



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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August 22, 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 University of Richmond
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 University of Richmond ("URichmond"), a private college, for discrimination in three (3) scholarships based on race, color, or national origin (2), or sex (1), 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.

URichmond Office of Financial Aid offers multiple internal scholarships for which eligible students are automatically considered based on their initial enrollment application.² It also promotes external scholarships and requires students to report external scholarships, which are incorporated into URichmond financial need assessments.

Merit-Based Aid & Scholarships

All first-year, degree-seeking applicants, including Early Action, Early Decision I, Early Decision II, and Regular Decision applicants are eligible to be considered for merit scholarships through the University of Richmond's robust merit-based aid programs.

Richmond Scholars, **Presidential Scholars** and various other merit scholarships are awarded to incoming first-year students and are awarded for a maximum of four years (eight semesters) of full-time undergraduate study during the regular academic year. These scholarships are renewable annually as long as the recipient meets the requirements stated in the initial award notification.

External Scholarships

At Richmond, external scholarships, such as those from your high school, civic organization, or other organizations, are applied for by the student and, if received, must be reported and sent to the Office of Financial Aid.

For students receiving need-based aid, these scholarships will be applied first to the self-help (need-based loans and work study) portion of the financial aid award package (\$5,000 for Freshmen, \$6,000 for Sophomores, and \$7,000 for Juniors/Seniors). Because we meet 100% of need, any scholarships over the self-help amount will reduce need-based grants in order to keep the total financial aid amount from exceeding demonstrated need.

If the student does not have a need-based aid award, you can typically bring in scholarships that total up to the Cost of Attendance (minus any awards or loans that you have received).

² <https://financialaid.richmond.edu/types-of-aid/merit-based/index.html>
[<https://archive.is/wip/p6VDP>] (accessed August 20, 2025).

The scholarships listed below³ are currently active according to the URichmond 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 (2)

1. VSCPA Scholarship

Link: <https://robins.richmond.edu/undergraduate/departments/accounting/scholarships-awards.html>

Archived Link: <http://archive.today/ujAUM>

Discriminatory Requirement: “Available to a **minority student** with need, GPA of 3.0 or higher, and a positive faculty recommendation”⁶

VSCPA	Spring: Dec. 15 Fall: July 1	Available to a minority student with need, GPA of 3.0 or higher, and a positive faculty recommendation
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2. Business Partnership Scholarship

Link: <https://robins.richmond.edu/undergraduate/departments/business-administration/scholarships-awards.html>

Archived Link: <http://archive.today/VgxV5>

Discriminatory Requirement: “**minority from Richmond** area” and “preference to a **minority Virginian**”

Business Partnership Scholarship	1) minority from Richmond area 2) transferring from local community college 3) preference to minority Virginian
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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 Although this is an external scholarship, U Richmond promotes the discriminatory scholarship to URichmond students on URichmond’s scholarship page.

II. SCHOLARSHIPS THAT VIOLATE TITLE IX (1)

1. Law Women's Centennial Scholarship

Link: <https://uronline.net/law/100women100years>;
<https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=1218&context=law-student-publications>

Archived Link: <https://archive.is/wip/tP1gL>; <https://archive.ph/wip/4Mnw1>

Discriminatory Signaling: “In honor of the 100th anniversary of Richmond Law’s first female graduate, alumna Mary Lou Kramer, L’75, has committed \$50,000 in matching funds to establish the **Law Women’s** Centennial Scholarship. With a collective goal of \$100,000 and 100 donors, this scholarship will celebrate a century of women at Richmond Law, while paving the way for future students to experience a world class legal education.”⁷

⁷ Although the URichmond website does not delineate specific sex-based requirements this scholarship’s framing as a “Women’s” scholarship, and the promotional language clearly signaling that the scholarship is intended for women, would dissuade males from applying or URichmond from seriously considering men. *See cases cited below. See also* https://law.richmond.edu/features/article/-/25370/blazing-a-trail-again.html?utm_source=law&utm_medium=referral&utm_campaign=features-story [<https://archive.is/wip/bzIcH>](accessed August 20, 2025).

100 Women, 100 Years

In honor of the 100th anniversary of Richmond Law's first female graduate, alumna Mary Lou Kramer, L'75, has committed \$50,000 in matching funds to establish the Law Women's Centennial Scholarship. With a collective goal of \$100,000 and 100 donors, this scholarship will celebrate a century of women at Richmond Law, while paving the way for future students to experience a world class legal education.

Please join Mary Lou, Richmond Law alumnae, and friends with your own gift to the Law Women's Centennial Scholarship today.

Donors who make a gift of \$1,000 or more to the Law Women's Centennial Scholarship will be recognized in our 100 Women, 100 Years Leadership Circle at the October 6 celebration.

Richmond's legal community has become more inclusive and supportive for future female attorneys, thanks to the leadership of women like Cardwell, McEachin, Stone, and Davis, who continue to break barriers and redefine the role of women in law. Their efforts reflect the lasting impact of pioneers like Ranson, whose legacy lives on through the Women's Centennial Scholarship, created by Richmond Law alumnae to support future generations. As the inaugural recipient, I have seen firsthand how this scholarship paves the way for more women to push boundaries and advance equity in the profession. Just as Ranson once opened doors, the women highlighted in this article carry her legacy forward, ensuring that those who follow are empowered to shape the future of law.



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.⁸

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 URichmond receives federal funds,⁹ 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 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 URichmond’s reasons for offering, promoting, and administering such discriminatory scholarships and programs, URichmond 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

⁸ 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 URichmond. 42 U.S.C. § 2000(a)(a). These scholarships also violate Virginia state law. Va. Code Ann. § 2.2-3901 (2024). Finally, these scholarships violate URichmond’s own nondiscrimination policy. See <https://compliance.richmond.edu/discrimination-harassment/index.html>

[<https://archive.is/wip/N91nP>] (accessed on August 20, 2025).

⁹ See https://www.usaspending.gov/award/ASST_NON_P063P240405_091 [<https://archive.ph/wip/7kklD>] (accessed on August 20, 2025).

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

URichmond also “signals” 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.” This signaling is actionable because the law looks to how an ordinary reader or applicant would perceive the program. *See United States v. Hunter*, 459 F.2d 205, 215–16 (4th Cir. 1972) (advertisements judged by effect on the ordinary reader, regardless of intent). When URichmond highlights race and sex as defining goals of the scholarships, the ordinary reader reasonably assumes that these traits govern eligibility. That deterrent effect is itself discrimination.

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 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).

URichmond’s race, color, national origin, or sex-based scholarships and programs are presumptively invalid; URichmond’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 1964¹⁰ and its implementing regulation,¹¹ 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,¹² URichmond is subject to Title VI 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.¹³

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 programs on race, color, and/or national origin, and/or sex, violates Title VI and/or Title IX.

The Office for Civil Rights has the power and obligation to investigate URichmond’s role in creating, funding, promoting and administering these scholarships – and, given how many there are, to discern whether URichmond 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

¹⁰ 42 U.S.C. §§ 2000d-2000d-7.

¹¹ 34 C.F.R. Part 100.

¹² See https://www.usaspending.gov/award/ASST_NON_P063P240405_091 [<https://archive.ph/wip/7kkID>] (accessed on August 20, 2025).

¹³ <https://robins.richmond.edu/undergraduate/departments/business-administration/scholarships-awards.html> [<https://archive.today/VgxV5>] (accessed August 20, 2025).

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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 URichmond’s various scholarships and programs based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at URichmond comports with the federal civil rights laws.

Respectfully submitted,

/William A. Jacobson/

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