



**THE EQUAL PROTECTION PROJECT**  
**A Project of the Legal Insurrection Foundation**  
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**BY EMAIL** (OCR.Chicago@ed.gov)

Chicago Office  
Office for Civil Rights  
U.S. Department of Education  
John C. Kluczynski Federal Building  
230 S. Dearborn Street, 37th Floor  
Chicago, IL 60604

**Re: Civil Rights Complaint Against Dominican University Regarding  
Discriminatory Scholarship Programs**

To Whom It May Concern:

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 unlawful discrimination in any form.

We write in connection with Dominican University ("Dominican"), a private university, arising from its race- and ethnicity- based discrimination in violation of Title VI of the Civil

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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.

Rights Act of 1964 (“Title VI”) and its implementing regulations.<sup>2</sup> As set forth below, Dominican operates, administers and promotes four (4) discriminatory scholarship programs. These scholarship programs, among other things, set up unequal standards of eligibility so that students similarly situated are treated differently based on race, color, and/or national origin, in clear violation of Title VI.

Dominican offers a variety of scholarships available across the university. The Dominican website states that “[s]cholarships are one of the most important tools for making education affordable.”

## Scholarships at Dominican

For more than a century, Dominican University has been committed to the highest quality education—and an intentional affordability that makes it accessible to all. That’s why *U.S. News & World Report* ranks us the No. 1 Best Value School in the Midwest. Scholarships are one of the most important tools for making education affordable.

Explore the many scholarships offered below.

To apply, students must log in using their Dominican student ID.<sup>3</sup>

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<sup>2</sup> 42 U.S.C. § 2000d et seq.; 28 C.F.R. Part 100.

<sup>3</sup>

<https://explore.dom.edu/account/login?r=https%3a%2f%2fexplore.dom.edu%2fapply%2fform%3fid%3daecd7eea-9727-4b6d-ab3a-b34d3d42203f> (accessed Feb. 2, 2025).



## Login

To log in, please enter your email address and password.

Email Address

Password

[Forgot Your Password?](#)

Login

The scholarships listed below<sup>4</sup> are currently offered to Dominican students and applicants for admission according to the Dominican website, and violate Title VI by illegally excluding students based on their race, color, and/or national origin:

**1. The Pillars Scholarship**

Description: “The Pillars Scholarship is designed for admitted first-year and transfer students who are interested in becoming urban leaders committed to social justice. This leadership is accomplished through contemplation, service, the creation of community, and the cultivation of one’s relationship to learning. The path of social justice requires a commitment to truth seeking, sparked by a curiosity.”

Discriminatory Requirement: “priority given to African American/Black first-year freshman and transfer students.”

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<sup>4</sup> <https://www.dom.edu/admission/scholarships-dominican>  
[<https://web.archive.org/web/20250123033006/https://www.dom.edu/admission/scholarships-dominican>] (accessed Feb. 2, 2025).

**The Pillars Scholarship: Amount varies**

**Eligibility:** Admitted first-year freshman and transfer students with a cumulative 3.25 grade-point average (priority given to African American/Black first-year freshman and transfer students).

The Pillars Scholarship is designed for admitted first-year and transfer students who are interested in becoming urban leaders committed to social justice. This leadership is accomplished through contemplation, service, the creation of community, and the cultivation of one's relationship to learning. The path of social justice requires a commitment to truth seeking, sparked by a curiosity.

- **Deadline:** March 15

2. **The School of Information Studies Endowed Li Family Scholarship**

**Description:** “For SOIS students from backgrounds underrepresented in the field of library science with demonstrated financial need.”

**Discriminatory Requirement:** “Preference will be given to students who are Chinese or of Chinese or Asian descent.”

**The School of Information Studies Endowed Scholarships: Amount varies**

**Eligibility:** New or current student enrolled in a SOIS degree program (MLIS, MSIM, MAYL, PhD). Some of our endowments were given with specific eligibility requirements (from underrepresented groups, commuters, etc.). Eligibility will be determined based on scholarship application forms and supplemental information provided in the essay requirement.

The School of Information Studies is pleased to offer several different scholarship options for its graduate students funded by our generous donors. Applicants will be considered for all scholarships for which they are determined to be eligible and notified individually if they are awarded.

- **Deadline:** Fall–August 1; Spring–December 1; Summer–April 1
- **Li Family:** For SOIS students from backgrounds underrepresented in the field of library science with demonstrated financial need. Preference will be given to students who are Chinese or of Chinese or Asian descent.

3. **The Horizons Project Scholarship**

**Description:** “The Horizons Project: ‘Recruiting, Retaining and Training Social Workers for Primary Care,’ will focus on increasing the number of individuals with master’s degrees in social work employed in primary care settings in

medically underserved communities in Chicago’s Austin, North and South Lawndale, Pilsen, and East and West Garfield Park neighborhoods as well as in Lake County, Illinois.”

Discriminatory Requirement: “preference is given to student with racially minoritized identities.”

**The Horizons Project Scholarship: Up to \$30,000 per year**

**Eligibility: MSW Students committed to working in medically underserved communities after graduating; have an earned GPA of 3.0 or higher, completed a FAFSA (demonstrate financial need) and must qualify under one of the “disadvantaged categories”, U.S. citizens or lawfully permanent residents, complete 18 credit hours in an academic year, and preference is given to student with racially minoritized identities.**

The Horizons Project: “Recruiting, Retaining and Training Social Workers for Primary Care,” will focus on increasing the number of individuals with master’s degrees in social work employed in primary care settings in medically underserved communities in Chicago’s Austin, North and South Lawndale, Pilsen, and East and West Garfield Park neighborhoods as well as in Lake County, Illinois.

- **Deadline:** Scholarship application opens April 15; deadline to apply is June 24

**4. Title V, Part B PPOHA Stipends**

Description: “Dominican’s University Title V, Part B–Promoting Post Baccalaureate Opportunities for Hispanic Americans (PPOHA) project seeks to increase Hispanic and low-income graduate student success at Dominican University.”

Discriminatory Requirement: “Preference will be given to Latine or Hispanic students.”

**Title V, Part B PPOHA Stipends: \$3,000**

**Eligibility: Complete the FAFSA form to verify citizenship and low-income requirements, be a U.S. citizen or lawful permanent resident, 3.0 GPA. Preference will be given to Latine or Hispanic students.**

Dominican's University Title V, Part B–Promoting Post Baccalaureate Opportunities for Hispanic Americans (PPOHA) project seeks to increase Hispanic and low-income graduate student success at Dominican University. The goal is to provide support for graduate students to increase their social capital by networking and volunteering. The grant will provide five (5) \$1,500 stipends (\$1,500 per Fall term ) to Master of Social Work (MSW) candidates assigned to practicum placements. Practicum placements are required to integrate academic knowledge, social work values, ethics, and the skills needed to become globally focused, relationship-centered social workers.

Selected candidates will touch base with Natalie Delatorre, Director of Title V: Part B. Selected applicants must submit a brief report to Natalie Delatorre at the end of the Fall 2024 semester to address learning outcomes.

- **Deadline:** September 9; application opens September 2

**The Scholarships Listed Above Violate The Law**

The scholarships identified above violate Title VI by discriminating on the basis of race, color, and/or national origin.<sup>5</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. 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,”

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<sup>5</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 Dominican. 42 U.S.C. § 2000(a)(a). These scholarships also violate the Illinois Civil Rights Act, Illinois Human Rights Act, 775 Ill. Comp. Stat. 5/1-101 et seq. (2025). Finally, these scholarships violate Dominican’s own nondiscrimination policy. *See* [https://www.dom.edu/sites/default/files/2023-08/Student\\_Code\\_of\\_Conduct\\_20232024\\_08082023\\_OMC.pdf](https://www.dom.edu/sites/default/files/2023-08/Student_Code_of_Conduct_20232024_08082023_OMC.pdf) [[https://web.archive.org/web/20250123060324/https://www.dom.edu/sites/default/files/2023-08/Student\\_Code\\_of\\_Conduct\\_20232024\\_08082023\\_OMC.pdf](https://web.archive.org/web/20250123060324/https://www.dom.edu/sites/default/files/2023-08/Student_Code_of_Conduct_20232024_08082023_OMC.pdf)] (accessed on Feb. 2, 2025).

and thus applies to universities receiving federal financial assistance). As Dominican receives federal funds (including from the Department of Education),<sup>6</sup> it is subject to Title VI.<sup>7</sup>

In *Students for Fair Admissions Inc. v. President & Fellows of Harvard College*, 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 206 (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 208.

In this case, the explicit use of race and skin color criteria constitutes unlawful discrimination. Additionally, such criteria serve as “signals” of racial preferences. As the Second Circuit recognized in *Ragin v. New York Times Co.*, 923 F.2d 995, 999–1000 (2d Cir. 1991), even subtle messaging can convey discriminatory preferences: “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 Dominican’s reasons for offering, promoting, and administering such discriminatory scholarships, Dominican is violating Title VI 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

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<sup>6</sup> See <https://www.usaspending.gov/recipient/58953ddc-ca97-41f3-b381-1fc0e9b28624-C/latest> [<https://archive.is/IWX9e>] (accessed on Feb. 2, 2025).

<sup>7</sup> 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); Further, Dominican University considers “Minority” students to be non-white. See [https://www.dom.edu/sites/default/files/2024-10/Fall%202024\\_Student\\_Profiles\\_FINAL.pdf](https://www.dom.edu/sites/default/files/2024-10/Fall%202024_Student_Profiles_FINAL.pdf) [<https://archive.is/8ZkVY>] (accessed Feb. 2, 2025).

otherwise promote equality at the group level.” *Students for Fair Admissions*, 600 U.S. at 289 (Gorsuch, J., concurring).

Because Dominican’s racial and/or ethnicity-based requirements for these scholarships is presumptively invalid, and since there is no compelling government justification for such invidious discrimination, its use of such criteria violates federal civil rights statutes.

### **OCR Has Jurisdiction**

OCR enforces Title VI of the Civil Rights Act of 1964<sup>8</sup> and its implementing regulation,<sup>9</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, including from the Department of Education, Dominican is also subject to Title VI and OCR has jurisdiction.

### **The Complaint Is Timely**

This complaint is timely brought because it includes allegations of discrimination based on race, color, and national origin that occurred within 180 days and that appear to be ongoing.<sup>10</sup> The scholarships are currently being administered<sup>11</sup> and/or their application periods are approaching.

### **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. 469, 505 (1989) (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).

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<sup>8</sup> 42 U.S.C. §§ 2000d-2000d-7.

<sup>9</sup> 34 C.F.R. Part 100.

<sup>10</sup> <https://www.dom.edu/admission/scholarships-dominican> [<https://web.archive.org/web/20250123033006/https://www.dom.edu/admission/scholarships-dominican>] (accessed on Feb. 2, 2025).

<sup>11</sup> <https://www.dom.edu/admission/scholarships-dominican/hrsa#:~:text=Submitted%20applications%20will%20be%20reviewed,need%20based%20on%20your%20FAFSA.> [<https://archive.is/Kx9yH>]



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Because the discrimination outlined above is presumptively illegal, and since Dominican cannot show any compelling government justification for it, the fact that it conditions eligibility for multiple scholarships on race, color, and/or national origin violates Title VI.

The Office for Civil Rights has the power and obligation to investigate Dominican’s role in creating, funding, promoting and administering these scholarships as well as impose whatever remedial relief is necessary to hold it accountable for this 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. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007).

Accordingly, we respectfully ask that the Department of Education’s Office for Civil Rights promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from Dominican’s various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at Dominican comports with the federal civil rights laws.

Respectfully submitted,

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