



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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September 3, 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.KansasCity@ed.gov)

U.S. Department of Education
Office for Civil Rights – Kansas City Office
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106

Re: Civil Rights Complaint Against Kansas State University Regarding Women in Business Program and Related Scholarships

Dear Mr. Trainor and OCR Staff:

This is a federal civil rights complaint 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 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 Kansas State University ("KSU"), a public institution, for sex-based discrimination in its Women in Business program and related

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

scholarships. The program, which includes multiple organized activities, violates Title IX by discriminating on the basis of sex:²

- Women in Business Program (see page 2)
 - Women in Business Summit (see page 4)
 - Women in Finance Day (see page 5)

The Women in Business program is currently offered to KSU students and prospective students, according to the KSU website, and violates Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations³ by discriminating against students and prospective students based on their sex.

Kansas State Women in Business Program

The Kansas State Women in Business program is “... an organization made up of collegiate women who share a common mission of supporting and advocating for the personal and professional development of young women, particularly in business fields.”⁴ The program is structured and marketed as a club exclusively for women.⁵

² The Equal Protection Project challenged a separate race-based scholarship on August 16, 2023, which was resolved after KSU eliminated the discriminatory eligibility requirements. *See* <https://equalprotect.org/case/kansas-state-university-multicultural-scholarship-for-students-from-historically-underrepresented-backgrounds/> [<https://archive.is/wip/zDbNG>]. In addition, Young American’s Foundation challenged KSU’s DEI initiatives as violating Title VI, Title IX, and executive orders issued during the Trump administration. *See* <https://yaf.org/wp-content/uploads/2025/03/KState-OCR-Complaint-FINAL.pdf> [<https://archive.ph/wip/7mCag>]. The present complaint is distinct from and does not concern the matters raised in either of those prior complaints.

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

⁴ <https://cba.k-state.edu/success/student-organizations/wib/> [<https://archive.is/wip/HEv0y>] (accessed September 2, 2025).

⁵ <https://www.instagram.com/ksuwib/?hl=en> [<https://archive.is/wip/huQKR>] (accessed September 2, 2025).

Women in Business



Women in Business is an organization made up of collegiate women who share a common mission of supporting and advocating for the personal and professional development of young women, particularly in business fields.



ksuwib

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Women in Business at K-State
Dedicated to empowering all women at Kansas State University.
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cba.k-state.edu/success/get-involved/student-organizations/wib and 2 more



Meetings



About



Events



Spotlight

Program Benefits

The Kansas State Women in Business program provides opportunities for learning trips, executive education, and research support, while also offering expanded mentoring, networking, and student organization programming, along with enhanced academic programming.⁶ Further, detailed below, scholarships are awarded at the program conferences.

The K-State Women in Business Initiative offers opportunities for:

- Learning Trips
- Executive Education
- Research Support
- Expanded mentoring and networking opportunities
- Expanded Women in Business student organization programming
- Academic programming

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The program consists of multiple activities, including a “Women in Business Summit” and a “Women in Finance Day,” each of which awards scholarships during the event.

Women in Business Summit 2025⁷

Link: <https://cba.k-state.edu/academics/departments/center-for-principled-business/women-in-business/wib-conference-2025/>

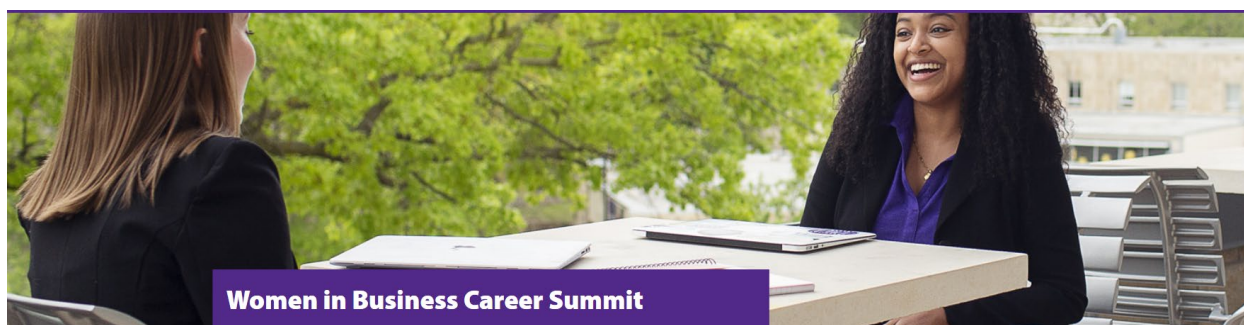
Archived Link: <https://archive.ph/wip/bHGAQ>

Description: “The College of Business Women in Business Initiative will host its fifth annual Women in Business Summit on Monday, November 10 at the K-State Student Union and the College of Business.”

Scholarships: “Thanks to the generous support from K-State alumni and friends, the Kansas State College of Business will be awarding several scholarships at the Women in Business Career Summit. Scholarships can be used for students to apply toward any class offered through the K-State College of Business.”

⁶ <https://cba.k-state.edu/academics/departments/center-for-principled-business/women-in-business/> [<https://archive.ph/wip/CQE1Y>] (accessed September 1, 2025).

⁷ Although the KSU website does not expressly list sex-based eligibility requirements for the Summit, its framing as a “Women in Business Summit,” hosted by a program designated for women only, would reasonably dissuade men from attending and thereby exclude them from consideration for the scholarships awarded.



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Women in Business Summit 2025

Monday, November 10, 2025 | 8:45 AM - 2:00 PM

The College of Business Women in Business Initiative will host its fifth annual Women in Business Summit on Monday, November 10 at the K-State Student Union and the College of Business.

PROGRAM DESCRIPTION

The Career Summit is hosted by the Center for Principled Business at Kansas State University, for all current high school students, college students, and business professionals. The Summit provides an opportunity for personal and professional development for current college students as they prepare to move into the workforce and connects successful alumni with high school and college students to offer mentoring, networking, and learning opportunities.

Women in Finance Day

Link: <https://cba.k-state.edu/academics/departments/center-for-principled-business/women-in-business/women-in-finance/>

Archived Link: <https://archive.ph/wip/dR7UB>

Description: “The College of Business Women in Business Initiative will host a High School Women in Finance Day on Tuesday, February 4 at the K-State College of Business. This event is designed to empower young women to envision their future in finance and provide a glimpse into the vibrant opportunities at Kansas State University.”

Scholarships: “We’re excited to offer \$10,000 in K-State scholarships as part of the event! To apply, please visit the scholarship application page using the following link:”



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[Video Viewbook](#)

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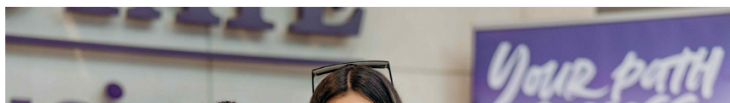
[Finance](#)

[Management](#)

Women in Finance Day

Tuesday, February 4, 2025 | 9:30 AM - 2:00 PM

The College of Business Women in Business Initiative will host a High School Women in Finance Day on Tuesday, February 4 at the K-State College of Business. This event is designed to empower young women to envision their future in finance and provide a glimpse into the vibrant opportunities at Kansas State University.



Scholarships

We're excited to offer \$10,000 in K-State scholarships as part of the event! To apply, please visit the scholarship application page using the following link:

https://kstate.qualtrics.com/jfe/form/SV_ekXWV1Y9O8CeOEe

The deadline to apply is Friday, January 31 at 5:00 PM. Preference will be given to high school juniors and seniors.

Because the events as part of the Women in Business program are promoted as for women, men are excluded from or dissuaded from participating in the scholarships awarded at the events.

The Women in Business Program and Related Scholarships Violate The Law

The Women in Business program and related scholarships identified above violate Title IX, by discriminating on the basis of sex.

Title IX prohibits discrimination on the basis of sex in education. The statute provides: “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. § 1681(a). Accordingly, a school receiving federal funding may not administer scholarships, fellowships, or other forms of financial assistance that impose preferences or restrictions based on sex, except in limited exceptions that are not applicable here. *See* 34 C.F.R. § 106.37(a).

Restrictions that limit eligibility for scholarships based on sex are underinclusive, as they arbitrarily exclude students who would otherwise qualify. While sex-based classifications are subject to “heightened” scrutiny, *Sessions v. Morales-Santana*, 582 U.S. 47, 57 (2017); *United States v. Virginia*, 518 U.S. 515, 532–34 (1996), this standard—though less exacting than the strict scrutiny applied to race-based classifications—still requires an “exceedingly persuasive justification.” *Virginia*, 518 U.S. at 531. To meet this burden, the government must demonstrate “at least that the [challenged] classification serves important governmental objectives and that the discriminatory means employed are substantially related to the achievement of those objectives.” *Id.* at 533. Even if the classifications based on sex or other immutable characteristics were intended to further a compelling interest, discriminatory programs must involve “individualized consideration” and must apply criteria in a “nonmechanical way.” *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003).

KSU also “signals” 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 Kansas State highlights sex as defining goal of a program, an ordinary reader reasonably assumes that that trait governs eligibility. That deterrent effect is itself unlawful discrimination.

Recent federal guidance underscores the illegality of programs like that challenged here. On July 29, 2025, the Attorney General issued a memorandum to all federal agencies clarifying that recipients of federal funds must not engage in discriminatory practices based on race, sex, or other protected characteristics, regardless of labels such as “Diversity, Equity, and Inclusion.”⁸ The memorandum specifically identifies as unlawful the creation of race- or sex-exclusive scholarships, internships, mentorships, leadership initiatives, or affinity groups, as well as the segregation of facilities or resources based on protected traits. Kansas State University’s Women in Business program fall squarely within these prohibited practices, as they condition eligibility and participation on sex and distribute scholarships on a discriminatory basis. OCR therefore has both the authority and obligation to enforce federal nondiscrimination law, particularly in light of this updated guidance.

OCR Has Jurisdiction

KSU is a public entity and a recipient of federal funds, including from the U.S. Department of Education.⁹ It is therefore liable for violating Title IX, and OCR therefore has jurisdiction over this complaint.

The Complaint Is Timely

This complaint is timely brought because it includes allegations of discrimination based on sex that occurred within 180 days and that is ongoing. This program is currently active.¹⁰

Request For Investigation And Enforcement

The discrimination outlined above is presumptively illegal because it imposes sex-based restrictions on educational opportunities funded with federal dollars. Such restrictions directly violate Title IX and the Equal Protection Clause by denying students the chance to compete on equal terms without individualized consideration or lawful justification.

⁸ <https://www.justice.gov/ag/media/1409486/dl> <https://archive.is/hsmXI>] (accessed September 2, 2025).

⁹ See https://www.usaspending.gov/award/ASST_NON_P042A250759_091 [<https://archive.ph/wip/MMIxO>] (accessed September 1, 2025)/

¹⁰ <https://cba.k-state.edu/academics/departments/center-for-principled-business/women-in-business/> [<https://archive.is/CQEIY>] (Accessed September 1, 2025).

OCR therefore has both the power and the obligation to investigate KSU's role in creating, funding, and administering the Women in Business program and related scholarships, and to determine whether similar practices exist elsewhere at the university. Where violations are found, OCR may impose fines, suspend or terminate federal financial assistance, or refer the matter to the Department of Justice for judicial enforcement. As the Supreme Court has made clear, "[t]he way to stop discrimination ... is to stop discriminating." *Parents Involved in Cmty. Sch.*, 551 U.S. at 748.

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

Respectfully submitted,

/William A. Jacobson/

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