



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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May 28, 2026

BY EMAIL (OCR@ed.gov)

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

BY EMAIL (OCR.Denver@ed.gov)

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Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
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**Re: Civil Rights Complaint Against Alma College's Campbell Scholars Program
(Corrected Copy)**

Dear Assistant Secretary Richey 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.¹ 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 Alma College ("Alma"), a private institution, regarding its Campbell Scholars Program (the "Campbell Program") which racially discriminates in violation of Title VI.

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

THE CAMPBELL SCHOLARS PROGRAM VIOLATES TITLE VI

Link: <https://www.alma.edu/about/offices-services/diversity-and-inclusion-at-alma-college/alma-college-campbell-scholars-program/>

Archived Link: (accessed May 24, 2026).

Discriminatory Requirement: “Eligibility: Self identify as a student of color (i.e. Black/African American, Native American, Hispanic/Latino/a/x, Asian, Pacific Islander, Multi-racial).”

The screenshot shows the Alma College website for the Campbell Scholars Program. At the top, there is a navigation bar with a "Menu" button, the Alma College logo, and a search icon. Below the navigation bar is a breadcrumb trail: "Home / About Alma / Offices & Services / Diversity and Inclusion / Campbell Scholars Program". The main heading is "Campbell Scholars Program" in a large, dark red font. To the right of the heading is a vertical orange button that says "+ Let's Connect". Below the heading is a circular icon with a person silhouette and a text block that reads: "The Campbell Scholars Program provides cultural, academic, social, and financial literacy resources and mentorship to students of color and their allies during their four years at Alma College. Our mission is to develop pathways that lead to educational success, college persistence, and graduation for all students with an emphasis on students of color. Campbell Scholars participate in a range of enrichment activities including social, cultural, leadership programs throughout the year!"

The Campbell Program is an official program at Alma College that conditions eligibility on race and color. The program "... provides cultural, academic, social, and financial literacy resources and mentorship to students of color and their allies during their four years at Alma College." Further, first year members must live in the Julius Chatman Living Learning Community (JCLLC), effectively separating students by race in living accommodations..

Race- and Ethnicity-Based Eligibility Requirements

Eligible students must apply through Alma College's Diversity and Inclusion Office. Alma expressly states that the program is limited to "students who identify as students of color," which it defines as "Black/African American, Native American, Hispanic/Latino/a/x, Asian, Pacific Islander, [and] Multi-racial" students. The eligibility requirements also allow students who are "interested in advocating for the advancement of students of color in higher education if you are a student of color or do not identify as a student of color," which itself is a discriminatory structure, because students of color are automatically eligible, but other students need to show the additional factor of a particular viewpoint. This discriminatory standard is unlawful as it treats students differently based on race, color, and national origin.

Campbell Program Benefits

The Campbell Program provides participants with several benefits, including “Connections and lifelong friendships,” “Leadership and networking opportunities that make you attractive for campus leadership positions (Resident Assistants, KCP Mentors, First Year Guides, Student Congress),” “Personalized access to campus resources,” and “Opportunities to travel off campus.” In addition, “[f]irst-year students receive a total \$750 benefit at the Alma College Bookstore through participation in the JCLLC.”

Benefits

- ▮ Connections and lifelong friendships
- ▮ Leadership and networking opportunities that make you attractive for campus leadership positions (Resident Assistants, KCP Mentors, First Year Guides, Student Congress)
- ▮ Personalized access to campus resources
- ▮ Opportunities to travel off campus
- ▮ First-year students receive a total \$750 benefit at the Alma College Bookstore through participation in [the JCLLC](#)

Eligibility

- ▮ Self identify as a student of color (i.e. Black/African American, Native American, Hispanic/Latino/a/x, Asian, Pacific Islander, Multi-racial).
- ▮ Be interested in advocating for the advancement of students of color in higher education if you are a student of color or do not identify as a student of color.

Race-Based Housing

Further, first-year participants are required to live in separate housing through the JCLLC, which groups students together in a race-based residential program.² Alma College describes the JCLLC as a place where students can “Grow, learn and have fun in a space where students of color and allies live right next door.”

² <https://www.alma.edu/life-at-alma/housing-dining/living-learning-communities/julius-chatman-living-learning-community/> [<https://archive.is/wip/8pEwE>] (accessed May 24, 2026).

Julius Chatman Living Learning Community

Grow, learn and have fun in a space where students of color and allies live right next door.

Located on the second floor of Gelston Hall, the Julius Chatman Living Learning Community (JCLLC) is named in honor of the first black student to attend Alma College. It provides a space for first-year Campbell Scholars to live together, build connections and develop leadership and advocacy skills to support students of color in a predominantly white institution. When you join the JCLLC, you'll also earn a \$750 stipend for the

[Alma Bookstore!](#)



The Campbell Scholars Program Violates The Law

The Campbell Program violates Title VI by discriminating on the basis of race, color, or national origin.³ Eligibility to the Campbell Program is expressly limited to students of color. Further, the JCLLC violates the Fair Housing Act (“FHA”) through race-based housing.

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 thus applies to universities receiving federal financial assistance). As Alma receives federal funds,⁴ it is 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

³Although 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 Alma. 42 U.S.C. § 2000(a). This program also violates Michigan state law. Mich. Comp. Laws § 37.2402 (2026). Finally, this program violates Alma’s own nondiscrimination policy. See <https://www.alma.edu/protect-respect-our-scots-civil-rights/college-policy/> [<https://archive.is/wip/e40v3>] (accessed on May 24, 2026).

⁴ See https://www.usaspending.gov/award/ASST_NON_P063P250219_091 [<https://archive.is/wip/qfyzk>] (accessed on May 24, 2026).

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 Alma’s reasons for offering, promoting, and administering such a discriminatory program, Alma 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 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).

It is no defense that Alma imposes racial, ethnic, and national origin preferences alongside lawful preferences such as economic status. Racial criteria and preferences serve as “signals” of racial-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.” Here, Alma sends a signal that would dissuade students whose racial, ethnic, or national origin groups would not expand diversity from applying. Word games and too-smart-by-half formulations cannot evade the civil rights laws.

Alma also violates the FHA through its JCLLC, by conditioning participation in a residential housing program on race and color.⁵ First-year Campbell Scholars participants are required to live in separate housing through the JCLLC, which places students into a race-based residential program. Alma describes the JCLLC as a place where students can “Grow, learn and have fun in a space where students of color and allies live right next door.” The FHA prohibits discrimination on the basis of race and color in the provision of housing and applies to college dormitories.⁶

Alma’s discriminatory Campbell Program is presumptively invalid; therefore, its offering, promotion, and administration of this program violates federal civil rights laws.

⁵ 42 U.S.C. §§ 3601–3619

⁶ *See* 42 U.S.C. §§ 3604–3606; *United States v. Univ. of Neb. at Kearney*, 940 F. Supp. 2d 974, 983 (D. Neb. 2013) (“[D]ormitories are dwellings within the meaning of the FHA.”).

OCR Has Jurisdiction

OCR enforces Title VI of the Civil Rights Act of 1964⁷ and its implementing regulation,⁸ which prohibit discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. As a recipient of federal financial assistance, including from the Department of Education,⁹ Alma is subject to Title VI 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, or national origin that occurred within 180 days and that appears to be ongoing. This program is currently active.¹⁰

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 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 targets eligibility for this program on race, color, and/or national origin violates Title VI.

The Office for Civil Rights has the power and obligation to investigate Alma’s role in creating, funding, promoting and administering this program and to discern whether Alma is 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

⁷ 42 U.S.C. §§ 2000d-2000d-7.

⁸ 34 C.F.R. Part 100.

⁹ See https://www.usaspending.gov/award/ASST_NON_P063P250219_091 [<https://archive.is/wip/qfyzk>] (accessed on May 24, 2026).

¹⁰ <https://www.alma.edu/life-at-alma/housing-dining/living-learning-communities/julius-chatman-living-learning-community/> [<https://archive.is/wip/8pEwE>] (accessed May 24, 2026).

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discrimination ... is to stop discriminating[.]” *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007).

OCR also should refer Alma’s apparent Fair Housing Act violations relating to the JCLLC to the U.S. Department of Housing and Urban Development (“HUD”), the federal agency charged with enforcing the FHA, for investigation and any appropriate enforcement action.

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 programming at Alma based on discriminatory criteria, and ensure that all ongoing and future programs at Alma comport with the federal civil rights laws.

Respectfully submitted,

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