



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

August 28, 2026

William Jacobson

Sent via email only to: contact@legalinsurrection.com

Re: University of Central Arkansas
OCR Case Number 07262008

Dear William Jacobson:

The Office for Civil Rights (OCR) in the U.S. Department of Education received a complaint against University of Central Arkansas (University) alleging discrimination based on sex. Specifically, the complaint alleged the University discriminates against male students, on the basis of sex, by promoting or administering scholarships that are sex-specific or sex-preferred scholarships (Allegation 1); and the University discriminates students, on the basis of race, by promoting or administering scholarships that are race-specific or race-preferred scholarships (Allegation 2). This letter is to acknowledge that the University voluntarily entered into a Resolution Agreement (Agreement) resolving the complaint. This decision is explained below.

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq., and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any program or activity receiving federal financial assistance. As a recipient of federal financial assistance from the U.S. Department of Education, the University is subject to Title IX, and to OCR's jurisdiction. Additional information about the laws OCR enforces is available on our [website](#).

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d et seq., and its implementing regulation at 34 C.F.R. Part 100, prohibit discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. OCR has Title VI enforcement jurisdiction over recipients of federal financial assistance from the U.S. Department of Education. As a recipient of federal financial assistance from the U.S. Department of Education, the University is subject to Title VI, and to OCR's jurisdiction. Additional information about the laws OCR enforces is available on our [website](#).

As a recipient of federal financial assistance from the U.S. Department of Education, the University is subject to Title IX, Title VI, and to OCR's jurisdiction. Additional information about the laws OCR enforces is available on our [website](#).

In response to the complaint, OCR investigated:

1. Whether the University discriminates against male students based on sex in violation of Title IX and 34 C.F.R. § 106.37 in connection with the following scholarships:
 1. [Faydean Dunevant Scholarship](#)
 2. [Gregory E. Hunt Memorial Scholarship](#)
 3. [Jennifer J. Westpfahl Women in Finance Scholarship](#)
 4. [University Women's Book Scholarship](#)
 5. [Miss Eugenia M. Oliver Memorial Scholarship](#)
2. Whether the University discriminates against students based on race in violation of Title VI and 34 C.F.R. § 100.3 in connection with the following scholarships:
 1. [Faydean Dunevant Scholarship](#)
 2. [Gregory E. Hunt Memorial Scholarship](#)
 3. [Donis W. Ford Memorial Book Award](#)
 4. [Dr. Willie Hardin Scholarship](#)
 5. [Drew Marshall Gainor Scholarship](#)
 6. [Holloway/Hicks Scholarship](#)
 7. [Kenneth W. Abrams/Paul W. Kimbrough Endowment](#)

Prior to the completion of OCR's investigation, the University requested to resolve this complaint under Section 302 of OCR's [Case Processing Manual](#). OCR had identified various concerns and determined that it was appropriate to resolve them pursuant to a Resolution Agreement.

Set forth below are a summary of the applicable legal standards, the facts determined to date, and the Resolution Agreement for this investigation.

Legal Standards

1. Title IX

Title IX and its implementing regulations, at 34 C.F.R. § 106.31(a)-(b), prohibit a recipient from excluding, denying benefits to, or otherwise treating any person differently on the basis of sex in its education programs or activities, unless expressly authorized to do so under Title IX or the regulations. The regulations, at 34 C.F.R. § 106.34, further prohibit any recipient, including an elementary, secondary, or postsecondary institution, from carrying out its education programs or activities separately on the basis of sex, unless an exception applies. In addition, the regulations, at 34 C.F.R. § 106.31(b)(6), prohibit recipients from providing significant assistance to any outside organization that discriminates on the basis of sex in providing any aid, benefit, or service to students or employees.

The Title IX regulation, at 34 C.F.R. § 106.37, addresses financial assistance. Section 106.37(a) sets forth the general rule that a school shall not, on the basis of sex: (1) provide different amounts or types of financial assistance, limit eligibility, apply different criteria, or otherwise discriminate; (2) assist any foundation, trust, agency, organization, or person in providing assistance to a school's students in a manner which discriminates; or (3) apply any rule or assist

in the application of any rule concerning eligibility for financial assistance that treats people differently with regard to marital or parental status.

34 C.F.R. § 106.37(b) addresses scholarships, fellowships, or other forms of financial assistance established by domestic or foreign wills, trusts, bequests, or similar legal instruments or by acts of a foreign government that require the award to be made to members of a particular sex and provides:

- (1) A recipient may administer or assist in the administration of scholarships, fellowships, or other forms of financial assistance established pursuant to domestic or foreign wills, trusts, bequests, or similar legal instruments or by acts of a foreign government which requires that awards be made to members of a particular sex specified therein; Provided, That the overall effect of the award of such sex-restricted scholarships, fellowships, and other forms of financial assistance does not discriminate on the basis of sex.
- (2) To ensure nondiscriminatory awards of assistance as required in paragraph (b)(1) of this section, recipients shall develop and use procedures under which:
 - (i) Students are selected for award of financial assistance on the basis of nondiscriminatory criteria and not on the basis of availability of funds restricted to members of a particular sex;
 - (ii) An appropriate sex-restricted scholarship, fellowship, or other form of financial assistance is allocated to each student selected under paragraph (b)(2)(i) of this section; and
 - (iii) No student is denied the award for which he or she was selected under paragraph (b)(2)(i) of this section because of the absence of a scholarship, fellowship, or other form of financial assistance designated for a member of that student's sex.

2. Title VI

The Title VI regulation at 34 C.F.R. § 100.3(b)(1)(i), (ii), and (v) prohibits recipients from, on the basis of race, color or national origin, denying students any service or benefit provided under the program; providing services or benefits that are different from or provided in a different manner from services or benefits provided to other students; and restricting students in the enjoyment of any privilege or advantage enjoyed by others.

When investigating an allegation of different treatment, OCR first determines whether there is sufficient evidence to establish an initial, or *prima facie*, case of discrimination. Specifically, OCR determines whether the university treated students of a particular race or gender less favorably than similarly situated individuals of a different race or gender. If so, OCR then determines whether the university had a legitimate, nondiscriminatory reason for the different treatment. Finally, OCR determines whether the reason given by the university is a pretext, or excuse, for unlawful discrimination.

Summary of Preliminary Investigation

OCR reviewed the University's website and information the University provided. The University informed OCR that it reviewed the scholarships at issue and the language within each scholarship instrument. The University reported that its review found that some of the language used to describe certain scholarships and/or the criteria used to determine eligibility contain restrictions and/or preferences for female students and/or non-white students. The University acknowledges that the scholarships at issue in this complaint are restricted on the basis of sex and/or race and does not assert a legal justification for the manner in which the scholarships are administered, offered, or promoted by the University.

Analysis and Conclusion

OCR's investigation to date revealed concerns that the University administers or promotes sex-specific, sex-preferred, race specific, and/or race preferred scholarships that discriminate against students based on sex and/or race. Prior to the conclusion of OCR's investigation and pursuant to Section 302 of OCR's [Case Processing Manual](#), the University expressed an interest in resolving this complaint and OCR determined that a voluntary resolution is appropriate. Accordingly, the University signed the enclosed Agreement which, when fully implemented, will address all of the allegations raised in the complaint. OCR will monitor the University's implementation of the Agreement until the University has fulfilled its terms.

This concludes OCR's investigation of the complaint. When OCR determines the University has fully implemented the terms of the Agreement, OCR will close this complaint. If the University fails to carry out the Agreement, OCR may resume investigating the complaint. OCR will not close the monitoring of the Agreement until OCR determines that the University has demonstrated compliance with all the terms of the Agreement and is in compliance with Title IX, and its implementing regulations, which were at issue in this complaint.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as OCR policy. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. Individuals who file complaints with OCR may have the right to file a private suit in federal court regardless of whether OCR finds a violation.

The University may not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. Complaints alleging such retaliation may be filed with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, you may contact Attorney, Meghan McCauley, via email at meghan.mccauley-loof@ed.gov.

Sincerely,

Jennifer Brooks
Supervisory Attorney

Enclosure: Resolution Agreement