

Please Investigate Bemidji State University for Multiple Violations of Title VI's Prohibition of Race-Based Discrimination and Title IX's Prohibition of Sex-Based Discrimination

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to OCR.Chicago

4:05 PM

Dear Chicago OCR:

This is a federal civil rights complaint vs. **Bemidji State University** (University) for multiple cases of race-based discrimination in violation of Title VI and sex-based discrimination in violation of Title IX. Specifically, the University offers and operates the following discriminatory programs that violate either Title VI or Title IX, or both:

1. The University's [Niganawenimaanaanig Indigenous Nursing Program](#) as the program name indicates and the program details confirm is offered exclusively for Indigenous nursing students while illegally excluding all non-Indigenous nursing students on the basis of their race, color, or national origin.

Since 2017, Niganawenimaanaanig (an Ojibwe word interpreted as “we take care of them”) has served BSU's **Indigenous nursing students**, providing a supportive, culturally grounded, communal environment and dedicated program staff who advocate for them.

Eligibility: Indigenous/American Indian/Alaska Native nursing students who have been accepted into Bemidji State's pre-licensure four-year or online RN-BS nursing programs are encouraged to apply to the program. Niganawenimaanaanig defines ‘Indigenous’ as a citizen of a tribal nation or a descendant of a citizen of a tribal nation within the United States or Canada.

Please note that the program includes academic support, cultural support, financial support and social support. Please also note that the [Program Application website](#) asks for an applicant's Tribal Nation, Tribal Nation Affiliation and proof of Tribal Affiliation.

In violation of Title VI non-Indigenous nursing students are illegally excluded from this program and discriminated against on the basis of their race, color or national origin.

The University offers the following five scholarships that illegally discriminate on the basis of sex in violation of Title IX and/or on the basis of race, color or national origin in violation of Title VI.

2. The University offers the **George Floyd Memorial Scholarship for Students of Color**, which as the program indicates is offered exclusively for “**students of color**”

while illegally excluding and discriminating against students who are “not of color” on the basis of their race, color or national origin. Please see the following evidence of the University’s race-based discrimination:

a. [BSU Alumnus Creates George Floyd Memorial Scholarship for Students of Color at BSU](#) news article reported in 2020 that “Betty Fulton Novotney, a BSU alumna from the Class of 1979, and her three daughters have created a scholarship opportunity for **students of color at BSU**.”

b. See page 23 of the [University’s Spring/Summer 2021 Magazine](#) (bold highlight added):

Donors support **students of color** by growing George Floyd Scholarship. Following the nation’s emotional outpouring after the killing of George Floyd in May 2020, BSU alumna Betty (Fulton) Novotney ’79 felt a call to show her love and support for **students of color** at Bemidji State University. In response, Novotney, along with her three daughters, created the George Floyd Memorial Scholarship to promote hope and encourage healing for **students of color at BSU**.

3. The [Les Duly Scholarship](#) (also [here](#)) is restricted to students who are “Sophomore, junior or senior U.S. **citizens of color**, with preference given to **female students**...”

4. The [Mildred A. \(Kortuem\) Gjertson Scholarship](#) restricts eligibility to a “**Female student** in her junior or senior year in good academic standing and who has demonstrated financial need for assistance.”

5. The [Margaret \(Hanka\) Laurich '63 Scholarship](#) restricts eligibility to a “**female, American Indian student** entering their (sic) Junior year....”

6. The [Miriam Jaakola Savacheck Scholarship](#) restricts eligibility to a “**Junior or Senior female student** planning to go to Medical School, has financial need, and 3.3 GPA overall and in field.”

In violation of Title IX four scholarships above illegally discriminate on the basis of sex (Nos. 3, 4, 5, and 6) and three scholarships illegally discriminate on the basis of race, color or national origin (No. 2, 3, and 5).

Please investigate the University for multiple violations of Title VI and Title IX.

Professor Emeritus Mark J. Perry, University of Michigan
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