



April 8, 2021

Dear Colleagues:

I hope you are all well and getting vaccinated. I know it's been a challenging year and we all badly need some hope and optimism right now, but I'm afraid I'm writing about some recent unpleasant and disturbing events, including a story about me that came out last night in the Yale Daily News.

At a bare minimum, whatever else you may think, every member of this faculty should be concerned that confidential personnel information about me has been disclosed. If a letter in my personnel file can be leaked to students, anyone's can be. If the Administration is selectively leaking personnel files—whether to students, graduates, or the press—for its own reasons or purposes, whatever they may be, everyone should be alarmed.

I respectfully request an outside investigation into the disclosure of confidential and private personnel information about me, as described below.

On Sunday, March 28, to my utter shock, I received an email from a Yale Daily News reporter named Julia Brown, who informed me that she was “working on an article about how you will not be leading a small group at the law school next year” and that “there will likely be a formal announcement about it on Monday.” This was the first I'd heard of this. (By the way, I had desperately *not* wanted to teach a small group, but Ian implored me for three months to take this on, and I finally agreed to do so back in January.) The reporter's email implied that the decision had been made on the basis of allegations that I had been recently “hosting parties” at my house—ridiculous allegations I had never heard before from anyone. Finally, the email contained a shocking number of confidential details about an agreement I reached with Heather back in 2019, which the Daily News was apparently preparing to publish.

In my dismay, I wrote an intemperate email to Heather:

*Heather, I am so upset by this! This is totally false and I feel like I'm being bullied! How did they get all this information? And why am the last person to find out about the small group, which I didn't want to teach anyway!? What should I say to this reporter? Will the school stand by me??*

Heather and I agreed to a Zoom meeting at 5:15 that same evening, Sunday the 28th. Because Ian was away, she said, Mike Wishnie would be on the call instead.

On the 5:15 Sunday Zoom call, I was treated absolutely degradingly, like a criminal. Heather confirmed what the reporter had told me: she had in fact decided that I was to be removed

from the Small Group roster for next year, and (she said) she had been planning to tell me on Monday. But instead of explaining how this information had made it the Daily News before being communicated to me, or why I'd been suddenly stripped of teaching a Small Group, or how on earth the Daily News could possibly have confidential personnel information about me (that had to have been originally disclosed by someone in the Administration), Heather said it was time for *me* to "be candid." Mike said nothing the whole time, and just took notes. Besides Heather saying repeatedly, "This is the time for you to be candid, Amy," she asked me over and over, "Did you have a federal judge to your house with students?"

I honestly had no idea what she was talking about, and I felt that I was in an inquisition. I was distraught and totally confused. I kept asking what was going on. A federal judge over to my house with students?! No, no, no, I told her. The suggestion is not only 100% false but (during COVID) ludicrous.

As you may have seen, the terrible story in the Yale Daily News came out last night. I'm speechless. It is so out of sync with the truth I don't know where to begin.

At the outset, let me state that I do not believe that I have violated anything in my agreement with Heather (which was confidential and also mischaracterized by the Yale Daily News).

Let me also just say that by asking me to teach a Small Group—in fact twisting my arm to do it!—the School was obviously expecting me to socialize with students, so the notion that I was under some kind of ban is hard to understand.

As I wrack my brain to try to imagine what "dinner parties" with students they could possibly be referring to, I can only think of a few possibilities—all of which I not only stand by, but am proud of. As many of you know, there were a number of serious crises for our students in the last few months, including a student sending racist and terrifying violent messages to other students (and then disappearing), accusations of racism at the Law Journal, and most recently the outburst of anti-Asian violence that's been in the news. In the midst of these events, a few students in extreme distress reached out to me, feeling that they had no one else to turn to, many of them feeling that the law school administration was not supporting them. Because we could not meet in the law school building, we met at my house, and I did my best to support them and console them. One of the students had received death threats; another student was sobbing because of violence directed at her mother. Jed was not present. On my own time, I've responded to students' cries for help and tried my hardest to mentor and comfort students in times of crisis when they feel hopeless and alone—and for this, it appears, I'm being punished and publicly humiliated without anything remotely resembling due process.

What I find most disturbing, however, and what I think every member of this faculty should find disturbing, is the following.

**1. Confidential information about my agreement with Heather has been disclosed to students or the press.** Though the report of this agreement by the Daily News is inaccurate, there are enough correct details to leave no doubt that confidential information, known only to the Dean's office, has somehow been disclosed. This breach is a gross violation of the standards that

apply to all deans and all administrators at this University, and quite possibly a violation of law as well.

**2. To this day, ten days after I was removed from next year's Small Group roster, I still have received no explanation whatsoever from the Dean's Office about why this decision was made.** I asked Heather, and she refused to answer. My emails to her are not even replied to. Instead I have been left to read allegations in the Yale Daily News. On this score, the statement issued by the Dean to the Daily News is especially troubling because it is carefully worded to insinuate that the decision was made on the basis of allegations of misconduct—of which I was never informed.

**3. The information that the Dean had decided to bar me from teaching a Small Group (again, an assignment I didn't want), which should also have been confidential, was evidently communicated to students before the School even told me about it.** This also means that the decision to remove me from the Small Group roster was made before I had even learned that any allegations had been made against me, so that I had no chance at all to defend myself against whatever the allegations were.

I stand by my record of service to this school, and I could not be prouder of the help and support I've tried to give our students. For what it's worth, dozens of current and graduated students submitted emails protesting the School's decision and attesting to the positive impact I've had in their lives, the majority of them (I believe) from students from minority or marginalized communities. Many of these emails make the point that I am being targeted by "a small group of students" who have never taken a class from me and who oppose "controversial" opinions I've expressed. Many of these emails also single out my work with students from underrepresented communities and express concern that the effect of this decision will be "racist and classist," with a disparate impact on students of color and students from poorer backgrounds.

If you've read this far, thank you and sorry for taking so much of your time. Let me add that I am not seeking reinstatement to the Small Group roster. I do think, however, there should be an investigation into how these breaches of confidentiality occurred, with serious punishment for anyone found to be responsible.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Amy Chua". The signature is fluid and cursive, with a stylized "A" and "C".

Amy Chua