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John M. Domurad, Clerk

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

**Stanley Zhong, Nan Zhong, and
SWORD (Students Who Oppose
Racial Discrimination),**

Plaintiffs,

v.

The Trustees of Cornell University,
in their official capacity as the
governing body of Cornell University;
Michael Kotlikoff, in their official
capacity as the President of Cornell
University,

Defendant.

Case No. 3:25-CV-0365 (ECC/ML)

COMPLAINT

JURY TRIAL DEMANDED

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND
DAMAGES**

I. INTRODUCTION

1. Plaintiffs Stanley Zhong (“Stanley”), Nan Zhong (“Nan”), and Students Who Oppose Racial Discrimination (“SWORD”), represented by Nan Zhong on behalf of its members and all others similarly situated, collectively referred to as “Plaintiffs,” bring this civil rights action against Cornell University (“Cornell”, “Defendant”) for engaging in racially

1 discriminatory admissions practices that disadvantage highly qualified
2 Asian-American applicants, including Stanley and members of SWORD.

3 2. Despite Stanley's exceptional academic achievements and remarkable
4 professional accomplishments at a young age, his application to the
5 undergraduate program at Cornell University was rejected. This result
6 stands in stark contrast to his receipt of a full-time job offer from Google
7 for a position requiring a Ph.D. degree or equivalent practical experience.

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

12 **II. JURISDICTION AND VENUE**

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

16 5. Venue is proper in this district under 28 U.S.C. § 1391(b) because a
17 substantial part of the events or omissions giving rise to the claim
18 occurred in this district.

1 III. PARTIES

2 A. Plaintiffs

3 A1. Co-plaintiff Stanley Zhong

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

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

13 8. Competing against top professionals from around the world, Stanley
14 advanced to the Google Code Jam Coding Contest semi-final in 2021
15 (See [Exhibit 2](#)).

16 9. Competing against top professionals from around the world, Stanley
17 advanced to the Meta (Facebook) Hacker Cup semi-final in 2023 (See
18 [Exhibit 3](#)).

19 10. Stanley won the 2nd place in MIT (Massachusetts Institute of Technology)
20 Battlecode's global high school division twice (2nd place and 1st place in

1 the US, respectively) (See [Exhibit 4](#)). He was invited to MIT with expenses
2 paid.

3 11. Stanley won the 2nd Place in CMU (Carnegie Mellon University)
4 cybersecurity competition picoCTF (See [Exhibit 5](#)). He was invited to CMU
5 with expenses paid.

6 12. Stanley won the 6th place in Stanford ProCo (See [Exhibit 6](#)).

7 13. Stanley advanced to the USA Computing Olympiad (USACO) Platinum
8 Division (See [Exhibit 7](#)).

9 14. In April 2020, after seeing an NPR news story that the unemployment
10 office's system programmed in COBOL was not keeping up with the
11 workload caused by COVID (See [Exhibit 8](#)), Stanley taught himself
12 COBOL, sent his sample code on GitHub (See [Exhibit 9](#)) to COBOL
13 Cowboys featured in the news story, and volunteered to help. Mr. Bill
14 Hinshaw, COBOL Cowboys CEO, graciously called Stanley and offered
15 encouraging words (although he did mention putting a 14-year-old in front
16 of his clients would probably freak them out). (See [Exhibit 10](#) for the email
17 exchange with Mr. Bill Hinshaw to set up the call.)

18 15. After the attempt to volunteer for COBOL Cowboys fell through, Stanley
19 saw news reports about surging demand for e-signing services caused by
20 the COVID lockdown. Stanley was unhappy that DocuSign didn't provide

1 any relief. So, he launched an unlimited free e-signing service named
2 RabbitSign in 2021 (See [Exhibit 11](#)).

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

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

11 18. Shortly before Stanley turned 18, five randomly selected full-time Google
12 engineers, who were specifically trained and qualified to evaluate
13 candidates, devoted no less than ten hours collectively to evaluating
14 Stanley's skills, including his technical expertise and soft skills, such as
15 teamwork. Based solely on their assessments, without any external
16 influence, these Google engineers concluded that Google should hire
17 Stanley for an L4 position, which requires a Ph.D. degree or equivalent
18 practical experience. Consequently, Google made an offer for a full-time
19 L4 position to Stanley in September 2023, shortly after Stanley turned 18
20 (See [Exhibit 14](#)).

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

4 20. Mr. Dan Bloomberg, a longtime Google employee who served on the
5 hiring committees for 18 years, has agreed to testify regarding Google's
6 interview process when this lawsuit proceeds to trial.

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

11 22. Because of his groundbreaking work to provide the world's only unlimited
12 free HIPAA-compliant e-signing service to help lower America's healthcare
13 cost, Stanley received an inbound interview request from [Viewpoint with](#)
14 [Dennis Quaid](#), a series of short documentaries on innovations aired on
15 CNBC, Fox Business, Bloomberg, and public TV stations across the US.
16 Their past guests included President George H.W. Bush, Secretary Colin
17 Powell, and Fortune 500 CEOs. (See [Exhibit 15](#) for the industry news
18 coverage for RabbitSign's free HIPAA-compliant e-signing. See [Exhibit 16](#)
19 for the episode of [Viewpoint with Dennis Quaid](#) featuring RabbitSign and
20 Stanley.)

21 23. Stanley's high school grade point average was 3.97 (unweighted) and
22 4.42 (weighted) (See [Exhibit 17](#)).

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

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

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

14 27. Stanley achieved a maximum PSAT score without any preparation (See
15 [Exhibit 21](#)).

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

19 29. Stanley was a National Merit Scholarship finalist (See [Exhibit 22](#)).

20 30. While in high school, Stanley participated in and led numerous
21 extracurricular and volunteer activities.

- 1 31. Stanley served as a founding officer and president of the competitive
2 programming club at his high school (See [Exhibit 23](#)).
- 3 32. Stanley co-founded and served as the 2nd president of a nonprofit named
4 [OpenBrackets](#), which brought free coding lessons to 500+ kids in
5 underserved communities in California, Washington, and Texas over 2
6 years (See [Exhibit 24](#)). It received positive feedback from Stackoverflow
7 co-founder, Mr. Jeff Atwood.
- 8 33. Because of his work at OpenBrackets, Stanley received the highest level
9 of the President's Volunteer Service Award (See [Exhibit 25](#)).
- 10 34. Stanley's college application essay was pretty much captured in the
11 Viewpoint interview mentioned supra. It discussed why he created
12 RabbitSign, how he overcame rejections to eventually find a partner to
13 provide free HIPAA-compliant e-signing to help lower America's healthcare
14 cost, and how RabbitSign is the first Activism Corporation created to
15 counter corporate greed.
- 16 35. For enrollment in fall 2023, Stanley applied to the undergraduate
17 Computer Science program at Cornell University. His application was
18 rejected.
- 19 36. In direct connection with Cornell's rejection of his applications, Stanley
20 Zhong suffered emotional distress.

1 37. Stanley's story was reported in national news in October 2023 (See
2 [Exhibit 26](#)) and cited in a congressional hearing in September 2023 (See
3 [Exhibit 27](#)).

4 38. After Stanley's story hit the news in October 2023, multiple college
5 admission counselors examined his application, including his essay. None
6 of them could figure out a legitimate reason why Stanley was rejected.
7 Some of them have offered to testify as expert witnesses when this lawsuit
8 proceeds to trial.

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

12 40. Stanley is ready and able to apply to Cornell when it ceases its intentional
13 discrimination against Asian Americans.

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

18 **A2. Co-plaintiff Nan Zhong**

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

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

4 44. The 2024 decision of the Second Circuit Court of Appeals in *Chinese*
5 *American Citizens Alliance of Greater New York (CACAGNY) v. Adams*,
6 116 F.4th 161, affirms that an "equal protection claim can be asserted by
7 individuals alleging they suffered harm from the discriminatory policy or
8 law, as well as other individuals (such as a parent or guardian) or
9 organizations that also have standing to sue."

10 45. Nan suffered emotional distress as a direct result of Cornell's
11 discriminatory policies, thereby establishing his standing to bring this
12 claim.

13 46. Nan's children intend to apply for admission to Cornell but will be denied
14 the opportunity to compete on equal footing with other applicants due to
15 Cornell's discriminatory admissions policies. As a result, they may face
16 rejection based on race or ethnicity rather than merit. These personal
17 impacts further establish Nan's standing to bring this claim.

18 47. Beyond personal impact, Nan is acutely aware of the chilling effect that
19 Asian-American students face when asserting their legal rights in college
20 admissions. Public hostility toward such efforts is well-documented,
21 particularly on college campuses.

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

11 49. Academics such as Professor Janelle Wong and Professor Viet Thanh
12 Nguyen publicly [asserted](#) that no Asian American had suffered
13 discrimination in the college admissions process, misleading the public
14 with statements like, "Not a single Asian-American student has testified
15 that they faced discrimination in the high-profile Harvard case." (See
16 [Exhibit 30](#).) Such assertions are demonstrably inaccurate and serve to
17 suppress legitimate grievances. On November 4, 2024, Nan challenged
18 both Professor Janelle Wong and Professor Viet Thanh Nguyen to a public
19 debate. Neither replied as of the filing of this lawsuit.

20 50. This hostile climate has a direct, suppressive effect on potential plaintiffs.
21 Many Asian-American applicants rejected by colleges initially expressed
22 interest in joining SWORD's lawsuit. However, after spending just a few
23 months on college campuses as freshmen, most withdrew.

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

10 52. This pervasive social hostility—manifesting in microaggressions and overt
11 hostility—creates a profound chilling effect that discourages
12 Asian-American students from challenging discriminatory policies,
13 effectively silencing those who have been harmed. It is therefore
14 reasonable to infer that numerous Asian-American applicants, either
15 already harmed by Cornell’s admissions practices or anticipating future
16 discrimination, remain silent due to legitimate concerns about retaliation or
17 social pressure. Under the chilling effects doctrine, which recognizes that
18 individuals may refrain from asserting their rights due to fear of reprisal,
19 Nan’s standing to sue is further reinforced.

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

1 A3. Co-plaintiff Students Who Oppose Racial Discrimination (SWORD)

2 54. Co-plaintiff, Students Who Oppose Racial Discrimination (“SWORD”), is a
3 voluntary membership organization focused on stopping racial
4 discrimination in college admissions through litigations. It was established
5 in October 2024 by people harmed and outraged by flagrant racial
6 discrimination in college admissions.

7 55. SWORD is a coalition comprising prospective applicants to higher
8 education institutions, individuals who were denied admission, their
9 parents, and supporters of the organization’s mission to eliminate racial
10 discrimination in higher education admissions.

11 56. Nan Zhong is the President of SWORD.

12 57. SWORD’s website is <https://sword.education>.

13 58. SWORD has at least one Asian-American member who is currently in high
14 school and intends to apply for admission to Cornell (“Future Applicants”).

15 59. Future Applicants will be denied the opportunity to compete for admission
16 to Cornell on equal footing with other applicants on the basis of race or
17 ethnicity due to Cornell’s discriminatory admissions policies. As a result,
18 Future Applicants may be denied admission to Cornell because of these
19 discriminatory policies and practices.

1 60. SWORD has at least one Asian-American member whose children either
2 intend to apply for admission to Cornell or applied for but were denied
3 admission to Cornell in recent years (“Parents”).

4 61. Parents’ children were or will be denied the opportunity to compete for
5 admission to Cornell on equal footing with other applicants on the basis of
6 race or ethnicity due to Cornell’s discriminatory admissions policies. As a
7 result, Parents’ children were or may be denied admission to Cornell
8 because of these discriminatory policies and practices.

9 62. Under *Hunt v. Washington State Apple Advertising Commission*, 432 U.S.
10 333 (1977), SWORD qualifies for associational standing because 1)
11 SWORD has members who have standing to sue Cornell themselves, 2)
12 this lawsuit is germane to SWORD’s purpose, and 3) neither the claim
13 asserted nor the relief requested requires the participation of individual
14 members in the lawsuit.

15 63. Stanley is not a member of SWORD.

16 64. The emotional toll experienced by Stanley and Nan exemplify the broader
17 emotional and potential economic harms associated with racially
18 discriminatory admissions practices by Cornell. Such policies do not
19 merely affect statistical representation; they impose real-world
20 consequences on a large group of individual applicants.

1 65. Stanley, Nan, and SWORD reached out to multiple legal resources and
2 entities for representation. However, these entities either declined to take
3 the case or failed to respond. Consequently, as President of SWORD, Nan
4 is compelled to represent the organization as a pro se litigant.

5 **B. Defendant**

6 66. Defendant is a private university in the State of New York. Because it
7 receives federal funding, it is subject to Title VI of the Civil Rights Act of
8 1964, 42 U.S.C. § 2000d *et. seq.*

9 **IV. FACTUAL ALLEGATIONS**

10 **A. Asian Applicants Receiving Discriminatory Results**

11 67. For undergraduate enrollment in fall 2023, Stanley applied to Cornell.
12 Despite his extraordinary qualifications, he was rejected. This outcome
13 defies common sense and contradicts expert assessments of his
14 application. As the Supreme Court noted in *Miller v. Johnson*, 515 U.S.
15 900,901 (1995), "bizarreness" can serve as "persuasive circumstantial
16 evidence that race for its own sake...was a legislature's dominant and
17 controlling rationale." Similarly, the stark disparity between Stanley's
18 qualifications and the Cornell admissions decisions raises serious
19 concerns about the role of race in Cornell's admissions process. This
20 striking incongruity strongly suggests that Cornell's admissions policies
21 are being applied in a discriminatory fashion.

1 68. Plaintiffs believe and allege that Stanley’s rejection by Cornell was not
2 based on his qualifications but on his race, as an Asian American.

3 **B. Widespread Anti-Asian Discrimination at Elite Universities**

4 69. After the state [audit](#) in 1987 (See [Exhibit 31](#)), University of California
5 Berkeley Chancellor Ira Michael Heyman publicly [apologized](#) in 1989 for
6 admissions policies that led to a decline in Asian-American undergraduate
7 enrollment (See [Exhibit 32](#)).

8 70. On September 22, 2016, *Inside Higher Education* [released](#) a survey of
9 admission officers. It revealed 42% of admission officers from private
10 colleges and 39% of admission officers from public colleges believe that
11 colleges hold Asian-American applicants to a higher standard (See [Exhibit](#)
12 [33](#)).

13 71. On May 25, 2016, Dr. Michele Hernandez, former Dartmouth admission
14 officer, [revealed](#) on *Huffington Post* “how even the so-called ‘holistic
15 process’ can discriminate against Asian students” and how Ivy League
16 college admission officers often use racial stereotypes to discriminate
17 against Asian-American applicants (See [Exhibit 34](#)).

18 72. Harvard openly gave preferential treatment to some racial groups at the
19 expense of Asian-American applicants until its practice was ruled illegal by
20 the Supreme Court in *SFFA v. Harvard* in 2023. Notably, following the
21 Supreme Court’s ruling in *SFFA*, not a single Harvard administrator

1 apologized for the harm their policies inflicted on Asian-American
2 applicants.

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

6 74. As documented in the [SFFA's legal complaint](#) against Harvard (page 57),
7 college counselors acknowledge discrimination against Asian Americans
8 at elite universities (See [Exhibit 36](#)).

9 75. It is well documented that many Asian-American applicants attempt to
10 appear "less Asian" on their college applications to avoid potential bias
11 (See [Exhibit 37](#)).

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

15 77. Evidence also shows that elite universities were aware of discriminatory
16 practices but often ignored or denied the issue until confronted with legal
17 challenges. For instance, in 2006, Jian Li, an Asian-American applicant,
18 filed a formal complaint against Princeton University for racial
19 discrimination in admissions. Following this action, Princeton's admission
20 rate for Asian-American students rose from 14.7% in 2007 to 25.4% in
21 2014 (See [Exhibit 38](#)). Similarly, after SFFA sued Harvard in 2015, the

1 percentage of Asian-American admits increased from 17% in 2014 to 22%
2 in 2016 (See [Exhibit 38](#) as well).

3 78. These patterns demonstrate a troubling reality: institutions were capable
4 of increasing Asian-American enrollment with little change in applicant
5 qualifications, suggesting prior suppression of Asian admissions through
6 discriminatory policies. This raises legal concerns about Cornell's own
7 admissions practices. Legal scrutiny is warranted to uncover the extent of
8 Cornell's awareness of and complicity in similar practices that have
9 disadvantaged highly qualified Asian-American applicants.

10 79. Compiling his Pulitzer Prize-winning reporting into a book titled *The Price*
11 *of Admission*, Daniel Golden documented multiple highly qualified Asian
12 applicants rejected by the University of California, Harvard, Yale,
13 Princeton, Brown, Columbia, Stanford, and Massachusetts Institute of
14 Technology. For example, UCLA rejected Stanley Park, a Korean
15 American student who faced serious adversity (single immigrant parent
16 with cancer and no college degree), while accepting non-Asian students
17 with SAT scores 520 and 560 points lower. (See [Exhibit 39](#) for the relevant
18 excerpt from *The Price of Admission*.)

19 80. In 2003, Mr. John Moores, then chairman of the UC Board of Regents,
20 accused UC's flagship campus of "blatantly" discriminating against Asian
21 Americans (See [Exhibit 40](#)).

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

16 82. In a study commissioned by UCLA, only later obtained through public
17 records requests, sociology professor Robert Mare [documented](#) a
18 consistent pattern of anti-Asian discrimination in admissions at UCLA. His
19 report said, "'North Asian' (Chinese, Japanese, Korean, Indian/Pakistani
20 American) applicants receive somewhat less favorable holistic read scores
21 than applicants in other ethnic identity groups who are otherwise similar in
22 measured academic qualifications, personal characteristics, and
23 measured challenges and hardships." It further indicated that "among

1 otherwise equivalent applicants, whites, African Americans and Latinos
2 are overrepresented among those admitted, and Asian-American
3 applicants are underrepresented.” Additionally, the report noted that “the
4 disadvantages of Asian applicants occur, with varying magnitudes,
5 throughout the admissions process.” (See Exhibit 56 in case 2:25-cv-0495
6 in the U.S. District Court for the Eastern District of California).

7 83. After Dr. Jennifer Lucero took over UCLA medical school admissions in
8 June 2020, the number of Asian matriculants at UCLA medical school
9 declined from 84 to 55 from 2019 through 2022, a drop of 35% (See
10 [Exhibit 43](#)). Precipitous changes in admission rates strongly suggest
11 deliberate conscious race-based directives.

12 **C. Deep-Rooted Culture of Identity Over Academics and Legal Evasion** 13 **in Higher Education**

14 84. According to a survey by the Foundation for Individual Rights and
15 Expression, 88% of Cornell’s students self-censor their speech on
16 campus.

17 85. Around 1990, then-University of Michigan (UM) President James J.
18 Duderstadt instituted the [Michigan Mandate](#), describing it as “a blueprint
19 for fundamental change in the ethnic composition of the university
20 community.” (See [Exhibit 44](#).) He claimed it strategically linked ‘academic
21 excellence and social diversity.’ Decades later, the current UM President
22 Santa Ono echoed this sentiment, stating, “At the University of Michigan,

1 we are convinced that academic excellence goes hand-in-hand with
2 diversity, inclusion and equity.” However, UM’s rejection of highly qualified
3 applicants like Stanley suggests a departure from genuine academic
4 excellence in favor of ideological priorities.

5 86. In 2023, Brown University’s Medical School prioritized Diversity, Equity,
6 and Inclusion (DEI) over clinical skills in its [faculty promotion criteria](#),
7 raising concerns about the potential impact on patient care quality (See
8 [Exhibit 45](#)).

9 87. Mr. Steven Dubinett, the dean of UCLA medical school, directs a center
10 that houses a race-based fellowship. Its web page was deleted after
11 media exposure (See [Exhibit 46](#)), indicating awareness of its illegality.

12 88. A New York Times [opinion piece](#) by a former UC admissions reader
13 shared her detection of “unspoken directives”, questioned whether
14 “Proposition 209 serve(s) merely to push race underground” and
15 described the admission reading process as “an extreme version of the
16 American non-conversation about race.” (See [Exhibit 47](#).)

17 89. Following public outcry over the Varsity Blues scandal, California state
18 lawmakers commissioned an audit of the University of California’s
19 admissions practices. The California State Auditor’s 2020 [report](#) found that
20 UC “has allowed for improper influence in admissions decisions, and it has
21 not treated applicants fairly or consistently.” Specifically, the audit revealed
22 that UC Berkeley and UCLA “admitted thousands of applicants whose

1 records demonstrated that they were less qualified than other applicants
2 who were denied admission.” (See [Exhibit 48](#)).

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

18 91. In a public [talk](#) to a large audience, Professor Erwin Chemerinsky, the
19 Dean of the University of California Berkeley Law School, admitted that his
20 school systematically considers race in its internal decision-making and
21 actively conceals this practice (See [Exhibit 49](#)). As evidenced in the video,
22 when discussing the consideration of race in faculty hiring, Mr.
23 Chemerinsky described and preached the “unstated Affirmative Action”

1 practiced at UC as follows: “Don’t say that [you are considering the
2 candidate’s race]. You can think it. You can vote it... Don’t ever articulate
3 that is what you are doing.” He also said “If I’m ever deposed, I’m going to
4 deny I said this to you.” His statements reveal deliberate intent by senior
5 university administrators to actively conceal their use of race in
6 decision-making.

7 92. In November 2022, *The New Yorker* staff writer Jay Caspian Kang [quoted](#)
8 Mr. Erwin Chemerinsky as follows:

9 “What colleges and universities will need to do after affirmative action
10 is eliminated is find ways to achieve diversity that can’t be
11 documented as violating the Constitution,” Mr. Chemerinsky stated.

12 “So they can’t have any explicit use of race. They have to make sure
13 that their admissions statistics don’t reveal any use of race. But they
14 can use proxies for race.” (See [Exhibit 49](#) as well.)

15 This statement is a clear acknowledgment that university officials intend to
16 bypass constitutional and legal prohibitions on racial discrimination by
17 employing indirect methods—namely, “proxies for race”—to achieve the
18 same racial outcomes that explicit race-based policies once facilitated.

19 93. The use of racial proxies to achieve racial balancing is unconstitutional. In
20 *Parents Involved in Community Schools v. Seattle School District No. 1*,
21 551 U.S. 701, 743 (2007), the Supreme Court held that racial balancing is
22 not a compelling state interest and that the government may not achieve

1 racial diversity through indirect methods that amount to race-conscious
2 decision-making. Similarly, in *SFFA v. Harvard*, 600 U.S. 181 (2023), the
3 Supreme Court reaffirmed that admissions policies designed to achieve
4 racial diversity by using proxies for race are equally unconstitutional.

5 94. The statements made by Mr. Chemerinsky provide strong circumstantial
6 evidence that senior university administrators are knowingly and
7 deliberately structuring its admissions policies to evade legal prohibitions
8 on racial discrimination.

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

19 96. Similar to the 'unstated Affirmative Action' approach advocated by Mr.
20 Chemerinsky at UC, the University of Washington (UW) implemented this
21 practice by re-ranking candidates based on race while maintaining an
22 appearance of neutrality. In 2023, the UW psychology department's hiring

1 committee [re-ranked](#) finalists to prioritize hiring a Black candidate over a
2 white and an Asian candidate who were originally ranked first and second,
3 respectively. UW's [report](#) concluded that "race was used as a substantial
4 factor in the selection of the final candidate and the hiring process." The
5 report, which redacts all the names of those involved, suggests that faculty
6 members tried to hide the extent to which race was considered, including
7 in the hiring report. "I advise deleting the statement below as it shows that
8 URM [underrepresented minority] applications were singled out and
9 evaluated differently than non-URM applications (which is not allowed as
10 [redacted] noted)," one email read, according to the report. "My inclination
11 is to hold these meetings only for POC [People of Color] candidates. I'm
12 also mindful that our Provost is now getting anxious about anything that's
13 directed to only some identity groups (i.e., they are getting worried about
14 fallout from the pending Supreme Court affirmative action rulings)," a
15 person wrote in an email. "My read is that they'll get fearful of litigation and
16 overcorrect into colorblindness. Maybe our committee can preemptively
17 think our way around this type of future directive," the faculty member
18 wrote. (See Exhibit 53 in case 2:25-cv-00348 in the U.S. District Court for
19 the Western District of Washington.) A report by the National Association
20 of Scholars [revealed](#) that the University of Washington's Associate Vice
21 Provost, the Dean of the College of Arts and Sciences, and the Dean of
22 Natural Sciences played major roles in implementing the race-based hiring
23 directive. However, after the exposure, they attempted to shift blame

1 entirely onto the Psychology Department. This case provides a concrete
2 example of how UW's senior administrators prioritized race in hiring,
3 knowingly violating the law. The incident only came to light probably due to
4 a public records request from an external group. Given the pervasive
5 culture of racial preference, it is reasonable to infer that this was not an
6 isolated occurrence.

7 97. Senior university administrators not only preach and practice “unstated
8 Affirmative Action”, they also actively [persecute](#) those who advocate for
9 academic excellence over identity politics. From 2022 to 2024, Professor
10 Perry Link, Chancellorial Chair for Teaching Across Disciplines at UC
11 Riverside and a leading authority on modern and contemporary Chinese
12 literature and culture, faced disciplinary action after expressing concerns
13 during a faculty search committee meeting about prioritizing a Black
14 candidate's race over qualifications. His comments, which he stated were
15 intended to caution against elevating race as the “overriding criterion,”
16 were reported to university officials without his knowledge. Professor Link
17 was subsequently removed from the search committee and subjected to a
18 prolonged disciplinary process, including hearings resembling a trial,
19 where termination was suggested as a penalty. Although a faculty
20 committee unanimously found him innocent of the charges, Chancellor
21 Kim Wilcox issued a formal [letter of censure](#), overriding the committee's
22 recommendation (See [Exhibit 50](#)). Professor Perry Link was accused of
23 making racist comments during the hiring process but was not informed of

1 the specific remarks deemed problematic until nearly a year later. UC
2 Riverside eventually acquitted him of all charges but allegedly threatened
3 to penalize him if he spoke publicly about the ordeal. Despite UC's threats,
4 Professor Link, a distinguished scholar at age 80, courageously made the
5 [incident](#) public (See [Exhibit 51](#)). If UC has attempted to silence a
6 prominent tenured professor, it is reasonable to infer the tremendous
7 pressure any professor, non-tenured administrator or staff would face if
8 they were to speak up. Therefore it is reasonable to infer that numerous
9 similar cases exist at UC and other universities in which victims chose to
10 remain silent, fearing retaliation that could jeopardize their careers and
11 livelihoods. This incident highlights senior university administrators'
12 preoccupation with immutable characteristics such as race, in clear
13 violation of the Constitution. It also demonstrates the great lengths to
14 which they go to silence any dissidents or whistleblowers. Furthermore, it
15 clearly illustrates the importance of exercising the chilling effect doctrine
16 when it comes to the legal standing in lawsuits concerning universities'
17 student admissions and faculty hiring.

18 98. Professor Perry Link has agreed to testify when the lawsuit filed by
19 Stanley, Nan and SWORD against the University of California (Case No.
20 2:25-cv-0495 in the U.S. District Court for the Eastern District of California)
21 goes to trial.

22 99. It is noteworthy that California and Washington have had state laws
23 explicitly prohibiting racial preference or discrimination in public education

1 since 1996 and 1998, respectively, through Proposition 209 and Initiative
2 200. Nevertheless, both the University of California (UC) and the
3 University of Washington (UW) appear to have disregarded the will of
4 voters and the rule of law. The entrenched culture of legal evasion within
5 higher education institutions suggests that many universities continue to
6 operate as though they are above the law.

7 100. Both the University of Michigan and the University of California are
8 constitutionally prohibited from using racial preferences in student
9 admissions. Nevertheless, both institutions have [demonstrated](#) a clear
10 desire to circumvent these bans (See [Exhibit 52](#)). Reports by Professor
11 Robert Mare and the California State Auditor uncovered major issues in
12 UC's admissions practices. After Michigan's Proposal 2 passed in 2006,
13 UM hosted a 2-day workshop featuring UC administrators, who shared
14 their strategies for navigating California's Proposition 209, enacted in
15 1996. UC, UW and UM's actions strongly suggest how other universities
16 may be operating. This raises concerns that Cornell is following Mr.
17 Chemerinsky's advice to "just do it without leaving any paper trail." Such
18 tactics could make it difficult for Plaintiffs to obtain direct evidence of
19 discriminatory intent against Asian-American applicants. In this context,
20 Plaintiffs' claims should be assessed based on whether Cornell's
21 admissions policies create a discriminatory impact on Asian-American
22 applicants, either individually or collectively. As Mr. Chemerinsky himself
23 acknowledged, statistical analysis is key to identifying racial discrimination

1 in admissions. Plaintiffs intend to conduct such an analysis during the
2 discovery phase of this lawsuit.

3 **D. Cornell's Discriminatory Hiring**

4 101. On July 16, 2020, Cornell President Martha Pollack issued a [statement](#)
5 that "we must embed anti-racism across" education and research (See
6 [Exhibit 53](#)). As of March 19, 2025, Cornell still requires diversity
7 statements in faculty hiring (See [Exhibit 54](#)). It raises the question whether
8 Cornell is primarily an academic institution or a political organization.

9 102. In September 2020, a faculty coalition at Cornell University publicly
10 [demanded](#) race-based hiring and promotions (See [Exhibit 55](#)), a practice
11 that would constitute a clear violation of Title VII of the Civil Rights Act and
12 42 U.S.C. § 1981.

13 103. Like the "unstated Affirmative Action" described by Mr. Chemerinsky at
14 UC, Cornell's hiring process appears to be driven by identity while
15 maintaining a façade of neutrality.

16 104. On May 22, 2024, according to *Cornell Free Speech Alliance*,
17 whistleblowers [revealed](#) how DEI Statements are used as a litmus test to
18 eliminate qualified faculty in the hiring process. About 21% of the
19 candidates were screened out solely based on DEI criteria. Unlawful
20 race-based hiring preferences were applied throughout the entire hiring
21 process to eliminate candidates who had less favorable demographic

1 characteristics (See [Exhibit 56](#)). Such practices are discriminatory and
2 constitute violations of both federal and New York State
3 Anti-Discrimination and Employment Law.

4 105. Under this hiring system, even a Nobel Prize winner might not be
5 considered if they prioritized academic research over diversity initiatives.

6 106. It is reasonable to infer that rejected applicants would recognize that
7 the public spectacle of bringing a lawsuit against Cornell would : i) almost
8 surely prevent such applicants from being hired by any other leading
9 university, almost all of which engage in similarly discriminatory practices;
10 and ii) be personally and professionally ostracized by the discriminatory
11 cultures existing at most leading US universities, research institutions, and
12 scholarly publications. For these reasons and to avoid self-harm, any
13 aspiring professor would be loath to become a plaintiff in such legal action
14 against Cornell – regardless if such litigation might be won or lost. Once
15 again, it clearly illustrates the importance of exercising the chilling effect
16 doctrine when it comes to the legal standing in lawsuits concerning
17 universities’ student admissions and faculty hiring.

18 107. In an [open letter](#) dated Jan 23, 2024, Jon A. Lindseth, a member of
19 Cornell Board of Trustees (Emeritus) and Counselor to the President,
20 called for the resignation of Cornell’s president and provost, citing that
21 “Reports have been made of Cornell’s hiring faculty based on race rather
22 than academic merit (even in the pure sciences).” He also called to “return

1 Cornell to ‘merit based’ rather than ‘politically based’ or ‘identity based’
2 hiring and admission preferences.” (See [Exhibit 57](#).)

3 **E. Cornell’s Motive and Intent for Racial Balancing its Student Body**

4 108. The [amicus brief](#) that Cornell filed jointly with other universities to the
5 US Supreme Court in *SFFA v. Harvard* stated that “*Amici’s experience has*
6 *demonstrated that the optimal means of creating a diverse student*
7 *body—and thereby achieving Amici’s educational objectives—involves a*
8 *limited consideration of race and ethnicity in admissions.*” (See [Exhibit 58](#)).
9 The brief fails to define the criteria of a diverse student body—a point
10 Plaintiffs intend to explore during discovery. Nevertheless, the amicus brief
11 reveals Cornell’s intent to increase enrollment for certain racial groups, a
12 motive that implicates strict scrutiny under constitutional law.

13 109. On June 29, 2023, following the Supreme Court’s ruling in *SFFA v.*
14 *Harvard*, Cornell President Martha E. Pollack stated that “Cornell is
15 disappointed by the Supreme Court of the United States’ decision today”
16 (See [Exhibit 59](#)). This statement openly signaled the university’s continued
17 desire to consider race in admissions, despite the Court’s decision. While
18 President Pollack claims Cornell “to be a university where ‘any person can
19 find instruction in any study’”, Plaintiffs would like to question President
20 Pollack whether that applies to highly qualified Asian-American applicants
21 like Stanley.

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

9 111. As the Supreme Court noted in *SFFA v. Harvard*, 143 S. Ct. 2141,
10 2169 (2023), “College admissions are zero-sum. A benefit provided to
11 some applicants but not to others necessarily advantages the former
12 group at the expense of the latter.” The distinction between preferential
13 treatment and adverse impact is illusory—both actions are inherently
14 racially motivated and inseparable, representing merely different ways of
15 describing the same net discriminatory conduct. In a zero-sum situation,
16 when assessing whether a policy constitutes racial discrimination, courts
17 should focus on the presence of racial intent, regardless of whether that
18 intent manifests as preferential treatment or adverse impact. As the
19 Supreme Court affirmed in *SFFA v. Harvard*, “[W]hat cannot be done
20 directly cannot be done indirectly. The Constitution deals with substance,
21 not shadows,” and the prohibition against racial discrimination is “levelled
22 at the thing, not the name.” *Cummings v. Missouri*, 71 U.S. (4 Wall.) 277,
23 325, 18 L.Ed. 356 (1867).

1 F. Cornell's Action for Racial Balancing its Admissions

2 112. In addition to its evident motive and intent for racial balancing, Cornell
3 possesses the means and opportunity to manipulate the racial
4 composition of its student body under its current “holistic” admissions
5 framework, which lacks transparency, independent third-party oversight
6 and accountability. Indeed, Cornell’s intent is matched by its actions.

7 113. According to the 2020 U.S. Census, the New York state’s Asian
8 population grew by 36.1% over the prior decade, making it the
9 fastest-growing ethnic group in the state (See [Exhibit 60](#)). Similarly, the
10 Asian population in the U.S. grew by 36% from 2010 to 2020, making it
11 also the fastest-growing ethnic group in the nation (See [Exhibit 60](#) as
12 well). It is reasonable to infer that the Asian population in the New York
13 state and the U.S. continued to grow at a similar pace after 2020.
14 However, at Cornell, Asian admits have trended flat from 2018 through
15 2023. The percentage of Asian students enrolled was 19.1%, 20.1%,
16 18.1%, 19.1%, 18.7%, 20.1% for those years, respectively. (See [Exhibit](#)
17 [61.](#))

18 114. The gap between Asian population growth and admission rates
19 strongly suggests systemic discrimination. As the Court explained in *Reno*
20 *v. Bossier Parish School Board*, 520 U.S. 471, 487 (1997), the natural
21 consequences of an action often provide probative evidence of intent.

1 Here, the persistent adverse impact on Asian-American applicants
2 indicates a racially motivated policy, despite Cornell's denials.

3 115. Even before the Supreme Court's 2023 ruling in *SFFA v. Harvard*, the
4 use of race in student admissions, as permitted by Justice Kennedy's
5 majority opinion in *Fisher II* (2016), was limited to considering race as a
6 "factor of a factor of a factor" and within the context that "the contention
7 that the University discriminates against Asian-Americans is 'entirely
8 unsupported by evidence in the record or empirical data'" (See [Exhibit 62](#)).
9 However, the rejection of Stanley in 2023 casts serious doubt on whether
10 Cornell's use of race adhered to the narrow boundaries established by
11 *Fisher II*.

12 116. For the first admission cycle after *SFFA v. Harvard*, Cornell's Asian
13 enrollment grew from 19.2% (2018-2023 average. See [Exhibit 61](#) as well.)
14 to 22.4% in 2024, an increase of 16.7%. The magnitude of the increase
15 further raises serious doubt on whether Cornell's use of race in and before
16 2023 adhered to the narrow boundaries established by *Fisher II* as a
17 "factor of a factor of a factor".

18 117. Cornell insists on implementing both "holistic reviews" and a
19 "test-recommended" admissions policy. According to Cornell [Office of](#)
20 [Undergraduate Admissions](#), "*Cornell will be test-recommended for*
21 *students applying in fall 2024 to enroll for fall 2025. This means that*
22 *submitting test scores is not required but recommended for applicants to*

1 *the College of Arts & Sciences; Cornell Engineering; College of Human*
2 *Ecology; Cornell Jeb E. Brooks School of Public Policy; and School of*
3 *Industrial and Labor Relations.”* However, this position is inherently
4 contradictory. A review cannot be truly holistic if it deliberately excludes
5 objective measures like standardized tests, especially for STEM
6 applicants where such metrics are crucial for assessing academic
7 preparedness. This decision appears to be a calculated move to
8 compromise intellectual honesty and academic integrity, potentially
9 facilitating the concealment of discriminatory practices against
10 Asian-American applicants. Notably, leading institutions like MIT,
11 Dartmouth, Yale, Brown, Harvard, Caltech, and the University of Texas at
12 Austin have reinstated standardized testing, further highlighting the
13 questionable nature of Cornell’s “test-recommended” policy post-COVID.
14 These circumstances necessitate legal scrutiny of Cornell’s policy, its
15 underlying motivations, its disparate impact on Asian-American applicants,
16 and whether Cornell continues to merit the traditional judicial deference
17 granted to bona fide academic institutions.

18 118. In 2023, the year Stanley applied in, Cornell enrolled 214 African
19 American students (See [Exhibit 63](#) as well). The 25th percentile SAT
20 scores for Cornell students were 1420 (See [Exhibit 64](#) as well). Nationally,
21 225,954 African American students took the SAT in 2023, with
22 approximately 1% (roughly 2,259 students) scoring in the 1400–1600
23 range (See [Exhibit 65](#)). If Cornell’s African American enrollees reflected

1 the general SAT distribution of Cornell students, approximately 161
2 (214*75%) of them would have scored above the 25th percentile of 1420,
3 with an even larger number exceeding 1400. This would mean Cornell
4 enrolled about 7.1% (161/2259) of the nation's top African American SAT
5 performers.

6 119. Using this analysis, the estimated percentage of national top scorers
7 enrolled at Cornell is approximately 7.1% for African Americans, 1.0% for
8 Asian Americans, 4.1% for Hispanic Americans, and 1.9% for White
9 students (See [Exhibit 66](#)).

10 120. Given the geographic distribution of high-achieving students, such a
11 high concentration of top scorers from certain racial groups appears
12 statistically improbable. These figures suggest that Asian-American
13 applicants face significantly higher SAT score thresholds for admission
14 compared to other racial groups. While SAT scores are not the sole
15 measure of merit, this statistical irregularity raises serious concerns about
16 whether Cornell's admissions policies comply with constitutional and legal
17 prohibitions or limits against racial preferences.

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

21 122. Given that Cornell is or was not conducting itself as a bona fide
22 academic institution for student admissions or faculty hiring, any traditional

1 judicial deference afforded to academic institutions should not apply in
2 lawsuits concerning student admissions or faculty hiring at Cornell.

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

17 124. The argument that Asian Americans are over-represented in Cornell's
18 student body relative to the general population does not negate claims of
19 discrimination. Equal protection requires that individuals be treated as
20 individuals, not as members of a racial class. See *Miller v. Johnson*, 515
21 U.S. 900, 911 (1995). Even if aggregate Asian enrollment remains
22 relatively high, systemic bias may suppress their numbers below what
23 they would be in a race-neutral system. "[I]nvidious discrimination does

1 not become less so because the discrimination accomplished is of a
2 lesser magnitude.” See *Personnel Administrator of Massachusetts v.*
3 *Feeney*, 442 U.S. 256, 277 (1979).

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

10 126. The Second Circuit’s 2024 decision in *Chinese American Citizens*
11 *Alliance of Greater New York (CACAGNY) v. Adams* supports this case.
12 The court held that a facially neutral policy driven by racial motives
13 violates equal protection, even if aggregate enrollment improves. The
14 ruling states “if discriminatory intent is proven, a negative effect or harm
15 from that discriminatory policy on individual Asian-American students
16 applying to the SHSs [Specialized High Schools] would be sufficient to
17 trigger strict scrutiny review”. The court further held that a policy or a
18 program “is not immunized from strict scrutiny because it underperforms in
19 an unconstitutional mission with respect to a targeted racial group in the
20 aggregate.” Therefore, university policies aiming to suppress Asian
21 enrollment—whether or not Asian Americans are over-represented—are
22 subject to strict scrutiny and won’t survive it.

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

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

15 129. In this case, at least two types of discriminatory policies and practices
16 identified by the Second Circuit Court are evident:

17 a. **Discriminatory enforcement:** Cornell’s absurd and incongruous
18 admission outcomes strongly indicate that Cornell exercises its
19 admissions policies in a discriminatory fashion.

20 b. **Discriminatory intent and effect:** The pervasive culture of
21 “unstated affirmative action” at universities underscores
22 discriminatory intent, with substantial evidence of its adverse

1 impact on Asian-American applicants, both individually and
2 collectively.

3 These actions constitute violations of the Equal Protection Clause of the
4 Fourteenth Amendment, Title VI of the Civil Rights Act of 1964.

5 **G. Cornell Ignoring Complaints**

6 130. Cornell officials have ignored complaints about questionable
7 admissions outcomes and allegations of racial discrimination, reflecting a
8 broader lack of transparency and accountability in their admissions
9 process. On January 31, 2025, Nan contacted the Cornell Board of
10 Trustees regarding Stanley's admission results, requesting an
11 investigation. As of this filing, they have not responded.

12 131. This mirrors the University of California's prolonged refusal to engage
13 with Nan, who sought dialogue for over a year before filing a lawsuit
14 against UC and the U.S. Department of Education on February 11, 2025,
15 in the U.S. District Court for the Eastern District of California (Case No.
16 2:25-cv-0495).

17 132. The denial of Stanley's application to Cornell—combined with Cornell's
18 complete failure to even acknowledge the issue—cannot be dismissed as
19 mere random error. Rather, these actions reveal a pattern of systemic bias
20 and deliberate indifference, suggesting malice toward Stanley and, by
21 extension, other similarly situated Asian-American applicants. While it is

1 true that Google's job offer came after Cornell's rejection—meaning
2 Cornell could not have foreseen that Google would recognize Stanley's
3 skills had already reached the Ph.D. level—the fundamental issue
4 remains: the technical achievements included in Stanley's Cornell
5 applications were substantially the same as those sent to Google. While
6 Google found Stanley's achievements sufficient to consider him for a
7 Ph.D.-level position, Cornell, in contrast, deemed him unqualified for
8 undergraduate admission. This stark contrast underscores a systemic
9 barrier that profoundly affects Asian-American applicants' experiences in
10 college admissions. Even when their qualifications reach the Ph.D. level,
11 they may still be denied undergraduate admission. This fosters a
12 pervasive sense of helplessness—the belief that the system is rigged to
13 reject you regardless of your merits—that contributes significantly to the
14 mental health challenges within the Asian-American youth community.

15 133. This case echoes the dark legacy of the Chinese Exclusion Act of
16 1882—a shameful chapter in our nation's history for which Congress
17 formally apologized in June 2012. Disturbingly, as of the filing of this
18 lawsuit—after Cornell became aware of Google's assessment of Stanley's
19 skills—Cornell still refuses to engage in any meaningful discussion about
20 his applications, which only compounded the emotional distress Stanley
21 and Nan have endured.

1 H. Lack of Response by Government Officials

2 134. Stanley's mother filed a civil rights complaint with the Office for Civil
3 Rights (OCR) at the U.S. Department of Education. However, the OCR
4 dismissed the case after misinterpreting her email, relying on reasoning
5 that directly contradicted her intended meaning. When she pointed out the
6 misunderstanding, the OCR refused to reopen the case, stating it had
7 been closed. The official dismissal letter cited a rationale the OCR knew to
8 be false. Despite her repeated requests to correct the letter and remove
9 the inaccurate reasoning, the OCR declined to make any changes, even
10 after she escalated the matter. (For the full record of email exchanges with
11 the OCR, see Exhibit 75 in case 2:25-cv-0495 in the U.S. District Court for
12 the Eastern District of California.) OCR's failure to enforce civil rights laws
13 has let the direct harm to Stanley and other Asian-American applicants
14 persist.

15 135. Nan also raised his concerns with California Assemblymember Marc
16 Berman, mentioning that hundreds of his constituents were deeply
17 concerned about UC's admissions practices. Despite several email
18 exchanges, Mr. Berman did not respond substantively. (For the full record
19 of email exchanges with Mr. Berman and his staff, see Exhibit 76 in case
20 2:25-cv-0495 in the U.S. District Court for the Eastern District of
21 California.)

22 136. In November 2023, Nan organized a petition that gathered over 4,000
23 endorsements for letters expressing concerns about UC admissions.

1 These letters were sent to Governor Gavin Newsom and Lt. Governor
2 Eleni Kounalakis, both of whom serve as ex officio Regents of the
3 University of California. Neither replied. (For the letters, see Exhibit 77 and
4 Exhibit 78 in case 2:25-cv-0495 in the U.S. District Court for the Eastern
5 District of California.)

6 137. Since Plaintiffs were unable to get government officials to engage in
7 California, where they are residents and taxpayers, they have little reason
8 to expect assistance from officials for admissions issues at a private
9 university in New York. As a result, litigation remains the only viable
10 option.

11 **I. Legal Basis**

12 138. The Supreme Court's decision in *SFFA v. Harvard* unequivocally
13 established that racial discrimination in college admissions is
14 unconstitutional. Even before this decision, the Court's ruling in *Fisher II*
15 had already imposed strict limitations, allowing race to be considered only
16 as "a factor of a factor of a factor" in admissions decisions.

17 139. Cornell's racial discriminatory admission policies and practices violate
18 the Equal Protection Clause of the Fourteenth Amendment to the United
19 States Constitution.

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

1 141. In addition to direct evidence of discrimination, racial “prejudice or
2 stereotype” may be proven through circumstantial evidence. See *Village of*
3 *Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S.
4 252, 266 (1977).

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

13 **V. CLAIMS FOR RELIEF**

14 **COUNT I - Violation of the Fourteenth Amendment (Equal Protection** 15 **Clause)**

16 143. Plaintiffs reallege and incorporate by reference the allegations set forth
17 above.

18 144. Defendant’s admissions policies and practices violate the Equal
19 Protection Clause of the Fourteenth Amendment by discriminating against
20 Asian-American applicants, including Stanley, on the basis of race.

1 145. As a result of Defendant's discriminatory policies and practices,
2 Plaintiffs have suffered harm, including the loss of educational
3 opportunities, emotional distress, and reputational damage.

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

7 147. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C.
8 §2201, and a permanent injunction because there is no plain, adequate, or
9 speedy remedy at law to prevent Defendant from continuing to use
10 admissions policies and practices that discriminate on the basis of race or
11 ethnicity in violation of the Fourteenth Amendment and because the harm
12 Plaintiffs will otherwise continue to suffer is irreparable.

13 **COUNT II - Violation of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §**
14 **2000d)**

15 148. Plaintiffs reallege and incorporate by reference the allegations set forth
16 above.

17 149. Defendant receives federal financial assistance and is therefore
18 subject to Title VI of the Civil Rights Act of 1964, which prohibits
19 discrimination on the basis of race, color, or national origin in any program
20 or activity receiving federal financial assistance. Defendant's admissions

1 policies and practices discriminate against Asian-American applicants,
2 including Stanley, in violation of Title VI.

3 150. As a result of Defendant's discriminatory policies and practices,
4 Plaintiffs have suffered harm, including the loss of educational
5 opportunities, emotional distress, and reputational damage.

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

9 152. Plaintiffs are entitled to a declaratory judgment, pursuant to 28 U.S.C.
10 §2201, and a permanent injunction because there is no plain, adequate, or
11 speedy remedy at law to prevent Defendant from continuing to use
12 admissions policies and practices that discriminate on the basis of race or
13 ethnicity in violation of Title VI of the Civil Rights Act of 1964 and because
14 the harm Plaintiffs will otherwise continue to suffer is irreparable.

15 **VI. PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiffs, Stanley, Nan, and SWORD, on behalf of its members
17 and all others similarly situated, respectfully request that this Court:

18 153. Declare Cornell's Admissions Practices Unconstitutional

19 a. Declare that Defendant's student admissions policies and practices
20 violate:

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

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

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

5 154. Mandate Institutional Reforms & Accountability Measures at Cornell

6 a. Issue an injunction requiring Defendant to issue a formal public
7 apology to Asian-American applicants.

8 b. Issue an injunction requiring Defendant to dismiss, following a full
9 and fair public hearing, all Admissions Directors and other
10 administrators responsible for admission cycles found to be racially
11 discriminatory under the Supreme Court’s ruling in *SFFA v. Harvard*
12 (2023) or in violation of the narrow limitations on race-based
13 considerations established in *Fisher II* (2016) or earlier.

14 c. Issue an injunction requiring Defendant to dismiss, following a full
15 and fair public hearing, all administrators who knowingly defend this
16 lawsuit despite being aware of racial preferences in admissions—if
17 excessive before 2023—or in hiring.

18 d. Issue an injunction requiring Defendant to dismiss, after a full and
19 fair public hearing, all administrators who knowingly certified
20 compliance with federal anti-discrimination laws while being aware
21 of racial preferences in admissions—if excessive before 2023—or
22 hiring.

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

155. Mandate Oversight & Transparency in Admissions at Cornell

- a. Issue a permanent injunction requiring Defendant to establish an independent admissions oversight board, approved by this Court, with sole authority over the hiring and firing of Admissions Directors at each Cornell campus.
- b. Issue a permanent injunction requiring Defendant 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 Defendant to implement admissions procedures that prevent personnel from accessing or inferring an applicant's race or ethnicity.
- d. Issue a permanent injunction requiring Defendant to implement hiring procedures that prevent personnel from accessing or inferring a candidate's race or ethnicity.
- e. Require Defendant 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.

156. Require Mandatory Training & Compliance Measures at Cornell

- 1 a. Require annual 14th Amendment and Title VI & Title VII training for
- 2 all Cornell personnel involved in admissions or hiring.
- 3 b. Require all trained personnel to explicitly acknowledge that violating
- 4 14th Amendment, Title VI or Title VII, or failing to report violations
- 5 may result in disciplinary action, including termination.

6 157. Declare Judicial Scrutiny of Cornell's Academic Policies

- 7 a. Declare that Defendant should no longer receive traditional judicial
- 8 deference as a bona fide academic institution unless it:
 - 9 i. Collects standardized test scores from all applicants in its
 - 10 admission process,
 - 11 ii. Ceases prioritizing immutable characteristics over academic
 - 12 merit in admissions and hiring.

13 158. Award Monetary Damages & Attorney's Fees

- 14 a. Award nominal, compensatory, and punitive damages to Plaintiffs.
- 15 b. Award reasonable attorneys' fees and costs incurred in this action.
- 16 While Plaintiffs currently appear pro se, they expressly reserve the
- 17 right to recover any documented legal expenditures should they
- 18 retain counsel or incur other recoverable costs.
- 19 c. Grant such other and further relief as this Court deems just and
- 20 proper.

21

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

Stanley Zhong (Pro Se)

211 Hope St #390755

Mountain View, CA 94039

Nan Zhong

Nan Zhong (Pro Se)

Individually and as President of SWORD

211 Hope St #390755





Mountain View, CA 94039





nanzhong1@gmail.com

Dated: March 19, 2025

EXHIBIT 1

EMAIL FROM GOOGLE RECRUITER IN 2019

Hello from Google!  Inbox x Coding Work x   


@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,


--

  Technical Recruiter

careers.google.com
    

Stanley Zhong

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](https://docs.google.com/document/d/[REDACTED]/edit?usp=sharing). It's also attached to this email.

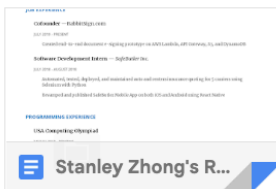
Just to make sure you know, I'm 13 years old.

Stanley

Stanley Zhong's Resume



One attachment • Scanned by Gmail ⓘ

[REDACTED]
to me ▾

Mon, May 27, 2019, 1:39 PM



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!



1

EXHIBIT 2

STANLEY'S RANKING IN GOOGLE CODE JAM



EXHIBIT 3

STANLEY'S RANKING IN META (FACEBOOK) HACKER CUP

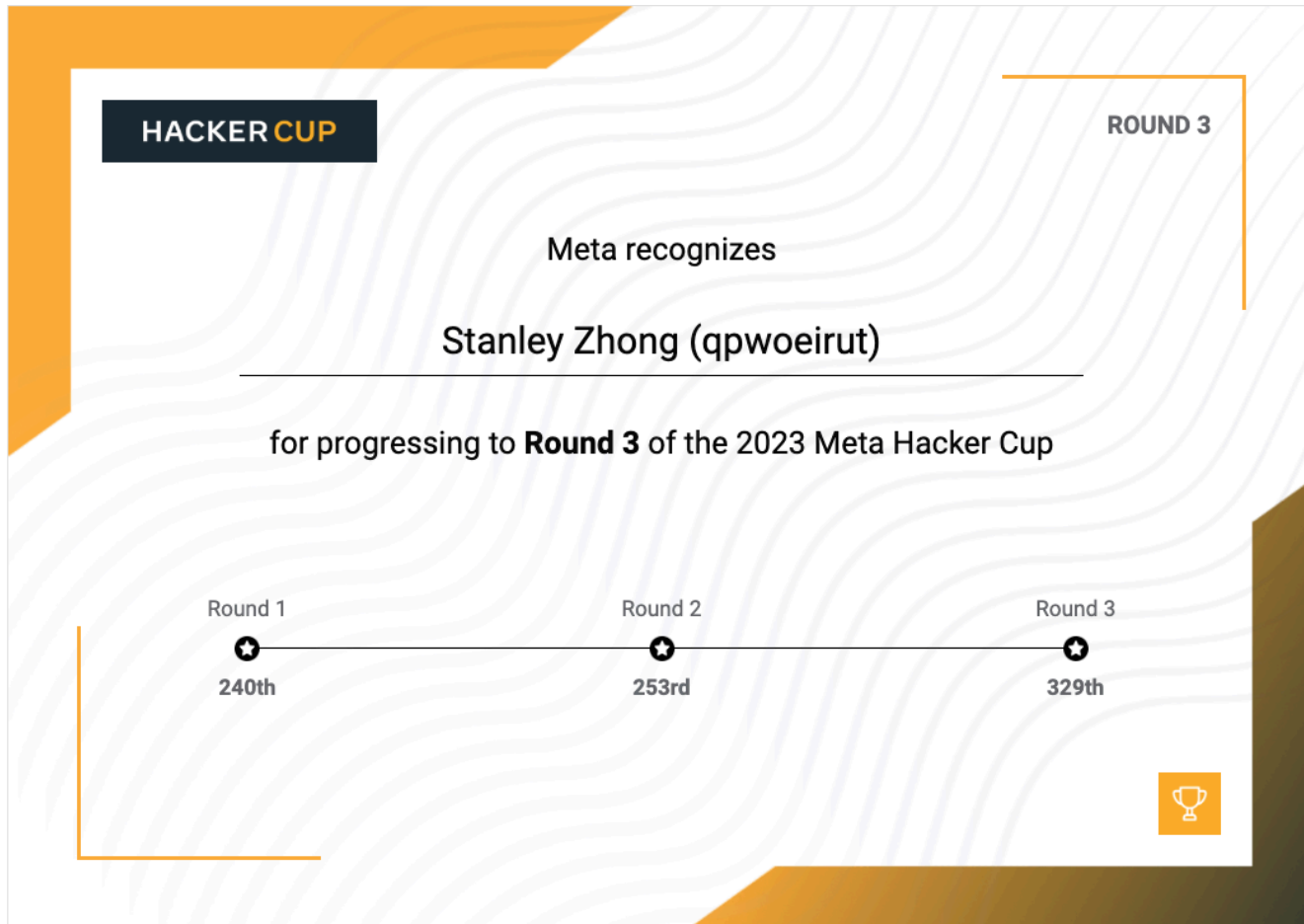


EXHIBIT 4

STANLEY'S RANKING IN MIT BATTLECODE



EXHIBIT 5

STANLEY'S RANKING IN CMU PICOCTF

2nd place winners! W9 needed



[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



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 [sqrtdcompton](#) 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](#), [Giantpizzahhead](#), 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**

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qpwoeirut

→ Top rated

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



qpwoeirut | [Logout](#)

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QPWOEURUT [SETTINGS](#) [LISTS](#) [BLOG](#) [TEAMS](#) [SUBMISSIONS](#) [GROUPS](#) [MAGIC](#) [CONTESTS](#) [PROBLEMSETTING](#)

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](#)

📧 (not visible)

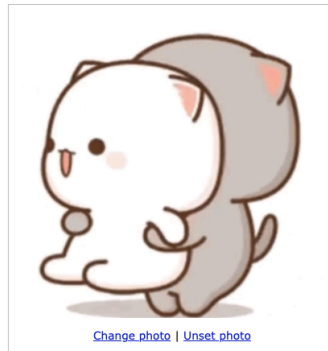
Last visit: **online now**

Registered: 6 years ago

📖 [Blog entries \(27\)](#), [comments](#)

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📄 [View my talks](#)



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→ 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**

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qpwoeirut

1

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

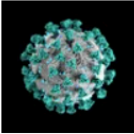
NPR NEWS REPORT ABOUT COBOL COWBOYS

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

 **KQED**

NEWSLETTERS SIGN IN NPR SHOP


NEWS CULTURE MUSIC PODCASTS & SHOWS SEARCH





 SPECIAL SERIES
The Coronavirus Crisis

'COBOL Cowboys' Aim To Rescue Sluggish State Unemployment Systems

APRIL 22, 2020 · 6:17 PM ET

HEARD ON ALL THINGS CONSIDERED

 Bobby Allyn

 2-Minute Listen + PLAYLIST   




EXHIBIT 9

STANLEY'S COBOL CODE ON GITHUB

<https://github.com/qpwoeirut/LearningCOBOL>

The screenshot shows the GitHub repository page for 'LearningCOBOL' by user 'qpwoeirut'. The repository is public and has 2 watchers, 1 fork, and 0 stars. The main branch is 'master' with 1 branch and 0 tags. The repository description is 'add payroll program, mostly functional, output not fully formatted' by fbe723d - 5 years ago, with 39 commits. The file list includes:

File Name	Description	Last Commit
.gitignore	add .gitignore	5 years ago
BANK.cbl	reformat PERFORM statement	5 years ago
CLOCK.cbl	clean up old programs, remove unnecessary periods	5 years ago
DATE-TO-DAYS.cbl	update header comment with last edit date	5 years ago
DISPLAY-BIO.cbl	clean up old programs, remove unnecessary periods	5 years ago
ECHO-UTIL.cbl	clean up old programs, remove unnecessary periods	5 years ago
ECHO.cbl	clean up old programs, remove unnecessary periods	5 years ago
EXTERNAL-CALL.cbl	clean up old programs, remove unnecessary periods	5 years ago
FILE-ECHO.cbl	clean up old programs, remove unnecessary periods	5 years ago
FILE-WRITER.cbl	update sort to use file printer util, delete files of numbers	5 years ago
FIZZ-BUZZ.cbl	clean up old programs, remove unnecessary periods	5 years ago
HELLO-WORLD.cbl	add hello world program	5 years ago
INDEXED-FILE-IO.cbl	refactor file creation to paragraph	5 years ago
MY-SORT.cbl	update sort to use file printer util, delete files of numbers	5 years ago
PAYROLL.cbl	add payroll program, mostly functional, output not fully fo...	5 years ago
PRINT-NUMBER-FILE-UTIL.cbl	update sort to use file printer util, delete files of numbers	5 years ago
README.md	add IDE and system info	5 years ago
STATISTICS.cbl	clean up old programs, remove unnecessary periods	5 years ago
SUM-OF-NUMBERS.cbl	clean up old programs, remove unnecessary periods	5 years ago
TIME-IT.cbl	update header comment with last edit date	5 years ago
file.txt	add clock, echo, external call, file echo and writer progra...	5 years ago

The right sidebar shows the repository's metadata: 'About' (No description, website, or topics provided), 'Releases' (No releases published), 'Packages' (No packages published), and 'Languages' (COBOL 100.0%).

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

1

2

3

4 From: XXX <XXX@cobolcowboys.com>

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

6 Subject: Re: Volunteers Interested in COBOL

7 To: YYY, Stanley

8

9 YYY and Stanley—

10

11 Howdy from Cobol Cowboys!

12

13 Thank you for reaching out and offering your volunteer services. We also

14 appreciate you sending us samples of your code. Good work guys.

15

16 We (Bill Hinshaw, Founder and myself) are intrigued by your interest and would

17 like to have further discussions with both of you.

18

19 An important next step, given your ages, would be to make contact with a

20 parent/guardian. I will need to talk to them on the phone and also get an OK in

21 writing (a quick email is fine) with their written approval for Cobol Cowboys, LLC,

22 to have an introductory teleconference with you both as well as follow-up emails.

23

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

4

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

7

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

10

11 XXX, COO

12 Cobol Cowboys, LLC

13 Cell: xxx-xxx-xxxx

14 Email: XXX@cobolcowboys.com

15

16 not our first rodeo ...

17

18 _____

19

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

21 To: XXX <XXX@cobolcowboys.com>

22 Cc: Stanley, YYY@YYY.com

23

1 Hi XXX,

2

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

5

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

9

10 BTW, summer coding job is nothing new to Stanley. He interned at my startup in
11 2018, and programmed (in Python) the backend service (on AWS) that
12 automatically runs insurance quotes. These days he is very much into
13 competitive programming (mostly in C++) and computer security contests.

14

15 YYY and Stanley are school friends. Both live the Bay Area, CA. Based on the
16 NPR news story, I believe you live in Gainesville, Texas, 2 hours ahead of us. If
17 that is correct, can I call you at 11am your time (9am my time) on Wednesday
18 5/27? I will call from my mobile number xxx-xxx-xxxx.

19

20 Looking forward to speaking with you!

21

22 Thanks,

23 Nan

1

2

3

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

5 To: Nan Zhong <nanzhong1@gmail.com>

6

7 Nan—

8

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

10

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

12 Thanks so much for your email.

13

14 Will talk soon.

15

16 XXX, COO

17 Cobol Cowboys, LLC

18 Cell: xxx-xxx-xxxx

19 Email: XXX@cobolcowboys.com

20

21 not our first rodeo ...

22

EXHIBIT 11

RABBITSIGN FOUNDED BY STANLEY IN 2021

www.rabbitsign.com



[Features](#) [FAQ](#) [Team](#) [Contact](#)

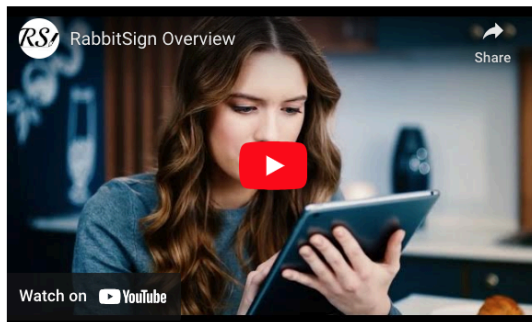
[Sign Up](#) [Log In](#)

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](#).



- 1 [https://blog.rabbitsign.com/launching-an-unlimited-free-e-signing-service-fe77a5](https://blog.rabbitsign.com/launching-an-unlimited-free-e-signing-service-fe77a50a66aa)
- 2 [0a66aa](#)

Medium

Search

Write



Launching an Unlimited Free E-Signing Service



RabbitSign Team · Follow

2 min read · Jun 20, 2021



56



RabbitSign

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.

3

4

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 ☆ 😊 ↩ ⋮

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]

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



EXHIBIT 13

1

2

EMAILS FROM AWS REGARDING THE RABBITSIGN CASE STUDY

3

4



[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

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!

1

EXHIBIT 15

2 **INDUSTRY NEWS COVERAGE FOR RABBITSIGN'S FREE HIPAA-COMPLIANT E-SIGNING**3 <https://www.hipaajournal.com/rabbit-sign-achieves-hipaa-compliance-for-its-free->4 [e-signing-solution/](https://www.hipaajournal.com/rabbit-sign-achieves-hipaa-compliance-for-its-free-e-signing-solution/)

The HIPAA Journal is the leading provider of news, updates, and independent advice for HIPAA compliance

[Become HIPAA Compliant »](#) [HIPAA News »](#) [HIPAA Compliance Checklist](#) [Latest HIPAA Updates »](#) [HIPAA Training »](#) [About Us »](#)

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*.



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.



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

EXHIBIT 16

EPISODE OF VIEWPOINT WITH DENNIS QUAID FEATURING RABBITSIGN AND STANLEY

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

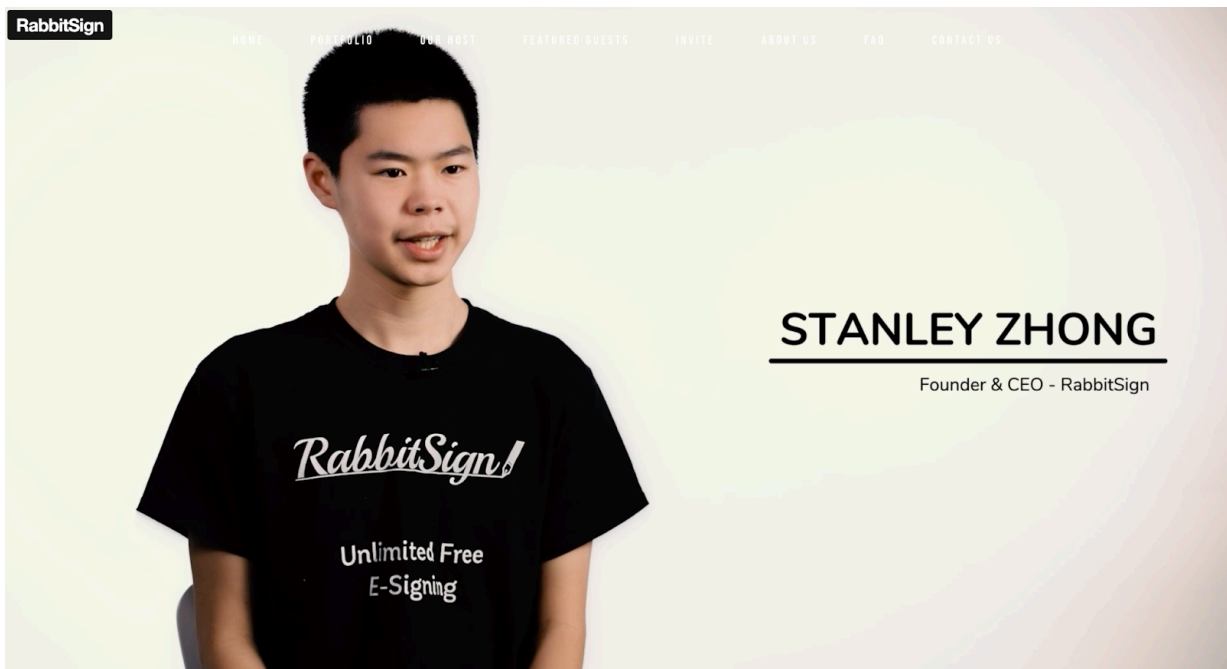


EXHIBIT 17

STANLEY'S GPA

Henry M. Gunn High Transcript

School Code: 4332904 Tel: (650)354-8200 Fax: (650)493-7801
780 Arastradero Rd, Palo Alto, CA 94306

Zhong, Stanley

Student Number: [REDACTED] Grade: 12
Generated on 11/27/2022 09:40:33 PM Page 1 of 1

Student Information				#4332904 Henry M. Gunn High			
Student Number:	[REDACTED]	Grade:	12	Course	Mark	Weight	Credit
Birthdate:	[REDACTED]	Gender:	M	2021-2022 Grade 11 Term 2			
State ID:	[REDACTED]			8638 CS Capstone	A	5.0000	5
Counselor:	[REDACTED]			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			
GPA Summary				#500 PAUSD Summer School			
Cumulative GPA (Weighted)	4.4242			Course	Mark	Weight	Credit
Cumulative GPA (Unweighted)	3.9697			2021-2022 Grade 11 Term 3			
Weighted 10-12 A-G GPA	4.5833			8458 Liv Skill	CR	5.0000	5
				Credit: 5.000 GPA: 0.0000 U/W GPA: 0.0000			
#4332904 Henry M. Gunn High				In-Progress Courses			
Course	Mark	Weight	Credit	1525 AnalyticCollWrit			5.000
2019-2020 Grade 09 Term 1				2459 AP Calculus BC			5.000
6205 Art Spec 1	A	5.0000	5	1762 AP Human Geography			5.000
3115 Biology 1A	A	5.0000	5	3859A AP Physics C: Mechanics			5.000
4010 Chinese 1	A+	5.0000	5	2319 AP Statistics			5.000
1180 Communic	A	5.0000	5	1811 Econ AP			5.000
2408 Geom H	A	5.0000	5	0676 Tchr Asst			5.000
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				Credit Summary			
2019-2020 Grade 09 Term 2				Curriculum Program: Gunn Graduation 2018 & Up - Alg in Middle School			
6205 Art Spec 1	CR	5.0000	5	High School Attempted Earned Required Remaining			
3115 Biology 1A	CR	5.0000	5	Wldh	10.000	10.000	10.000 0.000
4010 Chinese 1	CR	5.0000	5	USGovt	5.000	5.000	5.000 0.000
2408 Geom H	CR	5.0000	5	Contwld	5.000	5.000	5.000 0.000
2792 PE 9/12	CR	5.0000	5	USH	10.000	10.000	10.000 0.000
0117 Western Literature	CR	5.0000	5	Econ	0.000	0.000	5.000 5.000
1625 Wld Hist	CR	5.0000	5	S St	0.000	0.000	5.000 5.000
Credit: 35.000 GPA: 0.0000 U/W GPA: 0.0000				English	30.000	30.000	40.000 10.000
2020-2021 Grade 10 Term 1				Algebra	0.000	0.000	0.000 0.000
2416 Alg2/TrigH	A	5.0000	5	Geometry	10.000	10.000	10.000 0.000
2491B APCompSci A	A	5.0000	5	Algebra 2	10.000	10.000	10.000 0.000
3625 Chemistry H	A	5.0000	5	Math	10.000	10.000	0.000 0.000
4020 Chinese 2	A+	5.0000	5	Biol Sci	10.000	10.000	10.000 0.000
1193 Lit Style	A	5.0000	5	Phys Sci	20.000	20.000	10.000 0.000
2696 PE 10	A+	5.0000	5	World Lang (Level 2)	10.000	10.000	10.000 0.000
1753 US Govt	A+	5.0000	5	Fine Arts	10.000	10.000	10.000 0.000
Credit: 35.000 GPA: 4.4286 U/W GPA: 4.0000				Career Voc Ed	30.000	30.000	10.000 0.000
2020-2021 Grade 10 Term 2				Living Skills	5.000	5.000	5.000 0.000
2416 Alg2/TrigH	A	5.0000	5	PE	20.000	20.000	20.000 0.000
2491B APCompSci A	A	5.0000	5	Electives	10.000	10.000	45.000 0.000
3625 Chemistry H	A	5.0000	5	Total	205.000	205.000	220.000 20.000
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				
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

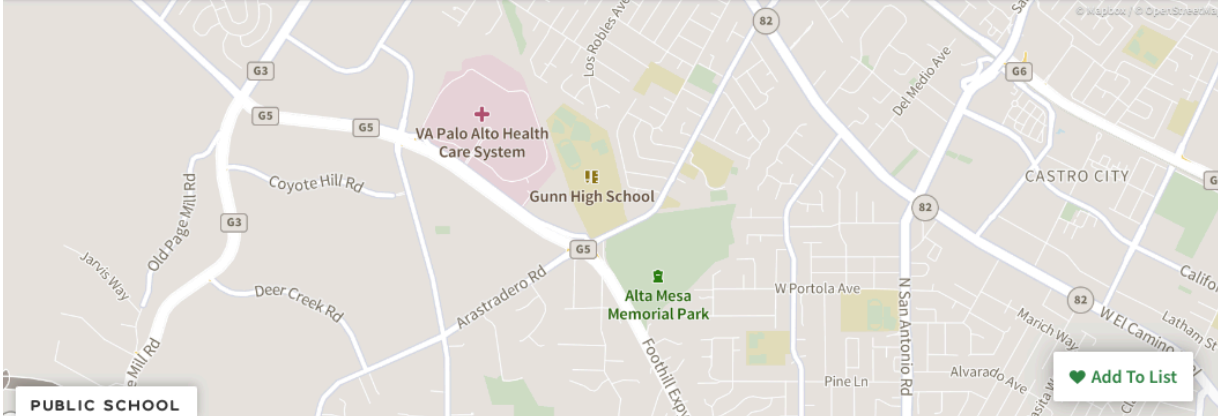
<https://www.niche.com/k12/henry-m-gunn-high-school-palo-alto-ca/>

NICHE 

Find a school or district ...  In San Francisco Bay Area 

[Log In](#) [Sign Up](#)

[School Search](#) [School Rankings](#) [Schools Near You](#) ... [Write a review](#)




PUBLIC SCHOOL


[Palo Alto Unified School District](#)

Henry M. Gunn High School

#1 in Best Public High Schools in San Francisco Bay Area







 Overall Grade • Public • 9-12 • PALO ALTO, CA • ★★★★★ 346 reviews


- Report Card
 - About
 - Rankings
 - Academics
 - Map
 - Home Listings
 - Living in the Area



Overall Niche Grade

How are grades calculated?
Data Sources

 Academics	 Diversity
 Teachers	 College Prep
 Clubs & Activities	 Administration

[View Full Report Card](#) 

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



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 v](#)

1

2

EXHIBIT 21

STANLEY'S PSAT AND SAT SCORES

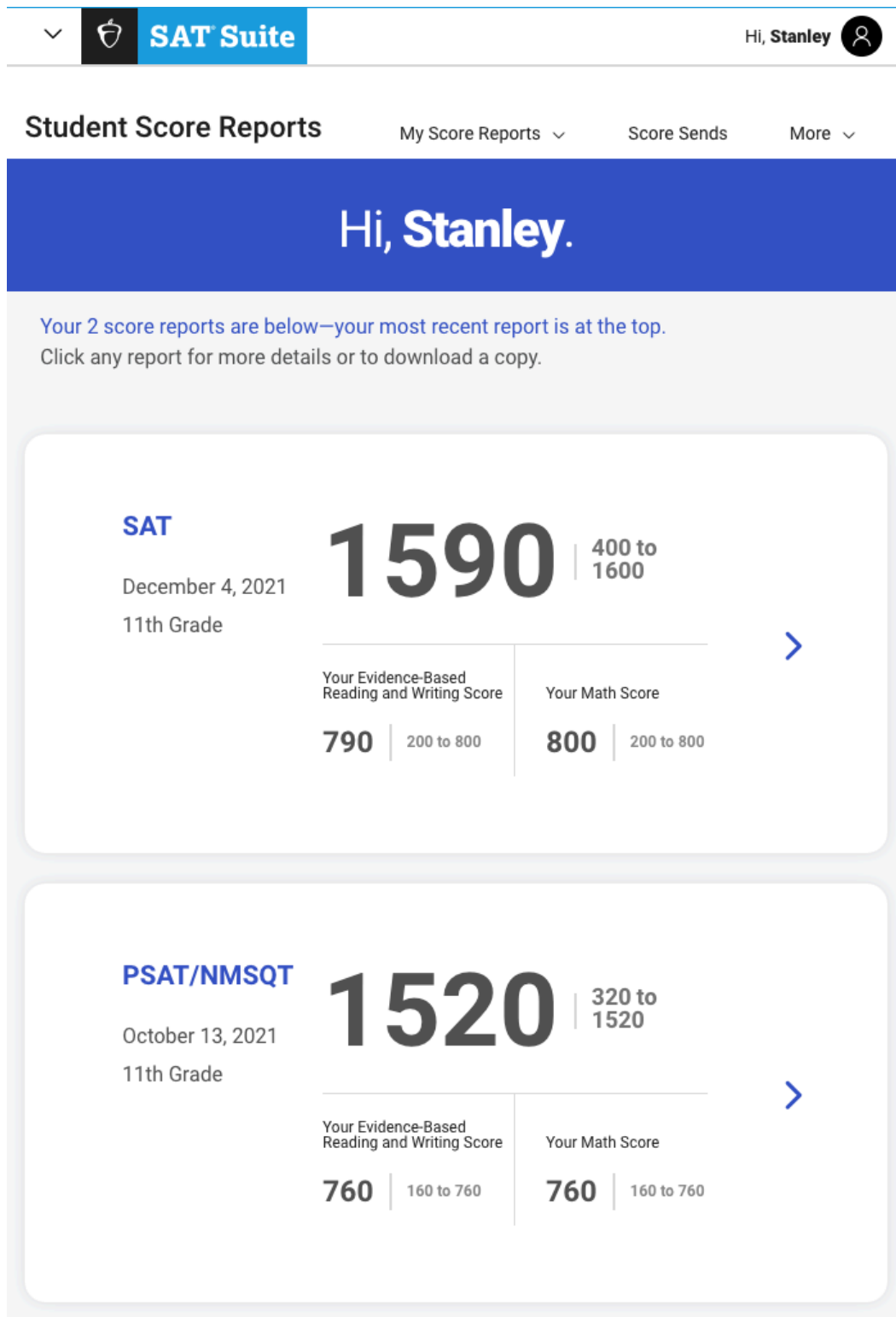


EXHIBIT 22

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

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

2 STANLEY'S ROLE AS A FOUNDING OFFICER AND PRESIDENT OF THE COMPETITIVE PROGRAMMING

3 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
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

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 Zhang Date: 10/4/2020

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

1

EXHIBIT 24

2

OPENBRACKETS CO-FOUNDED BY STANLEY

3 <https://www.openbrackets.us/>
[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)!

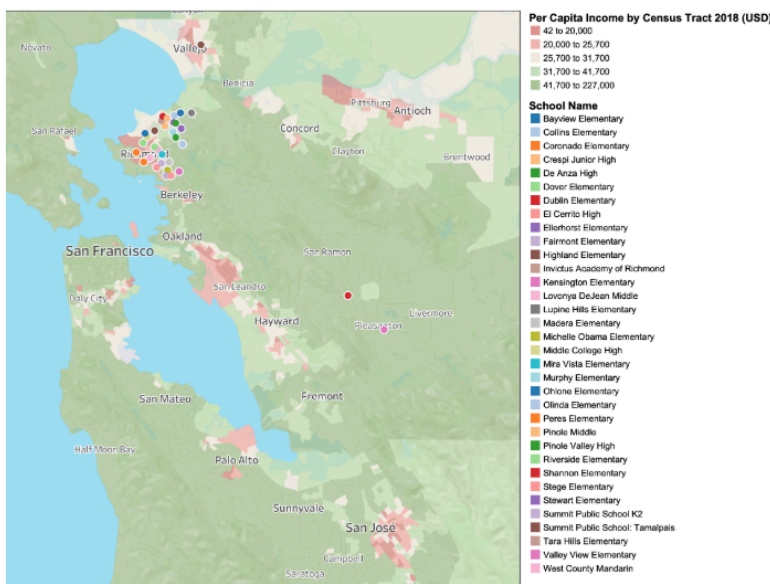
Bridging the Digital Divide

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-lan-ds-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 transparency](#)

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>

1 People 10/20/2023

2 [https://people.com/high-school-graduate-rejected-over-dozen-colleges-lands-jobs-at-goo](https://people.com/high-school-graduate-rejected-over-dozen-colleges-lands-jobs-at-google-8364398)
3 [gle-8364398](https://people.com/high-school-graduate-rejected-over-dozen-colleges-lands-jobs-at-google-8364398)

4 USA Today 10/13/2023

5 [https://www.usatoday.com/story/news/education/2023/10/13/google-hired-high-school-gr](https://www.usatoday.com/story/news/education/2023/10/13/google-hired-high-school-graduate-colleges-rejections-stanley-zhong/71166136007/)
6 [ad-colleges-rejections-stanley-zhong/71166136007/](https://www.usatoday.com/story/news/education/2023/10/13/google-hired-high-school-graduate-colleges-rejections-stanley-zhong/71166136007/)

7 Business Today 10/17/2023

8 [https://www.businesstoday.in/technology/news/story/google-vs-college-google-hires-18-y](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)
9 [ear-old-as-software-engineer-after-16-colleges-reject-him-402101-2023-10-16](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)

10

11 Yahoo News 10/11/2023

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

13

14 Palo Alto Online 10/23/2023

15 [https://www.paloaltoonline.com/news/2023/10/23/from-gunn-to-google-meet-stanley-zho](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)
16 [ng-the-18-year-old-college-reject-who-landed-every-techies-dream-job](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)

17 Sing Tao Daily 10/4/2023

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

19 World Journal 10/13/2023

20 <https://www.worldjournal.com/wj/story/121469/7504367>

21 <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=XufizKznBZZZInWo&t=2587>



¹ https://democrats-edworkforce.house.gov/imo/media/doc/mike_zhao.pdf

² (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 programming 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.

EXHIBIT 28

PROTESTS AGAINST SFFA AND RACE-NEUTRAL ADMISSIONS

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

ng

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.

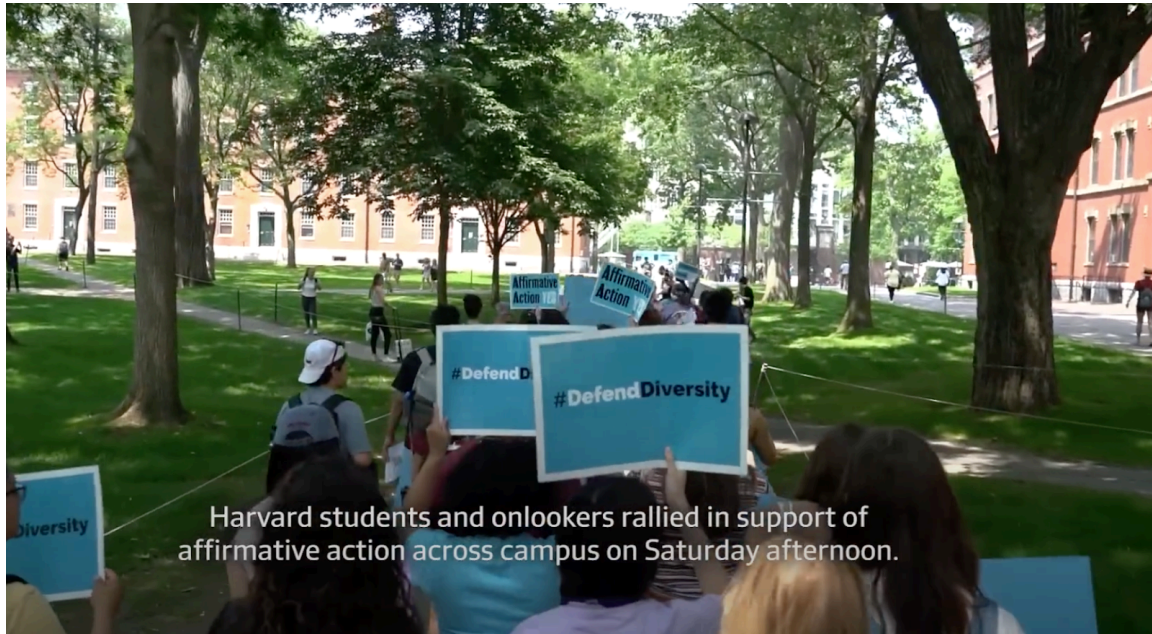
1

2

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

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

5 Ruling



6

7

8

9

10 https://youtu.be/Ruc1BIRvsDo?si=FFkWoJiWy_gmHawn&t=89

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



1

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4

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

6 Protesters Clash in Washington After Supreme Court Ends Affirmative Action



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

3 Affirmative action supporters rally against Supreme Court ruling in 2005



4

EXHIBIT 29

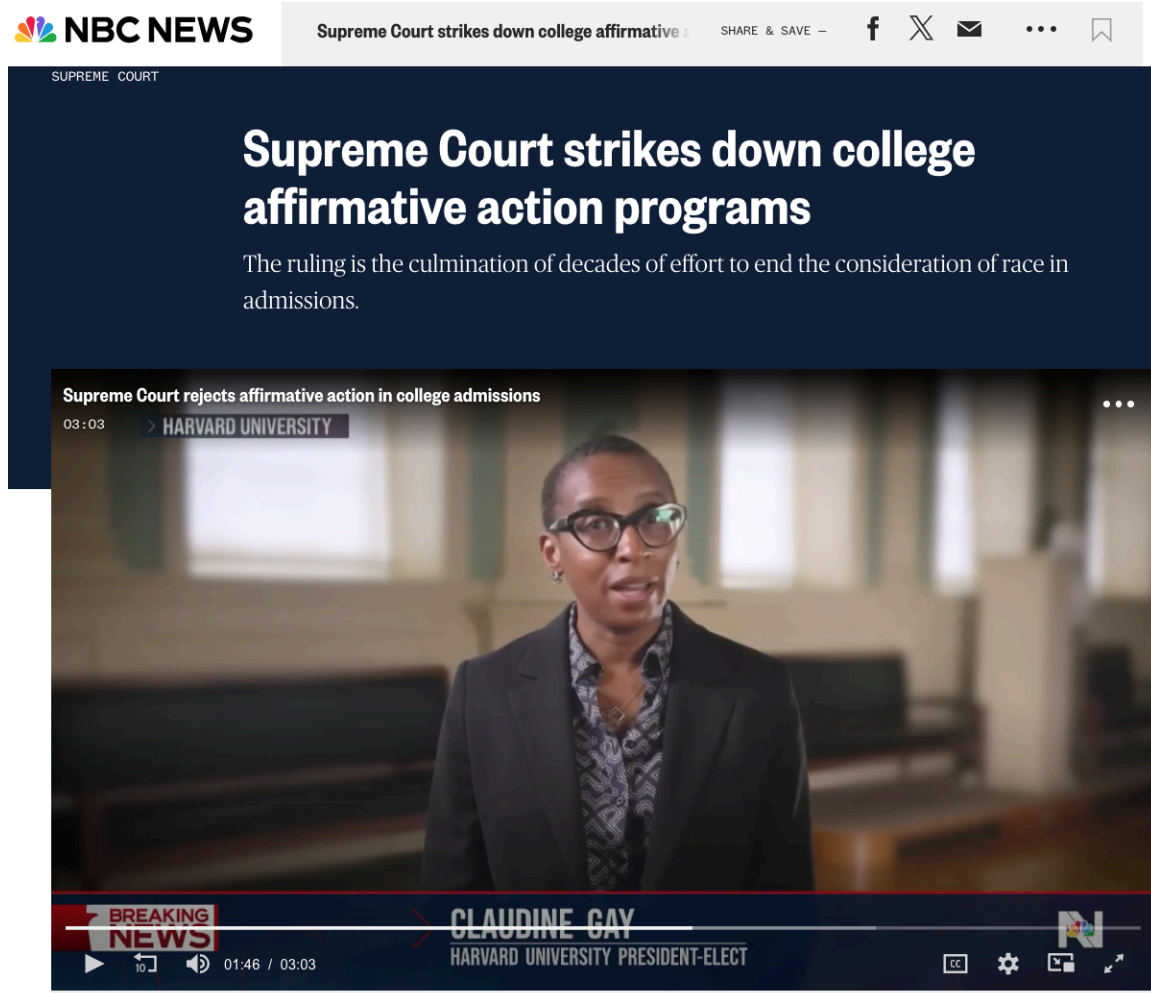
1

2 **HARVARD THEN-PRESIDENT CLAUDINE GAY RESPONDING TO SUPREME COURT RULING**

3 <https://www.nbcnews.com/politics/supreme-court/supreme-court-strikes-affirmativ>

4 [e-action-programs-harvard-unc-rcna66770](https://www.nbcnews.com/politics/supreme-court/supreme-court-strikes-affirmative-action-programs-harvard-unc-rcna66770)

5 At 1:46 of the video clip



6

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 Times

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

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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.OpS2fQgJg2C&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.

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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.

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EXHIBIT 38

ASIAN-AMERICAN ENROLLMENT ROSE AFTER LEGAL PRESSURE

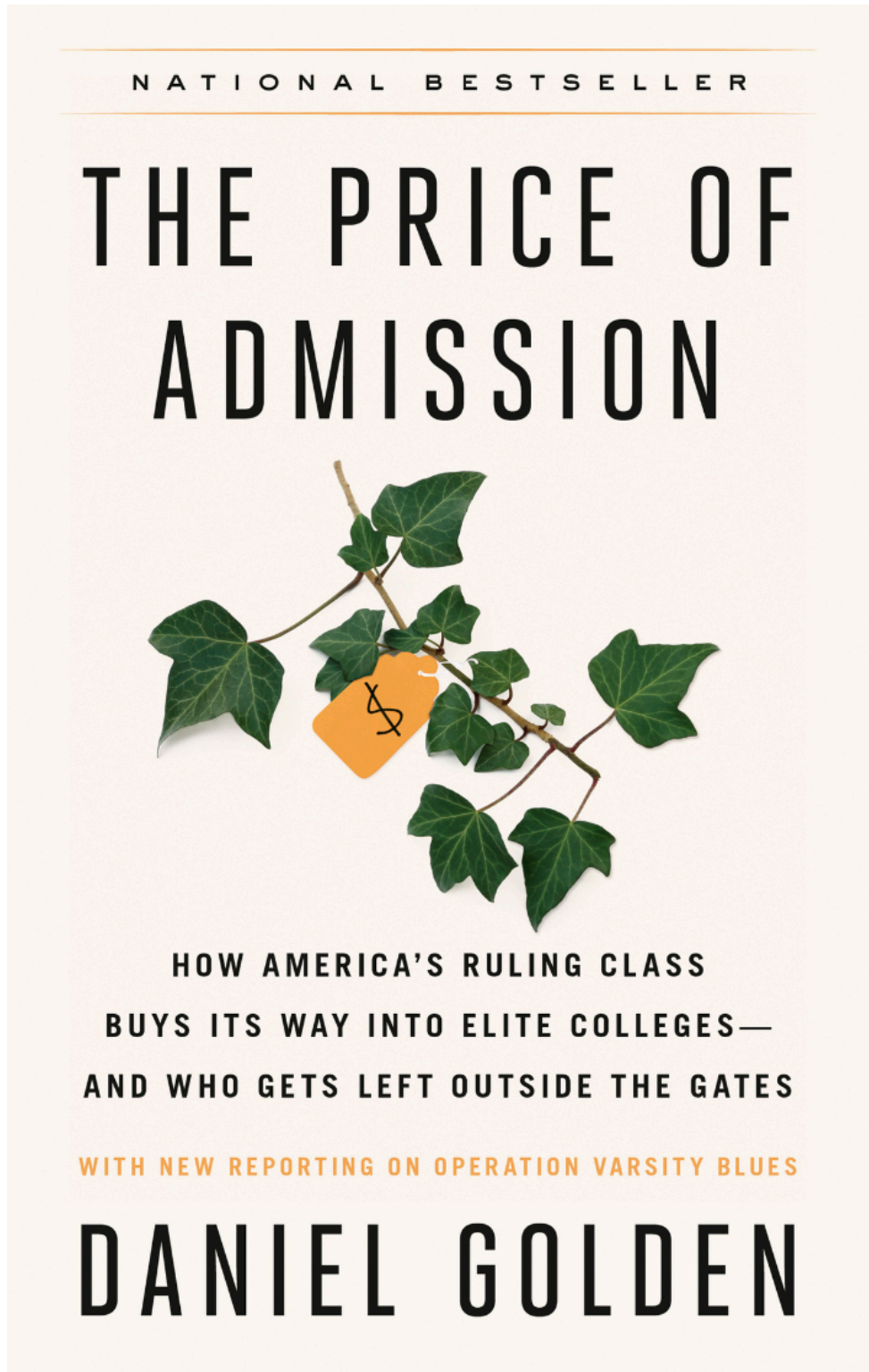
https://asianamericanforeducation.org/en/call_for_complaint_2017_en/

□ * 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*





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.

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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.

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“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

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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/zUsulr1E_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.

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

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.

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.

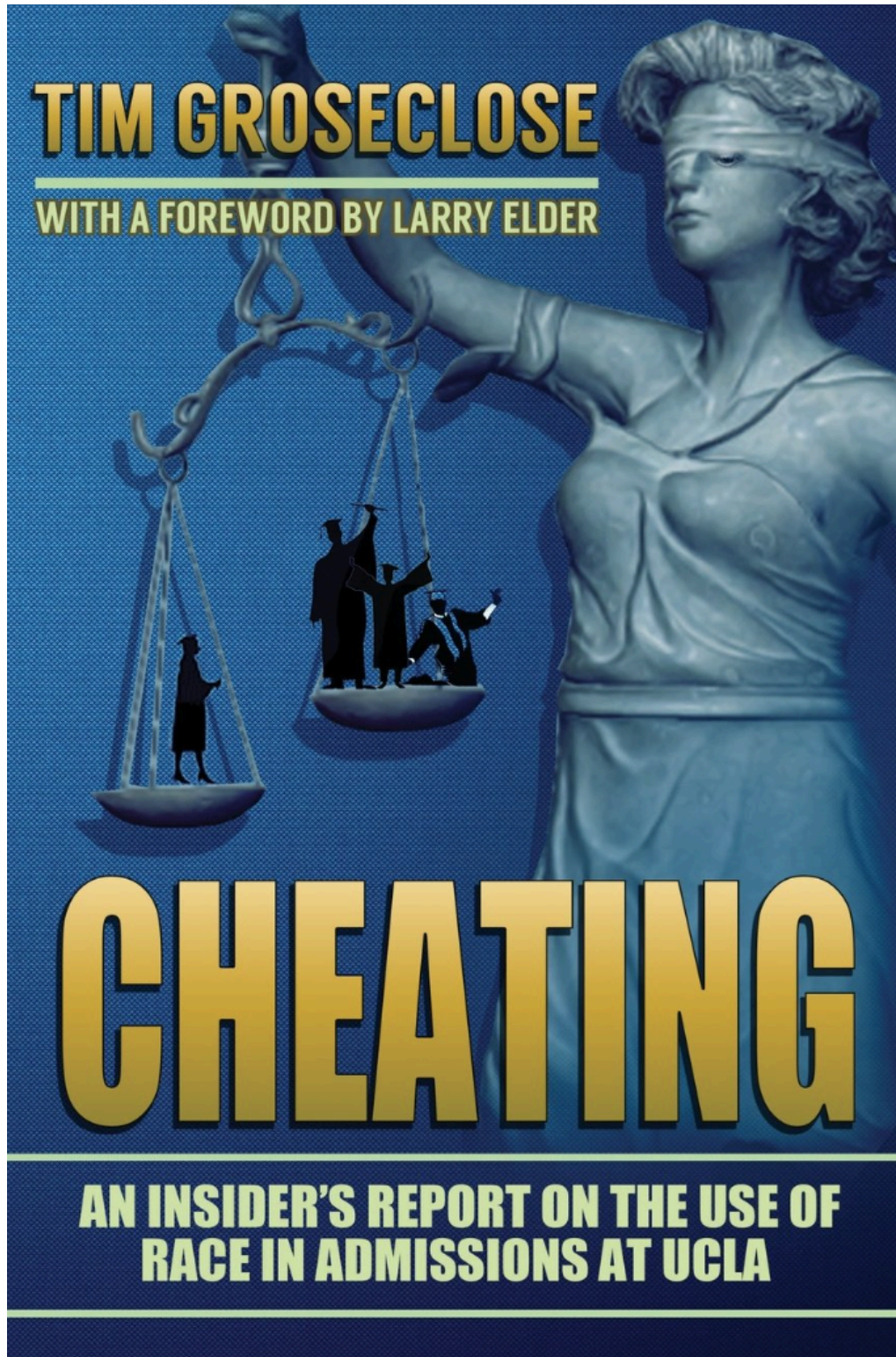
Groseclose is a professor of political science.

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EXHIBIT 42

EXCERPTS FROM PROFESSOR TIM GROSECLOSE'S BOOK *CHEATING*



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

CHEATING

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.

TIM GROSECLOSE

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

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

3 <https://www.latimes.com/business/story/2024-05-30/is-ucla-a-failed-medical-sch>

4 [ool-debunking-a-dumb-right-wing-meme](#)

5

6 <https://www.yahoo.com/news/column-ucla-failed-medical-school-130036473.htm>

7 |

(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 44

THE MICHIGAN MANDATE

<https://michigantoday.umich.edu/2024/05/17/michigans-affirmative-action-debate/>

Michigan's affirmative action debate

May 17, 2024

Written By James Tobin



'A blueprint for fundamental change'

To settle the [Black Action Movement](#) strike in 1970, the University promised enough financial aid to raise Black enrollment to 10 percent. The aid promise was kept, but Black enrollment rose only by small increments through the 1980s. So, Black students and their supporters insisted that U-M do more.

In 1988, President James J. Duderstadt introduced the Michigan Mandate, "a blueprint for fundamental change in the ethnic composition of the university community." Its thesis: Cultural diversity and a high-quality education were intimately linked.

This story completes the two-part feature
[Thirteen days in 1970](#)

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3 <https://deepblue.lib.umich.edu/handle/2027.42/58612>

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The Michigan Mandate: A Strategic Linking of Academic Excellence and Social Diversity

Duderstadt, James J.
1990-03

View/Open

[Michigan Mandate 1990.pdf](#)
 (6MB PDF)



Abstract

The University of Michigan is firmly convinced that our institution's ability to achieve and sustain a campus community recognized for it racial, cultural, and ethnic diversity will in large part determine out capacity to serve successfully out state and nation and the world in the challenging times before us. [less]

Publisher

University of Michigan

Subjects

Michigan Mandate
Diversity
Duderstadt

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EXHIBIT 45

BROWN UNIVERSITY MEDICAL SCHOOL FACULTY PROMOTION CRITERIA

<https://brownmedicine.org/3/wp-content/uploads/2023/06/Promotion-Criteria-and-DOM-guidelines-for-Senior-Ranks.pdf>

Major Criterion: Demonstrated commitment to diversity, equity, and inclusion

2. Effort toward advancing diversity, equity, and inclusion in at least one area for which candidate is evaluated.
 - e. Research
 - f. Teaching
 - g. Clinical care
 - h. Service.

Minor Criterion: Exceptional clinical skills

Evidence of outstanding clinical ability

EXHIBIT 46

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/>

The screenshot shows the UCLA CTSI Connections website. The header includes the UCLA CTSI logo and navigation links: Research, RESEARCHER RESOURCES, EDUCATION & TRAINING, COMMUNITY ENGAGEMENT, FUNDING, and OVERVIEW. The main content area is titled "DEADLINES" and features a section for the "iDIVERSE FELLOW OPPORTUNITY" with a deadline of "MARCH 01, 2024 05:00 PM". Below this, there is a "Save this event to your calendar" button and a "Tweet" button. The text describes the "Integrated Community Engaged, mHealth, and Data Science to Enhance Clinical Trial Diversity and Cardiometabolic Health (iDIVERSE) Fellow" and lists eligibility criteria. The criteria include being located at the University of California Los Angeles, having a 2-year appointment, and being from a racial or ethnic group that is under-represented in science (Black/African-American; Hispanic/Latino; Native American or Alaska Native; and/or Hawaiian or other Pacific Islander) or an LGBTQ+ person or a woman. It also states that completed terminal degrees (MD, PhD, DO, PharmD, etc.) within 5 years are eligible, while training and non-terminal degrees (MPH, MS, etc.) are not. The "Applying to iDIVERSE" section provides contact information for Jaehael Gardner at jgardner@mednet.ucla.edu.

EXHIBIT 47

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

6

≡ The New York Times

EDUCATION LIFE | Confessions of an Application Reader

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.

7

≡ 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.

8

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?

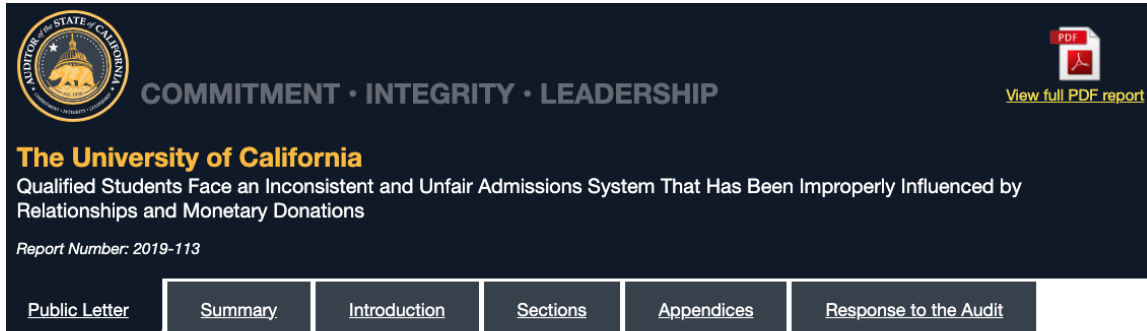
For me, the process presented simply too many moral dilemmas. In the end, I chose not to participate again.

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

EXHIBIT 48

CALIFORNIA STATE AUDITOR'S REPORT ON UC'S ADMISSIONS IN 2020 - SECTIONS

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



COMMITMENT · INTEGRITY · LEADERSHIP

The University of California
 Qualified Students Face an Inconsistent and Unfair Admissions System That Has Been Improperly Influenced by Relationships and Monetary Donations

Report Number: 2019-113

[Public Letter](#) [Summary](#) [Introduction](#) [Sections](#) [Appendices](#) [Response to the Audit](#)

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 49

2 **UC BERKELEY LAW SCHOOL DEAN, Mr. Erwin Chemerinsky's PUBLIC TEACHING TO USE**

3 **RACE WHILE CONCEALING IT**

4 <https://x.com/realchrisrufo/status/1674548940522549248>



5

6

7

8 <https://www.newyorker.com/news/our-columnists/the-sad-death-of-affirmative-acti>

9 [on](#)

“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.”

1

EXHIBIT 50

UC RIVERSIDE CHANCELLOR'S LETTER OF CENSURE TO PROFESSOR PERRY LINK

<https://drive.google.com/file/d/1rlivgzTvMD1BeGMAZsFJou-5MXlhN97f/view?us>

[p=drive_link](#)



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,

A handwritten signature in black ink, appearing to read "Kim A. Wilcox".

Kim A. Wilcox
Chancellor

EXHIBIT 51

UC RIVERSIDE'S PERSECUTION OF PROFESSOR PERRY LINK

<https://www.wsj.com/opinion/uc-riversides-dei-guardians-came-after-me-39d8e2>

6e

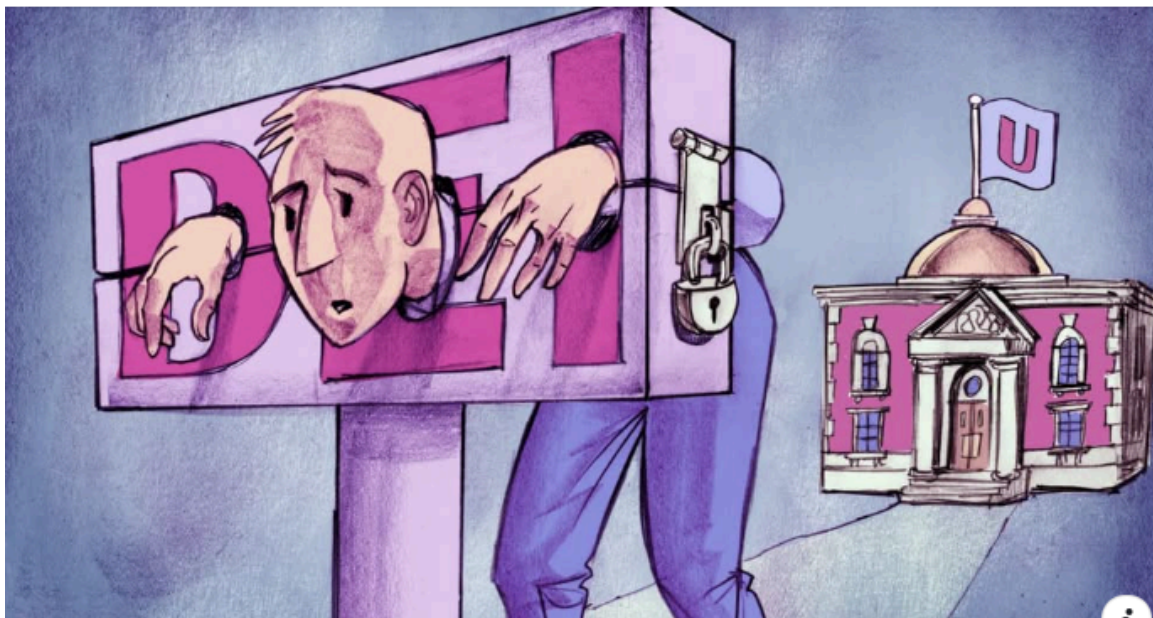


The Wall Street Journal

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.

- ¹ https://en.wikipedia.org/wiki/Perry_Link

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]

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](#)*)

Eugene Perry Link, Jr. (**Chinese:** 林培瑞; **pinyin:** *Lín Péirui*; 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 philosophy 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 52

UM AND UC WANT RACIAL PREFERENCE

[https://www.nytimes.com/2022/08/26/us/affirmative-action-admissions-supreme-c
ourt.html](https://www.nytimes.com/2022/08/26/us/affirmative-action-admissions-supreme-court.html)

The New York Times

Affirmative Action Was Banned at Two Top Universities. They Say They Need It.

As a Supreme Court case on college admissions nears, the California and Michigan university systems say their efforts to build diverse classes have hardly worked.



The University of Michigan stated that despite “persistent, vigorous and varied efforts” to diversify its student body, the enrollment of underrepresented minority students has “fallen precipitously” at many of its schools. Joshua Lott for The New York Times



By **Stephanie Saul**

Published Aug. 26, 2022 Updated Oct. 31, 2022

EXHIBIT 53

CORNELL PRESIDENT'S STATEMENT ON ANTI-RACISM

<https://statements.cornell.edu/2020/20200716-additional-actions.cfm>

Additional actions to create a more just and equitable Cornell

July 16, 2020

Dear Cornellians,

A little more than a month ago, I [announced](#) a set of actions to enhance our existing programs to promote racial justice. While it was important to take immediate steps in the wake of the racialized violence in our nation, we realize that there is much more to do.

I have heard from many of you over these past weeks, sharing ideas, advocating for change, and offering opinions on ways to counter systemic racism. It is clear that we must think and act holistically to change structures and systems that inherently privilege some more than others. We have not arrived recently at this place in history. Real change will require substantial effort and long-term, ongoing commitment.

I want to publicly acknowledge the advocacy and efforts of so many of our students who continue to champion a more just future for Cornell and for our society. Specifically, #DoBetterCornell has exerted great effort and mobilized broad interest in many important initiatives. Some of the appeals by that movement will be reflected in my announcement today, and a more detailed response will be sent directly to the organizers. I also appreciate those who have engaged on social media platforms to share their stories – often painful – of being Black at Cornell and in the Ivy League. Everyone should read these narratives and think carefully about the role we all must play in building a just, anti-racist world. Students, staff and faculty have long advocated and spoken out about racism and injustice, many prior to my arrival at Cornell, and it is important to acknowledge their work as well.

At the core of our institution lies our primary mission to provide the exceptional education, cutting-edge research and public engagement to shape our world for generations to come, and we must embed anti-racism across these activities. Our world-class faculty play the critical role in defining and advancing our academic mission. Several of the initiatives proposed by our students are the responsibility of our faculty, and, as such, I have asked the Faculty Senate to take the following up as soon as possible:

EXHIBIT 54

CORNELL'S REQUIREMENT FOR DIVERSITY STATEMENT IN FACULTY HIRING

https://apps.hr.cornell.edu/recruiting/facultyview.cfm?posting_id= JOB_POSTING_G-3-88665

Applications for the position should be submitted at <https://academicjobsonline.org/ajo/jobs/28769>. We will begin reviewing candidates immediately. Applications completed by November 1, 2024 will receive full consideration, though we highly encourage early application. For applicants who will attend the INFORMS Annual Meeting, we highly encourage uploading a CV and any other application materials available to the link above by October 7, even if all application materials are not yet available. Applications will be accepted until the positions are filled.

Applicants must hold a Ph.D. or equivalent degree. A complete application should include a cover letter, CV, and three brief statements (1-2 pages per statement): (1) a research statement, (2) a teaching statement, and (3) a statement of contributions to diversity. Within a clearly identified subsection of the research statement, the candidate should address prior accomplishments and future plans related to the commercial and/or broader public engagement and societal impact dimensions of their research. Candidates are encouraged to review Cornell University's [guidance for writing diversity statements](#) as well as their evaluation considerations. We ask applicants for all faculty positions to share their experiences and/or approaches (past, current, or future) to fostering learning, research service, and/or outreach in a diverse community. Applicants may choose to submit a stand-alone statement or embed the information in other parts of their application materials. In addition to these statements, candidates should include a copy of their most significant research publications, a list of the full contact information for three references, and, for junior applicants, a doctoral transcript.

EXHIBIT 55

DEMAND FOR RACE-BASED HIRING AND PROMOTION AT CORNELL

<https://medium.com/@cornellfacultydemands/faculty-students-and-staff-for-an-anti-racist-cornell-2020-demands-b5820bdb1ee4>

IMMEDIATE DEMANDS (IM)

Departments

IM1: Support and encourage Departments to make cluster hires of Black and other faculty of color. The need is especially great in those departments that have one or no BIPOC faculty members. This is also an issue of retention; the absence of colleagues of color often plays into the decision of faculty of color to leave Cornell. While we recognize the tremendous need for more Black, Indigenous and Latino/a faculty across the board, the university must also address the underrepresentation of Asian American faculty (especially women and ethnicities such as Filipino, Arab, Iranian, Middle Eastern, Southeast Asian, and Pacific Islander) in the humanities and social sciences.

IM2: Encourage and support the recruiting of graduate students of color in clusters and cohorts in departments. Target Black and African American students from HBCUs (Historically Black Colleges and Universities) and state universities around the country in each class, with the aim of achieving balance between international students of color and students of color who are U.S. nationals. Recruit BIPOC graduate students from an array of institutions, including “Hispanic”-serving institutions as well as Tribal colleges and universities and schools located on reservations.

EXHIBIT 56

1

2 **21% OF THE CANDIDATES WERE SCREENED OUT SOLELY BASED ON DEI CRITERIA**

3 <https://drive.google.com/file/d/1q5uiVZQkcOsu3llxU1ufzZx2dgbwsEqr/view>

STEP 1 : The open faculty position was widely advertised and exposed by the Search Committee to the applicable academic community in a normal outreach and promotional process.

STEP 2 : Through this process a sizable and demographically diverse applicant pool was identified – all of whom had completed the full paperwork and submittal package (including DEI Statements from every applicant) necessary for Cornell's consideration of their candidacy. As part of the process, the head of the Search Committee reported that the applicant pool was highly "diverse".

STEP 3 : Prior to commencing a review of the candidate submittal packages, the Search Committee established a "rubric" aimed at performing a comparative qualifications assessment comprised of 5 elements : 1) DEI Statement; 2) Research Strength; 3) Instructional Capabilities; 4) Professional / Volunteer Involvement; and 5) Student Advisory Potential. In the documents received by CFSA, DEI is listed as the "first element" within the 5-element rubric. The implication of this "rubric" is that each candidate should be assessed through the integrated lens of all 5 of the above elements to determine the comparative strength of the candidates. However, instead of employing a 5-element rubric, DEI criteria became the sole "first priority" in candidate review.

STEP 4 : The 5-element rubric was set aside and a special DEI "litmus test" review was conducted on each candidate. Several designated subgroups of the Search Committee were established which had this singular purpose : To review **only** the DEI Statement of each candidate as the first credential to be assessed.

STEP 5 : Based on the above DEI "litmus test" alone, 13% of the candidates were eliminated from further consideration because of weak or unacceptable DEI Statements. CFSA believes that eliminating candidates on this basis violates New York State Employment Law.

STEP 6 : The same DEI-focused Search Committee subgroups then separated out the most experienced candidates who possessed longest tenure in the subject scientific field. These candidates were reviewed based on their "demographic profile". Referring to the goal of "equity" (i.e. equitable outcomes in hiring), these more experienced (and likely older and less BIPOC) candidates were eliminated from further consideration for being too qualified. It is reported to CFSA that this process is used to eliminate candidates from "less favored" identity groups while advancing applicants from "more favored" identity groups. Through this screening process, an additional 8% of the applicant pool was rejected. CFSA believes that the elimination of these candidates for such "equity" reasons likely violated US and New York State Anti-Discrimination and Employment Law.

STEP 7 : Through the DEI screening of Steps 4, 5 and 6 above, roughly 21% of the candidates were rejected based on the personal views and values noted in their DEI Statement or an unfavorable view of the demographic profile of the "most experienced" candidates. At this stage, the only element of the 5-element "rubric" that had been applied to screen out 21% of the candidates was DEI criteria. There had been no consideration of the other four rubric elements of Research, Instructional Capabilities, Professional Involvement, or Student Advisory.

4

EXHIBIT 57

OPEN LETTER TO CORNELL BOARD OF TRUSTEES

<https://ivyexcellence.org/news/open-letter-cornell-board-of-trustees>

The failure to address a request for Board engagement in this long overdue discussion about the future direction of Cornell is another symptom of the moral rot that has infiltrated all of the Ivy Universities, Cornell included. The Cornell Free Speech Alliance has informed alumni (including myself) that whistleblower accounts from faculty and students describe unacceptable policies and conditions now prevailing on campus. Reports have been made of Cornell's hiring faculty based on race rather than academic merit (even in the pure sciences) to fulfill their DEI targets for tenure track positions in specific departments. This violates U.S. law. Instances are reported of qualified candidates for faculty positions being rejected for their DEI statements alone, thereby screening out faculty candidates based on their personal, religious, and/or political views which are unrelated to their academic discipline and instructional duties. Cornell Law alumni see such practices as violations of New York State employment law. I am told that faculty members have been singled out and disciplined for expressing minority opinions on national events and policy matters. Repeated failures to support faculty members choosing to exercise free expression and academic freedom is unconscionable for a university of Cornell's stature. Cornell leaders have also failed to defend the rights of non-conforming speakers invited to campus and instead have fed a cancel culture on campus where bullying, intolerance, and petulant behavior rule rather than academic rigor and honest debate.

While Harvard, Penn, and MIT were the focus of public testimony in the recent U.S. Congressional hearings, Cornell University is also now under intense national scrutiny. As the subject of three different U.S. Congressional and Federal investigations, Cornell could lose its university accreditation, tax exempt status, and governmental funding. It is my belief that President Pollack would face the same public outcry and demands for resignation as Harvard and Penn had she been on the stand before Congress in early December.

President Pollack is responsible for adding a grave insult to injury. Not only has she given the DEI social engineering experiment equal priority with open inquiry, free expression, and academic freedom, Cornell removed the treasured and historical bust of Abraham Lincoln along with a copy of the Gettysburg Address from the Cornell University Library. Apparently a student found this most highly revered U.S. President to be offensive and requested its removal, which the University obliged. (I am told it has now been returned.) So even Lincoln could be canceled under the present administration. This is an absolute disgrace.

President Pollack and Provost Kotlikoff have allowed their headlong support for DEI policies to take root at the expense of the four essential pillars of Cornell University: 1) Open Inquiry; 2) Academic Freedom; 3) Viewpoint Diversity; and 4) Free Expression. This is an inexcusable violation of their fundamental duty to Cornell. Therefore, they should resign their positions effective immediately.

We all see the increasing frustration of Cornell alumni as DEI continues to wreak havoc under President Pollack's leadership. With my writing of this letter, an increasing number of Cornell alumni are refusing to continue donating to their alma mater. Unfortunately, President Pollack and her administration have refused to engage with concerned alumni and their sound policy recommendations to correct Cornell's course. With all this as background, I now recommend that the Board of Trustees take the following actions :

ITEM 1: Replace the President and the Provost.

ITEM 2: Eliminate DEI staffing and programming. Revert to Open Inquiry, Academic Freedom, Free Expression, and Viewpoint Diversity on campus.

ITEM 3: Adopt and Implement "CFSA Open Inquiry Policy Recommendations To Cornell University" especially the Kalven Report (Political Neutrality) and Chicago Principles (Free Expression).

ITEM 4: Conform to the SCOTUS decision on elimination of Affirmative Action in Admissions and the Schils Report (See CFSA Recommendations) to return Cornell to "merit based" rather than "politically based" or "identity based" hiring and admission preferences.

EXHIBIT 58

CORNELL'S AMICUS BRIEF WITH THE US SUPREME COURT IN **SFFA v. HARVARD**

https://www.supremecourt.gov/DocketPDF/20/20-1199/232422/20220801150520881_20-1199%20%2021-707%20bsac%20Universities.pdf

19

C. Petitioner's Race-Neutral Proposals Would Not Serve *Amici's* Interest in Diversity.

Amici's experience has demonstrated that the optimal means of creating a diverse student body—and thereby achieving *Amici's* educational objectives—involves a limited consideration of race and ethnicity in admissions. By the same token, using exclusively race-neutral approaches to admissions decisions would undercut *Amici's* efforts to attain “the benefits of diversity” they seek. *Fisher II*, 579 U.S. at 385. Petitioner argues that “real diversity” would not decline under its preferred admissions system, Pet. Br. at 70, but Petitioner is wrong.

EXHIBIT 59

CORNELL PRESIDENT MARTHA E. POLLACK'S STATEMENT FOLLOWING SFFA V. HARVARD

RULING

<https://news.cornell.edu/stories/2023/06/president-pollack-message-supreme-court-decision>

President Pollack message on Supreme Court decision

June 29, 2023

President Martha E. Pollack [sent the following message](#) on June 29:

Cornell University was founded in 1865 as a university where “any person can find instruction in any study.” We have been committed ever since to diversity and inclusion, a commitment that was reiterated and enshrined in the university’s [core values](#) adopted in 2019.

Cornell is disappointed by the Supreme Court of the United States’ decision today in which it found that both Harvard’s and the University of North Carolina’s admission processes violate the 14th Amendment.

When universities are free to admit broadly diverse classes through an individualized and holistic application review process, they are intentionally creating a student body with the potential to create a spark of insight, to advance knowledge, and to challenge one another and thereby strengthen an argument or call an assumption into question. For generations, Cornell’s remarkable students have done just that by bringing different perspectives and backgrounds to their education both inside and outside of the classroom.

As always, Cornell will follow the law, but within its scope we will remain a welcoming community, with strong core values and an unwavering adherence to our historic founding principle: to be a university where “any person can find instruction in any study.”

1

EXHIBIT 60

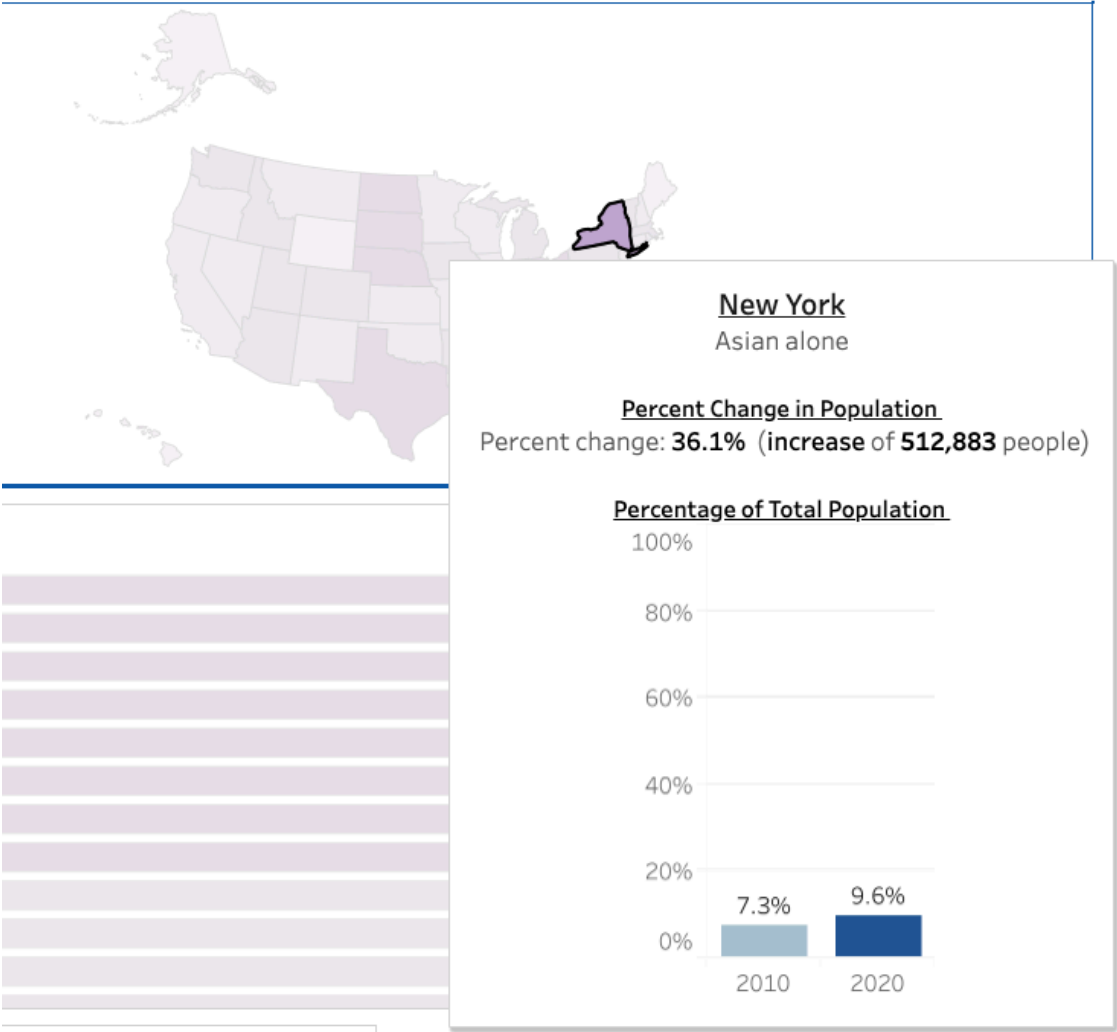
2

ASIAN POPULATION GROWTH IN NEW YORK AND THE U.S.

3 <https://www.census.gov/library/stories/state-by-state/new-york-population-chang>
4 [e-between-census-decade.html](#)

Percent Change Asian Alone,
Total Population by State: 2010 to 2020

United States: 35.5%



5

1 _____

2 <https://www.nytimes.com/2021/08/12/us/us-census-population-growth-diversity.ht>

3 [ml](#)

The new data show that Hispanics accounted for about half the country's growth over the past decade, up by about 23 percent. The Asian population grew faster than expected — up by about 36 percent, a rise that made up nearly a fifth of the country's total. Nearly one in four Americans now identifies as either Hispanic or Asian. The Black population grew by 6 percent, an increase that represented about a tenth of the country's growth. Americans who identified as non-Hispanic and more than one race rose the fastest, jumping to 13.5 million from 6 million.

4

EXHIBIT 61

CORNELL CLASS OF 2014-2025 PROFILE

<https://irp.cornell.edu/university-factbook/freshman-profile-archives>

EXHIBIT 62

SUPREME COURT'S RULING ON *FISHER II*

<https://supreme.justia.com/cases/federal/us/579/14-981/>

Fisher v. University of Texas at Austin, 579 U.S. ____ (2016)

Therefore, although admissions officers can consider race as a positive feature of a minority student's application, there is no dispute that race is but a "factor of a factor of a factor" in the holistic-review calculus. 645 F. Supp. 2d 587, 608 (WD Tex. 2009). Furthermore, consideration of race is contextual and does not operate as a mechanical plus factor for underrepresented minorities. *Id.*, at 606 ("Plaintiffs cite no evidence to show racial groups other than African-Americans and Hispanics are *excluded* from benefitting from UT's consideration of race in admissions. As the Defendants point out, the consideration of race, within the full context of the entire application, may be beneficial to any UT Austin applicant—including whites and Asian-Americans"); see also Brief for Asian American Legal Defense and Education Fund et al. as *Amici Curiae* 12 (the contention that the University discriminates against Asian-Americans is "entirely unsupported by evidence in the record or empirical data"). There is also no dispute, however, that race, when considered in conjunction with other aspects of an applicant's background, can alter an applicant's PAS score. Thus, race, in this indirect fashion, considered with all of the other factors that make up an applicant's AI and PAI scores, can make a difference to whether an application is accepted or rejected.

EXHIBIT 63

CORNELL CLASS OF 2023 AND 2024 PROFILES

https://irp.cornell.edu/wp-content/uploads/2021/02/Profile2019_first-year.pdf

ETHNICITY AND RACE: INSTITUTIONAL REPORTING

Consistent with practices established by the federal government and in use across higher education, the following reporting framework counts each student within a single category. Based on these categories,

- **25.6% identify themselves as under-represented minorities (URM).** URM is defined as American Indian (U.S.), Black (U.S.), Hawaiian/Pacific Isle (U.S.) or any combination including one or more of these categories. All students of Hispanic ethnicity, regardless of race, are also considered URM.
- **48.5% identify themselves as students of color.** This group includes URM plus Asian (U.S.) and Multi Race non-URM (U.S.).

U.S. Citizens, Permanent Residents, and Refugees

Hispanic (U.S.)	509	15.8%
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Non-Hispanic/Latino ethnicity, by race

American Indian (U.S.)	7	0.2%
Asian (U.S.)	647	20.1%
Black (U.S.)	214	6.7%
Hawaiian/Pacific Isle (U.S.)	3	0.1%
White (U.S.)	1,145	35.6%
Multi Race URM (U.S.)	91	2.8%
Multi Race non-URM (U.S.)	89	2.8%
Unknown (U.S.)	199	6.2%

International, of any ethnicity and race	314	9.8%
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https://irp.cornell.edu/wp-content/uploads/2021/02/Profile2020_first-year.pdf

ETHNICITY AND RACE: INSTITUTIONAL REPORTING

Consistent with practices established by the federal government and in use across higher education, the following reporting framework counts each student within a single category. Based on these categories,

- **26.9% identify themselves as under-represented minorities (URM).** URM is defined as American Indian (U.S.), Black (U.S.), Hawaiian/Pacific Isle (U.S.) or any combination including one or more of these categories. All students of Hispanic ethnicity, regardless of race, are also considered URM.
- **51.7% identify themselves as students of color.** This group includes URM plus Asian (U.S.) and Multi Race non-URM (U.S.).

U.S. Citizens, Permanent Residents, and Refugees

Hispanic (U.S.)	533	16.2%
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Non-Hispanic/Latino ethnicity, by race

American Indian (U.S.)	8	0.2%
Asian (U.S.)	738	22.4%
Black (U.S.)	265	8.0%
Hawaiian/Pacific Isle (U.S.)	3	0.1%
White (U.S.)	1,072	32.5%
Multi Race URM (U.S.)	78	2.4%
Multi Race non-URM (U.S.)	78	2.4%
Unknown (U.S.)	216	6.6%

International, of any ethnicity and race	305	9.3%
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EXHIBIT 64**CORNELL CLASS OF 2023 SAT SCORES**

https://irp.cornell.edu/wp-content/uploads/2021/02/Profile2019_first-year.pdf



Cornell University

PROFILE: CLASS OF 2023**CLASS OF 2023: ENROLLING FALL FIRST-YEAR STUDENTS****3,218 fall first-year students are expected to enroll***

- 55.0% are women; 45.0% are men
- 63.1% attended public high schools
- 16.7% are descendants of Cornell alumni
- 13.4% are first-generation college
- 7.1% are recruited athletes
- The average age is 18

ENROLLMENT BY CORNELL COLLEGE**ENDOWED SECTOR**

College of Arts & Sciences	1,011
College of Engineering	755
SC Johnson College of Business, Hotel School	175
College of Architecture, Art & Planning	114

CONTRACT SECTOR

College of Agriculture & Life Sciences	560
SC Johnson College of Business, Dyson School	159
College of Human Ecology	284
School of Industrial & Labor Relations	160

STANDARDIZED TESTS

PERCENT OF ENROLLING STUDENTS SUBMITTING SAT SCORES: 70.8%

PERCENT OF ENROLLING STUDENTS SUBMITTING ACT SCORES: 40.7%

SAT Evidence-based Reading & Writing**

SAT Math

SAT Total

ACT Composite

25 th Percentile	50 th Percentile	75 th Percentile
680	720	760
720	780	800
1,420	1,500	1,540
32	34	35

EXHIBIT 65

NATIONAL SAT SCORE DISTRIBUTION

<https://reports.collegeboard.org/media/pdf/2023-total-group-sat-suite-of-assessments-annual-report%20ADA.pdf> (page 7)

	Total Students	Female	Male	American Indian	Asian	African American	Hispanic	Native Hawaiian	White	Two or More Races
Test Takers	1,913,742	966,726	936,481	15,384	194,108	225,954	462,186	3,791	752,632	69,410
Total Score										
1400–1600	7%	5%	8%	1%	25%	1%	2%	2%	6%	9%
1200–1390	17%	16%	18%	5%	31%	6%	9%	7%	23%	22%
1000–1190	29%	30%	27%	20%	27%	21%	25%	23%	37%	33%
800–990	31%	33%	29%	42%	14%	42%	41%	41%	26%	27%
600–790	16%	15%	17%	31%	3%	29%	23%	27%	8%	8%
400–590	0%	0%	1%	1%	0%	1%	1%	0%	0%	0%

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EXHIBIT 66

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ESTIMATED TOP SAT SCORERS ADMITTED BY CORNELL

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	2023 UM enrollment	Nationwide SAT-takers	Percent in 1400-1600	SAT-takers in 1400-1600	Percent of national top scorers enrolled at Cornell
African American	214	225,954	1%	2,260	7.1%
Asian American	647	194,108	25%	48,527	1.0%
Hispanic American	509	462,186	2%	9,244	4.1%
White	1,145	752,632	6%	45,158	1.9%