



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
18 MAPLE AVE. #280
BARRINGTON, RI 02806
www.EqualProtect.org

June 17, 2025

BY EMAIL (OCR@ed.gov)

Craig Trainor, Acting Assistant Secretary
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100

BY EMAIL (OCR.DC@ed.gov)

Washington DC (Metro)
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1475

**Re: Civil Rights Complaint Against Campbell University
Regarding Discriminatory Scholarships**

Dear Mr. Trainor and OCR Staff:

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.¹ 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 opposes unlawful discrimination in any form.


We bring this civil rights complaint against Campbell University ("Campbell"), a private university, for discrimination in seven (7) scholarships based on race, color, national origin, or sex, in violation of Title VI and Title IX, respectively.

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

Campbell offers multiple types of internal scholarships.² Many of these are awarded automatically to students who meet the eligibility requirements when they apply.

Admissions ▾ Academics ▾ Life at Campbell ▾ Athletics ▾ About ▾ Give

Home / Financial Aid / Scholarships



Financial Aid

Apply for Financial Aid ▾

Verification of FAFSA

Financial Aid Video Tutorials

Accept Your Aid

Available Aid ▾

Scholarships ▲

Campbell Involvement Scholarships

Departmental Endowed Scholarships (UG) ▾

General Endowed Scholarships (UG)

Graduate/Professional Endowment Scholarships

Non-Department Specific/Private Endowed Scholarships

Outside Scholarships

Scholarships

Institutional Scholarships

Campbell has a long-standing tradition of awarding academic excellence through our Scott-Ellis Scholarship program. Full-time undergraduate students who demonstrate outstanding academic ability are rewarded for their hard work. Merit-based scholarships are automatically determined by the **Undergraduate Admissions Office** when you **apply for admission** to Campbell University's main campus.

Departmental Endowed Scholarships

Campbell University is grateful for the financial assistance made available to students each year through our Endowed Scholarship Program. Through the generosity of the University's supporters, over \$54 million has been contributed to our private scholarship endowment fund to help Campbell students receive a Christian education. Each year, over 1,600 students are awarded endowed

According to the Campbell website³, the following scholarships are currently active.⁴ Each violates either Title VI of the Civil Rights Act of 1964 ("Title VI"),⁵ or Title IX of the Education Amendments of 1972 ("Title IX"),⁶ by unlawfully excluding students based on race, color, national origin, and/or sex:

² <https://www.campbell.edu/financial-aid/scholarships/> [<https://archive.is/wip/cePsg>] (accessed June 15, 2025).

³ Discriminatory criteria highlighted throughout.

⁴ <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search> [<https://archive.ph/YEsP9>] (accessed June 15, 2025)(.

⁵ 42 U.S.C. § 2000d et seq.; 28 C.F.R. Part 100.

⁶ 20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106.

I. SCHOLARSHIP THAT VIOLATES TITLE VI

1. Joe and Ina Whitehead Pharmacy Scholarship

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.ph/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to students indicating academic ability who are **minority students** in the School of Pharmacy B.S. and PharmD programs.

Joe and Ina Whitehead Pharmacy Endowment

This scholarship is awarded to students indicating academic ability who are minority students in the School of Pharmacy B.S. and PharmD programs. Preferences: 1) students in the MSEN program

II. SCHOLARSHIPS THAT VIOLATE TITLE IX (6)

1. Bessie W. Moss Memorial Endowment

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.is/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to **female students**.”

Bessie W. Moss Memorial Endowment

This scholarship is awarded to female students. Preferences: 1) students who come from single parent families and have real financial need

2. Beverly Massey Women in Law Endowment

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.is/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to **female students** indicating academic ability and having financial need in the Law School.”

Beverly Massey Women in Law Endowment

This scholarship is awarded to female students indicating academic ability and having financial need in the Law School.

3. GSK Women In Science Pharmacy Endowment

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.is/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to full-time **female undergraduate students** pursuing scientific studies.”

GSK Women In Science Pharmacy Endowment

This scholarship is awarded to full-time female undergraduate students pursuing scientific studies.

4. Jessica N. White Business Endowment

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.is/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to **female students** who are Trust majors in the Lundy-Fetterman School of Business and maintain a minimum GPA of 2.5.”

Jessica N. White Business Endowment

This scholarship is awarded to female students who are Trust majors in the Lundy-Fetterman School of Business and maintain a minimum GPA of 2.5.

5. Nursing Program Faculty/Staff Endowment

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.is/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to full-time students in the Nursing Program. Preferences: 1) students with demonstrated need; 2) **male student**, as nurses are predominately female; 3) students from disadvantaged background including first generation to attend college and/or from a rural medically underserved community.”

Nursing Program Faculty/Staff Endowment

This scholarship is awarded to full-time students in the Nursing Program. Preferences: 1) students with demonstrated need; 2) male student, as nurses are predominately female; 3) students from disadvantaged background including first generation to attend college and/or from a rural medically underserved community.

6. Tucker History Endowment

Link: <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search>

Archived Link: <https://archive.is/wip/YEsP9>

Discriminatory Requirement: “This scholarship is awarded to full-time students pursuing a Bachelor’s or Master’s degree in History. Preferences: 1) top two **female History students**.”

Tucker History Endowment

This scholarship is awarded to full-time students pursuing a Bachelor’s or Master’s degree in History. Preferences: 1) top two female History students

The Scholarships Listed Above Violate The Law

The scholarships identified above violate either Title VI, by discriminating on the basis of race, skin color, or national origin, or Title IX, by discriminating on the basis of sex.⁷

Title VI of the Civil Rights Act 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,” and thus applies to universities receiving federal financial assistance). As Campbell receives federal funds,⁸ it is subject to Title VI.

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

⁷ 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 Campbell. 42 U.S.C. § 2000(a)(a). These scholarships also violate North Carolina state law. N.C. Gen. Stat. § 115C-47(64) (2023). Finally, these scholarships violate Campbell’s own nondiscrimination policy. See <https://www.campbell.edu/policies/title-ix/title-ix-policies-and-procedures/#:~:text=Campbell%20University%20does%20not%20permit,military%20status%20and%20any%20other> [<https://archive.ph/wip/Tj5Ui>] (accessed on June 13, 2025).

⁸ See <https://www.usaspending.gov/recipient/4ff70657-1ad8-de30-a944-8feb64077df5-R/latest> [<https://archive.ph/wip/oWqMy>] (accessed on June 13, 2025).

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.

Regardless of Campbell’s reasons for offering, promoting, and administering such racially discriminatory scholarships, they are 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 otherwise promote equality at the group level.” *Students for Fair Admissions*, 600 U.S. at 289 (Gorsuch, J., concurring).

Title IX prohibits discrimination on the basis of sex in education. The statute provides: “[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). Accordingly, a school receiving federal funding may not administer scholarships, fellowships, or other forms of financial assistance that impose preferences or restrictions based on sex, except in limited exceptions that are not applicable here. *See* 34 C.F.R. § 106.37(a).

Restrictions that limit eligibility for scholarships based on sex are underinclusive, as they arbitrarily exclude students who would otherwise qualify. While sex-based classifications are subject to “heightened” scrutiny, *Sessions v. Morales-Santana*, 582 U.S. 47, 57 (2017); *United States v. Virginia*, 518 U.S. 515, 532–34 (1996), this standard—though less exacting than the strict scrutiny applied to race-based classifications—still requires an “exceedingly persuasive justification.” *Virginia*, 518 U.S. at 531. To meet this burden, 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. Even if the classifications based on sex or other immutable characteristics were intended to further a compelling interest, discriminatory programs must involve “individualized consideration” and must apply criteria in a “nonmechanical way.” *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003).

Campbell’s race, color, national origin, and/or sex-based scholarships are presumptively invalid. Campbell’s offering, promotion, and administration of these scholarships violates federal civil rights statutes.

OCR Has Jurisdiction

OCR enforces Title VI of the Civil Rights Act of 1964⁹ as well as Title IX of the Education Amendments of 1972. As a recipient of federal financial assistance, including from the Department of Education,¹⁰ Campbell is subject to Title VI and Title IX and OCR has jurisdiction over this case.

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. These scholarships are all currently active and being administered at Campbell.¹¹

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).

Because the discrimination outlined above is presumptively illegal, the fact that it conditions eligibility for multiple scholarships on race, color, national origin, and/or sex violates Title VI and/or Title IX.

The Office for Civil Rights has the power and obligation to investigate Campbell’s role in creating, funding, promoting and administering these scholarships as well as the duty to 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).

⁹ 42 U.S.C. §§ 2000d-2000d-7.

¹⁰ https://www.usaspending.gov/award/ASST_NON_P063P241919_9100 [<https://archive.ph/wip/Tula1>] (accessed June 15, 2025).

¹¹ <https://campbell.scholarships.ngwebsolutions.com/Scholarships/Search> [<https://archive.ph/YEsP9>] (accessed June 15, 2025).

U.S. Dept. of Education, Office for Civil Rights
Civil Rights Complaint – Campbell University
June 17, 2025
Page 8 of 8

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 Campbell's various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at Campbell comport with the federal civil rights laws.

Respectfully submitted,

/William A. Jacobson/

William A. Jacobson, Esq.
President
Legal Insurrection Foundation
Contact@legalinsurrection.com

/Robert J. Fox/

Robert J. Fox
Attorney
Legal Insurrection Foundation
Robert.Fox@legalinsurrection.com