



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

REGION IX
CALIFORNIA

50 UNITED NATIONS PLAZA
MAIL BOX 1200, ROOM 1545
SAN FRANCISCO, CA 94102

January 14, 2025

Via email only to: contact@legalinsurrection.com

William A. Jacobson, President
Legal Insurrection Foundation

Re: Santa Clara University - OCR Case Number 09-25-2052

Dear William A. Jacobson:

On October 23, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received your complaint against Santa Clara University (the University). You allege that the University's Leavey School of Business discriminates based on race by operating, administering, and promoting The Black Corporate Board Readiness Program (the Program) for only Black participants.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin under any program or activity receiving federal financial assistance. As a recipient of federal financial assistance from the Department, the University is subject to Title VI.

Based on information you provided in your complaint, information the University provided to OCR through its Rapid Resolution Process (RRP) under Section 203 of OCR's [Case Processing Manual \(CPM\) \(July 18, 2022\)](#), and publicly available information online, OCR is dismissing your complaint, as explained below.

Under subsection 110(d) of OCR's [Case Processing Manual \(CPM\) \(July 18, 2022\)](#), OCR will dismiss a complaint when OCR obtains credible information indicating that the allegations have been resolved, the facts underlying the allegation are no longer present, and OCR has no evidence the law is violated. In your complaint you alleged that the University's Program is racially discriminatory because it is open only to Black applicants. To support your allegation, you provided screenshots of webpages for the Program on the University's Leavey School of Business website that had language indicating that it was exclusively for Black leaders. For example, the University's website described that the Program attains its objectives "by preparing highly experienced, qualified Black leaders for board service. Under "Frequently Asked

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Questions” it described how Program participants were chosen and in addition to describing the experience required it stated that the program was “open to Black executives.” Under the History section of the website, it further stated that the University invites “proven Black leaders to apply to a future cohort...”

Since you filed your complaint, OCR has confirmed that the Program is open to anyone regardless of race, color, or national origin. The University removed language from the website that indicated that the Program was exclusively for Black leaders and added language clarifying that the Program is open to anyone regardless of race, color, and national origin. For example, on the landing page for the Program, it now states that “[t]he Program welcomes executives from all backgrounds and identities, regardless of their race, color, national origin, or other characteristic protected by federal, state, or local laws, ...” Under the “Who Should Apply” link for the Program, the website states that “executives from all backgrounds and identities” are welcome to apply. Under the “Frequently Asked Questions” section of the Program’s website, in answer to the question regarding how Program participants are chosen, it states that the Program is open to “executives from all backgrounds and identities who have gained extensive senior leadership experience or an equivalent span of control...” The University also confirmed that the leadership of the Program is aware of the requirement that the Program be open to individuals from all backgrounds regardless of race, color, and national origin, and oversaw the implementation of the website updates to clarify this for members of the public who visit the website. Because OCR has obtained credible information indicating that allegations are resolved, the facts underlying the allegations are no longer present, and OCR has no evidence the law is violated, OCR is dismissing the complaint in accordance with subsection 110(d) of the CPM.

This concludes OCR’s consideration of your complaint.

This letter sets forth OCR’s determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR’s formal policy statements are approved by a duly authorized OCR official and made available to the public.

OCR would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint against the University with OCR.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, OCR will seek to protect, to the extent provided by law, personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released.

If you have any questions about this letter, please call our office at 415-486-5404 or me at Anamaria.Loya@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anamaria Loya', with a stylized flourish at the end.

Anamaria Loya
Chief Regional Attorney