

**NOT RECOMMENDED FOR PUBLICATION**

No. 25-5261

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**FILED**  
Dec 15, 2025  
KELLY L. STEPHENS, Clerk

QINGFEI ZHANG,	)	
	)	
Plaintiff-Appellant,	)	
	)	
v.	)	ON APPEAL FROM THE UNITED
	)	STATES DISTRICT COURT FOR
UNIVERSITY OF KENTUCKY; KAREN TICE,	)	THE EASTERN DISTRICT OF
in both her individual and official capacities,	)	KENTUCKY
	)	
Defendants-Appellees.	)	
	)	

**ORDER**

Before: WHITE, BUSH, and NALBANDIAN, Circuit Judges.

Pro se plaintiff Qingfei Zhang appeals the district court's judgment dismissing her civil rights complaint. This case has been referred to a panel of the court that, upon examination, unanimously agrees that oral argument is not needed. *See* Fed. R. App. P. 34(a). For the reasons below, we affirm.

Zhang was a Gender and Women's Studies Ph.D. student at the University of Kentucky ("the University") from August 2019 through May 2020. On May 14, 2020, Zhang was advised that she had been placed on departmental academic probation because of her grades and overall performance. She was also informed that she would not be rehired as a teaching assistant for the next semester. Zhang blames her lower grade in one class, GWS 650, on her professor, Dr. Karen Tice. For example, Zhang alleges that she submitted an assignment late because Tice did not create an online board for submitting the assignment.

In June 2020, Zhang filed a report of discrimination based on ethnic origin, sex, gender identity, gender expression, and race with the University's Office of Institutional Equity and Equal

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Opportunity. The next month, Zhang appealed her GWS 650 grade to the University's academic ombud. Both the ombud and the Office of Institutional Equity and Equal Opportunity found no merit to her allegations. On October 6, 2020, the University Appeals Board denied her grade appeal. Later, she submitted inquires to the Equal Employment Opportunity Commission (EEOC) and the Kentucky Commission on Human Rights. She also filed a complaint against the University with the United States Department of Education Office of Civil Rights. Zhang alleges that the Office of Civil Rights did not issue its report until 2024, and she appealed the adverse decision within the Office of Civil Rights.

In January 2025, Zhang filed a complaint in the district court asserting claims against the University and Karen Tice, in her official and individual capacity, under Title VI, Title VII, and 42 U.S.C. § 1983. The defendants moved to dismiss under Rule 12(b)(6). The district court dismissed the Title VII claim against the University and Tice in her official capacity without prejudice. It dismissed the remaining claims with prejudice. In doing so, the court concluded that Zhang's Title VI claims and her § 1983 claims against Tice in her individual capacity were untimely and that Zhang was not entitled to equitable tolling. Zhang appeals only the dismissal of her Title VI and § 1983 claims.

We review de novo a district court's dismissal of a complaint for failure to state a claim under Rule 12(b)(6). *Theile v. Michigan*, 891 F.3d 240, 243 (6th Cir. 2018). To avoid dismissal, "a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). When considering a Rule 12(b)(6) motion to dismiss, we must "construe the plaintiff's complaint liberally, in [the] plaintiff's favor, accepting all factual allegations as true and drawing all reasonable inferences in favor of the plaintiff." *Logsdon v. Hains*, 492 F.3d 334, 340 (6th Cir. 2007).

We likewise review de novo a district court's determination that equitable tolling does not apply. *Wershe v. City of Detroit*, 112 F.4th 357, 365 (6th Cir. 2024), *cert. denied*, 145 S. Ct. 1128 (2025) ("We review a denial of equitable tolling de novo when the underlying facts are undisputed

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and for abuse of discretion when there is a factual dispute.”). Because neither Title VI nor § 1983 has its own statute of limitations, we apply Kentucky’s one-year statute of limitations for personal injury actions and any attendant rules for equitable tolling. *See Heard v. Strange*, 127 F.4th 630, 633 (6th Cir. 2025); *Collard v. Ky. Bd. of Nursing*, 896 F.2d 179, 181-82 (6th Cir. 1990); *Lillard v. Shelby Cnty. Bd. of Educ.*, 76 F.3d 716, 729 (6th Cir. 1996). We conclude that Zhang is not entitled to equitable tolling, and her action was filed outside the statute of limitations.

Zhang argues that the one-year statute of limitations did not start running until 2024. Although Kentucky law governs the *length* of the statute of limitations, federal law determines when the claim *accrues*. *McDonough v. Smith*, 588 U.S. 109, 115 (2019). Under federal law, a claim accrues when the plaintiff has a complete and present cause of action. *Reguli v. Russ*, 109 F.4th 874, 879 (6th Cir. 2024) (citing *Bay Area Laundry & Dry Cleaning Pension Tr. Fund v. Ferbar Corp. of Cal., Inc.*, 522 U.S. 192, 201 (1997) (citations omitted)). The discovery rule may delay the start of the statute of limitations until the plaintiff “knows, or in the exercise of due diligence should have known, both his *injury* and the *cause* of that injury.” *Reguli*, 109 F.4th at 882; *Snyder-Hill v. Ohio State Univ.*, 48 F.4th 686, 701 (6th Cir. 2022). The causation inquiry generally focuses on the plaintiff’s knowledge that the *defendant* caused the injury, “not the defendant’s *subjective reasons* for doing so.” *Reguli*, 109 F.4th at 884 (finding that a claim accrued at the time of the injury, not when the plaintiff learned that the defendant acted with unlawful intent). The limitations period can start to run even if a plaintiff “lacks knowledge of *every element* of the claim.” *Id.* at 883.

Zhang alleges that there was no way for her to know that the University violated her civil rights until after the Office of Civil Rights issued its 2024 report. But, as the district court observed, “all the alleged facts that led her to believe the [dismissal and termination] decisions were based on race, color, or national origin occurred prior to [May 14, 2020].” R. 18, PID 142. At that point, then, Zhang discovered the alleged injury (discrimination) and who was responsible (defendants). Indeed, that’s why she opened the investigations and filed appeals with the University. In our view, Zhang’s Title VI claims accrued on October 6, 2020, when the University

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Appeals Board denied her grade appeal, and her § 1983 claims accrued on May 14, 2020, when the University placed her on departmental academic probation. Thus, under either formulation of the accrual rules, Zang’s claims are untimely because she filed them in 2025, years after the one-year limitation period expired.

Zhang also argues that equitable tolling saves her Title VI and § 1983 claims. Unlike the accrual rules, federal courts look to state law to determine whether equitable tolling applies. *Wallace v. Kato*, 549 U.S. 384, 394 (2007). Under Kentucky law, a statute of limitations can be tolled when a party diligently pursued their rights, but extraordinary circumstances prevented them from bringing a timely action. *See Williams v. Hawkins*, 594 S.W.3d 189, 193 (Ky. 2020). Zhang does not show that she relied on any misrepresentation made by the University and does not plead with “particularity” that the University or Dr. Tice actively concealed facts or prevented her from timely discovering the cause of action. *Carrier Corp. v. Outokumpu Oyj*, 673 F.3d 430, 447 (6th Cir. 2012).

Zhang maintains that the district court should have equitably tolled the limitations period because she was of unsound mind and lacks familiarity with the U.S. legal system. We disagree. Zhang actively pursued her claims in several forums during the limitations period, contradicting her unsound-mind argument. *See Commonwealth v. Carneal*, 274 S.W.3d 420, 429 (Ky. 2008) (explaining that a party must show that their mental incompetence prevented timely filing). And a pro se plaintiff’s ignorance of the U.S. legal system does not justify equitable tolling. *See Wright v. Louisville Metro Gov’t*, 144 F.4th 817, 824–25 (6th Cir. 2025). So, the district court did not err in declining to equitably toll the Title VI and § 1983 statute of limitations.

For these reasons, we **AFFIRM** the judgment of the district court.

ENTERED BY ORDER OF THE COURT

  
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Kelly L. Stephens, Clerk