

# 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 Indiana University School of Medicine 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's "Underrepresented in Medicine Visiting Student Elective Program" is "sponsored by Faculty Affairs, Professional Development, and Diversity (FA/PD/D)" and supports "4<sup>th</sup> year medical students and qualified 3<sup>rd</sup> year medical students attending a U.S. medical school including U.S. territories, from underrepresented backgrounds in medicine." The program offers a "\$2,000 stipend only to out-of-state visiting elective students," faculty and peer mentorship, and encouragement to apply to the University's residency programs. Ex. A.

These financial benefits and professional opportunities, however, are strictly limited to individuals of certain races or ethnicities. As the University openly admits—indeed, advertises—only people "from underrepresented backgrounds in medicine" are eligible to apply. To eliminate any confusion, the University specifies which races can apply, stating that applicants must meet the following criterion: "Identify as one or more of the following diversity categories: Black/African American, Hispanic/Latinx, LGBTQ+." Ex. A. The University enforces these racial distinctions by forcing students to specify their race when they apply ("Which of the following groups to you identify with [select all that apply]"); see Ex. B, pg. 2 (application form).

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 horizontal stroke at the end.

Stanley Goldfarb  
Chairman, Do No Harm

Encs. Exhibit A, Exhibit B.