



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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May 6, 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)

Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582

**Re: Civil Rights Complaint Against Bradley University
Regarding Racially Discriminatory “Hometown Scholars Program”**

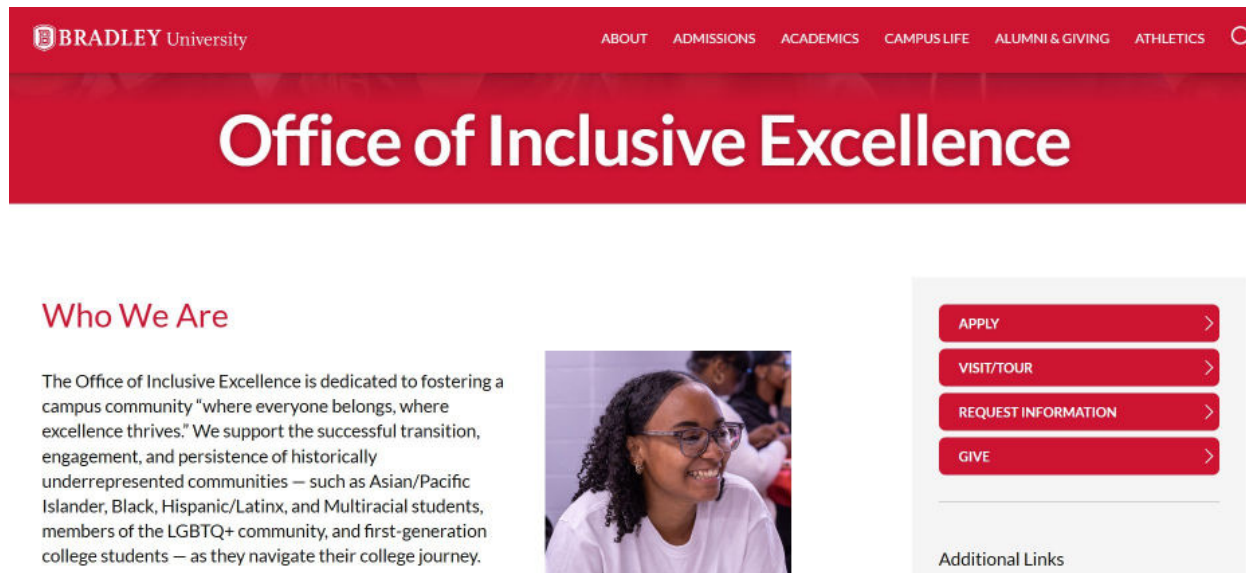
Dear Assistant Secretary Richey and OCR Staff:

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 Bradley University (“Bradley”), a private institution, regarding the Bradley University Hometown Scholars Program (“BUHSP” or “the 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.

Bradley’s Office of Inclusive Excellence promotes “the successful transition, engagement, and persistence of historically underrepresented communities — such as Asian/Pacific Islander, Black, Hispanic/Latinx, and Multiracial students, members of the LGBTQ+ community, and first-generation college students — as they navigate their college journey.”²




BRADLEY University

ABOUT ADMISSIONS ACADEMICS CAMPUS LIFE ALUMNI & GIVING ATHLETICS

Office of Inclusive Excellence

Who We Are

The Office of Inclusive Excellence is dedicated to fostering a campus community “where everyone belongs, where excellence thrives.” We support the successful transition, engagement, and persistence of historically underrepresented communities — such as Asian/Pacific Islander, Black, Hispanic/Latinx, and Multiracial students, members of the LGBTQ+ community, and first-generation college students — as they navigate their college journey.



- APPLY
- VISIT/TOUR
- REQUEST INFORMATION
- GIVE

Additional Links

The BUHSP, described below,³ is an important part of this initiative and is currently active according to Bradley’s website, and violates Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations⁴ by discriminating against students based on race, color, or national origin.

THE HOMETOWN SCHOLARS PROGRAM VIOLATES TITLE VI

The Office of Inclusive Excellence created the BUHSP, which it describes as “...a groundbreaking initiative exclusively designed for students who attend high school in Peoria or neighboring cities.”⁵ BUHSP provides both educational and financial support to its participants. Bradley further states, “We won’t only unlock doors for you; we’ll walk you through them with the support of the staff from our Office of Inclusive Excellence.”

² <https://www.bradley.edu/academics/academic-offices/provost-office/excellence/> [<https://archive.is/wip/2yRxW>] (accessed May 2, 2026).

³ Discriminatory criteria highlighted.

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

⁵ <https://www.bradley.edu/academics/academic-offices/provost-office/excellence/> [<https://archive.is/wip/2yRxW>] (accessed May 2, 2026).

Link: <https://www.bradley.edu/academics/academic-offices/provost-office/excellence/>
Archived Link: <https://archive.is/wip/2yRxW> (accessed May 2, 2026).
Discriminatory Requirement: Eligible applicants are those from “underrepresented Communities” to include “**Asian/Pacific Islander, Black, Hispanic/Latinx, and multiracial students**, as well as members of the LGBTQ+ community and first-generation college students.”

Hometown Scholars

The Bradley University Hometown Scholars Program (BUHSP), is a groundbreaking initiative exclusively designed for students who attend high school in Peoria or neighboring cities. Our program seeks to bridge the educational and financial gaps that can stand between hard-working students and their dream of a college education. We won't only unlock doors for you; we'll walk you through them with the support of the staff from our Office of Inclusive Excellence. We offer an enriched support system, from a low counselor-to-student ratio to an array of academic services, ensuring you're not just attending college but excelling in it.

APPLY NOW

The BUHSP conditions eligibility on applicants “belong[ing] to an **underrepresented population** at Bradley University.”⁶ Directly above this eligibility criteria, as reflected on the screenshot below, Bradley’s Office of Inclusive Excellence—the office responsible for the program—states that it considers “**underrepresented communities**” to include “**Asian/Pacific Islander, Black, Hispanic/Latinx, and multiracial students**, as well as members of the LGBTQ+ community and first-generation college students.” In context, this language conveys that race is a factor in determining eligibility for the program and that applicants who do not fall within those categories are disfavored or excluded. Students who do not fit these racial or ethnic classifications necessarily would be deterred from even applying or attempting to join by such racial signaling.

⁶ See <https://www.bradley.edu/academics/academic-offices/provost-office/excellence/>
[<https://archive.is/wip/2yRxW>] (accessed May 1, 2026).

Who We Are

The Office of Inclusive Excellence is dedicated to fostering a campus community "where everyone belongs, where excellence thrives." We support the successful transition, engagement, and persistence of historically underrepresented communities — such as Asian/Pacific Islander, Black, Hispanic/Latinx, and Multiracial students, members of the LGBTQ+ community, and first-generation college students — as they navigate their college journey.



Through educational outreach, collaborative initiatives, and culturally rich programming, the Office of Inclusive Excellence aims to create a welcoming and empowering environment for all. By strengthening connections across campus, we help foster a deep understanding of different perspectives and experiences. As students explore these perspectives, they are encouraged to reflect on their own journeys, grow as individuals, and contribute to a more vibrant and accepting University community.

∨ Three Pillars

Hometown Scholars

The Bradley University Hometown Scholars Program (BUHSP), is a groundbreaking initiative exclusively designed for students who attend high school in Peoria or neighboring cities. Our program seeks to bridge the educational and financial gaps that can stand between hard-working students and their dream of a college education. We won't only unlock doors for you; we'll walk you through them with the support of the staff from our Office of Inclusive Excellence. We offer an enriched support system, from a low counselor-to-student ratio to an array of academic services, ensuring you're not just attending college but excelling in it.

APPLY NOW

∧ Eligibility

- Must attend and graduate from East Peoria High School, Limestone High School, Manual High School, Pekin High School, Peoria High School, or Richwoods High School
- Have a minimum 3.25 GPA
- Have applied and been admitted to Bradley University
- **Belong to an underrepresented population at Bradley University**
- Have demonstrated financial need and filed the FAFSA

[Yellow highlighting added above]

The Hometown Scholars Program Violates The Law

The BUHSP violates Title VI by discriminating on the basis of race, color, or national origin.⁷ The Hometown Scholars Program limits eligibility to students from “underrepresented population[s].” As noted above, Bradley’s Office of Inclusive Excellence states that it considers “underrepresented communities” to include “Asian/Pacific Islander, Black, Hispanic/Latinx, and multiracial students, as well as members of the LGBTQ+ community and first-generation college students.” This language reflects that the program is for students from those racial and ethnic categories, such that students who do not fall within them—particularly non-minority students who are neither members of the LGBTQ+ community nor first-generation college students—are either excluded from eligibility or would be deterred from applying.

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 Bradley receives federal funds,⁸ 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.

Regardless of Bradley’s reasons for offering, promoting, and administering such a discriminatory program, Bradley 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

⁷Although 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 Bradley. 42 U.S.C. § 2000(a). This program also violates Illinois state law. 775 ILCS 5/5-101. Finally, this program violates Bradley’s own nondiscrimination policy. *See* <https://www.bradley.edu/legal-nondiscrimination/> [<https://archive.ph/wip/xBacJ>] (accessed on May 1, 2026).

⁸ *See* https://www.usaspending.gov/award/ASST_NON_P063P250102_091 [<https://archive.is/wip/YNdsK>] (accessed on May 2, 2026).

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 Bradley 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, Bradley 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.

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

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 Bradley 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 appear to be ongoing. This program is currently active.¹²

⁹ 42 U.S.C. §§ 2000d-2000d-7.

¹⁰ 34 C.F.R. Part 100.

¹¹ See https://www.usaspending.gov/award/ASST_NON_P063P250102_091 [<https://archive.is/wip/YNdsK>] (accessed on May 2, 2026).

¹² <https://www.bradley.edu/academics/academic-offices/provost-office/excellence/> [<https://archive.is/wip/2yRxW>] (accessed May 1, 2026).

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 Bradley’s role in creating, funding, promoting and administering this program and to discern whether Bradley 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 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 programming at Bradley based on discriminatory criteria, and ensure that all ongoing and future programs at Bradley comports with the federal civil rights laws.

Respectfully submitted,

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