UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

November 13, 2026

Via e-mail only to: contact@legalinsurrection.com
Robert.Fox@legalinsurrection.com

William A. Jacobson and Robert J. Fox
Legal Insurrection Foundation

Re: Drake University (IA) – OCR Case Number 05-25-2404

Dear William Jacobson and Robert Fox:

On April 22, 2025, the U.S. Department of Education, Office for Civil Rights (OCR), received the complaint you filed against Drake University (the University). The complaint alleged that the University discriminated against students on the basis of race. Specifically, the complaint alleged that the University administered a program, the Crew Scholars Program (Crew Program), which conditioned eligibility for participation on a student's race.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d et seq., and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, and national origin by recipients of federal financial assistance. As a recipient of federal financial assistance from the Department of Education, the University must comply with this law.

OCR evaluated this complaint in accordance with its Case Processing Manual (CPM) (February 19, 2025) and has decided to open the complaint for investigation.

OCR will investigate whether the University violated Title VI by discriminating on the basis of race, color, or national origin in its administration of the Crew Program.

Please note that opening an investigation does not mean that OCR has made a final determination with regard to the merits. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint. OCR will ensure that its investigation is legally sufficient in accordance with OCR's CPM. Additional information is available at Complaint Processing Procedures. Please note that you may have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR may close this complaint prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establish an administrative or other basis for resolution in accordance with the CPM. For example, Section 110 of OCR's CPM provides that OCR may use an expedited case processing approach to resolve complaints called the Rapid Resolution Process (RRP). The outcomes in all RRP cases must meet OCR's standards for legal sufficiency and be consistent with applicable statutory and regulatory

authority. Any resolution agreement reached through RRP must be aligned with the allegations in the complaint deemed appropriate for resolution pursuant to RRP.

When appropriate, a complaint also may be resolved before the conclusion of an investigation under Section 302 of the CPM when a recipient expresses an interest to OCR to resolve the complaint allegations and OCR determines that it is appropriate to resolve them because OCR's investigation has identified concerns that can be addressed through a resolution agreement.

If OCR determines during the course of the investigation that a complaint could be appropriate for mediation, OCR will contact the parties and offer this resolution option.

Recipients 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 with OCR.

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

OCR will communicate with you periodically during its investigation. When contacting the office about your case, please refer to the case number at the top of this letter. If you have any questions, please contact Stephen Worthingotn, an OCR attorney assigned to investigate this complaint. He can be reached by telephone at [redacted] or by e-mail at [redacted].

Sincerely,

Stephen Worthington

for Sandra J. Roesti
Team Leader