



**THE EQUAL PROTECTION PROJECT**  
**A Project of the Legal Insurrection Foundation**  
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August 19, 2024

**BY EMAIL** (OCR.Chicago@ed.gov)

Adele Rapport  
Regional Director  
U. S. Department of Education  
Office for Civil Rights – Region V  
230 S. Dearborn Street, 37th Floor  
Chicago, IL 60604

**Re: Civil Rights Complaint Against University of Illinois Urbana-Champaign  
Regarding 42 Discriminatory Scholarships**

Dear Ms. Rapport:

This is a federal civil rights complaint submitted pursuant to the U.S. Department of Education’s Office for Civil Rights (“OCR”) discrimination complaint resolution procedures.<sup>1</sup> We write on behalf of the Equal Protection Project of the Legal Insurrection Foundation, a non-profit entity that, among other things, seeks to ensure equal protection under the law and non-discrimination by the government and by recipients of government funds, and that opposes racial and unlawful sex discrimination in any form.

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<sup>1</sup> See 42 U.S.C. § 2000d-1; 34 C.F.R. §§ 100.7, 100.8, and 100.9.

We write in connection with the **University of Illinois Urbana-Champaign (UIUC)** for illegal sex-based and race-based discrimination in violation of Title IX and Title VI, respectively. Specifically, UIUC offers, administers, and promotes 42 scholarships that discriminate based on race, sex, or both. Details of UIUC’s discrimination are provided below in three sections that include links to the relevant websites for each scholarship.

**I. Title IX Violations (19)** – Eight scholarships are offered exclusively to female students, eight state a preference for female students, two are offered exclusively to male students, and one states a preference for male students.

**II. Title VI Violations (19)** – These 19 scholarships are all offered exclusively or with a stated preference for various groups based on race, color, or national origin including students from underrepresented populations, students who are historically underrepresented, students from minority groups, and students from various ethnic groups or national origins including Czech, Lithuanian, Japanese, Latina/Latino, Iranian.

**III. Title IX and Title VI (4)** – These four scholarships discriminate based on both sex and race either exclusively, e.g., eligibility is restricted to a male minority freshman, or with a stated race/sex preference, e.g., minorities or women preferred.

In violation of Title XI and/or Title VI, each of UIUC’s 42 scholarships below illegally discriminates based on sex, race, or both. Given the vast array of discriminatory scholarships, it is clear that UIUC has a systemic non-compliance with federal civil rights laws. We request that OCR investigate UIUC for the multiple violations of federal civil rights laws (Title IX and Title VI) as set out below, and impose remedial and other relief

### **Legal Provisions**

We summarize below the applicable law that governs the discriminatory scholarships detailed later in this Complaint.

#### **Title VI – Unlawful Racial Discrimination**

UIUC violates Title VI by conditioning eligibility for or providing preferential treatment for the scholarships listed below based on a student’s race, color or national origin. Title VI prohibits intentional discrimination based on race, color or national origin in any “program or activity” that receives federal financial assistance. *See* 42 U.S.C. § 2000d. The term “program or activity” means “all of the operations . . . of a college, university, or other postsecondary institution, or a public system of higher education.” *See* 42 U.S.C. § 2000d-4a(2)(A); *Rowles v. Curators of the Univ. of Mo.*, 983 F.3d 345, 355 (8th Cir. 2020) (“Title VI prohibits discrimination on the basis of race in federally funded programs,” and thus applies to universities receiving federal financial

assistance). UIUC receives and administers federal funds through numerous programs.<sup>2</sup> As UIUC is a public institution, it is also subject to Title VI.<sup>3</sup>

As you know, in *Students for Fair Admissions Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181 (2023), the Supreme Court declared that “[e]liminating racial discrimination means eliminating all of it .... The guarantee of equal protection cannot mean one thing when applied to one individual and something else when applied to a person of another color. If both are not accorded the same protection, then it is not equal.” *Id.* at 34 (cleaned up). “Distinctions between citizens solely because of their ancestry [including race] are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.” *Id.* at 35.

In discrimination cases, it does not matter if a recipient of federal funding discriminates to advance a benign “intention” or “motivation.” See, *Bostock v. Clayton Cty.*, 590 U.S. 644, 661 (2020) (“Intentionally burning down a neighbor’s house is arson, even if the perpetrator’s ultimate intention (or motivation) is only to improve the view.”) “Nor does it matter if the recipient discriminates against an individual member of a protected class with the idea that doing so might favor the interests of that class as a whole or otherwise promote equality at the group level.” *Students for Fair Admissions*, 600 U.S. 289 (Gorsuch, J., concurring). And, irrespective of whether a program’s classifications based on immutable characteristics further a compelling interest, a race-

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<sup>2</sup> See, e.g., UIUC website, Office of Student Financial Aid, “Federal Pell Grant,” found at <https://osfa.illinois.edu/types-of-aid/grants/federal-pell-grant/>; *id.*, “Federal Supplemental Educational Opportunity Grant (FSEOG),” found at <https://osfa.illinois.edu/types-of-aid/grants/federal-supplemental-educational-opportunity-grant-fseog/>.

<sup>3</sup> Although your office does not enforce Title II of the Civil Rights Act of 1964, that statute makes it unlawful to discriminate based on race or color in a place of “public accommodation” such as UIUC 42 U.S.C. § 2000(a)(a).

These scholarships also violate the Illinois Human Rights Act, which prohibits the “denial or refusal of full and equal enjoyment of facilities, goods, or services” in any “secondary, undergraduate, or postgraduate school, or other place of education.” 775 ILCS 5/5-101 *ff.*

Finally, these scholarships defy UIUC’s own non-discrimination policy, which states, “The University of Illinois System will not engage in discrimination or harassment against any person because of race, color, religion, sex, national origin, ancestry, age, marital status, order of protection status, genetic information, disability, pregnancy, sexual orientation including gender identity, unfavorable discharge from the military or status as a protected veteran and will comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations. This nondiscrimination policy applies to admissions, employment, access to and treatment in the programs and activities of the University of Illinois System.” See, <https://www.bot.uillinois.edu/governance/nondiscrimination>; archived at <https://web.archive.org/web/20240816013857/https://www.bot.uillinois.edu/governance/nondiscrimination>.

conscious program must be based on “individualized consideration,” and race must be used in a “nonmechanical way.” *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003).

Because UIUC is a public institution, its creation, sponsorship or promotion of discriminatory scholarships also violates the Equal Protection Clause of the Fourteenth Amendment. Any exception to the Constitution’s demand for equal protection must survive the constitutional test of strict scrutiny, and the scholarships at issue here flunk that exacting test.

For these reasons, UIUC’s racial requirements for the scholarships set out below violate federal and state civil rights statutes and constitutional equal protection guarantees.

### **Title IX – Unlawful Sex Discrimination**

Title IX makes it unlawful to discriminate based on sex in education. That statute provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. §1681(a). For this reason, a school receiving federal funding may not administer scholarships, fellowships or other forms of financial assistance that impose a preference or restriction based on sex, with limited exceptions not applicable here. 34 C.F.R. § 106.37(a).

Here, the sex-based eligibility criteria for participation in the discriminatory scholarships listed below are, by their terms, plain: If applicants do not meet the blunt sex requirements described in their respective eligibility criteria, they are not eligible for these scholarships. UIUC’s sex discrimination concerning these programs is unlawful.

Irrespective of whether the scholarships’ classifications based on immutable characteristics further a compelling interest, a discriminatory program must be based on “individualized consideration,” and the criterion must be used in a “nonmechanical way.” *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003). Concerning Title IX in particular, OCR has stated that a school may not justify discrimination for purposes of addressing an “imbalance” in participation by relying on national statistics of limited participation in a discriminatory program. Rather, it “must instead clearly articulate why the particular sex-based scholarship or program was necessary to overcome the conditions in its own education program or activity which resulted in limited participation therein.”<sup>4</sup>

Here, the sex-based eligibility criterion is, by its terms, applied mechanically, and without any statistical justification warranted by any alleged past discrimination by UIUC. Because UIUC’s gender requirements for these scholarships are presumptively invalid, and because there

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<sup>4</sup> OCR “Questions and Answers Regarding OCR’s Interpretation of Title IX and Single Sex Scholarships, Clubs, and other Programs,” January 14, 2021, at 4 (found at <https://www2.ed.gov/about/offices/list/ocr/docs/qa-single-sex-20210114.pdf>) (emphasis in original).

is no legal justification for such invidious discrimination, UIUC’s use of such criteria violates federal civil rights statutes.

### **Breakdown of Discriminatory UIUC Scholarships**

We list below each of the 42 discriminatory scholarships, with links to information about the scholarships on UIUC’s own website, and specification of the awarding department and a description of the scholarship where available.

#### **I. Sex Discrimination - Title IX Violations (19)**

- 1) A.E. Florio Award  
Awarding Department: College of Applied Health Sciences  
“Awarded to undergraduate community health students studying health education . . . For 2024, one \$1,500 award will be given.”<sup>5</sup>  
*Eligibility:* “Preference is given to **women**”<sup>6</sup>
- 2) Allen John Kreitzer Jr Scholarship  
Awarding Department: College of Business Administration  
*Eligibility:* Preference to **males**<sup>7</sup>
- 3) Mary Chow Scholarship  
Awarding Department: College of Engineering  
“Sophomore, based on freshman year performance; Outstanding **female**; Renewable through senior year – must remain in good academic standing”<sup>8</sup>

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<sup>5</sup> See, <https://ahs.illinois.edu/kinesiology/awards-and-scholarships>; archived at <https://web.archive.org/web/20240816181742/https://ahs.illinois.edu/kinesiology/awards-and-scholarships>.

<sup>6</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=322>; archived at <https://web.archive.org/web/20240816154054/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=322>

<sup>7</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=58>, archived at <https://web.archive.org/web/20240816153745/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=58>.

<sup>8</sup> See; <https://ise.illinois.edu/undergraduate/resources/scholarships/mary-chow-scholarship>, archived at <https://web.archive.org/web/20240816182032/https://ise.illinois.edu/undergraduate/resources/scholarships/mary-chow-scholarship>.

- 4) Roxanne J. Decyk Fellowship  
Awarding Department: College of Liberal Arts and Sciences<sup>9</sup>  
*Eligibility*: 1st-year **female** graduate student<sup>10</sup>
- 5) D.A. Decyk Fellowship  
Awarding Department: College of Liberal Arts and Sciences  
“1st year **female** graduate student; good academic.”<sup>11</sup>
- 6) E H Schroeder Graduate Award  
Awarding Department: College of Agricultural, Consumer and Environmental Sciences  
“Shall be used to provide fellowships to **female** graduate students enrolled in the Department of Human and Community Development in ACES. Fellowships shall be awarded based upon academic merit and professional promise.”<sup>12</sup>
- 7) Patricia C. Hammaker Scholarship  
Awarding Department: Office of Student Financial Aid  
“This scholarship should be awarded to a **female** student working her way through college.”<sup>13</sup>
- 8) Harry Fredrickson Memorial Scholarship  
Awarding Department: College of Agricultural, Consumer and Environmental Sciences  
“Award for student with a farm background studying in an agricultural curriculum.”<sup>14</sup>  
*Eligibility*: First preference is given to **female** student<sup>15</sup>

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<sup>9</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=979>, archived at <https://web.archive.org/web/20240816182226/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=979>.

<sup>10</sup> *Id.*

<sup>11</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=980>, archived at <https://web.archive.org/web/20240816182253/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=980>.

<sup>12</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=692>, archived at <https://web.archive.org/web/20240816182327/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=692>.

<sup>13</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1425>, archived at <https://web.archive.org/web/20240816182426/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1425>.

<sup>14</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=603>, archived at <https://web.archive.org/web/20240816182439/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=603>.

<sup>15</sup> *Id.*

- 9) M&IE Stoecker Scholarship  
Awarding Department: College of Engineering Mechanical and Industrial Engineering”  
“Mechanical and Industrial Engineering major is preferred”<sup>16</sup>  
*Eligibility*: “Preference for out-of-state **female** students”<sup>17</sup>
- 10) Mary Sparks Alley Scholarship  
Awarding Department: College of Business Administration  
*Eligibility*: Preference for **Women**<sup>18</sup>
- 11) Nadia S. Chowdhury Memorial Scholarship Fund  
Awarding Department: Office of Student Financial Aid  
“Equal consideration shall be given to students enrolled in the College of Liberal Arts and Sciences, in the College of Business majoring in accounting and/or a focus on studies for global economic growth and development, and students enrolled in the College Applied Health Sciences students majoring in the Community Health field.”<sup>19</sup>  
*Eligibility*: “Preference shall be made to **female** students with a multicultural heritage..”<sup>20</sup>
- 12) Calvin B. M. Niccolls Scholarship  
Awarding Department: College of Engineering  
“**Male**; Financial need required; Academic Merit”<sup>21</sup>
- 13) Oakley Scholarship  
Awarding Department: College of Engineering - Electrical and Computer Engineering

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<sup>16</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=463>, archived at <https://web.archive.org/web/20240816182801/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=463>.

<sup>17</sup> *Id.*

<sup>18</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=126>, archived at <https://web.archive.org/web/20240816182832/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=126>.

<sup>19</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1509>, archived at <https://web.archive.org/web/20240816182942/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1509>.

<sup>20</sup> *Id.*

<sup>21</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=450>, archived at <https://archive.ph/fsXYZ>.

“This scholarship is used to recognize and reward outstanding sophomores in the Electrical and Computer Engineering Department who have been active in outside activities.”<sup>22</sup>  
*Eligibility:* Preference for **females**<sup>23</sup>

14) Juanita D Perel Fellowship

Awarding Department: College of Liberal Arts and Sciences – Chemistry

“[E]ndowed fund”<sup>24</sup>

*Eligibility:* **Woman** chemistry doctoral student.

15) Mary E Ramier Scholarship

Awarding Department: College of Liberal Arts and Sciences – Women's Studies

“Award used for enhancing education of undergraduate **women** in terms of research support, conference travel, etc.”<sup>25</sup>

16) Richert Scholarship

Awarding Department: Office of Student Financial Aid

“Eligible undergraduate students shall be enrolled at the University of Illinois Urbana-Champaign and demonstrate financial need. Preference shall be made to **female** students ...”

17) ROTC Leadership Scholarship

Awarding Department: Reserve Officers Training Corps

“Interview is required by applicant; Student should be a **Woman** Cadet”

18) Earl Voodry Scholarship

Awarding Department: Office of Student Financial Aid

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<sup>22</sup> See, <https://ece.illinois.edu/academics/ugrad/scholarships-and-awards/scholarships/oakley>, archived at <https://web.archive.org/web/20240816183535/https://ece.illinois.edu/academics/ugrad/scholarships-and-awards/scholarships/oakley>.

<sup>23</sup> See, *id.*; <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=384>, archived at <https://web.archive.org/web/20240816183825/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=384>.

<sup>24</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1186>, archived at <https://web.archive.org/web/20240816183848/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1186>.

<sup>25</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1205>, archived at <https://web.archive.org/web/20240816184019/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1205>.



“Awarded to **male** students with demonstrated financial need.”<sup>26</sup>

19) T A Nicastro Scholarship

Awarding Department: Office of Student Financial Aid

“This fund was created to support undergraduate **female** students majoring in Economics who are enrolled at the University of Illinois Urbana-Champaign. Eligible students must demonstrate financial need.”<sup>27</sup>

## II. Race, Color, and National Origin Discrimination - Title VI Violations (19)

20) Wanda T. Babcock Scholarship

Awarding Department: College of Education

“Preference is given to College of Education graduate students from **unrepresented<sup>28</sup> populations** pursuing a career in education to promote cultural diversity in the education profession.”<sup>29</sup>

21) W. Campfield Scholarship

Awarding Department: College of Business – Accountancy

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<sup>26</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1452>, archived at <https://web.archive.org/web/20240816184152/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1452>.

<sup>27</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=6149>, archived at <https://web.archive.org/web/20240816184127/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=6149>.

<sup>28</sup> “Underrepresented includes Black, Hispanic, and American Indian, Native Hawaiian/Other Pacific Islander, and multi-racial students.” University of Illinois | University Office for Planning and Budgeting website, “Board Trustees Performance Metrics – Student Recruitment and Enrollment; Percent of All Students from Underrepresented Groups.” Found at <https://www.pb.uillinois.edu/reports-public/bot-performance-metrics/student-recruit-enroll.cfm?midbuttonID=midbutton2&metricbuttonID=metricbutton1&submetricbuttonID=submetricbutton2>. See also, *Students for Fair Admissions*, supra, 600 U.S. at 223 (rejecting “underrepresentation” rationale for discrimination because “outright racial balancing is patently unconstitutional”).

<sup>29</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=884>, archived at <https://web.archive.org/web/20240816184520/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=884>.

“Preference to **minority**<sup>30</sup> students; Accountancy major”<sup>31</sup>

22) O. Sr. & M Capek Scholarship

Awarding Department: College of Engineering – Industrial & Enterprise Systems  
Engineering

“Given equal merit, preference to students of **Czech descent**; Academic Merit”<sup>32</sup>

23) Chancellor's Access Grant

Awarding Department: Office of Student Financial Aid

“The Chancellor’s Access Grant is a 4-year renewable scholarship awarded to Illinois residents from historically **under-represented groups**. Students must make satisfactory academic progress, show financial need, maintain Illinois residency, and maintain continuous full time enrollment for renewal.”<sup>33</sup>

24) Dockins-Baxter Scholarship

Awarding Department: College of Business Administration

“Accountancy majors; Prefer **diverse**<sup>34</sup> students”<sup>35</sup>

25) Dr. Kazys Grinius Scholarship

Awarding Department: Office of Student Financial Aid

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<sup>30</sup> “Minority” is a term with a well-understood meaning in civil rights law. See, e.g., 20 U.S.C.A. § 1067k (“The term ‘minority’ means American Indian, Alaskan Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other ethnic group underrepresented in science and engineering”).

<sup>31</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=2>, archived at <https://web.archive.org/web/20240816184204/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=2>.

<sup>32</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=443>, archived at <https://web.archive.org/web/20240816184403/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=443>.

<sup>33</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=10501>, archived at <https://web.archive.org/web/20240816184546/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=10501>.

<sup>34</sup> “Diversity” is a term that is universally used to describe a result to be achieved by race-based and other forms of unlawful discrimination. See, *Students for Fair Admissions*, 600 U.S. at 143.

<sup>35</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=89>, archived at <https://web.archive.org/web/20240816184836/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=89>.

“The Dr. Kazys Grinius Endowment Scholarship was recently established to help fund the education of University of Illinois students ‘of **Lithuanian descent** as well as to students who have demonstrated interest in Lithuanian history, culture, and/or language.’ We will award two \$1200 scholarships for the 2013-2014 academic year.”<sup>36,37</sup>

26) Earl Neal Scholarship

Awarding Department: Office of Student Financial Aid

“The scholarship was established in 2005 to honor Earl L. Neal. Neal had a prominent legal career spanning 50 years in the Chicago area. . . . This scholarship is awarded to **minority** Juniors or Seniors with preference to those in pre-law with a 3.2 GPA or higher. Need is preferred.”<sup>38</sup>

27) Emmons Scholarship

Awarding Department: Office of Student Financial Aid

“This fund was created to provide scholarships to undergraduate students who are enrolled at the University of Illinois Urbana-Champaign and are sophomores and above. Preference shall be made to students of **Latino/Latina descent**. Recipient(s) shall have obtained a cumulative GPA of at least a 3.0.”<sup>39</sup>

28) F G Erinkitola Memorial Scholarship

Awarding Department: College of Business – MBA

*Eligibility:* “1st year MBA student, **minority**”<sup>40</sup>

29) Firdawsi Science Award

Awarding Department: Office of Student Financial Aid

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<sup>36</sup> See, <https://publish.illinois.edu/educationadvising/2013/11/08/dr-kazys-grinius-endowment-scholarship/>, archived at <https://web.archive.org/web/20240816184856/https://publish.illinois.edu/educationadvising/2013/11/08/dr-kazys-grinius-endowment-scholarship/>.

<sup>37</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1332>, archived at <https://web.archive.org/web/20240816185105/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1332>.

<sup>38</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1518>, archived at <https://web.archive.org/web/20240816185112/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1518>.

<sup>39</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=6023>.

<sup>40</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=95>, archived at <https://web.archive.org/web/20240816184927/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=95>.

“The Firdawsi Science scholarship is awarded to **Iranian students** at the graduate level not currently residing as or intending to become permanent residents of the US. Candidates are nominated by the Deans of LAS, Agriculture, and Engineering at UIUC and UIC and chosen by a committee. The award is to be a supplement to an existing fellowship or TA or other position where the recipient already receives a tuition waiver.”<sup>41</sup>

30) Norman and Blanche Good Scholarship

Awarding Department: College of Education

“Provides support for a student who pursues elementary, early childhood or special education degree. . . First preference to students pursuing a master's degree who are nontraditional students or **racially/ethnically diverse** or bilingual students. Second preference to undergraduate students who are nontraditional students or **racially/ethnically diverse** or bilingual students.”<sup>42</sup>

31) Hattie Hillard Scholarship

Awarding Department: Student Affairs Advancement

“Student should have strong Community Service record; Renew 3.2 gpa; Preference given to **minority** students”<sup>43</sup>

32) Jose & Kathleen Andrade Scholarship

Awarding Department: College of Media

“[T]he Dr. Juan Andrade Jr. Scholarship for young Hispanic Leaders seeks to recognize **Hispanic** students who share Dr. Andrade’s lifelong commitment to servant leadership. . . . Recipients will receive: A non-renewable academic scholarship (\$1,000 for a 4-year institution or \$500 for a 2-year institution) for undergraduate students.”<sup>44</sup>

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<sup>41</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1322>, archived at <https://web.archive.org/web/20240816185526/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1322>.

<sup>42</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=862>, archived at <https://web.archive.org/web/20240816185715/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=862> .

<sup>43</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=762>, archived at <https://web.archive.org/web/20240816185843/http://web.archive.org/screenshot/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=762>.

<sup>44</sup> See, *id.*; <https://www.usqli.org/dr-juan-andrade-scholarship-for-young-hispanic-leaders/>, archived at <https://web.archive.org/web/20240816185859/https://www.usqli.org/dr-juan-andrade-scholarship-for-young-hispanic-leaders/> .

*Eligibility:* “Preference given to **minority/diverse students**”<sup>45</sup>

33) Kaiser Aluminum Scholarship

Awarding Department: College of Engineering

Eligibility: “Preference to qualified **minorities**”<sup>46</sup>

34) Latino Latina Alumni Scholarship

Awarding Department: Office of Student Financial Aid

“Eligible undergraduate students shall be enrolled at the University of Illinois Urbana-Champaign. Recipients shall have a demonstrated financial need and minimum GPA of 3.0 and shall have at least 24 credit hours completed. Preference shall be given to students of **Latino or Latina descent**, in accordance with and as appropriate under applicable University policies, state and/or federal law.”<sup>47</sup>

35) Wensel Morava Scholarship

Awarding Department: Office of Student Financial Aid

“The Wensel Morava Scholarship is open to students at the University of Illinois at Urbana-Champaign. You must have at least a 3.00 GPA to be eligible for this award. Preference will be given to students of **Czech descent** and residents of Cook County.”<sup>48</sup>

36) Office of Minority Student Affairs Hope Scholarship

Awarding Department: Student Affairs Advancement

“This scholarship is awarded to undergrad Sophomores, Juniors, and Seniors who participate in OMSA services. Preference is given to a **minority** student with a GPA of 3.2 or above.”<sup>49</sup>

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<sup>45</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=837>, archived at <https://web.archive.org/web/20240816190111/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=837> .

<sup>46</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=452>, archived at <https://web.archive.org/web/20240816190129/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=452>.

<sup>47</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=6000>, archived at <https://archive.ph/ccu8R>.

<sup>48</sup> See, <https://www.fastweb.com/college-scholarships/scholarships/77806-wensel-morava-scholarship>; <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1443>, archived at <https://web.archive.org/web/20240816190432/https://www.fastweb.com/college-scholarships/scholarships/77806-wensel-morava-scholarship>.

<sup>49</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1517>, archived at <https://web.archive.org/web/20240816190413/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1517>.

37) RL Schmidt Memorial Scholarship

Awarding Department: College of Liberal Arts and Sciences – Chemistry  
“Preference to Chicago public high school **minority** student”<sup>50</sup>

38) Tadao Murata Undergraduate Scholarship

Awarding Department: Office of Student Financial Aid  
“The Tadao Murata Undergraduate Scholarship was established to provide scholarships to incoming or current undergraduate students at the University of Illinois at Urbana-Champaign. Awards shall be made on the basis of academic merit. First preference shall be given to students of **Japanese** heritage.”<sup>51</sup>

### III. Combined Title VI and Title IX Violations (4)

39) Doris I. And James L. Willmer Endowed Scholarship

Awarding Department: College of Engineering - Civil and Environmental Engineering  
“[I]ntended to provide financial support for tuition, fees, and for an internship in private consulting.”<sup>52</sup>

Eligibility: “Preference first to first-generation **female**, then to **female** students, and finally to **minority** students.”<sup>53</sup>

40) Philip Morris Scholarship

Awarding Department: College of Business  
Eligibility: “**Minorities or Women** preferred”<sup>54</sup>

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<sup>50</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1231>, archived at <https://web.archive.org/web/20240816190540/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1231>.

<sup>51</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=12313>, archived at <https://web.archive.org/web/20240816190552/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=12313>.

<sup>52</sup> See, <https://cee.dev.engr.illinois.edu/academics/awardlists/doris-i-and-james-l-willmer-endowed-scholarship>, archived at <https://web.archive.org/web/20240816190824/https://cee.dev.engr.illinois.edu/academics/awardlists/doris-i-and-james-l-willmer-endowed-scholarship>.

<sup>53</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=508>, archived at <https://archive.ph/2024.08.18-201020/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=508>.

<sup>54</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=147>, archived at <https://web.archive.org/web/20240816190830/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=147>.

41) Roy Mercer Young Scholarship

Awarding Department: Office of Student Financial Aid

“Eligible undergraduate students shall new **male minority** freshmen, be enrolled at the University of Illinois Urbana-Champaign in the College of Liberal Arts and Sciences. Recipient(s) shall be selected based on financial need, personal and academic accomplishments, outstanding leadership, impact on the quality of life at the University, and demonstrated personal growth and integrity.”<sup>55</sup>

42) Myron & Jewel Ash Scholarship

Awarding Department: College of Education

“Preference to provide support for an **African American man** pursuing a career in elementary and middle school planning a teaching career in an inner city school a the kindergarten through eighth grade level.”<sup>56</sup>

### **OCR Has Jurisdiction**

OCR has jurisdiction over this complaint. OCR enforces Title VI of the Civil Rights Act of 1964<sup>57</sup> and its implementing regulation,<sup>58</sup> which prohibit discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. As a recipient of federal financial assistance from the Department of Education, UIUC is also subject to Title VI. Discrimination based on sex in “education program[s] or activit[ies]” that receive federal financial assistance transgresses Title IX. See 20 U.S.C. §1681(a). “Title IX reaches institutions and programs that receive federal funds,” 20 U.S.C. § 1681(a), including nonpublic institutions. *Fitzgerald v. Barnstable Sch. Comm.*, 555 U.S. 246, 257 (2009). UIUC receives federal funding and administers funds from federal Pell grants, CARES Act funding, and other federal grants and contracts, as set out above and in Footnote 2. Accordingly, UIUC is subject to Titles VI and IX.

### **The Complaint is Timely**

This complaint is timely brought because it includes allegations of discrimination based on race, color or national origin that appear to be ongoing.

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<sup>55</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1520>, archived at <https://web.archive.org/web/20240816191033/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=1520>.

<sup>56</sup> See, <https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=855>, archived at <https://web.archive.org/web/20240816191058/https://secure.osfa.illinois.edu/scholarship-database/detail.aspx?id=855>.

<sup>57</sup> 42 U.S.C. §§ 2000d-2000d-7.

<sup>58</sup> 34 C.F.R. Part 100.

### **Request for Investigation and Enforcement**

In *Richmond v. J. A. Croson Co.*, Justice Scalia aptly noted that “discrimination on the basis of race is illegal, immoral, unconstitutional, inherently wrong and destructive of a democratic society.” 488 U.S. at 505. This is true regardless of which race suffers discrimination. Racial preferences “fly in the face of our colorblind Constitution and our Nation’s equality ideal” and “are plainly—and boldly—unconstitutional.” *Students for Fair Admissions*, 600 U.S. at 287 (Thomas, J., concurring). The same reasoning applies to sex-based discrimination.

“The way to stop discrimination,” the Supreme Court has taught, “is to stop discriminating.” *Parents Involved in Cmty. Sch.*, 551 U.S. at 748. The Office for Civil Rights has the power and obligation to investigate UIUC’s role in creating, supporting and promoting the discriminatory scholarships above and to impose whatever remedial relief is necessary to hold it accountable for that unlawful conduct. This includes, if necessary, imposing fines, initiating administrative proceedings to suspend or terminate federal financial assistance and referring the case to the Department of Justice for judicial proceedings to enforce the rights of the United States under federal law.

As set forth above, the number and scope of discriminatory scholarships is extensive, reflecting a systemic disregard for the civil rights laws. In light of this systemic problem, we ask that OCR promptly open a formal investigation not only as to these scholarships, but also as the UIUC system.

We further request that OCR impose such remedial relief as the law permits for the benefit of anyone who may have been illegally excluded from UIUC’s scholarship offerings based on discriminatory criteria, and ensure that all ongoing and future programming through UIUC comports with the Constitution and federal civil rights laws.

Very truly yours,

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