



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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October 28, 2025

BY EMAIL (OCR@ed.gov)

Kimberly Richey, Assistant Secretary
for Civil Rights
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

BY EMAIL (OCR.KansasCity@ed.gov)

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

Re: Civil Rights Complaint Against University of Central Arkansas

Dear Ms. Richey 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 the University of Central Arkansas ("UCA") for offering, administering, and promoting ten (10) scholarships that discriminate on the basis of race, color, national origin, and/or sex in violation of Title VI and Title IX, respectively.

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

UCA automatically awards certain scholarships to students based on their initial application for admission.² Additional scholarships are available through the UCA Foundation³, which requires students to log in using their campus credentials. Once logged in, students must complete a general application and, when applicable, may apply for specific scholarship opportunities.



UCA
Foundation

Sign In

▼ Opportunities

All Opportunities

Show Filters

Welcome to the University of Central Arkansas Scholarship Opportunities Homepage.

Below you will find a listing of scholarships available to students with brief information about the scholarship qualifications. To apply to scholarships which require an application, you must first sign in with the same user name and password you use to access the campus login portal. You will then have the opportunity to complete a general application and, if applicable, apply for specific scholarships. All students are encouraged to apply for UCA Foundation scholarships, UNLESS you are graduating and not returning for next academic year. All applicants who are US citizens or permanent residents must have applied for and have on file in the UCA Financial Aid Office the Free Application for Federal Student Aid (FAFSA). This will more accurately allow the reviewers to determine financial need.

The scholarships listed below are currently offered to UCA students and applicants for admission, according to the UCA website, and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations⁴ by discriminating against students based on their race and skin color, Title IX of the Education Amendments of 1972 (“Title IX”) and its

² <https://uca.edu/foundation/scholarships/> [<https://archive.is/wip/9A7TJ>] (accessed October 26, 2025).

³ The University of Central Arkansas Foundation, Inc. (“UCA Foundation”) is a nonprofit corporation established to support the University of Central Arkansas by managing private contributions and endowments for the benefit of UCA students and programs. The Foundation operates in close affiliation with the university, sharing its leadership and administrative infrastructure, and its scholarship programs are hosted on university platforms and administered through UCA’s official systems. See <https://uca.edu/foundation/> [<https://archive.is/wip/rEjen>] (accessed October 27, 2025).

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

implementing regulations⁵ by discriminating against students based on their sex, or both. Because UCA is a public university, these discriminatory scholarships also violate the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution.

I. SCHOLARSHIPS THAT VIOLATE TITLE VI (5)

1. Donis W. Ford Memorial Book Award

Link: <https://uca.academicworks.com/opportunities/4884>;

<https://uca.edu/foundation/private-scholarships/#::~:~:text=KENNETH%20W,ENDOWMENT>

Archived Link: archive.is/wip/tQv1e;

<https://web.archive.org/web/20251020141328/https://uca.edu/foundation/private-scholarships/>

Discriminatory Requirement: “For full-time junior or senior **African-American students** majoring in English, African-American Studies or Writing with a GPA of 3.0 or above.”

▼ Opportunities

Donis W. Ford Memorial Book Award

For full-time junior or senior underserved students majoring in English, African-American Studies or Writing with a GPA of 3.0 or above. Consideration may be given to financial need.

Award

\$0.00

Deadline

01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

DONIS W. FORD MEMORIAL BOOK AWARD

For full-time junior or senior African-American students majoring in English, African-American Studies or Writing with a GPA of 3.0 or above. Consideration may be given to financial need.

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

2. **Dr. Willie Hardin Scholarship**

Link: <https://uca.academicworks.com/opportunities/5005;>

<https://uca.edu/foundation/private-scholarships/#:~:text=KENNETH%20W,ENDOWMENT>

Archived Link: archive.ph/wip/A5B9T; <https://archive.ph/wip/0Y9vq>

Discriminatory Requirement: “For full-time students who are Arkansas residents with first preference given to African-American students.”

▼ Opportunities

Dr. Willie Hardin Scholarship

For full-time graduate students. Preference to students from underrepresented groups.

Award
\$0.00
Deadline
01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

DR. WILLIE HARDIN SCHOLARSHIP

For full-time students who are Arkansas residents with first preference given to African-American students. Consideration shall be given to financial need.

3. **Drew Marshall Gainor Scholarship**

Link: <https://uca.academicworks.com/opportunities/5083;>

<https://uca.edu/foundation/private-scholarships/#:~:text=KENNETH%20W,ENDOWMENT>

Archived Link: <https://archive.is/wip/G8YMv>; <https://archive.ph/wip/0Y9vq>

Discriminatory Requirement: “Preference will be given to current Northwestern Mutual interns and to **underserved minority students**.”⁶

⁶ UCA defines “minorities” as: “A minority includes students identifying as Asian, Black, Hispanic, American Indian/Alaskan Native, Native Hawaiian/Pacific Islander, and anyone with two or more races.” See <https://uca.edu/ir/facts-and-figures/enrollment-definitions/> [<https://archive.ph/wip/ixjJo>] (accessed October 27, 2025). Courts often understand the term “minority” to mean non-white racial and ethnic groups. See Boston Chapter, NAACP, Inc. v.

▼ Opportunities
Drew Marshall Gainor Scholarship For full-time junior or senior students who are in a degree program within the College of Business with a GPA of 2.5 or above. Preference given to students majoring in Finance, Insurance & Risk Management or Innovation & Entrepreneurship. Preference will be given to current Northwestern Mutual interns and to underserved minority students. Application requires a completed resume. Award \$0.00 Deadline 01/26/2026 Supplemental Questions 1. Please upload your resume. 2. Are you a current Northwestern Mutual intern?

DREW MARSHALL GAINOR SCHOLARSHIP

For full-time junior or senior students who are in a degree program within the College of Business with a GPA of 2.5 or above. Preference given to students majoring in finance, insurance & risk management or innovation & entrepreneurship. Preference will be given to Hispanic minority students. Application requires a completed resume.

4. Holloway/Hicks Scholarship

Link: <https://uca.academicworks.com/opportunities/5052;>

<https://uca.edu/foundation/private-scholarships/#:~:text=KENNETH%20W,ENDOWMENT>

Archived Link: archive.ph/wip/oGol6; <https://archive.ph/wip/0Y9vq>

Discriminatory Requirement: “For full-time students who are Arkansas residents with first preference given to **African-American students.**”

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).

▼ Opportunities

Holloway/Hicks Scholarship

For full-time entering freshmen with first preference given to students from underrepresented populations from Monroe County (Arkansas). Selection based on high school GPA of 2.5 or above and financial need.

Award

\$0.00

Deadline

01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

HOLLOWAY/HICKS SCHOLARSHIP

For full-time entering freshmen with first preference given to African-American students from Monroe County (Arkansas). Second preference given to Arkansas African-American students. Selection based on high school GPA of 2.5 or above and financial need.

5. Kenneth W. Abrams/Paul W. Kimbrough Endowment

Link: [https://uca.academicworks.com/opportunities/5367](https://uca.academicworks.com/opportunities/5367;);

<https://uca.edu/foundation/private-scholarships/#::~:~:text=KENNETH%20W,ENDOWMENT>

Archived Link: archive.ph/wip/VozDo;

<https://web.archive.org/web/20251020141328/https://uca.edu/foundation/private-scholarships/>

Discriminatory Requirement: “For full-time **African-American students** majoring in political science or business with a cumulative GPA of 2.5 or above. Consideration may be given to financial need.”

▼ Opportunities

Kenneth W. Abrams/Paul W. Kimbrough Endowment

For full-time students from underrepresented populations majoring in Political Science or Business with a cumulative GPA of 2.5 or above. Consideration may be given to financial need.

Award
\$0.00

Deadline
01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

KENNETH W. ABRAMS/PAUL W. KIMBROUGH ENDOWMENT

For full-time African-American students majoring in political science or business with a cumulative GPA of 2.5 or above. Consideration may be given to financial need.

II. SCHOLARSHIPS THAT VIOLATE BOTH TITLE VI AND TITLE IX (2)

1. Faydean Dunevant Scholarship

Link: <https://uca.academicworks.com/opportunities/5101;>

<https://uca.edu/foundation/private-scholarships/#:~:text=KENNETH%20W,ENDOWMENT>

Archived Link: [archive.ph/wip/28pAe;](https://web.archive.org/web/20251020141328/https://uca.edu/foundation/private-scholarships/)

<https://web.archive.org/web/20251020141328/https://uca.edu/foundation/private-scholarships/>

Discriminatory Requirement: “For full-time **female African-American students** who are residents of Faulkner County (Arkansas) and majoring within the College of Fine Arts and Communication.”

▼ Opportunities

Faydean Dunevant Scholarship

For full-time students of underrepresented populations who are residents of Faulkner County (Arkansas) and majoring within the College of Arts, Humanities, and Social Sciences. The recipient shall be an active member of their church with preference given to a student involved in the church's music program. Selection shall be based on financial need and cumulative GPA of 3.0 or above.

Award

\$0.00

Deadline

01/26/2026

Supplemental Questions

1. Are you an active member of a church?
 - Are you an active member of a church?
 - How Long have you been a active member of your church?
 - What is name of the church you attend?

FAYDEAN DUNEVANT SCHOLARSHIP

For full-time female African-American students who are residents of Faulkner County (Arkansas) and majoring within the College of Fine Arts and Communication. The recipient shall be an active member of their church with preference given to a student involved in the church's music program. Selection shall be based on financial need and cumulative GPA of 3.0 or above.

2. Gregory E. Hunt Memorial Scholarship

Link: <https://uca.academicworks.com/opportunities/4956;>

<https://uca.edu/foundation/private-scholarships/#::~text=KENNETH%20W,ENDOWMENT>

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

<https://web.archive.org/web/20251020141328/https://uca.edu/foundation/private-scholarships/>

Discriminatory Requirement: “Preference given to **African-American males** from Lonoke (Arkansas).”

▼ Opportunities

Gregory E. Hunt Memorial Scholarship

For undergraduate students who have completed 30 or more hours with a cumulative GPA of 3.0 or above. Preference given to underserved males from Lonoke (Arkansas). Consideration may be given to financial need.

Award

\$0.00

Deadline

01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

GREGORY E. HUNT MEMORIAL SCHOLARSHIP

For undergraduate students who have completed 30 or more hours with a cumulative GPA of 3.0 or above. Preference given to African-American males from Lonoke (Arkansas). Consideration may be given to financial need.

III. SCHOLARSHIPS THAT VIOLATE TITLE IX (3)

1. Jennifer J. Westpfahl Women in Finance Scholarship

Link: <https://uca.academicworks.com/opportunities/5268>;
<https://uca.edu/magazine/alumna-establishes-scholarship-for-women-in-finance/>

Archived Link: <https://archive.is/wip/ANTTy>; <https://archive.is/wip/Rut4E>

Discriminatory Requirement: “For the first time, a scholarship has been established for **women studying finance** at the University of Central Arkansas.”

▼ Opportunities

Jennifer J. Westpfahl Women in Finance Scholarship

For full-time junior or senior students from underrepresented populations with a declared major in Finance and a cumulative GPA of 3.0 or above. Preference shall be given to students who are not receiving any other financial assistance through UCA.

Award

\$0.00

Deadline

01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

Alumna Establishes Scholarship for Women in Finance

For the first time, a scholarship has been established for women studying finance at the University of Central Arkansas.

Jennifer J. Westpfahl '99 contributed a \$15,000 gift to establish the Jennifer J. Westpfahl Women in Finance Scholarship during UCA's Day of Giving in March.

A scholarship of \$1,500 will be awarded to two female students who have a declared major of finance. Recipients must be at least a junior and have a 3.0 GPA.

2. University Women's Book Scholarship

Link: <https://uca.academicworks.com/opportunities/5116>;

<https://uca.edu/foundation/private-scholarships/>

Archived Link: <https://archive.ph/wip/wre6X>; <https://archive.ph/wip/0Y9vq>

Discriminatory Requirement: “For non-traditional **female students** in a degree program.”

▼ Opportunities

University Women's Book Scholarship

For non-traditional students from underrepresented groups. Consideration may be given to financial need.

Award
\$0.00

Deadline
01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

UNIVERSITY WOMEN’S BOOK SCHOLARSHIP

For non-traditional female students in a degree program. Consideration may be given to financial need.

3. Miss Eugenia M. Oliver Memorial Scholarship

Link: <https://uca.academicworks.com/opportunities/5116>;

<https://uca.edu/foundation/private-scholarships/>

Archived Link: <https://archive.ph/wip/b6aCv>; <https://archive.ph/wip/0Y9vq>

Discriminatory Requirement: “For full-time junior or senior **female students** under the age of 23 with 60 hours or more completed at UCA.”

▼ Opportunities

Miss Eugenia M. Oliver Memorial Scholarship

For full-time junior or senior students from underrepresented populations under the age of 23 with 60 hours or more. Preference given to St. Francis County (Arkansas) graduates. Selection shall be based on financial need, potential and academic performance.

Award
\$0.00

Deadline
01/26/2026

You will be automatically considered based on your completed General Application. To complete the General Application, please [sign in](#).

MISS EUGENIA M. OLIVER MEMORIAL SCHOLARSHIP

For full-time junior or senior female students under the age of 23 with 60 hours or more completed at UCA. Preference given to St. Francis County (Arkansas) graduates. Selection shall be based on financial need, potential and academic performance.

The Scholarships Listed Above Violate The Law

The scholarships identified above violate either Title VI, by discriminating on the basis of race, skin color, or national origin; Title IX, by discriminating on the basis of sex; or both.⁷ Furthermore, because UCA is a public university, such discrimination also violates the Equal Protection Clause of the Fourteenth Amendment.

Title VI 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” encompasses “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). As noted in *Rowles v. Curators of the University of Missouri*, 983 F.3d 345, 355 (8th Cir. 2020), “Title VI prohibits discrimination on the basis of race in federally funded programs,” and therefore applies to universities receiving federal financial assistance. Because UCA receives and administers federal funds through numerous programs it is subject to Title VI.⁸

Regardless of UCA’s reasons for offering, promoting, and administering such discriminatory scholarships, it 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

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 UCA. 42 U.S.C. § 2000(a)(a). These scholarships also violate Arkansas state law. *See*, e.g., AR Code § 16-123-101, et seq. (2023). Finally, these scholarships violate UCA’s own nondiscrimination policy. *See* <https://uca.edu/titleix/notice-of-nondiscrimination/> [<https://web.archive.org/web/20251022141120/https://uca.edu/titleix/notice-of-nondiscrimination/>] (accessed on October 26, 2025).

⁸ *See* https://www.usaspending.gov/award/ASST_NON_P334S230006_091 [<https://archive.ph/wip/u12Nd>] (accessed October 26, 2025).

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, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

As UCA is a public university, its offering, promoting, and administering these discriminatory scholarships also violates the Equal Protection Clause of the Fourteenth Amendment. In *Students for Fair Admissions*, 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. Consequently, “[a]ny exception to the Constitution’s demand for equal protection must survive a daunting two-step examination known ... as strict scrutiny.” *Id.* at 208 (internal quotation marks and citation omitted). The scholarships at issue here cannot withstand that exacting standard.

Under strict scrutiny, suspect classifications “are constitutional only if they are narrowly tailored measures that further compelling governmental interests.” *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995). It is the government that bears the burden to prove “that the reasons for any [racial] classification [are] clearly identified and unquestionably legitimate.” *Richmond v. J. A. Croson Co.*, 488 U.S. 469, 505 (1989). Here, UCA cannot carry its burden.

A “racial classification, regardless of purported motivation, is presumptively invalid and can be upheld only upon an extraordinary justification.” *Shaw v. Reno*, 509 U.S. 630, 643–44 (1993) (citation omitted). Here, UCA cannot demonstrate that restricting scholarships based on race, color, or national origin serves any legitimate governmental purpose, let alone an extraordinary one. Classifications based on immutable characteristics “are so seldom relevant to the achievement of any legitimate state interest” that government policies “grounded in such considerations are deemed to reflect prejudice and antipathy—a view that those in the burdened class are not as worthy or deserving as others.” *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 440 (1985).

The Supreme Court has recognized only two interests compelling enough to justify racial classifications. The first is remedying the effects of past de jure segregation or discrimination in the specific industry and locality at issue, where the government played a role. The second is “avoiding imminent and serious risks to human safety in prisons, such as a race riot.” *Students for Fair Admissions*, 600 U.S. at 207 (citation omitted). Neither applies here.

If the scholarships are intended to achieve racial balance, such an objective has been “repeatedly condemned as illegitimate” and “patently unconstitutional” by the Supreme Court. *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 726, 730 (2007) (“Accepting racial balancing as a compelling state interest would justify the imposition of racial proportionality throughout American society, contrary to our repeated recognition that at the

heart of the Constitution’s guarantee of equal protection lies the simple command that the Government must treat citizens as individuals, not as simply components of a racial, religious, sexual, or national class”) (cleaned up, citation omitted).

Further, a policy is not narrowly tailored if it is either overbroad or underinclusive in its use of racial classifications. *J.A. Croson Co.*, 488 U.S. at 506. Indeed, in *Students for Fair Admissions*, the Supreme Court found that similar categories as those used to determine eligibility for UCA’s scholarships were “imprecise,” “plainly overbroad,” “arbitrary,” “undefined” and “opaque,” 600 U.S. at 216-17,⁹ and declared that “it is far from evident ... how assigning students to these ... categories and making admissions decisions based on them furthers the educational benefits that the universities claim to pursue.” *Id.* at 216.

For a policy to satisfy narrow tailoring, the government must demonstrate “serious, good faith consideration of workable race-neutral alternatives,” *Grutter v. Bollinger*, 539 U.S. 306, 339 (2003), and show that “no workable race-neutral alternative” could achieve the purported compelling interest. *Fisher v. Univ. of Tex. at Austin*, 570 U.S. 297, 312 (2013). There is no evidence that such alternatives were ever considered here.

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*, 539 U.S. at 334.

UCA’s explicit race- and sex-based scholarships are presumptively invalid, and since there is no compelling government justification for such invidious discrimination, UCA’s

⁹ In his concurrence, Justice Thomas criticizes these categories as being “artificial.” *Students for Fair Admissions*, 600 U.S. at 276 (Thomas, J., concurring).

offering, promotion, and administration of these programs violates state and federal civil rights statutes and constitutional equal protection guarantees.

OCR Has Jurisdiction

UCA is a public entity and a recipient of federal funds, including from the U.S. Department of Education.¹⁰ It is therefore liable for violating Title VI, Title IX and the Equal Protection Clause, 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 race, color, national origin and sex that occurred within 180 days and that appear to be ongoing. The scholarship applications are currently active.¹¹

Request For Investigation And Enforcement

In *Richmond v. J. A. Croson Co.*, Justice Scalia aptly noted that “discrimination on the basis of race is illegal, immoral, unconstitutional, inherently wrong and destructive of a democratic society.” 488 U.S. at 505 (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, and since UCA cannot show any compelling government justification for it, the fact that it conditions eligibility for multiple scholarships on race, color, national origin and sex violates federal civil rights statutes and constitutional equal protection guarantees.

The Office for Civil Rights has the power and obligation to investigate UCA’s role in creating, funding, promoting and administering these scholarships – and, given how many there are, to discern whether UCA is engaging in such discrimination in its other activities – and to impose whatever remedial relief is necessary to hold it accountable for that 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

¹⁰ See https://www.usaspending.gov/award/ASST_NON_P334S230006_091 [<https://archive.ph/wip/u12Nd>] (accessed October 26, 2025).

¹¹ <https://uca.edu/foundation/scholarships/> [<https://archive.is/wip/9A7TJ>] (accessed October 26, 2025).

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 prioritize and expedite this complaint given the sheer number of discriminatory scholarships at UCA reflecting a systematic disregard for Titles VI and IX, promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from UCA’s various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at UCA comports with the Constitution and federal civil rights laws.

Respectfully submitted,

/William A. Jacobson/

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/Robert J. Fox/

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