

VINAY HARPALANI

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CURRENT APPOINTMENT

- 2019-** **University of New Mexico School of Law**
- **Lee & Leon Karelitz Chair in Evidence & Procedure (2022-)**
 - **Professor of Law (2022-)**
 - **Henry Weihofen Professor (2020-22)**
 - **Associate Professor of Law (2019-22)**

PRIOR ACADEMIC APPOINTMENTS

- 2018-19** **Drake University Law School, Visiting Professor of Law & Visiting Scholar, Drake Constitutional Law Center**
- 2014-19** **Savannah Law School, Associate Professor of Law**
- 2012-14** **Chicago-Kent College of Law, Visiting Assistant Professor**
- 2010-12** **Seattle University School of Law, Fred T. Korematsu Center for Law & Equality Teaching Fellow**
- 2009-10** **New York University School of Law, Derrick Bell Fellow**
- 2005-06** **University of Pennsylvania, Lecturer in Education & Adjunct Faculty in Africana Studies & Asian American Studies**

PROFESSIONAL HONORS

Derrick A. Bell, Jr. Award, Association of American Law Schools (2017)

- Awarded by Section on Minority Groups to “a junior faculty member who, through activism, mentoring, collegueship, teaching and scholarship, has made an extraordinary contribution to legal education, the legal system or social justice.”

Equality Law Scholar (2017)

- One of five scholars chosen from over 50 candidates for inaugural Equality Law Scholars Forum. Selected for submission on skin color discrimination law.

Society of American Law Teachers Junior Faculty Award (2016)

- Awarded to “an outstanding recent entrant into legal education who demonstrates commitment to justice, equality and academic excellence.”

EDUCATION

- 2009** **J.D., New York University School of Law**
- *New York University Law Review* (Articles Editor)
 - Gary E. Moncrieffe Award (“outstanding student in Racism and Law”)
 - Vanderbilt Medal (“outstanding contributions to the School of Law”)
 - Arthur Garfield Hays Fellow – Palmer Weber Fellowship in Civil Rights
 - Derrick A. Bell, Jr. Scholarship for Public Service
 - Legal Intern, ACLU Racial Justice Program
 - Legal Intern, Campaign for Educational Equity
- 2005** **Ph.D., Interdisciplinary Studies in Human Development, University of Pennsylvania Graduate School of Education**
- Dissertation: *Racial Stereotypes and Achievement-Linked Identity Formation During Adolescence*. Awarded distinction.
 - American Educational Research Association-Institute of Education Sciences (AERA-IES) Dissertation Grant
 - Spencer Foundation Urban Education Predoctoral Fellowship
- 2004** **Master of Bioethics, University of Pennsylvania School of Medicine**
- 1999** **Master of Science in Education, University of Pennsylvania Graduate School of Education**
- 1997** **B.A., *summa cum laude*, Psychology, University of Delaware**
- 1996** **Honors B.A., *summa cum laude*, Biological Sciences, University of Delaware**

COURSES TAUGHT

Law Courses

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|------------------------|-----------------|---------------------------|
| • Constitutional Law | Civil Procedure | Employment Discrimination |
| • Race and the Law | Education Law | Election Law |
| • Critical Race Theory | Civil Rights | State Constitutional Law |
| • Family Formation | Legal Writing | |

Undergraduate Courses

- Race, Education, and Achievement in the U.S. Psychology of Personal Growth

BAR ADMISSIONS

- New York U.S. Supreme Court

PUBLICATIONS

Law Review Articles

- 2022** [*Asian Americans, Racial Stereotypes, and Elite University Admissions*](#), 102 BOSTON UNIV. LAW REVIEW 233
- Responses and author reply to be published in BOSTON UNIV. LAW REVIEW ONLINE.
 - Cited in U.S. Supreme Court amicus brief of Asian American Legal Defense and Education Fund in *Students for Fair Admissions v. Harvard* (20-1199) and *Students for Fair Admissions v. Univ. of North Carolina at Chapel Hill* (21-707).
- [*Testing the Limits: Asian Americans and the Debate Over Standardized Entrance Exams*](#), 73 SOUTH CAROLINA LAW REVIEW 759
- 2021** [*Racial Triangulation, Interest-Convergence, and the Double-Consciousness of Asian Americans*](#), 27 GEORGIA STATE UNIV. LAW REVIEW 1361
- Cited in U.S. Supreme Court amicus brief of Asian American Legal Defense and Education Fund in *Students for Fair Admissions v. Harvard* (20-1199) and *Students for Fair Admissions v. Univ. of North Carolina at Chapel Hill* (21-707).
- [*Can “Asians” Truly Be “Americans”?*](#) 27 WASH. & LEE JOURNAL OF CIVIL RIGHTS & SOCIAL JUSTICE 559
- Excerpt to be reprinted in JUAN F. PEREA ET AL., RACE AND RACES (4th ed. 2022).
- [*“Trumping” Affirmative Action*](#), 66 VILLANOVA LAW REVIEW ONLINE—TOLLE LEGE 1
- 2020** [*Civil Rights Law in Living Color*](#), 79 MARYLAND LAW REVIEW 881
- 2019** [*Race-Conscious Admissions, Diversity, and Academic Freedom*](#), 22 UNIV. OF PENN. JOURNAL OF CONSTITUTIONAL LAW ONLINE 101
- 2017** [*“Safe Spaces” and the Educational Benefits of Diversity*](#), 13 DUKE JOURNAL OF CONSTITUTIONAL LAW & PUBLIC POLICY 117
- Cited in U.S. Supreme Court amicus brief of Asian Americans Advancing Justice (AAAJ) in *Students for Fair Admissions v. Harvard* (20-1199) and in U.S. Supreme Court amicus briefs of AAJ and of 1,246 American Social Science Researchers and Scholars in *Students for Fair Admissions v. Univ. of North Carolina at Chapel Hill* (21-707)
 - 43 Google Scholar citations as of Aug. 1, 2022, including 21 citations since 2021.

- 2016** [*Victory is Defeat: The Ironic Consequence of Justice Scalia’s Death for Fisher v. University of Texas*](#), 164 UNIV. OF PENN. LAW REVIEW ONLINE 155
- Reprinted in 28 APPELLATE ADVOCACY 227 (2016).
- 2015** [*The Double-Consciousness of Race-Consciousness and the Bermuda Triangle of University Admissions*](#), 17 UNIV. OF PENN. JOURNAL OF CONSTITUTIONAL LAW 821
- [*Narrowly Tailored but Broadly Compelling: Defending Race-Conscious Admissions After Fisher*](#), 45 SETON HALL LAW REVIEW 761
- Cited in three U.S. Supreme Court amicus briefs in *Fisher v. Univ. of Tex. at Austin II*, 579 U.S. 365 (2016).
 - Cited in three U.S. Supreme Court amicus briefs in *Students for Fair Admissions v. Harvard* (20-1199) and *Students for Fair Admissions v. Univ. of North Carolina at Chapel Hill* (21-707).
- [*To Be White, Black, or Brown? South Asian Americans and the Race-Color Distinction*](#), 14 WASH. UNIV. GLOBAL STUDIES LAW REVIEW 609
- Cited in Brief of Defendant-Appellant and amicus brief of Fred T. Korematsu Center for Law and Equality et al. in *People v. Bridgeforth*, 69 N.E.3d 611 (N.Y. 2016).
- 2013** [*DesiCrit: Theorizing the Racial Ambiguity of South Asian Americans*](#), 69 N.Y.U. ANNUAL SURVEY OF AMERICAN LAW 77
- Excerpt to be reprinted in JUAN F. PEREA ET AL., RACE AND RACES (4th ed. 2022).
 - 63 Google Scholar citations as of Aug. 1, 2022, including 35 since 2020.
- [*From Roach Powder to Radical Humanism: Professor Derrick Bell’s “Critical” Constitutional Pedagogy*](#), 36 SEATTLE UNIV. LAW REVIEW. xxiii
- [*Fisher’s Fishing Expedition*](#), 15 UNIV. OF PENN. JOURNAL OF CONSTITUTIONAL LAW ONLINE 57
- Cited in Society of American Law Teachers amicus brief in *Fisher v. Univ. of Tex. at Austin II*, 579 U.S. 365 (2016).
- 2012** [*Diversity Within Racial Groups and the Constitutionality of Race-Conscious Admissions*](#), 15 UNIV. OF PENN. JOURNAL OF CONSTITUTIONAL LAW 463
- Quoted (with citation omitted) in *Fisher v. Univ. of Tex. at Austin II*, 579 U.S. 365, 417 n.9 (2016) (Alito, J., dissenting).
 - Cited in eight U.S. Supreme Court amicus briefs in the *Fisher* litigation.
- 2010** Note, [*Maintaining Educational Adequacy in Times of Recession: Judicial Review of State Education Budget Cuts*](#), 85 N.Y.U. LAW REVIEW 258

- 2009** [*Ambiguity, Ambivalence, and Awakening: A South Asian Becoming “Critically” Aware of Race in America*](#), 11 BERKELEY JOURNAL OF AFRICAN-AMERICAN LAW & POLICY 71
- Reprinted in 2 CRITICAL RACE THEORY IN EDUCATION: MAJOR THEMES IN EDUCATION 93 (Adrienne D. Dixson et al. eds., 2018)
 - Cited in *U.S. v. Mahbub*, 818 F.3d 213, 224 n.12 (6th Cir. 2016)
 - Cited by Defendant-Appellant in *People v. Bridgeforth* (N.Y. 2016)

Journal Articles in Education, Social Sciences, & Ethnic Studies

- 2017** [*Counterstereotypic Identity Among High-Achieving Black Students*](#), 14(1) PENN GSE PERSPECTIVES ON URBAN EDUCATION (online)
- 2004** [*Simple Justice or Complex Injustice?: American Racial Dynamics and the Ironies of Brown and Grutter*](#), 3 PENN GSE PERSPECTIVES ON URBAN EDUCATION (online)
- Understanding Hypermasculinity in Context: A Theory-Driven Analysis of Urban Adolescent Males' Coping Responses*, 1 RESEARCH IN HUMAN DEVELOPMENT 229 (with Margaret Beale Spencer et al.)
- 2003** *Psychosocial Development in Racially and Ethnically Diverse Youth: Conceptual and Methodological Challenges in the 21st Century*, 15 DEVELOPMENT & PSYCHOPATHOLOGY 743 (with Dena Phillips Swanson et al.)
- Vulnerability to Violence: A Contextually-Sensitive, Developmental Perspective on African American Adolescents*, 59 JOURNAL OF SOCIAL ISSUES 33 (with Margaret Beale Spencer et al.)
- “Every Shut Eye Ain’t Sleep”: Studying How People Live Culturally*, 32 EDUCATIONAL RESEARCHER 6 (with Carol D. Lee & Margaret Beale Spencer)
- A Theoretical and Empirical Examination of Identity as Coping: Linking Coping Resources to the Self Processes of African American Youth*, 7 APPLIED DEVELOPMENTAL SCIENCE 18 (with Margaret Beale Spencer & Suzanne Fegley)
- Identity Processes and the Positive Youth Development of African Americans: An Explanatory Framework*, in 95 NEW DIRECTIONS FOR YOUTH DEVELOPMENT 73 (Richard M. Lerner et al. eds.) (with Dena Phillips Swanson et al.)
- [*Contributions, Controversies, and Criticisms: In Memory of John U. Ogbu \(1939-2003\)*](#), 2 PENN GSE PERSPECTIVES ON URBAN EDUCATION (online) (with Raymond Gunn)

- 2002** [*What Does “Acting White” Really Mean?: Racial Identity Formation and Academic Achievement among Black Youth*](#), 1 PENN GSE PERSPECTIVES ON URBAN EDUCATION (online)
- 2001** *Identity and School Adjustment: Questioning the “Acting White” Assumption*, 36 EDUCATIONAL PSYCHOLOGIST 21 (with Margaret Beale Spencer et al.)
- 1996** *The Athletic Dominance of African Americans - Is there a Genetic Basis?*, 2 JOURNAL OF AFRICAN AMERICAN STUDIES 39
- Reprinted in AFRICAN AMERICANS IN SPORT 103 (Gary A. Sailes ed., 1998)

Book Chapters

- 2022** *From Consensus-Seeker to Critic: Justice Ruth Bader Ginsburg’s Race Jurisprudence*, in THE JURISPRUDENTIAL LEGACY OF JUSTICE RUTH BADER GINSBURG, Ryan Vacca & Ann Bartow (eds.) (forthcoming) (with Jeffrey D. Hoagland)
- 2019** Editor for Chapter 14.1 - *Federal Constitutional Powers Over Education*, in LAW OF HIGHER EDUCATION (William A. Kaplin, Barbara A. Lee, Neal H. Hutchens, & Jacob H. Rooksby eds., 2019)
- 2016** [*“Gifted with Second-Sight”: Professor Derrick Bell the Teacher*](#), in COVENANT KEEPER: DERRICK BELL’S ENDURING EDUCATION LEGACY 17 (Gloria J. Ladson-Billings & William F. Tate eds.)
- 2015** *Conceptualizing the Self*, in 3 HANDBOOK OF CHILD PSYCHOLOGY AND DEVELOPMENTAL SCIENCE 750 (Michael E. Lamb & Cynthia García Coll eds.) (with Margaret Beale Spencer & Dena Phillips Swanson)
- 2008** *What Does “Acting White” Actually Mean?: Racial Identity, Adolescent Development, and Academic Achievement among Black Youth*, in MINORITY STATUS, OPPOSITIONAL CULTURE, AND SCHOOLING 222 (John U. Ogbu ed.) (with Margaret Beale Spencer)
- Colorism Embodied: Skin Tone and Psychosocial Well-Being in Adolescence*, in DEVELOPMENTAL PERSPECTIVES ON EMBODIMENT AND CONSCIOUSNESS 281 (Willis F. Overton et al. eds.) (with Suzanne G. Fegley et al.)
- 2006** *Understanding Vulnerability and Resilience from a Normative Development Perspective: Implications for Racially and Ethnically Diverse Youth*, in 1 HANDBOOK OF DEVELOPMENTAL PSYCHOPATHOLOGY 627 (Dante Cicchetti & Donald J. Cohen eds.) (with Margaret Beale Spencer et al.)

- 2004** *Nature, Nurture, and the Question of How?: A Phenomenological Variant of Ecological Systems Theory (PVEST)*, in *NATURE AND NURTURE: THE COMPLEX INTERPLAY OF GENETIC AND ENVIRONMENTAL INFLUENCES ON HUMAN BEHAVIOR AND DEVELOPMENT* 53 (Cynthia García Coll et al. eds.) (with Margaret Beale Spencer)
- 2003** *Historical and Developmental Perspectives on Black Academic Achievement: Debunking the "Acting White" Myth and Posing New Directions for Research*, in *1 SURMOUNTING ALL ODDS: EDUCATION, OPPORTUNITY, AND SOCIETY IN THE NEW MILLENNIUM* 273 (Carol Camp Yeakey & Ronald D. Henderson eds.) (with Margaret Beale Spencer et al.)
- Identity, Self, and Peers in Context: A Culturally-Sensitive, Developmental Framework for Analysis*, in *1 HANDBOOK OF APPLIED DEVELOPMENTAL SCIENCE: PROMOTING POSITIVE CHILD, ADOLESCENT, AND FAMILY DEVELOPMENT THROUGH RESEARCH, POLICIES, AND PROGRAMS* 123 (Richard M. Lerner et al. eds.) (with Margaret Beale Spencer et al.)
- 2002** *Structural Racism and Community Health: A Theory-Driven Model for Identity Intervention*, in *2 AFRICAN AMERICAN EDUCATION: RACE, COMMUNITY, INEQUALITY, AND ACHIEVEMENT A TRIBUTE TO EDGAR G. EPPS* 259 (Walter R. Allen et al. eds.) (with Margaret Beale Spencer & Tabitha Dell' Angelo)
- 2001** *Race and Gender Influences on Teen Parenting: An Identity-focused Cultural-ecological Perspective*, in *1 ADOLESCENCE AND EDUCATION* 231 (Timothy Urdan & Frank Pajares eds.) (with Margaret Beale Spencer et al.)

Encyclopedia Entries

- 2013** *Doll Studies*, in *ENCYCLOPEDIA OF RACE & RACISM* 2e 67 (Patrick L. Mason ed.) (with Ahmad Khalid Qadafi & Margaret Beale Spencer)
- Biracialism*, in *ENCYCLOPEDIA OF RACE & RACISM* 2e 237 (Patrick L. Mason ed.) (with Angeline M. Thomas & Michelle M. Muñoz-Miller)
- Reconstruction Amendments*, in *ENCYCLOPEDIA OF RACE & RACISM* 2e 483 (Patrick L. Mason ed.) (with Ryan Mitchell)
- 2010** *U.S. v. Thind (1923)*, in *2 ASIAN AMERICAN HISTORY & CULTURE: AN ENCYCLOPEDIA* 363 (Huping Ling & Allan Austin eds.)
- Status*, in *THE CHILD: AN ENCYCLOPEDIA COMPANION* 954 (Richard A. Shweder, ed.) (with Margaret Beale Spencer)

- 2008** *Racial Identity, in 3* ENCYCLOPEDIA OF RACE, ETHNICITY, & SOCIETY 1105 (Richard T. Schaefer ed.)
- 2005** *Racism, in 2* APPLIED DEVELOPMENTAL SCIENCE: AN ENCYCLOPEDIA OF RESEARCH, POLICIES, AND PROGRAMS 905 (Celia B. Fisher & Richard M. Lerner eds.) (*with* Margaret Beale Spencer)
- 2001** *African American Adolescents, Identity in, in 1* ADOLESCENCE IN AMERICA: AN ENCYCLOPEDIA 26 (Richard M. Lerner & Jacqueline V. Lerner eds.) (*with* Margaret Beale Spencer)
- African American Adolescents, Research on, in 1* ADOLESCENCE IN AMERICA: AN ENCYCLOPEDIA 30 (Richard M. Lerner & Jacqueline V. Lerner eds.) (*with* Margaret Beale Spencer)

Blog Posts & Other Short Commentary

- 2022** *The Party Attacking Affirmative Action Just Made the Case for Affirmative Action*, THE EMANCIPATOR (Boston Globe & Boston University Center for Antiracist Research) (forthcoming) (with Jonathan Feingold)
- 2021** [*Understanding the Nuances: Diversity Among Asian American Pacific Islanders*](#), Law School Survey of Student Engagement (LSSSE) Insights Blog (May 21)
- [*“Preservative of All Other Rights”: Voting and Social Justice in the Post-Trump Era*](#), CIVIL RIGHTS INSIDER 5 (Winter Issue) (Feb. 18)
- 2020** [*What the California vote to keep the ban on affirmative action means for higher education*](#), THE CONVERSATION (Nov. 10)
- Reprinted in *Philadelphia Tribune* and *Houston Chronicle*.
- [*Joe Biden, Racial Identity Politics, and the Vice Presidential Nominee*](#), Race and the Law Prof Blog (July 13)
- Re-posted as *The updates on the talk regarding Biden’s VP pick*, The Faculty Lounge (July 14)
- [*Racial Stereotypes, Respectability Politics, and Running for President: Examining Andrew Yang’s and Barack Obama’s Presidential Bids*](#), Race and the Law Prof Blog (June 14)
- [*Can Joe Biden “Keep Hope Alive”?: Reflections From Barack Obama’s and Jesse Jackson’s Democratic Primary Campaigns*](#), Race and the Law Prof Blog (Mar. 3)

- 2019** [*Kamala Harris and the Complexity of Racial Identity Politics*](#), Race and the Law Prof Blog (Dec. 29)
- [*Michael Vick, Robert Byrd, and the Case for Redemption*](#), Race and the Law Prof Blog (Dec. 20)
- [*The Supreme Court and the Future of Affirmative Action*](#), ISCOTUSnow Blog (Institute on the Supreme Court of the United States, Chicago-Kent College of Law) (Oct. 24) (Cross-posted on American Constitution Society (ACS) Blog and Race and the Law Prof Blog)
- [*Harvard can use race as an admissions factor, at least for now*](#), THE CONVERSATION (Oct. 2)
- Reprinted in SALON & ECONOTIMES.
- [*“Serving Two Masters” Revisited: Derrick Bell, Joe Biden, and the Paradox of Busing*](#), Race and the Law Prof Blog (July 4)
- [*Dreams From My Father, Dreams From My Mother: Tracing the Multiple Identities of Barack Obama and Kamala Harris*](#), Race and the Law Prof Blog (Feb. 23)
- 2018** [*Ideological Diversity and Africana Studies*](#), Race and the Law Prof Blog (May 17)
- 2017** *Foreword* to AARON N. TAYLOR, FAHEEMAH N. MUSTAFA, & CHAD CHRISTENSEN, [*DIVERSITY WITHIN DIVERSITY: THE VARIED EXPERIENCES OF ASIAN AND ASIAN AMERICAN LAW STUDENTS*](#), at 5 (Law School Survey of Student Engagement, Indiana University Center for Postsecondary Research)
- [*“It Just Means Telling the Truth”: Professor Derrick Bell’s Critical Race Theory*](#), Race and the Law Prof Blog (Nov. 10)
- [*Claiming the South--and All of Its History*](#), Race and the Law Prof Blog (Aug. 16)
- [*Trump Administration Plans to Attack Affirmative Action*](#), Race and the Law Prof Blog (Aug. 2)
- [*Why I am not “Asian” and Other Reflections on Asian American Identities*](#), Race and the Law Prof Blog (July 19)
- [*A Colorable Claim of Discrimination*](#), Race and the Law Prof Blog (Jan. 16)
- 2016** [*U.S. Supreme Court Sides with University \(and SALT!\) in Fisher v. Texas*](#)

[Decision Upholding Race-Conscious Admissions Policy](#), SALT Law Blog (June 25)

[The Fishing Expedition is Over: Victory for Affirmative Action in Fisher v. Texas!](#), HigherEducationLaw Blog (June 23) (Cross-posted on five other blogs)

[The Supreme Court Vacancy: Constitutional and Political Issues](#), ISCOTUSnow Blog (Feb. 20)

2015 [Theorizing Racial Ambiguity](#), Race and the Law Prof Blog (Jan. 4)
Background and Commentary on *United States v. Thind* (1923), in RACE LAW 4e 263-64, 268 (F. Michael Higginbotham ed.)

[Still a Fishing Expedition: Will there be a Fisher III?](#) ISCOTUSnow Blog (Dec. 14)

[ACS Issue Brief on Race-Conscious University Admissions: Fisher v. Texas and Beyond](#), ACS Blog (American Constitution Society for Law and Policy) (Oct. 29)

[A Respectful \(But Not Respectable\) Dissent Against Black Respectability Politics](#), Race and the Law Prof Blog (Oct. 12)

[Climbing on the Backs of Others: A Critique of Randall Kennedy and Barack Obama's Black Respectability Politics](#), 623 BLACK COMMENTATOR (Oct. 1)

[Diversity and Living Constitution Theory](#), ACS Blog (Sept. 15)
[Fisher v. Texas, The Remix](#), ISCOTUSnow Blog (July 18)

[Black? White? Asian? Asian-Indian?](#) KHABAR MAGAZINE 28 (June Issue)

[Beginning the Dialogue: Global Perspectives on Colorism](#), Lex lata, lex ferenda –Whitney R. Harris World Law Institute (Washington University in St. Louis) Blog (Apr. 17)

2013 [Affirmative Action Survives—For Now](#), Chicago-Kent Faculty Blog, (June 24) (Cross-posted on three other blogs and hyperlinked to SCOTUSblog)

2012 [Professor Derrick Bell: "Radical Humanist"](#), 464 BLACK COMMENTATOR (Mar. 22)

2011 [Tribute to Professor Derrick Bell](#), Derrick Bell Official Website (Oct. 11)

2002 [White Privilege: A Challenge for Multicultural Education](#), 10

PHILADELPHIA PUBLIC SCHOOL NOTEBOOK 26 (Fall Issue)

- 2001** *Bamboozled at Berkeley: John McWhorter's New Millennium Minstrel Show*, 6 BLACK ARTS QUARTERLY 31 (with Raymond Gunn & Scott Brooks)
- [Racial Identity Issues and Children of Color: A Challenge for Educators](#), 9 PHILADELPHIA PUBLIC SCHOOL NOTEBOOK 20 (Fall Issue)

AMICUS BRIEFS

- 2022** Co-counsel, [Brief of Legal Scholars Defending Race-Conscious Admissions in Support of Respondents](#), *Students for Fair Admissions v. Harvard*, No. 20-1199, and *Students for Fair Admissions v. Univ. of North Carolina at Chapel Hill*, No. 21-707 (August 1, 2022) (with Jonathan Feingold)
- 2016** *Of Counsel*, Akin Gump LLP, Brief of Amici Curiae Fred T. Korematsu Center for Law and Equality et al. in Support of Defendant-Appellant in *People v. Bridgeforth*, 69 N.E.3d 611 (N.Y. 2016)
- 2015** Co-counsel, [Brief of Legal Scholars Defending Diversity in Higher Education as Amici Curiae in Support of Respondents](#), *Fisher v. Univ. of Texas at Austin II*, 579 U.S. 365 (2016)

POLICY PAPERS

- 2015** [Defending the Constitutionality of Race-Conscious University Admissions](#), American Constitution Society for Law and Policy (ACS), 9 ADVANCE: JOURNAL OF ACS ISSUE BRIEFS 73, (Oct. 29)
- 2001** *Multi-systemic Perspectives on Family and Youth Development*, Paper commissioned by Annie E. Casey Foundation under contract with the OMG Center for Collaborative Learning (Nov. 6)(with Margaret Beale Spencer et al.)
- 2000** *African American Males' Academic Achievement Experiences: Assumptions About Opportunities and Facts About Normative Developmental Needs and Inopportune Structural Conditions*, Paper commissioned by U.S. Department of Education, Special Task Force on African American Males (Dec. 4)(with Margaret Beale Spencer & Gregory D. Seaton)
- 1998** *Phenomenological Variant of Ecological Systems Theory (PVEST): A Conceptual Framework for Discussing Resiliency*, Paper commissioned by the Kellogg Children's Resiliency group (with Margaret Beale Spencer et al.)

PRESENTATIONS

Invited Talks & Panels

- 2023** Affirmative Action Panel, "The Scales of Justice Tilt Right: Abortion, Affirmative Action, and the Administrative State" Symposium, Drake University Constitutional Law Center (Apr. 15)
- 2022** Guest Speaker, Race Law and the Public Intellectual course, Fordham University School of Law (Oct. 25)
- Panel on Diversity and Hiring Practices, National Association of Administrative Law Judiciary Annual Conference (Oct. 24)
- Affirmative Action in Higher Education*, Randall-Parks Lecture Series, University of Kentucky Rosenberg College of Law (Sept. 29)
- SCOTUS Update*, Political Landscape In and Out of New Mexico, Capitol Counseling & Consulting Political Compliance Division (Aug. 23)
- Association of American Law Schools Section on Law School Deans panel, "Beyond the Harvard-UNC Case – Where Do Law Schools Go From Here?" (June 20)
- Racial Stereotypes, Risk, and Resilience: Implications for Black, Asian American, and South American Youth*, Department of Comparative Human Development Proseminar, University of Chicago (May 18)
- "Critical Race Theory: Racial Triangulation and Asian Americans" panel, Pace University Elizabeth Haub School of Law Asian American Law Students Association (Apr. 26)
- "Critical Race Approaches to the Well-Being and Welfare of Children of Color" panel, "Family Matters" Symposium, *Rutgers Race & the Law Review* (Apr. 13)
- Asian Americans, Racial Stereotypes, and Elite University Admissions*, Asian Pacific American Law Students Association, Boston University School of Law Association (Mar. 17)
- "Race, Education, and Beyond: The ripple effects of racial policies in education" panel, *Journal of Law in Society* 2022 Symposium, "Race & Education in the United States", Wayne State University School of Law (Mar. 11)
- "The Rising Tide Against Critical Race Theory" panel, *Tennessee Journal of Race, Gender & Social Justice* Symposium (Mar. 10)

“DesiCrit”: *Theorizing the Racial Ambiguity of South Asian Americans*, Critical Race Theory Colloquium, Drexel University Thomas R. Kline School of Law (Mar. 7)

“Diversity and Inclusion” panel, Inaugural William C. Hubbard Law and Education Law Conference, American Bar Foundation and University of South Carolina Law School (Feb. 25)

“DesiCrit”: *Theorizing the Racial Ambiguity of South Asian Americans*, Critical Race Theory Colloquium, Boston University School of Law (Feb. 16)

From “Hated Hindoo” to “Turbaned Terrorist”: South Asian American Racialization and Scapegoating, Asian Pacific American Law Students Association, University of Oklahoma School of Law (Feb. 15)

Asian Americans, Affirmative Action, and the U.S. Racial Landscape, Stavros Niarchos Foundation Paideia Program, University of Pennsylvania (Feb. 1)

“Free Speech in Education” panel, “Free* Speech” Symposium, *University of San Francisco School Law Review* (Jan. 28)

2021

Asian Americans, Racial Stereotypes, and Elite University Admissions, Problems in Antidiscrimination Law course, Boston University School of Law (Nov. 23)

The Importance of Race-Conscious Programs for Higher Education, Plenary Speaker, Annual Conference of the Northwest Commission on Colleges and Universities (Nov. 18)

“So You Want to be a Law Professor?” panel, American Bar Association Young Lawyers Division (YLD) Women of Color Task Force (Nov. 16)

“COVID-19: Lessons in Racial Triangulation and Solidarity” panel, 6th Annual Diversity and Social Justice Symposium, Chapman University Dale E. Fowler School of Law (Oct. 29)

“DesiCrit”: *Theorizing the Racial Ambiguity of South Asian Americans*, Asian Americans and the Law course, City University of New York School of Law (Oct. 12)

“The Attack on CRT” Opening Plenary, Latina/o Critical Legal Theory, Inc. (LatCrit) Conference (Oct. 8)

“It Just Means Telling the Truth”: Professor Derrick Bell’s Legacy, Diversity, Equity, and Inclusion Honors College Colloquium, Sam M. Walton College of Business, University of Arkansas (Oct. 5)

Guest Speaker, Race Law and the Public Intellectual course, Fordham University School of Law (Sept. 14)

“Historical Violence and Economic Disenfranchisement of AAPIs” panel, Connecting the Threads that Bind: Contextualizing Legalized Violence Against Asian Americans Conference, University of California Hastings School of Law Center for Racial and Economic Justice (Sept. 10)

“Exploring the Post-September 11 Rise of Anti-Arab, Anti-Muslim, and Anti-Asian Hate” panel, American-Arab Anti-Discrimination Committee & Damon J. Keith Center for Civil Rights, Wayne State University Law School (Aug. 12)

“Founding Failures: How America’s Racial Caste System Has Limited Opportunities for People of Color” panel, American Constitution Society for Law and Policy Webinar (May 27)

“Building Asian American and Black Solidarity for Racial Justice in Today’s America” panel, American Bar Association Section of Civil Rights and Social Justice and Coalition on Racial and Ethnic Justice Webinar (May 14)

“The Othering of the AAPI Community in America” panel, Society of American Law Teachers Webinar (*with* Rose Cuison-Villazor) (Apr. 9)

“Intersection of South Asian and Black Lives: A Historical & Contemporary Perspective” Webinar, South Asian Bar Association of DC (*with* Maneka Sinha) (Feb. 23)

2020

Diversity in the Practice of Law panel, *NYU Annual Survey of American Law* (Nov. 16)

“Educational Inequity” panel, “Race and the Pandemic” Symposium, *Washington & Lee Journal of Civil Rights and Social Justice* (Oct. 29)

Roundtable on Exclusion in the Asian American Community, American Bar Association, American Bar Foundation, & Law School Survey of Student Engagement (Oct. 6)

Civil Rights Law in Living Color, Faculty Colloquium, UNLV William S. Boyd School of Law (Jan. 28)

- 2019** “What is Fair in College Admissions and What Does it Mean for Campus Communities?” panel, Penn Spectrum Weekend Triennial Conference (Oct. 5)
- “DesiCrit”: *Theorizing the Racial Ambiguity of South Asian Americans*, Critical Race Theory Workshop, Columbia University School of Law (Apr. 18)
- “Confronting Racism” panel, Third Annual Shaping Justice Conference, “Creative Solutions for Shaping Justice” University of Virginia School of Law (Feb. 9)
- “DesiCrit”: *The Racial Ambiguity of South Asian Americans*, Critical Race Theory lecture, University of Iowa College of Law (Feb. 4)
- 2018** “Quality Education for ALL in the 21st Century: Can We Get There from Here?” panel, Clark 150 Conference, Drake University Law School (Sept. 28)
- “Race Hate 2018” plenary panel, Northeast People of Color Legal Scholarship Conference / Conference of Asian Pacific American Law Faculty (May 31)
- 2017** “The First and Fourteenth Amendments” panel, “Balancing the First Amendment with Diversity and Inclusion” Symposium, Pennsylvania State University – Dickinson Law School (Nov. 18)
- “What Does Resistance Look Like?” panel, Muslim Bans, Border Walls, and America’s Promise of Equality: Why Laws (and a Law Degree) Matter -Denver Law Pipeline Conference, Sturm College of Law, University of Denver (Mar. 31)
- “Constitutional Law and Civil Rights Law Developments” plenary panel, Mid-Atlantic People of Color Legal Scholarship Conference (Jan. 28)
- 2016** *Affirmative Action after Fisher v. Texas II*, Diversity Roundtable for Perkins Coie LLP, Phoenix, AZ Office (Oct. 27)
- “Abigail Fisher and Penn: How the Supreme Court decision could affect the composition of the Incoming Class” panel, Penn Spectrum Weekend Triennial Conference (Sept. 24)
- “Race and Class in Higher Education” panel, Yale Critical Race Theory Conference (Apr. 9)
- 2015** “DesiCrit”: *Theorizing the Racial Ambiguity of South Asian Americans*, Race and Law seminar, Wayne State University School of Law (Oct. 7)

Comparative Theorizing on the Racial Ambiguity of South Asian and Latina/o Americans, Annual Meeting of the Society for the Study of Social Problems (Aug. 21)

“Where We Stand: Affirmative Action and Asian Americans” panel, *UCLA Law Asian Pacific American Law Journal Symposium*, “Under the Radar” (Apr. 18)

“Understanding Color Distinctions in Asia” panel, “Global Perspectives on Colorism” Symposium, Washington University St. Louis School of Law (Apr. 3)

“Developing a Professional Identity as a Law Professor of Color: Past, Present, and Future” panel, Southeast-Southwest People of Color Legal Scholarship Conference (Mar. 21)

2014

“Using Data to Devise Admission Criteria” panel, Law School Survey of Student Engagement (LSSSE) 10th Anniversary Symposium, Saint Louis University School of Law (Nov. 7)

“Affirmative Action in Education: How It Began and Where We Are Today” panel, “Diversity in Education and the Future of Affirmative Action” Symposium, *N.Y.U. Review of Law and Social Change* (Apr. 4)

Racial Identity Development and Achievement: From the Clarks' Doll Studies to the “Acting White” Phenomenon, The College of New Jersey, School of Education & School of Humanities and Social Sciences (Mar. 18)

Fisher v. Texas panel, “Educational Inequality and the 14th Amendment in the 21st Century” Symposium, *University of Pennsylvania Journal of Constitutional Law* (Jan. 24)

2013

Race-Consciousness Across Domains of Human Development, Department of Comparative Human Development Proseminar, University of Chicago (Nov. 19)

Legal Matters panel at “Penn Spectrum: An Alumni Conference Celebrating Diversity,” University of Pennsylvania (Sept. 21)

“DesiCrit”: *Theorizing the Racial Ambiguity of South Asian Americans*, Advanced Critical Race Theory Workshop, UCLA School of Law (Apr. 10)

“Importance of Diversity in Education” panel, University of Pennsylvania School of Law (Mar. 28)

Constitutionality of Race-Conscious Admissions, Distinguished Speaker Series, Illinois Attorney General’s Office, Chicago Main Office (Mar. 13)

Diversity Within Racial Groups and the Constitutionality of Race-Conscious Admissions, Black Allied Law Students Association Political Action Speaker Series, NYU School of Law (Feb. 12)

2012 “The Potential Impact of *Fisher* on Legal Education” opening plenary session, Northeast People of Color Legal Scholarship Conference (Oct. 26)

Diversity Within Racial Groups and the Constitutionality of Race-Conscious Admissions, *University of Pennsylvania Journal of Constitutional Law* (Oct. 8)

2008 “Kenneth and Mamie Clark Revisited: Unfinished Business of 21st Century Disparities and Policy Inadequacies,” Presidential Session, Annual Meeting of the American Educational Research Association (Mar. 24)

Conference Papers & Workshops

2022 *Secret Admissions: The Ironic Rise and Fall of Affirmative Action*, Loyola Constitutional Law Colloquium (Nov. 4-5)

Secret Admissions: The Ironic Rise and Fall of Affirmative Action, Works-in-Progress Series, Constitutional Law, Southeastern Association of Law Schools Annual Conference (July 28)

Asian Americans, Racial Stereotypes, and Elite School Admissions, 2022 Global Meeting on Law and Society (July 16)

2021 *Asian Americans, Racial Stereotypes, and Elite University Admissions*, Loyola Constitutional Law Colloquium (Nov. 12-13)

Racial Triangulation, Interest-Convergence, and Double-Consciousness: Understanding Asian American Pacific Islander (AAPI) Stereotypes, Positionalities, and Identities, Critical Race Studies in Education Association Annual National Conference (Oct. 29)

Asian Americans, Racial Stereotypes, and University Admissions, Central States Law School Association Annual Conference (Sept. 25)

Affirming Affirmative Action and Negating Negative Action, Annual Meeting of the Law and Society Association (May 28)

Affirming Affirmative Action While Negating Negative Action, Association of Asian American Studies Conference (Apr. 10)

Racial Triangulation, Interest-Convergence, and the Double-Consciousness of Asian Americans, Georgia State Law Review Symposium, “Social Justice and Racial Equality: What's Next?”

(Mar. 26)

- 2020** *Affirming Affirmative Action and Negating Negative Action: SFFA v. Harvard and the Interest-Divergence Dilemma*, Rocky Mountain Junior Scholars Conference (Nov. 6)
- From the Clarks' Doll Studies to "Acting White": Reinterpreting Research on Black Racial Identity*, Inaugural Southwest Conference on Black Studies (cancelled due to COVID-19 pandemic)
- Blackness and the Racialization of South Asian Americans*, Inaugural Southwest Conference on Black Studies (cancelled due to COVID-19 pandemic)
- 2019** *Colorism and the Thirteenth Amendment*, Thirteenth Amendment and Racial Justice Conference, Chicago-Kent College of Law (Nov. 9)
- Civil Rights Law in Living Color*, Loyola Constitutional Law Colloquium (Nov. 8)
- Affirming Affirmative Action and Negating Negative Action*, LatCrit 2019 Biennial Conference (Oct. 18)
- Affirming Affirmative Action While Negating Negative Action*, National People of Color Legal Scholarship Conference (Mar. 22)
- Civil Rights Law in Living Color*, Barry Constitutional Law Scholars Forum (Mar. 1)
- 2018** *Equal Protection Under Color of Law*, Northeast People of Color Legal Scholarship Conference (June 1)
- 2017** *Equal Protection in Living Color*, Equality Law Scholars Forum (Nov. 17)
- "Safe Spaces" and the Educational Benefits of Diversity*, Annual Meeting of the American Educational Research Association (May 1)
- 2016** *Diversity, Academic Freedom, and Race-Conscious "Safe Spaces" on Campus*, Loyola (Chicago) Constitutional Law Colloquium (Nov. 5)
- "Two Warring Ideals in One Dark Body": Acting White while Living Black*, John Mercer Langston Workshop (July 9)
- From the Clarks' Doll Studies to "Acting White": What Have We Learned About Black Racial Identity Development Since Brown?* Critical Race Studies in Education Association Annual National Conference (June 3)

De Facto Segregation, Diversity, and Disparities: Fisher v. Texas, the Remix. Annual Meeting of the Law and Society Association (*with Shakira D. Pleasant*) (June 2)

From Footnote 11 to “Acting White”: A Reflection on Black Racial Identity Development. Mid-Atlantic People of Color Legal Scholarship Conference (Jan. 30)

2015 *Theorizing Racial Ambiguity: The Case of South Asian Americans*, Duke Center on Law, Race, and Politics Conference, “The Present and Future of Civil Rights Movements: Race and Reform in 21st Century America,” (Nov. 21)

Compelling Interest: Educational Benefits of Diversity and Race-Consciousness, Loyola (Chicago) Annual Constitutional Law Colloquium (Nov. 6)

Race-Conscious Campus Spaces and the Compelling Interest in Diversity, Association for the Study of Higher Education Annual Conference, Council on Ethnic Participation Forum (Nov. 4)

DesiCrit: *Theorizing the Racial Ambiguity of South Asian Americans*, South Asian Legal Academics Workshop (July 31)

DesiCrit: *Theorizing the Racial Ambiguity of South Asian Americans*, Critical Race Studies in Education Association Annual National Conference (May 29)

DesiCrit: *Theorizing the Racial Ambiguity of South Asian Americans*, Annual Meeting of Association for Study of Law, Culture, and Humanities (Mar. 7)

Narrowly Tailored But Broadly Compelling: Defending Race-Conscious Admissions After Fisher, Mid-Atlantic People of Color Legal Scholarship Conference (Jan. 31)

DesiCrit: *Theorizing the Racial Ambiguity of South Asian Americans*, Mid-Atlantic People of Color Legal Scholarship Conference (Jan. 30)

2014 *Narrowly Tailored But Broadly Compelling: Defending Race-Conscious Admissions After Fisher*, Annual Meeting of the Law and Society Association (May 31)

2013 *Race-Consciousness as Part of the Compelling Interest in Diversity*, Loyola (Chicago) Annual Constitutional Law Colloquium (Nov. 1)

Defining the Diversity Interest, Biennial Latina and Latino Critical Legal Theory, Inc. (LatCrit) Conference (Oct. 4)

Diversity's Distractions, Chicago Junior Faculty Workshop, DePaul University College of Law (Aug. 13)

Charting the "Sunset": The Future of Race-Conscious Admissions Policies, John Mercer Langston Workshop (July 13)

Charting the "Sunset": The Future of Race-Conscious Admissions Policies, Houston Higher Education Law Roundtable (June 3)

Fisher v. Texas and the Constitutional Cost-Benefit Analysis for Race-Conscious Policies, Annual Meeting of the Law and Society Association (May 31)

Racial Ambiguity, Racial Microclimates, and the Racialization of South Asian Americans, "Critical Race Theory: From the Academy to the Community" Conference, Yale Law School (Feb. 9)

Theorizing Racial Ambiguity: The Case of South Asian Americans, Conference of Asian Pacific American Law Faculty (CAPALF) (Feb. 2)

2012

Diversity Within Racial Groups and the Constitutionality of Race-Conscious Admissions, Loyola (Chicago) Annual Constitutional Law Colloquium (Nov. 2)

From Roach Powder to Radical Humanism: Professor Derrick Bell's Critical Constitutional Pedagogy, Poster at Society for American Law Teachers Teaching Conference (Oct. 5)

From Roach Powder to Radical Humanism: Professor Derrick Bell and the Dualities of Critical Constitutional Pedagogy, "Building the Arc of Justice: The Life and Legal Thought of Derrick Bell" Symposium, Western New England University Law School (Sept. 28)

Stigma, Social Science, and the Legacy of the Clarks' Doll Studies, Annual Meeting of the Law and Society Association (June 7)

2011

Race-Consciousness and Holistic Admissions after Grutter, John Mercer Langston Workshop (June 25)

A "Critical" Discourse on Diversity: Fisher v. Texas and the Meaning of "Critical Mass", Annual Meeting of the Law and Society Association (June 4)

- 2009** *Ambiguity, Ambivalence, and Awakening: The Future of Critical Race Theory*, Critical Race Theory 20 Conference, University of Iowa School of Law (Apr. 4)
- 2008** *Formal, Material, and Symbolic modes of Racialization: Examining South Asian Americans' Access to Whiteness*, Thirteenth Annual LatCrit Conference (Oct. 4)
- To Be or Not to Be 'White': The Racial Ambiguity and Ambivalence of South Asian Americans*, "Can People of Color Become a United Coalition?: Legal and Political Debates for Twenty-First Century America", NYU Law Students of Color Symposium (Mar. 4)
- 2007** *Racial Stereotypes and Achievement-linked Identity: Counterstereotypic Coping among High Achieving Black Adolescents*, 102nd Annual Meeting of the American Sociological Association (Aug. 14)
- Formal, Material, and Symbolic Modes of Racialization: Examining South Asian Americans' Access to Whiteness*, Berlin 2007 Joint Annual Meetings of the Law and Society Association and Research Committee on Sociology of Law (July 26)
- 2006** *Racial Stereotypes and Achievement-Linked Identity: Counterstereotypic Coping among High Achieving Black Adolescents*, Annual Meeting of the American Educational Research Association (Apr. 8)
- 2004** *Genetic, Racial and Cultural Determinism in Discourse on Black Athletes: A Critique of Entine's Taboo and Hoberman's Darwin's Athletes*, 99th Annual Meeting of the American Sociological Association (Aug. 14)
- Simple Justice or Complex Injustice?: The Ironic Legacies of Brown v. Board of Education*, Annual Meeting of the American Educational Research Association (Apr. 15)
- Simple Justice or Complex Injustice: The "Double-Consciousness" of Brown v. Board of Education*, Annual Conference of the National Association for Ethnic Studies, Inc. (Apr. 3)
- 2003** *Ambiguous Scapegoats: Critical Race Theory and the Racialization of South Asians in the U.S.*, 98th Annual Meeting of the American Sociological Association (Aug. 18)
- 2002** *South Asian Americans and the Social and Political Construction of Race*, "Global and Local Dimensions of Asian America: An International Conference on Asian Diasporas," University of California, Berkeley (May 11)

Resilience in Context: Neighborhood Factors Impacting the Academic Success of High-Achieving, Low Resource, Urban Minority Youth, Biennial Meeting of the Society for Research on Adolescence (Apr. 14) (with Margaret Beale Spencer et al.)

Ethnic Identity, Academic Achievement, and Psychosocial Well-Being: A Model for Research and Practice, Eleventh International Roundtable on School, Family, and Community Partnerships (Apr. 1) (with Margaret Beale Spencer et al.)

2001 *Testosterone and Aggressive Attitudes in African American Adolescent Males: A Phenomenological Variant of Ecological Systems Theory (PVEST) analysis*, Biennial Meeting of the Society for Research in Child Development (Apr. 19)

Racial Stereotyping and Black Athletic Achievement: Developmental and Ethical Considerations, Biennial Meeting of the Society for Research in Child Development (Apr. 19)

Adolescent Identity processes and Academic Achievement: Challenging the "Acting White" Assumption, Annual Meeting of the American Educational Research Association (Apr. 11) (with Margaret Beale Spencer et al.)

Nature, Nurture, and the Question of How?: A Phenomenological Variant of Ecological Systems Theory (PVEST), "Genetic Influences on Human Behavior and Development" Conference, Brown University Center for Study of Human Development (Apr. 5) (with Margaret Beale Spencer)

South Asian American Racial Identity: Straddling the Color Line?, Association of Asian American Studies Conference (Mar. 29)

1999 *Phenomenological Variant of Ecological Systems Theory (PVEST): A Conceptual Framework for Discussing Resiliency*, Kellogg Children's Resiliency group (May 27) (with Margaret Beale Spencer et al.)

1998 *Structural Racism and Community Health: A Model for Identity Intervention*, Aspen Institute Roundtable on Comprehensive Community Initiatives on Race, Conference on Race and Community Revitalization (Nov. 14) (with Margaret Beale Spencer)

1997 *The Medical School March: Advising Minorities Successfully*, National Conference of the National Academic Advising Association (Oct. 6) (with Jeanne Victoria C. Orner)

The Medical School March: Advising Minorities Successfully, Mid-Atlantic Conference of the National Academic Advising Association

(May 2) (*with* Jeanne Victoria C. Orner)

- 1995** *Isolation and Characterization of Microsatellite Markers in the Rabbit Genome*, Poster at 9th North American Colloquium on Domestic Animal Cytogenetics and Gene Mapping (July 17-20) (*with* Vasudha A. Bhide et al.)

Moderator/Discussant/Respondent

- 2022** Discussant for Christopher Mathis, *Higher Education Redress Statutes: A Critical Analysis of States' Reparations in Higher Education*, John Mercer Langston Workshop (July 7)
- 2021** Discussant for Kerrel Murray, *Discriminatory Taint*, John Mercer Langston Workshop (July 9)
- 2020** Moderator, "From Prop. 209 to Prop. 16: Historical, Legal, and Activist Perspectives on Affirmative Action" panel, University of California, Hastings College of Law (Oct. 7)
- 2016** Discussant for Areto A. Imoukhuede, *Fisher and the Walk Away from Equality*, John Mercer Langston Workshop (July 9)
- 2015** Moderator, "Identity/Intersectionality: Meaning and Identity in the Civil Rights Movement panel, Duke Center on Law, Race, and Politics Conference, "The Present and Future of Civil Rights Movements: Race and Reform in 21st Century America" (Nov. 21)
- 2014** Moderator, "The Impact of Property Rights on Civil Rights" panel, *Savannah Law Review* Symposium, "[Re]Integrating Spaces" (Sept. 20)
- 2013** Moderator, "State of Black Chicago" Voting Rights Symposium, Black Law Students Association, Chicago-Kent College of Law (Mar. 29)
- Discussant for Peter H. Huang, *Tiger Nation: Law, Economics, and Psychology of Diversity*, at the Conference of Asian Pacific American Law Faculty (CAPALF) (Feb. 2)
- 2012** Discussant for Herbert C. Brown, *A Crowded Room or the Perfect Fit?: Exploring Affirmative Action Programs for LGBT Individuals*, John Mercer Langston Workshop (June 30)
- Moderator, "Lawyering and the Adversarial System in Context" Panel, "Rethinking Harper Lee's *To Kill A Mockingbird* Fifty Years Later: A Critical Race Perspective On Atticus Finch, Tom Robinson and Maycomb County, Alabama Symposium, Seattle University School of Law (Mar. 9)

- 2007** Moderator, “Social Science Implications of Race-Based Jurisprudence” panel, “Affirmed or Denied? The Future of Affirmative Action and Race Based Social Policy in America” NYU Students of Color Symposium (Apr. 3)
- Moderator, “Restricting Violent Speech or Shackling Civil Liberties? The Legal Significance of the N-Word”, NYU Black Allied Law Students Association Symposium, NYU School of Law (Mar. 28)
- 2004** Moderator, “The Asian American Stake in the Affirmative Action Debate” panel, “Pushing the Envelope: The Next Challenge for Asian American Lawyers”, 3rd Mid-Atlantic Conference of the Asian/Pacific American Law Students Association, University of Pennsylvania School of Law (Jan. 31)
- 2003** Discussant for Dahlia G. Setiyawan, *A Case Study of Collectivism Among Indonesian Patients in a U.S. Medical Clinic*, University of Pennsylvania Asian American Studies Colloquium (Oct. 19)
- 2000** Respondent to Keynote Address, Richard Kahlenberg, *The Remedy: Class, Race, & Affirmative Action*, “Rethinking the Remedy: The Future of Affirmative Action in Higher Education and in the Workplace” Conference, University of Pennsylvania (Feb. 25)

Campus & Local Community Events

- 2022** *Asian American Critical Race Theory*, Asian American Pacific Islander Resource Center, University of New Mexico (Sept. 22)
- Constitution Day panel, New Mexico Humanities Council (Sept. 17)
- Critical Race Theory*, New Mexico Black Lawyers Association Black History Month Continuing Legal Education Series (Feb. 18)
- 2021** *Affirmative Action in University Admissions*, New Mexico Black Lawyers Association Continuing Legal Education series (Nov. 19)
- What is Critical Race Theory?*, City of Albuquerque Office of Equity and Inclusion (with Giovianna M. Burrell & Eden E. Tolesa) (Aug. 12)
- Bringing Asian Americans into the “Conversation” on Racial Justice*, Race and Law Roundtable, The Conversation Pre-Law Program, University of New Mexico School of Law (June 10)
- Working Towards Solidarity Between Asian American and Black Communities*, New Mexico Black Lawyers Association & City of Albuquerque Office of Civil Rights Webinar for Asian American Pacific Islander Heritage Month (May 27)

“Language and the Law” panel, Law Students for Equity and Inclusion, University of New Mexico School of Law (Apr. 21)

Voter Suppression & the Impact on Black Communities, Bosque School, Albuquerque, NM (*with* Torri A. Jacobus) (Feb. 24)

2020 *Voter Suppression & the Impact on Black Communities*, Symposium on Diversity & Inclusion, New Mexico State Bar Association (*with* Torri A. Jacobus) (Oct. 30)

“Pathway to Public Interest Law Careers, Part 1” panel, Association of Public Interest Law, University of New Mexico School of Law (Oct. 28)

“2020 Presidential Election: The Electoral Process and Possible Outcomes” panel, University of New Mexico School of Law (Oct. 26)

Voter Suppression, New Mexico Black Caucus 2020 Rising Star Event, Democratic Party of New Mexico (*with* Torri A. Jacobus) (Oct. 3)

“*Bostock v. Clayton County* Supreme Court Ruling and Implications on LGBTQ Law” panel, New Mexico LGBT Lawyers Association, New Mexico Black Lawyers Association, & City of Albuquerque Office of Civil Rights (Sept. 19)

2018 *Civil Rights Law in Living Color*, Internal Faculty Colloquium, Drake University Law School (Oct. 8)

2016 “SCOTUS Vacancy” panel, American Constitution Society Student Chapter, Savannah Law School (Mar. 10)

2014 *Can Georgia Go Blue?*, American Constitution Society Student Chapter, Savannah Law School (Nov. 3)

2013 Faculty Speaker on *Of Civil Rights and Wrongs: The Fred Korematsu Story*, Chicago-Kent Documentary Film Series on Race (Nov. 13)

Diversity's Doctrinal Distractions, Progressive Federalism conference, American Constitution Society Student Chapter, Chicago-Kent College of Law (Sept. 7)

Diversity's Doctrinal Distractions, Internal Faculty Colloquium, Chicago-Kent College of Law (Sept. 4)

2011 *Explaining What 'Acting White' Really Means: Racial Identity and the Black-White Achievement Gap*, Social Justice Mondays – Black History Month Event, Seattle University School of Law (Feb. 7)

MEDIA COMMENTARY

National Media

- 2022** Laura Krantz & Deidre Fernandes, [Supreme Court agrees to hear Harvard affirmative action case, could cause 'huge ripple effect' in college admissions](#), BOSTON GLOBE (Jan. 24)
- 2021** David Love, [The courts have served as an anti-democratic force for much of U.S. history](#), WASH. POST (Nov. 3)
- Jelani Cobb, [The Man Behind Critical Race Theory](#), NEW YORKER (Sept. 13)
- 2020** Patricia Hurtado, [Why the U.S. Is Threatening Yale Over Race and Admissions](#), WASH. POST (Aug. 17)
- Patricia Hurtado & David Yaffe-Bellany, [Yale Accused by Justice Department of Discriminating Against Asian American and White Applicants](#), TIME (Aug. 14)
- 2019** David A. Love, [US higher education: A system of meritocracy that never was](#), ALJAZEERA (Mar. 26)
- 2018** David A. Love, [Bill Cosby's fall ripples through the #MeToo movement](#), NBC NEWS BLK (Sept. 26)
- 2017** Deirdre Fernandes, [Justice Department investigating Harvard over its admission policies](#), BOSTON GLOBE (Nov. 21)
- Benjamin Wermund, [Trump administration sparks age-old affirmative action fight](#), POLITICO (Aug. 4)
- Deirdre Fernandes, [The majority of Harvard's incoming class is non-White](#), BOSTON GLOBE (Aug. 2)
- 2016** Nathalie Baptiste, [Supreme Court Affirmative Action Ruling Sets Precedent for Pending Cases](#), AMERICAN PROSPECT (June 27)
- Caroline Simon, [Why the Supreme Court's decision on affirmative action in college admissions was so surprising](#), BUSINESS INSIDER (June 23)
- Nathalie Baptiste, [University of Texas Affirmative Action Program in Peril](#), AMERICAN PROSPECT (June 8)
- 2014** HUFFPOST LIVE discussion of affirmative action (Apr. 22)

2013 John Schwartz & Richard Pérez-Peña, [*Lacking Definitive Ruling on Affirmative Action, Both Sides Claim Victory*](#), N.Y. TIMES, June 25, at A12

Local, College, & Specialized Media

2022 Rahem D. Hamid & Vivi E. Lu, *A Harvard Without Affirmative Action*, HARVARD CRIMSON (May 26)

2021 Vivi E. Lu & Dekyi T. Tsotsong, [*SFFA Petitions Supreme Court to Hear Harvard and UNC Cases Together*](#), HARVARD CRIMSON (Nov. 15)

Chris Ullery, *Could critical race theory be taught in PA schools?*, BUCKS COUNTY COURIER TIMES 1A (July 11)

Sofia Elena Chaelin Lee & Warren Wu, [*Affirmative Action: A Convenient Distraction from Institutional Inertia*](#), FAULTLINES (Jun. 25)

Vivi E. Lu & Dekyi T. Tsotsong, [*Supreme Court Delays Decision on Reviewing Harvard Admissions Lawsuit*](#), HARVARD CRIMSON (June 15)

[*Dear Ohio: Celebrating AAPI Heritage Month and highlighting the rise of violence against Asian Americans*](#), SPECTRUM NEWS OHIO (May 12)

Jamison Chung Jamison Chung, Brinna Ludwig, Brianna Rauenzahn, & Jasmine Wang, [*Combating AAPI Hate*](#), REGULATORY REVIEW (May 8)

Mo Yu, [*Should college admissions consider racial factors? Harvard "discrimination against Asians" case appealed to the Supreme Court*](#), VOICE OF AMERICA – CHINESE (Mar. 4)

Vivi E. Lu, [*Students for Fair Admissions Petitions SCOTUS to Take Up Suit Against Harvard's Race-Conscious Admissions*](#), HARVARD CRIMSON (Feb. 25)

Raquel Coronell Uribe & Jasper G. Goodman, [*Justice Department Drops Yale Admissions Lawsuit, Signifying Likely Shift in Harvard Suit*](#), HARVARD CRIMSON (Feb. 4)

Benjamin L. Fu & Vivi E. Lu, [*'Complete Switch in Position': SFFA-Harvard Admissions Suit Observers Anticipate Change in Affirmative Action Attitudes Under Biden Administration*](#), HARVARD CRIMSON (Jan. 20)

Thomas Maisonneuve (ed.), [*SFFA-Harvard Admissions Suit Observers Anticipate Change in Affirmative Action Attitudes Under Biden*](#), THEHARVARDCRIMSON Youtube Channel (Jan. 19)

- 2020** Claudia Silvia, [Complexity of Colorism](#), NEW MEXICO IN DEPTH (Dec. 11)
- Benjamin L. Fu & Dohyun Kim, [What to Expect Next in the Harvard Admissions Suit](#), HARVARD CRIMSON (Oct. 13)
- Benjamin L. Fu & Dohyun Kim, [DOJ Sues Yale for Racial Discrimination Amid Concurrent Harvard Investigation and Lawsuit](#), HARVARD CRIMSON (Oct. 13)
- Gordon Payne, [Experts say Kamala Harris rides a wave of women supporting Democrats](#), NEW MEXICO NEWS PORT (Sept. 21)
- Benjamin L. Fu & Dohyun Kim, [DOJ Issues Discrimination Findings Against Yale Amid Harvard Admissions Investigation, Lawsuit](#), HARVARD CRIMSON (Aug. 16)
- Patricia Hurtado & David Yaffe-Bellany, [Yale Accused by U.S. of Bias in Student Admission Picks](#), BLOOMBERGQUINT (Aug. 14)
- 2019** Camille G. Caldera, [Justice Department Continues Investigation Into Harvard Admissions](#), HARVARD CRIMSON (Dec. 18)
- Robert Iafolla, [Workers Try to Revive Race Bias Lawsuit Against Union at 2d Cir.](#), BLOOMBERG LAW (Nov. 29)
- Camille G. Caldera, Delano R. Franklin, & Samuel W. Zwickel, [Tuesday's Admissions Decision is Only the First Step in a Long Appeals Process, Experts Say](#), HARVARD CRIMSON (Oct. 2)
- Camille G. Caldera and Sahar M. Mohammadzadeh, [Harvard Admissions Trial Ruling Will Determine Facts for Future Appeals, Experts Say](#), HARVARD CRIMSON (Feb. 20)
- 2018** Patricia Hurtado, [The Future of College Admissions: Experts Weigh the Harvard Case](#), BLOOMBERG (Nov. 12)
- Aidan F. Ryan, [Texas Group Sues Harvard Law Review for Using 'Race and Sex' to Select Members](#), HARVARD CRIMSON (Oct. 9)
- Delano R. Franklin, Idil Tuysuzoglu, & Samuel W. Zwickel, [Experts: Harvard, Yale Probes Signal Future Federal Attacks On Affirmative Action](#), HARVARD CRIMSON (Oct. 5)
- Delano R. Franklin & Samuel W. Zwickel, [DOJ Broadside Against Harvard Admissions Hints at Federal Intent to Sue, Experts Say](#), HARVARD CRIMSON (Sept. 2)

Angela N. Fu & Lucy Wang, [Revelations in Harvard Admissions Suit Unlikely to Prove Discrimination, Experts Say](#), HARVARD CRIMSON (June 19)

Delano R. Franklin & Idil Tuysuzoglu, [An Inflection Point: High Stakes as Harvard Admissions Trial Approaches](#), HARVARD CRIMSON (May 23)

[“It Certainly Sends Alarm.” Savannah Professor Analyzes Rising Number Of School Threats](#), WSAV News 3 (Savannah, GA) (Apr. 5)

David Love, [As U.S. Becomes More Diverse, What Role Will Nonwhites Play In Furthering White Supremacy?](#) ATLANTA BLACK STAR (Jan. 3)

2017 Joel Stashenko, [N.Y. Ruling, a First, Says Excluding Juror Based on Skin Tone Is Prohibited](#), NEW YORK LAW JOURNAL (Jan. 3)

2016 David Love, [Little Rock 9: In Seeking School Desegregation Rather than Quality Education, Did Black People Miss the Forest for the Trees?](#) ATLANTA BLACK STAR (Sept. 4)

David Love, [The 14th Amendment Gave Black People U.S. Citizenship 150 Years Ago – What Will It Take for True Freedom?](#), ATLANTA BLACK STAR (July 28)

Jon Victor, [Supreme Court ruling upholds affirmative action in college admissions](#), YALE DAILY NEWS (June 23)

Marc Torrence, [U.S. Supreme Court Affirmative Action Decision Says Race Can Be Considered In College Admissions](#), PATCH MEDIA (June 23)

David Love, [120 Years After the Plessy Decision, Has Jim Crow Segregation Ended or Evolved?](#), ATLANTA BLACK STAR (May 18)

David Love, [Opposing Views: What a Trump Presidency Would Look Like for Black America](#), ATLANTA BLACK STAR (Apr. 14)

Thomas Vogel, [If SCOTUS Calls, Shortlist Veteran Judge Wood Will Answer](#), MEDILL REPORTS CHICAGO (Northwestern Univ. School of Journalism) (Mar. 1)

2014 [Schuette v. Coalition to Defend Affirmative Action: Behind the Decision](#), Institute on the Supreme Court/Oyez Project video (June 9)

2013 [Schuette v. Coalition to Defend Affirmative Action: Inside the Case](#), Institute on the Supreme Court /Oyez Project video (Oct. 11)

Ellyn Fortino, [*Legal Experts: SCOTUS Decision Leaves Affirmative Action 'Up In The Air'*](#), PROGRESS ILLINOIS (July 2)

PEER REVIEW

Book Publishers

- University of California Press
- University Press of Kansas

Law Journals

- *Harvard Law Review*
- *Yale Law Journal*
- *Journal of College and University Law*

Psychology Journals

- *Child Development*
- *American Psychologist*
- *Asian American Journal of Psychology*
- *New Directions for Child & Adolescent Development*

Sociology & Ethnic Studies Journals

- *Ethnic and Racial Studies*
- *Ethnic Studies Review*
- *Ethnicities*
- *Race and Social Problems*

Education Journals

- *Anthropology & Education Quarterly*
- *Compare: A Journal of Comparative and International Education*

BLOG EDITOR

2022- Race Rights and the Law Blog

2016-21 Race and the Law Prof Blog

GOVERNMENT SERVICE

2021- Member, New Mexico Advisory Committee to the U.S. Commission on Civil Rights, Member

2020- At-large Member, Steering Committee Member, & Pipeline Subcommittee Member, New Mexico Supreme Court Commission on Equity and Justice

PUBLIC INTEREST CONSULTATION

- 2022** Advisor to NAACP-LDF and Lawyers Committee for Civil Rights Under Law Affirmative Action U.S. Supreme Court Amicus Briefs and Academic Research Working Groups (defending race-conscious admissions policies)
- 2021** Advisor to Intervenors in *Students For Fair Admissions, Inc. v. Univ. of N.C.-Chapel Hill* (defending race-conscious admissions policies)
- 2019** Advisor to Conservation Law Foundation on legality of race-conscious provisions in proposed environmental justice legislation in Massachusetts
- 2015** Advisor to NAACP-LDF on U.S. Supreme Court amicus briefs in support of Respondents in *Fisher v. Univ. of Tex. at Austin II* (defending race-conscious admissions policies)
- 2012-15** Advisor to Society of American Law Teachers for U.S. Supreme Court amicus brief in *Fisher v. Univ. of Texas I II* (2016), and *Schuetz v. Coalition to Defend Affirmative Action* (2014) (defending race-conscious admissions policies)

EDUCATIONAL OUTREACH – K-12 SCHOOLS

- Interviewed by student at The Beacon School in New York, NY for constitutional law course paper (Jan. 20, 2022).
- Interviewed by student at Skyline High School in Oakland, CA for Advanced Placement U.S. government course project on affirmative action (Nov. 20, 2020).
- Judge for Marshall-Brennan Constitutional Literacy Project high school moot court competition (New Mexico) (Nov. 15, 2019).
- Assisted high school student in Los Angeles, CA with *Los Angeles Times* High School Insider Program documentary proposal on skin color discrimination in Asia (Jan. 9-10, 2018).
- Interviewed by middle school student in Lexington, KY for National History Day documentary, *The Little Rock Nine: A Stand Against School Segregation* (Feb. 10, 2017).
- Assisted high school social studies teacher at NYC iSchool with lessons on constitutional law and race-conscious university admissions (2015-16).

PROFESSIONAL ORGANIZATIONS

- Society of American Law Teachers (SALT), Board of Governors (2017-)
- American Constitution Society for Law and Policy (ACS) (2015-)
- New Mexico Black Lawyers Association (2019-), Third Vice President (2020-22)
- New York University - Law Alumni of Color Association, Executive Board (2007-13)

SERVICE TO INSTITUTIONS

University of New Mexico – Main Campus

- Community Advisory Board, Asian American Pacific Islander Resource Center (2022-)

University of New Mexico School of Law

- Admissions Committee (Chair, 2022-23)
- Faculty Colloquium Committee (2022-23)
- Honors and Awards Committee (2019-22), Chair (2020-22)
- Student Retention, Suspension, and Readmission Committee (2019-22)
- Search Committee, Communications and Outreach Specialist (2020)
- Search Committee, Assistant Director of Admissions (2019)
- Planning Committee, *Korematsu at 75: Understanding the Legacy of Japanese-American Internment* (Fall 2019)
- Advisor to University of New Mexico School of Law Natural Resources and Environmental Law Clinic on legality of race-conscious provisions in proposed environmental justice legislation in New Mexico (2021)
- Faculty Advisor, Women's Law Caucus (2022-23)
- Faculty Advisor, Science, Technology, and Law Association (2020-21)
- Independent Research faculty supervisor, Denali Wilson ('20) and Eric Valdez ('20)

Savannah Law School

- Faculty Development Committee (Chair, 2016-17)
- Admissions Committee (2014-15, 2016-2018)
- Curriculum Committee (2014-2018)
- Visiting Faculty Appointments Committee (2016)
- Faculty Advisor, *The Oak* (student newsletter) (2017-18)
- Independent Research faculty supervisor, Kurtis Bronson ('18)

Chicago-Kent College of Law

- Diversity Committee (2012-14)
- Faculty Advisor, Black Law Students Association (2013-14)

Seattle University School of Law

- Search Committee, Fred T. Korematsu Center for Law and Equality Clinical Fellow (2011)
- Recognized at end-of-year celebration for contributions to Black Law Students Association and Latinx Law Students Association (2011-12)