

**THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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April 8, 2025

BY EMAIL (OCR@ed.gov)

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

BY EMAIL (OCR.Chicago@ed.gov)

Chicago Office
Office for Civil Rights
U.S. Department of Education
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604

**Re: Civil Rights Complaint Against DePaul University
Regarding Discriminatory Scholarships**

Dear Mr. Trainor and OCR Staff:

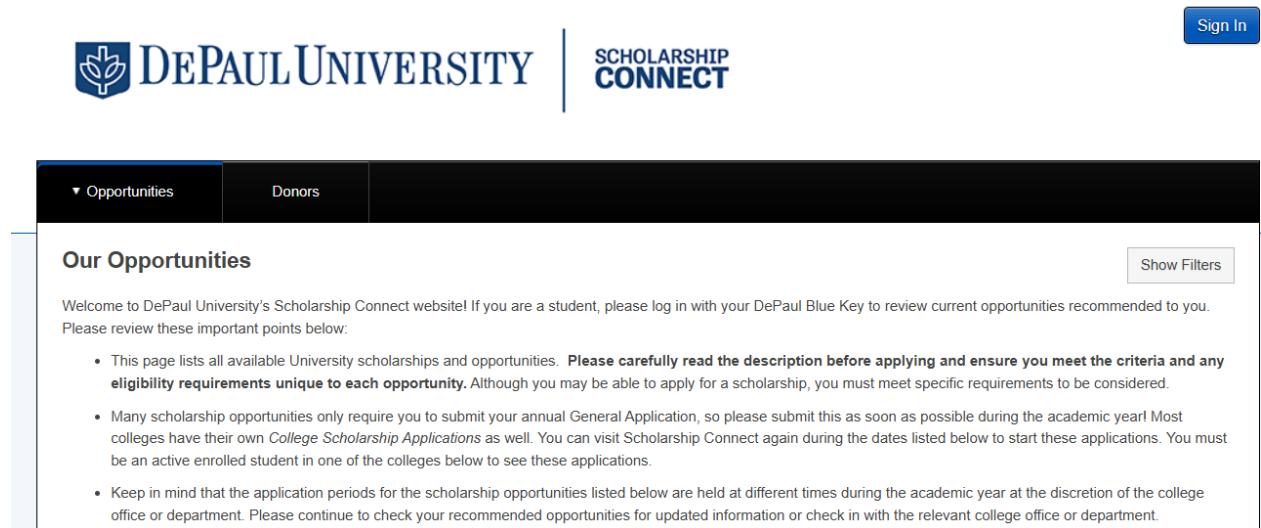
This is a federal civil rights complaint submitted pursuant to the U.S. Department of Education’s Office for Civil Rights (“OCR”) discrimination complaint resolution procedures.¹ We write on behalf of the Equal Protection Project of the Legal Insurrection Foundation, a non-profit entity that, among other things, seeks to ensure equal protection under the law and non-discrimination by the government and by recipients of government funds, and that opposes unlawful discrimination in any form.

We bring this civil rights complaint against DePaul University (“DePaul”), a private university, for discrimination in six (6) scholarships based on race, color, national origin, or sex in violation of Title VI and Title IX, respectively.

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

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DePaul lists all available scholarships on its “Scholarship Connect” page, which makes clear that applicants should “...read the description before applying and ensure you meet the criteria and any eligibility requirements unique to each opportunity.”²



The screenshot shows the DePaul Scholarship Connect website. At the top, there is a navigation bar with the DePaul University logo and the text "SCHOLARSHIP CONNECT". On the right side of the top bar is a "Sign In" button. Below the top bar, there is a secondary navigation bar with two tabs: "Opportunities" (which is selected, indicated by a blue border) and "Donors". The main content area is titled "Our Opportunities". In the top right corner of this area is a "Show Filters" button. The main content area contains a welcome message and a list of important points:

Welcome to DePaul University's Scholarship Connect website! If you are a student, please log in with your DePaul Blue Key to review current opportunities recommended to you. Please review these important points below:

- This page lists all available University scholarships and opportunities. **Please carefully read the description before applying and ensure you meet the criteria and any eligibility requirements unique to each opportunity.** Although you may be able to apply for a scholarship, you must meet specific requirements to be considered.
- Many scholarship opportunities only require you to submit your annual General Application, so please submit this as soon as possible during the academic year! Most colleges have their own *College Scholarship Applications* as well. You can visit Scholarship Connect again during the dates listed below to start these applications. You must be an active enrolled student in one of the colleges below to see these applications.
- Keep in mind that the application periods for the scholarship opportunities listed below are held at different times during the academic year at the discretion of the college office or department. Please continue to check your recommended opportunities for updated information or check in with the relevant college office or department.

Many of the scholarships require only one general application to be submitted. This general application can be submitted at any time, but if a scholarship is tied to a specific college within DePaul, it must be submitted before that college's deadline.³ Other scholarships require separate applications.

² <https://depaul.academicworks.com/opportunities> [<https://archive.ph/wip/knl0j>] (accessed April 3, 2025).

³ <https://depaul.academicworks.com/opportunities> [<https://archive.ph/wip/knl0j>] (accessed April 3, 2025).

Key College Office Scholarship Application Dates AY 2024-2025

- College of Communication: September 9th – September 30th
- College of Education: September 16th – October 13th
- College of Liberal Arts and Social Sciences: October 7th – November 3rd
- College of Computing and Digital Media: September 30th – November 3rd
- College of Science and Health: October 14th – November 24th
- College of Law: September 2nd – October 6th (Estimated)
- Driehaus College of Business: General Undergraduate and Graduate: October 7th – November 10th
- Driehaus College of Business: Accountancy and MIS: July 14th – September 22nd
- Driehaus College of Business: Economics: September 30th – October 28th
- Driehaus College of Business: Real Estate: July 9th – August 12th
- Driehaus College of Business: Finance: August 12th – September 27th
- Driehaus College of Business: School of Hospitality and Sports Business: September 9th – October 20th
- Driehaus College of Business: Management & Entrepreneurship: September 9th – October 6th
- School of Continuing and Professional Studies: July 15th – Open on a rolling basis

The scholarships listed below are currently active and being administered to DePaul students, according to the DePaul website, and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations⁴ by excluding students based on their race, color, or national origin, or Title IX of the Education Amendments of 1972 (“Title IX”) and its implementing regulations⁵ by excluding students based on their sex:

I. SCHOLARSHIPS THAT VIOLATE TITLE VI (1)

Dr. Curtis J. and Mrs. Gina Crawford Endowed Scholarship

Link: <https://depaul.academicworks.com/opportunities/49667>

Archived Link: <https://archive.is/wip/L6yPE>

Application Deadline: 11/03/2024

Discriminatory Requirement: “First preference will be given but not limited to African-American students.”

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.

▼ Opportunities	Donors	
<p>Dr. Curtis J. and Mrs. Gina Crawford Endowed Scholarship</p> <p>CDM – Awarded to Graduate students in programs focusing on Business, Telecommunications, Computer Science, Communication Technology, or Information Systems who have proven need for financial assistance for education. First preference will be given but not limited to African-American students.</p> <p>For additional information on requirements for this scholarship or on the scholarship application process, please contact the College of Computing and Digital Media at scholarships@cdm.depaul.edu.</p> <hr/> <p>Award Varies</p> <p>Scopes College of Computing and Digital Media</p> <p>Deadline 11/03/2024</p>		

II. SCHOLARSHIPS THAT VIOLATE TITLE IX (5)

Amanda M. Tames Memorial Endowed Award

Link: <https://depaul.academicworks.com/opportunities/51227>

Archived Link: <https://archive.ph/wip/N0WuB>

Application Deadline: November 3, 2024

Discriminatory Requirement: “The purpose of the scholarship is to provide recognition and financial assistance to a talented female Junior level student in the School of Cinematic Arts.”

▼ Opportunities	Donors	
<p>Amanda M. Tames Memorial Endowed Award</p> <p>The Amanda M. Tames Memorial Endowed Award was established by her parents, Angela and Roger Tames. The purpose of the scholarship is to provide recognition and financial assistance to a talented female Junior level student in the School of Cinematic Arts.</p> <p>Student must submit a sample of creative work that demonstrates strength in the field of Cinematic Arts.</p> <p>For additional information on requirements for this scholarship or on the scholarship application process, please contact scholarships@cdm.depaul.edu.</p> <hr/> <p>Award Varies</p> <p>Scopes College of Computing and Digital Media</p> <p>Deadline</p>		
<p>You will be automatically considered based on your completed General Application. To complete the General Application, please sign in.</p>		

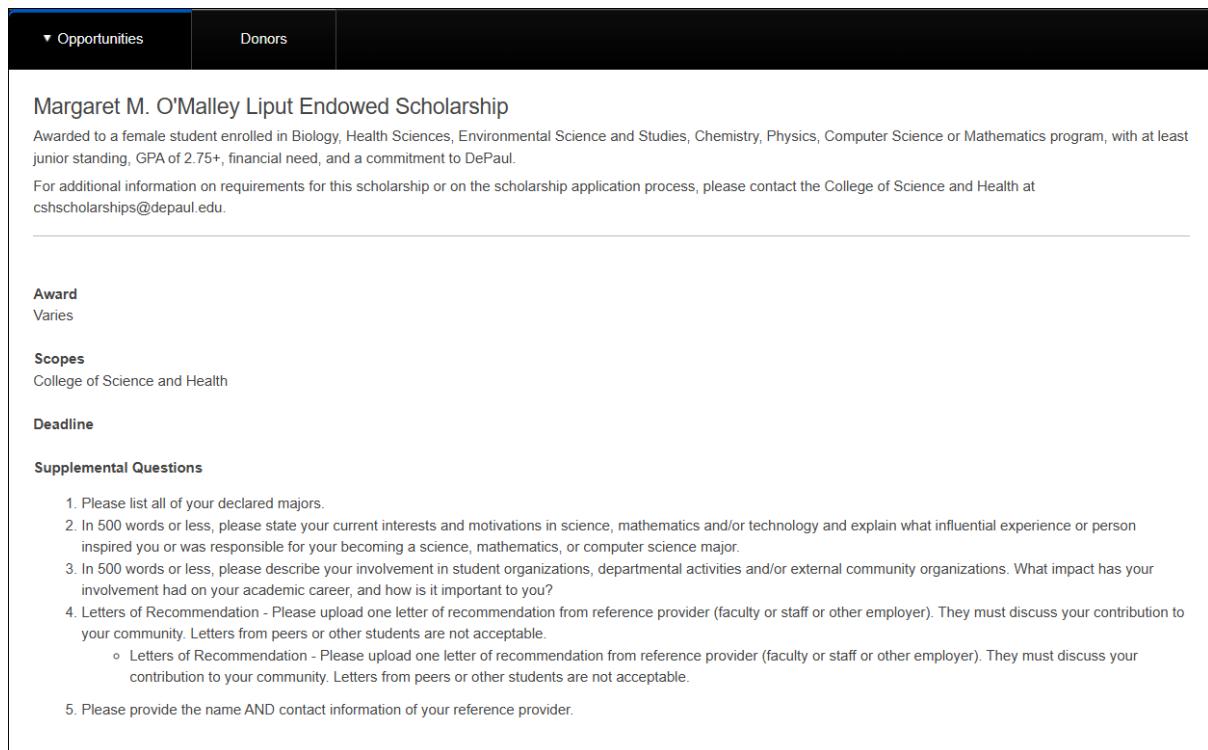
Margaret M. O'Malley Liput Endowed Scholarship

Link: <https://depaul.academicworks.com/opportunities/50555>

Archived Link: <https://archive.ph/wip/2oqro>

Application Deadline: November 24, 2024

Discriminatory Requirement: “Awarded to a female student...”



The screenshot shows a scholarship listing for the Margaret M. O'Malley Liput Endowed Scholarship. At the top, there are navigation links for 'Opportunities' (with a dropdown arrow) and 'Donors'. The main content area is titled 'Margaret M. O'Malley Liput Endowed Scholarship'. Below the title, a brief description states: 'Awarded to a female student enrolled in Biology, Health Sciences, Environmental Science and Studies, Chemistry, Physics, Computer Science or Mathematics program, with at least junior standing, GPA of 2.75+, financial need, and a commitment to DePaul.' It also provides contact information for the College of Science and Health at cshscholarships@depaul.edu. The page includes sections for 'Award', 'Scopes', 'Deadline', and 'Supplemental Questions'. The 'Supplemental Questions' section contains a numbered list of requirements:

1. Please list all of your declared majors.
2. In 500 words or less, please state your current interests and motivations in science, mathematics and/or technology and explain what influential experience or person inspired you or was responsible for your becoming a science, mathematics, or computer science major.
3. In 500 words or less, please describe your involvement in student organizations, departmental activities and/or external community organizations. What impact has your involvement had on your academic career, and how is it important to you?
4. Letters of Recommendation - Please upload one letter of recommendation from reference provider (faculty or staff or other employer). They must discuss your contribution to your community. Letters from peers or other students are not acceptable.
 - o Letters of Recommendation - Please upload one letter of recommendation from reference provider (faculty or staff or other employer). They must discuss your contribution to your community. Letters from peers or other students are not acceptable.
5. Please provide the name AND contact information of your reference provider.

Watanuki Endowed Scholarship

Link: <https://depaul.academicworks.com/opportunities/49712>

Archived Link: <https://archive.ph/wip/7zX1L>

Application Deadline: October 17, 2024

Discriminatory Requirement: “Preference shall be given to female students...”

▼ Opportunities	Donors
<p>Watanuki Endowed Scholarship</p> <p>To provide recognition and financial assistance to students enrolled in the School for Continuing and Professional Studies who are in good academic standing and who have financial need. Preference shall be given to female students, or students who have demonstrated an interest in/commitment to increasing the prevalence of, or improving the role of, women in higher education.</p> <hr/> <p>Award Varies</p> <p>Scopes School of Continuing and Professional Studies</p> <p>Deadline 10/17/2024</p>	

Barbara L. Laughlin Endowed Scholarship

Link: <https://depaul.academicworks.com/opportunities/49139>

Archived Link: <https://archive.ph/wip/I7MqJ>

Application Deadline: November 10, 2024

Discriminatory Requirement: “Preference shall be given to female students...”

▼ Opportunities	Donors
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Barbara L. Laughlin Endowed Scholarship

To provide recognition and financial assistance to full-time undergraduate students enrolled in the Driehaus College of Business who have financial need. Preference shall be given to female students, or students who have demonstrated an interest in/commitment to increasing the prevalence of, or improving the role of, women in business.

Award
Varies

Scopes
Driehaus College of Business

Deadline
11/10/2024

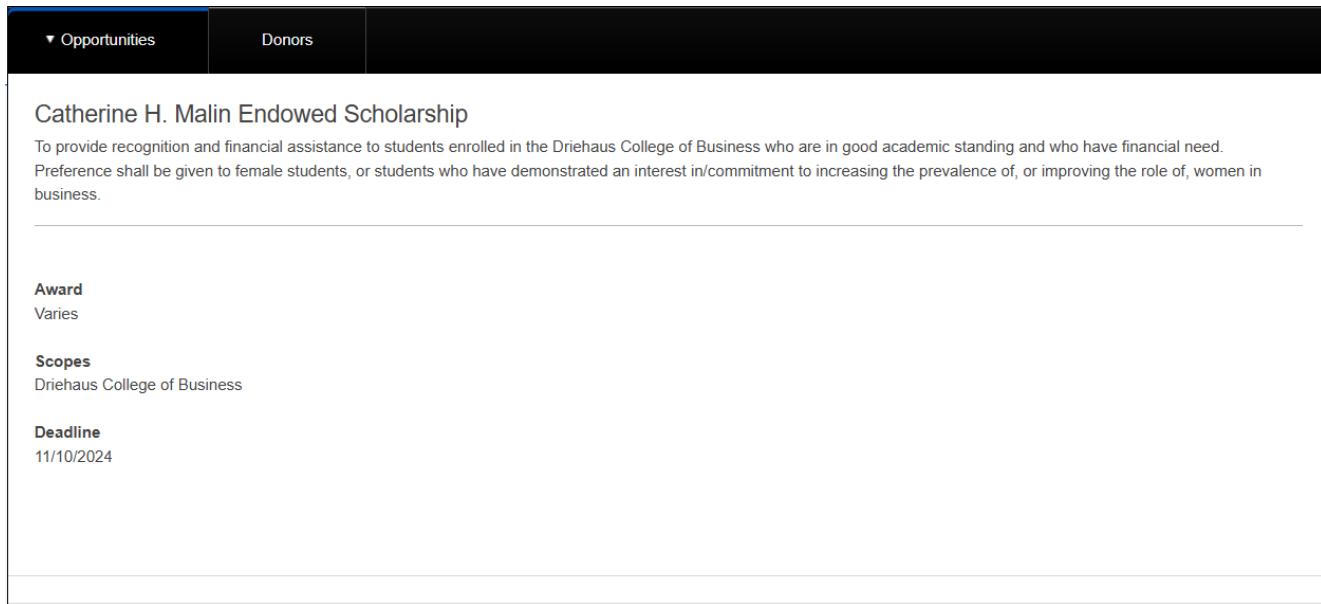
Catherine H. Malin Endowed Scholarship

Link: <https://depaul.academicworks.com/opportunities/49129>

Archived Link: <https://archive.ph/wip/hxBNC>

Application Deadline: November 10, 2024

Discriminatory Requirement: “Preference shall be given to female students...”



The screenshot shows a scholarship search results page with a dark header. The header includes a '▼ Opportunities' button and a 'Donors' button. The main content area displays a single scholarship entry:

Catherine H. Malin Endowed Scholarship

To provide recognition and financial assistance to students enrolled in the Driehaus College of Business who are in good academic standing and who have financial need. Preference shall be given to female students, or students who have demonstrated an interest in/commitment to increasing the prevalence of, or improving the role of, women in business.

Award
Varies

Scopes
Driehaus College of Business

Deadline
11/10/2024

The Scholarships Listed Above Violate The Law

The scholarships identified above violate either Title VI, by discriminating on the basis of race, skin color, or national origin, or Title IX, by discriminating on the basis of sex.⁶

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,”

⁶ 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 DePaul. 42 U.S.C. § 2000(a)(a). These scholarships also violate the Illinois Civil Rights Act, Illinois Human Rights Act, 775 Ill. Comp. Stat. 5/1-101 et seq. (2025). Finally, these scholarships violate DePaul’s own nondiscrimination policy. *See* <https://offices.depaul.edu/secretary/policies-procedures/policies/Documents/Anti-Discrimination%20and%20Anti-Harassment%20Policy%20and%20Procedures.pdf> [<https://archive.ph/wip/7R8Hw>] (accessed on April 4, 2025).

and thus applies to universities receiving federal financial assistance). As DePaul receives federal funds,⁷ 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 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.

As OCR stated in its February 14, 2025, Civil Rights Guidance Letter⁸:

“Although SFFA addressed admissions decisions, the Supreme Court’s holding applies more broadly. At its core, the test is simple: 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. Federal law thus prohibits covered entities from using race in decisions pertaining to admissions, hiring, promotion, compensation, financial aid, scholarships, prizes, administrative support, discipline, housing, graduation ceremonies, and all other aspects of student, academic, and campus life. Put simply, educational institutions may neither separate or segregate students based on race, nor distribute benefits or burdens based on race.”

Regardless of DePaul’s reasons for offering, promoting, and administering such discriminatory scholarship, DePaul 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).

⁷ See <https://www.usaspending.gov/recipient/8070cea4-a24b-a2e9-56d5-e88e67d8b716-C/latest> [<https://archive.ph/wip/uKra3>] (accessed on April 3, 2025).

⁸ See United States Department of Education Office for Civil Rights Letter (2025), <https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf> [<https://archive.is/R62P1>] (“At its core, the test is simple: 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.”)

Because DePaul’s racial and/or ethnicity-based requirements for this scholarship is presumptively invalid, the use of such criteria violates federal civil rights statutes.

Title IX prohibits discrimination on the basis of sex in education. The statute provides: “[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). Accordingly, a school receiving federal funding may not administer scholarships, fellowships, or other forms of financial assistance that impose preferences or restrictions based on sex, except in limited exceptions that are not applicable here. *See* 34 C.F.R. § 106.37(a).

Restrictions that limit eligibility for scholarships based on sex are underinclusive, as they arbitrarily exclude students who would otherwise qualify. While sex-based classifications are subject to “heightened” scrutiny, *Sessions v. Morales-Santana*, 582 U.S. 47, 57 (2017); *United States v. Virginia*, 518 U.S. 515, 532–34 (1996), this standard—though less exacting than the strict scrutiny applied to race-based classifications—still requires an “exceedingly persuasive justification.” *Virginia*, 518 U.S. at 531. To meet this burden, 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. Even if the classifications based on sex or other immutable characteristics were 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).

DePaul’s explicit race, color, national origin, and/or sex-based scholarships are presumptively invalid; DePaul’s offering, promotion, and administration of these programs violates federal civil rights statutes.

OCR Has Jurisdiction

OCR enforces Title VI of the Civil Rights Act of 1964⁹ and its implementing regulation,¹⁰ 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,¹¹ DePaul 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, and national origin that occurred within 180 days and that appear to be ongoing.

⁹ 42 U.S.C. §§ 2000d-2000d-7.

¹⁰ 34 C.F.R. Part 100.

¹¹ https://www.usaspending.gov/award/ASST_NON_S336S220061_9100
[<https://archive.ph/wip/0Mdsc>] (accessed April 3, 2025).

These scholarships all had applications within the last 180 days with the expectation that these are yearly awards.¹²

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 conditions eligibility for multiple scholarships on race, color, and/or national origin, and/or sex violates Title VI.

The Office for Civil Rights has the power and obligation to investigate DePaul’s role in creating, funding, promoting and administering these scholarships 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 discrimination ... is to stop discriminating[.]” *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007).

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 DePaul’s various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at DePaul comports with the federal civil rights laws.

¹² <https://www.depaul.edu/admission-and-aid/Pages/scholarships.aspx>
[<https://archive.ph/wip/tYJLC>] (accessed April 3, 2025).

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Respectfully submitted,

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