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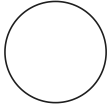
# Complaint filed to get white students access to UMass program for minorities

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An aerial view of the University of Massachusetts Amherst campus. Pictured is the W.E.B. Dubois Library and Old Chapel. (Patrick Johnson / The Republican, File)





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Complaint filed to get white students access to UMass program for minorities

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By [Namu Sampath | nsampath@repub.com](mailto:nsampath@repub.com)

AMHERST — A Rhode Island conservative group is pressing for white access to a UMass Amherst program for minority students.

The program — offered to low-income, first-generation, undergraduate students of color at the University of Massachusetts Amherst — is the subject of a civil rights complaint filed with the U.S. Department of Education on Wednesday.

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The nonprofit conservative group alleges that UMass Amherst's Remediating Inequity through Student Engagement, or RISE, a program under the College of Social and Behavioral Sciences, is racially discriminatory and violates Title VI of the Civil Rights Act.

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The [RISE program](#), according to its website, offers community, specialized academic programs and support to underrepresented students on campus. It has a variety of initiatives, including laptop and mentorship programs, to help marginalized students receive support while pursuing their degrees.

“(Black, Indigenous and people of color) students are categorically eligible for the program, while non-BIPOC students must satisfy additional requirements to participate,” says the federal complaint, filed by the Equal Protection Project of the Legal Insurrection Foundation.

Wording used by the UMass program is “intended for certain racial groups,” and those who do not fit the criteria are “either excluded from participation or would be deterred from applying,” the complaint said.

William A. Jacobson, founder and president of the [redacted] organization, said the complaint isn't seeking to end the program, only to end the alleged discrimination.



"We hope the program would continue, and we want the students to have access to it, but the color of their skin should not be a factor in whether they are eligible for this program," said Jacobson.

A spokesperson for the university said it had not yet received the complaint, nor had it been notified of an investigation into the matter.

UMass Amherst "will continue to comply with all state and federal laws," the statement said.

## Claims of violating Title VI

The complaint says Title VI of the Civil Rights Act prohibits discrimination for any program that receives financial assistance from the federal government, which includes higher education institutions.

"Regardless of UMass Amherst's reason for offering, promoting, and administering such a discriminatory program, they are violating Title VI by doing so," says the complaint. "It does not matter if the recipient of federal funding discriminates in order to advance a benign 'intention' or 'motivation.'"

Not only does UMass Amherst's program violate the Civil Rights Act, but it also violates the Equal Protection Clause of the 14th Amendment, the complaint asserts.

Jacobson said he was not aware of how the UMass RISE program caught his organization's attention, but said that it imposes different eligibility standards depending on the race, color, or national origin of a student.

"If you are a student of color, which is the term they use, you're automatically eligible. Similarly, if you're first generation or come from a low-income background, you're automatically eligible," he said.

White students, he said, need to prove they are first-generation or low-income to be eligible for the program.

"Because that imposes an extra hurdle on students because of their race or color, we believe it's a violation of the Civil Rights Act," he said.

Jacobson said the organization has pursued other similar cases against universities and states before. It is currently suing the state of New York, alleging that a statewide program for students interested in science and technology careers, called STEP, is discriminatory because it helps only Black, Hispanic and Native American students, but Asian and white students are not eligible.

The New York case recently survived a motion to dismiss, he said.

"The judge adopted in his decision denying the motion to dismiss, our view of the law, which is that presenting an extra hurdle to a student based upon race is unlawful," he said.

Jacobson estimated his organization has successfully argued about 175 such cases.

The U.S. Department of Education's Office of Civil Rights will notify the university about the administrative complaint, though it is hard to predict how long the process will take, Jacobson said.

The university can remedy this complaint by removing the discriminatory wording from its website and allowing all students to enter the program, he said.

“Most of the schools we file against recognize they don't have a legal leg to stand on, so they change the program,” he said. “We hope UMass Amherst will do the right thing.”



Massachusetts is about 67.6% white, according to U.S. census data.

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