

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS, INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE (HARVARD CORPORATION),

Defendant.

Civil Action No. 1:14-cv-14176-ADB

**EXHIBITS FOR *AMICI CURIAE* MEMORANDUM IN SUPPORT OF DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT ON REMAINING COUNTS II, III, V**

Exhibit 1.1: Declaration of A.A.

Exhibit 1.2: Declaration of A.Z.

Exhibit 1.3: Declaration of D.L.

Exhibit 1.4: Declaration of J.L.

Exhibit 1.5: Declaration of M.E.

Exhibit 1.6: Declaration of S.C.

Exhibit 1.7: Declaration of S.N.

Exhibit 1.8: Declaration of T.D.

Exhibit 1.9: Declaration of Y.Z.

Exhibit 1.10: Supplemental Declaration of Sarah Cole

Exhibit 1.11: Supplemental Declaration of Fadhal Moore

Exhibit 1.12: Supplemental Declaration of Itzel Libertad Vasquez-Rodriguez

Exhibit 1.1

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**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of A.A.

I, A.A., declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as Chinese American. I am currently a sophomore at Harvard College.
3. I grew up in a small suburb of a large city in the Midwest. This city has a history of racial division and gang activity. It is also geographically segregated, with white populations living in one area and Black and Latino populations living in another. I grew up in a suburb with a predominantly white population close to rural areas. Racist comments toward people of color are common there. Some comments are subtly racist: references to predominantly Black and Latino parts of the city as unsafe; students of a certain race being labeled as “troublemakers”; realtors giving coded messages about selling homes to “nice families” rather than to Black or Latino families. Others are more overt—for example, some people tell people of color to “go back to your country.” Particularly around the election, these comments were often targeted towards Muslim Americans. Recently, a particularly egregious hate crime occurred near the town where I grew up.
4. As a first-generation immigrant, my mother has struggled with a language barrier in America. She had to learn English on her own, and speaking English is still difficult for

1 her. I help her as much as I can, but she still has trouble with communicating when her
2 children are not present. She has been working at the same place for the past ten years
3 because the English-language interview process makes it hard for her to find another job.

4 5. I attended a private boarding school for high school. Over half of the students were white.
5 About 20% were Asian, and about 5-7% were of other races. The environment was
6 overwhelmingly upper class and privileged, and I often felt out of place. Being
7 uncomfortable made it difficult for me to speak up in class or take full advantage of
8 opportunities I might have had. I felt like there was a lot about myself I had to hide, and
9 even a lot about myself that I did not know how to think about.

10 6. I experienced negative effects from stereotyping in school and in my community as a
11 result of being Asian. People assumed I was from an upper or upper-middle-class
12 background, and that I must be good at everything in school. These assumptions made it
13 hard for me to ask for academic assistance, and also made me feel ashamed for not fitting
14 into the mold of the “model minority.”

15 7. Assumptions and lack of understanding about my race have also made it difficult for me
16 to seek help for mental health. I did not feel like therapists or my peers in high school
17 could connect to the issues I was having. Talking to counselors and classmates about
18 academic pressure, or about being a child of first-generation immigrants, or about my
19 sexuality—all compounded by my identity as an Asian American—was hard when they
20 did not understand those experiences. The mental health professionals at school were all
21 white and seemed to only be comfortable discussing academic topics, even though these
22 other parts of my life impacted my grades and mental wellness. Looking back, I realize I
23 actually wanted to work through my relationship with my parents, but I was not given
24 space to do that.

25 8. When I was applying to Harvard, I described my race as Asian American or Chinese
26 American. I do not think disclosing my race and ethnicity hurt me in the admissions
27 process. Ultimately, the application reflected who I am as a person, and part of that
28 includes my ethnic and racial identity. So much of how I understand the world is based on

1 being Asian American—it affects how I understand racial dynamics, how I look at U.S.
2 policy, and complicates how I look at the world. I would be a completely different person
3 if not for my intersecting identities, and I cannot even imagine who I would be if those
4 identities changed.

5 9. My grades in high school were good, but not the best. My school used an untraditional
6 grading system, and my grades were usually around the equivalent of an A-. I struggled in
7 some classes, including AP Chemistry where I received the equivalent of a C. My SAT
8 scores were good: I had composite scores of 800 in math, 800 in reading, and 780 in
9 writing. Overall, though, my grades and test scores were middle-of-the road—high
10 enough to meet the minimum requirements, but not outstanding compared to other
11 students at my school. Alone, they would not have made me stand out strongly on paper. I
12 think my personal statement was what made my application compelling. I wrote about my
13 love of astronomy and my relationship with my sister, and I think the emotion and passion
14 I expressed far outweighed a list of my accomplishments.

15 10. Initially, I had not seriously considered attending Harvard. I was afraid that it would be
16 similar to my high school—very upper class and elitist. Harvard has a history of being an
17 institution for the elite, and I did not feel like I would belong. Additionally, as a STEM
18 major, I was drawn towards schools with more of a focus in the sciences.

19 11. My parents convinced me to give Harvard a chance, and I soon realized that it wouldn't be
20 as bad as I thought. At an event for incoming students, I attended a gathering for queer
21 students, where I met other queer Asian Americans. I felt understood, like I didn't have
22 explain myself or filter myself to be accepted. It was a great experience for me, and I keep
23 in touch with the people I met there to this day. Seeing the "I, too, am Harvard" campaign
24 created by Black students also changed my perception of the school. I found some
25 unexpected parts of Harvard, and I thought that while Harvard can be a difficult place for
26 a lot of students of color, students were actively trying to make Harvard a better place.

27 12. I decided to go to Harvard because I wanted to be in an environment and get an education
28 that would help me become a well-rounded person, not just someone with technical skills.

1 I felt the school would help me gain a better understanding of the world and help me grow
2 intellectually.

3 13. When I got to Harvard, I discovered that campus was very diverse in some ways—
4 definitely more diverse than where I grew up in Midwest and where I went to high school.
5 There are students with a wide array of experiences, of different nationalities, from
6 different geographies, and from different socioeconomic backgrounds. Harvard has
7 several activist-oriented Asian American organizations on campus that have provided me
8 with community and opportunities to grow, including the Harvard Queer Asian American
9 and Pacific Islander Alliance. I have also gotten involved in the push for an Asian
10 American Studies program and a more robust Ethnic Studies program at large at Harvard.

11 14. Just as importantly, the people in these organizations, such as the Harvard Queer Asian
12 American and Pacific Islander Alliance, understand me and understand what I am talking
13 about without me having to explain all the layers of it, because they also understand what
14 it is to be caught in liminal spaces of identity. I am grateful to know upperclassmen who
15 are really honest about issues and difficulties they have faced on campus and offer advice,
16 resources, and time to help me work through any problems. It has been particularly
17 wonderful to find communities among queer people of color, and to find great allies who
18 create spaces that are comfortable to exist in.

19 15. I have also had the opportunity to take classes that help me explore my identity in a
20 meaningful way, such as an Asian American history class. Taking that class allowed me to
21 learn a new way of thinking about the world, showed me more critical ways of
22 approaching history, and provided a crucial underpinning to my understanding of myself
23 as an Asian American.

24 16. At the same time, Harvard still has a long way to go when it comes to diversity.
25 Historically, Harvard has not been a school for minorities. Even now, there are still legacy
26 students and even a “Final Club” organizations that consist predominantly of white and
27 wealthy students . Its existence speaks volumes about the school’s climate, and stands as a
28 symbol of Harvard’s legacy of exclusivity around race, class, gender, and other issues that

1 persists today.

2 17. Although Harvard has diversified its student body considerably, there is still much
3 progress that must be made to move Harvard towards a truly inclusive campus – beyond
4 focusing on numbers, Harvard must take steps to make sure students become more aware
5 of issues of race, class, sexuality, or social justice. One challenge is that there are very few
6 Ethnic Studies classes, no multiracial centers, and ultimately a lack of spaces for ethnic
7 students.

8 18. The counseling and psychological services are also limited at Harvard, and do not address
9 my needs properly. For instance, when I try to discuss the mixed feelings I have about
10 going home during breaks with my on-campus therapist, I feel like I have to put myself
11 out there, explain things to greater degree than I feel comfortable, or add qualifiers to
12 things I say in order for them to really understand where I'm coming from about what my
13 family is like and why I feel conflicted about going home. It makes me wonder what kind
14 of assumptions they might be making and what I have to be careful about describing,
15 which can be very draining and counterproductive. Lack of culturally-specific academic
16 and social resources, including diversity in counseling and mental health services, is a
17 well-known issue at Harvard. In my freshman year, an Asian American student passed
18 away due to mental health issues. Many students on campus of diverse backgrounds face a
19 variety of issues, but Harvard's services do not provide adequate support for marginalized
20 students.

21 19. Harvard needs to be more diverse, not just in terms of the student population, but also in
22 terms of the faculty and the curriculum. For example, the highly-acclaimed Sociology
23 department here has done work around race, but often fails to address migration and Asian
24 American/Latinx/indigenous perspectives. Not having a sufficiently diverse classroom has
25 also led to uncomfortable experiences when people say things that are somewhat
26 offensive. There are moments when I find myself wanting to talk about race in a deeper,
27 more nuanced way than people allow for.

28 20. Ethnic Studies, Indigenous Studies, and African American Studies classes have been the

1 few classes that critically look at race and complicate a white-Black binary. They have
2 been the best classes I have taken at Harvard but are unfortunately, few and far between.
3 For areas outside of African American Studies, there is very limited faculty—only two
4 permanent Asian American Studies junior faculty, for example—which then limits the
5 academic offerings for students in those areas.

6 21. In my view, Harvard's race-conscious admissions policy has made the diversity that exists
7 possible and its elimination would have devastating consequences. There is little enough
8 diversity as it is; without a conscious effort to maintain and grow a diverse student body,
9 safe spaces and open dialogue will become even harder to find. For a student, diversity
10 helps facilitate important conversations on campus. When there is a ethno-racially diverse
11 student body, students are more willing to talk about issues of race, both on campus and in
12 the world at large. Beyond campus, diversity facilitates open dialogues about immigration
13 and other current events. Students are also exposed to different life experiences rather than
14 being closed off from the rest of the world. Without students of different racial (and
15 intersectional) backgrounds, it is difficult to talk about or even conceptualize different
16 perspectives, both in the classroom and in the community. Taking away the race-
17 conscious admissions policy and the diversity that results from it would be a huge loss to
18 students at Harvard.

19 22. As an Asian American, I do not believe that Harvard's race conscious admissions policy
20 hurt me. I disclosed my race and I did not have stellar grades, but I was accepted to
21 Harvard most likely based on my personal statement, which reflected the diversity that I
22 brought to campus. Since becoming a student at Harvard, I have benefitted from
23 Harvard's race-conscious admissions policy because I have had the opportunity to find
24 communities of color where I can explore my identity and be accepted. I also believe that
25 I have contributed to Harvard's diversity because I am a queer Asian American. My
26 identity has forced me to think about the world in a more complex way, and to ask
27 questions that others might not know to ask. It helps me recognize issues in different
28 spaces, such as the erasure of race in queer spaces, and the invisibility of queerness in

1 Asian spaces. Because of my perspective, I try to see the concrete impacts that actions or
2 thoughts can have even outside of a group, how identity affects inter- and intra-group
3 interactions, and where the complexities are when people talk about politics. I try to be
4 cognizant of what being Asian American means in a political sense, and the diversity
5 within the “Asian American” label. I also try to be aware of where diversity is lacking,
6 and make an effort to create spaces and inserting diversity into the spaces that Harvard has
7 to offer. This awareness allows me to think critically about my studies and increase
8 collaboration among different groups of people.

9 23. Race-conscious admissions is not a panacea to centuries of white privilege at Harvard, but
10 it is a necessary tool in a larger plan to increase diversity on campus and produce leaders
11 that will be thoughtful, empathetic, and critical thinkers in the world. The elimination of
12 race-conscious admissions will hurt everyone on campus, including prospective and
13 current Asian American students.

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15 I declare under the penalty of perjury under the laws of the United States of America and the
16 State of California that the foregoing is true and correct and that this declaration was executed on
17 July 27, 2017, in Los Angeles, California.

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Exhibit 1.2

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STUDENTS FOR FAIR ADMISSIONS,
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v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of A.Z.

I, **A.Z.**, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I consider myself a first-generation Chinese American immigrant. I was born in Canada, lived in China for a little over 3 years, and moved back to Canada before finally immigrating to the United States. I am also an Asian athlete, leader, and creative in the media and entertainment industry.
3. I am currently in my junior year at Harvard.
4. Growing up in the predominantly white suburbs of Portland, Oregon, I was frequently teased for being Asian and because I was already very shy, which manifested itself in a tendency to make jokes about my own race and appease my bullies to make friends. However, as I started exploring sports and other new activities in high school and maturing as an individual, I started to value myself more and build up confidence. Later in high school, I joined my city/county youth policy body, which also served as a youth development program focusing on social justice, pushing me to think more critically about the importance of my racial identity. Especially during senior year, I started identifying more strongly with the “angry Asian” ethos – that of social consciousness and resistance

1 towards the status quo.

- 2 5. While applying to college, I tried my best to emphasize my diverse experiences,
3 community involvement, and leadership skills, since I felt like those were the traits that
4 would most distinguish me from not only “other Asians” but also most applicants in
5 general. My personal essay focused on my social development from childhood through
6 high school, a shift from a shy, anti-social kid to a community member who truly valued
7 his connections with others.
- 8 6. My application to Harvard was almost an after-thought, just something I tossed in because
9 I already had my essays ready. I’d say my applicant profile was pretty stereotypical for a
10 successful Harvard app – great test scores, perfect grades, community service, leadership,
11 sports, a couple national awards – so I wanted my essays to humanize me a bit more,
12 hence the story of my social development. For Harvard specifically, I actually think the
13 most impactful component of my application was my alumni interview, which was
14 conducted by someone who had been doing them for over 20 years. The interviewer was
15 so interested in my experiences after the first interview, which lasted two hours, that he
16 invited me back for a second two hour interview. These consisted mostly of us chatting
17 and me going through my life experiences and my various views of the world. The
18 interviewer told me that I was one of the greatest applicants he had ever received, and he
19 and I still keep in close contact. I’m actually very curious to check out my application file
20 to see what kind of impact the interview may have had.
- 21 7. Since coming to Harvard, I’ve interacted with a much more diverse group of peers than
22 before. Interestingly, most of my friends now are Asian, which contrasts my previous
23 white community. Most of my other friends are also people of color. I’ve learned a great
24 amount about other people’s worldviews and cultures, which has definitely bolstered my
25 own perspective. As I’ve matured through college, I now feel much more comfortable
26 interacting with and working with people of different backgrounds.
- 27 8. As an example, a lot of the friends I’ve made are African-American, and since I study,
28 dance to, and work in hip-hop, a black cultural product, they’ve given me a much more

1 educated and conscious understanding of hip-hop's significance and the role various races
2 play within it. More broadly, I think African American students at Harvard are huge
3 drivers of community building.

4 9. I have always gotten the sense that certain white groups on campus just don't like to
5 associate with Asians, particularly when we're affiliated with an Asian cultural
6 organization. There isn't anything overt so much as they simply avoid contact with us. My
7 interactions with various Person Of Color (POC) groups have been relatively free of any
8 discomfort or microaggressions. I think one of the main impediments to a healthy racial
9 climate at Harvard is the lack of tangible space, staff, and resources dedicated to cultural
10 groups on campus.

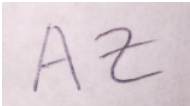
11 10. I believe race is a key aspect of identity that no other quality can completely capture or
12 account for in any quantitative or qualitative analysis. Racial diversity is thus important in
13 the way that any diversity exposes people to new perspectives. I do think that race *and*
14 class diversity are equally important in affirmative action programs, since there is so much
15 class diversity even within racial groups. Current classifications for racial groups are also
16 imperfectly constructed and misconstrue reality.

17 11. I think racial diversity has definitely benefited my life by bringing me so many friends
18 with different experiences. But it is important that discussions about diversity do not
19 tokenize racial minorities by viewing them as important for white "learning," since we
20 rarely get anything out of it while spending tons of energy "teaching."

21 12. I think Harvard has many things it needs to fix when it comes to its race, and I don't think
22 Harvard has demonstrated that it cares enough for any racial minority. However, I
23 ultimately support race-conscious admissions because race is a key part of someone's
24 background and should therefore be considered when reviewing applications.

25 I declare under the penalty of perjury under the laws of the United States of America and the
26 State of New York that the foregoing is true and correct and that this declaration was executed on
27 7/27/2018, in New York, New York.

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A.Z.

Exhibit 1.3

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STUDENTS FOR FAIR ADMISSIONS,
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Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of D.L.

I, D.L., declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as Chinese American. I am currently a sophomore (Class of 2020) at Harvard University majoring in Physics and Philosophy.
3. My parents grew up in mainland China and came to the United States on student visas. I grew up in Chelmsford and moved to Carlisle, Massachusetts at the beginning of middle school. Both communities are predominantly white, although Carlisle is wealthier and less diverse. I attended Concord-Carlisle High School, a high-performing public school in Massachusetts. There were very few people of color in any of my classes, and the few people of color were usually Asian. Despite the generally liberal bent of Carlisle, both overt and subtle expressions of racism occurred when I was in high school. For example, one student wrote F*** N***** with gummi bears in the inside of a cupboard at the library and a staff person at the school spoke to me very slowly because he thought that I was an exchange student.
4. In high school, I did well academically. I had a 4.4 weighted GPA and I scored 2360 on the SAT. I was also involved in many diverse extracurricular activities, including being

1 captain of the debate team, winning state championships in debate and ranking in the top
2 50 in the country in debate. I was also captain of the dance club, president of the chorus,
3 and the lead in a Phantom of the Opera production. I also had the opportunity to conduct
4 scientific research with a postdoc fellow at MIT, create a science club where we explored
5 an area of science not covered by classes, and I won first place in a science fair.

6 5. I applied early action to Harvard. Given my strong academic credentials, my high school
7 counselor advised me that Harvard and other top universities may be targets based on my
8 credentials but reach schools because of the competitiveness of the process. In my
9 application, I disclosed that I was Chinese American. For a moment, I hesitated, but I
10 decided to include it because that it was important to my identity. In my essay, I talked
11 primarily about my passion for many disparate activities. I did not discuss race in my
12 essays, but it did come up during my interview. I was interviewed by an Asian American
13 law professor who asked me about the positioning of Asian Americans in United States
14 politics. I discussed how the model minority myth essentializes Asians and obscures the
15 discrimination that Southeast Asians experience, which is so different from the East Asian
16 experience. I also pointed out that the model minority myth perniciously uses Asian
17 Americans as a measuring stick, which hurts all people of color. Upon viewing my
18 admissions file, I saw that my interviewer indeed noted that he was particularly impressed
19 by our discussion of race since “the subjects [I] addressed call for a sophisticated
20 understanding of equality and discrimination.” I ended up getting into Harvard during the
21 early admission process. In addition, 2 other people from my high school class were also
22 admitted, one of whom was also Asian even though Asians make up a very small
23 percentage of the school.

24 6. At Harvard, I have become much more interested in activism. I am involved in the Task
25 Force on Asian and Pacific American Studies (TAPAS), which is pushing for an ethnic
26 studies department and provides a space for progressive Asian American students to
27 dialogue about important issues. I really appreciate the diversity at Harvard. There is a
28 strong presence of Asian Americans, which was lacking in the communities where I grew

1 up, and the opportunity to interact with many students of diverse backgrounds that I rarely
2 interacted with before. For example, I am very involved in the hip hop dance team,
3 through which I've had the opportunity to learn more about the place of hip hop dance in
4 black culture and become friends with many brilliant students of diverse minority racial
5 backgrounds. Overall, the diversity at Harvard that is made possible by its affirmative
6 action program contributes tremendously to the school and to my personal experience.

7 7. At the same time, there are still a lot of problems at Harvard. The "Finals Club," an
8 invitation-only fraternity that is notorious for its elitism, whiteness, and high records of
9 sexual assault, continues to exist on campus. Very few Asians or other men of color are
10 invited to join Finals Club. The Administration has also been resistant to investing in
11 institutional reforms that could have a deep impact on racial climate on campus, such as
12 creating an ethnic studies department or creating Bridge program for low-income students
13 (created just this year after a long effort of student advocacy).

14 8. Although affirmative action does not solve all of the problems with racial inequity at
15 Harvard, I believe that it is a good policy to help minority students and the diversity that it
16 creates benefits everyone. The lawsuit conflates Harvard's race-conscious admissions
17 policy, which properly accounts for race, with a policy that actively suppresses Asian
18 American enrollment. While it is possible that implicit biases exist, these biases are not
19 related to Harvard's affirmative, race-conscious policy which is a huge benefit to students
20 of color including Asian-Americans. If there is progress to be made in ensuring a fair
21 evaluation of each applicant there is no reason why it needs to be at the expense of a policy
22 that properly accounts for ethno-racial life obstacles and creates a better learning
23 environment for all.

24 I declare under the penalty of perjury under the laws of the United States of America and the
25 State of California that the foregoing is true and correct and that this declaration was executed on
26 April 27, 2018, in Cambridge, Massachusetts.

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Exhibit 1.4

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**UNITED STATES DISTRICT COURT FOR
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STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of J.L.

I, J.L. declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as Korean American. I am currently a junior at Harvard University, majoring in Cognitive Neuroscience and Evolutionary Psychology with a secondary in History of Art and Architecture.
3. I was born in Korea and immigrated to Texas when I was five years old. I grew up in Flower Mound, Texas, an affluent suburb of Dallas that is predominantly white. My parents own a donut shop and have worked incredibly hard to provide my older brother and I with the privileges of a middle class lifestyle. My parents only knew how to speak broken English and I frequently had to serve as their interpreters. Many of my high school peers stereotyped me as a hard working Asian with no other passions besides homework and studying.
4. I attended Flower Mound High School, one of the best public high schools in Texas. At Flower Mound, I excelled academically, but art was my true passion. I played violin, served as the President of the Art Club/ National Art Society, founded an advocacy organization and served as the Vice President of Creative Engagement and Design, and

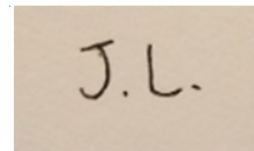
1 received numerous awards for my artwork, including a Gold Seal at the Visual Arts
2 Scholastic Event, the most prestigious art award available for Texas high school students.
3 I also engaged in significant public service in high school, including volunteering at my
4 church during my summers.

- 5 5. I scored a 2330 on my SAT and graduated 6th in my class. I applied to every Ivy League
6 college except the University of Pennsylvania, including early action to Yale, but I was
7 rejected or waitlisted at every school except Harvard. In my general application, I
8 discussed my love of art, but in my Harvard supplement, I discussed my intersecting
9 identities, with a heavy emphasis on my Korean identity.
- 10 6. I do not believe that Harvard uses affirmative action to discriminate against Asian
11 Americans. After all, I freely discussed my racial background in my essay and was still
12 admitted, even though a college consultant told me that I did not have a shot at any Ivy
13 League school. I also believe that my college application experience highlights the fact
14 that college admissions is about more than merit because I was accepted to only one Ivy
15 League school even though they all have similar standards for admission.
- 16 7. In addition to benefiting directly from Harvard's race conscious admissions policy, I
17 believe that I have also benefited indirectly. Harvard is substantially more diverse than
18 my homogeneously white high school and it has given me the opportunity to interact with
19 many different people. I believe that Harvard's race conscious admissions policy is
20 responsible for much of its diversity. Since coming to Harvard, I have been very involved
21 in the Phillips Brooks House Association (PBHA), the nation's largest student-run public
22 service non-profit that serves more than 10,000 individuals in and around the greater
23 Boston area. PBHA is a hub for diverse student organizing on campus and has challenged
24 me to develop a deeper commitment to social justice. I am currently an Officer for PBHA
25 and I also serve as the Co-Director of the Boston Refugee Youth Enrichment (BRYE)
26 program, which serves low-income youth in Dorchester. I have also engaged in
27 psychology research on racism, prejudice, intersectionality, and the development of
28 hierarchies in children.

1 8. Overall, the presence of students of color on campus is vital to the College's student
2 organizations, its learning environment, and mission for public service and social justice.
3 So many students engaged in social justice work approach it through the lens of their own
4 experiences. If there were fewer underrepresented minorities on campus, Harvard would
5 lack a divergent set of perspectives to help inform our social justice work. The
6 community would absolutely suffer, particularly given that the advocacy on campus is
7 really cross-racial. Students of all races and ethnicities have advocated for an ethnic
8 students program, for additional spaces for students of color, and for the University to
9 change how its signals importance on campus with portraits, seals, and names of
10 buildings.

11 9. I support Harvard's race-conscious admissions policy. I wrote freely about my Korean
12 heritage and its impact on my life during the admissions process and I was admitted, even
13 though I was not admitted to any other Ivy League school. My application experience
14 demonstrates that Harvard (and other Ivy League schools) evaluate many factors in
15 making admissions decisions and are not actively discriminating against Asian Americans.
16 Race conscious admissions is not a panacea for all of the inequity in the education system
17 or on college campuses, but I believe it is a critical policy to open the doors to an elite
18 university like Harvard for all students of color, including Asian Americans like me.

19 I declare under the penalty of perjury under the laws of the United States of America and the
20 State of California that the foregoing is true and correct and that this declaration was executed on
21 March 20th, 2018, in Cambridge, Massachusetts.

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25 J.L.
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Exhibit 1.5

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS, INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE (HARVARD CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

DECLARATION OF M.E.

M.E., pursuant to 28 U.S.C. Section 1746, declares the following:

1. My name is M.E.. I am 15 years old.
2. I am entering 10th grade at a large public high school.
3. I am Native American, with a tribal enrollment in the Gila River Indian Community.
4. There is a 6% Native American population at my school.
5. I am enrolled in my school district's gifted and talented program.
6. This program operates as a school-within-a-school. Admission into the program is based on a Cognitive Abilities Test (cogAT), essays, and an interview. There are very

few Native students in the program.

6. I take mostly Academy Honors classes. Some of my classes are Advanced Placement. My current high school is my second high school. I originally started my freshman year at a larger high school with a International Baccalaureate Program. I liked that high school because it had a strong Native American community. Unfortunately, I was bullied for months by a non-Native older student. I believe the bullying was related to my high grades. When the bullying became physical, my sister and I sought help from administration. Nothing seemed to change. I transferred after Spring Break.

8. In addition to high school, I take classes at a local college. A special college program provides scholarships and college advising to Native American high school students. This summer, I took a college success course and a Native American Studies course. This fall, I will be taking Introduction to Sociology.

9. I participate in basketball. I also volunteer at an animal shelter.

10. I dance competitively at powwows, which are Native American social events. I have a large extended family, many of whom live on the reservation. They are my link to my culture.

11. At my previous high school, I was very active in the Native American Club, earned several Native American Scholar Awards, and was inducted into the Native American Honors Society. I enjoyed these connections to the community.

12. I am more likely to select a college that has an active Indian community.

13.. I would like to be a veterinarian someday. I try to take rigorous science and math courses. I will continue to challenge myself in college.

14. When I apply to college, I plan to apply to Harvard University. I will also apply for financial aid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, July _____, 2018.

M.E. *[Signature of minor redacted with minor's consent]*

M.E.

Exhibit 1.6

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**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of S.C.

I, S.C. declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as Chinese American. I am currently a junior at Harvard University.
3. I grew up in San Francisco, California where I lived in a one-bedroom apartment with my parents and my three siblings. My parents came to the U.S. in the 1980s under family- sponsorship visas. My dad is a restaurant worker and my mom stayed home to take care of my siblings and I. We lived at the intersection of Nob Hill and the Tenderloin, neighborhoods overlapping in zip codes that starkly differ in average income, such that my elementary school, while fairly well-funded, was only a few blocks from liquor stores and strip clubs. The area where I lived was racially diverse and experienced a significant influx of Asian immigrants during that time. Growing up, and to this day, I serve as my parents' translators, wrangling the legal jargon of bills into plain English to Chinese and back.
4. I attended Lowell High School in San Francisco, which is a public magnet high school. At

1 Lowell, I served as president of the student body for three years, volunteered with the Red
2 Cross, and served as a peer mentor. I also interned at outLoud Radio, representing queer
3 youth voice, joined the UCSF Youth Steering Committee to identify and address issues
4 that young women face in today's society, and interned at the UCSF Mission Bay Cellular
5 & Molecular Pharmacology Labs, where I worked with my mentor to build a microscope
6 system capable of tracking stem cell growth. I did well in school, but I did not have a
7 perfect GPA and I was not valedictorian. I scored 2150 on my SAT, which is far lower
8 than the average SAT score of 2229 for my class.

- 9 5. When I told my high school counselor that I was applying to Harvard, he cautioned me
10 that people with higher scores had not gotten in. Other counselors advised me against
11 writing an Asian immigrant story in my personal statement because it was overdone and
12 might hurt my chances of getting into a good school. I did not follow my counselor's
13 advice. In my personal statement, I wrote about my Chinese immigrant parents, my role as
14 a translator, and the struggle that immigrants face in this country. During my interview, I
15 discussed how I saw my interests in both politics and science as part of a larger interest in
16 social justice, stemming from my own experiences. I spoke candidly about having one of
17 my first internships via a program supporting underrepresented minorities in computer
18 science and how I viewed my role on student government in light of my responsibility and
19 connection to others.
- 20 6. To my surprise, I was admitted to Harvard and provided a generous financial aid package.
21 After I became a student at Harvard, I looked at my application file and discovered that
22 my leadership abilities, and diverse academic interests, which drew largely from my
23 Chinese heritage and low-income status, weighed strongly in favor of admission as a
24 positive indication of my "humor, empathy, and humility," notwithstanding my lower than
25 average SAT scores and imperfect GPA. I don't think that I was admitted because I am
26 Chinese, but I believe that I benefitted from Harvard's race conscious admissions policy
27 because it allowed the College to look at me as a whole person and view my qualifications
28 in the context of both my class and race.

1 7. I do not believe that Harvard uses affirmative action to discriminate against Asian
2 Americans in their admissions process. Since coming to Harvard, I have engaged in many
3 campus activities to promote the interests of Asian Americans. For example, I am the
4 Campus Liaison for APIAVote, a national nonpartisan organization that works with
5 partners to mobilize Asian Americans and Pacific Islanders in electoral and civic
6 participation. I am one of the directors of the Chinatown Citizenship program with the
7 Phillips Brooks House Association, and I am a co-coordinator and organizer for the Task
8 Force on Asian and Pacific American Studies, which is working towards creating a center
9 for the study of race and ethnicity at Harvard that would support undergraduate students,
10 graduate students, and faculty in Asian American Studies.

11 8. I support Harvard's race-conscious admissions policy. I wrote and spoke freely of my
12 Chinese descent during the admissions process and my GPA and SAT scores were lower
13 than average, yet I was admitted, which suggests that Harvard evaluates many other
14 factors in determining merit and are not actively discriminating against Asian Americans.
15 In fact, I believe that Harvard's race conscious admissions policy benefitted me because it
16 allowed the admissions officers to consider the role of my race on my life experiences and
17 achievements. Race conscious admissions is not a panacea for all of the inequity in the
18 education system or on college campuses, but I believe it is a critical policy to open the
19 doors to an elite university like Harvard for all students of color, including Asian
20 Americans like me.

21 I declare under the penalty of perjury under the laws of the United States of America and the
22 State of California that the foregoing is true and correct and that this declaration was executed on
23 03/08/2018, in Cambridge, Massachusetts.

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26 S.C.

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Exhibit 1.7

UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION

STUDENTS FOR FAIR ADMISSIONS, INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE (HARVARD CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

DECLARATION OF S.N.

S.N., pursuant to 28 U.S.C. Section 1746, declares the following:

1. My name is S.N., I am under 18 years of age and I am fully competent to make this Declaration.
2. I attend a public high school, where I have recently completed the 11th grade.
3. I am African American.
4. At my school, roughly 40% of students are classified as a minority, but it does not feel this way in reality.
5. In the past calendar year alone, my county has dealt with several racially motivated hate crimes, with one specifically taking place at my school. The main target of these hate crimes has been the African American community of which I am a part.

6. Unfortunately, this is not a new phenomenon, but rather one that I have dealt with for the majority of my time in public school.
7. When it comes to my scholastic success, I do not fit the general stereotype that my school has perpetuated for students that look like me. This school year 6 out of my 8 classes were of the Advanced Placement level, and the remaining 2 were rigorous honors courses.
8. My junior year class schedule included AP United States History, Honors Spanish V, AP Spanish Language, AP Language and Composition, and 2 semesters of both AP Calculus and AP Chemistry. With this course rigor, I'm ranked 5th out of a class of 547 students.
9. In addition to my dedication within the classroom, I am also an active participant in several extracurricular activities. I am currently serving as the Low Winds Captain in my school's marching band. I am also a part of several organizations including: National Honor Society, National Spanish Honor Society, Math Honor Society, Science Honor Society, Leo Club, and National Achievers Society.
10. Although I am on track to become the President of several of these organizations in the coming months, I am most proud of my involvement in the National Achievers Society and its promotion of minority excellence within the school and the community as a whole. Being that we are all high school students with college on the horizon, we often discuss the application process, and specifically affirmative action and what it means to us.
11. While it is true that my GPA, test scores, and extracurricular passions may set me apart from the application pool, I am also aware that my race does the same. I

wholeheartedly support affirmative action in the college admissions process and understand that we have not outgrown the need for specific measures to compensate for a host of ways in which the playing field is far from level.

12. With my current career plan to merge fiction and reality using burgeoning concepts like nanotechnology, high fidelity simulation, nonlinear modeling and clinical informatics, I have accepted that I will be in school for quite some time.
13. It is important to me to be in an educational environment that values diversity and represents an inclusive community. I plan to apply to several elite colleges and universities including Harvard University.
14. I'm informed that in documents filed this summer in this case, there is an indication that one possible result of Harvard not considering race in admissions would be a reduction in African American students at Harvard. With the abundance of racial inequality that already exists in the college admissions process, the possibility that this will grow at Harvard is thoroughly troubling. The higher education system produces the success that it does because of its diversity and pretending that race plays no factor in this diversity is futile.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, July 28, 2018.

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S.N.

Exhibit 1.8

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**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of T.D.

I, T.D. declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as Vietnamese American. I am currently a junior at Harvard University.
3. I was born in Vietnam and lived there until I was 8 years old. My family immigrated to the United States in 2006 to provide my sister and I with more opportunities. We moved to a working class neighborhood in the San Fernando Valley region of Los Angeles. My neighborhood was mostly black and Latino, with some Filipino families. I felt an affinity to other people in my neighborhood because of our shared experience with poverty, but I did not feel like people understood my racial and ethnic identity. For example, I was frequently called “chink” and “chinito” even though I am Vietnamese.
4. I did not speak English when I arrived in the United States and I was ridiculed at school for my accent, which made me avoid speaking in class because I felt that my voice did not matter. For an entire year, I put a pencil between my teeth to read hundreds of books out loud to improve my pronunciation. I also challenged myself by joining a humanities magnet program in high school to explore my linguistic capabilities. Yet, to this day, people sometimes still say they do not understand me.

- 1 5. As I grew up, I disassociated myself with my ethnic identity. I did not hang out with
2 recent immigrants or participate in anything related to the Vietnamese community.
3 However, in high school, I started to learn about race and had the opportunity to focus on
4 my own identity struggles. Through these classes, I began to understand how the Asian
5 American identity had been constructed, why people called me Chinese, and the
6 importance of my Vietnamese identity.
- 7 6. When I applied to Harvard, I had good grades, but I did not have competitive SAT scores.
8 I scored a 2080 on the SAT and the average score for UCLA and UC Berkeley admits is
9 2100. Initially, I did not intend to apply for Harvard or any Ivy League school because I
10 did not think that I was competitive. I applied to Harvard three days before the deadline
11 and I was surprised when I was admitted.
- 12 7. Although I don't know for sure, I think that my personal statement helped me get into
13 Harvard. If you get into Harvard, you can review your file. The one thing that stood out
14 from me about the comments on my file is that my personal statement reflected that I had
15 a "good sense of myself." In my personal statement, I talked about my experience as an
16 immigrant, the challenges that I faced as an English Learner, and my racial and ethnic
17 identity. My life experiences have been shaped in large part by my race and ethnicity,
18 which was reflected in my personal statement. Therefore, I believe that I benefitted from
19 Harvard's race conscious admissions policy because it allowed the University to look at
20 me as a whole person and take into account the adversity that I have overcome because of
21 my race.
- 22 8. I do not believe that Harvard discriminates against Asian Americans. Statistically, there
23 are more Asian American students at Harvard than other communities of color, such as
24 African Americans and Latinx students. However, Harvard's race conscious admissions
25 policy does not make it a model school. In fact, there are still many problems with
26 diversity at Harvard, which continues to be dominated by white students. Asian
27 Americans are the second largest group at Harvard, but the University fails to take into
28 account the diverse needs of this broad population. The University does not provide

1 adequate community spaces for ethnic groups to converge and explore ethnic-specific
2 identity questions. There is a big presence of Chinese and Korean culture and community
3 on campus, but very little presence of Southeast Asian culture.

4 9. Within the classroom, racial diversity in my Public Health class broadened my
5 understanding of race, power, and ethics within the scientific community. Specifically, a
6 classmate pointed out to me that nearly all of the case studies presented in class performed
7 experiments on certain racial groups, namely individuals in Africa or low-income
8 communities of color. This helped create a body of public health theory grounded in the
9 perspectives of white people and often imposed on communities of color. I probably
10 would not have noticed these trends if my classmate had not pointed it out. As an Asian-
11 American, they were probably more sensitive to this racial pattern and helped give me a
12 more nuanced and complex understanding of the ethical dilemmas within scientific
13 research. It was also made me realize that our casebook could perpetuate stereotypes
14 about people of color by portraying them as "subjects" of research, reducing them to
15 scientific study rather than full humans. It was important that there were people of color in
16 the room who were students studying the cases, not merely "subjects" of them. This
17 reduced the likelihood of perpetuating a prejudiced view of people of color.

18 10. Having students of color on campus is critical to our learning, both in- and outside of the
19 classroom. If Harvard had fewer students of color, I think the public service perspective,
20 in particular, would be very different. It's so critical to truly understand the experiences
21 of the communities we are serving and a diverse group of students of color are central to
22 that. It was also the Black student groups on campus that really pushed for spaces to find
23 solace and wrestle with the arrest of the Black Harvard College student. This push
24 benefitted Harvard's broader community and racial climate, particularly for students of
25 color.

26 11. Clearly, race-conscious admissions cannot create the inclusive culture and diversity that is
27 ideal at Harvard, but it is a necessary, albeit insufficient strategy to achieve diversity. If
28 Harvard eliminated its race-conscious admissions program, the admissions committee

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could not have considered the role of my race on my life experiences and achievements and I do not know if I would have been admitted. Therefore, I believe that race-conscious admissions is critical to opening the doors to an elite university like Harvard for all students of color, including Asian Americans like me.

I declare under the penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 07/27/18, in Cambridge, Massachusetts.



T.D.

Exhibit 1.9

1 resources available at my school and gravitated towards activities like speech and debate
2 and Model United Nations. These activities provided me with lots of writing and oral
3 advocacy opportunities that helped tremendously during the college application process.
4 Like most students in my community, my parents had the resources to send me to private
5 SAT prep classes that helped me raise my score from 1980 on my first practice test to
6 2350 when I actually took the SAT.

7 5. I applied to 11 colleges, including Harvard, Princeton, and Yale. I applied early decision
8 to Princeton and was deferred and ultimately rejected. I was waitlisted at Yale, John
9 Hopkins, and Washington University. However, I was accepted to Harvard. I disclosed
10 my race in my application and I do not believe that it was used against me in the
11 admissions process. After all, I was admitted to Harvard when I was rejected or waitlisted
12 at other Ivy League schools.

13 6. Coming from my suburb, Harvard seemed incredibly diverse to me. Harvard has a large
14 Asian American population (22 percent) and I made many African American friends
15 during my first year who shared perspectives with me I had previously not been
16 exposed to. During my freshman year, I had many conversations about race and
17 class with my friends that forced me to confront my own prejudices and privilege.
18 Growing up, I did not recognize my privilege because I was surrounded by privilege. I
19 thought that everyone took test prep classes and scored above 2200 on the SAT. I did not
20 realize how much the SAT was a “teach to the test” kind of exam that I did well on merely
21 because my parents had the resources to provide me with test prep classes, a privilege that
22 many of my friends lacked. I did not realize that the extracurricular activities that I loved
23 and that gave me an edge in the college admission process, like speech and debate and
24 Model United Nations, were not available to all students. I am glad that Harvard
25 considers race in its admissions policy so that it gives full consideration to brilliant
26 students like my friends who may not have had the resources to take test prep classes and
27 therefore have lower scores than people like me, even though they are equally, if not more
28 qualified to be at Harvard.

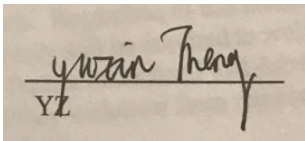
29 7. I support affirmative action for all minority groups, including racial minorities. I have a

1 disability. Ever since I was five years old, I have lived with a diagnosis of muscular
2 dystrophy, which requires me to use a walker on some days. I wrote about my disability in
3 my application essays and I believe that helped me to get into Harvard. No one makes a
4 fuss about the admissions office considering my ability to overcome challenges posed by
5 my disability as a sign of my strengths, resilience, and unique perspective. There is no
6 reason why overcoming the limitations in opportunities due to race should not be
7 considered in the same way as a potential sign of strength, resilience, and unique
8 perspective.

9 8. I also believe that the majority of Harvard students support race-conscious admissions and
10 it is our voice, rather than our parents, that should be leading the conversation on this
11 issue because we are the most affected. I am the Treasurer for the Phillip Brooks
12 House Association (PBHA), a student run non-profit that serves more than 10,000
13 constituents every year. Many diverse students participate in PBHA and most of the
14 students that I've spoken to support affirmative action, even if their parents have very
15 different views. I am also very involved with an Asian American Sisterhood and I have
16 spoken to several members who have all told me that they support affirmative action.
17 Affirmative action is not enough to address the vast disparities in educational opportunity
18 that exist in K-12 education, but it is an important equity tool and I believe that the
19 diversity and climate at Harvard would suffer tremendously if it were eliminated.

20 I declare under the penalty of perjury under the laws of the United States of America and the
21 State of California that the foregoing is true and correct and that this declaration was executed on
21 March 27, 2018, in Cambridge, Massachusetts.

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Yuzan Zheng
YZ

Exhibit 1.10

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**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of Sarah Cole

I, Sarah Cole, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as Black American. I am originally from Kansas City, Missouri. I graduated from Harvard College in 2016 and Harvard Graduate School of Education in 2017. I currently serve as a public schoolteacher in Washington, D.C.
3. I began planning to get into an excellent college in middle school. I knew in order to get into the college of my dreams (at the time it was Columbia), I had to receive an excellent high school education. In order to receive that education, I couldn't go to my neighborhood high school, which lacked full accreditation; I needed to receive a scholarship to attend a private school with a reputation for being rigorous and preparing students for college. In order to receive such a scholarship, I had to be an exceptionally strong middle school student, and so, at twelve years old, I carried the weight of my future and committed to being my best self. It paid off. I received a nearly full-ride scholarship to attend the most prestigious private, college preparatory high school in my city. Although the education I received at my new school was incredible, it cost me socially: I was one of only a handful of black students at the school. I felt culturally, socially, and

1 racially isolated. However, that handful was a mighty handful, and we supported each
2 other through the casual racism we frequently encountered.

3 4. My college counselor convinced me I should apply to Harvard my senior year. He thought
4 I had a good shot at getting into the school. I applied, and I was admitted. I cried when I
5 opened the email because I felt that the acceptance validated the hard work and sacrifices I
6 had made since middle school, but I did not actually want to attend Harvard. My
7 classmates, counselor, family, and friends were baffled. How could I say no to Harvard?
8 The truth was, I was not interested in spending four years at a school for rich white kids,
9 especially after I had just done that for high school. I was not willing to make that
10 sacrifice again. However, I received a free trip to visit Harvard, and that experience
11 completely changed my mind.

12 5. Harvard's Undergraduate Minority Recruitment Program (UMRP) connected me with a
13 young black woman, with whom I am still friends, to be my host. I ate dinner with her
14 friends at a table full of black students, and I was in shock over how much I related to
15 them, their jokes, their cultural references. At that moment I saw them, and they saw me.
16 We were a bunch of black kids sitting in a dining hall probably built by our ancestors.
17 Harvard may have had a long history of educating only wealthy white men, but that was
18 not the case any longer. Right then, I decided I could be a student at Harvard because I
19 had seen other students who looked and spoke like me.

20 6. Race-blind admissions is an act of erasure. To try to not see my race is to try to not see me
21 at all. No aspect of my life has been untouched by my race. The story my application told
22 was impressive on its own, but it was richer, more powerful, more impressive because of
23 my race. I did not just commit to excelling when I was a preteen-- I did so despite being
24 told by multiple white teachers that I was not good or smart enough. I did not just have
25 one of the highest GPAs at my high school; I earned those grades while being called a
26 "nigger," told I did not belong, and bullied over the shape of my full lips. I did not just
27 apply to the top colleges; I did so while working a part-time job where customers laughed
28 at me in my Stanford shirt because I did not "look like" I could get into a school like that.

1 I did not just get competitive SAT scores, I got them on a test known for racial bias. A
2 good admissions officer understands the impact race has on the lives of all their
3 applicants, and they must take that into consideration as they choose a class of students
4 they want to thrive at and contribute to their school community.

- 5 7. Ultimately, my time at Harvard College was challenging not because of the academics,
6 but because of the overwhelming pervasiveness and steadfastness of white, wealthy
7 culture there. Although other students of color were a saving grace, our numbers proved to
8 be inadequate. By my sophomore year, I began working with other students of color to
9 demand that the school do better by its students of color. For every request we made, we
10 were given excuses that would have been laughable if we were not so desperate for
11 change. We were told Harvard could hire more faculty of color, but none were qualified.
12 We were told Harvard could offer cultural competency trainings to faculty, but that none
13 would attend. We were told Harvard could enroll more students of color, but were asked
14 whether there were already enough.
- 15 8. It was most clear to me that there were not enough people of color during the fall of my
16 junior year at the height of awareness of police brutality against black people. I saw how
17 much the black students on campus were hurting, and I felt it myself, too, but our
18 classmates, our white friends seemed painfully oblivious. We planned a march to call
19 attention to police brutality during a run Harvard students do every semester in the center
20 of campus. During our march, we saw some students were supportive of our efforts, but
21 we also received countless vulgar words and gestures from white Harvard students. I was
22 physically assaulted by a large, white male student - all because we dared to assert that
23 Black Lives Matter. People joke that Harvard is a bubble because it is so detached from
24 the real world, but racism permeates all things, and it is alive and well inside the "bubble."
- 25 9. These experiences led me to know too intimately the need for more students of color *and*
26 for real cultural shifts to adjust for our growing presence on campus and in America.
27 Race-conscious admissions acknowledge and honor the challenges many students of color
28 must overcome in order to be competitive applicants. This is a start, but an inadequate

1 one. There needs to be more active recruitment of students of color, especially those from
2 particularly marginalized backgrounds, so that they can build community and contribute
3 to the necessary shifting of culture at Harvard.

4 10. I dream of a Harvard experience where I wasn't the only slave-descendant black person in
5 my philosophy class, or volunteer program (serving black and brown kids), or teacher
6 preparation program. In all of those spaces, especially the latter, I knew the crucial
7 importance of my voice and perspective, and many of my classmates and professors did,
8 as well. I was often thanked for contributions in class. But that work was exhausting. It is
9 not sustainable to expect individual students of color to be the lone workers helping to
10 make their peers (and superiors) grow less biased.

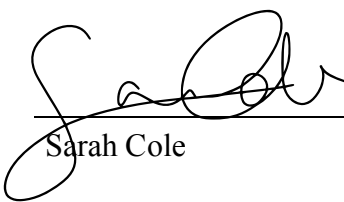
11 11. Harvard is shaping many of the world's leaders. It produces politicians, doctors,
12 government workers, researchers, teachers and so many other change agents. This fact
13 makes the importance of diversity on its campus particularly acute. Harvard already serves
14 as a pipeline into these leadership fields, and it could be a pipeline that supports the
15 diversification of these fields, so they can better reflect the diversity of the world.
16 Furthermore, Harvard could be a pipeline that not only sharpens folks' critical thinking,
17 but also develops their capacity for empathy and regard for others by making its campus a
18 space where the "others" are allowed to safely exist and learn and teach.

19 12. For centuries, people of color in the Western world have been seen as less than, or not
20 fully human because of our races. Race-conscious admissions turns this Western tradition
21 on its head. It requires admissions officers to try to see us fully as our whole human
22 selves. A departure from race-conscious admissions means reverting to that racist
23 tradition. It means reneging on Harvard's commitment to diversity and developing world
24 class leaders. The argument that race-conscious admissions is allowing some less
25 deserving students of color to attend Harvard while preventing other, more deserving
26 students of color is lazy, manipulative scapegoating. It relies on an underlying assumption
27 that white students must be entitled to "their" seats at the school, and so, of course,
28 students of color must fight over those remaining. I see through this age-old attempt to pit

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people of color against each other, and stand with all who challenge inequitable understandings of “fair” college admissions.

I declare under the penalty of perjury under the laws of the United States of America and the District of Columbia (D.C.) that the foregoing is true and correct and that this declaration was executed on July 27, 2018, in Washington, D.C.



Sarah Cole

Exhibit 1.11

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**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

Declaration of Fadhal Moore

I, Fadhal Moore, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I am an alumnus of Harvard College, Class of 2015, and I unapologetically identify as African-American. I currently serve as a middle school teacher in Washington, D.C.
3. My path to Harvard was not paved with gold. It was a beaten, earnest path through poverty, proud but mediocre public schools, and sometimes hunger. I grew up the eldest of five children in a seven-person family supported by my father's teaching salary. I entered the college admissions process largely ignorant of its twists and turns and unable to find much help from my well-meaning yet over-burdened high school counselors, who were each tasked with supporting over 350 students. That being said, I entered the process with that aforementioned feeling that I was all too familiar with: hunger. I consumed every bit of information that I could about how to fulfill my post-secondary dreams, how to step into that bubble of a world that I felt had long been denied to me and those whose shoulders I stood upon. That hunger helped me to gain not only admission, but a full-scholarship to Harvard University.
4. Since then, I have learned quite a lot about what Harvard refers to as its holistic

1 admissions process and how it takes, among a bevy of factors, an applicant's race into
2 account when making their decisions about whether or not to admit them. I
3 wholeheartedly support this process. When choosing its freshman class, Harvard College
4 is creating a community, not a business. If there is no critical mass of minority students in
5 attendance at the school, many of those who do attend may feel quite lost.

6 5. When I found myself on Harvard's campus as a freshman in the fall of 2011, saying I
7 dealt with culture shock would be putting it lightly. I had entered a world of wealth and
8 white upper/upper-middle class culture in which I was a stranger. My saving grace was
9 Harvard's black community. A black student from Harvard was the first person affiliated
10 with the university to contact me after my acceptance. Fellow black freshmen were able to
11 commiserate with me about the specific challenges of adapting to this new world while
12 still having brown skin. The Black Students Association and Black Men's Forum
13 provided me with spaces to express every part of myself be it culturally or intellectually.
14 These people, who feel more like family than anything at this point, ended up actually
15 helping me learn many of the cultural cues necessary to navigate a white world with
16 which I and many of my peers were so unfamiliar. It was other black students who opened
17 doors to other non-black spaces that I ended up loving be they academic, political,
18 musical, or for public service. It was other black students who made this school one that I
19 would grow to call home.

20 6. I see race-based admissions policies through the lens of social justice. The history of
21 America and its relationship with black residents of this country is a story of plunder, a list
22 of countless injustices that have yet to be accounted for. When Lyndon B. Johnson pushed
23 for affirmative action in his Executive Order 11375 in 1965, he made a point to say that
24 the order was there "to correct the effects of past and present discrimination." If Harvard
25 and other institutions are to try their best to counteract these effects, they must be
26 conscious of the races of their applicants when making admissions decisions. Otherwise,
27 lonely students of color will quickly become tokenized figures - even more so than they
28 already are in these spaces - and will have the weight of the world and its history on their

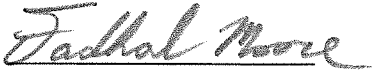
1 shoulders as they are expected to be the sole representative of their race and culture.
2 In addition, their experiences may be quite arduous upon arrival if, while making what is
3 one of the biggest transitions anyone ever makes, they find themselves unable to find
4 people who look like them, people who talk like them, people who understand the very
5 specific struggle that accompanies being a brown face in sea of white wealth. It will be
6 hard for them to stand up to the inevitable discrimination that they will face in these
7 spaces alone. Whenever I felt as if my place at Harvard or in this country was under
8 attack, I had a community who was ready to meet with me, write with me, march with me,
9 and fight with me.

10 7. Many have argued that these race-based admissions policies put students in at these
11 institutions who cannot handle the rigor and obscure the merit of other hard-working
12 applicants who may be of lighter hue. I would hope that, with those who posit these
13 notions, we can have a productive discussion on merit. Admission to college should be
14 merit-based in the sense that it ensures that students can thrive and make the best use of
15 the resources available to them so that they - and subsequently our society - may thrive.
16 (Incidentally, my peers of color at Harvard did just that, likely more so than some legacy
17 admittees.) Where our beliefs diverge is that I believe race-based considerations are
18 inherently merit-based considerations. To take into account the centuries of denied access
19 to wealth and quality education that black people have had to overcome is the logical path
20 to considering the merit of an applicant. Even more well-off black candidates have to deal
21 with the stress of being black in this country and have families that had to fight all too
22 hard to achieve all that they have.

23 8. When I applied some seven years ago, I had a great SAT score but it was below the
24 average Harvard freshman's. My application, just like everybody else's, had to be looked
25 at holistically. This includes my race, which has unfortunately been the source of many of
26 the hardships my family has endured. For those who say that I did not "deserve" my spot,
27 I would encourage them to look at the A's I earned while I was there.

28 I declare under the penalty of perjury under the laws of the United States of America and the

1 District of Columbia (D.C.) that the foregoing is true and correct and that this declaration was
2 executed on July 27, 2018, in Washington, D.C.

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Exhibit 1.12

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT COURT OF MASSACHUSETTS
BOSTON DIVISION**

STUDENTS FOR FAIR ADMISSIONS,
INC,

Plaintiff,

v.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE (HARVARD
CORPORATION),

Defendants.

Civil Action No. 1:14-cv-14176-DJC

**Declaration of Itzel Libertad Vasquez-
Rodriguez**

I, Itzel Libertad Vasquez-Rodriguez, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as indigenous Mexican-American, or “Xicana”. My mother’s side is Cora, a tribe from Nayarit, Mexico. I also identify more broadly as Latina. My ethno-racial identity intersects with my identity as a low-income, cisgender woman.
3. I attended Harvard from the Fall of 2013-Spring 2017. I graduated cum laude with highest honors in Sociology. I minored in Economics, received a citation in Spanish, and a certificate in Latin American Studies.
4. I became aware of my ethno-racial identity from a young age. For example, my Mayan first name is a constant reminder of my identity. I grew up understanding that my culture and traditions were different than many of my peers.

5. My Xicana identity shaped my perspective and made me the critical thinker I am today. Being Xicana meant that I grew up in a bicultural home, and was open to many ideas and ways of life. It also meant that from a very young age, I understood injustice firsthand, and noticed inequalities in my community. This knowledge instilled in me a need to fight for social justice; which in part, is what has propelled me to do well in school.
6. At the same time, being Xicana taught me from an early age that I would be critiqued for my appearance, and would be stereotyped. In high school, I was aware that I was one of the few Latinxs in AP and honors classes, and this pushed me to work harder, so that I could prove that Latinxs *are* smart.
7. In high school, I participated in various extracurriculars in addition to taking on a rigorous academic course load. For instance, I was on the varsity cross country and track team for three years, and I was captain in both sports for my last two years. I was an editor for our school newspaper for two years, participated and held leadership positions in a number of school clubs, and volunteered outside of school. In terms of my academics, I was a National AP Scholar, National Hispanic Recognition Program Scholar, took community college courses during the summers, and graduated with a 4.5 GPA.
8. I initially did not plan to apply to Harvard. I was worried that the school was too white, elite, and expensive. I also was worried that the social scene at a school like Harvard would be unsafe and alienating for a student like myself coming from a diverse area of Southern California. It was not until my junior year that I seriously considered applying, because someone suggested it to me. It was important to me that Harvard considered race in admissions. I wanted to attend a school that considered the whole person and took into account my unique perspectives as a Xicana. I believed that if a school took race into account in their admissions process, they would have a more diverse student body that

would more accurately represent the U.S. population and, therefore, be a more inviting and forward-thinking institution.

9. My college application highlighted my strengths and accomplishments, including those arising from my Xicana identity. One of my college essays was about my experience as a Latina growing up in Southern California and attending public schools. I shared how I was excluded at times, but these experiences helped me develop a strong sense of self and empathy for those who are “other-ed”. I also highlighted my involvement in the Spanish Club and the Latino Club at my high school. Beyond my own essays, one of my recommendation letters touched on my volunteer work on behalf of Native and Latinx students in our school’s academic program. During the interview, I spoke candidly about my Latina identity and how it has affected and influenced many of my life experiences.
10. When I was accepted to Harvard, other students claimed that it was only because I was Latina; nevermind the fact that I had a 4.5 gpa and had scored a 4 or higher on 10 AP tests. Similar types of assumptions were made about me by some of my classmates at Harvard. I knew that this type of simplistic, reductionist thinking was rooted in racial prejudice. When I had the patience and energy, I engaged with my peers to point out the flaws in their biased assumptions. These conversations were important and there must be more of them, but they were also tiring for me. To sustain my energy for these constant interactions, I found solace from my fellows students of color.
11. The representation of students of color was integral to my ability to learn, grow, and thrive at Harvard. This was true in several respects. At Harvard, I was challenged to think differently about issues based on my interactions with classmates whose ethno-racial identities were different than my own. For example, I learned more about the Palestinian-Israeli conflicts because of Palestinian students on-campus who held events and drew

parallels to the Latinx experience in the US.

12. My understanding was also greatly broadened by the level of diversity within given ethno-racial groups at Harvard. Such diversity counteracted my assumptions and gave me a more nuanced understanding of ethnic and racial experiences in this country and abroad. For example, my interaction with Afro-Latinxs at Harvard broadened my understanding of the Latinx identity in the US. I learned more about the African diaspora in Latin America. My Afro-Latinx colleagues also helped me become a better advocate by improving my ability to understand the distinct challenges faced by individuals with intersecting racial identities. For example, through conversations and events thrown by Harvard Fuerza, one of the many Latinx student groups on campus, I heard again and again from my Afro-Latinx colleagues that their Latinx identity is often overlooked in Black spaces. Some of my friends explained how their identities and their countries' histories (ex: the Dominican Republic and/or Cuba) are often overlooked in Latinx spaces as well. Because of these conversations, I felt emboldened to ensure that when I was in Latinx spaces, I would bring in histories and experiences of Afro-Latinxs, and try to be as inclusive of this community as I could. My interactions with Central Americans also impacted my own assumptions of what it means to be a Latinx. Having Central American students in class pushed me to think outside of my Mexican-American experience and to challenge the stereotypes that are often placed on Central Americans.
13. Harvard's diversity also allowed me to trace common interests across race which deepened my understanding of social challenges and solutions. For example, I befriended many undocumented students within different ethno-racial groups. Hearing and learning about their experiences made me hyper-aware of my privileges as a U.S. citizen, regardless of race. It also challenged me to think about ways to support non-U.S. citizens.

I think their presence greatly improved my academic experience at Harvard, because their point of view was powerful and they, as a group, challenged the University to provide more resources for undocumented students.

14. Harvard's diversity also allowed for powerful cross-racial coalition-building which taught me how to effectively advocate for structural changes that can serve the broader community. As one example, I worked alongside two Asian-American students (and a diverse coalition of students and professors) to fight for the creation of an Ethnic Studies Department and/or research center at Harvard. We helped to plan a full-day winter session course on the history and significance of Ethnic Studies. We also co-created student groups that advocate for Ethnic Studies on campus. In a short amount of time, we were able to meet with numerous deans, professors, and university administrators and advocate for more resources for Ethnic Studies. We even created syllabi for a general-education course in Ethnic Studies. Altogether the effort spanned three years. An Ethnic Studies track was approved my senior year, which represented a significant step towards our goal. I felt incredibly supported in this environment, and it is one of the most transformational experiences I had while at Harvard.
15. As another example of cross-racial advocacy, I joined a 3-week strike on behalf of dining hall workers which was led by a diverse coalition of students, dining hall workers, and Harvard staff members. It was only by creating cross-cultural coalitions that we were able to unite students and mobilize them to support our dining hall workers. It was pivotal that we had a diverse coalition because our dining hall workers were also a diverse group; it made all the difference that we had students who could translate and identify with our dining hall workers.
16. These interactions across race and ethnicity taught me to challenge my own assumptions

and use more inclusive language. It deepened my understanding and empathy for those whose lived experiences differ from my own. I also learned to be a better listener.

17. While Harvard's diversity provided many opportunities for learning, I felt that the university generally lacked sufficient levels of ethno-racial diversity. I often felt incredibly isolated at Harvard, especially my first two years. I was one of only a few Latinxs in my residential house. I had better relationships with the dining hall staff, who were mostly people of color, than I did with other students. I was also the only Latina in the Harvard Track and Field program for many years. Though I loved the team, I inherently felt like an outsider, and had a hard time relating to many of the team members. I could never fully be myself, because I knew most people on the team would not understand me.
18. This lack of ethno-racial diversity was not only socially isolating, but often academically isolating. My classrooms often lacked other students of color, which greatly exacerbated the pressure I felt to be a spokesperson for Latinx students and other marginalized racial groups. It made me more cautious to share my own thoughts and perspective in class out of concern that anything I said would feed into stereotypes that classmates held about me based on my background.
19. I felt more comfortable and confident sharing my opinions in spaces with higher levels of underrepresented students of color. This higher representation lowered the likelihood that I would be viewed as a "token" for my race. It also helped me shoulder the difficulty of responding to any insensitive remarks made in class, making class less exhausting and painful.
20. Knowing that environments with a strong presence of students of color strengthened my comfort and confidence, I gravitated towards cultural groups where I could express myself

fully. I was an active member of numerous Latinx and Native American student groups, including: RAZA, Fuerza Latina, Latinas Unidas, Concilio Latino, HLSA (Harvard Latino Student Alliance), Native Americans at Harvard College (NAHC), and the larger Native American group at the university (HUNAP). I also actively participated in the “Ethnicity, Migration, and Rights Student Advisory Council”, which was a diverse coalition of students interested in Ethnic Studies. I also derived peer support from the Mellon Mays scholar program, which brought together 20 students dedicated to diversifying the professoriate. We were majority non-white and most of us were doing research focused on non-white groups and communities.

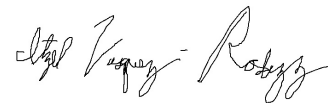
21. I really only felt a sense of belonging in environments that were majority people of color. This sense of belonging was critical to persist and excel at Harvard despite racial hostilities on campus that were both overt and subtle. I often felt unwelcome due to racially insensitive comments. For example, I was asked on multiple occasions by random acquaintances “where are you really from?” or “were you born here?”. I similarly felt intimidated when, the day after Trump was elected, a group of white boys assaulted my Dominican-American professor in what appeared to be a racially-motivated attack. The presence of other racial minorities helped me recover from such hostile intimidation and regain a sense of belonging. With such support, I was able to engage more fully and effectively inside and outside of the classroom.
22. As a person who identifies as both low-income and Xicana, I think racial diversity and socioeconomic diversity are both important. But, the experiences of people of color based on their appearance and ethno-race is distinct from their experiences based on class. As such, socioeconomic diversity cannot provide a substitute for racial diversity. For example, people of color who are from middle- and upper-class backgrounds face barriers

that their white counterparts do not face. Moreover, racial diversity provides distinct benefits in terms of the campus environment. As a student of color, I often felt isolated and tokenized because of the color of my skin, my name, and my features. Greater socioeconomic diversity would not—on its own—have helped me feel less singled out based on my ethno-racial identity. You cannot see somebody’s class-status in the same way as you can see their ethnicity and/or race. The stereotypes are also different. Increased racial representation made me feel more comfortable participating, regardless of socioeconomic diversity. Moreover, racial diversity broke down a different set of prejudices and assumptions.

23. Since graduation, I have been working in Peru with indigenous communities. Specifically, I am serving as a student service group coordinator for an NGO in the Sacred Valley of Peru that focuses on secondary education for Quechua girls in the region. In October, I will start as a California Assembly Fellow in Sacramento, California.
24. While I think Harvard could benefit from greater ethno-racial diversity, the diversity that did exist better prepared me to work in a diverse, global workforce. The most transformational experiences I had at Harvard were in non-white workspaces. I learned to value my beliefs and my history; with this strong sense of self, only then was I able to appreciate and advocate for myself and other underrepresented individuals. Having the proper language to comfortably interact with people of different ethno-racial identities has given me the confidence and grace to work cooperatively with diverse groups of people. It also gave me the tools to promote equitable participation. By making sure that every voice in a room is heard, I’m able to strengthen discussions, problem-solve, and support solution-oriented efforts.
25. Altogether, the ethno-racial diversity at Harvard was fundamental in preparing me to

advance positive change in my current and future professional endeavors. I believe that Harvard is not diverse enough, and should further its efforts to recruit and support students of color. Banning race-conscious admissions would move the university backwards, rather than forwards, in terms of offering quality educational opportunities and training to the next generation of leaders.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on July 26, 2018, in Ollantaytambo, Peru.



Itzel Libertad Vasquez-Rodriguez