

# UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS

## Administrative Complaint

June 1, 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 of Utah School of Medicine: Division of Otolaryngology 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 Exhibit A.

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's "Underrepresented in Medicine Student Clerkship Grant" is a program to "support and encourage medical students who identify as underrepresented in medicine (URiM)." Awardees receive a \$2,500 stipend to cover cost of living and travel expenses, as well as many professional and career development opportunities.

These financial benefits and professional opportunities, however, are strictly limited to individuals of certain races or ethnicities. As the University openly admits—indeed, advertises—the program is offered as a grant opportunity to support medical students who identify as URiM. *See Ex. A.* To eliminate any confusion, the University specifies which races can apply: "American Indian or Alaska Native, Black or African American, Hispanic or Latinx, Native Hawaiian or Other Pacific Islander." *See Ex. A.* The University enforces these racial distinctions by forcing students to specify their race when they apply. *See Examples A and B.*

In light of the University's 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 fluid and cursive, with a large initial "S" and a long, sweeping underline.

Stanley Goldfarb  
Chairman, Do No Harm