University's ardent efforts to be equitable and inclusive as it seeks to attract the best and brightest students from all backgrounds, while ensuring equal opportunity for all.

"It makes little sense to exclude any consideration of race in admissions when the aim of the University's holistic process is to fully understand and evaluate each applicant through multiple dimensions," said UC President Janet Napolitano. "Proposition 209 has forced California public institutions to try to address racial inequality without factoring in race, even where allowed by federal law. The diversity of our university and higher education institutions across California, should — and must — represent the rich diversity of our state."

EXHIBIT 68

UC's amicus brief with the US Supreme Court in SFFA v. Harvard

https://www.supremecourt.gov/DocketPDF/20/20-1199/232355/20220801134931730_20-1199%20bsac%20University%20of%20California.pdf

student experiences on each of its campuses. See *Annual Accountability Report 2022* at 124. Those metrics reveal areas in which UC has not yet achieved its educational goals.

1. At many of UC's campuses, especially the flagship campuses, there remain stark differences between the demographics of UC's enrolled student population and the demographics of the applicant pool that UC seeks to serve—that is, California public high school graduates. To be clear, UC does not maintain any "specified" racial targets based on the demographics of high school graduates or any other baseline. See *Fisher* v. *University of Texas at Austin*, 570 U.S. 297, 311 (2013) ("*Fisher I*") (demographic targets constitute impermissible racial balancing) (citation omitted). Instead, UC looks at demographics to determine whether there are *substantial* demographic disparities of the sort that this Court has recognized can undermine a university's ability to provide the educational benefits of diversity. See *Regents Policy 2102*.

Specifically, the Court has observed that the existence of stark demographic disparities reveals that a university is struggling "to enroll students who can offer underrepresented perspectives." *Fisher II*, 579 U.S. at 383. In a student body with few students from underrepresented minority groups, there will be few opportunities for promoting cross-racial understanding, and students will not be exposed to diverse racial perspectives. *Grutter*, 539 U.S. at 330. In addition, because *Grutter* recognized that a university has a compelling interest in "prepar[ing] students for an increasingly diverse workforce and society," *id.* at 330, 332 (citation omitted), *Grutter* presupposes that universities may make themselves aware of the demographics of the workforce and the community in order to determine the degree of cross-racial interaction

EXHIBIT 69

UC's pursuit of Hispanic-Serving Institutions status

1. UC Berkeley CHANCELLOR'S TASK FORCE ON BECOMING A HISPANIC SERVING INSTITUTION
   https://chancellor.berkeley.edu/sites/default/files/hsi_report-final2_updated_1-2021_all_names.pdf

Executive Summary

In May 2019, Chancellor Carol Christ charged the Chancellor's Task Force on Becoming a Hispanic Serving Institution (HSI) with creating a roadmap for UC Berkeley to achieve HSI designation by 2027. She identified this priority as one of the boldest goals in the campus' strategic plan—for at least 25 percent of enrolled undergraduate students to self-identify as Chicanx/Latinx, for the University to be a preferred destination for Pell Grant eligible students, and for every student to thrive at Berkeley and to find belonging in all dimensions of the campus towards a true exemplification of comprehensive excellence.[1]

Chancellor Christ selected Oscar Dubón, Jr., Vice Chancellor for Equity & Inclusion, and Kris Gutiérrez, Carol Liu Chair and Professor, Graduate School of Education, as co-chairs to the Task Force, which included over 30 members representing all sectors of the campus community.

HSI Task Force charge:

- Review of HSI application processes, eligibility criteria and timelines and collect relevant institutional data;
- Develop roadmap toward becoming an HSI, as well as related immediate, near-term, mid-term, and long-term goals;
- Create an actionable, campus-wide engagement, socialization, and communication plan (e.g., website, materials, social media, community engagement, etc.);
- Provide recommendations for investments in infrastructure, curriculum, research, and campus culture toward serving the Chicanx/Latinx community, as well as other underrepresented, underserved and/or invisibilized communities.

The HSI Task Force took a structured and comprehensive approach to addressing the charge by forming three working groups, each with their own charge:

HSI Eligibility Work Group charge:

- Review HSI designation application processes, timelines, eligibility criteria, and relevant institutional data;
- Identify technical aspects of successfully applying for the HSI designation;
- Engage peer institutions about anticipated challenges to the application processes and eligibility criteria;
- Review admissions and recruitment strategies that will support HSI goals;
- Make recommendations for the best approaches for UC Berkeley to meet the HSI application and eligibility requirements and review of best HSI practices at comparable universities.

HSI Investing & Serving Work Group charge:

- Synthesize information from committee reports such as Chicanx/Latinx Standing Committee recommendations, Chicanx Latinx Task Force Report, Chicanx Latinx Community Report, Undergraduate Diversity Project reports, presentations, and recommendations, African American Recruitment & Retention Report; African American Initiative Committee Recommendations, and Independent Advisory Board on Police Accountability and Community Safety, etc.; (Appendix A-G)
- Identify and prioritize areas for immediate, short, and long-term investments in infrastructure, curriculum, research, and campus culture

1 Berkeley Strategic Plan

2. UCLA

   Making Strides Towards Becoming a Hispanic-Serving Institution

   https://chancellor.ucla.edu/messages/making-strides-towards-becoming-a-hispanic-serving-institution

UCLA

Office of the Chancellor

About Messages

Home / Messages

Making Strides Towards Becoming a Hispanic-Serving Institution

September 24, 2021

Chancellor Block and Executive Vice Chancellor and Provost Carter sent the following message to the UCLA campus community.

Dear Bruin Community:

Last month, the U.S. Census Bureau released official data showing that Latinx Californians — the largest racial or ethnic group in the state — had risen to nearly 40 percent of California's population. The announcement only reaffirmed the importance of UCLA's aim to achieve federal designation as a Hispanic-Serving Institution (HSI) by 2025. As a public university, UCLA has a responsibility to ensure that our institution reflects the diversity of our state and welcomes members of our Latinx communities, honors their intellectual and cultural contributions, and empowers them to flourish both at UCLA and well past graduation.

Today we write to announce a number of new commitments in support of these goals. While we will work hard to boost enrollment of qualified Latinx students to 25 percent of all undergraduates over the next four years — a requirement to qualify for HSI status — we recognize that simply enrolling greater numbers of Latinx students is not enough. UCLA also must enable these students to succeed by investing in academic and support infrastructure dedicated to their learning and growth.

3. UCLA https://hsi.ucla.edu/about/

UCLA

Hispanic-serving Institution

About HSI | Events | Programs | Publications & Organizations | Giving

Home /

About HSI

Strengthening Student Access and Success

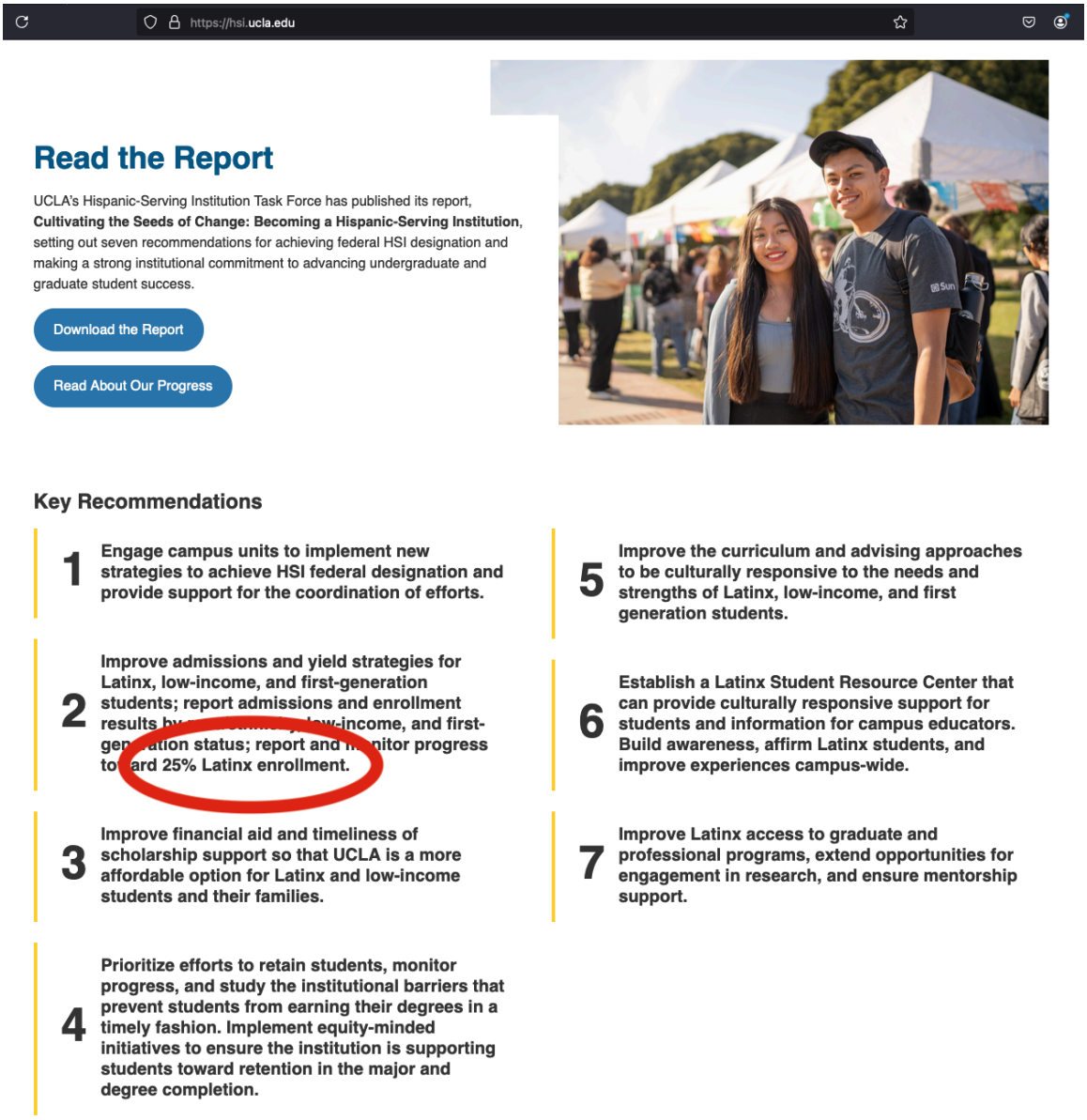
The "Hispanic-serving Institution" designation is granted to universities by the U.S. Department of Education and requires that a minimum of 25% of an institution's full-time undergraduate students identify as Latinx. Currently, approximately 21% of UCLA undergraduates are Latinx.

Achieving federal recognition as an HSI will make UCLA eligible for a range of federal grants that would bolster existing educational programs, research training and academic attainment for Latinx, low-income and other underrepresented students.

4. UCLA

   Hispanic-serving Institution

   https://hsi.ucla.edu/



5. UC Office of President

   A Blueprint for Becoming a Hispanic-Serving Research Institution (HSRI) System

   https://www.ucop.edu/hsi-initiative/_files/reimagining-the-university-of-california-to-serve-latinxs-equitably.pdf

Executive Summary

Introduction

Hispanic-Serving [illegible] (HSIs), which are broadly defined as non-profit postsecondary institutions enrolling a minimum of 25% Latinx undergraduates, currently constitute 19% of all colleges and universities across the United States and [illegible]. Historically, most HSIs have been institutions with open and inclusive admissions policies. Yet, a growing number of research 1 (R1) universities, which are better known for their selective admissions processes and historical underrepresentation of Latinx students, are now meeting the enrollment thresholds for HSI designation. Despite increasing Latinx undergraduate enrollments, Latinx graduate students, faculty, staff and administrative leadership at these institutions remain severely underrepresented. This pattern is concerning given that research 1 universities play a critical role in producing the next generation of researchers and professionals. Recognizing this issue, national efforts involving R1 HSIs are aiming to boost Latinx graduate and faculty representation at these institutions. Yet, it remains uncertain to what extent these R1 HSIs are changing their structures to achieve these objectives, which points to a critical gap in educational research and policy that needs to be addressed.

As the public research university system in the state with the largest Latinx population in the nation, the University of California (UC) is similarly reflecting these broader enrollment trends. UC educates an increasingly diverse student body, including many historically underserved racial minorities and those who are first-generation and from lower socioeconomic backgrounds. Much of this diversification at the UC is due to increased enrollment of Latinx undergraduate students. Five of the nine undergraduate campuses now meet HSI eligibility criteria, while the remaining campuses are on paths to meet the 25% undergraduate enrollment threshold soon. As these institutions, which were historically predominantly attended by white students, now educate a significantly more racially diverse student population, it is essential to employ culturally responsive and asset-based approaches in serving this multicultural, multilingual, and first-generation critical mass of students. Substantial efforts are required to transform the entire UC system into a reflection of the state's population and to establish structures and environments indicative of servingness. This presents ample opportunities for UC to actively engage in the necessary process of institutional transformation, ensuring optimal support for its students and remaining the world's leading research public university system.

Purpose of the Report

This report explores the concept of "servingness" within the University of California (UC) system, which is on its way to becoming a collection of fully-fledged Hispanic-Serving Research 1 Institutions (HSRIs). This work stems from a UCOP Office of the Provost planning grant under the cross-campus leadership of Drs. Marcela G. Cuellar (Davis), Frances Contreras (Irvine), and Juan Poblete (Santa Cruz). The report begins with an introductory section, outlining the increasing presence of HSRIs across higher education overall and, more specifically, within the UC system. Following this, three papers explore how servingess can be conceptualized within UC, given existing inequities in outcomes. Finally, the report concludes by offering a series of recommendations aimed at establishing frameworks, structures, and environments that truly embody the notion of servingness throughout the entire UC system.

Paper Summaries

In the first paper, Dr. Juan Poblete proposes that the arrival of Latinx students into the University of California marks a progressive development, democratizing access and potentially paving the way for greater educational equity within the state. However, this development takes place against the backdrop of substantial student enrollment growth and a series of regressive dynamics that have so far limited the positive social impact of that access. These dynamics encompass factors such as reduced per-student spending, decreased state funding for public education, and the imposition of tuition increases that place a burden on students' families. Within this context, two contradictory dynamics become evident: the expansion of public education's reach and the concurrent privatization of the concept of public education. The attainment of Hispanic-Serving Institution (HSI) status across the University of California system presents a notable opportunity. By reconsidering the meaning of "servingness," this status can potentially initiate a shift

EXHIBIT 70

Asian Population Growth in California

https://apnews.com/article/california-race-and-ethnicity-census-2020-4209eebb820f00e9238e0dba0a35a1e3

California's Asian population soars, new census data shows



1 of 2 | FILE - In this Jan. 21, 2006, file photo, Chinese lion dancers perform in Oakland's Chinatown in Oakland, Calif. According to new data from the U.S. Census Bureau released Thursday, Aug. 12, 2021, California's Asian population grew by 25% in the past decade, making them the fastest growing ethnic group in the nation's most populous state. (AP Photo/Paul Read More



BY ADAM BEAM
Published 5:26 PM PST, August 12, 2021

Share

SACRAMENTO, Calif. (AP) — California's Asian population grew by 25% in the past decade, making it the fastest growing ethnic group in the nation's most populous state, according to new data from the U.S. Census Bureau released Thursday.

EXHIBIT 71

UC UNDERGRADUATES BY RACE

https://www.universityofcalifornia.edu/press-room/uc-statement-scotus-decision-regarding-use-race-college-admissions

UNIVERSITY OF CALIFORNIA

UC undergraduates by race and ethnicity

- Fall 2022:
  - 32.2% Asian
  - 22.5% Hispanic/Latino
  - 22.2% White
  - 4.5% African American
  - 0.5% American Indian
  - 0.3% Pacific Islander
  - 2.8% Domestic unknown
  - 15% international
- 2002 (post Prop. 209)
  - 38% Asian
  - 14% Hispanic/Latino
  - 36% White
  - 3% African American
  - 1% American Indian
  - 1% Pacific Islander
  - 8% Domestic unknown
  - 1% International
- 1994 (pre-Prop. 209):
  - 37% Asian
  - 15% Hispanic/Latino
  - 36% White
  - 4% African American
  - 1% American Indian

EXHIBIT 72

UC STUDENT DISAGGREGATED RACE AND ETHNICITY DATA

https://www.universityofcalifornia.edu/about-us/information-center/disaggregated-data

UC student disaggregated race and ethnicity data

Updated January 7, 2025

These tables show counts by disaggregated race/ethnicity category. "Unknown" race/ethnicity students are not shown. Student ethnicity collection and reporting at UC is detailed here.

Enrollment | Degree Recipients | Undergrad Admissions | UG Graduation | Notes | UG Adm Ordering

Fall duplicated enrollments by disaggregated race/ethnicity

(Unduplicated official counts are here: https://www.universityofcalifornia.edu/infocenter/fall-enrollment-headcounts)

Campus: (All) | Fall term: (Multiple values) | First generation status (UG only): (All) | Student level: (All) | Enrollment status: (All)

Gender identity: (All) | Sexual orientation: (All) | Residency: (All) | Pell recipient (UG only): (All) | Undergraduate entry level: (All)

Broad category subtotals (duplicated)

	2018	2019	2020	2021	2022	2023	2024
African American and Black	11,659	12,099	12,659	13,414	13,727	14,339	14,918
American Indian/Alaska Native	3,296	3,277	3,380	3,705	4,327	4,904	5,325
Asian	119,087	121,112	122,520	126,654	128,297	129,199	130,539
Hispanic/Latinx	64,635	66,854	68,225	70,199	70,217	72,533	74,924
Native Hawaiian and Pacific Islander	2,120	2,269	2,369	2,413	2,378	2,443	2,439
Southwest Asian/North African	12,224	12,688	12,969	13,730	14,137	14,990	15,443
White	89,971	90,437	89,765	94,745	93,605	95,488	95,845

Detailed counts (duplicated)

Broad category	Category	Collection Status	2018	2019	2020	2021	2022	2023	2024
African American and Black	African American/Black	A	9,102	9,362	9,695	10,348	10,814	11,287	11,855
	African	B	2,203	2,246	2,486	2,716	2,828	3,110	3,259
	Other African American/Black	B	1,375	1,420	1,494	1,598	1,489	4,354	4,538
	Caribbean	B	897	990	1,056	1,126	1,172	1,267	1,375
Amazigh	Amazigh	Null						41	32
American Indian/Alaska Native	American Indian/Alaska Native	A	3,296	3,277	3,380	3,705	4,327	4,904	5,325
	Chinese	A	53,040	53,842	53,684	53,752	52,650	51,230	50,858
	Other Asian	A	11,869	11,877	12,001	10,899	10,683	30,300	31,178
	Asian Indian	B	12,730	13,728	14,686	16,419	18,194	20,379	21,566
	Vietnamese	A	13,933	14,377	15,048	15,715	15,800	15,975	16,281
	Filipino	A	13,008	13,233	13,425	13,923	14,231	14,628	14,995

EXHIBIT 73

Asian Admits at UC Berkeley

UC Berkeley's admission of Asian applicants declined in recent years.

https://www.universityofcalifornia.edu/about-us/information-center/admissions-residency-and-ethnicity

Fall freshman applicants, admits, and enrollees

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Applicants	**44,622 100%**	**45,702 100%**	**45,748 100%**	**49,282 100%**	**51,924 100%**	**50,148 100%**	**50,286 100%**	**62,191 100%**	**72,466 100%**	**72,697 100%**
African American	2,525 6%	2,667 6%	2,783 6%	2,988 6%	3,205 6%	2,943 6%	2,958 6%	4,036 6%	4,654 6%	4,580 6%
American Indian	307 1%	290 1%	277 1%	272 1%	260 1%	234 0%	198 0%	230 0%	364 1%	392 1%
Asian	16,866 38%	17,162 38%	16,509 36%	17,824 36%	20,108 39%	19,775 39%	20,176 40%	23,946 39%	27,925 39%	27,875 38%
Hispanic/Latino(a)	11,685 26%	12,095 26%	12,700 28%	13,959 28%	14,241 27%	13,890 28%	13,887 28%	18,210 29%	22,366 31%	22,645 31%
Pacific Islander	160 0%	144 0%	157 0%	167 0%	182 0%	158 0%	154 0%	203 0%	194 0%	216 0%
White	11,677 26%	11,609 25%	11,665 25%	12,409 25%	11,924 23%	11,481 23%	11,052 22%	13,498 22%	14,846 20%	14,747 20%
Unknown	1,402 3%	1,735 4%	1,657 4%	1,663 3%	2,004 4%	1,667 3%	1,861 4%	2,068 3%	2,117 3%	2,242 3%
Admits	**7,267 100%**	**8,734 100%**	**9,505 100%**	**8,992 100%**	**8,761 100%**	**9,336 100%**	**10,143 100%**	**10,452 100%**	**10,483 100%**	**10,976 100%**
African American	233 3%	344 4%	389 4%	359 4%	369 4%	380 4%	509 5%	495 5%	546 5%	523 5%
American Indian	58 1%	53 1%	60 1%	66 1%	30 0%	64 1%	45 0%	69 1%	63 1%	79 1%
Asian	3,188 44%	3,904 45%	4,134 43%	3,866 43%	3,855 44%	4,155 45%	4,307 42%	4,262 41%	4,319 41%	4,416 40%
Hispanic/Latino(a)	1,431 20%	1,656 19%	1,746 18%	1,832 20%	1,894 22%	2,048 22%	2,932 29%	2,980 29%	2,973 28%	3,319 30%
Pacific Islander	9 0%	19 0%	22 0%	22 0%	18 0%	26 0%	19 0%	35 0%	15 0%	32 0%
White	2,013 28%	2,273 26%	2,632 28%	2,410 27%	2,121 24%	2,208 24%	1,881 19%	2,160 21%	2,159 21%	2,132 19%
Unknown	335 5%	485 6%	522 5%	437 5%	474 5%	455 5%	450 4%	451 4%	408 4%	475 4%

Academic Yr: (Multiple values)

Campus: Berkeley

Select breakdown: By race/ethnicity

Filter: By residency

Select category:
- [x] California resident
- [ ] Domestic nonresident
- [ ] International resident

EXHIBIT 74

Communication with UC Board of Regents and Admissions Office

1. Comment 1 to UC Board of Regents

Subject: College Admission Transparency - Public comment for the UC Board of Regents meeting on Nov 16

From: Nan Zhong <nanzhong1@gmail.com> Fri, Nov 10, 2023 at 10:03 PM

To: regentsoffice@ucop.edu

Honorable members of the UC Board of Regents,

On behalf of thousands of Californians, I am writing to you to address a matter of great importance – the need for more transparency in college admission. To begin, I would like to draw your attention to my son Stanley's college application story. It is so bizarre that it was reported by ABC, CBS, CNBC, USA Today, and other media channels. It was also presented at a congressional hearing on September 28.

In addition to an excellent academic record and strong leadership both in and out of his school, as a high schooler, Stanley achieved multiple recognitions that made him stand out even among professional software developers around the world. For example,

- He advanced to the Google Code Jam Coding Contest semi-final.
- His e-signing startup is featured in an Amazon Web Services case study, an honor received by only a handful startups in the world.
- He won 2nd place in MIT Battlecode's high school division.

In 2019, not knowing he was only 13 years old, a Google recruiter invited him to interview for a full-time job. Shortly after turning 18, in September 2023, he was hired by Google as an L4 software engineer, a position that typically requires multiple years of professional experience as well as a college degree.

In contrast, despite citing the awards above (and a lot more, including the Gold Level President's Volunteer Service Award), his college application was rejected by all five UC schools he applied to, namely UC Davis, UC Santa Barbara, UC San Diego, UCLA and UC Berkeley. As a California taxpayer, I was rattled by the fact that he had no UC schools to choose from. After Stanley's story went public, I received numerous emails, complaining about similarly unfathomable application results with the UC schools. So Stanley's case is not alone.

The Varsity Blues scandal already eroded public trust in college admissions. The 2020 audit report by the California State Auditor further underscored deficiencies in UC's admissions practices. Its summary says,

> "The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for

how they determine which applicants to admit. Nevertheless, both of those campuses admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications."

UCLA's late distinguished sociologist, Prof Robert D. Mare also documented anti-Asian bias in UCLA's admissions process in his report titled "Holistic Review in Freshman Admissions at the University of California—Los Angeles 2009-2011 Update." Its summary says,

"In both Final and Supplemental Review, African American applicants receive somewhat more favorable and 'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships."

In line with the reports by the California State Auditor and Prof Mare, as students and parents, we are seeing nonsensical admission results again and again.

As a basic democratic principle, we should have checks and balances for every power, including the power of the admission offices. Holistic reviews should not be construed as black box reviews. I think college admission transparency is not a blue/red issue. It's a common sense issue about our kids' education and their mental health. It's a common sense issue about America's competitiveness in the global economy. It's also a common sense issue about UC's reputation. To rebuild public trust and uphold the values of the UC system, I urge you to take immediate actions to increase transparency of the admission process. I hope we can transcend political pettiness. Let's create a partnership across students, parents, colleges, governments, education and legal experts. Let's work together to increase college admission transparency in a judicious, systematic, cost-effective and privacy-preserving way. Let's do something for our kids.

Thank you for your time and consideration.

Sincerely,

Nan Zhong

---

2. Response 1 from UC

UNIVERSITY OF CALIFORNIA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO

SANTA BARBARA • SANTA CRUZ

GRADUATE, UNDERGRADUATE AND EQUITY AFFAIRS
UNDERGRADUATE ADMISSIONS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 10th Floor
Oakland, California 94607-5200

November 20, 2023

Ms. Nan Zhong
Email: nanzhong1@gmail.com

Dear Ms. Zhong,

I am writing in response to your communication to the UC Board of Regents regarding transparency in the undergraduate admission process for the University of California.

Given both the extraordinary quality of the applicants and the large number of applications received, all our campuses are faced with making difficult admission decisions; unfortunately, this means that many very talented and deserving students like Stanley Zhong are disappointed by the outcomes of the admission process.

Each of our campuses select their class using various forms of comprehensive review. There is no formula for gaining admission to UC; the full extent of each applicant's academic and personal accomplishments is taken into consideration within the context of the opportunities that were available to that student. There is no single deciding factor in any admission decision.

We have many public-facing resources that provide information about the admission process and how applications are reviewed. Links to the campus specific processes are also provided. https://admission.universityofcalifornia.edu/how-to-apply/applying-as-a-freshman/how-applications-are-reviewed.html

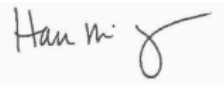
In response to the 2020 California State Audit, documentation and transparency have been improved. In addition to the information that is provided in our admissions website note above, the Academic Senate's systemwide committee on undergraduate admissions publishes an annual report on Undergraduate Admissions Requirements and Comprehensive Review which includes a summary of the selection processes for each campus. https://senate.universityofcalifornia.edu/_files/committees/boars/boars-cr-report-june-2023.pdf

As a public institution, the University takes seriously its obligation to equitably serve all California residents who are qualified and interested in earning a degree at one of our campuses. As required by State law and Regental policy, the University does not grant preferential treatment in its admissions processes to any applicant on the basis of race, sex, color, ethnicity, or national origin. It is also Regental policy that the University seek to enroll a student body that encompasses the broad diversity of cultural, racial, geographic, and socioeconomic backgrounds characteristic of California. Further details on undergraduate admission outcomes can be found in several dashboards on the UC Information Center: https://www.universityofcalifornia.edu/about-us/information-center

Although the University cannot guarantee admission to our most selective campuses, UC is proud to be able to continue its commitment to the best students in the state with the opportunity to enroll within the UC system. It is the students' choice whether to accept that opportunity or not.

On behalf of the UC Board of Regents, I thank you for taking the time to share your thoughts and concerns.

Sincerely,



Han Mi Yoon-Wu
Associate Vice Provost and
Executive Director, Undergraduate Admissions
University of California Office of the President

3. Comment 2 to UC Board of Regents

Subject: UC Admission Transparency - Public comment for the UC Board of Regents meeting on Jan 25

From: Nan Zhong <nanzhong1@gmail.com> Thu, Jan 18, 2024 at 10:30 AM

To: regentsoffice@ucop.edu

Honorable members of the UC Board of Regents,

I'd like to follow up on the comment I made on Nov 16 in front of this board regarding the need for more transparency in UC admission. As mentioned, my son Stanley's college application story was so bizarre that it was reported by ABC, CBS, CNBC and USA Today. To highlight the absurdity, he was hired by Google as an L4 software engineer. It means that Google sent five experienced software engineers, all specifically trained to interview candidates, to assess his proficiency in Computer Science. Together they spent over 10 hours interviewing Stanley and discussing his interview performance. They concluded that his proficiency was at the same level as applicants with Ph.D. degrees from colleges like UCLA or UC Berkeley.

Yet, five UC schools rejected his college application, considering him not qualified enough for their undergraduate programs. The gap between Google and UC's assessments defies common sense and naturally invites the question:

How could such a ridiculous thing happen? That's why, in 3 days, over 3000 Californians endorsed my letter to this board in November.

On November 21, I received a response (attached) from Han Mi Yoon-Wu, Associate Vice Provost and Executive Director of Undergraduate Admissions. (Thank you for forwarding my comment to the admission office.) However, I was extremely disappointed by the response. It was a 2-page letter filled with words, but no meaningful information. It insisted that Stanley was not qualified enough with no specifics. I understand that college admission is a difficult operation. The application readers can spend only a few minutes per application and they aren't necessarily equipped with domain-specific knowledge. So things can fall through cracks. However, given the public outcry and obvious absurdity, with ample time to re-examine the case, the dismissive nature of the letter is insulting to the public and it was a great disservice to this world-renowned institution. Dismissing the previous mistake offhandedly as a non-issue is a mistake worse than the original one. It is no longer in the realm of honest mistakes that we all make sometimes. Instead, it speaks volumes about whether they care. The longer the admission office remains dismissive, the more damage it will bring to the UC's reputation. With UC's role in the Varsity Blues scandal and the 2020 audit report by the California State Auditor, the burden is on the UC admission office to prove that they deserve the public's trust. In 1989, UC Berkeley apologized for a policy that limited Asians after the state audit in 1987. Things

moved on. **Today I ask for the board's leadership in demanding accountability in the admission office so we can move on again.**

I'm glad to share that we received a lot of support as our coalition of several thousand Californians brought this issue to the state lawmakers over the past few months. We talked to multiple Assemblymembers and Senators. Democrats and Republicans, across the political spectrum, expressed their surprise by Stanley's case. They described this case as "alarming" and "extremely disturbing". The legislative proposal being discussed is conducting recurring audits for UC's admission. While the state's current budget constraint may render it difficult to implement immediately, I hereby ask UC admission offices to retain all admission related records for potential future audits by the state.

Parallel to the legislative discussion, here is another proposal on how we can move forward together. I emailed the chairs of the Computer Science department of the five UC schools. Some of them already replied with interest to examine Stanley's application. I propose we ask interested Computer Science faculty members to examine the case as a 3rd-party independent from the admission office. The result won't matter for Stanley anymore since he is enjoying his high-paying full-time job at Google. But it remains important for other kids since most kids won't be as lucky as Stanley.

To reiterate from two months ago, as a basic democratic principle, we should have checks and balances for every power, including the power of the admission offices. Holistic reviews should not be construed as black box reviews. Interestingly, after the resignation of President Magill at the Univ of Pennsylvania, 1200 faculty members signed the new constitution proposal, which calls out admission transparency explicitly. It says, “Admission policies should prioritize the fair treatment of each individual applicant, and criteria must be objective, transparent, and clearly communicated to all community members.” I hope UC’s admission office adopts a similar principle as soon as possible.

Let’s work together to increase college admission transparency in a judicious, systematic, cost-effective and privacy-preserving way. Let’s do something for our kids.

Thank you for your time and consideration.

Sincerely,

Nan

---

4. Response 2 from UC

UNIVERSITY OF CALIFORNIA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO SANTA BARBARA • SANTA CRUZ

GRADUATE, UNDERGRADUATE AND EQUITY AFFAIRS
UNDERGRADUATE ADMISSIONS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 10th Floor
Oakland, California 94607-5200

January 29, 2024

Mr. Nan Zhong
Email: nanzhong1@gmail.com

Dear Mr. Zhong,

I am writing in response to your most recent communication on January 18, 2024 to the UC Board of Regents regarding transparency in the undergraduate admission process for the University of California.

I assure you that we share the goal of ensuring a transparent and level playing field for every applicant. Since the 2020 state audit, our campuses have undertaken an extensive amount of work to improve and strengthen the policies that govern UC's admissions processes.

On behalf of the UC Board of Regents, thank you for sharing your views and continuing to advocate on behalf of all Californians.

Sincerely,

Han Mi Yoon-Wu
Associate Vice Provost and
Executive Director, Undergraduate Admissions
University of California Office of the President

5. **Email exchanges after response 2**

From: Nan Zhong <nanzhong1@gmail.com> Sun, Feb 4, 2024 at 12:00 PM

To: GUEA-Admissions-SHD <Admissions@ucop.edu>

Cc: College Admission Transparency

<college-admission-transparency@googlegroups.com>

Dear Ms. Yoon-Wu,

Thanks for your response. I don't doubt that you share the goal of ensuring a transparent and level playing field for every applicant. However, the results produced by the UC admission office are not pointing in that direction. The fact that over three thousand Californians endorsed my letter to the Board of Regents in three days, and the fact that the state lawmakers are calling Stanley's case "alarming" and "extremely disturbing" indicate the level of public's frustration and distrust. We need concrete actions, not empty words or promises. Could you share the concrete steps that the UC admission office has taken to ensure transparency? Perhaps we can help you enhance or accelerate them.

Best,

Nan

From: GUEA-Admissions-SHD <Admissions@ucop.edu> Mon, Feb 12, 2024 at 9:46 AM

To: Nan Zhong <nanzhong1@gmail.com>

Dear Mr. Zhong,

In response to your recent communication from February 4, please refer to my response and the multiple links that I provided in my November communication. A copy is attached for your convenience.

Sincerely,

Han Mi Yoon-Wu

Associate Vice Provost and

Executive Director, Undergraduate Admissions

University of California Office of the President

From: Nan Zhong <nanzhong1@gmail.com> Fri, Mar 8, 2024 at 2:23 PM

To: GUEA-Admissions-SHD <Admissions@ucop.edu>

Cc: College Admission Transparency

<college-admission-transparency@googlegroups.com>

Dear Ms. Yoon-Wu,

Thanks for your response. I've studied all the links provided in the November communication. But they provide very little insight into why the UC rejects highly qualified applicants to the point of being absurd in the eyes of the public. That's exactly why thousands of Californians are asking for more transparency.

Also, could you please acknowledge the receipt of the request to keep all admission related records for potential future audits?

Finally, what are your thoughts on the idea of inviting CS faculty members to examine the applications?

I look forward to an honest and productive discussion in good faith. Have a great weekend!

Best,

Nan

---

6. Comment 3 to UC Board of Regents

Subject: UC Admission Transparency - Public comment for the UC Board of Regents meeting on March 20

From: Nan Zhong <nanzhong1@gmail.com> Thu, Mar 14, 2024 at 11:26 AM

To: "regentsoffice@ucop.edu" <regentsoffice@ucop.edu>

Cc: GUEA-Admissions-SHD <Admissions@ucop.edu>

Honorable members of the UC Board of Regents,

I'd like to follow up on the comment I made in January and November regarding the need for more transparency in UC admissions. After my November comment, I received a 2-page letter with no meaningful information from Han Mi Yoon-Wu, Associate Vice Provost and Executive Director of Undergraduate Admissions. After my January comment, I received a half-page letter with no meaningful information.

While the UC admissions office is doing nothing to increase its transparency, we compiled our own data. So let's not ignore the elephant in the room: race. All the highly qualified applicants rejected by the UC are Asians. It's clear to me that the UC admissions office is practicing identity politics, just like the far right. Both the UC and the far right single out a group based on their identity, then direct hatred or penalty towards them. What UC is doing is another form of Asian hate, only

more hidden and systematic, thus more hateful, hurtful and harmful than a comment like Trump's stupid "kung flu."

This form of Asian hate takes its toll on the Asian community. It creates a sense of helplessness among Asian kids. For a student who received the highest level of Presidential Volunteer Service Award, beat the world's top professional programmers in competitions and was hired by Google for a position typically offered to Ph.D graduates, if he is rejected by UC's undergraduate programs, do you realize how absurd that is? Do you understand how one absurd story like this after another leads to a sense of helplessness that is detrimental to Asian kids' mental health? When a Palo Alto School District board member and I sadly discussed local high school suicide cases, we agreed college admission and its blackbox nature very likely contributed to the crisis. There is only so much the high schools can do unless universities become more transparent in their admissions and alleviate the sense of helplessness.

After being stonewalled by the UC admissions office for the past four months, my hope for an honest, scientific, constructive and good-faith discussion has faded, replaced by disappointment, frustration and anger. I am disappointed because I thought UC would proudly open its admissions practice instead of hiding it in a black box, but I was wrong. I am frustrated because I thought UC is a great public institution that would listen to the public and could be reasoned with instead of ignoring the public outcry, but I was wrong. I am angry because

more Asian kids will suffer, yet nobody seems to care, even those self-proclaimed anti-racists. If UC thinks its admissions practice is countering the far right, you got it wrong. Absurd far left policies are only going to exacerbate people's distrust of public institutions and feed the narratives of the far right. To counter the far right, don't move to the far left. Stay in the center and stick with common sense.

If the admissions office somehow is wishing that stonewalling would tire us out and stop us challenging the absurd status quo, I have news to share. We shall bring the case to the wider public and political debates. We shall expose the "Asian Hate" nature of the far left admissions practice. We shall fight through protests. We shall fight in court. We shall fight in the legislature. We shall fight in the elections. We shall demand accountability. We shall be noisy, annoying and a pain in the butt. We shall fight to the end. Whatever it takes. However many decades it takes. If that shatters the "model minority" stereotype, so be it.

Dear members of the Board, as the leaders of the UC, the buck stops with you. This time, please do more than just forwarding the letter to the admissions office. It's time to show us your leadership.

Sincerely,

Nan

7. Response 3 from UC

UNIVERSITY OF CALIFORNIA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO SANTA BARBARA • SANTA CRUZ

GRADUATE, UNDERGRADUATE AND EQUITY AFFAIRS
UNDERGRADUATE ADMISSIONS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 10th Floor
Oakland, California 94607-5200

March 25, 2024

Mr. Nan Zhong
Email: nanzhong1@gmail.com

Dear Mr. Zhong,

I am responding to your email of March 8 as well as your public comment submission to the UC Board of Regents on March 14.

While I appreciate you writing to express your views once again, respectfully, it seems we will have to agree to disagree about the usefulness and transparency of the information that I have previously provided in response to your prior communications. I acknowledge receipt of your request to keep admissions records and will preserve records based on the university's records retention schedule.

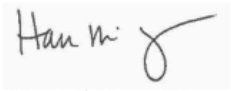
The data in the UC Information Center provides a wealth of information, including admission outcomes for Asian American students. Not only are Asian Americans well-represented at UC, the proportion of Asian Americans in the California admit pool has remained stable over the past several years. In fact, Asian Americans represented the highest proportion, almost 40 percent, of the University's 2023 incoming California freshman class.

As required by law and Regental policy, the University does not grant preferential treatment in its admissions processes to any applicant on the basis of race, sex, color, ethnicity, or national origin, so your assertion that UC plays identity politics is unsupported.

UC has the enviable position of having an abundance of highly-qualified students seeking admission to our campuses. Our comprehensive review policy recognizes that students are more than grades earned and considers multiple factors when making decisions. Nevertheless, selecting from among such a high achieving pool of applicants undoubtedly results in each campus having to deny excellent students. As you have suggested, some campus processes do include a review by faculty particularly for engineering and computer science majors.

Again, I thank you for taking the time to write and express your concerns.

Sincerely,



Han Mi Yoon-Wu
Associate Vice Provost and
Executive Director, Undergraduate Admissions
University of California Office of the President

8. **Rebuttal to response 3**

From: Nan Zhong <nanzhong1@gmail.com> Fri, May 10, 2024 at 10:26 PM

To: GUEA-Admissions-SHD <Admissions@ucop.edu>

Cc: "regentsoffice@ucop.edu" <regentsoffice@ucop.edu>, president@ucop.edu, Provost@ucop.edu, Todd Millstein <todd@cs.ucla.edu>, Glenn Reinman <reinman@cs.ucla.edu>, agrawal@cs.ucsb.edu, coms-chair@ucsb.edu, ghosal@cs.ucdavis.edu, cschair@ucdavis.edu, tomlin@eecs.berkeley.edu, malik@berkeley.edu, lerner@cs.ucsd.edu, minnes@eng.ucsd.edu, College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ms. Yoon-Wu,

There are several logical mistakes in your reply.

Your points about Asian American admissions staying stable and representing the highest proportion do not in any way prove that there is no discrimination against Asian Americans. It is logically possible for UC to reject some Asian applicants based on race and still end up with more Asian students than other races. Instead, what you can provide to help is a comparison between admitted students across races and a comparison of rejected Asian applicants (e.g. Stanley) against admitted students of other races. UC doesn't have to open any

privacy-sensitive data to the public. An examination by a 3rd party in an isolated room is what I am suggesting.

I also found this statement amusing. "As required by law and Regental policy, the University does not grant preferential treatment in its admissions processes to any applicant on the basis of race, sex, color, ethnicity, or national origin, so your assertion that UC plays identity politics is unsupported." Are you saying that, since there is a law, there must be no violation? Are you not aware of anyone that knew the law yet broke it and claimed innocence? More specifically, have you not heard of "unstated Affirmative Action"?

Thanks,

Nan

P.S. I assume everyone cc'd is interested in an academic discussion of data analysis of the admissions data. If not, please let me know and I will leave you out.

From: GUEA-Admissions-SHD <Admissions@ucop.edu> Mon, May 20, 2024 at 9:53 AM

To: Nan Zhong <nanzhong1@gmail.com>

Dear Mr. Zhong,

I write in response to your correspondence from May 10. As I stated in an earlier response, the data in the UC Information Center provides a wealth of information, including admission outcomes for Asian American students, that can be downloaded for further analysis. If you feel the university has engaged in discrimination, I refer you to the Systemwide Office of Civil Rights.

Respectfully,

Han Mi

From: Nan Zhong <nanzhong1@gmail.com> Fri, May 24, 2024 at 4:41 PM

To: GUEA-Admissions-SHD <Admissions@ucop.edu>

Cc: "regentsoffice@ucop.edu" <regentsoffice@ucop.edu>, president@ucop.edu, Provost@ucop.edu, Todd Millstein <todd@cs.ucla.edu>, Glenn Reinman <reinman@cs.ucla.edu>, agrawal@cs.ucsb.edu, coms-chair@ucsb.edu, ghosal@cs.ucdavis.edu, cschair@ucdavis.edu, tomlin@eecs.berkeley.edu, malik@berkeley.edu, lerner@cs.ucsd.edu, minnes@eng.ucsd.edu, College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Han Mi,

Thanks for pointing to the data again. At the risk of sounding like a broken record, I found the data utterly inadequate to answer questions such as "why applicants like Stanley were rejected". If you could enlighten me, I'd appreciate it.

Alternatively, if any of the CS chairs cc'd is willing to put their academic reputation on the line, and vouch that all admitted non-Asian students are reasonably equally or more qualified than the rejection cases we compiled, that would move the conversation forward in a meaningful way too. Feel free to use Stanley's case as an example rejection case.

I look forward to having discussions in a dive-deep data-driven academic way. I won't accept silence or stonewalling.

Have a great long weekend!

Best,

Nan

P.S. I assume everyone cc'd is interested in an academic discussion of data analysis of the admissions data. If not, please let me know and I will leave you out.

As of the filing of the lawsuit, there has been no further communication from UC after this email.

---

9. Comment 4 to UC Board of Regents

Subject: UC Admission Transparency - Public comment for the UC Board of Regents meeting on May 16

From: Nan Zhong <nanzhong1@gmail.com> Fri, May 10, 2024 at 7:24 AM

To: "regentsoffice@ucop.edu" <regentsoffice@ucop.edu>

Cc: GUEA-Admissions-SHD <Admissions@ucop.edu>, president@ucop.edu, Provost@ucop.edu, Todd Millstein <todd@cs.ucla.edu>, Glenn Reinman <reinman@cs.ucla.edu>, agrawal@cs.ucsb.edu, coms-chair@ucsb.edu, ghosal@cs.ucdavis.edu, cschair@ucdavis.edu, tomlin@eecs.berkeley.edu, malik@berkeley.edu, lerner@cs.ucsd.edu, minnes@eng.ucsd.edu

Honorable members of the UC Board of Regents,

I'd like to follow up on the comments I made in March, January, and last November regarding the need for more transparency in UC admissions.

In March, I specifically asked this board to directly weigh in on this issue. Two months later, I'm still waiting for a response. As an engineer by training, I can easily be persuaded by reasoning. If I got anything wrong, tell me and show me concrete data. However, since I brought up this issue last November, my attempts to engage UC for discussions have consistently been met with silence or stonewalling as if I touched on a taboo associated with illegal activities.

Over time, I learned that my experience fits in a long standing pattern. In 2007, Prof Tim Groseclose, a faculty member on UCLA admissions committee, asked for anonymized sample data from the admissions office. He was rejected. Yes, UCLA hid its admissions data from its own admissions committee! He was told that “we should not study or do any analysis of holistic admissions at UCLA until we have at least four or five years of the outcome to avoid normal annual fluctuations”. Now, 17 years later, where is the data? What’s the excuse now? Where is the basic intellectual honesty and decency? Where are the academic traditions of open discussions and peer reviews? I can’t believe I have to preach such fundamental principles to an academic institution. UC’s efforts to keep its admission a black box is an assault on reason and academic integrity.

Recently, someone shared with me a video of Prof Erwin Chemerinsky, Berkeley Law School Dean, describing the “unstated” racial preferences in faculty hiring. Really? A law professor teaching students to break laws and hide the evidence? It’s a disgrace! It’s legally and morally indefensible! No wonder I got the impression that there are institutionalized illegal activities. No wonder UC tightly guards its admissions data because it’s incriminating. It starts to make sense.

Finally, I have a message to a Regent not present in the meetings, Governor Newsom. Mr. Newsom, last November, over 3,000 Californians sent you a letter regarding UC admissions. Half a year later, we still haven’t heard from you. Your

silence and indifference violates your duty as an elected official. Perhaps you consider yourself the governor for some Californians only, not the 3,000 who signed the letter. I'm deeply disappointed as a voter and regret my votes for you in the past. You don't deserve my vote anymore.

Sincerely,

Nan

---

10. Comment 5 to UC Board of Regents

Subject: Racial Discrimination Lawsuit against UC - Public comment for the UC Board of Regents meeting on Nov 14

From: Nan Zhong <nanzhong1@gmail.com> Tue, Nov 12, 2024 at 10:24 PM

To: "regentsoffice@ucop.edu" <regentsoffice@ucop.edu>

Cc: GUEA-Admissions-SHD <admissions@ucop.edu>, president@ucop.edu, Provost@ucop.edu, Todd Millstein <todd@cs.ucla.edu>, Glenn Reinman <reinman@cs.ucla.edu>, agrawal@cs.ucsb.edu, coms-chair@ucsb.edu, ghosal@cs.ucdavis.edu, cschair@ucdavis.edu, tomlin@eecs.berkeley.edu, malik@berkeley.edu, lerner@cs.ucsd.edu, minnes@eng.ucsd.edu, College Admission Transparency <college-admission-transparency@googlegroups.com>

Honorable members of the UC Board of Regents,

I'd like to follow up on the comments I made in May, March, January, and last November regarding racial discrimination in UC admissions. By Berkeley Law School Dean's own admission, it's obvious that UC has institutionalized hidden racial discrimination and it's lying to hide it.

In March, I specifically asked this board to directly weigh in on this issue. Eight months later, I still haven't got a response. It's consistent with the pattern from

all parts of UC that I reached out to, silence or stonewalling, even for a case that has been reported in national news and cited in a congressional hearing. If UC is using prolonged silence to make this challenge go away, I have bad news for you. I warned eight months ago that we'd fight in court if necessary. That day has arrived. We have formed a nonprofit named SWORD (Students Who Oppose Racial Discrimination). Our position is published at https://sword.education. We are ready to fight it all the way to the Supreme Court. A Litigation Hold Notice has been served to you. We'll watch out for perjuries and obstructions of justice carefully and pursue offenders aggressively. For transparency, we'll publish all the past and future correspondence with UC and its lawyers on our website for the public to judge.

As I said in the ABC7 interview last year, as a taxpayer, I hate the idea for UC to use taxpayer money to defend its illegal activities. So we made a good-faith effort to start a dialogue, assuming that an academic institution would naturally engage in open discussions and encourage peer reviews on its data in the spirit of intellectual honesty, particularly given UC's poor track records documented by the California State Auditor. However, I have been utterly disappointed, dismayed, and outraged by how UC conducts itself. It seems groupthink and moral cowardice at UC have made seeking the truth taboo.

In the letter dated March 25, UC's Admissions Director claimed that my assertion of racial discrimination was unsupported because there are laws

prohibiting it. For a moment, I had to question my own sanity. Did a world-renowned academic institution tell me that having a law means there must be no violation? By that logic, there must be no theft or murder because they are prohibited by law. Is that the best defense you've got? Last year, while I still harbored the hope for an honest conversation, I resisted calls for the resignations of UC admission officers. After seeing how they flouted the law and ignored the public outcry, now I think the calls are justified. Once we prevail in court, we will demand the dismissal of UC admission officers and other responsible administrators.

See you in court!

Sincerely,

Nan

EXHIBIT 75

UC Computer Science Admits

https://www.universityofcalifornia.edu/about-us/information-center/freshman-admission-discipline

Campus UCD

Fall term 2023

COMPARE SELECTED BROAD DISCIPLINE ACROSS CAMPUSES

Broad discipline: None

Campus	Applicants	Admits	Enrolls	Admit GPA range (25th - 75th pctle)	Enroll GPA range (25thh - 75th pctle)	Admit rate	Yield rate
UCB	9,018	375	228	4.20 - 4.30	4.17 - 4.29	4%	61%
UCD	5,256	989	118	4.19 - 4.30	4.17 - 4.30	19%	12%
UCI	10,071	1,702	362	4.12 - 4.29	4.11 - 4.29	17%	21%
UCLA	11,938	368	134	4.25 - 4.32	4.25 - 4.31	3%	36%
UCR	5,558	2,709	229	4.03 - 4.28	4.00 - 4.25	49%	8%
UCSD	13,729	1,621	496	4.19 - 4.31	4.14 - 4.31	12%	31%
UCSB	9,821	1,006	144	4.23 - 4.31	4.21 - 4.31	10%	14%
UCSC	6,596	3,901	562	3.96 - 4.26	3.80 - 4.17	59%	14%

EXHIBIT 76

EMAIL EXCHANGE WITH THE DEPARTMENT OF EDUCATION OCR

This is the complaint filed for Stanley to the San Francisco Office for Civil Rights (OCR). OCR received the complaint on September 26, 2023.

OCR Case No. 09-23-2699

Office for Civil Rights

Discrimination Complaint Form

Thank you for submitting your complaint to the Office for Civil Rights (OCR).

To facilitate the processing of your complaint, **please submit your signed consent form within 20 calendar days of the date of this email**. If you checked the box on the complaint form requesting early mediation, you **MUST** submit a signed consent form to participate.

You may submit your signed consent form in one of these three ways:

1. Email a scanned PDF file or photo/jpeg file of your consent form to the email address below; or
2. Fax your consent form to the fax number below; or
3. Mail your consent form to the office address below. Please notify OCR using the email address or phone number below that you are mailing your consent form. In your e-mail or voicemail message, please include your case number, the name of the recipient, and the date that you mailed your signed consent form.

A copy of the consent form is available for your convenience at OCR Complaint Consent Form. If you do not have access to a printer, please email or call the OCR Regional Office

identified below to request a blank consent form. For more information about how OCR may use personal information with written consent, please see OCR's "Notice About Investigatory Uses of Personal Information."

Your complaint has been automatically forwarded to the following OCR Regional Office for review:

Office for Civil Rights/ED San Francisco Office 50 United Nations Plaza Mail Box 1200, Room 1545 San Francisco, CA, 94102	**Phone:** 415-486-5555 **TDD:** 800-877-8339 **Fax:** 415-486-5570 **Email:** ocr.sanfrancisco@ed.gov

The Regional Office will contact you if it needs more information about your complaint. If you need to communicate with OCR or submit additional information regarding your complaint, **please do not reply to this message**. Instead, please direct your correspondence to the above office.

We recommend that you print a copy of this message and retain it for your records.

The following information has been sent to the specified office:

1. Enter information about yourself

<redacted>

2. Who else can we call if we cannot reach you?

Contact's Name: Nan Zhong

Daytime Phone Number: <redacted>

Relationship to you: Spouse

3. Who was discriminated against?

Yourself or Someone else Someone else

If someone other than yourself please include:

Injured Person's Name: Stanley Zhong

Daytime Phone Number: <redacted>

Relationship to You

(eg. son or daughter) son

Injured Person's Address: <redacted>

City: Palo Alto

State: California

Zip Code: 94306

4. What institution discriminated?

Institution Name: UC Berkeley, UCLA, UC San Diego, UC Santa Barbara

State: California

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Have you tried to resolve the complaint? No

6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? race or color, sex

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information:

High school graduate hired by Google after being rejected by colleges

---

To whom it may concern,

I am filing a civil rights discrimination complaint on behalf of my son Stanley Zhong for the discrimination during his college application process.

Stanley Zhong graduated from high school in June 2023. Shortly after he turned 18, Google hired him as an L4 software engineer, a position typically offered to candidates with multiple years of professional experience as well as a college degree.

In contrast, his college application results were underwhelming. He applied to the Computer Science programs. All the colleges listed below rejected his application.

MIT

CMU

Stanford

UC Berkeley

UC LA

UC San Diego

UC Santa Barbara

UC Davis

California Polytechnic State University

Cornell University

Univ of Illinois

Univ of Michigan

Georgia Tech

Cal Tech

Univ of Wisconsin

Univ of Washington

Here are some highlights of his application.

* Advanced to the Google Code Jam Coding Contest semi-final.

* Led his team to the 2nd place in MIT Battlecode's global high school division (1st place in the US). Invited to MIT with expenses paid.

* Won 3rd place in CMU's picoCTF cybersecurity competition (across all age groups). Invited to CMU with expenses paid.

* Created an e-signing startup (RabbitSign.com) that has grown to tens of thousands of users organically.

+ An Amazon Web Services Well-Architected Review concluded that it "is one of the most efficient and secure accounts" they have reviewed.

+ Amazon Web Services is publishing a case study featuring RabbitSign for its exemplary use of AWS Serverless and compliance services.

+ Negotiated a 90% discount (worth $40K+) for compliance audits. After working with the auditors over several quarters, RabbitSign is now the world's only provider of unlimited free SOC 2-, ISO 27001- and HIPAA-compliant e-signing.

+ Interviewed by Viewpoint with Dennis Quaid (https://www.viewpointproject.com/features-postidd3e6da7a/), a series of short documentaries on innovations. Their past guests included President George H.W. Bush, Secretary Colin Powell, and Fortune 500 CEOs.

* Co-founded a non-profit (http://openbrackets.us) that has brought free coding lessons to 500+ kids in underserved communities in California, Washington and Texas.

* National Merit Scholarship finalist

* SAT: 1590

* GPA (UW/W): 3.97/4.42

* Served as the founding officer and president of the competitive programming club at his high school

* His personal statement (essay) was pretty much captured in the Viewpoint interview. It was about why Stanley created RabbitSign, how he struggled but eventually found a partner to enable the free HIPAA-compliant e-signing that can help lower America's healthcare cost, and how RabbitSign is the first Activism Corporation designed to counter corporate greed in favor of social good.

Apparently, his profile above was enough to interest Google to interview and hire him, but failed to get his application accepted by the colleges listed above. I strongly suspect that his college application results were a result of discrimination based on race or sex or both.

Thanks for your attention! If you have any questions, please let me know.

Best,
<redacted>

Do you have written information that you think will help us understand your complaint?

yes or no No

7. Your complaint must be filed within 180 days of the discriminatory action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit.When did the last act of discrimination occur?

When did the last act of discrimination occur?

Enter the date: Fri, 03/31/2023 - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

8. What would you like the institution to do as a result of your complaint?

What remedy are you seeking? I'd like the institution to provide an explanation of their rejection of Stanley's application.

9. Option to Participate in OCR’s Early Mediation Process

I am interested in participating in early mediation: No

U.S. Department of Education's Office for Civil Rights Complaint Assessment System (CAS)

This is the assignment of the case number.

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

September 26, 2023

[redacted]

By email only to: [redacted]

Re: University of California, Berkeley
OCR Case No. 09-23-2699

Dear [redacted]

This is to acknowledge that the U.S. Department of Education, San Francisco Office for Civil Rights (OCR), received your complaint on September 26, 2023. We are evaluating your complaint to determine whether OCR will open your allegation(s) for investigation. We will send you a letter notifying you of our determination.

To facilitate the processing of your complaint, please submit any additional correspondence via email to ocr.sanfrancisco@ed.gov. A scanned PDF file or photo/jpeg file are both acceptable. You also may submit your correspondence via fax to 415-486-5570 (ATTN: OCR SF and include the case number at the top of this page).

If the above electronic submission options are not available to you, additional correspondence may be mailed to the 50 United Nations Plaza address indicated at the top of this letter. If you must return documents to OCR by postal mail, please notify us of this by contacting ocr.sanfrancisco@ed.gov or calling (415) 486-5555 as soon as possible. In your e-mail message or voice message, please include your case number, the name of the recipient, and the date that you have mailed your completed consent form or other documents to OCR San Francisco.

A copy of OCR's Case Processing Manual is available at https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf. If you have any questions concerning this correspondence, please call our office at (415) 486-5555 and refer your case number listed above.

Sincerely,

James M. Wood
Team Leader

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

www.ed.gov

From: Isaac Quinn, Dana <Dana.IsaacQuinn@ed.gov>

Wed, Oct 25, 2023 at 5:05 PM

Dear XXX,

The U.S. Department of Education Office for Civil Rights (OCR) recently emailed you an acknowledgement letter regarding your complaint against the University of California, Berkeley (case number 09-23-1782). Thank you for returning the Privacy Act Consent Form. OCR is in the process of reviewing your complaint to determine whether we can investigate any of your allegations. Please respond to the following questions. Please note that failure to respond to the below questions within 14 days may result in the dismissal of your complaint:

1.Can you tell me more about why you believe Stanley was denied admission at the University of California because of his race or national origin?
2.Why do you believe that Stanley was denied admission based on sex?
3.When did you learn that he was denied admission?
4.Do you know of other students with the same qualifications who were denied admission, but are of different races or of a different national origin?
5.Do you know of other students with the same qualifications who were denied admission, but are of a different sex?

6.Was Stanley accepted to any schools within the University of California system? If so, which ones?

Thank you-

Dana Isaac

Dana Isaac Quinn

Civil Rights Attorney

US Department of Education

(t)415.486.5596 // (f)415.486.5570

Thu, Nov 2, 2023 at 9:58 PM

To: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Dear Dana,

Thanks for reviewing the complaint.

First, please let me summarize Stanley's college application story. It is so bizarre that it was reported by ABC, CBS, CNBC, USA Today, and other media channels. It was also presented at a congressional hearing on September 28.

In addition to an excellent academic record and strong leadership both in and outside his school, as a high schooler, Stanley achieved multiple recognitions that made him stand out even among professional software developers around the world. For example,

He advanced to the Google Code Jam Coding Contest semi-final.

His e-signing startup is featured in an Amazon Web Services case study, an honor received by only a handful startups in the world.

He won 2nd place in MIT Battlecode's high school division.

In 2019, not knowing he was only 13 years old, a Google recruiter invited him to interview for a full-time job. Shortly after turning 18, in September 2023, he was hired by Google as an L4 software engineer, a position that typically requires multiple years of professional experience as well as a college degree.

In contrast, despite citing the awards above (and a lot more), his college application (more details published here) was rejected by all five UC schools he

applied to. So our complaint is not limited to UC Berkeley, but also UCLA, UC San Diego, UC Santa Barbara and UC Davis. After Stanley's story went public, I received numerous emails, complaining about similarly unfathomable application results with the UC schools. So Stanley's case is not alone.

The Varsity Blues scandal already eroded public trust in college admissions. The 2020 audit report by the California State Auditor further underscored deficiencies in UC's admissions practices. Its summary says,

"The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for how they determine which applicants to admit. Nevertheless, both of those campuses admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications."

UCLA's late distinguished sociologist, Prof Robert D. Mare also documented anti-Asian bias in UCLA's admissions process in his report titled "Holistic Review in Freshman Admissions at the University of California—Los Angeles 2009-2011 Update." Its summary says,

"In both Final and Supplemental Review, African American applicants receive somewhat more favorable and 'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships."

In line with the reports by the California State Auditor and Prof Mare, as students and parents, we are seeing nonsensical admission results again and again. The implied discrimination is alarming.

As a basic democratic principle, we should have checks and balances for every power, including the power of the admission offices. Holistic reviews should not be construed as black box reviews. Therefore I filed the complaint as an attempt to open up the admission process black box in order to investigate potential discriminations.

For your questions, here is the best information I have.

1.Can you tell me more about why you believe Stanley was denied admission at the University of California because of his race or national origin?
Like most people who heard Stanley's story, I found the rejections by five UC schools nonsensical. The only plausible reason I can think of is his race or sex or both.

2.Why do you believe that Stanley was denied admission based on sex?
Please see the answer above.

3.When did you learn that he was denied admission?
March 31, 2023. That was when the UC schools released their admission decisions.

4.Do you know of other students with the same qualifications who were denied admission, but are of different races or of a different national origin?
I heard some cases anecdotally. But I have no legal standing to investigate on my own. That's why I filed the complaint, requesting an investigation by the Department of Education.

5.Do you know of other students with the same qualifications who were denied admission, but are of a different sex?
Please see the answer above.

6.Was Stanley accepted to any schools within the University of California system? If so, which ones?

Stanley applied to five UC schools (UC Berkeley, UCLA, UC San Diego, UC Santa Barbara and UC Davis) and was rejected by all of them. Because of the ELC program, he did receive an admission from UC Merced, which he didn't apply to. In addition, his application was also rejected by California Polytechnic State University, Univ of Wisconsin, Univ of Washington, Univ of Illinois, Univ of Michigan, Georgia Tech, Cal Tech, Cornell University, MIT, CMU and Stanford. Only Univ of Texas and Univ of Maryland accepted his application.

If you need any additional information, please let me know. Once again, thanks for your attention on this matter.

Best,

From: Isaac Quinn, Dana <Dana.IsaacQuinn@ed.gov>

Mon, Nov 6, 2023 at 3:56 PM

Thank you XXX- I am confirming receipt of the below information.

From: Isaac Quinn, Dana <Dana.IsaacQuinn@ed.gov>

Mon, Nov 27, 2023 at 12:27 PM

Dear XXX,

In order to help protect the environment, reduce operating costs, and provide more immediate communications to you, please find the attached letter in PDF delivered via email. If you require a letter sent by postal service mail, please inform us of this fact, and we will be happy to accommodate you.

Dana Isaac Quinn

Civil Rights Attorney

US Department of Education

(t)415.486.5596 // (f)415.486.5570

Here is the attached PDF from Dana Isaac Quinn.

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

November 27, 2023

[redacted]

By email only to: [redacted]

Re: University of California Berkeley, Los Angeles, San Diego, and Santa Barbara
OCR Case No. 09-23-2699

Dear [redacted]:

On September 26, 2023, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received your complaint against the University of California (UC) Berkeley, UC Los Angeles, UC San Diego and UC Santa Barbara (collectively, the Universities). OCR understands your allegation to be that the Universities discriminated against your son (Student) on the basis of race and sex when the Universities denied the Student admission.

For the reasons explained below, OCR is dismissing your complaint.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin under any program or activity receiving federal financial assistance. OCR also enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of federal financial assistance. As a recipient of federal financial assistance from the Department, the Universities are subject to Title VI and Title IX.

You informed OCR that the Student graduated from high school in June of 2023. You stated that the Student applied to several universities in the University of California system; the Student was denied admission to the Universities. In support of your allegation, you stated that the Student, however, was hired by Google as a software engineer, which is a position that is normally offered to candidates with multiple years of professional experience and to those who have a college degree. You noted that because of his accomplishments, and job offer from Google, you

strongly suspected that his denial was because of his race, sex or both. In email correspondence with OCR you provided additional details. You stated that the Student's admissions denial were "nonsensical" and that the only plausible reason you could think of was the Student's race and sex. You informed OCR that you have heard annectodal stories of students with similar qualifications as the Student, but who are of a different race and sex, who were also denied admission to the Universities. You also provided OCR with links to two reports related to race and admissions to support your allegation. First, you linked to a 2022 audit report prepared by the California State Auditor, who noted that UC Berkeley and UC Los Angeles did not have methodologies for determining what students to admit and that as a result a student's admission could be based solely on who reviewed their application. The audit did not include a discussion of race or sex. The second was a report prepared by a sociologist at UC Los Angeles who reviewed admissions data from 2009-2011. The report stated that "North Asian" applicants had less favorable admissions "read scores" than applicants in other ethnic identity groups.

Pursuant to OCR's Case Processing Manual (CPM) Section 108(d), OCR will dismiss an allegation if the allegation lacks sufficient detail for OCR to infer that discrimination or retaliation may have been occurring or is occurring. [1] While you stated that you believe that the Student was denied admission to the Universities because of his race and/or sex, your reason for this belief was based off of the fact that the Student was offered a job at Google which would suggest that he should have been admitted to the Universities. You also stated that you have heard of students with similar qualifications who were similarly denied admission, however you also noted that these students were of different races and sexes than the Student which would not suggest that the Student was treated differently based on race or sex. Additionally, while you provided two articles in support of your allegation, one is from 2009-2011, and the other does not include an analysis regarding race in admissions. Neither article discussed the impact of sex in admission at the Universitites. As such, you did not provide sufficient facts from which OCR could infer that the Student's admission denials were based on race, and OCR is dismissing your complaint.

This concludes OCR's consideration of your complaint. Please note that OCR has not informed the Universities of your complaint.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

OCR would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, OCR will seek to protect, to the extent provided by law, personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released.

---

[1] *Case Processing Manual* (Jul. 18, 2022), https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf.

If you have any questions about this letter, please call our office at 415-486-5555.

Sincerely,

Sara Berman
Team Leader

Tue, Nov 28, 2023 at 10:18 AM

To: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Dear Dana Isaac Quinn,

Thanks for your letter! Apparently there was a major misunderstanding. In response to the question "Do you know of other students with the same qualifications who were denied admission, but are of different races or of a different national origin?", my answer was "I heard some cases anecdotally." What I meant was that I heard some cases anecdotally where similarly strong applicants of the same race were denied admission. To the best of my knowledge, I am NOT aware of students of different races with the same qualifications who were denied admission. With that clarification, could you reopen the investigation?

From: Isaac Quinn, Dana <Dana.IsaacQuinn@ed.gov>

Fri, Dec 15, 2023 at 10:13 AM

Dear XXX,

Thank you for the clarification. This does not change OCR's disposition of your complaint, but we are adding your below email to the case file.

Best-

Dana Isaac

Wed, Dec 27, 2023 at 10:10 AM

To: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Dear Dana,

Hope you had a great Christmas.

With the clarification, can you issue an updated disposition letter? Is there an appeal process?

BTW, it seems OCR considers Prof Robert Mare's report in 2011 outdated. If you wonder why there was no follow-up report after 2011, that is because UCLA discontinued providing the data to researchers, rendering similar research impossible. We have to question what they may be trying to hide.

Thanks,

From: Isaac Quinn, Dana <Dana.IsaacQuinn@ed.gov>

Tue, Jan 2, 2024 at 2:21 PM

Hi XXX,

My apologies for the delayed response. There is no updated disposition letter. The letter that was sent on November 27, 2023 is the final disposition; I have attached it again to this email. We do not have an appeal process, however if there is new or additional information that OCR was not provided with in your initial complaint, you can refile a new complaint with our office. Please make sure that the complaint is filed within 180 of the alleged discrimination.

Thank you-

Dana

Dana Isaac Quinn

Civil Rights Attorney

US Department of Education

(t)415.486.5596 // (f)415.486.5570

Tue, Jan 2, 2024 at 9:06 PM

To: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Hi Dana,

Hope you had a great holiday!

Would you at least consider removing from the disposition letter the information that you know as wrong?

Thanks,

Thu, Apr 11, 2024 at 9:47 PM

To: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Hi Dana,

Bumping this email thread up.

Would you at least consider removing from the disposition letter the information that you know as wrong?

Thanks,

From: Isaac Quinn, Dana <Dana.IsaacQuinn@ed.gov>

Mon, Apr 22, 2024 at 5:33 PM

Hi XXX,

My apologies for not responding to the previous messages. Unfortunately OCR does not update the disposition letters- the letter that we issued was based on the information that you provided us at that time. You are welcome to contact my supervisor, Sara Berman, at sara.berman@ed.gov if you have any additional questions.

Dana

Sun, May 5, 2024 at 4:35 PM

To: sara.berman@ed.gov

Cc: "Isaac Quinn, Dana" <dana.isaacquinn@ed.gov>

Hi Sara,

Following up on Dana's message, I am contacting you regarding the complaint I filed against the University of California. Summarizing the email thread below, Dana misunderstood my answer to be the opposite of what I meant. Based on that wrong understanding, Dana closed the case. I clarified my answer with Dana. However, Dana insisted the case should be closed. I found that very strange and concerning.

Could you look into this case?

Thanks,

From: Berman, Sara <Sara.Berman@ed.gov> Mon, May 13, 2024 at 11:22 AM

Cc: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Dear Mr. XXX,

Thank you for your email. Dana and I reviewed the correction you made and determined it would not change the outcome of our dismissal, meaning that your complaint is still dismissed. As such, we did not issue a new letter. You may choose to file a new complaint if you have additional or different information you would like to provide; however, based on the information provided at this time, your complaint is closed. As Dana noted earlier to you, should you file a new complaint, please be sure that the information you provide pertains to actions that have occurred within the 180 days prior to your filing.

Thank you,

Sara Berman

Sara Berman

Supervisory Attorney

U.S. Department of Education

Office for Civil Rights

(ph) 415-486-5504

(fax) 415-486-5570

Thu, May 16, 2024 at 9:17 AM

To: "Berman, Sara" <Sara.Berman@ed.gov>

Cc: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Hi Sara,

Thanks for your reply. Could you please provide the updated reason for the dismissal?

Best regards,

From: Berman, Sara <Sara.Berman@ed.gov> Thu, May 16, 2024 at 11:01 AM

Cc: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Hi Mr. XXX,

As stated before, there are no updates. You may file a new complaint if you want to include information that was not previously considered that would support your complaint. However, keep in mind that in order to be timely, the alleged discrimination would need to have occurred within 180 days from filing your complaint.

Best,

Sara

Sat, May 18, 2024 at 11:33 AM

To: "Berman, Sara" <Sara.Berman@ed.gov>

Cc: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Hi Sara,

I am confused now on the reason for the dismissal. Could you please provide the reason for the dismissal?

Thank you!

From: Berman, Sara <Sara.Berman@ed.gov> Mon, May 20, 2024 at 1:00 PM

Cc: "Isaac Quinn, Dana" <Dana.IsaacQuinn@ed.gov>

Dear Mr. XXX,

As stated in OCR's November 27, 2023 letter to you, pursuant to OCR's Case Processing Manual (CPM) Section 108(d), OCR will dismiss an allegation if the

allegation lacks sufficient detail for OCR to infer that discrimination or retaliation may have been occurring or is occurring, and OCR determined that your complaint lacked sufficient detail for OCR to infer discrimination or retaliation. As such, your complaint was dismissed, and your clarification did not change the basis for the dismissal. As you were informed below, you could file a new complaint if you wanted additional information considered that had not previously been provided.

Thank you,

Sara Berman

EXHIBIT 77

Email exchange with California Assemblymember Mr. Marc Berman and his staff

---

Subject: Webform submission from: Meeting Request

Submitted on Sat, 11/04/2023 - 22:02

Dear Assemblymember Berman,

On behalf of hundreds of residents in your district, I am writing to you to address a matter of great importance – the need for more transparency in college admission. To begin, let me share my son Stanley's college application story (https://docs.google.com/document/d/e/2PACX-1vSQykM8hkz9Irdn3GM8DOxOD4H0Z1hkLAFS37bXDJToVATFXKFSyDkTR64_qG1NnL__mJ8ebA73a9sA/pub). It is so bizarre that it was reported by ABC, CBS, CNBC, USA Today, and other media channels. It was also presented at a congressional hearing on September 28 (https://www.youtube.com/watch?v=4Zu5cdfv9kk&t=2587s).

In addition to an excellent academic record and strong leadership both in and outside his school, as a high schooler, Stanley achieved multiple recognitions that made him stand out even among professional software developers around the world. For example,

* He advanced to the Google Code Jam Coding Contest semi-final.
* His e-signing startup is featured in an Amazon Web Services case study, an

honor received by only a handful startups in the world.

* He won 2nd place in MIT Battlecode's high school division.

In 2019, not knowing he was only 13 years old, a Google recruiter invited him to interview for a full-time job. Shortly after turning 18, in September 2023, he was hired by Google as an L4 software engineer, a position that typically requires multiple years of professional experience as well as a college degree.

In contrast, despite citing the awards above (and a lot more), his college application was rejected by all five UC schools he applied to. As a California taxpayer, I was rattled by the fact that he had no UC schools to choose from. After Stanley's story went public, I received numerous emails, complaining about similarly unfathomable application results with the UC schools. So Stanley's case is not alone.

The Varsity Blues scandal already eroded public trust in college admissions. The 2020 audit report (https://www.auditor.ca.gov/reports/2019-113/index.html) by the California State Auditor further underscored deficiencies in UC's admissions practices. Its summary says,

"The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for how they determine which applicants to admit. Nevertheless, both of those campuses admitted

thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications."

UCLA's late distinguished sociologist, Prof Robert D. Mare also documented anti-Asian bias in UCLA's admissions process in his report titled "Holistic Review in Freshman Admissions at the University of California—Los Angeles 2009-2011 Update." Its summary says,

"In both Final and Supplemental Review, African American applicants receive somewhat more favorable and 'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships."

In line with the reports by the California State Auditor and Prof Mare, as students and parents, we are seeing nonsensical admission results again and

again.

As a basic democratic principle, we should have checks and balances for every power, including the power of the admission offices. Holistic reviews should not be construed as black box reviews. I think college admission transparency is not a blue/red issue. It's a common sense issue about the next generation's education and their mental health.

I kindly request your support and advocacy for more transparency in college admission. Your leadership in the California State Assembly has the potential to not only make a significant difference in the lives of countless students and their families but also strengthen our communities and our state as a whole.

Thank you for your dedication to public service and for considering this important issue. I would appreciate the opportunity to discuss this matter further with you and offer my support in any way I can. Please let me know if there is a convenient time for us to connect.

Sincerely,
Nan Zhong

Issue to be Discussed-include position represented by attendees:
Demanding UC Admission Transparency

Attendees (Name, title, whom they represent):

Nan Zhong, College Admission Transparency Advocate, representing hundreds of parents in Palo Alto and surrounding areas

---

On Thu, Nov 30, 2023 at 9:28 AM Berman Scheduler <BermanScheduler@asm.ca.gov> wrote:

Hi Nan,

I hope this email finds you well. Thank you for your patience and for requesting to meet with Assemblymember Marc Berman. Unfortunately, Assemblymember Berman is not available to meet. However, our Legislative Director, Ellen Green, is available to meet with you, and is copied on this email. I will ask that you work directly with the staff member to schedule your meeting.

Kind regards,

Indelize Zendejas

Scheduler

From: Nan Zhong <nanzhong1@gmail.com>

Sent: Thursday, November 30, 2023 1:58 PM

To: Berman Scheduler <BermanScheduler@asm.ca.gov>

Cc: Green, Ellen <Ellen.Green@asm.ca.gov>

Subject: Re: Webform submission from: Meeting Request

Hi Indelize, thanks for your reply!

Hi Ellen, nice to e-meet you! Here is the agenda doc we prepared for other CA lawmakers. Would love to have a discussion with you. Thanks!

On Fri, Dec 1, 2023 at 10:45 AM Green, Ellen <Ellen.Green@asm.ca.gov> wrote:

Hi Nan,

Thank you for reaching out to our office. I am located in our Sacramento Capitol Office, so I would be happy to meet with you virtually. Do you have availability next week? I am pretty open 12/7 and 12/8. Please let me know what works best for you and I will send you a Zoom link.

Thank you again,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Fri, Dec 1, 2023 at 12:19 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Hi Ellen,

12/7 would be great. Any time except 10:30-11am or 2-2:30pm works for me.

Looking forward to it!

Thanks,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Fri, Dec 1, 2023 at 4:57 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

Would 11:00 – 11:30am on 12/7 work for you? If so, I will send a Zoom link on Monday.

Thank you,

From: Nan Zhong <nanzhong1@gmail.com> Fri, Dec 1, 2023 at 5:47 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Yes, that works for me. Thanks!

Have a nice weekend!

On Mon, Dec 4, 2023 at 1:09 PM Green, Ellen <Ellen.Green@asm.ca.gov> wrote:

Hi Nan,

Glad the timing works. Here is the Zoom link for our meeting from 11:00 – 11:30am on 12/7: https://caasm.zoom.us/j/xxxxx

I also wanted to check in with you since our District Office has heard from 12 others requesting a meeting on this topic. Since we already have scheduled the meeting, would you like others join? Another option is that we can relay that we are meeting with you.

Thank you,

Ellen Hou Green | Legislative Director

On Mon, Dec 4, 2023 at 9:18 PM Nan Zhong <nanzhong1@gmail.com> wrote:

Hi Ellen,

Thanks for setting up the Zoom link. Please feel free to invite the others to join.

Also, I prepared this doc to provide some context and hopefully it helps us get more out of the 30 minutes.

I look forward to our meeting on Thursday!

Best,

Nan

From: Nan Zhong <nanzhong1@gmail.com>

Sent: Friday, January 19, 2024 3:20 PM

To: Green, Ellen <Ellen.Green@asm.ca.gov>

Cc: College Admission Transparency

<college-admission-transparency@googlegroups.com>

Subject: Drafting legislatures for UC admission transparency

Hi Ellen,

Hope you had a great holiday break!

Following up on our conversation on UC admission transparency, we had a productive meeting with the following legislative staffers on Wednesday.

- Mónica Henestroza, Policy Consultant on Higher Education for Speaker Robert Rivas
- Sophia Kwong Kim, Chief of Staff to the Assembly's Higher Education Committee Chair Mike Fong

- Jeanice Warden, Chief Consultant of the Assembly's Higher Education Committee

They are supportives of our efforts to increase UC admission transparency. In fact, they invited us and other lawmakers not on the Higher Ed committee to submit legislative proposals. Would you and Assemblymember Berman be interested in drafting one? Our coalition of thousands of Californians (a lot of them in Mr. Berman's district) would applaud and support it by writing to other lawmakers and Governor Newsom.

To summarize our interaction with the UC admission office on this issue, it is disappointing to say the least. Given that Google spent 10+ hours interviewing Stanley and concluded that his Computer Science proficiency reached the same level as those with Ph.D. degrees from colleges like UCLA and UC Berkeley, it is strange that the UC admission office continues to insist that Stanley was not qualified enough for their undergraduate programs. I understand that college admission is a difficult operation. The application readers can spend only a few minutes per application and they aren’t necessarily equipped with domain-specific knowledge. So things can fall through cracks. However, given the public outcry and obvious absurdity, with ample time to re-examine the case, the dismissive nature of the UC admission office's response letter is insulting to the public and it was a great disservice to this world-renowned institution. Dismissing the previous mistake offhandedly as a non-issue is a mistake worse

than the original one. It is no longer in the realm of honest mistakes that we all make sometimes. Instead, it speaks volumes about whether they care. With UC's role in the Varsity Blues scandal and the 2020 audit report by the California State Auditor, the burden is on the UC admission office to prove that they deserve the public's trust. In 1989, UC Berkeley apologized for a policy that limited Asians after the state audit in 1987. Things moved on. Now it's time to demand accountability in the admission office so we can move on again.

Interestingly, after the resignation of President Magill at the Univ of Pennsylvania, 1200 faculty members signed the new constitution proposal, which calls out admission transparency explicitly. It says, "Admission policies should prioritize the fair treatment of each individual applicant, and criteria must be objective, transparent, and clearly communicated to all community members." I hope UC's admission office adopts a similar principle as soon as possible.

Would love to hear your thoughts and hopefully move towards actual legislatures.

Thanks,

Nan

On Fri, Jan 26, 2024 at 6:32 PM Green, Ellen <Ellen.Green@asm.ca.gov> wrote:

Hi Nan,

Hope you had a great holiday break as well!

Thank you for the updates. I recall in our previous meeting that other offices expressed interest and thought they may want to introduce legislation.

Not sure if you were aware, but last Friday was the legislative deadline to submit bill ideas to our Legislative Counsel for drafting. This means that in order for bill language to be introduced by the bill introduction deadline next month bill language needed to be submitted by last Friday. I have submitted language for bill proposals we are considering and am not able to submit new requests since the deadline has passed. Sorry if this is new information to you, but glad to hear you have been having productive meetings.

Thank you,

Ellen Hou Green | Legislative Director

On Fri, Jan 26, 2024 at 7:19 PM Nan Zhong <nanzhong1@gmail.com> wrote:

Hi Ellen,

Thanks for the info! When will the submission window be open again? Given a high percentage of our coalition is in Mr. Berman's district, I thought it would be appropriate for Mr. Berman's office to lead the drafting process. Would love to hear your thoughts.

Best,

Nan

From: Nan Zhong <nanzhong1@gmail.com>

Sent: Tuesday, February 20, 2024 10:02 AM

To: Green, Ellen <Ellen.Green@asm.ca.gov>

Cc: Assemblymember Berman <Assemblymember.Berman@assembly.ca.gov>; College Admission Transparency <college-admission-transparency@googlegroups.com>

Subject: Re: Drafting legislations for UC admission transparency

Hi Ellen,

As a grassroots organization of several thousand Californians, we are in for a long fight. So I am not concerned that the current legislative drafting window is closed. I am more interested in getting a good draft ready for the next session. Could you help us with that? Given a high percentage of our coalition is in Mr. Berman's district, I thought it would be appropriate for Mr. Berman's office to lead the drafting process. Would love to hear your thoughts.

Thanks,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Tue, Feb 20, 2024 at 11:17 AM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

So sorry for missing your previous email.

As it relates to your question in that email, the window opens again in the 2025 Legislative Session. They have not identified the legislative deadlines, but I anticipate the deadline to submit language to counsel will again be sometime in January next year.

Let me circle back with you on your email from today. This past Friday was the bill introduction deadline so I am still in the middle of all that.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Mon, Mar 18, 2024 at 12:44 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: assemblymember.berman@assembly.ca.gov, College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ellen, here is my statement to the UC Board of Regents at their March 20 meeting. I am becoming angry at the UC admissions office's continued stonewalling while systematically hurting Asian kids. It has been a month since our last communication. Again, since a high percentage of our coalition is in Mr.

Berman's district, I thought it would be appropriate for Mr. Berman's office to lead the drafting process. I'd appreciate your response. Thanks!

Honorable members of the UC Board of Regents,

I'd like to follow up on the comment I made in January and November regarding the need for more transparency in UC admissions. After my November comment, I received a 2-page letter with no meaningful information from Han Mi Yoon-Wu, Associate Vice Provost and Executive Director of Undergraduate Admissions. After my January comment, I received a half-page letter with no meaningful information.

While the UC admissions office is doing nothing to increase its transparency, we compiled our own data. So let's not ignore the elephant in the room: race. All the highly qualified applicants rejected by the UC are Asians. It's clear to me that the UC admissions office is practicing identity politics, just like the far right. Both the UC and the far right single out a group based on their identity, then direct hatred or penalty towards them. What UC is doing is another form of Asian hate, only more hidden and systematic, thus more hateful, hurtful and harmful than a comment like Trump's stupid "kung flu."

This form of Asian hate takes its toll on the Asian community. It creates a sense of helplessness among Asian kids. For a student who received the highest level

of Presidential Volunteer Service Award, beat the world's top professional programmers in competitions and was hired by Google for a position typically offered to Ph.D graduates, if he is rejected by UC's undergraduate programs, do you realize how absurd that is? Do you understand how one absurd story like this after another leads to a sense of helplessness that is detrimental to Asian kids' mental health? When a Palo Alto School District board member and I sadly discussed local high school suicide cases, we agreed college admission and its blackbox nature very likely contributed to the crisis. There is only so much the high schools can do unless universities become more transparent in their admissions and alleviate the sense of helplessness.

After being stonewalled by the UC admissions office for the past four months, my hope for an honest, scientific, constructive and good-faith discussion has faded, replaced by disappointment, frustration and anger. I am disappointed because I thought UC would proudly open its admissions practice instead of hiding it in a black box, but I was wrong. I am frustrated because I thought UC is a great public institution that would listen to the public and could be reasoned with instead of ignoring the public outcry, but I was wrong. I am angry because more Asian kids will suffer, yet nobody seems to care, even those self-proclaimed anti-racists. If UC thinks its admissions practice is countering the far right, you got it wrong. Absurd far left policies are only going to exacerbate people's distrust of public institutions and feed the narratives of the far right. To

counter the far right, don't move to the far left. Stay in the center and stick with common sense.

If the admissions office somehow is wishing that stonewalling would tire us out and stop us challenging the absurd status quo, I have news to share. We shall bring the case to the wider public and political debates. We shall expose the "Asian Hate" nature of the far left admissions practice. We shall fight through protests. We shall fight in court. We shall fight in the legislature. We shall fight in the elections. We shall demand accountability. We shall be noisy, annoying and a pain in the butt. We shall fight to the end. Whatever it takes. However many decades it takes. If that shatters the "model minority" stereotype, so be it.

Dear members of the Board, as the leaders of the UC, the buck stops with you. This time, please do more than just forwarding the letter to the admissions office. It's time to show us your leadership.

Sincerely,

Nan

Palo Alto, CA

From: Nan Zhong <nanzhong1@gmail.com> Tue, Mar 26, 2024 at 8:00 AM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: assemblymember.berman@assembly.ca.gov, College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ellen and Asm Berman,

We'd appreciate your response on this issue.

Thanks,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Thu, Apr 4, 2024 at 5:48 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>, assemblymember.berman@assembly.ca.gov

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Asm Berman and Ellen,

When can we expect a response from you?

Thanks,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Fri, Apr 12, 2024 at 11:18 AM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>,

assemblymember.berman@assembly.ca.gov

Cc: College Admission Transparency

<college-admission-transparency@googlegroups.com>

Hi Asm Berman and Ellen,

Are you receiving our emails? I certainly hope we are not being ghosted intentionally.

Thanks,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Fri, Apr 12, 2024 at 10:35 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

Now that I have had an opportunity to dig into this, I am able to circle back. As you know, the California State Auditor's office conducted an audit of the UC's admissions process and released a report in 2020. The 82-page report contained recommendations, which included recommending actions each campus should take to ensure that the university maintains a fair and consistent admissions process and ensure that the university maintains a fair and unbiased admissions process. These recommendations are only partially implemented. As a result, Assemblymember Berman will be sending a letter to the State Auditor and sending a letter to UC inquiring on the status of the audit recommendations and emphasizing the importance of following through on fully implementing the recommendations with fidelity to ensure that UC maintains a fair, consistent, and unbiased admissions process.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Fri, Apr 12, 2024 at 11:18 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: assemblymember.berman@assembly.ca.gov, College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ellen,

Thanks for digging into this! We appreciate the initiative that Mr. Berman is taking to inquire on the status of the audit recommendations. From our perspective, regardless of what UC has implemented in response to the 2020 audit, they continue to produce absurd admission results and fall far below the public's expectations. I made three public comments at the UC Board of Regents meetings. So far, the three responses from the UC admissions office were dismissive of the issue. Here are the links to my comments and their responses.

* comment 1
* response 1
* comment 2
* response 2
* comment 3
* response 3

We look forward to working with state lawmakers to force UC to improve their admissions practice.

Thanks again for your efforts!

Best,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Sat, May 11, 2024 at 8:34 AM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: assemblymember.berman@assembly.ca.gov, College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ellen,

Has Mr. Berman received any response from the State Auditor and UC?

Recently, someone shared with me a video of Prof Erwin Chemerinsky, Berkeley Law School Dean, describing the “unstated” racial preferences in faculty hiring. It's eye-opening to see a law professor teaching students to break laws and hide the evidence. Even if UC claims they have the right policies in place, it is clear that they are violating Prop 209 in practice, possibly in an organized yet hidden fashion. So there must be independent oversight.

Thanks again for your efforts!

Best,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Thu, May 16, 2024 at 1:20 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: assemblymember.berman@assembly.ca.gov, College Admission Transparency <college-admission-transparency@googlegroups.com>

HI Ellen,

Has Mr. Berman received any response from the State Auditor and UC? Below is the letter I sent to the UC Board of Regents for the Board meeting held today.

Once again, thanks for your efforts!

Best,

Nan

Honorable members of the UC Board of Regents,

I'd like to follow up on the comments I made in March, January, and last November regarding the need for more transparency in UC admissions.

In March, I specifically asked this board to directly weigh in on this issue. Two months later, I'm still waiting for a response. As an engineer by training, I can easily be persuaded by reasoning. If I got anything wrong, tell me and show me concrete data. However, since I brought up this issue last November, my attempts to engage UC for discussions have consistently been met with silence or stonewalling as if I touched on a taboo associated with illegal activities.

Over time, I learned that my experience fits in a long standing pattern. In 2007, Prof Tim Groseclose, a faculty member on UCLA admissions committee, asked for anonymized sample data from the admissions office. He was rejected. Yes, UCLA hid its admissions data from its own admissions committee! He was told that "we should not study or do any analysis of holistic admissions at UCLA until we have at least four or five years of the outcome to avoid normal annual fluctuations". Now, 17 years later, where is the data? What's the excuse now? Where is the basic intellectual honesty and decency? Where are the academic traditions of open discussions and peer reviews? I can't believe I have to preach such fundamental principles to an academic institution. UC's efforts to keep its admission a black box is an assault on reason and academic integrity.

Recently, someone shared with me a video of Prof Erwin Chemerinsky, Berkeley Law School Dean, describing the “unstated” racial preferences in faculty hiring. Really? A law professor teaching students to break laws and hide the evidence? It’s a disgrace! It’s legally and morally indefensible! No wonder I got the impression that there are institutionalized illegal activities. No wonder UC tightly guards its admissions data because it’s incriminating. It starts to make sense.

Finally, I have a message to a Regent not present in the meetings, Governor Newsom. Mr. Newsom, last November, over 3,000 Californians sent you a letter regarding UC admissions. Half a year later, we still haven’t heard from you. Your silence and indifference violates your duty as an elected official. Perhaps you consider yourself the governor for some Californians only, not the 3,000 who signed the letter. I’m deeply disappointed as a voter and regret my votes for you in the past. You don’t deserve my vote anymore.

Sincerely,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Tue, Jun 4, 2024 at 10:05 AM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

Thanks for following up. Sorry for the delay. You caught me during one of our busiest deadlines. Now that things have slowed down a little bit, I submitted the letter to the State Auditor and the letter to UC last week. I am happy to let you know once my office receives responses.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Tue, Jun 4, 2024 at 10:30 AM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Thank you very much!

From: Green, Ellen <Ellen.Green@asm.ca.gov> Fri, Jul 26, 2024 at 5:07 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

I wanted to follow up and share the attached response letter from the State Auditor that we received in the mail this week. I will also let you know once my office receives a response from UC.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Fri, Jul 26, 2024 at 11:30 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Hi Ellen,

Thank you very much for following up on this! Is it OK for me to share this letter publicly?

Best,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Thu, Aug 22, 2024 at 2:30 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

Thank you for your patience during our busiest time of year.

I reached out to the State Auditor's office inquiring whether this letter can be shared publicly. I just heard back that the information in the letter is available publicly on their website, so this letter is a public document.

Thanks again,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Thu, Aug 22, 2024 at 2:54 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Thank you!

From: Green, Ellen <Ellen.Green@asm.ca.gov> Fri, Sep 13, 2024 at 4:14 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

I wanted to follow up and share the attached response letter from UC that we received this week.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Tue, Sep 17, 2024 at 10:17 AM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ellen,

Thank you and Asm Berman for following up on this matter!

Regardless of what UC claims in general, can you ask them to explain why all five UC campuses Stanley applied to rejected him? If they dodge specific questions and associated accountability, they can always claim one thing on paper while doing another in reality.

Best,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Tue, Sep 24, 2024 at 11:20 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>

Hi Ellen,

What is the next step going to be? Since President Drake said he "will do everything I can to ensure inappropriate admissions do not happen on any of our campuses", can Mr Berman ask him to look into Stanley's case? Please keep in mind that my communication with UC was cc'd to President Drake. So far, he has been completely silent on this matter. Maybe Mr Berman can get him to address it.

I appreciate your continued efforts.

Best,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Tue, Oct 1, 2024 at 5:13 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

For next steps, the State Auditor expects UC will submit further responses and any relevant documentation later this year noting their further progress in implementing the two recommendations. The State Auditor's office will then evaluate those responses and issue an updated determination as to the implementation status, which will be posted on their website. The State Auditor's office said that they will keep my office updated on any developments that may arise.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Wed, Oct 2, 2024 at 8:47 AM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>, assemblymember.berman@assembly.ca.gov

Hi Ellen,

Thanks for following up on this matter. Can Asm Berman directly inquire to UC about Stanley's case? Without specificity, there can hardly be accountability. UC has been stonewalling Stanley's case for a year despite my repeated inquiries to the Board of Regents, the Admissions Office and the Departments of Computer Science.

Best,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Thu, Oct 3, 2024 at 8:10 PM

To: assemblymember.berman@assembly.ca.gov

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>, "Green, Ellen" <ellen.green@asm.ca.gov>

Dear Asm Berman,

I read the newsletter you issued today titled "17 for 17: the Governor signed every bill I sent to him". When it touted "no Gubernatorial vetoes" as an achievement, I was very disappointed.

Here is some context. Given that Governor Newsom is an ex officio Regent of UC, we sent a letter signed by 4000+ people to him last November regarding UC admissions. However, he didn't respond at all. To me, his silence and indifference violated his basic duty as an elected official. As a voter that voted for Obama, Clinton and Biden for President and Newsom for Governor multiple times, I will never vote for Newsom again. I am pretty sure most of our grassroot organization members would share the same sentiment. I hope he is not running for public office again. Otherwise, I feel obligated to share our story with other voters.

With a governor that is failing his basic duty, I am not sure why alignment with him is something to be proud of. I hope your priority is voter first, not governor

first or party line first. A concrete way to do that is by sponsoring legislation to increase UC admission transparency and hold UC accountable for their rejections of highly qualified applicants like Stanley.

I look forward to your reply.

Best,

Nan

From: Green, Ellen <Ellen.Green@asm.ca.gov> Wed, Oct 9, 2024 at 12:02 PM

To: Nan Zhong <nanzhong1@gmail.com>

Hi Nan,

Happy to share updates on any developments from the State Auditor's office on this matter. Assemblymember Berman asked me to continue to monitor this and UC admissions broadly. Unfortunately, our office does not pursue inquires on individual admissions cases.

Thank you,

Ellen Hou Green | Legislative Director

From: Nan Zhong <nanzhong1@gmail.com> Wed, Oct 9, 2024 at 12:06 PM

To: "Green, Ellen" <Ellen.Green@asm.ca.gov>

Cc: College Admission Transparency

<college-admission-transparency@googlegroups.com>

Why not?

From: Nan Zhong <nanzhong1@gmail.com> Wed, Oct 9, 2024 at 11:55 PM

To: assemblymember.berman@assembly.ca.gov

Cc: College Admission Transparency

<college-admission-transparency@googlegroups.com>, "Green, Ellen"

<ellen.green@asm.ca.gov>

Dear Asm Berman,

Is there a law prohibiting your office from pursuing inquiries on individual admissions cases? Or is your choice not to pursue it?

Can I hear from you directly at least once?

Thanks,

Nan

From: Nan Zhong <nanzhong1@gmail.com> Thu, Oct 17, 2024 at 11:30 AM

To: assemblymember.berman@assembly.ca.gov

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>, "Green, Ellen" <ellen.green@asm.ca.gov>

Dear Asm Berman,

It has been a week since my last email to you that asked for a response. I'd appreciate an indicator whether you plan to reply. It has been a year since I initially contacted you about UC admissions. I never got anything from you directly. I have been very disappointed at how little you've done over a year. To be clear, UC admissions is an issue that a lot of your constituents care about deeply. Among the 4000+ signatures on the letter we sent to Governor Newsom, which he completely ignored, at least a few hundred were from Palo Alto and

the cities in District 23. You can disagree with us. But we won't accept being ignored. That is not how democracy works.

In my observation, there are two types of politicians, one to serve their constituents and the other to serve their own political careers. Your action (or inaction) on this issue will tell us which type you are.

Regards,

Nan

PS. Circling back to your newsletter titled "17 for 17: the Governor signed every bill I sent to him", here is a bit of history lesson. The makers of our Constitution created three branches of government to ensure checks and balances. Each branch was designed to be independent. Please keep that in mind.

From: Assemblymember Berman <Assemblymember.Berman@assembly.ca.gov> Tue, Nov 5, 2024 at 4:00 PM

To: Nan Zhong <nanzhong1@gmail.com>

Dear Mr. Zhong,

Thank you for reaching out to my office and sharing your concerns regarding UC admissions. I appreciate you working with my staff since your first meeting last December. Since that initial meeting, my staff has corresponded with you on numerous occasions throughout the past year. During this time, I also personally sent letters to both the California State Auditor and the University of California (UC) to inquire on the status of the 2020 audit recommendations and emphasize the importance of following through on fully implementing the recommendations with fidelity to ensure that UC maintains a fair, consistent, and unbiased admissions process. My staff also followed up with you and shared the responses from both the California State Auditor and UC President Drake.

Additionally, my staff shared that the State Auditor's office expects UC will submit further responses and any relevant documentation later this year noting their further progress in implementing the two recommendations and that the State Auditor's office will then evaluate those responses and issue an updated determination as to the implementation status, which will be posted on their website. The State Auditor's office also said that they will keep my office updated on any developments that may arise and my staff is happy to share those updates with you.

I have instructed my staff to continue to monitor this and UC admissions broadly. Given all of the above, I was disappointed to read your email and accusation about how little I have done over this time. My office does not pursue inquires on

individual admissions cases. If we did, UC would invoke privacy laws that would prevent them from commenting on an individual case.

I understand your frustration with UC admissions and support advocating for more transparency, which is why I took action and sent those letters. In your first meeting with my staff, as well as your correspondence with the UC Board of Regents that you shared with my office, you emphasized that you are advocating for the need for more transparency in UC admissions. I took you at your word, and my office has been assisting you in that effort for the last year. However, if you are now only interested in your son's individual case, I am unable to assist you on that matter.

Regards,

Marc Berman

Assemblymember, 23rd District

From: Nan Zhong <nanzhong1@gmail.com> Tue, Nov 5, 2024 at 6:17 PM

To: Assemblymember Berman <Assemblymember.Berman@assembly.ca.gov>

Cc: College Admission Transparency <college-admission-transparency@googlegroups.com>, "Green, Ellen" <ellen.green@asm.ca.gov>

Dear Mr Berman,

I am glad to finally hear from you directly. Like I said, without specificity, it is easy for UC to dodge accountability. Transparency and specificity aren't mutually exclusive. In fact, they go hand in hand.

You don't have to worry about how UC is going to respond to your inquiries. Whatever response they come up with, we will deal with it. But if you choose not to send the inquiry, the responsibility is on you. I am not just speaking for myself. I am speaking on behalf of hundreds of your constituents.

Best,

Nan

As of the filing of the lawsuit, there has been no reply from Mr. Berman after the email on Nov 5, 2024.

EXHIBIT 78

Letter to Governor Newsom (an ex officio Regent of the UC) in November 2023.

He never replied.

Dear Governor Newsom,

On behalf of thousands of Californians, I am writing to you to address a matter of great importance – the need for more transparency in college admission. To begin, let me share my son Stanley's college application story. It is so bizarre that it was reported by ABC, CBS, CNBC, USA Today, and other media channels. It was also presented at a congressional hearing on September 28.

In addition to an excellent academic record and strong leadership both in and out of his school, as a high schooler, Stanley achieved multiple recognitions that made him stand out even among professional software developers around the world. For example,

- He advanced to the Google Code Jam Coding Contest semi-final.
- His e-signing startup is featured in an Amazon Web Services case study, an honor received by only a handful startups in the world.
- He won 2nd place in MIT Battlecode's high school division.

In 2019, not knowing he was only 13 years old, Google invited him to interview for a full-time job. Shortly after turning 18, in September 2023, he was hired by Google as an L4 software engineer, a position that typically requires either a Ph.D degree in computer science or multiple years of professional experience plus a Bachelor/Master's degree.

In contrast, despite citing the awards above (and a lot more, including the Gold Level President's Volunteer Service Award), his college application was rejected by all five UC

schools he applied to, namely UC Davis, UC Santa Barbara, UC San Diego, UCLA and UC Berkeley. As a taxpayer, I was rattled by the fact that he had no UC schools to choose from. After Stanley's story went public, I received numerous emails, complaining about similarly unfathomable application results with the UC schools. So Stanley's case is not alone.

The Varsity Blues scandal already eroded public trust in college admissions. The 2020 audit report by the California State Auditor further underscored deficiencies in UC's admissions practices. Its summary says,

> "The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for how they determine which applicants to admit. Nevertheless, both of those campuses admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications."

UCLA's late distinguished sociologist, Prof Robert D. Mare also documented anti-Asian bias in UCLA's admissions process in his report titled "Holistic Review in Freshman

Admissions at the University of California—Los Angeles 2009-2011 Update." Its summary says,

> "In both Final and Supplemental Review, African American applicants receive somewhat more favorable and 'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships."

In line with the reports by the California State Auditor and Prof Mare, as students and parents, we are seeing nonsensical admission results again and again.

On November 16, representing thousands of Californians, I delivered a public statement during the UC Board of Regents meeting, urging them to increase transparency in UC admissions. Unfortunately, UC's admission office's response was a boilerplate without much meaningful information.

As a basic democratic principle, we should have checks and balances for every power, including the power of the admission offices. Holistic reviews should not be construed as black box reviews. I think college admission transparency is not a blue/red issue. It's a common sense issue about the next generation's education and their mental health. It's a common sense issue about America's competitiveness in the global economy. It's also a common sense issue about UC's reputation.

I respectfully seek your support and advocacy for greater transparency in college admission. Your leadership as the Governor and an ex officio Regent can not only significantly impact the lives of countless students and their families but also strengthen our communities and our state as a whole.

With your leadership, we can transcend political pettiness. Let's create a partnership across students, parents, colleges, governments, education and legal experts. Let's work together to increase transparency in college admissions in a judicious, systematic, cost-effective, and privacy-preserving manner.

Let's do something for our kids.

Sincerely,

Nan Zhong

EXHIBIT 79

Letter to Lt Governor Kounalakis (an ex officio Regent of the UC) in November 2023. She never replied.

Dear Lt. Governor Kounalakis,

On behalf of thousands of Californians, I am writing to you to address a matter of great importance – the need for more transparency in college admission. To begin, let me share my son Stanley's college application story. It is so bizarre that it was reported by ABC, CBS, CNBC, USA Today, and other media channels. It was also presented at a congressional hearing on September 28.

In addition to an excellent academic record and strong leadership both in and out of his school, as a high schooler, Stanley achieved multiple recognitions that made him stand out even among professional software developers around the world. For example,

- He advanced to the Google Code Jam Coding Contest semi-final.
- His e-signing startup is featured in an Amazon Web Services case study, an honor received by only a handful startups in the world.
- He won 2nd place in MIT Battlecode's high school division.

In 2019, not knowing he was only 13 years old, Google invited him to interview for a full-time job. Shortly after turning 18, in September 2023, he was hired by Google as an L4 software engineer, a position that typically requires either a Ph.D degree in computer science or multiple years of professional experience plus a bachelor/master's degree.

In contrast, despite citing the awards above (and a lot more, including the Gold Level President's Volunteer Service Award), his college application was rejected by all five UC

schools he applied to, namely UC Davis, UC Santa Barbara, UC San Diego, UCLA and UC Berkeley. As a taxpayer, I was rattled by the fact that he had no UC schools to choose from. After Stanley's story went public, I received numerous emails, complaining about similarly unfathomable application results with the UC schools. So Stanley's case is not alone.

The Varsity Blues scandal already eroded public trust in college admissions. The 2020 audit report by the California State Auditor further underscored deficiencies in UC's admissions practices. Its summary says,

> "The university has also failed to ensure that campuses fairly and consistently treat the thousands of prospective students who apply each year. Neither UC Berkeley nor UCLA have developed methodologies for how they determine which applicants to admit. Nevertheless, both of those campuses admitted thousands of applicants whose records demonstrated that they were less qualified than other applicants who were denied admission. Applicants' chances of admission were also unfairly affected by UC Berkeley's, UCLA's, and UC San Diego's failures to properly train and monitor the staff who review and rate applications. We found that staff were sometimes overly strict or overly lenient in their review of applications, thereby making the applicants' chances of admission unduly dependent on the individual staff who rated them rather than on the students' qualifications."

UCLA's late distinguished sociologist, Prof Robert D. Mare also documented anti-Asian bias in UCLA's admissions process in his report titled "Holistic Review in Freshman

Admissions at the University of California—Los Angeles 2009-2011 Update." Its summary says,

> "In both Final and Supplemental Review, African American applicants receive somewhat more favorable and 'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani American) applicants receive somewhat less favorable holistic read scores than applicants in other ethnic identity groups who are otherwise similar in measured academic qualifications, personal characteristics, and measured challenges and hardships."

In line with the reports by the California State Auditor and Prof Mare, as students and parents, we are seeing nonsensical admission results again and again.

On November 16, representing thousands of Californians, I delivered a public statement during the UC Board of Regents meeting, urging them to increase transparency in UC admissions. Unfortunately, UC's admission office's response was a boilerplate without much meaningful information.

As a basic democratic principle, we should have checks and balances for every power, including the power of the admission offices. Holistic reviews should not be construed as black box reviews. I think college admission transparency is not a blue/red issue. It's a common sense issue about the next generation's education and their mental health. It's a common sense issue about America's competitiveness in the global economy. It's also a common sense issue about UC's reputation.

I respectfully seek your support and advocacy for greater transparency in college admission. Your leadership as the Lieutenant Governor and an ex officio Regent can not only significantly impact the lives of countless students and their families but also strengthen our communities and our state as a whole.

With your leadership, we can transcend political pettiness. Let's create a partnership across students, parents, colleges, governments, education and legal experts. Let's work together to increase transparency in college admissions in a judicious, systematic, cost-effective, and privacy-preserving manner.

Let's do something for our kids.

Sincerely,

Nan Zhong

EXHIBIT 80

Professor Shannon Speed Advocating for Proportionalty of Student Body

https://dailybruin.com/2023/12/02/minority-serving-institution-designations-and-their-implications-at-ucla

According to the 2020 Census from the Public Policy Institute of California, 39% of Californians are Latino, 35% are white, 15% are Asian American or Pacific Islander, 5% are Black, 4% are multiracial and fewer than 1% are Native American or Alaska Natives.

"We're a minority-majority state, so I think it's important that all the UC campuses become minority-serving institutions," Speed added. "We need to be at least educating certain communities at a proportionate rate to their presence in the state population."

EXHIBIT 81

UCLA Reader Requirements

https://admission.ucla.edu/contact/application-readers

UCLA

Undergraduate Admission

Apply Explore Visit Tuition & Aid

Home / Contact Us

Application Readers

Every year, UCLA Undergraduate Admission hires application readers to help with the Holistic Review of first-year applicants. Applications for Fall 2026 are now open until Sunday, June 22, 2025 at 11:59 p.m. Please note that we expect to hire a limited number of new readers this upcoming cycle.

Apply Now

Criteria for Application Readers

Following are the minimum requirements for becoming an application reader:

- Bachelor's degree or higher
- Able to attend mandatory overview and norming sessions
- Able to successfully complete training and certification process
- Independently complete mandatory university training online (such as Implicit Bias, UC Ethical Values and Conduct, Cyber Security Awareness, etc.)
- Able to fulfill a weekly reading and scoring commitment
- Access to a computer with an internet connection
- Available for training and reading from November through late January
- Willing to read first-year applications exclusively for UCLA between November and January

Compensation Rates

If you're selected as an application reader, we'll do our best to fulfill your chosen level of participation. However, in some cases, we may need to adjust your numbers based upon our needs. New readers are generally assigned 600 applications to start off.

Please note that the rates below represent the compensation for training and reading. The "Number of Applications Read" refers to real applications reviewed after the training and certification process has been completed.

Compensation Rates for Application Readers

Number of Applications Read	Amount Paid
600	$1,595
700	$1,840
800	$2,085
900	$2,330
1,000	$2,575

LEARN MORE ABOUT UCLA Hear more about events in your area, application deadlines and more.

UCLA Undergraduate Admission

1147 Murphy Hall, Box 951436
Los Angeles, CA 90095-1436

EXHIBIT 82

UCLA Job Posting

https://recruit.apo.ucla.edu/JPF09749

Tenure-Track Assistant Professor in Pacific Islander Experiences in Engineering

Apply now

Job #JPF09749

- Dean, Seas, Bioengineering Department, Chemical Engineering, Civil & Environmental Engineer, Computer Science, Electrical Engineering, Materials Science & Engr, Mechanical & Aerospace Enginee / Henry Samueli School Engr & Ap / UCLA

POSITION OVERVIEW

Position title: Assistant Professor
Salary range: The posted UC salary scales set the minimum pay determined by rank and/or step at appointment. The salary range for this position is $115,000-$130,000. "Off-scale salaries" and other components of pay, i.e., a salary that is higher than the published system-wide salary at the designated rank and step, are offered when necessary to meet competitive conditions.

APPLICATION WINDOW

Open date: October 2, 2024

Most recent review date: Sunday, Dec 1, 2024 at 11:59pm (Pacific Time)
Applications received after this date will be reviewed by the search committee if the position has not yet been filled.

Final date: Monday, Jun 30, 2025 at 11:59pm (Pacific Time)
Applications will continue to be accepted until this date, but those received after the review date will only be considered if the position has not yet been filled.

POSITION DESCRIPTION

The UCLA Samueli School of Engineering invites applications for an open Assistant Professor position to begin on July 1, 2025. We welcome applications from outstanding candidates in any subfield of engineering whose research, teaching, and/or mentoring has strong ties to Pacific Islander experiences in the United States. The position is joint with the Asian American Studies Center at UCLA, and builds upon UCLA's commitment to foster an inclusive environment and promote the success of underrepresented students. Applicants for the position must have a demonstrated record of excellence in, or show exceptional promise for, high-quality research, teaching, and professional development.

As part of the Chancellor's Native American and Pacific Islander Bruins Rising Initiative, the Office of the Chancellor and the Executive Vice Chancellor & Provost have sponsored this search in order to recruit exceptional scholars whose research, teaching, scholarship and/or mentoring has strong ties to Pacific Islander experiences in the United States. This search is conducted in partnership between UCLA Samueli and the Asian American Studies Center. Faculty hired through this search are expected to maintain an active affiliation with the Asian American Studies Center and encourage the success of Pacific Islander scholars. In addition, applicants must have a demonstrated record of interest in, and commitment to, the mentorship of and/or outreach to students from underrepresented and underserved populations. The successful candidate will be expected to advance their active mentoring activities and participate in programs that provide research and professional development opportunities for our diverse student body (such as our Center for Excellence in Engineering and Diversity, our Women in Engineering program, and our student organizations listed at https://samueli.ucla.edu/equity-diversity-and-inclusion/). Teaching and service expectations will not exceed those of other faculty positions.

UCLA and the Samueli School of Engineering are firmly committed to the principles of equity, diversity, and inclusion. Therefore, we ask each applicant to submit a statement that addresses their past efforts and future plans to advance equity, diversity, and inclusion in their scholarship, teaching, and service. The application should contain the following documents: 1) letter of interest, 2) a curriculum vita, 3) a statement of research interests, 4) the aforementioned diversity statement, 5) evidence of teaching excellence, 6) reference check authorization form, and 7) a list of 3-5 reference contacts. Letters of recommendation will be solicited from references following an initial screening review. To ensure full consideration, the online application should be submitted online through https://recruit.apo.ucla.edu/JPF09749 by December 1, 2024. After the initial review date, new applications will be considered only at the discretion of the search committee.

Applicants must have an earned PhD by the date of hire in a field related to one of the Engineering Departments: Bioengineering, Chemical and Biomolecular Engineering, Civil and Environmental Engineering, Computer Science, Electrical and Computer Engineering, Material Science and Engineering, and Mechanical and Aerospace Engineering. The faculty appointment will be made to a particular Department within Samueli Engineering, as appropriate to the candidate's research background and interests.