



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

May 14, 2026

VIA E-mail to: Peter.Spivack@hoganlovells.com

Peter Spivack
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

Re: United States' April 11, 2025 Title VI Inquiry Findings

Dear Mr. Spivack:

We write to notify you of the findings of the U.S. Department of Justice (the Department) after its compliance review to determine whether the admissions practices of the Yale University School of Medicine (Yale) are in compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. ("Title VI"), as interpreted by the Supreme Court's decision in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181 (2023) ("*Harvard*"). Based on our review, we have found that Yale has violated this standard by discriminating on the basis of race in the incoming classes of 2023, 2024, and 2025. Based on its review of Yale's documents and data, **the Department finds that Yale continues to intentionally discriminate against applicants based on their race after the Supreme Court's decision in *Harvard* by granting and denying admission on the basis of race.**

Procedural Background

The Department enforces federal civil rights laws that protect students from discrimination, including Title VI, which prohibits recipients of federal financial assistance from discrimination based on race and ethnicity.

Title VI authorizes the Department to conduct periodic compliance reviews and investigations of the practices and policies of the recipients of federal funding. 28 C.F.R. § 42.107. Should the Department find that a recipient fails to comply with Title VI, it is authorized to pursue legal action to secure compliance. *See* 28 C.F.R. §§ 42.105 & 108.

The Department currently provides direct federal financial assistance to Yale.¹ Enforcement under Title VI requires funding agencies to advise recipients of their failure to

¹ Grant Nos. 15PNIJ-24-GG-01556-RESS and 15JOVW-24-GG-01524-STOP, totaling \$842,078.

Mr. Peter Spivack
May 14, 2026

comply, and to determine that compliance cannot be obtained by voluntary means before initiating judicial proceedings to compel compliance. 42 U.S.C. § 2000d-1. If the Department determines that the noncompliance with Title VI cannot be corrected by voluntary means, the Department may seek to compel compliance through enforcement. *See* 28 C.F.R. § 42.108.

The Department's April 11th notice of investigation letter included a request for information. On September 29, 2025, the Department sent a Supplemental Request for Information. Yale responded to these requests with documents. The Department has carefully reviewed the documents Yale produced and collected other information in its investigation of Yale, which forms the basis of the Department's findings.

Intent to Discriminate

Yale's internal policies, publicly distributed literature, and email correspondence of its leadership, consistently and emphatically **demonstrate Yale's intent to use race in admissions decisions despite the *Harvard* ruling.**

After the *Harvard* decision, Yale's documents include references to increasing student diversity using means other than admissions selections.² An updated 2024 admissions guidance presentation has a slide with only the words "Admissions post-SCOTUS."³ This suggests that admissions personnel are given verbal instructions during this presentation encouraging the use of race/ethnicity in admissions, and such instructions are not put in writing. Yale has also redacted for privilege (without explanation) several documents on this topic that are dated after the *Harvard* decision,⁴ including a document labeled "Guidance on Consideration of Race Updated 8.15.25."⁵

The information produced by Yale on its post-*Harvard* race and admissions policies does not paint a picture of policy reform. This is made clear in a Yale Admissions Cycle Committee Retreat 2025 presentation, entitled "Race-Neutral Admissions: Examples from Literature." This presentation features a lengthy discussion on increasing the number of "Minority Physicians," and promulgates stereotypes about these physicians as an imperative for increasing their representation.⁶ In *Harvard*, the Supreme Court repeatedly warned that racial considerations in admissions "may not operate as a stereotype."⁷

This presentation at the Admissions Committee Retreat draws a roadmap for using racial proxies to circumvent *Harvard's* prohibition on racial discrimination. The presentation uses schools in states like California (where race-based admissions were previously banned at the state-level) as prototypes for circumventing *Harvard*.⁸ The presentation concludes with a discussion of University of California, Davis's double adjusting the socioeconomic advantage bonus in order to obtain an increase from 10.7% to 22.7% URM ("Underrepresented Minorities")(a.k.a. "URiM"

² E.g. YSM Admissions Outreach & Recruitment Presentation, September 30, 2024; YaleMed-00000018

³ YSM Admissions Outreach & Recruitment Presentation, September 30, 2024; YaleMed-00000005

⁴ E.g. YaleMed-00002418, YaleMed-00006804

⁵ YaleMed-00007528

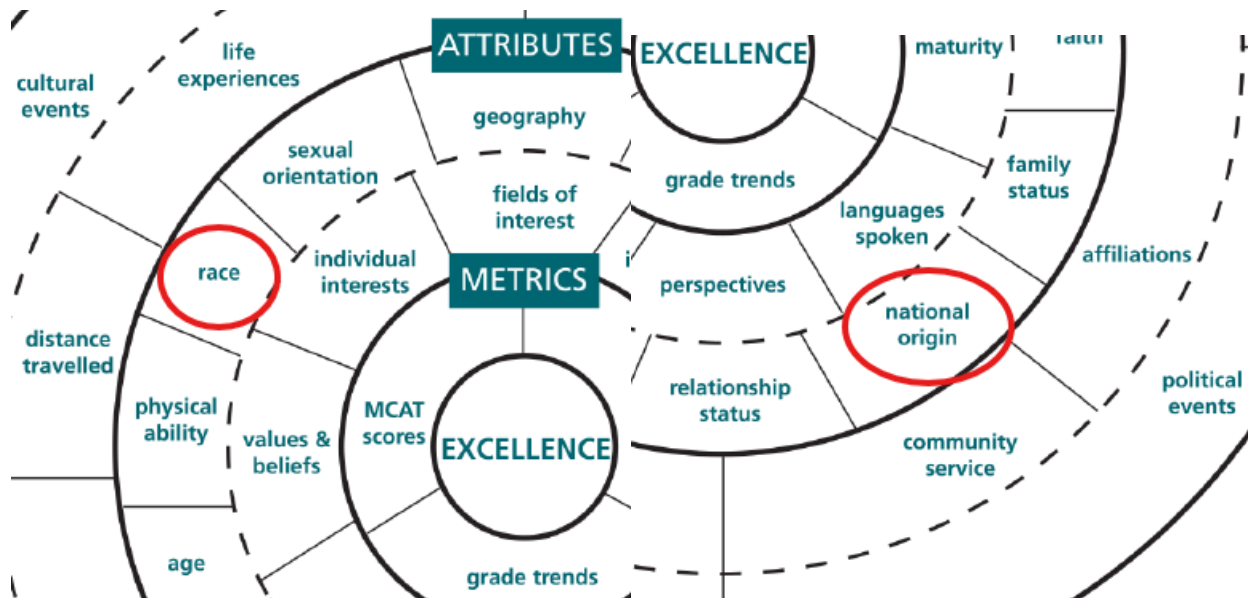
⁶ YSM Admissions Cycle Committee Retreat 2025 presentation, September 9, 2024; YaleMed-00000165

⁷ *Harvard*, 600 U.S. at 218.

⁸ YSM Admissions Cycle Committee Retreat 2025 presentation, September 9, 2024; YaleMed-00000172

“Underrepresented in Medicine”) admittance rates.⁹ The numerical data indicate that Yale took a similar approach to bias their admissions process in favor of URiM students post-*Harvard*.

Even after *Harvard* prohibited the use of race in evaluating applicants, Yale circulated AAMC’s holistic metrics model as part of its admissions orientation instructional packet to admissions personnel.^{10, 11} This holistic metrics model is shown on the wheel graphic available at <https://students-residents.aamc.org/media/5781/download>. It shows a myriad of factors that appear unrelated to medicine including “race” and “national origin”, both of which are prohibited by Title VI. Blown-up excerpts of these portions of the wheel are shown on the following page. By circulating this wheel to its admissions personnel, Yale encourages them to consider race and national origin as legitimate factors for granting and denying admission.



Yale uses its holistic-review procedure to uncover and then use applicants’ race through direct and indirect means. It then conducts interviews that enable the committee to know applicants’ race and ethnicity. Race preferences elevate Black and Hispanic applicants in the admissions process. Admission to Yale is an extremely selective, zero-sum process. Any benefit given to “some applicants but not to others necessarily advantages the former group at the expense of the latter.”¹²

Thus, the record demonstrates Yale’s intent to discriminate in admissions both before and after *Harvard*. The Department also has evidence that Yale attempted to circumvent the *Harvard* decision by using racial proxies to indirectly discriminate against applicants based on race. This intent is confirmed by our data analysis below showing no change in racial disparity between admitted students before and after the *Harvard* decision.

⁹ YSM Admissions Cycle Committee Retreat 2025 presentation, September 9, 2024; YaleMed-00000175

¹⁰ Email from Janiel Jones (Admissions Pipeline Coordinator) to faculty committee of MD-PHD admissions, dated September 25, 2023; YaleMed-00010421

¹¹ AAMC Holistic Review Attachment to September 25, 2023 email; YaleMed-00010429

¹² *Harvard*, 600 U.S. at 219.

Statistical Evidence of Intentional Discrimination

Yale has produced applicant-level admissions data. Analyzing this data shows disparities in MCAT scores and GPAs between different racial groups of admitted students.¹³ The Department has performed a preliminary statistical aggregation of this data for the MD program incoming classes of 2023, 2024, and 2025. MCAT scores are shown as the test score, followed by the percentile rank among all test-takers that year. The following chart shows the data for the 2023 incoming class:

| Race | Median GPA | Median MCAT | |
|---------------------|------------|-------------|--------------------------|
| | | Score | Percentile ¹⁴ |
| Black | 3.88 | 517 | 94 |
| Asian | 3.97 | 523 | 99 |
| Hispanic | 3.92 | 518 | 95 |
| White | 3.96 | 523 | 99 |
| Two or More Races | 3.88 | 522 | 99 |
| Declined to Respond | 3.98 | 523 | 99 |

The Median MCAT scores in this chart show significant differences across racial lines. The lowest group median scores (Black) are at the 94th percentile of test takers, while White, Asian, and applicants who declined to respond were at the 99th percentile. This 5 percentile point difference between these two groups means Yale considers a substantially broader swath of Black and Hispanic students than it does for White or Asian students.¹⁵ The GPAs also show a real disparity, with the lowest groups median GPAs (Black and Two or More Races) being 0.10 grade points lower than the highest group median GPA (Declined to Respond).

The following chart shows the data for the 2024 incoming class:

| Race | Median GPA | Median MCAT | |
|---------------------|------------|-------------|--------------------------|
| | | Score | Percentile ¹⁶ |
| Black | 3.92 | 517 | 94 |
| Asian | 3.99 | 524 | 100 |
| Hispanic | 3.94 | 519 | 96 |
| White | 3.97 | 523 | 99 |
| Two or More Races | 3.98 | 522 | 99 |
| Declined to Respond | 3.99 | 523 | 99 |

As with the incoming class of 2023, the Median MCAT scores for the incoming class of 2024 exhibit significant differences across racial lines. The lowest group median score (Black)

¹³ E.g. YaleMed-00000416

¹⁴ <https://students-residents.aamc.org/media/13381/download>

¹⁵ <https://students-residents.aamc.org/media/13381/download>

¹⁶ <https://www.aamc.org/media/75901/download?attachment>

again demonstrates that Yale will offer admission to a substantially broader swath of students who are in a preferred racial category.¹⁷

Data provided to the Department for the incoming class of 2025 reveals disparities between the academic qualifications of admitted students in different racial groups continue to the present time. The following chart shows the data for the 2025 incoming class:

| Race | Median GPA | Median MCAT | |
|---------------------|------------|-------------|--------------------------|
| | | Score | Percentile ¹⁸ |
| Black | 3.88 | 518 | 95 |
| Asian | 3.98 | 524 | 100 |
| Hispanic | 3.91 | 517 | 94 |
| White | 3.97 | 524 | 100 |
| Two or More Races | 3.94 | 524 | 100 |
| Declined to Respond | 3.97 | 523 | 99 |

As with the incoming classes of 2023 and 2024, the Median MCAT scores for the incoming class of 2025 exhibit significant differences across racial lines. Black and Hispanic scores declined to the 94th and 95th percentile, while White and Asian scores increased to the 100th percentile.¹⁹

These data show virtually no difference in the racial preferences of Yale admissions before *Harvard* (2023) and after *Harvard* (2024 and 2025). Yale stated in its *Harvard* Amicus Brief that for its admissions program, “no workable race-neutral alternatives [would yield] the level of racial diversity ... necessary.”²⁰ Given this statement, the lack of any change in Yale’s admissions outcomes after *Harvard* evidence a willful failure to comply with that decision.

The applicant-level data produced by Yale indicate that a Black or Hispanic student has a substantially higher likelihood of being offered admission than a White or Asian student with the same academic credentials. This consistent difference in the test scores between students of different racial groups is substantial and cannot be explained by a coincidence. **Based on our preliminary review of the applicant-level data, Yale’s use of race resulted in a Black applicant being as much as 29 times higher odds of getting an interview for admission than an equally strong Asian applicant with similar academic credentials.**

Findings

The Department finds that after *Harvard*, **Yale discriminated against other applicants to benefit preferred race classes of Black and Hispanic.** This discrimination is apparent from the documents expressing an intent to discriminate, plus the significant disparity in objective academic metrics between Black and Hispanic applicants compared with applicants from other racial categories. Yale’s internal documents, including policies, training materials, and communications confirm the Department’s findings that Yale intended to discriminate against all

¹⁷ <https://www.aamc.org/media/75901/download?attachment>

¹⁸ <https://www.aamc.org/media/75896/download?attachment>

¹⁹ <https://www.aamc.org/media/75901/download?attachment>

²⁰ Brief of Amici Curiae Brown University et al. at 19, *SFFA v. Harvard* (quoting district court decision).

Mr. Peter Spivack
May 14, 2026

racial groups except Black and Hispanic applicants, to accept more Black and Hispanic applicants. As a result of these practices, highly qualified White, Asian, and other students were denied admission on the basis of their race.

For these reasons, the Department concludes that Yale discriminated on the basis of race for the incoming classes of 2023 through 2025, in violation of Title VI as interpreted by *Harvard*. **Based on its review of Yale's documents and data, the Department believes that this discrimination is ongoing.**

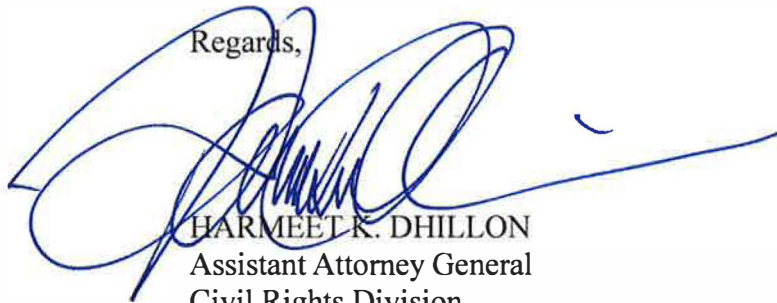
Resolution

Having determined that Yale deliberately discriminated on the basis of race in its decisions to admit and deny applicants, the Department seeks to enter into a voluntary resolution agreement with the University to ensure that admissions practices are brought into legal compliance.

If you have any questions about this letter, please contact Deputy Assistant Attorney General Jeffrey Morrison at jeffrey.morrison@usdoj.gov or (202) 353-1845.

Thank you in advance for your attention and cooperation.

Regards,



HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

UNITED STATES DEPARTMENT OF JUSTICE