



**THE EQUAL PROTECTION PROJECT**  
**A Project of the Legal Insurrection Foundation**  
**18 MAPLE AVE. #280**  
**BARRINGTON, RI 02806**  
[www.EqualProtect.org](http://www.EqualProtect.org)

August 28, 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.Seattle@ed.gov)

Seattle Office  
Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue Room 3310  
Seattle, WA 98174-1099

**Re: Civil Rights Complaint Against The Claremont Colleges and Six Institutional Members Regarding Discriminatory Scholarships  
(Claremont Graduate University, Claremont McKenna College, Harvey Mudd College, Pitzer College, Pomona College, Scripps College)**

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.<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 opposes unlawful discrimination in any form.

We bring this civil rights complaint against the Claremont Colleges ("Claremont Colleges") and the following six institutional members of the Claremont Colleges for offering, promoting, and

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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.

administering one or more discriminatory scholarships and programs based on race, color, national origin, sex, or both, in violation of Title VI and Title IX, respectively:

- Pitzer College (9) (see page 4)
- Claremont Graduate University (4) (see page 8)
- Harvey Mudd College (2) (see page 11)
- Claremont McKenna College (1) (see page 13)
- Pomona College (1) (see page 14)
- Scripps College (1) (see page 14)

All of the undergraduate institutional members of the Claremont Colleges offer, promote, or administer a discriminatory joint fellowship, the Mellon Mays Undergraduate Fellowship Program, described in **Exhibit A** (see page 20). In addition, several of the schools offer other scholarships or programs that are also discriminatory and violate federal law, as set forth below.

### **Background - The Claremont Colleges**

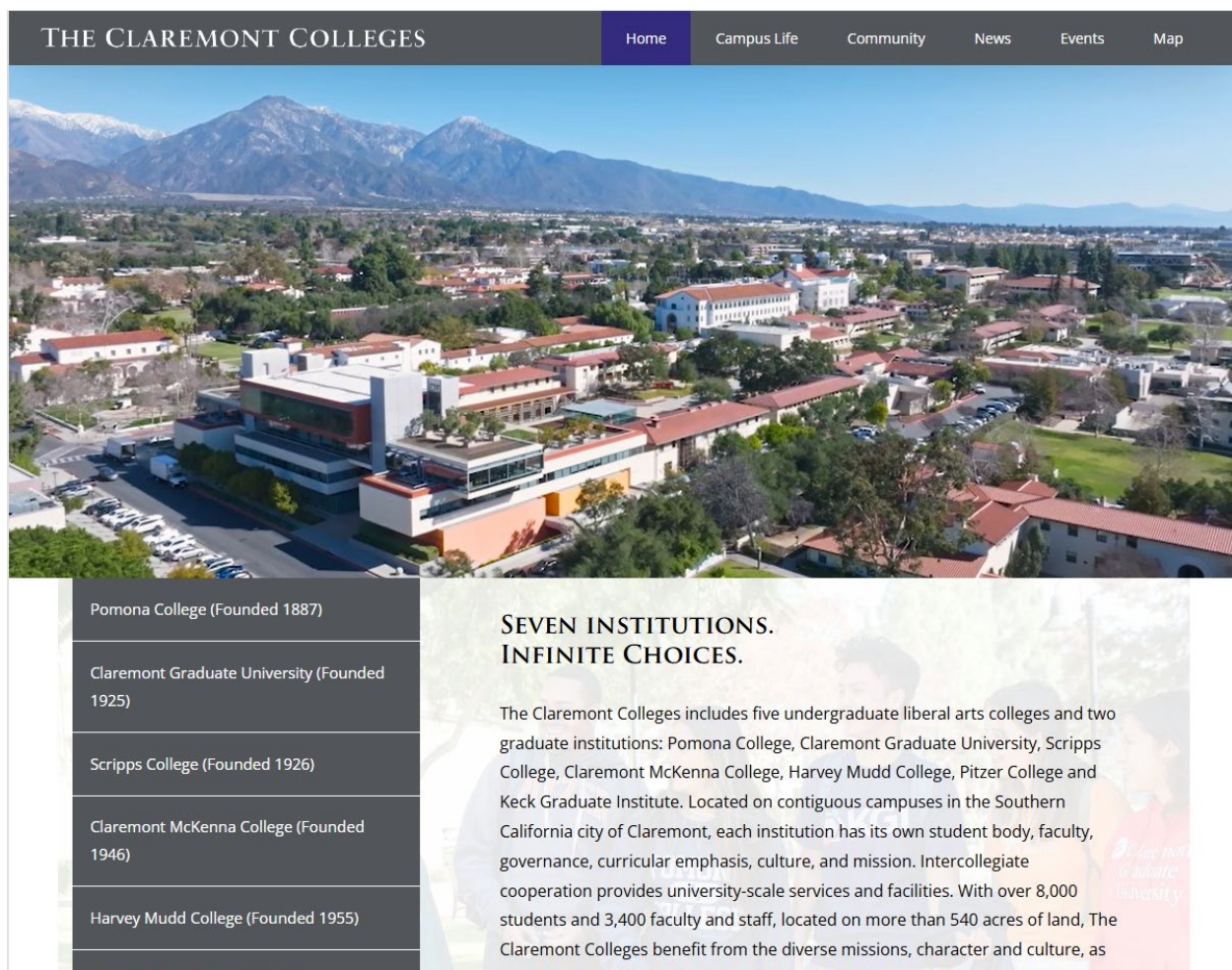
The Claremont Colleges is a consortium of seven private institutions in Claremont, California.<sup>2</sup> The consortium includes five undergraduate liberal arts colleges—Pomona College, Claremont McKenna College, Harvey Mudd College, Scripps College, and Pitzer College—and two graduate institutions, Claremont Graduate University and Keck Graduate Institute.<sup>3</sup> Each college operates independently with its own admissions and academic programs, but they share certain resources such as libraries, facilities, and cross-registration of courses.

The consortium model is based on the structure of Oxford and Cambridge in the United Kingdom. It allows students enrolled at one college to take classes at the others and to participate in joint services and activities. The colleges are located adjacent to one another, forming a single contiguous campus area.

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<sup>2</sup> <https://www.claremont.edu/> [<https://archive.ph/wip/4dkmN>] (accessed August 27, 2025).

<sup>3</sup> No scholarships or programs at Keck Graduate Institute are being challenged in this complaint.



The scholarships and programs listed below<sup>4</sup> are currently active according to the Claremont Colleges' respective websites, and violate Title VI of the Civil Rights Act of 1964 ("Title VI") and its implementing regulations<sup>5</sup> by discriminating against 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 regulations<sup>6</sup> by discriminating against students based on their sex.

Because of the interconnectedness and intersectionality of programming from the various member institutions, particularly as to the Mellon Mays Undergraduate Fellowship Program (see

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<sup>4</sup> Discriminatory criteria highlighted throughout.

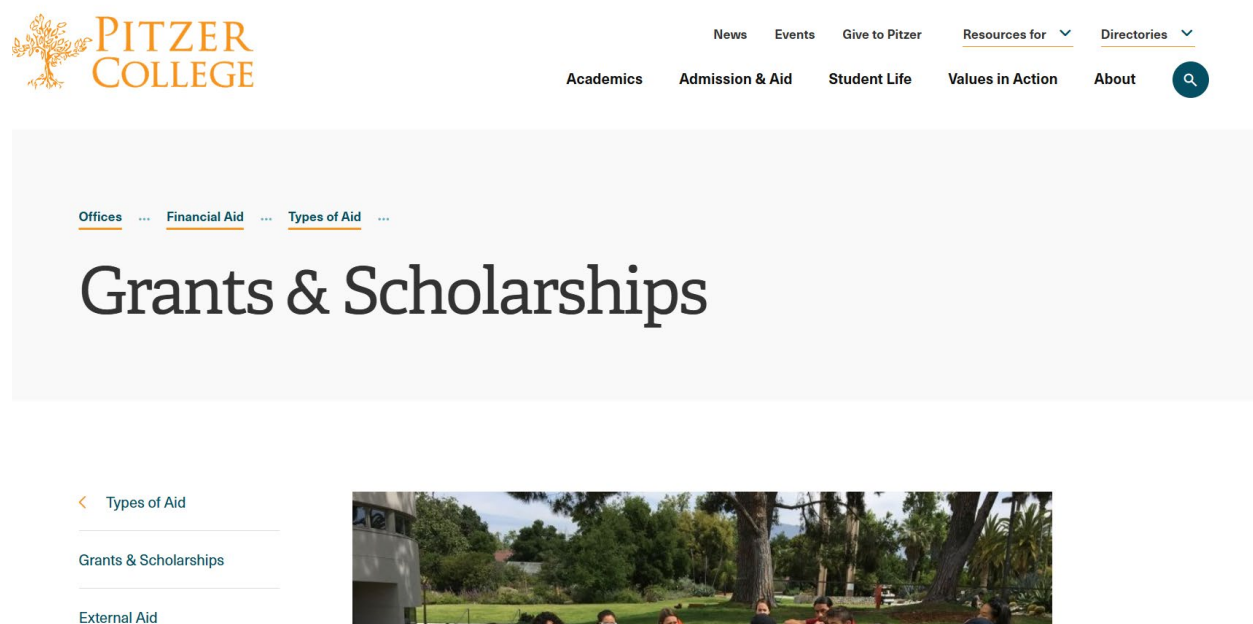
<sup>5</sup> 42 U.S.C. § 2000d et seq.; 28 C.F.R. Part 100.

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

Exhibit A) we suggest that OCR may consider The Claremont Colleges as an identifiable unit for investigation, in addition to the individual institutional members.

### **PITZER COLLEGE (9)**

Pitzer College (“Pitzer”) offers multiple scholarships based on “...information provided through the FAFSA, CSS Profile, and tax documents.”<sup>7</sup> There also are an additional number of merit scholarships available to eligible students.



#### **A. PITZER COLLEGE SCHOLARSHIPS THAT VIOLATE TITLE VI (4)**

##### **1. Diane Shammass '75 Endowed Scholarship**

Link: <https://www.pitzer.edu/why-giving-matters/giving-priorities/named-endowed-scholarships>

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

Discriminatory Requirement: “The scholarship is awarded to students of **Middle Eastern descent** or students who study the Middle East.”

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<sup>7</sup> <https://www.pitzer.edu/offices/financial-aid/types-aid/grants-scholarships>  
[<https://archive.is/wip/XBcLN>] (accessed August 27, 2025).



<b>Diane Shammas '75 Endowed Scholarship</b>	Jeanette Shammas established the Diane Shammas '75 Endowed Scholarship in 2009 to honor her daughter, Diane. The scholarship is awarded to students of Middle Eastern descent or students who study the Middle East. Along with her husband, the late Nickolas Shammas, Mrs. Shammas also created an annual scholarship in her daughter's name in the early 80s. Mr. Shammas passed away in 2003. Diane Shammas completed a bachelor's degree in psychology at Pitzer followed by earning a PhD in educational policy at the Rossier School of Education at the University of Southern California (USC). She focused her doctoral dissertation on the relationships between campus social relations, racial campus climates and student sense of school belonging among Arab and Muslim community college students and has published and lectured widely on the subject. Prior to returning to USC for her doctoral degree, Ms. Shammas was in the women's fashion industry for 23 years and owned women's retail apparel stores in Los Angeles and Newport Beach.
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## **2. Halford H. Fairchild Endowed Scholarship in Africana Studies**

Link: <https://www.pitzer.edu/why-giving-matters/giving-priorities/named-endowed-scholarships>

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

Discriminatory Requirement: “When selecting a student for this scholarship, preference is given to students majoring in Africana Studies. Should no students in a given year meet this criterion, **any enrolled African American student** with financial need and good academic standing may be selected for the scholarship.”

<b>Halford H. Fairchild Endowed Scholarship in Africana Studies</b>	The Halford H. Fairchild Endowed Scholarship in Africana Studies was established in 2016 by Pitzer College Professor of Psychology and Africana Studies Halford Fairchild. When selecting a student for this scholarship, preference is given to students majoring in Africana Studies. Should no students in a given year meet this criterion, any enrolled African American student with financial need and good academic standing may be selected for the scholarship.
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## **3. William Randolph Hearst Foundation Endowed Scholarship**

Link: <https://www.pitzer.edu/why-giving-matters/giving-priorities/named-endowed-scholarships>

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

Discriminatory Requirement: “The scholarship is awarded to **minority students** with demonstrated financial need.”<sup>8</sup>

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<sup>8</sup> Pitzer considers “minorities” to be those who “... designate themselves as Black, non-Hispanic; American Indian or Alaska Native; Asian, Native Hawaiian or other Pacific Islander, or Hispanic.” See <https://www.pitzer.edu/documents/revised-cds-data-2024> [<https://web.archive.org/web/20250828044318/https://www.pitzer.edu/documents/revised-cds-data-2024>] (accessed August 27, 2025). 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).

<b>William Randolph Hearst Foundation Endowed Scholarship</b>	The William Randolph Hearst Foundation Endowed Scholarship was established in 1986 with a generous gift from the William Randolph Hearst Foundation in combination with matching funds from the Harry and Grace Steele Foundation. The scholarship is awarded to minority students with demonstrated financial need.
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#### **4. Mellon Mays Undergraduate Fellowship Program (See Exhibit A)**

### **B. PITZER SCHOLARSHIPS THAT VIOLATE BOTH TITLE VI AND IX (3)**

#### **1. Diane Mosbacher '72 Endowed Scholarship**

Link: <https://www.pitzer.edu/why-giving-matters/giving-priorities/named-endowed-scholarships>

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

Discriminatory Requirement: “The donors strongly prefer that the Diane Mosbacher ’72 Endowed Scholarship assist **minority females.**”

<b>Diane Mosbacher '72 Endowed Scholarship</b>	The Diane Mosbacher '72 Endowed Scholarship was established in 1985 by Dr. Diane Mosbacher, most commonly known as “Dee,” and her father, Mr. Robert A. Mosbacher, through the Mosbacher Foundation. Dr. Mosbacher, PhD, MD, is an American filmmaker, practicing psychiatrist and activist. Her documentary, “Straight From the Heart,” was nominated for an Academy Award in 1995, and her film, “Radical Harmonies: The Story of the Women's Music Cultural Movement,” was voted best documentary at the San Francisco International Lesbian and Gay Film festival in 2002. In 1993, Dr. Mosbacher founded Women Vision, a nonprofit organization that promotes tolerance and equal treatment of all people through the production and use of educational media. A longtime and generous supporter of Pitzer, Dr. Mosbacher’s substantial 2011 contribution to the College established the Mosbacher/Gartrell Center for Experimentation and Activism and the Mosbacher Endowed Fund for Media Studies, which will provide ongoing funding for programming. Mr. Mosbacher, who passed away in 2010 at age 82, shares a liberal arts educational background with his daughter, having graduated from Washington and Lee University in 1947. From 1989 to 1990, he served as US secretary of commerce under George H.W. Bush, and in the 70s, he served as finance chairman for Gerald R. Ford. In addition to politics, Mr. Mosbacher was involved in ranching, oil drilling, real estate and banking throughout his lifetime, and he provided substantial support to advancing US competitiveness in advanced technology. He was also an accomplished sailor with numerous world sailing championships during his heyday. The donors strongly prefer that the Diane Mosbacher '72 Endowed Scholarship assist minority females.
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#### **2. Pickering Foreign Affairs Fellowship Program**

Link: <https://www.pitzer.edu/offices/fellowships/national>

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

Discriminatory Requirement: “**Women, members of minority groups historically underrepresented** in the Foreign Service, and students with financial need are encouraged to apply.”

<a href="#">Pickering Foreign Affairs Fellowship Program</a> ↗	Funded by the U.S. Department of State and administered by The Washington Center for Internships and Academic Seminars, the Thomas R. Pickering Fellowship Program provides undergraduate and graduate students with financial support, mentoring and professional development to prepare them academically and professionally for a career in the U.S. Department of State Foreign Service. Women, members of minority groups historically underrepresented in the Foreign Service, and students with financial need are encouraged to apply.	Graduating seniors	TBD
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### 3. **Rangel Graduate Fellowships**

Link: <https://www.pitzer.edu/offices/fellowships/national>

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

Discriminatory Requirement: “This program encourages the application of members of **minority groups historically underrepresented in the Foreign Service, women, and those with financial need.**”

<a href="#">Rangel Graduate Fellowships</a> ↗	The Rangel Graduate Fellowship is a program that aims to attract and prepare outstanding young people for careers in the Foreign Service of the U.S. Department of State in which they can help formulate, represent, and implement U.S. foreign policy. The Rangel Program selects outstanding Rangel Fellows annually in a highly competitive nationwide process and supports them through two years of graduate study, internships, mentoring, and professional development activities. This program encourages the application of members of minority groups historically underrepresented in the Foreign Service, women, and those with financial need.	Graduating seniors	TBD
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## C. **PITZER SCHOLARSHIPS THAT VIOLATE TITLE IX (2)**

### 1. **Leslie and Goldie Warren Endowed Scholarship**

Link: <https://www.pitzer.edu/why-giving-matters/giving-priorities/named-endowed-scholarships>

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

Discriminatory Requirement: “The scholarship is awarded to **female students** with demonstrated financial need.”

<b>Leslie and Goldie Warren Endowed Scholarship</b>	The Leslie and Goldie Warren Endowed Scholarship was established in 1976 with a bequest from the estate of Goldie Zumwalt Warren. Longtime residents of the Claremont-Pomona area, the late Mr. and Mrs. Warren were friends with Pitzer College’s founder, Russell K. Pitzer, and were active in supporting the College during its early years. The scholarship is awarded to female students with demonstrated financial need.
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## **2. Lisa Specht Endowment for Women of Pitzer College**

Link: <https://www.pitzer.edu/why-giving-matters/giving-priorities/named-endowed-scholarships>

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

Discriminatory Requirement: “This endowment provides scholarship support to **female students** in Pitzer’s New Resources program.”

<b>Lisa Specht Endowment for Women of Pitzer College</b>	The Lisa Specht Endowment for Women of Pitzer College was established in 2016 through a generous gift from the Ron Rogers and Lisa Specht Living Trust. This endowment provides scholarship support to female students in Pitzer’s New Resources program. Lisa Specht served as a Pitzer College trustee from 1993 to 2014. The fund was created upon the death of her husband, Ron Rogers.
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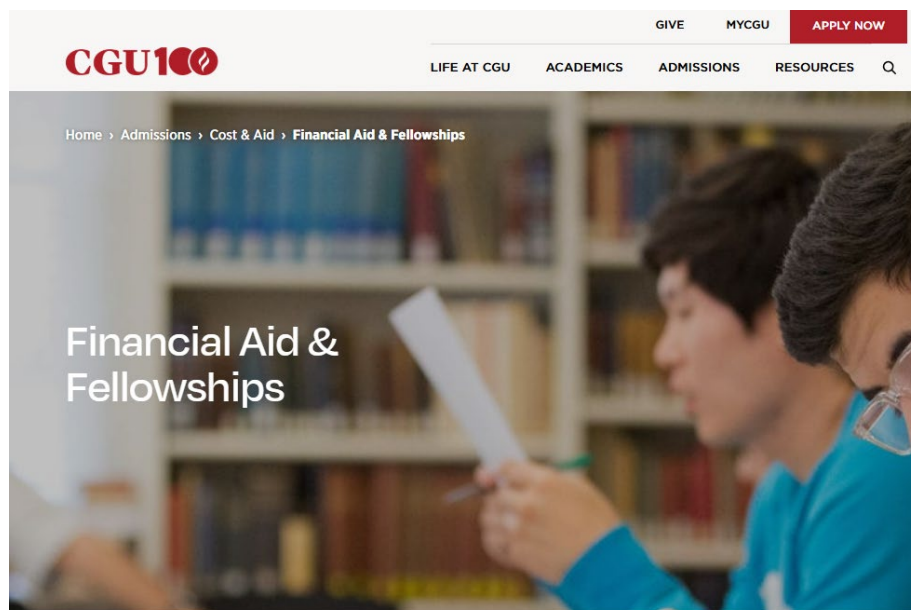
## **CLAREMONT GRADUATE UNIVERSITY (4)**

Claremont Graduate University (CGU) provides funding through institutional scholarships, merit- and need-based fellowships, assistantships, and external scholarship resources.<sup>9</sup> These are administered via academic departments and financial aid programs and may include tuition reductions, stipends, or participation in external funding opportunities.

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<sup>9</sup> <https://www.cgu.edu/admissions/cost-aid/financial-aid-fellowships/>  
[<https://archive.ph/wip/VXVSN>] (accessed August 27, 2025).





#### We're Here to Help

Our dedicated financial aid staff makes every effort to provide accurate, efficient, and timely assistance to help you navigate the process.

To successfully apply for financial aid, it is important to explore the variety of options available to you. It is recommended that you complete the [Free Application for Federal Student Aid \(FAFSA\)](#) at the same time you apply for admission to your academic program.

Students commonly finance their CGU education through one or more of the following

#### ADMISSIONS

##### HOW TO APPLY

##### COST & AID

##### Tuition & Fees

##### Financial Aid & Fellowships

##### Transdisciplinary Awards

## A. CGU SCHOLARSHIPS THAT VIOLATE TITLE VI (3)

### 1. Black Scholars Award

Link: <https://www.cgu.edu/fellowships/annual-fellowships/black-scholars-award/>

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

Discriminatory Requirement: “The Black Scholars Award (BSA) at Claremont Graduate University was established in 2015 and recognizes exemplary work by students who are of **Black African ancestry**. The award is given annually. This year the application deadline is May 5th, 2025.”



The Black Scholars Award (BSA) at Claremont Graduate University was established in 2015 and recognizes exemplary work by students who are of Black African ancestry. The award is given annually. This year the application deadline is May 5th, 2025.

More information regarding eligibility is available on the application.

[VIEW THE APPLICATION](#)

FELLOWSHIPS

FELLOWSHIP FAQ

ENDOWED FELLOWSHIPS

ANNUAL FELLOWSHIPS 

Black Scholars Award

## 2. **Ruth Roach English Award**

Link: <https://www.cgu.edu/fellowships/annual-fellowships/>

Archived Link: [archive.is/wip/FNQYY](https://archive.is/wip/FNQYY)

Discriminatory Requirement: “This award is given to an **African American student** studying English.”

**Ruth Roach English Award.** *This award is given to an African American student studying English.*

## 3. **Susan Solorzano Minority Student Fellowship**

Link: <https://www.cgu.edu/fellowships/annual-fellowships/>

Archived Link: [archive.is/wip/FNQYY](https://archive.is/wip/FNQYY)

Discriminatory Requirement: “This fellowship aids **African American and Hispanic students** who are pursuing degrees in any discipline at CGU.”

**Susan Solorzano Minority Student Fellowship.** *This fellowship aids African American and Hispanic students who are pursuing degrees in any discipline at CGU.*

## **B. CGU SCHOLARSHIPS THAT VIOLATE TITLE IX (1)**

### **1. Pat Soldano Fellowship for Women Leaders**

Link: <https://www.cgu.edu/fellowships/annual-fellowships/>

Archived Link: [archive.is/wip/FNQYY](https://archive.is/wip/FNQYY)

**Discriminatory Requirement:** “This is awarded to a **female student** enrolled at the Peter F. Drucker and Masatoshi Ito Graduate School of Management who has an interest in investment management or family office services.”

**Pat Soldano Fellowship for Women Leaders.** *This is awarded to a female student enrolled at the Peter F. Drucker and Masatoshi Ito Graduate School of Management who has an interest in investment management or family office services.*

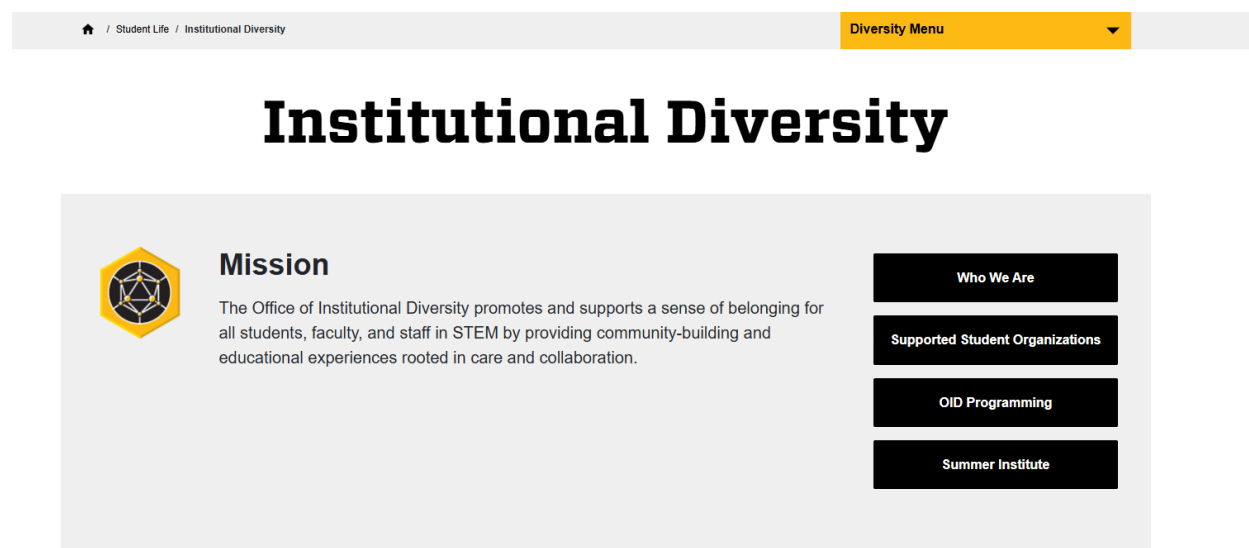
## **HARVEY MUDD COLLEGE (2)**

Harvey Mudd College’s (“Harvey Mudd”) Office of Institutional Diversity works to foster “a sense of belonging for all students, faculty, and staff in STEM by creating community-building and educational experiences rooted in care, collaboration, and inclusive practice.”<sup>10</sup> The college supports “inclusive communities” “through equity-minded practices,” offering programs such as mentoring networks, cultural dialogues, and preparatory initiatives, all aimed at ensuring “safe and accessible environments.”<sup>11</sup>

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<sup>10</sup> <https://www.hmc.edu/diversity/> [<https://archive.ph/wip/U1HOp>] (accessed August 27, 2025).

<sup>11</sup> <https://www.hmc.edu/student-life/mission/> [<https://archive.is/wip/lQa15>] (accessed August 27, 2025).



**A. HARVEY MUDD COLLEGE PROGRAMS THAT VIOLATE TITLE VI (1)**

**1. Mellon Mays Undergraduate Fellowship Program (See Exhibit A)**

**B. HARVEY MUDD COLLEGE PROGRAMS THAT VIOLATE TITLE IX (1)**

**1. Women’s Inclusion in Science, Technology, Engineering & Mathematics<sup>12</sup>**

Link: <https://www.hmc.edu/admission/wistem/>

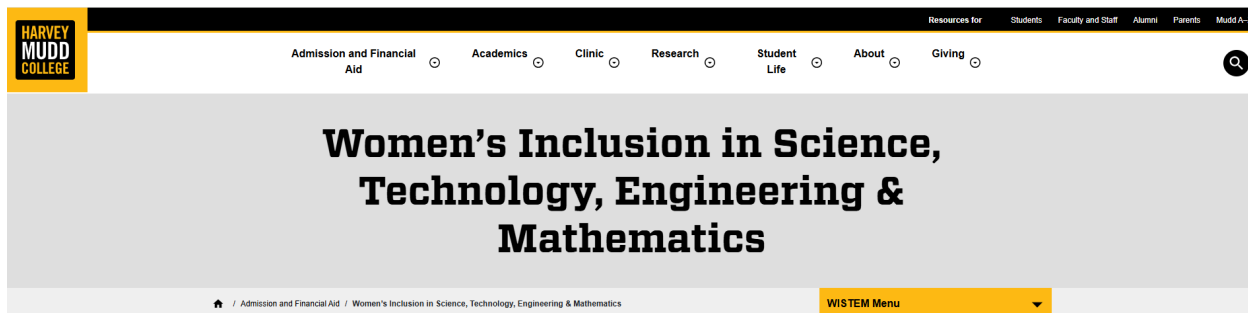
Archived Link: <https://archive.ph/wip/v6xSi>

Discriminatory Requirement: “We are thrilled to host our annual Women’s Inclusion in Science, Technology, Engineering & Mathematics (WISTEM) program once again.”

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<sup>12</sup> Although the Harvey Mudd’s website does not delineate specific sex-based requirements, this program’s framing as a “Women’s” STEM program and the promotional language clearly signals that the program is intended for women, and would dissuade males from applying or Harvey Mudd from seriously considering men. *See* cases cited below.





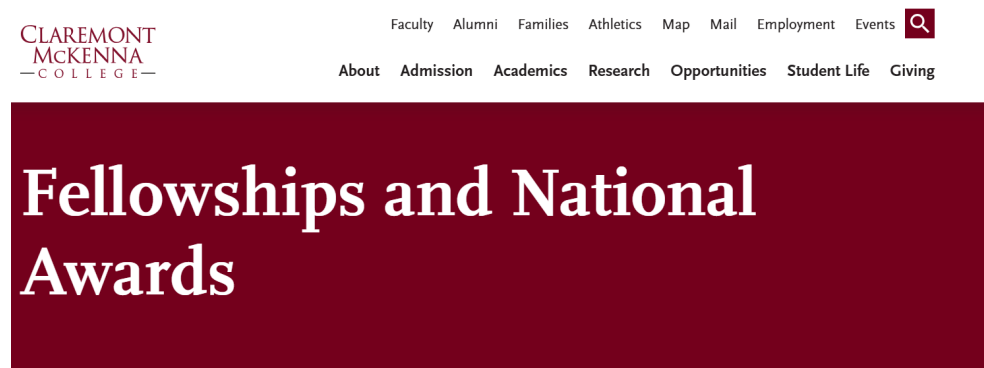
### WISTEM Program Overview

We are thrilled to host our annual Women's Inclusion in Science, Technology, Engineering & Mathematics (WISTEM) program once again. WISTEM is a six-month long program that requires participants to engage with an on-campus residential

Chat is currently offline.

## CLAREMONT MCKENNA COLLEGE (1)

Claremont McKenna College ("Claremont McKenna") provides students with resources to pursue nationally and internationally competitive fellowships.<sup>13</sup> Support includes counseling on opportunities, guidance throughout the application process, feedback on materials, and interview preparation.



Home > Fellowships and National Awards

CMC students are well positioned to apply for a range of nationally and internationally competitive external fellowship and scholarship opportunities, including the Fulbright, Truman, Rhodes, Marshall, Goldwater, Udall, and Gates-Cambridge awards. Fellowships like these can support public service, independent projects, and post-graduate study in the U.S. and abroad. ([View a select list of fellowships here.](#))

We coordinate the nomination process for certain fellowships that require institutional endorsement. and also

### ACADEMICS

Center For Global Education ^

Study Abroad v

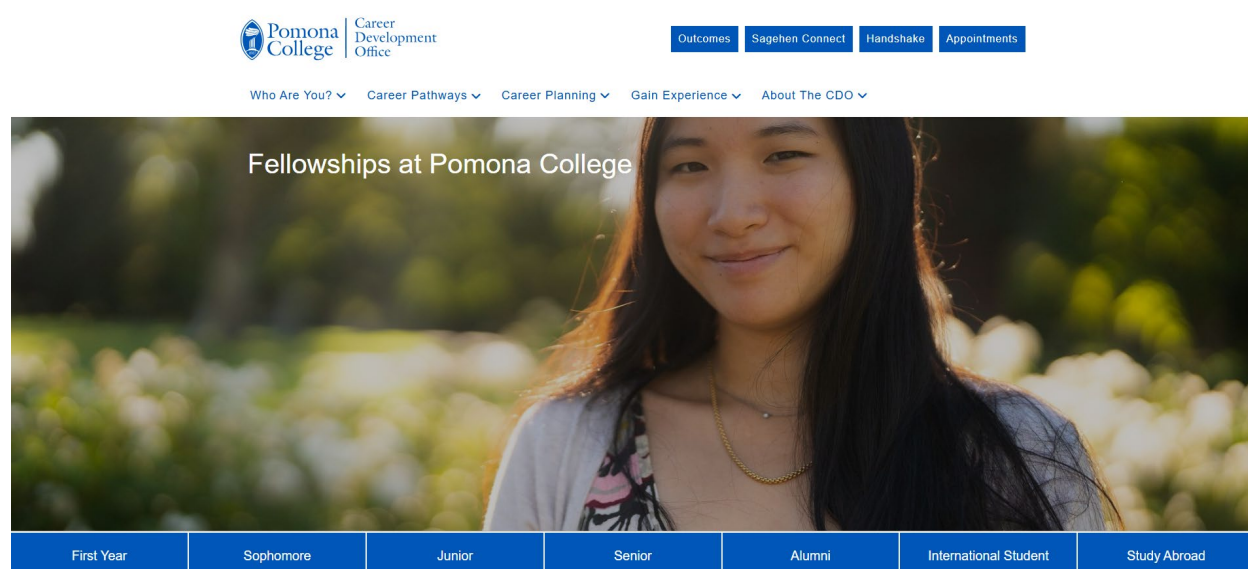
<sup>13</sup> <https://www.cmc.edu/fellowships> [<https://archive.is/eOxGa>] (accessed August 26, 2025).

**A. CLAREMONT MCKENNA SCHOLARSHIPS THAT VIOLATE TITLE VI (1)**

**1. Mellon Mays Undergraduate Fellowship Program (See Exhibit A).**

**POMONA COLLEGE (1)**

Pomona College connects students with a variety of graduate fellowships and international opportunities that support study, research, and cultural exchange.<sup>14</sup> Each fellowship has its own eligibility criteria and application process, which may involve project proposals, academic transcripts, recommendations, or interviews.



**A. POMONA SCHOLARSHIP THAT VIOLATES TITLE VI (1)**

**1. Mellon Mays Undergraduate Fellowship Program (See Exhibit A)**

**SCRIPPS COLLEGE (1)**

Scripps College offers a range of fellowships and scholarships that provide funding for student research, academic projects, internships, and other educational opportunities.<sup>15</sup> These programs are designed to support students in pursuing independent work, collaborating with faculty, and engaging in academic or professional development activities.

<sup>14</sup> <https://cdo.pomona.edu/channels/fellowships-at-pomona-college/> [<https://archive.ph/wip/1L6gz>] (accessed August 27, 2025).

<sup>15</sup> <https://www.scrippscollege.edu/academics/research-opportunities/scripps-fellowships-and-scholarships> [<https://archive.ph/1pEhF>] (accessed August 27, 2025).



## **A. SCRIPPS COLLEGE SCHOLARSHIP THAT VIOLATES TITLE VI (1)**

### **1. Mellon Mays Undergraduate Fellowship Program (See Exhibit A)**

## **LEGAL DISCUSSION - 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, Title IX by discriminating on the basis of sex, or both.<sup>16</sup>

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

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<sup>16</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 the Claremont Colleges. 42 U.S.C. § 2000(a)(a). These scholarships also violate California law. *See* Cal. Code. Regs. Tit. 5, § 4900 (2024). Finally, these scholarships violate the non-discrimination policies of the respective institutional members.

thus applies to universities receiving federal financial assistance). As the Claremont Colleges Member institutions receive federal funds,<sup>17</sup> they are 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 the reasons for offering, promoting, and administering such discriminatory scholarships and programs, 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).

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<sup>17</sup> See Claremont Graduate University

[https://www.usaspending.gov/award/ASST\\_NON\\_P033A250322\\_091](https://www.usaspending.gov/award/ASST_NON_P033A250322_091)

[<https://archive.ph/wip/I5Ggh>]

Claremont McKenna College

[https://www.usaspending.gov/award/ASST\\_NON\\_P063P241116\\_091](https://www.usaspending.gov/award/ASST_NON_P063P241116_091)

[<https://archive.ph/gNwEH>];

Harvey Mudd College [https://www.usaspending.gov/award/ASST\\_NON\\_P063P241117\\_091](https://www.usaspending.gov/award/ASST_NON_P063P241117_091)

[<https://archive.is/HL3Ek>]

Pitzer College [https://www.usaspending.gov/award/ASST\\_NON\\_P063P245284\\_091](https://www.usaspending.gov/award/ASST_NON_P063P245284_091)

[<https://archive.is/7sQ2E>];

Pomona College [https://www.usaspending.gov/award/ASST\\_NON\\_P007A250541\\_091](https://www.usaspending.gov/award/ASST_NON_P007A250541_091)

[<https://archive.ph/X9sDM>];

Scripps College [https://www.usaspending.gov/award/ASST\\_NON\\_P033A250597\\_091](https://www.usaspending.gov/award/ASST_NON_P033A250597_091)

[<https://archive.is/ujIIy>] (accessed August 27, 2025).



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

The Claremont Colleges and its respective members also “signal” 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 the Claremont Colleges highlight race and sex as defining goals of a program, an 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).

The Claremont Colleges respective race, color, national origin, and sex-based scholarships and programs are presumptively invalid; the offering, promotion, and administration of these programs violates federal civil rights statutes.

### **OCR Has Jurisdiction**

OCR enforces Titles VI and IX of the Civil Rights Act of 1964<sup>18</sup> and its implementing regulation,<sup>19</sup> which prohibit discrimination on the basis of race, color, national origin, or sex, in programs and activities receiving federal financial assistance. As all named institutional members of the Claremont Colleges are recipients of federal financial assistance, including from the Department of Education,<sup>20</sup> the Claremont Colleges and its institutional members are 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 and programs are currently active.<sup>21</sup>

### **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

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<sup>18</sup> 42 U.S.C. §§ 2000d-2000d-7.

<sup>19</sup> 34 C.F.R. Part 100.

<sup>20</sup> See Claremont Graduate University

[https://www.usaspending.gov/award/ASST\\_NON\\_P033A250322\\_091](https://www.usaspending.gov/award/ASST_NON_P033A250322_091)

[\[https://archive.ph/wip/I5Ggh\]](https://archive.ph/wip/I5Ggh)

Claremont McKenna College

[https://www.usaspending.gov/award/ASST\\_NON\\_P063P241116\\_091](https://www.usaspending.gov/award/ASST_NON_P063P241116_091)

[\[https://archive.ph/gNwEH\]](https://archive.ph/gNwEH);

Harvey Mudd College [https://www.usaspending.gov/award/ASST\\_NON\\_P063P241117\\_091](https://www.usaspending.gov/award/ASST_NON_P063P241117_091)

[\[https://archive.is/HL3Ek\]](https://archive.is/HL3Ek)

Pitzer College [https://www.usaspending.gov/award/ASST\\_NON\\_P063P245284\\_091](https://www.usaspending.gov/award/ASST_NON_P063P245284_091)

[\[https://archive.is/7sQ2E\]](https://archive.is/7sQ2E);

Pomona College [https://www.usaspending.gov/award/ASST\\_NON\\_P007A250541\\_091](https://www.usaspending.gov/award/ASST_NON_P007A250541_091)

[\[https://archive.ph/X9sDM\]](https://archive.ph/X9sDM);

Scripps College [https://www.usaspending.gov/award/ASST\\_NON\\_P033A250597\\_091](https://www.usaspending.gov/award/ASST_NON_P033A250597_091)

[\[https://archive.is/ujIly\]](https://archive.is/ujIly) (accessed August 27, 2025).

<sup>21</sup> See <https://colleges.claremont.edu/mmuf/> [\[https://archive.is/wip/PNB LM\]](https://archive.is/wip/PNB LM) (accessed August 26, 2025); See also <https://www.cgu.edu/fellowships/annual-fellowships/> [\[https://web.archive.org/web/20250827203716/https://www.cgu.edu/fellowships/annual-fellowships/\]](https://web.archive.org/web/20250827203716/https://www.cgu.edu/fellowships/annual-fellowships/) (accessed August 26, 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 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 the Claremont Colleges and the named institutional members’ role in creating, funding, promoting and administering these scholarships – and, given how many there are, to discern whether the Claremont Colleges are 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 excluded from these various scholarships and programs based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at the Claremont Colleges and its institutional members comports with the federal civil rights laws.

Respectfully submitted,

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## Exhibit A

### Mellon Mays Undergraduate Fellowship

#### Description

The Mellon Mays Undergraduate Fellowship (MMUF) at the Claremont Colleges supports undergraduates who plan to pursue PhDs in the humanities and related fields.<sup>22</sup> Open to students at Claremont McKenna, Harvey Mudd, Pitzer, Pomona, and Scripps Colleges, the program provides mentoring, research opportunities, and funding to prepare students for academic careers.<sup>23</sup> MMUF is committed to increasing diversity in higher education and promoting multivocality—scholarship that elevates historically marginalized perspectives.






HOME ABOUT MMUF ▼ APPLYING FOR MMUF ▼ MMUF CONTACTS ▼

Welcome to the [Mellon Mays Undergraduate Fellowship Program](#) at the Claremont Colleges!

We support the intellectual and professional development of MMUF fellows at the Claremont Colleges as they prepare for application to and success in doctoral programs. In so doing, we commit to supporting demographic transformation in higher education and to promoting the value of multivocality in the humanities and related disciplines.

MMUF was established in 1988 and has supported more than 1,100 fellows in earning their PhD. Through a pipeline process that emphasizes mentoring, research support, programming, and student cohort building, the [Mellon Foundation](#) partners with member colleges and universities to identify and support students of great promise and to help them become scholars and professionals of the highest distinction.

Campus Partners: Download a flyer to share in your networks [here](#).



<sup>22</sup> <https://colleges.claremont.edu/mmuf/> [<https://archive.is/wip/PNB LM>] (accessed August 26, 2025).

<sup>23</sup> <https://colleges.claremont.edu/mmuf/wp-content/uploads/sites/6/2025/02/Interested-in-a-PhD.png> [[archive.is/wip/810tA](https://archive.is/wip/810tA)] (accessed August 27, 2025).





**Interested in a PhD?**  
**MMUF @ the Claremont Colleges**

Through a pipeline process that emphasizes mentoring, research support, programming, and student cohort building, the Mellon Mays Undergraduate Fellowship (MMUF) is committed to supporting demographic transformation in higher education and to promoting the value of multivocality in the humanities and related disciplines.

**Learn more!**  
<https://colleges.claremont.edu/mmuf/>  
Priority Deadline is March 10th



**MMUF Supports PhDs in the Following Fields:**

- Anthropology and Archaeology
- Area/Cultural/Ethnic/Gender Studies
- Art History
- Classics
- Geography and Population Studies
- English
- Film, Cinema and Media Studies (theoretical focus)
- Musicology, Ethnomusicology and Music Theory
- Foreign Languages and Literatures
- History
- Linguistics
- Literature
- Performance Studies (theoretical focus)
- Philosophy and Political Theory
- Religion and Theology
- Sociology
- Theater (theoretical focus)

## Benefits

Fellows receive two summers of funded research and two academic years of research support, including a \$4,000 annual stipend.<sup>24</sup> Additional funding is available for travel, conferences, and graduate school preparation. Each fellow is paired with faculty and graduate student mentors for guidance. After graduation, fellows join the MMUF Graduate Network, which provides professional development, grants, and loan repayment support. Up to \$10,000 in undergraduate loan forgiveness is available for those who pursue advanced study in eligible fields.



HOME ABOUT MMUF ▾ APPLYING FOR MMUF ▾ MMUF CONTACTS ▾

MMUF > About MMUF > Program Benefits

## Program Benefits

The Claremont Colleges' Mellon Mays Undergraduate Fellows in good standing will be eligible for the following benefits:

ABOUT MMUF

PROGRAM BENEFITS

### Two Summers of Funded Research and Professional Development:

- During the summers as rising juniors and seniors, Fellows will receive funding to participate in a summer research program.
  - Rising juniors will engage in a program at the Claremont Colleges. The program includes workshops on research and writing, developing an identity as a scholar, graduate school, and navigating future academic careers. Workshops will initially be attended virtually, and students will return to campus prior to the start of the fall semester for an in-person retreat. Fellows work with a Faculty Research Mentor to develop the first stages of their research project throughout the summer.
  - Rising seniors will attend a structured research program at another institution. They will be expected to be in residence at that institution for the duration of the summer program.

### Two Years of Funded Academic Year Research and Professional Development:

- During the junior and senior years, Fellows will have the opportunity to participate in funded academic year research and professional development. Fellows in good standing will receive

## Requirements

Applicants must be sophomores at Claremont McKenna, Harvey Mudd, Pitzer, Pomona, or Scripps Colleges who plan to pursue doctoral study in Mellon-approved humanities or humanistic social science fields.<sup>25</sup> The program specifically seeks students who will advance demographic transformation in higher education, with strong encouragement for applications

<sup>24</sup> <https://colleges.claremont.edu/mmuf/program-components/benefits/> [<https://archive.is/nT8ZJ>] (accessed August 27, 2025).

<sup>25</sup> <https://colleges.claremont.edu/mmuf/how-to-apply/eligibility/> [<https://archive.is/wip/sz5Vg>] (accessed August 26, 2025).

from underrepresented students.<sup>26</sup> Fellows must demonstrate a commitment to scholarship that brings forward historically excluded or marginalized perspectives.<sup>27</sup>



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[MMUF](#) > [Applying for MMUF](#) > Eligibility

## Eligibility

Applicants must be a sophomore student at Claremont McKenna College, Harvey Mudd College, Pitzer College, Pomona College, or Scripps College.

If selected for MMUF, fellows must agree to participate in all aspects of the program and meet all expectations of the program. Find more about program expectations [here](#).

Applicants should have a strong desire to contribute to [multivocality](#) in higher education, “elevating accounts, interpretations, and narratives that expand present understandings.”

To be eligible for selection as an MMUF fellow, students must be planning to pursue graduate study, especially a PhD, in one or more of these fields:

## Mellon Mays Undergraduate Fellowship

Provides academic and co-curricular support through faculty mentors, cohort meetings, workshops, two summers of funded research, two years of funded academic research, and up to \$10,000 in repayment of undergraduate loans to underrepresented students at The Claremont Colleges who are interested in earning a doctorate degree in the arts and sciences and in becoming professors. Sophomores may apply.

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<sup>26</sup> <https://cdo.pomona.edu/resources/mellon-mays-undergraduate-fellowship/> [<https://archive.ph/wip/G06Of>] (accessed August 26, 2025).

<sup>27</sup> Although not every Mellon Mays fellow is publicly listed, all publicly posted Claremont Colleges recipients are minority students, indicating that the fellowship is limited to minority applicants. See <https://www.pitzer.edu/news/23-24-fellowships-and-awards> [<https://archive.is/wip/uhL8x>] (accessed August 27, 2025); See also <https://www.pitzer.edu/mellon-mays-undergraduate-fellows> [<https://archive.is/wip/os0Wm>] (accessed August 27, 2025); See also <https://www.pitzer.edu/news/pitzer-students-2021-mellon-mays-undergrad-fellows> [<https://archive.ph/wip/7UUyT>] (accessed August 27, 2025).