



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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May 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.Atlanta@ed.gov)

Atlanta Office
Office for Civil Rights
U.S. Department of Education
61 Forsyth St. S.W., Suite 19T10
Atlanta, GA 30303-8927

Re: Civil Rights Complaint Against Middle Tennessee State University
Regarding Discriminatory Scholarship Programs

Dear Mr. Trainor and OCR Staff:

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 that opposes discrimination in any form.

We bring this civil rights complaint against Middle Tennessee State University ("MTSU"), a public institution, for offering, administering, and promoting seventeen (17) scholarships that discriminate based on race, color, and/or national origin.

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

MTSU offers hundreds of scholarships for students.² To apply, students must log in using their MTSU username and complete the “General Scholarship Application.” Based on their responses, they are then matched with and directed to additional scholarships for which they may be eligible. Individual scholarship applications are not required.

*****THE FALL 2025 - SPRING 2026 SCHOLARSHIP APPLICATION(S) OPENED OCTOBER 1, 2024, AND WILL CLOSE FEBRUARY 15, 2025****

This website lists all of the scholarships available to Middle Tennessee State University (MTSU) students. Anyone can browse our list of scholarship opportunities available at MTSU, but only students who have been tentatively or fully admitted for admission to MTSU are able to apply for them.

To get the most out of this scholarship search, we suggest using the Keyword Search feature to find scholarships that are applicable towards yourself. For example, you are an Incoming Freshman, type FRESHMAN in the keyword search box to see what scholarships are available to Incoming Freshman Students. Or for example, you are an Accounting major, type ACCOUNTING in the keyword search box to see what scholarships are available to Accounting majors. The search functions below will allow you to learn more about the many scholarships that may be available to you.

In this system, you can NOT apply individually to scholarships. You apply to scholarships by completing the scholarship application(s) that are shown to you. First, you need to complete the General Scholarship Application. Once the General Scholarship Application is submitted, you will be shown other scholarship applications that are applicable to you. To be considered for ALL scholarships, you need to complete ALL of the scholarship applications that are shown to you. Based your responses to the various scholarship applications & your educational data in our system, you will be automatically matched up to scholarships that you meet the basic criteria for.

If you are ready to start the scholarship application(s), go back to the Home page & click on the Student link. You will use your Pipeline username & password to log into the system.

Eligibility for scholarships with a criteria of "Financial Need" is determined based off the student's SAI from the most recent FAFSA on file. You must have a current year FAFSA on file with MTSU in order to be considered for any scholarships with a financial need requirement. At MTSU, when determining whether a student has Financial Need or not for scholarships, we require an SAI of less than or equal to 9,000.

[Apply Now](#)

The scholarships listed below are currently offered to MTSU students and applicants for admission, according to the MTSU website, and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations³ by discriminating against students based on their race, color, and/or national origin. Because MTSU is a public university, these discriminatory scholarships also violate the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution.

Each of the scholarships listed below is available for the 2025-2026 school year with the application open from October 1, 2024 to February 15, 2025.⁴

² <https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search>
[<https://web.archive.org/web/20250507144139/https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search>] (accessed May 6, 2025).

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

⁴ <https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search>
[<https://web.archive.org/web/20250507144139/https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search>] (accessed May 6, 2025).

1. **Al Wilkerson Endowed Scholarship**⁵

Discriminatory Requirement: “Preference shall be given to **African American students.**”⁶

Al Wilkerson Endowed Scholarship (93913)

Applicants must be a junior or senior at MTSU and a Tennessee resident. The recipient must have a minimum grade point average of 2.5 and the recipient's family income must qualify the student for financial assistance in accordance with the FAFSA (or appropriate applications and/or forms) on file with the MTSU Financial Aid Office at the time of application. Preference shall be given to African American students.

The recipients shall be selected by the Intercultural & Diversity Affairs Scholarship Committee.

To apply for this scholarship, student needs to complete the General Scholarship Application.

2. **Cornelia Freeman Cooper Endowed Scholarship**

Discriminatory Requirement: “First preference will be for students who are **underrepresented minorities.**”

Cornelia Freeman Cooper Endowed Scholarship (93270)

To be eligible for consideration for this scholarship, candidates must meet the following criteria:

- Be admitted to the Teacher Education Program or any successor program.
- Financial need, in the broadest sense, may be considered.
- First preference will be for students who are underrepresented minorities.
- Preference also will be afforded to first generation college students.

Recipients will be chosen by the College of Education Scholarship Committee.

To apply, students must complete the General Scholarship Application and the College of Education Scholarship Application.

3. **Dr. Robert E. Eaker Scholarship**

Discriminatory Requirement: “First preference will be for **underrepresented minority students.**”

⁵ All scholarships can be found at <https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search> [<https://web.archive.org/web/20250507144139/https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search>].(accessed May 7, 2025).

⁶ Discriminatory criteria highlighted in bold for all scholarships.

Dr. Robert E. Eaker Scholarship (91545)

To be eligible for this scholarship:

- Must be a full-time student majoring in a program within the College of Education.
- Must have been admitted to the Teacher Education Program in the College of Education.
- Financial need, as determined by the university, should be considered.
- First preference will be for underrepresented minority students.

The recipients shall be selected by the College of Education Committee.

To apply for this scholarship, student needs to complete the General Scholarship Application.

4. Edith Ann Clark Moore Endowed Scholarship

Discriminatory Requirement: “Preference will also be afforded to students who are **underrepresented minorities.**”

Edith Ann Clark Moore Endowed Scholarship (93303)

To be eligible for consideration for this scholarship, candidates must meet the following criteria:

- Have an overall minimum 2.75 grade point average on a 4.0 scale at the time of the application.
- Scholarship recipients must have been admitted to the Teacher Education Program in the College of Education.
- Financial need, in the broadest sense, may be considered.
- First preference will be for students from Shelby and Rutherford Counties, with half of the spendable earnings to be allocated to each.
- Preference will also be afforded to students who are underrepresented minorities.

Recipients will be chosen by the College of Education Scholarship Committee.

To apply, students must complete the General Scholarship Application and the College of Education Scholarship Application.

5. Geminii Scholarship in Textiles, Merchandising, and Design

Discriminatory Requirement: “Preference will be given to **minority students.**”

Geminii Scholarship in Textiles, Merchandising, and Design (91657)

Applicants must meet the following criteria:

1. Have an overall minimum 2.0 grade point average on a 4.0 scale.
2. Be enrolled as a full-time student majoring in Apparel Design or Fashion Merchandising.
3. Be a member of FaDS (Fashion and Design Students) student organization for at least 1 year, actively involved with events including Who.Is.Geminii fashion events, and remain active through the term of the scholarship.
4. Must have completed 25 credit hours at time of award.
5. Preference will be given to minority students.
6. Financial need, as determined by the University, is required.

The recipients shall be selected by the Human Sciences Scholarship Committee.

To apply for this scholarship, student needs to complete the General Scholarship Application and the Human Sciences Application.

6. **James N. Leonard History Scholarship**
Discriminatory Requirement: “Preference will be given to **minority student.**”

James N. Leonard History Scholarship (93109)

To be eligible for this scholarship:

Student must be pursuing an undergraduate or graduate degree in History at MTSU.
Preference will be given to minority student.

Recipients will be chosen by the History Scholarship Committee.

To apply, students must complete the General Scholarship Application.

7. **James R. and Betty Y. Scott Scholarship**
Discriminatory Requirement: “First preference will be for **underrepresented minorities.**”

James R. and Betty Y. Scott Scholarship (91551)

To be eligible for this scholarship:

- Must be a full-time student admitted to the Teacher Program in the College of Education.
- Must have a minimum grade point average of 2.75 on a 4.0 scale.
- Financial need as determined by the University should be considered.
- First preference will be for underrepresented minorities.

Recipients will be chosen by the College of Education Scholarship Committee.

To apply, students must complete the General Scholarship Application.

8. Joshua Edgar Huffman Scholarship

Discriminatory Requirement: “Preference will be given to a **minority student** from Bedford County, TN.”

Joshua Edgar Huffman Scholarship

Applicants must be an incoming freshman for the upcoming Summer or Fall semester with at least a 2.80 high school GPA. Applicants must also demonstrate financial need, leadership and community service. Preference will be given to a minority student from Bedford County, TN. Students who receive a Freshman Guaranteed Scholarship, National Merit/Achievement/Hispanic Scholarship, Freshman DREAM Scholarship, or Honors Buchanan Scholarship are NOT eligible to receive this scholarship.

The recipients shall be selected by the MTSU Financial Aid & Scholarship Office.

To apply for this scholarship, students need to complete the General Scholarship Application.

9. Karla Winfrey Broadcast Journalism Scholarship

Discriminatory Requirement: “Recipient **must be an African-American...**”

Karla Winfrey Broadcast Journalism Scholarship (92323)

Recipient must be an African-American, have a GPA of at least 2.7, must have worked on high school yearbook or newspaper, and must be involved with campus radio or television stations.

10. Martin Luther King New MTSU Scholarship

Discriminatory Requirement: “Recipient shall be a **minority undergraduate or graduate student, preferably African-American** but not required.”

Martin Luther King New MTSU Scholarship (92643)

Recipient shall be a minority undergraduate or graduate student, preferably African-American but not required. Recipient must be in good academic standing by University requirements. Special talents, abilities, experiences, need, and recommendations of the applicant shall be considered.

11. Molly Jones Estate

Discriminatory Requirement: “Recipient shall be a **minority student.**”

Molly Jones Estate (93036)

Recipient shall be a minority student.

Scholarship awarded by Intercultural & Diversity Affairs Scholarship Committee.

12. Ruth and Will Bowdoin Endowed Scholarship in Early Childhood Education

Discriminatory Requirement: “Preference will be given to **minority students** who are residents of Tennessee or Alabama should such students meet the above criteria.”

Ruth and Will Bowdoin Endowed Scholarship in Early Childhood Education (93214)

The scholarship is designed for an undergraduate (or graduate) student majoring in Early Childhood Education who plans to teach in programs for young children (i.e., prekindergarten through primary grades and/or parent education; or if such applicants do not meet the criteria, kindergarten through grade 4.

The criteria for selection shall include, but not be limited to, the following requirements:

1. Possess a definite financial need and submit adequate financial verification as requested by the review committee.
2. Have and maintain a GPA of 2.5 (and/or meet any change in admission for teacher education).
3. Reflect personal and professional competencies, which are believed to lead to quality teaching.
4. Demonstrate a strong commitment to early childhood education for the parents.

Preference will be given to minority students who are residents of Tennessee or Alabama should such students meet the above criteria.

Recipients will be chosen by the College of Education Scholarship Committee.

To apply, students must complete the General Scholarship Application and the College of Education Scholarship Application.

13. School of Journalism Diversity Annual Scholarship

Discriminatory Requirement: “Preference shall be given to a **minority student, or student from an under represented group.**”

School of Journalism Diversity Annual Scholarship (91223)

The recipient shall be a major in the School of Journalism. The recipient shall have earned a grade point average of 3.5 or greater in journalism classes and an overall grade point average of 3.0 or greater. The recipient shall be active in an organization or initiative that provides charitable or academic service to the MTSU campus population or the community in which the recipient lives. Preference shall be given to a minority student, or student from an under represented group.

14. Tiffany and Luther Wright Jr. Annual Scholarship

Discriminatory Requirement: “Preference is to be given to a **minority student** in financial need with a minimum GPA requirement of 2.5.”

Tiffany and Luther Wright Jr. Annual Scholarship (92960)

To be eligible for consideration:

- Must be a junior or senior majoring in Media & Entertainment at MTSU.
- Preference is to be given to a minority student in financial need with a minimum GPA requirement of 2.5.
- If a student with financial need cannot be identified, the financial need criterion may be waived.

The recipients shall be selected by the College of Media and Entertainment Scholarship Committee in the Dean’s office.

To apply for this scholarship, student needs to complete the General Scholarship Application.

15. Will Bowdoin Scholarship in Education

Discriminatory Requirement: “Preference will be given to **minority students** that are residents of Alabama or Tennessee.”

Will Bowdoin Scholarship in Education (93184)

The scholarship is designed for an undergraduate (or graduate) student enrolled in a program leading to certification in education (K-12) and shall be chosen annually with the right to reapply.

The criteria for selection shall include, but not be limited to, the following requirements:

1. Possess a definite financial need and submit adequate financial verification as requested by the review committee.
2. Have and maintain a grade point average of 2.5 and/or meet any change in admission for teacher education.
3. Reflect personal and professional competencies which are believed to lead to quality teaching.

Any student who meets the above criteria may apply. Preference will be given to minority students that are residents of Alabama or Tennessee.

Recipients will be chosen by the College of Education Scholarship Committee.

To apply, students must complete the General Scholarship Application and the College of Education Scholarship Application.

16. Whitney Stegall Scholarship

Discriminatory Requirement: “Preference will be given to **students who are African-American or Native- American.**”

Whitney Stegall Scholarship

Applicants must be an incoming freshman or incoming transfer for the upcoming Summer or Fall semester that can demonstrate that they have dealt with oppression and/or adversity while struggling to better themselves. Preference will be given to students who are African-American or Native-American.

The recipients shall be selected by the MTSU Financial Aid & Scholarship Office.

To apply for this scholarship, students need to complete the General Scholarship Application.

17. Willie Brown Scholarship

Discriminatory Requirement: “The recipient shall be a **minority student** incoming freshman.”

Willie Brown Scholarship (93025)

The recipient shall be a minority student incoming freshman.

The Scholarships Listed Above Violate The Law

The scholarships identified above violate Title VI by discriminating on the basis of race, color, and/or national origin.⁷ Furthermore, because MTSU is a public university, such discrimination also violates the Equal Protection Clause of the Fourteenth Amendment.⁸

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 MTSU receives federal funds,⁹ it is subject to Title VI.

Regardless of MTSU’s reasons for offering, promoting, and administering such discriminatory scholarships, MTSU 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

⁷ 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 MTSU. 42 U.S.C. § 2000(a)(a). These scholarships also violate Tennessee civil rights law. Tenn. Code Ann. § 49-6-3109 (2024). Finally, these scholarships violate MTSU’s own nondiscrimination policy. *See* <https://www.mtsu.edu/policies/p025/#:~:text=MTSU%20will%20promote%20equal%20opportunity,and%20any%20other%20legally%20protected> [<https://archive.is/wip/KN8uA>] (accessed on May 6, 2025).

⁸ MTSU uses the term “minority” to distinguish individuals based on race or ethnicity. *See* <https://www.mtsu.edu/policies/p631/> [<https://web.archive.org/web/20250508020404/https://www.mtsu.edu/policies/p631/>] (accessed May 7, 2025). Additionally, the Tennessee legislature defines a “minority” as an individual who is non-white. *See* Tenn. Code Ann. § 12-3-1102 (2024). Moreover, courts often understand the term “minority” to mean non-white racial and ethnic groups. *See Boston Chapter, NAACP, Inc. v. Beecher*, 295 F. Supp. 3d 26, 28 (D. Mass. 2018); *see also Kirkland v. N.Y. State Dep’t of Corr. Servs.*, 552 F. Supp. 667, 674, 677 (S.D.N.Y. 1982); *Arbor Hill Concerned Citizens Neighborhood Ass’n v. Cnty. of Albany*, 281 F. Supp. 2d 436, 455 (N.D.N.Y. 2003); *Coalition to Defend Affirmative Action, Integration and Immigrant Rights and Fight for Equality by Any Means Necessary v. Regents of Univ. of Mich.*, 701 F.3d 466, 493 (6th Cir. 2012).

⁹ *See* <https://www.usaspending.gov/recipient/ebf8420f-77f6-6999-58ae-b617a80eab9d-C/latest> [<https://archive.ph/wip/VOrg8>] (accessed on May 6, 2025).

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, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

As MTSU is a public university, its offering, promoting, and administrating these discriminatory scholarships also violates the Equal Protection Clause of the Fourteenth Amendment. In *Students for Fair Admissions*, the Supreme Court emphasized 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). The Court further declared, “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. Consequently, “[a]ny exception to the Constitution’s demand for equal protection must survive a daunting two-step examination known ... as strict scrutiny.” *Id.* at 206 (internal quotation marks and citation omitted). The scholarships at issue here cannot withstand that exacting standard.

As OCR stated in its February 14, 2025, Civil Rights Guidance Letter¹⁰:

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.

Under strict scrutiny, suspect classifications “are constitutional only if they are narrowly tailored measures that further compelling governmental interests.” *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 227 (1995). It is the government that bears the burden to prove “that the reasons for any [racial] classification [are] clearly identified and unquestionably legitimate.” *Richmond v. J. A. Croson Co.*, 488 U.S. 469, 505 (1989). Here, MTSU cannot carry its burden.

¹⁰ 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.”)

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, MTSU cannot demonstrate that restricting participation in scholarships to students based on racial or national origin identities 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).

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, where the government played a role. 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). Neither applies here.

If the scholarships 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. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 726, 730 (2007) (“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 scholarships’ 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 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 national origin-based eligibility criteria are mechanically applied. If applicants do not meet the racial and/or ethnic requirements, they are automatically disqualified from eligibility for the scholarships. To the extent that any individualized consideration exists, it only applies to distinguish between applicants who have first satisfied the threshold racial/ethnic litmus test.

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 to determine eligibility for MTSU’s scholarships were “imprecise,” “plainly overbroad,” “arbitrary,” “undefined” and “opaque,” 600 U.S. at 216-17,¹¹ and declared that “it is far from evident ... how

¹¹ In his concurrence, Justice Thomas criticizes these categories as being “artificial.” *Students for Fair Admissions*, 600 U.S. at 276 (Thomas, J., concurring).

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.

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.

Because MTSU’s racial and/or ethnicity-based requirements for these scholarships is presumptively invalid, and since there is no compelling government justification for such invidious discrimination, its use of such criteria violates state and federal civil rights statutes and constitutional equal protection guarantees.

OCR Has Jurisdiction

MTSU is a public entity and a recipient of federal funds, including from the U.S. Department of Education.¹² It is therefore liable for violating Title VI and the Equal Protection Clause, and OCR has jurisdiction over this complaint.

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. According to the MTSU website, these scholarships are for the 2025-2026 academic year and applications closed on February 15, 2025.¹³

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.” 600 U.S. at 287 (Thomas, J., concurring).

¹² See https://www.usaspending.gov/award/ASST_NON_P063P242240_9100 [<https://archive.ph/wip/sz9uC>] (accessed on May 7, 2025).

¹³ <https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search> [<https://web.archive.org/web/20250507144139/https://mtsu.scholarships.ngwebsolutions.com/Scholarships/Search>] (accessed May 6, 2025).

Because the discrimination outlined above is presumptively illegal, and since MTSU cannot show any compelling government justification for it, the fact that it conditions eligibility for multiple scholarships on race, color, and national origin violates federal civil rights statutes and constitutional equal protection guarantees.

The Office for Civil Rights has the power and obligation to investigate MTSU's role in creating, funding, promoting and administering these scholarships – and, given how many there are, to discern whether MTSU 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 promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from MTSU's various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at MTSU comport with the Constitution and federal civil rights laws.

Respectfully submitted,

/William A. Jacobson/

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