

# 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 of Cincinnati College of Medicine, in partnership with Cincinnati Children's, 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 Clerkship Program" is a sponsored by the College of Medicine's Office of Diversity and Inclusion and is offered to fourth year medical students "from backgrounds underrepresented in medicine." Awardees receive "a stipend up to \$1500, to help defray the cost of an away rotation." Ex. A. Those selected to the program "will also be connected to members of our minority housestaff association for social events and network opportunities." Ex. B, pg. 1.

These financial benefits and professional opportunities, however, are limited to individuals of certain races or ethnicities. As the University openly admits—indeed, advertises—people "from backgrounds that are underrepresented in medicine" are eligible to apply. To eliminate any confusion, the University lists which races are included: "Black/African American, Hispanic/Latino, Native American/Alaska Native, and Native Hawaiian/Pacific Islander." The University enforces these racial distinctions by forcing students to specify their race/ethnicity when they apply (see Ex. B, pg. 2), and asking, "Please describe any contributions you have made in support of your racial, ethnic or gender group." See also Ex. B, pg. 4 (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.