THE EQUAL PROTECTION PROJECT
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July 9, 2026

BY EMAIL

Robert Doles, Enforcement Director
Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

BY EMAIL

Hon. Craig Trainor
Assistant Secretary for Fair Housing and Equal Opportunity
United States Department of Housing and Urban Development
451 7th St SW,
Washington, DC 20410

Re: Civil Rights Complaint against University of Connecticut for Race- and Ethnicity-Based Campus Housing Programs

Dear Assistant Secretary Trainor and Enforcement Director Doles:

This is a federal civil rights complaint and request for investigation against the University of Connecticut ("UConn") submitted pursuant to the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity ("FHEO") 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 all forms.

[1] *See* 42 U.S.C. 3601, *et seq.*; 24 C.F.R. § 100.1, *et seq.*

We bring this complaint and request for investigation against UConn for operating three discriminatory university housing programs that classify students on the basis of race, color, or national origin, in violation of the Fair Housing Act ("FHA"). These programs are:

- the "ScHOLA²RS House," promoted as being for Black male students;
- the "BSOUL House," promoted as being for Black female students; and
- "La Comunidad Intelectual," promoted as being for Hispanic/Latino students.

These discriminatory housing programs violate the FHA, Title VI of the Civil Rights Act of 1964, and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

A. Introduction – Race- and Ethnicity-Based Steering Is Unlawful

Enacted as Title VIII of the Civil Rights Act of 1968, the FHA was intended "to provide, within constitutional limitations, for fair housing throughout the United States."[2] The FHA prohibits discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin in the sale or rental of housing. The FHA applies to a broad assortment of housing, both public and private, including single-family homes, apartments, condominiums, and mobile homes.[3] Courts have also concluded that the FHA applies to college dormitories.[4]

Under the FHA, it is unlawful to "make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination."[5] Under applicable Department of Housing and Urban Development (HUD). regulations enforcing the FHA, this kind of "steering" toward or away from housing based on race is strictly prohibited.[6] Steering liability attaches even if the housing program does not physically bar members of other racial or ethnic groups from participating.

Specifically, where ads or other publicly available information to potential applicants would cause a reasonable non-member of a given group to conclude that a given program is not intended for them, likely causing them to forgo applying, such steering violates the FHA. Even subtle messaging can convey these kinds of discriminatory preferences and steer potential applicants away. *Ragin v. New York Times Co*., 923 F.2d 995, 999–1000 (2d Cir. 1991); *Jancik v. Dep't of Hous. & Urb. Dev*., 44 F.3d 553, 556 (7th Cir. 1995); *Housing Opportunities Made Equal, Inc. v. Cincinnati Enquirer, Inc*., 943 F.2d 644, 646 (6th Cir.1991); *Spann v. Colonial*

[2] 42 U.S.C. § 3601.
[3] *See* 42 U.S.C. § 3602(b); 24 C.F.R. § 100.201 (2023).
[4] *See, e.g., United States v. Univ. of Neb. at Kearney*, 940 F. Supp. 2d 974, 983 (D. Neb. 2013).
[5] 42 U.S.C. § 3604(c).
[6] 24 C.F.R § 100.70(c).

Village, Inc., 899 F.2d 24 (D.C.Cir.1990); *United States v. Hunter*, 459 F.2d 205, 215 (4th Cir. 1981).

B. UConn Discriminatory Learning Communities Programs

UConn's Learning Communities are university-sponsored residential programs that allow students to live together while participating in shared academic courses, mentoring, and co-curricular programming centered on a common theme or area of interest. Although many Learning Communities are organized around academic disciplines or other broadly shared interests, UConn also operates several Learning Communities whose stated missions and promotional materials are directed toward students of particular racial or ethnic backgrounds.[7]

1. "ScHOLA²RS House"[8]

Link: https://www.instagram.com/p/DXcG63uAAP7/
Archived Link: https://archive.ph/wip/9Njaf
Discriminatory Description: "A Learning Community in support of the scholastic efforts of Black male students"

Located in the Peter J. Werth Residence Tower, the ScHOLA²RS House Program "is designed to support the scholastic efforts of male students who identify as African American/Black through academic and social/emotional support, access to research opportunities, and professional development."[9] The program's faculty advisor, Dr. Erik Hines, explained that UConn created the program as a dedicated space for African American students, stating:

> "It is a space for African American men to one, come together and validate their experiences that they may have on campus. Number two, it's also a space where they can

[7] https://lc.uconn.edu/ [https://archive.is/wip/5FHwz] (accessed July 2, 2026)
[8] https://lc.uconn.edu/schola2rshouse/ [https://archive.ph/WLP8Q] (accessed June 30, 2026).
[9] https://lc.uconn.edu/schola2rshouse/ [https://archive.is/wip/wzs9x] (accessed July 2, 2026)

have conversation and also talk with individuals who come from the same background who share the same experience."[10]

ScHOLA²RS House

Scholastic House Of Leaders in support of African American Researchers & Scholars

UConn's social media describes the house as a "Learning Community in support of the scholastic efforts of Black male students."[11] UConn posts also consistently depict the house as housing exclusively Black students. In one fundraising post, ScHOLA²RS House states: "Join us in supporting Black men through transformative experiences." Similar statements appear throughout multiple fundraising posts, reinforcing that the house is intended to serve Black male students.

[10] https://www.fox61.com/article/news/local/outreach/awareness-months/uconn-officials-explain-thinking-behind-african-american-male-only-section-of-dorm/520-e844acbb-18a2-45fe-aff0-b3a37382c023 [https://archive.is/wip/fSSYr] (accessed July 2, 2026).
[11] https://www.instagram.com/p/DXcG63uAAP7/ [https://archive.ph/wip/9Njaf] (accessed June 30, 2026).

ScHOLA²RS House

(In support of the Black male experience in Higher Education)

ScHOLA²RS HOUSE

Mission: The ScHOLA²RS House, Scholastic House of Leaders in support of African American Researchers & Scholars, Learning Community is designed to support the scholastic efforts of male students who identify as African American/Black through academic and social/emotional support, access to research opportunities, and professional development.

Who Can Apply: Male incoming first-year students & rising sophomores in any major who are interested in engaging in topics related to the experience of Black males in higher education

According to UConn's website, the reason it created the ScHOLA²RS House Program is because "[n]ationally, as well as at the University of Connecticut, the retention and graduation rate of Black males is significantly lower than that of other demographic groups."[12] Further, its promotional video features exclusively Black males.[13]

[12] https://lc.uconn.edu/ [https://archive.is/wip/UoRwe] (accessed June 30, 2026).
[13] https://youtu.be/Zo4Q9Xz_1zM?si=xArPePg9iF7Ixk-F [archive.is/wip/SZ9rs] (accessed July 6, 2026).

The alternative title for the ScHOLA²RS House Program ("Scholastic House of Leaders in support of African American Researchers & Scholars") signals that the program is for black students, and the further description of the program supports this discriminatory purpose. Regardless of whether UConn intends to discriminate, or whether non-black students are turned away, the program's title and description likely steer non-black students away from participating and violates federal law.

2. "BSOUL House"

Link: https://www.instagram.com/p/DYH6XTpjpI-/?img_index=1
Archived Link: https://archive.ph/wip/Plwlg
Discriminatory Description: "UConn's Newest Learning Community in support of Black Sisters Optimizing Unity and Leadership!"

Located in the Peter J. Werth Residence Tower, the BSOUL House Program "is designed to support the scholastic efforts of female students who identify as African American/Black through academic and social/emotional support, access to research opportunities, and professional development."[14]

UConn's social media consistently portrays this as a housing program exclusively for Black women. Its Instagram profile describes the program as "UConn's Newest Learning Community in support of Black Sisters Optimizing." The program's social media posts also consistently depict only black women participating in the housing program.[15]

[14] https://database.outreach.engagement.uconn.edu/program/229 [https://archive.is/wip/yiDJO] (accessed June 30, 2026).
[15] https://www.instagram.com/p/DYH6XTpjpI-/?img_index=1 [https://archive.ph/wip/Plwlg] (accessed June 30, 2026).

"UConn's B.S.O.U.L, Black Sisters Optimizing Unity & Leadership, will become the first residential learning community on campus with a mission to support Black women, the B.S.O.U.L Instagram said."[16]

The alternative title for the BSOUL House Program ("Black Sisters Optimizing Unity & Leadership") signals that the program is for black female students, and the further description of the program supports this discriminatory purpose. Regardless of whether UConn intends to discriminate, or whether non-black students are turned away, the strong racial promotion is likely to steer non-black students from participating and violates federal law.

3. "La Comunidad Intelectual"[17]

Link: https://lc.uconn.edu/lci/
Archived Link: archive.is/wip/6QyWF
Discriminatory Description: "La Comunidad Intelectual (LCI), on the Storrs campus, is a Living/Learning Community with a mission to nurture a sense of community, to learn about individual's Latinx identities and/or Latin American and Caribbean diasporas, to support a commitment to learning, and to empower students' engagement on the UConn campus and in our communities."

[16] https://dailycampus.com/2023/04/13/new-black-woman-focused-learning-community-at-uconn/ [https://archive.ph/FZgsK] (accessed Feb. 11, 2026).
[17] https://lc.uconn.edu/lci/ [archive.is/wip/6QyWF] (accessed July 1, 2026).

Located in the Peter J. Werth Residence Tower, La Comunidad Intelectual Program "is a Living/Learning Community with a mission to nurture a sense of community, to learn about individual's Latinx identities and/or Latin American and Caribbean diasporas, to support a commitment to learning, and to empower students' engagement on the UConn campus and in our communities."

The Program's social media also portrays this as a racially exclusive housing program. The Instagram profile states, "Empowering and supporting Latine and Caribbean undergraduate students since 2013." In addition, the program's posts on social media consistently depict only Hispanic students participating in the housing program.[18]

[18] https://www.instagram.com/p/DNwGZNlYsC5/?img_index=3 [https://archive.ph/wip/inNnX] (accessed June 30, 2026).

"In collaboration with campus partners, including El Instituto (ELIN) and the Puerto Rican/Latin American Cultural Center (PRLACC), LCI works to create a welcoming space on campus for students of any major who identify as Latina/o/x and/or who are interested in issues that affect the Latin American and Caribbean communities."

LA 10 YEARS
COMUNIDAD INTELECTUAL
Seguimos Adelante:
Thriving en Comunidad

"A central LCI goal is to create a sense of community among students which is guided by the LCI leadership team. We strive to build a sense of community through seminar courses, events, and our shared community space in the Peter J. Werth Residence Tower."

The title for the La Comunidad Intelectual Program also signals that the program is for Hispanic/Latino students, and the further description of the program supports this discriminatory purpose. Regardless of whether UConn intends to discriminate, or whether non-Hispanic/Latino students are turned away, the strong racial promotion and title of the program is likely to steer non-Hispanic students from participating and violates federal law.

C. UConn's Race- and Ethnicity-Based Learning Communities Constitute Unlawful Steering in Violation of Federal Law

1. These Programs Violate the Fair Housing Act

UConn's discriminatory Learning Community Programs encourage, and/or deter, students from dormitory housing based on race, color, national origin, and therefore violate multiple provisions of federal law. Most obviously, these programs violate the Fair Housing Act because they classify and promote university housing based on race and national origin. Even if HUD were to conclude that the programs are not formally exclusionary, they independently violate the Act's prohibition on discriminatory housing statements and racial steering.

Steering is "not an outright refusal to rent to a person within a class of people protected by the statute; rather it consists of efforts to deprive a protected home seeker of housing opportunities in certain locations." *Fair Housing Congress v. Weber*, 993 F. Supp. 1286, 1293 (C.D.Cal.1997). Instead, as applicable here, illegal steering consists of "communicating to any prospective [resident] that he or she would not be comfortable or compatible with existing residents of a community, neighborhood or development."[19] Under this standard, no

[19] 24 C.F.R § 100.70(c).

discriminatory intent is required by the seller or renter. *Jancik v. HUD*, 44 F.3d 553, 556 (7th Cir. 1995). Instead, whether a given statement constitutes illegal steering is whether the statement suggests a preference to "the ordinary reader or listener." *United States v. Hunter*, 459 F.2d 205, 215 (4th Cir.); *Ragin*, 923 F.2d at 1002 (An "ordinary reader is neither the most suspicious nor the most insensitive of our citizenry."); *Hous. Rts. Ctr. v. Donald Sterling Corp*., 274 F. Supp. 2d 1129, 1138 (C.D. Cal.), *aff'd sub nom*., *Hous. Rts. Ctr. v. Sterling*, 84 F. App'x 801 (9th Cir. 2003) (quoting *Ragin*, 923 F.2d at 999.

The information UConn provides on its housing website describing its discriminatory Learning Communities Programs clearly suggests a preference for a particular race, color and/or national origin. This information steers individuals ("ordinary readers") towards and away from dormitory housing based on these preferences in violation of the FHA. This is true even if UConn in fact has no discriminatory intent.

2. These Programs Violate Title VI

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 in federally funded programs, and therefore applies to universities receiving federal financial assistance, such as UConn.[20]

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 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 UConn's reasons for offering racially separated housing, they are 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

[20] https://www.usaspending.gov/award/ASST_NON_R324A210266_091 [archive.is/wip/Qzqas] (accessed July 1, 2026).

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).

3. These Programs Violate the Equal Protection Clause

Under the strict constitutional scrutiny applicable to racial classifications under the Equal Protection Clause of the Fourteenth Amendment, such discriminatory programs "are constitutional only if they are narrowly tailored measures that further compelling governmental interests." *Adarand Constructors, Inc. v. Pena*, 515 U.S. 200, 227 (1995). 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).

Classifications like those used in UConn's discriminatory Learning Communities Programs, based on immutable characteristics like race, "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). A "racial classification, regardless of purported motivation, is thus presumptively invalid and can be upheld only upon an extraordinary justification." *Shaw v. Reno*, 509 U.S. 630, 643–44 (1993). Even if classifications based on immutable characteristics are 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). Here, UConn's discriminatory Learning Communities Programs fail these requirements.

While *Students for Fair Admissions* addressed admissions decisions,[21] the holding applies more broadly. The twin commands of the Equal Protection Clause, in addition to the requirements of strict scrutiny, are that "race may never be used as a negative and that it may not operate as a stereotype."[22] Therefore, at its core the test is straightforward: If an educational institution treats a person of one race differently than it treats another person because of that person's race, the educational institution violates the law. *Edmonson v. Leesville Concrete Co*., 500 U.S. 614, 619 (1991) ("Racial discrimination [is] invidious in all contexts."). Simply put, this prohibition includes housing, and UConn's discriminatory Learning Communities Programs; "ScHOLA²RS House", "BSOUL House" and "La Comunidad Intelectual" violate federal law and are unconstitutional.

[21] 600 U.S. 181, 230 (2023).
[22] *Id.* at 218.

D. FHEO Has Jurisdiction.

FHEO has jurisdiction to investigate race-based discrimination in both private housing, pursuant to the FHA,[23] and in housing that receives federal financial assistance.[24] Courts have also concluded that the Fair Housing Act applies to college dormitories.[25] Therefore, FHEO has jurisdiction over this complaint.

E. The Complaint Is Timely.

This complaint is timely because it includes allegations of discrimination based on race that occurred within one year of this complaint's submission.[26] UConn's three discriminatory housing programs are active and ongoing.

F. Request For Investigation And Enforcement.

FHEO has the power and obligation to investigate UConn's role in creating, promoting, and administering the three identified discriminatory housing programs, to discern whether UConn is engaging in discrimination in 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.

Accordingly, we respectfully request that the U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity promptly open a formal investigation, impose all appropriate remedial measures authorized by law to address the three identified discriminatory housing programs at UConn, and ensure that all current and future initiatives and programs fully comply with the FHA, Title VI, the Fourteenth Amendment, and other applicable federal civil rights guarantees.

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[23] Fair Housing Act, 42 U.S.C. 3601, *et seq*.
[24] 42 U.S.C. 2000d, *et seq*.
[25] *Kearney*, 940 F. Supp. at 983.
[26] 24 CFR § 146.33.

Respectfully submitted,

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