



THE EQUAL PROTECTION PROJECT
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BY EMAIL (ocr.sanfrancisco@ed.gov)

U. S. Department of Education
Office for Civil Rights – San Francisco Office
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102

Re: Civil Rights Complaint Against California State University System
Regarding Discriminatory “Young Males of Color Consortium” Programs

To Whom It May Concern:

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 non-discrimination by the government, and that opposes racial discrimination in any form.

We bring this civil rights complaint against the California State University (“CSU”) system for its Young Males of Color (“YMOC”) Consortium which is housed at California State University Dominguez Hills and operates discriminatory “Men of Color” programs at 23 campuses in the CSU system.

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

According to its website, a screenshot of which is reproduced below, the goal of the CSU YMOC Consortium is “to create systemic changes in higher education and improve outcomes for Black, Latinx, Asian Pacific Islander and Native American males.”²

Overview of CSU YMOC

The goal of the CSU Young Males of Color Consortium is to create systemic changes in higher education and improve outcomes for Black, Latinx, Asian Pacific Islander and Native American males. The 23-campus Consortium was established to explore the unique challenges young men of color face during their postsecondary experiences, as well as advance effective approaches to better support them.

The California State University (CSU) is the largest, most diverse 4-year public university system in the nation. Using this wide footprint, the CSU Young Males of Color (YMOC) Consortium, housed at California State University Dominguez Hills, will leverage the CSUs expansive geography and impact to create systemic changes throughout the state. Using the Collective Impact framework, the 23-campus consortium will collaborate with regional community colleges and community-based organizations to: 1) construct a common agenda, 2) advance mutually reinforcing activities, and 3) champion a shared measurement system.

The program website also asserts that its race- and sex-based discrimination is necessary because, due to “institutional and systemic factors, young men of color continue to experience a range of racial inequities in educational contexts, from Pre-K through higher education,” and that “what is needed ... is an approach ... that increases access and opportunities for young men of color and creates greater racial equity and healing.”³

² <https://csuymoc.org/> [https://archive.is/uCDTO] (accessed on Nov. 17, 2024).

³ <https://csuymoc.org/about/> [https://archive.is/A7N58] (accessed on Nov. 17, 2024).

WHY IS THE CSU YMOC NECESSARY?

Postsecondary degree attainment for Black, Latinx, Asian Pacific Islander and Native American males continues to lag behind national averages. Due to a number of individual, institutional, and systemic factors, young men of color continue to experience a range of racial inequities in educational contexts, from Pre-K through higher education. Critically, they are underserved by the very institutions that are supposed to provide them with opportunities and justice, that ought to protect them, and that “should” improve their career trajectories and quality of life. Too often these injustices and inequities have been viewed through silos that ignore opportunities to develop and leverage a collective approach. A scarcity of investments in opportunities for young men of color (and their communities) has meant that schools, institutions, and community-based organizations often are forced to compete with each other for funding and to attract young men to their programs. What is needed, then, is an approach based on intersegmental collaborations that increases access and opportunities for young men of color and creates greater racial equity and healing.

At least eight of the CSU YMOC Consortium’s 23 programs, listed below, are currently operating and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations⁴ by illegally excluding students based on their race and skin color, and all of these programs violate Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations⁵ by excluding females based on their sex.

Because CSU is a public education system, this discriminatory program also violates the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution.

1. The California State University, Bakersfield’s Excel Scholars

The California State University, Bakersfield’s Excel Scholars is a single-sex, male-only program that “works to support the educational goals of males of color on the campus of California State University, Bakersfield (CSUB). Excel Scholars aims to increase the access, retention, and graduation rates of underrepresented minority (URM) males.”⁶

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

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

⁶ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024). The program’s website can be found at <https://www.csub.edu/excelscholars%20/> [https://archive.is/PoWZ4] (accessed on Nov. 17, 2024).



California State University, Bakersfield

EXCEL SCHOLARS

Excel Scholars works to support the educational goals of males of color on the campus of California State University, Bakersfield (CSUB). Excel Scholars aims to increase the access, retention, and graduation rates of underrepresented minority (URM) males.

2. The California State University, Dominguez Hills Male Success Alliance

As the program name indicates, the California State University, Dominguez Hills Male Success Alliance is a single-sex, male-only program whose mission is “to improve access, retention, and graduation rates of boys and men of color by providing academic support, professional development, and mentoring. The program aims to support the college and career success of boys and men of color by utilizing a holistic approach to promote brotherhood and community through cultural awareness and identity development.”⁷

⁷ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024). The program’s website can be found at <https://www.csudh.edu/msa/> [https://archive.is/SDiOP] (accessed on Nov. 17, 2024).



California State University, Dominguez Hills

MALE SUCCESS ALLIANCE

The mission of MSA is to improve access, retention, and graduation rates of boys and men of color by providing academic support, professional development, and mentoring. The program aims to support the college and career success of boys and men of color by utilizing a holistic approach to promote brotherhood and community through cultural awareness and identity development.

3. California State University, Long Beach Men's Success Initiative

The California State University, Long Beach Men's Success Initiative is a single-sex, male-only program "focused on cultivating a Brotherhood of college-graduating and succeeding men of color. The program places emphasis on three foundational tenets: Empowering men of color to achieve both personal and academic success; To challenge antiquated perceptions of gender and masculinity; Develop a thriving community of Brothers by retaining undergraduate men of color."⁸

⁸ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024).



California State University, Long Beach

MEN'S SUCCESS INITIATIVE

The Men's Success Initiative at CSU Long Beach is a program focused on cultivating a Brotherhood of college-graduating and succeeding men of color. The program places emphasis on three foundational tenets: Empowering men of color to achieve both personal and academic success; To challenge antiquated perceptions of gender and masculinity; Develop a thriving community of Brothers by retaining undergraduate men of color.

4. The Cal Poly Humboldt Diverse Male Scholar Initiative

The Cal Poly Humboldt Diverse Male Scholar Initiative at Cal Poly Humboldt and College of the Redwoods is also a single-sex, male-only program “designed to cultivate a safe community for students who self-identify as men of color by providing culturally centered programs strengthened with academic achievement, holistic development, community building, and leadership opportunities.”⁹

⁹ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024). The program's website can be found at <https://www.humboldt.edu/diverse-male-scholar-initiative> [https://archive.is/etL4u] (accessed on Nov. 17, 2024).



Cal Poly Humboldt
**DIVERSE MALE SCHOLAR
INITIATIVE**

The Diverse Male Scholar Initiative (DMSI) at Cal Poly Humboldt and College of the Redwoods is designed to cultivate a safe community for students who self-identify as men of color by providing culturally centered programs strengthened with academic achievement, holistic development, community building, and leadership opportunities.

5. **The Men’s Success Initiative at CSU Long Beach**

The Men’s Success Initiative at CSU Long Beach is “a program focused on cultivating a Brotherhood of college graduating and succeeding men of color. The program places emphasis on three foundational tenets including Empowering men of color to achieve both personal and academic success.”¹⁰

¹⁰ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024).



California State University, Long Beach

MEN'S SUCCESS INITIATIVE

The Men's Success Initiative at CSU Long Beach is a program focused on cultivating a Brotherhood of college-graduating and succeeding men of color. The program places emphasis on three foundational tenets: Empowering men of color to achieve both personal and academic success; To challenge antiquated perceptions of gender and masculinity; Develop a thriving community of Brothers by retaining undergraduate men of color.

6. The Cal Poly Pomona Male Success Initiative

As reflected in the screen capture below from the CSU YMOC webpage,¹¹ the Cal Poly Pomona Male Success Initiative is a single-sex, male-only program that “stands with men of color of all races, creeds, sexual orientations, abilities, and other intersectional identities at Cal Poly Pomona. Through holistic and culturally relevant programming, cross-campus and

¹¹ Although this program is hosted through Cal Poly Pomona, the webpage states, apparently incorrectly, that it is also hosted by CSU Long Beach.

interdepartmental support networks, and innovative services, we strive to close the gaps of retention and graduation rates among men of color at CPP.”¹²



California State University, Long Beach

MEN'S SUCCESS INITIATIVE

Male Success Initiatives (MSI) stands with men of color of all races, creeds, sexual orientations, abilities, and other intersectional identities at Cal Poly Pomona. Through holistic and culturally relevant programming, cross-campus and interdepartmental support networks, and innovative services, we strive to close the gaps of retention and graduation rates among men of color at CPP.

7. The Cal Poly San Luis Obispo Men of Color Success Initiative Male Success Initiative

The Cal Poly San Luis Obispo Men of Color Success Initiative is a single-sex, male-only program that “supports and advances the potential of undergraduate men of color by empowering students with integral skills, community, and knowledge to foster success. The initiative focuses on increasing retention and graduation rates for men of color; identity exploration and holistic development through cultural affirmation and ‘brave space’ communities; establishing a support

¹² <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024). The program’s website can be found at <https://www.cpp.edu/msi/index.shtml> [https://archive.is/pANbz] (accessed on Nov. 18, 2024).

network of mentors; and strengthening the sense of community among all students who self-identify as men of color (African American, Hispanic/Latinx, Asian-American/Pacific Islander, American Indian, and multiracial men, this also includes men of trans experience).”¹³



Cal Poly San Luis Obispo

MEN OF COLOR SUCCESS INITIATIVE (MOCSI)

The Men of Color Success Initiative (MOCSI) supports and advances the potential of undergraduate men of color by empowering students with integral skills, community, and knowledge to foster success. The initiative focuses on increasing retention and graduation rates for men of color; identity exploration and holistic development through cultural affirmation and “brave space” communities; establishing a support network of mentors; and strengthening the sense of community among all students who self-identify as men of color (African American, Hispanic/Latinx, Asian-American/Pacific Islander, American Indian, and multiracial men, this also includes men of trans experience).

¹³ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 18, 2024). The program’s website can be found at <https://masculinities.calpoly.edu/MOCSI> [https://archive.is/g4Uhr] (accessed on Nov. 18, 2024).

8. **The Stanislaus State Male Success Initiative**

The Stanislaus State Male Success Initiative is a single-sex male-only program that “will foster student growth and academic success by nurturing spaces where men of color and self-identified men feel safe to be purposefully vulnerable, live in their authentic truths, and be empowered to be agents of social change. MSI will inspire transformative learning through intentional programs, meaningful dialogues, & community building that will advocate for the dismantling of toxic heteronormative traits. The core of our work will revolve around reconstructing and healing from negative ideologies by promoting self-reflection, critical thinking, and empathy.”¹⁴



Stanislaus State

MALE SUCCESS INITIATIVE (MSI)

The Male Success Initiative (MSI) at Stanislaus State will foster student growth and academic success by nurturing spaces where men of color and self-identified men feel safe to be purposefully vulnerable, live in their authentic truths, and be empowered to be agents of social change. MSI will inspire transformative learning through intentional programs, meaningful dialogues, & community building that will advocate for the dismantling of toxic heteronormative traits. The core of our work will revolve around reconstructing and healing from negative ideologies by promoting self-reflection, critical thinking, and empathy.

¹⁴ <https://csuymoc.org/programs-2/> [https://archive.is/ixy5C] (accessed on Nov. 17, 2024). The program’s website can be found at <https://www.csustan.edu/SLEB/male-success-initiative> [https://archive.is/feMod] (accessed on Nov. 18, 2024).

The CSU YMOC Consortium – And The Programs Listed Above – Violate The Law

The CSU YMOC Consortium violates Title VI and Title IX because several of its constituent programs, enumerated above, limit student participation based on race, skin color and sex. And, because the CSU and all of the schools that participate in the YMOC are public entities, 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. Likewise, Title IX makes it unlawful for any to discriminate on the basis of sex in education. That statute provides that “[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).

The term “program or activity” means “all of the operations of ... a department, agency, special purpose district, or other instrumentality of a State or of a local government” and each state government agency “to which the assistance is extended.” 42 U.S.C. § 2000d-4a(1)(A), (B). It does not matter that a particular program may be considered “extracurricular” or just a “club” or “group,” the same considerations apply, as OCR noted in its 2023 Guidance on Race and School Programming.¹⁵ As the CSU receives federal funds,¹⁶ it is subject to both Title VI and Title IX.¹⁷

While the use of racial, skin color, and sex-based barriers described above are explicit, it is clear from the CSU YMOC Consortium’s website that the Consortium and its participating programs are “signaling” a preference for non-white males. *See Ragin v. New York Times Co.*, 923 F.2d 995, 999–1000 (2d Cir. 1991) (Fair Housing Act prohibits all housing advertisements that indicate racial preference to ordinary reader; “Ordinary readers may reasonably infer a racial

¹⁵ <https://www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-20230824.pdf> (accessed on Nov. 18, 2024), at 3 (recognizing that “[s]chool programs – including the ... establishment, recognition, or support of a school group, club, or other extracurricular organization” are covered by Title VI).

¹⁶ *See* <https://www.usaspending.gov/search/?hash=a0ec4c38a2ecea7ae3a7faa6369a540d> (accessed on Nov. 18, 2024) and <https://www.usaspending.gov/search/?hash=e2b754ee1724aa15e82ede366ff0c003> (accessed on Nov. 18, 2024).

¹⁷ Additionally, 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 the schools participating in the CSU YMOC Consortium. *See* 42 U.S.C. § 2000a(a). Similarly, The CSU YMOC Consortium’s race- and sex-based eligibility criteria violates the civil rights protections of California anti-discrimination law, which prohibits discrimination based on protected characteristics in the educational setting, *see* Cal. Gov. Code § 11135(a), as well as CSU’s own non-discrimination policy. *See* <https://www.calstate.edu/csu-system/administration/systemwide-human-resources/civil-rights/titleix/Pages/policies.aspx> [<https://archive.is/bN51B>] (accessed on Nov. 18., 2024).

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”).

Regardless of the CSU YMOC Consortium’s reasons for sponsoring, funding,¹⁸ promoting and administering such discriminatory programs, it is violating Title VI and Title IX 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 Cty.*, 140 S. Ct. 1731, 1742 (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 v. President & Fellows of Harvard College*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

As the CSU system is a public entity, the CSU YMOC Consortium’s discriminatory programming 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 [and race and sex] are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.” *Id.* at 208 (citation omitted). Accordingly, “[a]ny exception to the Constitution’s demand for equal protection must survive a daunting two-step examination known ... as strict scrutiny.” *Id.* at 184 (internal quotation marks and citation omitted).¹⁹ The program at issue here flunks that exacting test.

Under strict scrutiny, suspect classifications “are constitutional only if they are narrowly tailored measures that further compelling governmental interests.” *Adarand Constructors v. Peña*, 515 U.S. 200, 227 (1995). It is the government that bears the burden to prove “that the reasons for

¹⁸ <https://csuymoc.org/funders/> [https://archive.is/7TKec] (accessed on Nov. 18, 2024).

¹⁹ Although sex-based discrimination is subject to a “heightened” standard of review, *Sessions v. Morales-Santana*, 582 U. S. 47, 57 (2017); *United States v. Virginia*, 518 U. S. 515, 532-34 (1996), it is less exacting than the strict scrutiny standard applicable to race-based classifications. Under Supreme Court precedent, sex-based classifications by the government require an “exceedingly persuasive justification.” *Virginia*, 518 U. S. at 531. To make this showing, 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. The programs identified in this complaint fall short of satisfying this standard for the same reasons they fail strict scrutiny.

any [racial] classification [are] clearly identified and unquestionably legitimate.” *Richmond v. J. A. Croson Co.*, 488 U.S. 469, 505 (1989). Here, the government 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, the CSU YMOC Consortium cannot demonstrate that restricting participation in programs to non-white students serves any legitimate governmental purpose, let alone an extraordinary one. Classifications based on immutable characteristics like skin color “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).

Indeed, 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 in which the government played a role, and 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).²⁰ Neither applies here.

If the programs 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.*, 551 U.S. at 726, 730 (“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).

And, irrespective of whether the programs’ classifications based on immutable characteristics further a compelling interest, those classifications are not narrowly tailored. *Grutter v. Bollinger*, 539 U.S. 306, 334 (2003) (to be to be narrowly tailored, a race-conscious program must be based on “individualized consideration,” and race must be used in a “nonmechanical way”). Here, the race- and sex-based criteria are blanketly applied.

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 by CSU YMOC Consortium for the above-listed programs were “imprecise,” “plainly overbroad,” “arbitrary,”

²⁰ Until recently, a third interest, “the attainment of a diverse student body,” existed, see *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 720-22 (2007), but that was substantively overruled by *Students for Fair Admissions*, a fact recognized by Justice Thomas in his concurring opinion. *Students for Fair Admissions*, 600 U.S. at 287 (Thomas, J. concurring) (“The Court’s opinion rightly makes clear that *Grutter* is, for all intents and purposes, overruled.”)

“undefined” and “opaque.” *Students for Fair Admissions*, 600 U.S. at 216-17,²¹ 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.

Similarly, restrictions that limit students from participating in school-run programs due to race are underinclusive since they are arbitrary and exclude swaths of students who would otherwise qualify.

Finally, for a policy to survive narrow-tailoring analysis, the government must show “serious, good faith consideration of workable race-neutral alternatives,” *Grutter*, 539 U.S. at 339, and that “no workable race-neutral alternative” would achieve the purported compelling interest. *Fisher v. Univ. of Tex. at Austin*, 570 U.S. 297, 312 (2013). There is no evidence that any such alternatives were ever contemplated here.

The CSU YMOC Consortium explicit racial and sex-based contours are presumptively invalid, and since there is no compelling government justification for such invidious discrimination, its creation, sponsorship and promotion of these programs violates state and federal civil rights statutes and constitutional equal protection guarantees.

OCR Has Jurisdiction

The CSU is a public entity and a recipient of federal funds, including from the U.S. Department of Education. 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 appears to be ongoing.

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.” *Students for Fair Admissions*, 2023 U.S. LEXIS 2791, at *150 (Thomas, J., concurring).

²¹ In his concurrence, Justice Thomas criticizes these categories as being “artificial.” *Students for Fair Admissions*, 600 U.S. at 276 (Thomas, J., concurring).

Because the discrimination outlined above is presumptively illegal, and since CSU cannot show any compelling government justification for it, the CSU system’s exclusions based on race, skin color, national origin and sex violate federal civil rights statutes and constitutional equal protection guarantees.

The Office for Civil Rights has the power and obligation to investigate the CSU system’s role in creating, funding and promoting these programs – and, given how many there are, to discern whether the CSU system 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 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 apparent systemic discrimination at the CSU system, promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from the member schools’ programs based on discriminatory criteria, and ensure that all ongoing and future programming through the CSU system comports with the Constitution and federal civil rights laws.

Respectfully submitted,

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