



**THE EQUAL PROTECTION PROJECT**  
**A Project of the Legal Insurrection Foundation**  
**18 MAPLE AVE. #280**  
**BARRINGTON, RI 02806**  
[www.EqualProtect.org](http://www.EqualProtect.org)

December 11, 2024

**BY EMAIL** ([OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov))

U. S. Department of Education  
Office for Civil Rights – Boston Office  
5 Post Office Square  
9th Floor  
Boston, MA 02109-3921

**Re: Civil Rights Complaint Against The University of Rhode Island**  
**Regarding Discriminatory Scholarship Programs**

To Whom It May Concern:

This is a federal civil rights complaint 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 that, among other things, seeks to ensure equal protection under the law and non-discrimination by the government, and that opposes racial discrimination in any form.

We bring this civil rights complaint against the University of Rhode Island (“URI”) for offering, promoting and administering fifty-one (51) student scholarships that discriminate based on race and/or sex. The discrimination is so pervasive and systematic that urgent action by OCR is needed before the scholarships come up for reapplication in the spring 2025 semester.

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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.

These scholarships are listed, promoted and administered through the URI online scholarship system, and applications for them can only be accessed by logging in to the URI online scholarship system,<sup>2</sup> as reflected in the screenshot below from the URI website.<sup>3</sup>

“To apply to scholarships, you must first **Sign In** at the top right corner of this page with your URI Single Sign On credentials to access the campus login portal.” [emphasis in original]

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Welcome to the University of Rhode Island online scholarship system. This Portal will be open from April 15th until June 30th for the 2024-2025 year cycle.

The University of Rhode Island awards numerous scholarships each academic year through the fundraising efforts of the URI Foundation & Alumni Engagement and the generosity of private donors.

Scholarships will be awarded in the next academic year therefore you MUST be returning to URI for the upcoming academic year to receive consideration.

For detailed information on how to use this system, download our [Frequently Asked Questions](#)

Reminder! You must complete a new application each year.

To apply to scholarships, you must first Sign In at the top right corner of this page with your URI Single Sign On credentials to access the campus login portal. The vast majority of the scholarships require students to have an established academic record at URI. Incoming students must deposit prior to having the ability to access their URI credentials needed to log into the scholarship portal. If you log on and see a scholarship specifically for an incoming student there should be instructions on how to be considered.

Below is a list of the scholarship opportunities offered at this time. Each scholarship opportunity has its own individual criteria and guidelines. Some scholarships will only be open to students in certain majors, with certain cumulative GPAs, or if they meet a number of other factors. All of our scholarship opportunities are very competitive and funding is limited so not all qualified students will be selected for an award.

Search by Keyword

According to the FAQ for the URI online scholarship system, the system provides information on scholarships available to URI students, allows URI students to apply for scholarships, recommends scholarships for them, and matches them with scholarships for which they qualify.<sup>4</sup>

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<https://s3.amazonaws.com/static.academicworks.com/clients/uri/client/1710271905/FAQ%20v2.pdf>

[<https://web.archive.org/web/20240523062832/https://s3.amazonaws.com/static.academicworks.com/clients/uri/client/1710271905/FAQ%20v2.pdf>] (accessed on Dec. 8, 2024).

<sup>3</sup> <https://uri.academicworks.com/opportunities> [<https://archive.ph/QiCvw>] (accessed on Dec. 8, 2024).

4

<https://s3.amazonaws.com/static.academicworks.com/clients/uri/client/1710271905/FAQ%20v2.pdf>

Moreover, as set forth below, many of the scholarships state that URI's Enrollment Services – a department of URI that assists students with their enrollment needs, “from understanding financial aid and registering for courses to paying [their] bill and getting a transcript”<sup>5</sup> – selects the award recipients along with other URI staff members or faculty. URI thus is involved not only in promotion and administration of the scholarships, it selects the recipients.

The scholarships listed below were offered during the 2024-2025 academic year according to the URI website and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations<sup>6</sup> by illegally excluding students based on their race and skin color, Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations<sup>7</sup> by excluding students based on their race, sex, or both. Because URI is a public university, these discriminatory scholarships also violate the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution.

Each of the scholarships listed below had a June 30, 2024, application deadline for the 2024-2025 academic year, and some or all of them will come up for reapplication during the spring 2025 semester.

## **I. Scholarships That Violate Title VI (23)**<sup>8</sup>

### **Alumni of Color Network Scholars Fund**

Link: <https://uri.academicworks.com/opportunities/15155>

Archived Link: <https://archive.ph/Uru5c>

Description from URI Website: “The Fund shall **support a student of color (deriving from either a racial and/or ethnic minority group)**, either undergraduate or graduate, with demonstrated financial need and a GPA of 3.00 or better. The student recipient will be selected by Enrollment Services. If such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with demonstrated financial need and in good standing from a historically underrepresented population at the University.”

### **Benson Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/13012>

Archived Link: <https://archive.ph/GZZyo>

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[pdf](#)

[<https://web.archive.org/web/20240523062832/https://s3.amazonaws.com/static.academicworks.com/clients/uri/client/1710271905/FAQ%20v2.pdf>] (accessed on Dec. 8, 2024).

<sup>5</sup> <https://web.uri.edu/enrollment/> [<https://archive.is/70ZuG>] (accessed on Dec. 8, 2024).

<sup>6</sup> 42 U.S.C. § 2000d et seq.; 28 C.F.R. Part 100.

<sup>7</sup> 20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106.

<sup>8</sup> Emphasis (bold) in the quoted URI descriptions of the scholarships has been added throughout. Links ‘live’ and in use as of December 9, 2024.

Description from URI Website: “Income from endowment for a scholarship awarded annually **to an African American student** who has an exceptional record of well-rounded academic achievement and demonstrated commitment to community service. This award is intended to recognize students with a meritorious record, strong work ethic and a passion for serving the needs of others. Recipient selected by Enrollment Services and when evaluating academic achievement, test scores and grades should be considered, but additional and balanced consideration should be given to excellence in complementary areas that indicate merit, e.g. athletics, the arts, debate, civic service, etc.”

**Dubee Family Endowment Scholarship**

Link: <https://uri.academicworks.com/opportunities/14494>

Archived Link: <https://archive.ph/ixNXm>

Description from URI Website: “Income from endowment for a scholarship awarded annually to an undergraduate student, **preferably African American**, with a good academic record and genuine financial need. Recipient selected by Enrollment Services.”

**George Wiley Memorial Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/14289>

Archived Link: <https://archive.ph/KFTMZ>

Description from URI Website: “Income from endowment awarded annually **to an African-American student** in the College of Arts & Sciences who shows an interest in community service, government or issues of social concern. Recipient selected, based on merit, by the Deans of Arts & Sciences with recommendations from interested faculty.”

**Keeping the Promise Scholarship**

Link: <https://uri.academicworks.com/opportunities/13021>

Archived Link: <https://archive.ph/cw11m>

Description from URI Website: “The Fund will support tuition for a current full-time student enrolled at the University of Rhode Island that was accepted from the Community College of Rhode Island. Qualified recipients must have gone through the Rhode Island Promise Scholars program. The award will be made by enrollment services and will be based on financial need. Recipients will be required to maintain a 3.0 GPA to continue to receive the scholarship. This scholarship will support a student from an underrepresented population with **preference given to African American students**.

If such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with demonstrated financial need and in good standing from a historically underrepresented population at the University.”

**Monica J. Garnes '94 Endowed Business Scholarship**

Link: <https://uri.academicworks.com/opportunities/14798>

Archived Link: <https://archive.ph/IZ1au>

Description from URI Website: “The scholarship shall support students enrolled in the College of Business, with a **preference for:**

- a.) **An African American student** with a demonstrated financial need and in a good standing, or provided, however, that if no such student qualifies or if such an award would not otherwise comply with applicable law, then the scholarship shall go to;
- b.) A student with demonstrated financial need and in good standing from a historically underrepresented population at the University.”

**Bank of America Scholarship**

Link: <https://uri.academicworks.com/opportunities/15030>

Archived Link: <https://archive.ph/9esaH>

Description from URI Website: “Income from endowment for two four-year scholarships **for minority students**, preferably one male and one female. Students must be: a) pursuing a course of study in the College of Business Administration. b) Graduates of RI high schools. c) RI residents. d) Project academic and leadership potential. e) Have financial need. A 2.50 grade average must be maintained to keep the scholarship. A CBA committee will review the applicants and the CBA dean will select the recipients.”

**Beatrice & Tom Garrick, Sr. Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/14257>

Archived Link: <https://archive.is/K1sHP>

Description from URI Website: “Income from endowment for a scholarship awarded annually **to a minority student** with financial need. Recipient to be selected by Enrollment Services.”

**Citizens Bank Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/14719>

Archived Link: <https://archive.ph/DRjqB>

Description from URI Website: “Income from the endowment will be **awarded to minority students** with financial need who live in Rhode Island.”

**Deborah Godfrey Brown Leadership Award**

Link: <https://uri.academicworks.com/opportunities/14543>

Archived Link: <https://archive.ph/3koze>

Description from URI Website: “The Fund shall support scholarships with criteria as follows:

- Undergraduate minority students** possessing a strong passion for a career in clinical nursing.
- Preference given to Rhode Island residents with demonstrated financial need.

-GPA of 3.0 or above. Recipient(s) selected by the College of Nursing”

**Dr. Robert L. Carothers Student Leadership Endowment**

Link: <https://uri.academicworks.com/opportunities/13949>

Archived Link: <https://archive.is/Pmf7S>

Description from URI Website: “The fund shall provide annual scholarships to URI **students of color** who provide leadership in broad university programs, such as, but not limited to, Student Senators, orientation leaders, URI 101 mentors, residence assistants, residence academic mentors (RAM), tutors, and similar student affairs programs that will be established in the future. These scholarships are not intended for individuals who have leadership roles only in clubs, fraternities, or sororities. Recipients shall be selected by the Dean of the University College, in conjunction with the Associate Vice President of Community, Equity and Diversity, and Enrollment Services.”

**Mattoon-Kline Scholarship in GSLIS**

Link: <https://uri.academicworks.com/opportunities/12962>

Archived Link: <https://archive.is/XP103>

Description from URI Website: “Income from the endowment for a scholarship to support diversification by supporting full or part time graduate **student of color** in the GSLIS program. Recipient selected by the Director of GSLIS in conjunction with Enrollment Services based on need.”

**Deborah Godfrey Brown Nursing Scholarship**

Link: <https://uri.academicworks.com/opportunities/13322>

Archived Link: <https://archive.ph/ARIiH>

Description from URI Website: “The Fund shall support scholarships with criteria as follows: **undergraduate minority students** possessing a strong passion for a career in clinical nursing, preference given to Rhode Island residents with demonstrated financial need, GPA of 3.0 or above. Recipient(s) selected by the College of Nursing.”

**Dr. Adolphus Hailstork III Music Scholarship for Minority Students**

Link: <https://uri.academicworks.com/opportunities/14203>

Archived Link: <https://archive.ph/Rfzpr>

Description from URI Website: “Income from endowment for a scholarship in Music awarded annually to an interested **minority student**. Recipient selected by the Music Department.”

**George & Lois Graboys Minority Student Endowment**

Link: <https://uri.academicworks.com/opportunities/14175>

Archived Link: <https://archive.ph/jpqIa>

Description from URI Website: “Income from endowment awarded annually to **minority students** with financial need wishing to pursue a Business degree. First

preference to undergraduates but graduate students will be considered. An undergraduate must have at least a 2.70 GPA and a graduate at least a 3.00. Scholarships should be awarded to eligible students with the highest GPA. Recipient selected by Enrollment Services.”

#### **GSLIS Prism Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/14456>

Archived Link: <https://archive.ph/mFTxS>

Description from URI Website: “Income from this endowment shall be used to fund scholarship for deserving **ethnic minority graduate students** in the Graduate School of Library & Information Studies. Recipient selected by the Director of the Graduate School of Library & Information Studies, or his/her designee.”

#### **Herschel I. & Suzanne Oringel Grossman Economics Scholarship**

Link: <https://uri.academicworks.com/opportunities/14036>

Archived Link: <https://archive.ph/MrHKR>

Description from URI Website: “The fund’s purpose is to honor Professor Herschel Grossman’s contributions in the field of economics and will provide support to promising undergraduate economics majors who have interest in pursuing an advanced degree in economics or a closely related field of study. The scholarship can also support a promising economics major (preferably a **minority student**) who requires resources in order to complete his/her bachelor degree.”

#### **Higgins Family Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/13947>

Archived Link: <https://archive.ph/ZHzPw>

Description from URI Website: “The fund will support a Masters of Accounting student in the College of Business Administration. This scholarship will be awarded based on financial need with preference given to a **minority student**. The student recipient will be selected by the Dean of the College of Business, based on the recommendation of the Director of the Masters of Accounting Program.”

#### **Howard & Mary Frank Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/14587>

Archived Link: <https://archive.ph/wL07m>

Description from URI Website: “Income from the endowment shall be used to support College of Business Administration students with demonstrated financial need. Preference will be given to **minority students**.”

#### **Hyman Fradin Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/15083>

Archived Link: <https://archive.ph/5bQuf>

Description from URI Website: Income from endowment for a scholarship to a **minority student** from Rhode Island who has financial need, a 3.00 or better grade



point average, and has demonstrated leadership in non-academic settings. First preference to pharmacy majors but if no student qualifies, then a deserving student in any academic field may receive the Award. Recipient selected by Enrollment Services.

**James '76 & Nancy '77 Sarra Forte Scholarship – Nursing**

Link: <https://uri.academicworks.com/opportunities/14589>

Archived Link: <https://archive.ph/F8cKv>

Description from URI Website: “The fund shall support annual scholarships for students in the College of Business (50%) and the College of Nursing (50%) in good academic standing in the Colleges. Preference will be given to RI residents with at least one being a **minority student**. Recipients selected by the Dean of the College of Business and the Dean of the College of Nursing.”

**James '76 & Nancy '77 Sarra Forte Scholarship – Business**

Link: <https://uri.academicworks.com/opportunities/14777>

Archived Link: <https://archive.ph/5T0Xu>

Description from URI Website: “The fund shall support annual scholarships for students in the College of Business (50%) and the College of Nursing (50%) in good academic standing in the Colleges. Preference will be given to RI residents with at least one being a **minority student**. Recipients selected by the Dean of the College of Business and the Dean of the College of Nursing.”

**Minority Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/13348>

Archived Link: <https://archive.ph/0PbHE>

Description from URI Website: “Income from endowment for a scholarship awarded annually to a **minority student** with financial need. Recipient selected by Enrollment Services.”

**II. Scholarships That Violate Both Title VI and Title IX (5)**

**Miva D. Brophy-Baermann Scholarship Fund**

Link: <https://uri.academicworks.com/opportunities/13918>

Archived Link: <https://archive.ph/KidRc>

Description from URI Website: “The fund shall support a scholarship for a student pursuing an undergraduate or graduate degree in the field of Communicative Disorders (Speech-Language Pathology and Audiology), with **preference, but not limited to, people of color, men**, first-generation, and, if none, students with the greatest financial need. Students are required to complete a three-question application to be considered. Recipient selected by Office of Enrollment Services in conjunction with Chair of Department of Communicative Disorders.”



**Mary Braga Scholarship**

Link: <https://uri.academicworks.com/opportunities/13996>

Archived Link: <https://archive.ph/v1seW>

Description from URI Website: “Income from endowment for a scholarship awarded to a **female undergraduate** of the College of Arts and Sciences **of Portuguese descent**. Preference will be given to RI residents and to the older student. The recipient will be determined by the Dean of the College of Arts & Sciences.”

**Douglas & Jennifer Cote Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/13942>

Archived Link: <https://archive.ph/zAD80>

Description from URI Website: “The endowment shall be used to fund a scholarship annually **for a Hispanic or African American male** undergraduate student with documented financial need in the College of Business. The student recipient will be selected by the Dean of the College of Business, based on recommendation of the College of Business Scholarship Committee.”

**Day Family Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/13934>

Archived Link: <https://archive.ph/mBJFB>

Description from URI Website: “Income from endowment for a scholarship **for an African-American student** enrolled full time in the College of Engineering. **Preference to a male student**, who has graduated in the top 10% of his high school class, demonstrates financial need and maintains a 3.00 GPA. Recipient selected by the College of Engineering Scholarship committee.”

**URI Journalism Student Scholarship**

Link: <https://uri.academicworks.com/opportunities/14271>

Archived Link: <https://archive.ph/pGOHz>

Description from URI Website: “This fund should provide scholarship(s) to Journalism major(s), based on merit. The recipient of the scholarship shall be named by the Chair of Journalism or his/ her designees(s). Preference should be given to **minority or women students** who are Journalism majors.”

**III. Scholarships That Violate Title IX (23)**

**Amy Janes Bare Memorial Endowment**

Link: <https://uri.academicworks.com/opportunities/13253>

Archived Link: <https://archive.ph/zfMjS>

Description from URI Website: “Income from endowment for a scholarship awarded annually with **preference to a deserving female student** who resides in Newport County, Rhode Island.”

**Dr. M. Beverly Swan Scholarship Endowment**

Link: <https://uri.academicworks.com/opportunities/14074>

Archived Link: <https://archive.ph/zof7v>

Description from URI Website: “Distributions from the Fund shall be awarded **to a female student** majoring in English. The award may be made to an incoming freshman or to an already enrolled student and may be received by the student more than once. Financial need shall be the primary criterion. However, academic achievement will also be considered. Selection will be determined by Enrollment Services in consultation with the Department of English.”

**Dr. Mary A. Silverman Ravin ‘44 Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/14328>

Archived Link: <https://archive.ph/cpWo9>

Description from URI Website: “Income from endowment for a scholarship in Pre-Med awarded annually **to the highest ranked female student** at the close of her junior year. Recipient selected by the Pre-Med Committee.”

**Eleanor M. & Oscar M. Carlson Scholarship**

Link: <https://uri.academicworks.com/opportunities/13141>

Archived Link:

<https://web.archive.org/web/20241207213506/https://uri.academicworks.com/opportunities/13141>

Description from URI Website: “Income from endowment for scholarships awarded annually **to female students** who are single parent heads of household, and who have one or more dependent children. Preference will be given to students who meet one or more of the following criteria: a) following a non-traditional education track b) financial need c) good academic standing d) R.I. resident e) pursuing a major or minor in Gender and Women’s Studies. Recipients selected in consultation with the Enrollment Services by a committee comprised of the head of the Gender and Women’s studies program, URI faculty members associated with the Gender and Women’s Studies program and, if it exists, one member of the Gender and Women’s Studies Council. One scholarship will generally be equal to in-state tuition plus a book allowance.”

**Epi-Vax Polly Matzinger Biotechnology Scholarship**

Link: <https://uri.academicworks.com/opportunities/13325>

Archived Link:

<https://web.archive.org/web/20241207213835/https://uri.academicworks.com/opportunities/13325>

Description from URI Website: “EpiVax is a biotechnology company located in Providence, Rhode Island, that is committed to not only advancing medical research, but also to giving disadvantaged women the opportunity to excel in science-related and biotechnology careers.

The fund shall be used to **award a scholarship to a female** who is currently enrolled in the Biotechnology Program in the College of the Environment and Life Sciences. The scholarship shall be awarded to a full- or part-time student who demonstrates financial need, is in academic good standing, and who has not previously completed her B.S. Degree. If, however, no such student qualifies or if such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with demonstrated financial need and in good standing from a historically underrepresented population at the University. Recipient to be selected by the Coordinator of the Biotechnology Program.”

#### **Gene Bucci Family Scholarship**

Link: <https://uri.academicworks.com/opportunities/14767>

Archived Link: <https://archive.ph/GkDbO>

Description from URI Website: “Income from endowment for a scholarship awarded at the discretion of the chair of the Civil Engineering Department **to a female student** studying Civil Engineering who is a Rhode Island resident. Additional criteria may be included.”

#### **Jean Louise Pimental ‘70 Memorial Scholarship**

Link: <https://uri.academicworks.com/opportunities/14347>

Archived Link: <https://archive.is/56roN>

Description from URI Website: “Income from endowment for a scholarship in Animal Science awarded annually to a deserving student. **Preference to an undergraduate female student** from Rhode Island. Recipient selected by CELS.”

#### **Jennifer Bolig & David Martirano Scholarship Women in Business**

Link: <https://uri.academicworks.com/opportunities/14342>

Archived Link: <https://archive.ph/OPtsn>

Description from URI Website: “Income from endowment **for support female students** in the College of Business Administration. This scholarship is only available to students from Rhode Island.”

#### **Karen L. Adams Endowed Scholarship in Communications**

Link: <https://uri.academicworks.com/opportunities/14844>

Archived Link: <https://archive.ph/7JRSu>

Description from URI Website: “The endowment shall be used **to support a junior or senior female student** from Rhode Island, who has a GPA of 3.0 or higher, and who is a student of the Harrington School of Communication and Media. The recipient shall be selected by the director of the Harrington School of Communication and Media, in conjunction with the dean of the College of Arts and Sciences.”

#### **Lois Vars Scholarship**

Link: <https://uri.academicworks.com/opportunities/14585>

Archived Link: <https://archive.ph/donnW>

Description from URI Website: “Income from endowment for a scholarship awarded annually in the fall **to a female pharmacy student** who is a transfer in her third year P1 and is at least 28 years old. Recipient selected by Enrollment Services.”

**Madelyn Grady Geisser Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/14152>

Archived Link: <https://archive.ph/LOcKP>

Description from URI Website: “Income from endowment for a scholarship awarded annually **to a female student** enrolled in the College of Arts and Sciences who has demonstrated financial need and is a single parent, head of household. The scholarship will be in the form of a tuition waiver, a text book waiver at the URI Bookstore, or a daycare waiver at the on-campus day care facilities. Recipient selected by the Dean of Arts & Sciences and Enrollment Services.”

**Marsha G. Meltcalf Scholarship Fund**

Link: <https://uri.academicworks.com/opportunities/14103>

Archived Link: <https://archive.ph/wrfgG>

Description from URI Website: “The funds be used to establish a scholarship **for a female student or students**, 30 years of age or older, with preference to women’s studies, major or minor.”

**Mary L. Robinson Scholarship Fund**

Link: <https://uri.academicworks.com/opportunities/14529>

Archived Link: <https://archive.ph/FdJ9d>

Description from URI Website: “Income from endowment for a scholarship(s) awarded annually **to a worthy and needy female student(s)**.”

**Nikki Noya Fields Family Scholarship**

Link: <https://uri.academicworks.com/opportunities/15160>

Archived Link: <https://archive.ph/fITxu>

Description from URI Website: “The Nikki Noya Fields Family Scholarship is an endowed fund that will provide annual scholarship grant(s) **for undergraduate female students** in the Harrington School of Communication and Media. Recipient(s) shall be selected by the Dean of the College of Arts & Sciences and Director of the Harrington School of Communication and Media.”

**Rosario J. Lombardo, ‘43, ‘47 Scholarship in Engineering**

Link: <https://uri.academicworks.com/opportunities/14736>

Archived Link: <https://archive.ph/rDnw6>

Description from URI Website: “The Fund will award an annual scholarship **to a female student** in the College of Engineering on the basis of academic merit and financial need. Selection recommendation shall be made by the Dean of the College of Engineering to Enrollment Services.”

**Rox-Ellene Greenlaw Memorial English Scholarship**

Link: <https://uri.academicworks.com/opportunities/13164>

Archived Link: <https://archive.ph/wZaoc>

Description from URI Website: “Income from endowment for a scholarship awarded annually to a **female English major** who is in her third year and is a Rhode Island resident. The Award is based on academic excellence and achievement, dedication to studies, personal integrity, and willingness to assist others, and love of the literary arts. Recipient selected by the English Department.”

**The Women in Business Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/14838>

Archived Link: <https://archive.ph/zcYdd>

Description from URI Website: “The fund will support a **full-time female student** in the College of Business Administration majoring in Entrepreneurial Management or General Business. This scholarship will be awarded based on financial need to a student with a 3.0 GPA or higher. Preference will be given to an individual that is from North Providence, RI or Fairfield, CT. The student recipient will be selected by the Dean of the college of Business, based on recommendation of the College of Business Scholarship Committee.”

**Theresa Laffey Newton Scholarship Fund**

Link: <https://uri.academicworks.com/opportunities/14039>

Archived Link: <https://archive.is/kKbQ8>

Description from URI Website: “The Fund shall **support a female student** from Washington County, Rhode Island (Charlestown, Exeter, Hopkinton, Narragansett, New Shoreham, North Kingstown, Richmond, South Kingstown and Westerly) with financial need.”

**William J & Lindell Clark Northup Scholarship Fund for Health Sciences**

Link: <https://uri.academicworks.com/opportunities/13812>

Archived Link: <https://archive.ph/XkFgN>

Description from URI Website: “The fund shall support a scholarship **for female student(s)** who are residents of Rhode Island majoring in Human Development and Family Studies, Nutrition, or Dietetics and based on good academic standing. Recipient(s) will be selected by the Dean of the College of Health Sciences.”

**Women in Engineering Scholarship founded by The Greichen Family**

Link: <https://uri.academicworks.com/opportunities/14200>

Archived Link: <https://archive.ph/ntNRI>

Description from URI Website: “The Fund shall support qualified undergraduate student(s) pursuing a degree in any engineering discipline with a **preference for female students**. Selection will be based upon academic merit and financial need. The student recipient will be selected by the Dean of the College of Engineering. If such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with

demonstrated financial need and in good standing from a historically underrepresented population within the College of Engineering.”

**Women Transforming Women Endowed Scholarship Fund**

Link: <https://uri.academicworks.com/opportunities/13140>

Archived Link: <https://archive.ph/nChFl>

Description from URI Website: “The Fund shall **support a fulltime female student** at the University of Rhode Island that maintains at least a 3.0 GPA and holds a leadership position on campus, however, that if no such student qualifies or if such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with demonstrated financial need and in good standing from a historically underrepresented population at the University. The student recipient will be selected by Enrollment Services.”

**Suita/Hamming Endowed Scholarship**

Link: <https://uri.academicworks.com/opportunities/15121>

Archived Link: <https://archive.ph/1GCXG>

Description from URI Website: “The fund shall support seniors with documented financial need majoring in Chemistry, Textiles, Merchandising and Design, or Textile Marketing with a **preference given to females**. The student recipient must have a 3.0 greater or will be selected by Enrollment Management. If such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with demonstrated financial need and in good standing from New Jersey.”

**Andrew J. Newman & John W. Chapman Scholarship**

Link: <https://uri.academicworks.com/opportunities/13981>

Archived Link: <https://archive.ph/LQG3s>

Description from URI Website: “Income from endowment awarded **annually to a worthy male student** in need of financial assistance, preferably a member of the Lambda Chi Alpha Fraternity. Recipients selected by Enrollment Services.”

**The Scholarships Listed Above Violate The Law**

Those scholarships identified above that discriminate on the basis of race, skin color or national origin violate Title VI, while those that discriminate on the basis of sex violate Title IX, and those that discriminate on both grounds violate both Title VI and Title IX.<sup>9</sup> And, because URI

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<sup>9</sup> Although OCR does not enforce Title II of the Civil Rights Act of 1964, that statute makes it unlawful to discriminate on the basis of race or color in a place of “public accommodation,” such as NIU. 42 U.S.C. § 2000(a)(a). These scholarships also violate the Rhode Island Civil Rights Act, RI Gen L § 42-112-1 (2023). Finally, these scholarships violate URI’s own non-discrimination policy. See <https://web.uri.edu/wp-content/uploads/sites/928/Non-Discrimination-Policy-20210924-FINAL.pdf>

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is a public university, such discrimination also violates the Equal Protection Clause of the Fourteenth Amendment.<sup>10</sup>

Title VI prohibits intentional discrimination on the basis of race, color or national origin in any “program or activity” that receives federal financial assistance. *See* 42 U.S.C. § 2000d. Likewise, Title IX makes it unlawful for any to discriminate on the basis of 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).

The term “program or activity” means “all of the operations of ... a department, agency, special purpose district, or other instrumentality of a State or of a local government” and each state government agency “to which the assistance is extended.” 42 U.S.C. § 2000d-4a(1)(A), (B). It does not matter that a particular program may be considered “extracurricular” or just a “club” or

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content/uploads/sites/928/Non-Discrimination-Policy-20210924-FINAL.pdf] (accessed Dec. 9, 2024).

<sup>10</sup> With respect to those scholarships limited to or preferring “minorities” any reasonable student viewing that criteria would understand it to exclude white students, and such students would be dissuaded from even applying or attempting to participate. *See* OCR Guidance on Race and School Programming (2023), <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-20230824.pdf> [https://web.archive.org/web/20240919154554/https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-20230824.pdf] (accessed on Dec. 8, 2024) (“In determining whether an opportunity to participate is open to all students, OCR may consider, for example, whether advertisements or other communications would lead a reasonable student, or a parent or guardian, to understand that all students are welcome to participate.”). Further, URI itself defines the term “minority” for federal reporting purposes as “Black, non-Hispanic; American Indian or Alaska Native; Asian, Native Hawaiian or other Pacific Islander, or Hispanic.” *See* [https://web.uri.edu/ir/wp-content/uploads/sites/276/URI\\_CDS\\_2023-2024Final20240826.pdf](https://web.uri.edu/ir/wp-content/uploads/sites/276/URI_CDS_2023-2024Final20240826.pdf) [https://web.archive.org/web/20241209204019/https://web.uri.edu/ir/wp-content/uploads/sites/276/URI\_CDS\_2023-2024Final20240826.pdf] (accessed on Dec. 8, 2024). Further, courts often understand the term “minority” to mean non-white racial and ethnic groups. *See Boston Chapter, NAACP, Inc. v. Beecher*, 295 F. Supp. 3d 26, 28 (D. Mass. 2018); *see also Kirkland v. N.Y. State Dep’t of Corr. Servs.*, 552 F. Supp. 667, 674, 677 (S.D.N.Y. 1982); *Arbor Hill Concerned Citizens Neighborhood Ass’n v. Cnty. of Albany*, 281 F. Supp. 2d 436, 455 (N.D.N.Y. 2003); *Coalition to Defend Affirmative Action, Integration and Immigrant Rights and Fight for Equality by Any Means Necessary v. Regents of Univ. of Mich.*, 701 F.3d 466, 493 (6th Cir. 2012). Certainly, if any of these scholarships provided that “minorities” need not apply, everyone would understand that to be racial and ethnic discrimination.



“group,” the same considerations apply, as OCR noted in its 2023 Guidance on Race and School Programming.<sup>11</sup> As URI receives federal funds,<sup>12</sup> it is subject to both Title VI and Title IX.

While the use of racial, skin color, and sex-based barriers described above are explicit, such descriptions also are “signaling” racial- and sex-based preferences. *See Ragin v. New York Times Co.*, 923 F.2d 995, 999–1000 (2d Cir. 1991) (Fair Housing Act prohibits all housing advertisements that indicate racial preference to ordinary reader; “Ordinary readers may reasonably infer a racial message from advertisements that are more subtle than the hypothetical swastika or burning cross, and we read the word ‘preference’ to describe any ad that would discourage an ordinary reader of a particular race from answering it”).

Regardless of URI’s reasons for offering, promoting, and administering such discriminatory scholarships, URI is violating Title VI and Title IX by doing so. It does not matter if the recipient of federal funding discriminates in order to advance a benign “intention” or “motivation.” *Bostock v. Clayton Cnty.*, 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.”); *accord Automobile Workers v. Johnson Controls, Inc.*, 499 U. S. 187, 199 (1991) (“the absence of a malevolent motive does not convert a facially discriminatory policy into a neutral policy with a discriminatory effect” or “alter [its] intentionally discriminatory character”). “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 v. President & Fellows of Harvard College*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

As URI is a public university, its offering, promoting, and administering these discriminatory scholarships also violates the Equal Protection Clause of the Fourteenth Amendment. In *Students for Fair Admissions*, 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 206 (cleaned up). “Distinctions between citizens solely because of their ancestry [and race and sex] are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.” *Id.* at 208 (citation omitted). Accordingly, “[a]ny exception to the Constitution’s demand for equal protection must survive a daunting two-step examination known ... as strict scrutiny.” *Id.* at 184

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<sup>11</sup> <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-20230824.pdf> (accessed on Dec. 8, 2024), at 3 (recognizing that “[s]chool programs – including the ... establishment, recognition, or support of a school group, club, or other extracurricular organization” are covered by Title VI).

<sup>12</sup> *See* <https://www.usaspending.gov/recipient/f30542cf-d727-8a72-53f7-d51a83e55938-P/latest> (accessed on Dec. 8, 2024).

(internal quotation marks and citation omitted). The scholarships at issue here flunk that exacting test.

Under strict scrutiny, suspect classifications “are constitutional only if they are narrowly tailored measures that further compelling governmental interests.” *Adarand Constructors v. Peña*, 515 U.S. 200, 227 (1995). It is the government that bears the burden to prove “that the reasons for any [racial] classification [are] clearly identified and unquestionably legitimate.” *Richmond v. J. A. Croson Co.*, 488 U.S. 469, 505 (1989). Here, URI cannot carry its burden.

A “racial classification, regardless of purported motivation, is presumptively invalid and can be upheld only upon an extraordinary justification.” *Shaw v. Reno*, 509 U.S. 630, 643-44 (1993) (citation omitted). Here, URI cannot demonstrate that restricting scholarships on the basis of race, color, national origin or sex serves any legitimate governmental purpose, let alone an extraordinary one. Classifications based on immutable characteristics “are so seldom relevant to the achievement of any legitimate state interest” that government policies “grounded in such considerations are deemed to reflect prejudice and antipathy – a view that those in the burdened class are not as worthy or deserving as others.” *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 440 (1985).

Indeed, the Supreme Court has recognized only two interests compelling enough to justify racial classifications. The first is remedying the effects of past *de jure* segregation or discrimination in the specific industry and locality at issue in which the government played a role, and the second is “avoiding imminent and serious risks to human safety in prisons, such as a race riot.” *Students for Fair Admissions*, 600 U.S. at 207 (citation omitted).<sup>13</sup> Neither applies here.

If the scholarships are intended to achieve racial balance, such an objective has been “repeatedly condemned as illegitimate” and “patently unconstitutional” by the Supreme Court. *Parents Involved in Cmty. Sch.*, 551 U.S. at 726, 730 (“Accepting racial balancing as a compelling state interest would justify the imposition of racial proportionality throughout American society, contrary to our repeated recognition that at the heart of the Constitution’s guarantee of equal protection lies the simple command that the Government must treat citizens as individuals, not as simply components of a racial, religious, sexual or national class”) (cleaned up, citation omitted).

And, irrespective of whether conditioning eligibility for the scholarships on immutable characteristics furthers a compelling interest, those classifications are not narrowly tailored. *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003) (to be to be narrowly tailored, a race-conscious

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<sup>13</sup> Until recently, a third interest, “the attainment of a diverse student body,” existed, *see Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 720-22 (2007), but that was substantively overruled by *Students for Fair Admissions*, a fact recognized by Justice Thomas in his concurring opinion. *Students for Fair Admissions*, 600 U.S. at 287 (Thomas, J. concurring) (“The Court’s opinion rightly makes clear that *Grutter* is, for all intents and purposes, overruled.”)

program must be based on “individualized consideration,” and race must be used in a “nonmechanical way”). Here, the race- and sex-based criteria are blanketly applied.

Further, a policy is not narrowly tailored if it is either overbroad or underinclusive in its use of racial classifications. *J.A. Croson Co.*, 488 U.S. at 506. Indeed, in *Students for Fair Admissions*, the Supreme Court found that similar categories as those used to determine eligibility for URI’s scholarships were “imprecise,” “plainly overbroad,” “arbitrary,” “undefined” and “opaque,” 600 U.S. at 216-17,<sup>14</sup> and declared that “it is far from evident ... how assigning students to these ... categories and making admissions decisions based on them furthers the educational benefits that the universities claim to pursue.” *Id.* at 216.

Similarly, restrictions that limit students from participating in school-administered scholarships due to race or sex are underinclusive since they are arbitrary and exclude swaths of students who would otherwise qualify. Although sex-based discrimination is subject to a “heightened” standard of review, *Sessions v. Morales-Santana*, 582 U.S. 47, 57 (2017); *United States v. Virginia*, 518 U.S. 515, 532-34 (1996), it is less exacting than the strict scrutiny standard applicable to race-based classifications. Under Supreme Court precedent, sex-based classifications by the government require an “exceedingly persuasive justification.” *Virginia*, 518 U.S. at 531. To make this showing, the government must demonstrate “at least that the [challenged] classification serves important governmental objectives and that the discriminatory means employed are substantially related to the achievement of those objectives.” *Id.* at 533. The scholarships identified in this complaint fall short of satisfying this standard for the same reasons they fail strict scrutiny.

Finally, for a policy to survive narrow-tailoring analysis, the government must show “serious, good faith consideration of workable race-neutral alternatives,” *Grutter*, 539 U.S. at 339, and that “no workable race-neutral alternative” would achieve the purported compelling interest. *Fisher v. Univ. of Tex. at Austin*, 570 U.S. 297, 312 (2013). There is no evidence that any such alternatives were ever contemplated here.

URI’s explicit racial and sex-based scholarships are presumptively invalid, and since there is no compelling government justification for such invidious discrimination, URI’s offering, promotion, and administration of these programs violates state and federal civil rights statutes and constitutional equal protection guarantees.

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<sup>14</sup> In his concurrence, Justice Thomas criticizes these categories as being “artificial.” *Students for Fair Admissions*, 600 U.S. at 276 (Thomas, J., concurring).

### **OCR Has Jurisdiction**

URI is a public entity and a recipient of federal funds,<sup>15</sup> including from the U.S. Department of Education.<sup>16</sup> It is therefore liable for violating Title VI, Title IX and the Equal Protection Clause, and OCR therefore has jurisdiction over this complaint.

### **The Complaint Is Timely**

This complaint is timely brought because it includes allegations of discrimination based on race, color, national origin and sex that occurred within 180 days and that appear to be ongoing. The application period for each of the scholarships listed above for the 2024-2025 academic year ended within the last 180 days. Further, the FAQ for the URI online scholarship system provides that the application for the scholarships listed above “runs April through June each year,” and that “[t]he system will reopen for the next scholarship season in the spring semester.”<sup>17</sup>

### **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 (citation omitted). This is true regardless of which race suffers – discrimination against white applicants is just as unlawful as discrimination against black or other non-white applicants. As Justice Thomas correctly noted in *Students for Fair Admissions*, race-based admissions preferences “fly in the face of our colorblind Constitution and our Nation’s equality ideal” and “are plainly – and boldly – unconstitutional.” 600 U.S. at 287 (Thomas, J., concurring).

Because the discrimination outlined above is presumptively illegal, and since URI cannot show any compelling government justification for it, the fact that it conditions eligibility for multiple scholarships on race, color, national origin and sex violates federal civil rights statutes and constitutional equal protection guarantees.

The Office for Civil Rights has the power and obligation to investigate URI’s role in creating, funding, promoting and administering these scholarships – and, given how many there are, to discern whether URI is engaging in such discrimination in its other activities – and to impose

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<sup>15</sup> See <https://www.usaspending.gov/search/?hash=30fa254d4d55f969102ac00e33664e5e> [https://archive.is/O9GZs/image](accessed Dec. 9, 2024).

<sup>16</sup> See <https://www.usaspending.gov/search/?hash=f84d3584dcfd56d84545526b33b40bfa> [https://archive.is/A77vm/image] (accessed Dec. 9, 2024).

<sup>17</sup>

<https://s3.amazonaws.com/static.academicworks.com/clients/uri/client/1710271905/FAQ%20v2.pdf>

[https://web.archive.org/web/20240523062832/https://s3.amazonaws.com/static.academicworks.com/clients/uri/client/1710271905/FAQ%20v2.pdf] (accessed on Dec. 8, 2024).

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. After all, “[t]he way to stop discrimination ... is to stop discriminating[.]” *Parents Involved in Cmty. Sch.*, 551 U.S. at 748.

Indeed, URI appears to admit that there is a strong likelihood that several of its discriminatory scholarships are unlawful – because in its descriptions of such scholarships URI notes that “if such an award would not otherwise comply with applicable law, then the scholarship shall go to a student with demonstrated financial need and in good standing from a historically underrepresented population at the University.”<sup>18</sup> This reflects both a consciousness of guilt on the part of URI and a callous disregard for federal anti-discrimination laws and URI’s constitutional obligations. This highlights the urgent need for OCR to conduct an investigation and put an end to this misconduct before the spring 2025 reapplication period begins.

Accordingly, we respectfully ask that the Department of Education’s Office for Civil Rights prioritize and expedite this complaint given the sheer number of discriminatory scholarships at URI reflecting a systematic disregard for Titles VI and IX, promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from URI’s various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at URI comports with the Constitution and federal civil rights laws.

Respectfully submitted,

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<sup>18</sup> *See, e.g.*, the Alumni of Color Network Scholars Fund; the Keeping the Promise Scholarship; the Monica J. Garnes ‘94 Endowed Business Scholarship; the Women in Engineering Scholarship founded by The Greichen Family; the Women Transforming Women Endowed Scholarship Fund; and the Suita/Hamming Endowed Scholarship.