

# UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS

## Administrative Complaint

June 14, 2022

United States Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

**Via Email: [OCR@ed.gov](mailto:OCR@ed.gov)**

To Whom It May Concern:

This is a federal civil rights complaint pursuant to the U.S. Department of Education's Office for Civil Rights' discrimination complaint resolution procedures.

Do No Harm brings this complaint against The University Hospitals Cleveland Medical Center's Department of Radiology for discrimination on the basis of race, color, or national origin in programs or activities that receive federal financial assistance in violation of both Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.* and the Equal Protection Clause of the 14th Amendment of the U.S. Constitution.

Do No Harm makes this complaint as an interested third-party organization that opposes racial discrimination in American medical schools and healthcare organizations. Supporting evidence is attached to this complaint as Exhibits A and B.

As the Department is no doubt aware, Title VI declares that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d. As a recipient of federal funds, the University must comply with Title VI and,

by extension, the Equal Protection Clause. See *Gratz v. Bollinger*, 539 U.S. 244, 276 n.23 (2003) (holding that the requirements of Title VI are coextensive with the requirements of the Equal Protection Clause). The University is flagrantly violating these obligations.

The University Hospitals' "Diversity Visiting Student Program for Underrepresented Minorities" is a "sponsored opportunity for fourth-year medical students" that includes three clerkships "[i]n conjunction with the David Satcher Clerkship." Awardees receive "up to \$2,500 in financial support to assist in covering costs of travel and lodging," mentoring from "residents, researchers, and radiologists," and an opportunity to receive information about the Radiology Department's residency and fellowship programs. Ex. A.

These financial benefits and professional opportunities, however, are strictly limited to individuals of certain races or ethnicities. As University Hospitals openly admits—indeed, advertises—"Underrepresented Minorities" are eligible to apply. To eliminate any confusion, University Hospitals specifies which races can apply: "Black/African-American, Hispanic/Latino, Native American/Alaskan Native, and Pacific Islander/Native Hawaiian." Ex. A. University Hospitals enforces these racial distinctions by forcing students to specify their race when they apply. "Underrepresented Minorities (URM) [for Satcher Clerkship application only]: African-American; Hispanic-Latino; American Indian; Native Alaskan; Mainland Puerto Rican; Native Hawaiian. Ex. B, pg. 3 (application form).

In light of University Hospitals' facially discriminatory eligibility standards, we ask the Department to promptly investigate the allegations in this complaint, act swiftly to remedy unlawful policies and practices, and order appropriate relief.

Thank you for your prompt assistance with this request for investigation and resolution.

Please contact me for further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Stanley Goldfarb". The signature is written in a cursive style with a large initial "S" and a long horizontal flourish at the end.

Stanley Goldfarb

Chairman, Do No Harm

Encs. Exhibit A, Exhibit B.