



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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April 14, 2026

BY EMAIL (OCR@ed.gov)

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

BY EMAIL (OCR.Seattle@ed.gov)

Seattle Office
Office for Civil Rights
U.S. Department of Education
915 Second Avenue Room 3310
Seattle, WA 98174-1099

**Re: Civil Rights Complaint Against Lewis & Clark College
Regarding Discriminatory Scholarships**

Dear Ms. 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 Lewis & Clark College (L&C"), a private college, for discrimination regarding one program and four (4) scholarships in which eligibility is awarded based upon the race, color, or national origin of the recipient and violates Title VI of the Civil Rights Act.

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

L&C offers a variety of scholarships for students, including merit-based awards, need-based aid, and donor-funded scholarships.² Many of these awards are automatically considered at the time of admission, and amounts can vary significantly, with some renewable each year based upon academic progress.



🏠 / Offices / Financial Aid / Undergraduate Students / Scholarships and Grants

Scholarships and Grants

Undergraduate Students

Lewis & Clark Grants

These grants are awarded to students based on demonstrated financial need and overall strength as applicants to the College. All students who **apply** and qualify for need-based aid are considered for this funding source. Funds are limited—to receive full consideration, it is important to apply by the priority filing date. Renewal is contingent upon timely reapplication, continued demonstration of financial need, and satisfactory progress toward a degree.

SCHOLARSHIPS AND PROGRAMS THAT VIOLATE TITLE VI (5)³

The program and scholarships listed below are currently active according to the L&C website, and violate Title VI of the Civil Rights Act of 1964 (“Title VI”) and its implementing regulations by excluding students based on their race, color, or national origin:

1. Academic Enhancement Program

Link: <https://law.lclark.edu/diversity/resources/>

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

² https://www.lclark.edu/offices/financial_aid/undergrad/scholarships/
[<https://archive.is/wip/N7bZ0>] (accessed on April 12, 2026).

³ Discriminatory criteria highlighted throughout. All links were active as of the time of this filing.

Discriminatory Requirement: “While all admitted students are invited to participate, space is limited and thus, **priority is given to ethnic minorities**⁴, international students, non-traditional students, and those with socio-economically disadvantaged backgrounds.”⁵

Academic Enhancement Program

The Academic Enhancement Program (AEP) is a program that provides academic, cultural, and social support to Lewis & Clark law students who may have experienced past barriers to education. While all admitted students are invited to participate, space is limited and thus, priority is given to ethnic minorities, international students, non-traditional students, and those with socio-economically disadvantaged backgrounds.

2. Goldie Chan Lam Scholarship

Link: <https://www.lclark.edu/live/profiles/23070-goldie-chan-lam-scholarship?>

Archived Link: <https://archive.is/wip/6VUi9>

Discriminatory Requirement: “This scholarship is awarded to **students of Chinese ancestry** who demonstrate financial need.”

⁴ Courts 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).

⁵ The program expressly provides that “priority is given to ethnic minorities...” Therefore, ethnic minorities receive preferential treatment, while non-minority applicants must satisfy additional criteria to obtain comparable preference.

Goldie Chan Lam Scholarship

The Goldie Chan Lam Scholarship was established in 1963 through an estate gift by Goldie Chan Lam.

This scholarship is awarded to students of Chinese ancestry who demonstrate financial need.

Contribute to the Scholarship

[Give Now](#)

3. Esther and Edward Lee Scholarship

Link: <https://www.lclark.edu/live/profiles/23068-esther-and-edward-lee-scholarship?>

Archived Link: <https://archive.is/wip/yM2xw>

Discriminatory Requirement: “This scholarship is awarded to female **students from Asia** who are majoring in math, science or computer science, **with preference given to students of Chinese ancestry.**”

Esther and Edward Lee Scholarship

The Esther and Edward Lee Scholarship was established in 2001 by Esther and Edward Lee. This scholarship is awarded to female students from Asia who are majoring in math, science or computer science, with preference given to students of Chinese ancestry.

Contribute to the Scholarship

[Give Now](#)

4. Greg Caldwell Scholarship for International Students

Link: <https://www.lclark.edu/live/profiles/23067-greg-caldwell-scholarship-for-international>

Archived Link: <https://archive.is/wip/4xvFy>

Discriminatory Requirement: “The Greg Caldwell Scholarship is an endowed fund that annually provides tuition support for **an international student who holds a non-immigrant visa**⁶ and is enrolled in Lewis & Clark’s undergraduate program. There is no application for the scholarship.”

Greg Caldwell Scholarship for International Students

The Scholarship

The Greg Caldwell Scholarship is an endowed fund that annually provides tuition support for an international student who holds a non-immigrant visa and is enrolled in Lewis & Clark’s undergraduate program. There is no application for the scholarship. The award is made by Brian White, Associate Dean of Students and Director of International Students and Scholars, to a deserving student based on the following criteria: (1) a solid academic record; (2) financial need; and, (3) leadership ability.

Contribute to the Scholarship

Give Now

5. William Randolph Hearst Scholarship

Link: https://graduate.lclark.edu/giving/scholarship_support/william-randolph-hearst-scholarship/

Archived Link: <https://archive.is/wip/9Azsi>

Discriminatory Requirement: “It is awarded to a continuing student in the counseling psychology degree program who is a member of a currently or **historically under-**

⁶ To qualify for a non-immigrant visa, the applicant must be a foreign national. See <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/forms/ds-160-online-nonimmigrant-visa-application.html> [<https://archive.is/wip/3OcFi>]. Therefore, American-born students are categorically excluded from consideration for this scholarship. Because eligibility turns on non-citizen status—which is inextricably tied to foreign national origin—the program conditions access to benefits on origin outside the United States, thereby excluding applicants of American origin from competing on equal terms.

represented racial or ethnic group, or individuals who have demonstrated a significant commitment to serving racially or ethnically diverse populations.”⁷

William Randolph Hearst Scholarship

The William Randolph Hearst Scholarship was established by The Hearst Foundations. It is awarded to a continuing student in the counseling psychology degree program who is a member of a currently or historically under-represented racial or ethnic group, or individuals who have demonstrated a significant commitment to serving racially or ethnically diverse populations.

[Support this Scholarship](#)

The Program and Scholarships Above Violate the Law

The program and scholarships identified above violate Title VI, by discriminating on the basis of race, color, or national origin.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,”

⁷ Historically underrepresented racial or ethnic groups are automatically eligible for this scholarship, while other students must demonstrate a commitment to serving racially or ethnically diverse populations, thereby discriminating against students who are not members of underrepresented racial or ethnic groups and who do not express such an interest.

⁸ 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 L&C. 42 U.S.C. § 2000(a). These scholarships also violate Oregon state law. Or. Rev. Stat. § 659.850 (2023). Finally, these scholarships violate L&C’s own nondiscrimination policy. <https://law.lclark.edu/live/files/35372-non-discrimination-policy#:~:text=Lewis%20%26%20Clark%20does%20not%20discriminate,any%20other%20basis%20prohibited%20by> [<https://archive.is/wip/JU71Z>] (accessed on April 12, 2026).

and thus applies to universities receiving federal financial assistance). As L&C receives federal funds,⁹ 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 L&C’s reasons for offering, promoting, and administering such discriminatory programs and scholarships, it is violating Title VI by doing so. It does not matter if the recipient of federal funding discriminates 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).

L&C’s race, color, or national origin-based program and scholarships are presumptively invalid; L&C’s offering, promotion, and administration of this program and scholarships violate federal civil rights statutes.

⁹ See https://www.usaspending.gov/award/ASST_NON_P063P252059_091 [<https://archive.is/wip/0ko3Y>] (accessed on April 12, 2026).

OCR Has Jurisdiction

OCR enforces Title VI of the Civil Rights Act of 1964¹⁰ and its implementing regulation,¹¹ 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,¹² L&C 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. The program and scholarships are currently listed as active on the L&C website.¹³

Request For Investigation

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 these scholarships and program on race, color, and/or national origin, violates Title VI.

The Office for Civil Rights has the power and obligation to investigate L&C’s role in creating, funding, promoting and administering these scholarships to discern whether L&C 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

¹⁰ 42 U.S.C. §§ 2000d-2000d-7.

¹¹ 34 C.F.R. Part 100.

¹² See https://www.usaspending.gov/award/ASST_NON_P063P252059_091 [<https://archive.is/wip/0ko3Y>] (accessed on April 12, 2026).

¹³ https://www.lclark.edu/offices/financial_aid/undergrad/scholarships/ [<https://archive.is/wip/N7bZ0>] (accessed on April 12, 2026).

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

Respectfully submitted,

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