



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

August 12, 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

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 Bucknell University
Regarding Discriminatory Scholarships**

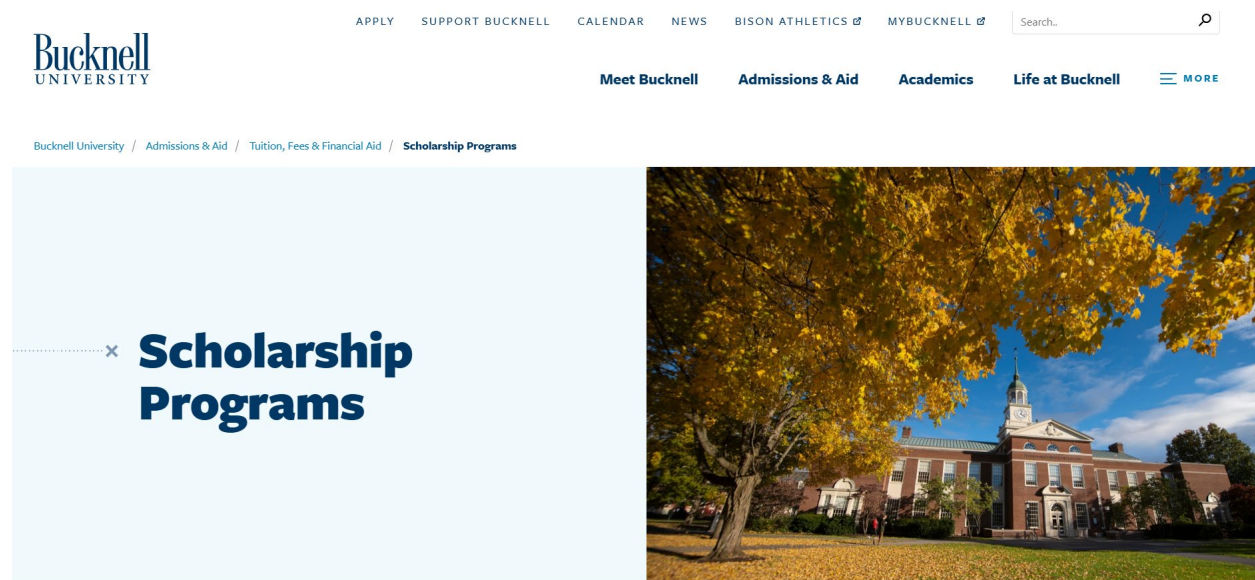
Dear Mr. Trainor and OCR Staff:

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 Bucknell University ("Bucknell"), a private college, for discrimination in twenty-eight (28) scholarships and programs based on race, color, or national origin (10), or sex (18), 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.

Bucknell University offers a range of scholarships for students, most of which are awarded automatically to eligible applicants during the admissions process.² However, some scholarships require a separate application submitted by the same deadline as the admission application.



Bucknell University's merit awarding process is comprehensive, holistic and extremely competitive. We're looking for students who have extraordinary academic records and show promise that their talents will enrich our highly personal, transformative learning environment.

Some merit scholarships require students to submit a separate application, alongside their application for admission. The deadline for the scholarship application is the same as the student's Bucknell application deadline.

Merit scholarships are awarded at the time of admission and are only available for incoming first-year students. They are renewable for a maximum of eight fall/spring semesters as long as students continue to meet the requirements of each program. We are not able to award multiple academic scholarships to students. Most funding is awarded to students who have demonstrated institutional need as determined by Bucknell's Office of Financial Aid, but a limited amount will also be awarded to those who do not have financial need or do not apply for aid.

To be considered for merit scholarships, please read the description(s) below to ensure you meet the criteria prior to applying.

Tuition, Fees & Financial Aid

Scholarship Programs

- Arts Merit Scholarships
- Bauer Scholars Program
- Bucknell Community College Scholars Program
- Bucknell Community Engagement Scholars Program
- Bucknell Women in Science and Engineering Scholarships
- Dean's Scholarships
- Engineering Merit Scholarships
- Gamgort Family Gateway Scholars
- Langone and Langone-Walling Scholarships
- Malesardi Arts & Sciences Merit Scholarships
- Management Merit Scholarships
- Mathematics and Statistics Scholars

² <https://www.bucknell.edu/admissions-aid/tuition-fees-financial-aid/scholarship-programs> [<https://archive.is/wip/VKA78>] (accessed August 11, 2025).

The scholarships listed below³ are currently active according to the Bucknell website, and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations⁴ by excluding students based on their race, color, or national origin, while other scholarships violate Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations⁵ by excluding students based on their sex:

I. SCHOLARSHIPS AND PROGRAMS THAT VIOLATE TITLE VI (10)

1. William D. Adams Presidential Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...preference for students whose **ethnic, racial, economic or national origins** add to the diversity of Bucknell.”⁶

The William D. Adams Presidential Scholarship was established in 2000 by Judy Plattman Denenberg, Class of 1957, and Byron A. Denenberg, Class of 1956, in honor of William “Bro” Adams, who served as Bucknell’s 14th president from March 1995 to June 2000. The scholarship shall be awarded to students with demonstrated financial need, with preference for students whose ethnic, racial, economic or national origins add to the diversity of Bucknell.

2. Berlin Family Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “Preference for the scholarship award shall be given to students whose **racial, ethnic**, cultural, economic or other characteristics enhance the diversity of Bucknell’s student group.”

³ Discriminatory criteria highlighted throughout.

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

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

⁶ Bucknell frequently uses the formulation of preference based on “racial” “ethnic” and “national origin” characteristics in addition to other factors to “enhance the diversity.” Such formulation is on its face a violation of Title VI as it is promoting the scholarships in a manner that would dissuade members of racial, ethnic, and national origin groups that would not “enhance diversity” from applying. Rather than a defense, this formulation is an admission of discrimination based on protected categories.

The Berlin Family Scholarship was established by George R. Berlin, Class of 1965; his mother, Elizabeth Smith Berlin, Class of 1935; and his sons, Bradley J. Berlin, Class of 1993, and William B. Berlin, Class of 1993 (M.A.), in recognition of George R. Berlin's father, William H. Berlin, Class of 1935. Preference for the scholarship award shall be given to students whose racial, ethnic, cultural, economic or other characteristics enhance the diversity of Bucknell's student group.

3. Bott-Jennings Family Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "The scholarship shall be awarded to students with demonstrated financial need, whose **ethnic, racial**, economic or **national origins** add to the diversity of Bucknell."

The Bott-Jennings Family Scholarship was established by Robert L. Jennings Jr., Class of 1973, and Barbara H. Bott, Class of 1973. The scholarship shall be awarded to students with demonstrated financial need, whose ethnic, racial, economic or national origins add to the diversity of Bucknell.

4. Ekedahl Family Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "Preference for the scholarship award shall be given to students whose **ethnic, racial**, economic or **national origins** add to the diversity of Bucknell."

The Ekedahl Family Scholarship was established by Dave Ekedahl, Class of 1956, and his wife, Patty Ekedahl. Preference for the scholarship award shall be given to students whose ethnic, racial, economic or national origins add to the diversity of Bucknell.

5. Holmes Family Diversity Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “Grants from the scholarship will be awarded to students whose **ethnic, racial**, economic, geographic, cultural or **national origins** add to the diversity of Bucknell.”

The Holmes Family Diversity Scholarship was established in 2003 by Stephen P. Holmes and Bonnie L. Holmes, both members of the Class of 1979. Grants from the scholarship will be awarded to students whose ethnic, racial, economic, geographic, cultural or national origins add to the diversity of Bucknell.

6. Allan & Bette Kenzie Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...preference for students whose **ethnic, racial**, economic or **national origins** add to the diversity of Bucknell.”

The Allan & Bette Kenzie Scholarship was established in 2000 by Allan G. and Bette Skow Kenzie '57/'56. The scholarship shall be awarded to students with demonstrated financial need, with preference for students whose ethnic, racial, economic or national origins add to the diversity of Bucknell.

7. Koandah Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “The scholarship shall be awarded in compliance with the University’s policy of nondiscrimination to qualified students who could not otherwise afford an education at Bucknell University, and who would, as Bucknell students, add to the economic, **ethnic, racial**, cultural and **national diversity** of the University.”

The Koandah Scholarship was established by James M. Sanborn and Emilie Sherman Sanborn, Class of 1955, in honor and memory of Sholl and Sherman family members who have attended Bucknell University. The scholarship shall be awarded in compliance with the University’s policy of nondiscrimination to qualified students who could not otherwise afford an education at Bucknell University, and who would, as Bucknell students, add to the economic, ethnic, racial, cultural and national diversity of the University.

8. John H. & Susan B. Mathias Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “Preference for the scholarship award shall be given to students whose **ethnic, racial**, economic or **national origins** add to the diversity of Bucknell.”

The John H. & Susan B. Mathias Scholarship was established by John H. '69 and Susan B. Mathias '69 and honors the extensive ties of the Mathias family to Bucknell University. Preference for the scholarship award shall be given to students whose ethnic, racial, economic or national origins add to the diversity of Bucknell.

9. Betty Ann Quinn Scholarship Fund

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...income to be given to a worthy **Black student.**”

The Betty Ann Quinn Scholarship Fund was established by the Bucknell chapter of the National Association for the Advancement of Colored People, the income to be given to a worthy Black student.

10. Tague Family Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “Preference for the scholarship award shall be given to students from the greater Philadelphia area, with demonstrated financial need, whose **ethnic, racial**, economic or **national origins** add to the diversity of Bucknell.”

The Tague Family Scholarship was established by Barry E. Tague, Class of 1960, and his wife, Dorothy Tague. Preference for the scholarship award shall be given to students from the greater Philadelphia area, with demonstrated financial need, whose ethnic, racial, economic or national origins add to the diversity of Bucknell.

II. SCHOLARSHIPS THAT VIOLATE TITLE IX (18)

1. Bucknell Women in Science and Engineering Scholarships (B-WISE)

Link: <https://www.bucknell.edu/admissions-aid/tuition-fees-financial-aid/scholarship-programs/bucknell-women-science-engineering-scholarships>

Archived Link: <http://archive.today/3q9Hs>

Discriminatory Requirement: “is awarded to high-achieving **women applicants.**”

Bucknell Women in Science & Engineering Scholarships

(\$20,000 annually)

The Bucknell Women in Science and Engineering Scholarship (B-WISE) is awarded to high-achieving women applicants who plan to major in **engineering, biophysics, chemistry, environmental geosciences, geology** or **physics**.

Financial need is not a requirement and recipients will be notified along with their admissions.

The Award

- A \$20,000 annual merit scholarship.

2. 100 Years of Women in Engineering Scholarship Fund

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “Preference shall be given to **women** studying in the college.”

The 100 Years of Women in Engineering Scholarship Fund was created by gifts from members of the Bucknell Engineering Alumni Association and other donors to recognize the milestone of 100 years since the first woman earned an engineering degree at Bucknell. Katherine Owens Hayden, Class of 1923, earned a degree in chemical engineering and opened the door for future generations of women majoring in engineering. The fund shall be awarded to students enrolled in the College of Engineering. Preference shall be given to women studying in the college.

3. Amy Bourdeau '95 Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “... with additional preference for **female students**.”

The Amy Bourdeau '95 Scholarship was created by gifts from Laura and Daniel Bourdeau in loving memory of their daughter, Amy Bourdeau, who graduated in the Class of 1995 with a B.S. in civil engineering. Grants shall be made to students based on financial need, with preference for students majoring in civil engineering, with additional preference for female students.

4. Harriet M. Bucknell Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “The scholarship is to be awarded to a **young woman**.”

The Harriet M. Bucknell Scholarship was established by Mrs. Harry S. Hopper in memory of her mother. The scholarship is to be awarded to a young woman.

5. William Bucknell Scholarships

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “The William Bucknell Scholarships are given to help worthy **young men** to obtain an education with which to increase their usefulness in life.”

The William Bucknell Scholarships are given to help worthy young men to obtain an education with which to increase their usefulness in life.

6. William Albion Cook Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "...for a **male student**."

The William Albion Cook Scholarship was established by Mrs. Augusta N. Cook in memory of her son, Class of 1899, for a male student.

7. Phoebe B. Davis Memorial Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "Preference for the scholarship award will be given to **young women** majoring in English..."

The Phoebe B. Davis Memorial Scholarship was established by Alice V. Davis, Class of 1925, to preserve the memory of her sister, Phoebe, a member of Bucknell's Class of 1922. Preference for the scholarship award will be given to young women majoring in English who plan a secondary school teaching career.

8. Velola E. Hall Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "...for a college **woman**."

The Velola E. Hall Scholarship was established by The Rev. Henry Chandler Hall, A.M., Class of 1882, in memory of his daughter, Class of 1904, for a college woman.

9. Randi S. Jacobs Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "... with preference for **female students**..."

The Randi S. Jacobs Scholarship was established through a bequest from Randi S. Jacobs, Class of 1977. The financial aid grant shall be awarded to students with demonstrated financial need, without other restriction. The scholarship will be awarded with a preference for female students, but the University may disregard this preference if it is determined to be contrary to law or University policy.

10. Rockefeller Jones Fund

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "... for two **young men** of good moral character."

The Rockefeller Jones Fund was bequeathed to the University by a legacy of Elizabeth B. Jones in memory of her husband, Thomas Rockefeller Jones, Class of 1862, the income to be used as scholarships for two young men of good moral character.

11. Kress & Warg Endowment

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "...for the education of needy **young men**."

The Kress & Warg Endowment was established by a legacy of Clara L. Warg to endow scholarships in memory of Jack Culberson Kress and Clara L. Warg, for the education of needy young men.

12. Katherine B. Larison Scholarships

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "They are for **women** of exemplary character."

The Katherine B. Larison Scholarships were established by Katherine B. Larison, of the Institute Class of 1867, and were supplemented by the General Alumnae Association of the University. They are for women of exemplary character.

13. Joseph Earl Malin Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “It is to be awarded to worthy **young men** who are majoring in chemistry.”

The Joseph Earl Malin Scholarship was established by a bequest of Dolly Frey Malin in memory of her husband, Joseph Earl Malin, Ph.D., Class of 1916. It is to be awarded to worthy young men who are majoring in chemistry.

14. Franklin Mathews Service Scholarships

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...established for **male students**...”

The Franklin Mathews Service Scholarships were established for male students by Franklin Mathews, Class of 1868.

15. Ross J. Nahrgang Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...used to aid one or more **women students**, preferably in the pre-medical program.”

The Ross J. Nahrgang Scholarship was established by Mrs. Anne Horoschak Nahrgang, B.S., M.D., Class of 1923, as a memorial to her son, the income to be used to aid one or more women students, preferably in the pre-medical program.

16. Gretchen K. '18 & Sabina G. '21 Richter Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...with preference given to **female athletes**.”

The Gretchen K. '18 & Sabina G. '21 Richter Scholarship was funded by gifts from Greg P. Richter in honor of his daughters, Gretchen Richter, Class of 2018, and Sabina Richter, Class of 2021. Grants shall be made to students based on financial need, with preference given to female athletes.

17. Anna M. Wall Scholarships

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: “...preference given to **women**.”

The Anna M. Wall Scholarships were established by Anna M. Wall, with preference given to women.

18. Claire Halline Wieder Scholarship

Link: <https://coursecatalog.bucknell.edu/endowedfunds/endowedscholarships/>

Archived Link: <http://archive.today/4KMjp>

Discriminatory Requirement: "...deserving **woman student**."

The Claire Halline Wieder Scholarship was established in her memory by members of her Class of 1958 and friends, the income to be used for a deserving woman student.

The Scholarships and Programs Listed Above Violate The Law

The scholarships and programs identified above violate either Title VI, by discriminating on the basis of race, 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 Bucknell receives federal funds,⁸ it is subject to Title VI.

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 Bucknell. 42 U.S.C. § 2000(a)(a). These scholarships also violate the Pennsylvania Fair Educational Opportunities Act, which prohibits discrimination based on race, color, ancestry, national origin, sex, or disability. Pennsylvania Fair Educational Opportunities Act, Act of July 17, 1961, P.L. 776, No. 341 (2025). Finally, these scholarships violate Bucknell's own nondiscrimination policy. See <https://www.bucknell.edu/life-bucknell/health-wellness-safety/discrimination-and-harassment/title-ix-and-nondiscrimination/notice-nondiscrimination#:~:text=Bucknell%20University%20does%20not%20discriminate,%2C%20admissions%2C%20or%20employment%2C%20as> [<https://archive.ph/wip/JTiWR>] (accessed on August 8, 2025).

⁸ See https://www.usaspending.gov/award/ASST_NON_P063P242081_091 [<https://archive.is/bzGXp>] (accessed on August 9, 2025).

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.

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

Because Bucknell’s racial and/or ethnicity-based preferences for these scholarships and programs are presumptively invalid, the use of such criteria violates federal civil rights statutes.

It is no defense that Bucknell promotes racial, ethnic, and national origin preferences alongside lawful preferences such as economic status. Racial criteria and preferences serve as “signals” of racial and sex-based 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.” Here, Bucknell sends a signal that would dissuade students whose racial, ethnic, or national origin groups would not expand diversity from applying. Word games and too-smart-by-half formulations cannot evade the civil rights laws.

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 or promote preferences for scholarships or programs 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).

Bucknell’s explicit race, color, national origin, or sex-based preferences for scholarships and programs are presumptively invalid; Bucknell’s offering, promotion, and administration of these programs violates federal civil rights statutes.

OCR Has Jurisdiction

OCR enforces Title VI of the Civil Rights Act of 1964⁹ and its implementing regulation,¹⁰ which prohibit discrimination on the basis of race, color, national origin, and/or sex in programs and activities receiving federal financial assistance. As a recipient of federal financial assistance, including from the Department of Education,¹¹ Bucknell 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 currently active.¹²

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

⁹ 42 U.S.C. §§ 2000d-2000d-7.

¹⁰ 34 C.F.R. Part 100.

¹¹ See https://www.usaspending.gov/award/ASST_NON_P063P242081_091 [<https://archive.is/bzGXp>] (accessed on August 8, 2025).

¹² <https://www.bucknell.edu/admissions-aid/tuition-fees-financial-aid/scholarship-programs> [<https://archive.is/wip/VKA78>] (accessed August 8, 2025).

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 or promotes eligibility for multiple programs 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 Bucknell’s role in creating, funding, promoting and administering these scholarships – and, given how many there are, to discern whether Bucknell is engaging in such discrimination in its other activities – 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).

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 discriminated against in Bucknell’s various scholarships and programs, and ensure that all ongoing and future scholarships and programming at Bucknell comports 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