



## DISCUSSION & REVIEW QUESTIONS:

- At the beginning of the video, Mr. Cheng asks, “Can you imagine in this day and age an educational institution discriminating against a racial minority? Can you imagine what the outcry would be? ‘You mean you’re preventing these qualified students from attending your college because of the color of their skin?’ Well, you don’t have to imagine it. It’s happening. And at arguably the most prestigious college in America, my alma mater, Harvard. The ethnic minority isn’t blacks or Jews, as it was in years past. The target this time is Asian Americans. And it’s just as wrong.” Why do you think that black and Jewish students were targeted for discrimination by Harvard’s admission boards in years gone by? What exactly is ‘wrong’ about targeting any ethnic group for institutionalized discrimination? Explain.
- Further along in the video, Mr. Cheng notes that, “According to Harvard’s own internal reports, Asian American applicants are routinely and systematically marked much lower on this personality scale by Harvard admissions officers who almost never meet or interview applicants. But here’s the kicker: the personality ratings given to Asian students by admissions officers are vastly different than the personality ratings Harvard gets from its own alumni interviewers, who actually meet the applicants in person; Alumni interviewers score Asian applicants as high as whites. In other words, Harvard artificially and fraudulently downgrades Asians on ‘personality’ to get the results it wants. Very clearly, what Harvard wants is to suppress the number of Asian Americans admitted.” Do you think it is equitable and good practice for Harvard admissions officers to give any score on a personality scale to anyone whom they have not met in person? Why or why not? Why do you think that Harvard wishes to suppress the number of Asian students admitted? Explain.
- Mr. Cheng goes on to ask, “What’s the real-life result of all this? In 2013 Asian Americans made up 19% of the incoming freshmen class. According to Harvard’s own Office of Institutional Research, if the personality factors had not been rigged, that percentage would have been 43%. Title VI of the Civil Rights Act of 1964 guarantees that ‘No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.’ Each year, Harvard takes hundreds of millions of dollars from the federal government.” Do you agree with Mr. Cheng’s assertion that the admissions process at Harvard is ‘rigged?’ Why or why not? Why do you think that Harvard is allowed to get away with breaking the law, and to continue to receive millions of federal taxpayer’s dollars? Explain.
- Later in the video, Mr. Cheng explains that, “...the Ivy League shows no indication that it’s giving up on those racial preferences. Instead, these colleges have doubled down. Objective standards regarding admissions continue to be increasingly disfavored as the illegal goal of racial balancing is advanced. This racial balancing is justified by the Left’s desire to achieve ‘racial diversity’— its insistence on seeing every person through the prism of race—as if the most important thing any of us has to offer is the color of our skin. Not long ago that was called racism. It’s still racism.” Why do you think that colleges value so-called racial diversity so much that they are willing to continuously break the law in order to attempt to achieve such an outcome? Do you agree with the notion that acknowledging and viewing a condition through the perspective of race, even without placing a value judgment on it, is inherently, and by definition, racist? Why or why not?

- At the end of the video, Mr. Cheng concludes that, “It [racism] needs to end, once and for all – for the sake of deserving Asian American students, for the sake of Harvard’s own integrity, and for the sake of the American principle that the rules must be the same for everyone. Chief Justice of the Supreme Court, John Roberts, said it best, ‘The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.’ It’s time we did just that. Do you agree with Mr. Chen that ‘the rules should be the same for everyone’ in terms of college admissions policies for colleges that take federal money? Why or why not? Why do you think that some people argue that what Harvard is doing isn’t racism? Explain.

## EXTEND THE LEARNING:

### CASE STUDY: Harvard Admissions

INSTRUCTIONS: Read the article “Harvard uses vague ‘personal rating’ to reject Asian Americans, court hears,” then answer the questions that follow.

- What does Harvard use to reject Asian American applicants in favor of candidates of other ethnic backgrounds, according to the lawsuit? How has Harvard’s legal team responded to the charges? What group is bringing the suit against Harvard? What does the Students for Fair Admissions believe in, in terms of college admissions? What are the primary tenets of the lawsuit? Who is Adam Mortara, and what is his perspective on the matter? What have Harvard’s lawyers argued, in terms of what the case is about?
- Do you think that Harvard’s admission board discriminating against Asian American students is different in any way from discriminating against black and Jewish students of the past, or do you consider all racism to be equal? Explain. Considering that many other colleges are engaging in similar practices to Harvard in terms of admission, what degree do you think the outcome of this case will impact other schools? Explain.
- How do you think the case is going to turn out? How do you want the case to turn out? Explain.



# QUIZ

## IS HARVARD RACIST?

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1. Which of the following areas are Asian American applicants to Harvard routinely marked down on?

- a. Academic performance
- b. Extra-curricular achievements
- c. Personal qualities
- d. Family wealth

2. Asian American students have been limited to a \_\_\_\_\_ presence across the Ivy League.

- a. 5%-9%
- b. 12%-16%
- c. 18%-22%
- d. 30%-34%

3. Harvard admissions officers almost always meet and interview applicants in person.

- a. True
- b. False

4. Objective standards regarding admissions continue to be \_\_\_\_\_.

- a. increasingly disfavored
- b. increasingly favored
- c. raised
- d. lowered

5. "The way to stop discrimination on the basis of race is to \_\_\_\_\_."

- a. love everyone
- b. create racial quotas for businesses and schools
- c. level the playing field
- d. stop discriminating on the basis of race



# QUIZ - ANSWER KEY

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<https://www.theguardian.com/us-news/2018/oct/15/harvard-discrimination-case-personal-rating-system>

# Harvard uses vague 'personal rating' to reject Asian Americans, court hears

**University accused of favoring applicants from other ethnicities in case with potentially big implications for other colleges**

Associated Press in Boston

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Demonstrators attend a rally ahead of the trial in which Harvard University is accused of discriminating against Asian American applicants, in Boston, Massachusetts, on Sunday. Photograph: Brian Snyder/Reuters

Harvard University intentionally uses a vague “personal rating” to reject Asian American applicants in favor of students from other racial backgrounds, according to a trial that started on Monday and carries weighty implications for dozens of other US colleges.

Harvard’s legal team denied any discrimination in its opening statement at Boston’s federal courthouse, saying race is just one factor that is considered and can only help a student’s chances of getting admitted.

In its hour-long opening, lawyers for Students for Fair Admissions accused Harvard of intentionally discriminating against Asian Americans through a “personal rating” score that is used to measure character traits such as “courage” and “likability”.

Dozens of supporters and observers packed into the courtroom and two overflow rooms on Monday, a day after backers from both sides hosted separate rallies in the Boston area.

The trial began nearly four years after Harvard was sued by Students for Fair Admissions, a non-profit in Arlington, Virginia, that believes schools should not consider race when selecting students. It comes at a time when the nation’s elite colleges have come under mounting scrutiny over the way race factors into the admissions process.

The suit says Asian American applicants bring stronger academic records than any other race, yet they are admitted at the lowest rate. The group says that is because Harvard consistently gives them low scores on

the personal rating, which, according to a document revealed by the group on Monday, is only loosely defined in Harvard policies.



Another demonstration in Boston backed Harvard's current admissions policy in the name of diversity. Photograph: Xinhua/Barcroft Images

Lawyers for the group presented a document they say is Harvard's only guidance on the personal rating. It was simply a numeral rating ranging from one, for "outstanding", to five, for "questionable personal traits".

Adam Mortara, a lawyer for Students for Fair Admissions, says the measure's subjectivity creates an opportunity for racial discrimination.

"You have let the wolf of racial bias in through the front door," he said.

Students for Fair Admissions is led by Edward Blum, a legal strategist who has fought against the use of race at other colleges, including a supreme court case in 2016 that upheld policies at the University of Texas.

Yet Mortara argued on Monday the lawsuit is not a broader attack on affirmative action, saying Harvard has simply gone too far in its "zeal" to consider race.

"Diversity and its benefits are not on trial here. Students for Fair Admissions supports diversity on campus," he said.

But Harvard's lawyers argued the lawsuit represents an attack on the school and many other universities that consider race as a way to admit a diverse mix of students.

William Lee, a lawyer for the school and a member of its governing board, said race is just one of many factors that can work in favor of an applicant, getting no more weight than a student's geography or family income.

"Race alone is never the reason a student is granted admission," Lee said. "And race is never the reason a student is denied."

He downplayed the influence of any single numerical rating, saying the final decision comes down to a 40-person committee that spends weeks reviewing and discussing applications.

The legal showdown begins amid a revived national debate over the role race should play in college admissions. The US justice department is also investigating Harvard over alleged discrimination against

Asian Americans, and Yale was recently announced as the subject of a similar investigation by the justice and education departments.

The Harvard case has captured the attention of many in the education world, including leaders of some colleges that say a loss for Harvard could put their own policies in jeopardy.