



**THE EQUAL PROTECTION PROJECT**  
**A Project of the Legal Insurrection Foundation**  
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May 28, 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.DC@ed.gov)

Washington DC (Metro)  
Office for Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1475

**Re: Civil Rights Complaint Against University of Connecticut 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.<sup>1</sup> 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 discrimination in any form.

We bring this civil rights complaint against the University of Connecticut ("UConn"), a public university, for discrimination in four (4) scholarships based on race, color, and/or national origin, in violation of Title VI and the 14<sup>th</sup> Amendment to the U.S. Constitution.

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

UConn has a strong commitment to Diversity, Equity, Inclusion, and Justice (DEIJ).<sup>2</sup> As expressed in its Mission Statement: “We aim to support diversity, equity, and inclusion through offering support for success for people of all backgrounds.” As set forth below, this DEIJ commitment has resulted in the implementation of discriminatory programs at the university.



The scholarships listed below are currently offered to UConn students and applicants for admission, according to the UConn website, and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations<sup>3</sup> by illegally excluding students based on their race, color or national origin. Because UConn 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 are available for the 2025-2026 school year, according to the UConn website (discriminatory requirement in bold):

1. **Bryan K. and Alice M. Pollard Scholarship**

Link: <https://clas.uconn.edu/scholarships/>

Archived Link: <http://archive.today/mMauW>

Discriminatory Requirement: “Applicants must have overcome obstacles such as socioeconomic or educational disadvantage, be members of **underrepresented**

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<sup>2</sup> <https://diversity.uconn.edu/> [<https://archive.ph/wip/FSIH9>] (accessed May 27, 2025).

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

**groups at the University, including students of color, or have experience living or working in diverse environments.”**

The **Bryan K. and Alice M. Pollard Scholarship** is for CLAS undergraduate students majoring in Political science or in a science, technology, engineering or mathematics (STEM) discipline and who demonstrate financial need. Applicants must have overcome obstacles such as socioeconomic or educational disadvantage, be members of underrepresented groups at the University, including students of color, or have experience living or working in diverse environments.

## **2. Dietetics Program Diversity Scholarship**

**Link:** <https://undergraduate.cahnr.uconn.edu/resources-students/scholarships/>

**Archived Link:** <http://archive.today/eHP0E>

**Discriminatory Requirement:** “**priority given to candidates of an ethnic or racial background which is underrepresented at UCONN.**”

### **Dietetics Program Diversity Scholarship**

One or more awards are given to students enrolled full-time in the Department of Allied Health Sciences. Students must demonstrate financial need and be currently enrolled or following a course of study in preparation for admission to the Coordinated Undergraduate Dietetics Program. Students enrolled in the Dietetics Internship are also eligible. Priority consideration will be given to candidates of an ethnic or racial background which is underrepresented at the University.

## **3. Philo T. Pritzkau Fund**

**Link:** <https://scholarships.education.uconn.edu/the-phil-t-pritzkau-fund/>

**Archived Link:** <http://archive.today/dDpwR>

**Discriminatory Requirement:** “This fund was established by Dr. Philo T. Pritzkau, emeritus faculty member of the Neag School of Education, to provide financial support for graduate students enrolled in the School. **Priority consideration will be given to African American, Hispanic American and Native American students.**”

### **The Philo T. Pritzkau Fund**

#### *Description of Award:*

This fund was established by Dr. Philo T. Pritzkau, emeritus faculty member of the Neag School of Education, to provide financial support for graduate students enrolled in the School. Priority consideration will be given to African American, Hispanic American and Native American students.

#### *Sponsor(s):*

Mrs. Patricia P. MacLachlan  
Dr. Alexinia Baldwin

#### *Award Parameters:*

- Academically outstanding student enrolled full time in the School at the University
- Demonstrated financial need
- Priority consideration, but not absolute preference, will be given to African American, Hispanic American and Native American students

#### *Additional Information Required:*

- Provide evidence of financial need

[Standard Application Form](#)

4. **Sidney P. Marland Jr. Fund for Educational Leadership**

Link: <https://scholarships.education.uconn.edu/sidney-p-marland-jr-fund-for-educational-leadership/>

Archived Link: <http://archive.today/ICwNj>

Discriminatory Requirement: “The award **provides scholarships for minority<sup>4</sup> undergraduate and graduate students in Educational Leadership.**”

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**Sidney P. Marland, Jr. Fund for Educational Leadership**

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*Description of Award:*

This award was established from money donated by friends, family, and his estate in memory of Sidney P. Marland, Jr., former U.S. Commissioner of Education. The award provides scholarships for minority undergraduate and graduate students in Educational Leadership.

*Sponsor(s):*

Sidney P. & Betsey M. Marland  
Mrs. Judith M. Brewer  
Pamela Izard

*Award Parameters:*

- Undergraduate and graduate minority students in Educational Leadership

[Standard Application Form](#)

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<sup>4</sup> UConn uses “minority” interchangeably with “students of color.” <https://senate.uconn.edu/wp-content/uploads/sites/3636/2020/03/Meeting-Minutes-12-12-Diversity-.pdf?> [<https://web.archive.org/web/20250527153353/https://senate.uconn.edu/wp-content/uploads/sites/3636/2020/03/Meeting-Minutes-12-12-Diversity-.pdf>] (accessed May 27, 2025). Further, Connecticut considers “Minority” to mean “an individual whose race is defined as other than white.” Conn. Gen. Stat. § 7-291a (2024). 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).

### **The Scholarships Listed Above Violate The Law**

The scholarships identified above violate Title VI, by discriminating on the basis of race, skin color, or national origin.<sup>5</sup> Furthermore, because UConn is a public university, such discrimination also violates the Equal Protection Clause of the Fourteenth Amendment.<sup>6</sup>

Title VI prohibits intentional discrimination on the basis of race, color, or national origin in any “program or activity” that receives federal financial assistance. *See* 42 U.S.C. § 2000d. The term “program or activity” encompasses “all of the operations ... of a college, university, or other postsecondary institution, or a public system of higher education.” *See* 42 U.S.C. § 2000d-4a(2)(A). As noted in *Rowles v. Curators of the University of Missouri*, 983 F.3d 345, 355 (8th Cir. 2020), “Title VI prohibits discrimination on the basis of race in federally funded programs,” and therefore applies to universities receiving federal financial assistance. Because UConn receives and administers federal funds through numerous programs, it is subject to Title VI.<sup>7</sup>

Regardless of UConn’s reasons for offering, promoting, and administering such discriminatory scholarships, it 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, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

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<sup>5</sup> 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 UConn. 42 U.S.C. § 2000(a)(a). These scholarships also violate Connecticut state law. Conn. Gen. Stat. § 46a-60. Finally, these scholarships violate UConn’s own nondiscrimination policy. *See* <https://policy.uconn.edu/2015/12/29/policy-against-discrimination-harassment-and-related-interpersonal-violence/#:~:text=The%20University%20does%20not%20unlawfully,and%20federal%20anti%20discrimination%20laws.> [<https://archive.ph/wip/SavDy>] (accessed May 27, 2025).

<sup>6</sup> The Bryan K. and Alice M. Pollard Scholarship violates Title VI because it automatically makes students of color eligible but requires students who are not ‘of color’ to show an additional qualifying factor — a form of government-imposed barrier prohibited under equal protection principles. *N.C. ex rel. Chu v. Rosa*, No. 1:24-cv-00075-DNH-CFH, 2024 WL 4870487, at \*3-4 (N.D.N.Y. Nov. 22, 2024).

<sup>7</sup> *See* <https://www.usaspending.gov/recipient/319db5cd-11eb-90a6-b6e6-2cb6a27dccc9-C/latest> [<https://archive.ph/wip/hL4zO>] (accessed on May 27, 2025).

As UConn is a public university, its offering, promoting, and administering these discriminatory scholarships 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 [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.* (internal quotation marks and citation omitted). The scholarships at issue here cannot withstand that exacting standard.

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, UConn 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, UConn cannot demonstrate that restricting scholarships based on race, color, or national origin serves any legitimate governmental purpose, let alone an extraordinary one. Classifications based on immutable characteristics “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).



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 UConn’s scholarships were “imprecise,” “plainly overbroad,” “arbitrary,” “undefined” and “opaque,” 600 U.S. at 216-17,<sup>8</sup> 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.

For a policy to satisfy narrow tailoring, the government must demonstrate “serious, good faith consideration of workable race-neutral alternatives,” *Grutter v. Bollinger*, 539 U.S. 306, 339 (2003), and show that “no workable race-neutral alternative” could achieve the purported compelling interest. *Fisher v. Univ. of Tex. at Austin*, 570 U.S. 297, 312 (2013). There is no evidence that such alternatives were ever considered here.

UConn’s explicit race, color, and/or national origin scholarships are presumptively invalid, and since there is no compelling government justification for such invidious discrimination, UConn’s offering, promotion, and administration of these programs violates state and federal civil rights statutes and constitutional equal protection guarantees.

### **OCR Has Jurisdiction**

UConn is a public entity and a recipient of federal funds, including from the U.S. Department of Education.<sup>9</sup> It is therefore liable for violating both Title VI 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/or sex that occurred within 180 days and that are ongoing. These scholarships are currently active.<sup>10</sup>

### **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*

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<sup>8</sup> In his concurrence, Justice Thomas criticizes these categories as being “artificial.” *Students for Fair Admissions*, 600 U.S. at 276 (Thomas, J., concurring).

<sup>9</sup> See [https://www.usaspending.gov/award/ASST\\_NON\\_P063P241228\\_9100](https://www.usaspending.gov/award/ASST_NON_P063P241228_9100) [<https://archive.ph/ugdc5>] (accessed on May 27, 2025).

<sup>10</sup> <https://undergraduate.cahnr.uconn.edu/resources-students/scholarships/> [<http://archive.today/eHP0E>] (accessed May 27, 2025).

*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, and since UConn cannot show any compelling government justification for it, the fact that it conditions eligibility for multiple scholarships on race, color, or national origin violates federal civil rights statutes and constitutional equal protection guarantees.

The Office for Civil Rights has the power and obligation to investigate UConn’s role in creating, funding, promoting and administering these scholarships 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 UConn’s various scholarships based on discriminatory criteria, and ensure that all ongoing and future scholarships and programming at UConn comports with the Constitution and federal civil rights laws.

Respectfully submitted,

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