UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

November 3, 2026

Via email only to: contact@legalinsurrection.com, and tim@legalinsurrection.com

William A. Jacobson, Esq., President
Timothy Snowball, Senior Attorney
Legal Insurrection Foundation

Re: University of California, Berkeley - OCR Case Number 09262305

Dear William A. Jacobson and Timothy Snowball:

On February 10, 2026, the U.S. Department of Education, Office for Civil Rights (OCR), received your complaint against the University of California, Berkeley (the University) alleging discrimination based on race, color, and national origin. The complaint alleges that the University operates, administers, and/or promotes three programs and two scholarships that discriminate based on race, color, or national origin: (1) the African American Student Development Office; (2) the Black Resource Center; (3) the Latinx Student Resource Center; (4) the African American Initiative Scholarship; and (5) the Lloyd A. Edwards Scholarship. The complaint further alleges that with regard to the three programs (the African American Student Development Office, the Black Resource Center, and the Latinx Student Resource Center), even if the programs do not turn away students based on race, color, or national origin, the programs' titles and descriptions would likely dissuade students who do not meet the race, color, or national origin category from participating. With regard to the two scholarships (the African American Initiative Scholarship and the Lloyd A. Edwards Scholarship), the complaint alleges that the scholarships have eligibility criteria that exclude applicants based on race, color, or national origin.

OCR has authority to enforce Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d et seq., and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, and national origin under any program or activity that receives federal financial assistance from the Department of Education (the Department). As a recipient of federal financial assistance from the Department, the University is required to comply with Title VI.

OCR processes complaints in accordance with its Case Processing Manual (CPM) (Feb. 2025). OCR is opening an investigation to examine whether the University discriminates based on race, color, or national origin by operating, administering, and/or promoting (1) the African American Student Development Office; (2) the Black Resource Center; (3) the Latinx Student Resource

Center; (4) the African American Initiative Scholarship; and (5) the Lloyd A. Edwards Scholarship which exclude or dissuade participants or applicants based on race, color, or national origin.

OCR's initiation of an investigation is not itself evidence of a violation of federal civil rights laws and regulations. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint. OCR will ensure that its investigation is legally sufficient in accordance with OCR's CPM.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions about this letter, please call our office at [redacted] or me at [redacted].

Sincerely,

Anamaria Loya
Chief Attorney