



Do No Harm

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

Administrative Complaint

August 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

To Whom It May Concern:

This is a federal civil rights complaint under 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 Missouri School of Medicine for discrimination on the basis of race in programs 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 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 funds ten unique scholarships that preference students of certain races and ethnicities. Ex. A at 1-4. The Guy Eastman Brown II & Ellen Tarshis Scholarship Fund, for example, “provides scholarship awards” to “students enrolled in the school of medicine.” Ex. A at 2. The University “give[s]” “preference” to applicants who are “under-represented minorities.” Ex. A at 2. To remove any ambiguity, the University specifies that “under-represented minorities” are “blacks, Native Americans (that is American Indians, Alaska Natives, and Native Hawaiians), Mexican Americans, and mainland Puerto Ricans.” Ex. A at 2. Perhaps conscious that these explicit racial preferences are illegal, the University’s description of the program states, “[i]f it is ever legally mandated that such minority scholarships are illegal, the scholarship shall be available to all students in the School of Medicine.” Ex. A at 2.

Likewise, the University’s Marvin W. & Lilith E. Valle Scholarship Fund provides “[o]ne or more annual scholarships” to University of Missouri medical students, with “[f]irst preference ... given to African American and/or Hispanic students.” Ex. A at 2. As with the Eastman Brown and Tarshis Scholarship, the University specifies that the “award shall be made available to all students in the School of Medicine” if its racial “preference[s] ever become unenforceable.” Ex. A at 2. The other eight medical school scholarships outlined in Exhibit A follow a similar pattern and state that eligibility is restricted to “Black, American Indian or Alaskan Native, Hispanic-Mexican American or Chicano, and Hispanic Puerto Rican (Mainland),” Ex. A at 3, that “priority is given to students who are African American,” Ex. A at 3, or that funds are available for “minority students,” Ex. A at 4.

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,

Laura L. Morgan MSN, RN
Program Manager, Do No Harm

Encs. Exhibit A

EXHIBIT A: SCHOLARSHIP WEBPAGE and LIST OF AVAILABLE SCHOLARSHIPS

Financial Aid Office

SCHOLARSHIPS

[Home](#) / [Scholarships](#)

Most scholarships received by medical students are institutionally funded from donations and gifts from alumni and friends of our school.

To be considered for scholarships, complete the [Free Application for Federal Student Aid \(FAFSA\)](#) and the School of Medicine Scholarship Application.

New students will receive a scholarship application after they are formally admitted to the School of Medicine. Returning students will receive an email in January with the scholarship form attached and a reminder to file an electronic FAFSA. Students must complete both annually in order to renew financial aid. The deadline for priority applications is April 1, but new students should submit their applications as soon as possible after admittance.

Scholarship recipients are selected by the School of Medicine Scholarship and Financial Aid Committee or according to its guidelines.

Click [HERE](#) to view all available scholarships at the School of Medicine.

Register for a FREE scholarship search database that offers more than 850,000 scholarships worth up to \$1 billion: www.SallieMae.com/GradScholarships.

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University of Missouri School of Medicine Scholarships

**Guy Eastman Brown II and Ellen Tarshis Brown
Scholarship Fund**

One or more annual scholarship awards shall be given to students enrolled in the School of Medicine, with preference given to under-represented minorities with financial need. It is the donors' intent that the award be given to a first-year student and renewed for an additional three years (four years total) as long as the student is making satisfactory academic progress. The Association of American Medical Colleges (AAMC) defines underrepresented minorities as those racial and ethnic populations that are underrepresented in the medical professions relative to their numbers in the general population: blacks, Native Americans (that is American Indians, Alaska Natives, and Native Hawaiians), Mexican Americans, and mainland Puerto Ricans. If it is ever legally mandated that such minority scholarships are illegal, the fund shall be available to all students in the School of Medicine who meet the criteria of the fund.

Marvin W. and Lilith E. Valle Scholarship Fund

One or more annual scholarships shall be made to students in the MU School of Medicine. First preference shall be given to African-American and/or Hispanic students. If this preference ever becomes unenforceable due to federal regulations, the award shall be made available to all students in the School of Medicine. If a student continues in good standing, the award is renewable to the recipient for an additional three years, for a total four-year award. When that recipient has completed the four-year period, a new recipient shall be selected for the scholarship award with the same renewal option.

Medical School Minority Scholarship

One or more annual awards shall be made to promising highly qualified minority medical students enrolled in any year of training at the MU School of Medicine. Minority students are defined by the following underrepresented categories: Black, American Indian or Alaskan Native, Hispanic-Mexican American or Chicano, and Hispanic-Puerto Rican (Mainland). Recipients must be a American citizens or hold permanent residency status, must be making satisfactory academic progress as certified by the Associate Dean of Students, and must show evidence of financial need as determined by the School of Medicine Scholarship/Loan Application and information available from the Office of Student Financial Aid.

Richard A. Holmes, M.D. Minority Medical Students Scholarship Fund

One or more annual scholarship awards shall be given to students enrolled in the School of Medicine who meet the following criteria: a. The student is of a race or ethnicity that is underrepresented in Medicine in the United States as defined by the Association of American Medical Colleges, with a priority for students who are African-American. b. As between the students identified under criteria (a), preference will be given to students with financial need over students without financial need as determined by the Office of Student Financial Aid. c. As between the students identified under criteria (a) and (b), preference will be given to students considering careers in specialties or locations that are underserved. If it is ever federally mandated that the criteria in II(A)(1)(a) is illegal for the Curators to apply to an endowed scholarship such as that established under this Agreement, the Curators will, within a reasonable period of time, notify the donor representative. The donor representative will have 120 days from receipt of the date of the notice to direct any lawful change in the criteria above. In the event that the donor representative does not give different direction, the award shall be made available to all students who meet criteria II(A)(1)(b) and (c).

Lillie Graham Medical Scholarship Endowment Fund

To provide scholarship awards to minority students in the School of Medicine who graduated from a high school in the St. Louis Metropolitan area (excluding Illinois). The award may be renewed for a maximum of four (4) years as long as the recipient continues to meet the criteria for the award. The Association of American Medical Colleges (AAMC) defines underrepresented minorities as those racial and ethnic populations that are underrepresented in the medical professions relative to their numbers in the general population: blacks, Native Americans (that is American Indians, Alaska Natives, and Native Hawaiians), Mexican Americans, and mainland Puerto Ricans. If it is ever legally mandated that such minority scholarships are illegal, the fund shall be available to all students in the School of Medicine to meet the criteria of the fund. Selected recipients shall have a demonstrated financial need. In case of a tie for the award, the student with the greatest need shall be selected and academic performance shall not be a consideration.

Medical Minority Scholarship

Scholarships granted to under-represented in medicine minority students at the discretion of the Dean.

Thomas J. and Sharlyn Cooper Minority Medical Student Scholarship Fund

To provide one or more annual awards to minority students enrolled in the School of Medicine. If it is ever federally mandated that minority restricted scholarships are illegal, this scholarship shall then be made available to all students in the School of Medicine.

Dr. Judy Wells Memorial Scholarship Endowment Fund

One or more annual scholarship awards shall be given to a first-year medical student enrolled in the School of Medicine with a financial need, as determined by the School of Medicine. First preference shall be given to a former MU student athlete. Secondary preference shall be given to a minority student. If this preference ever becomes unenforceable under the law, the award shall be made available to all students who meet the criteria for the award except for race. Additional preference shall be given to a non-traditional student (i.e., someone that did not seek medical school as a first career, or didn't come to medical school directly from an undergraduate degree).

Minority Medical Student Scholarship Fund

One or more annual awards shall be made to full time Minority medical students enrolled in the School of Medicine. For the purpose of this fund, minority is defined as African, African American, and Hispanic ethnic origin. The minority student(s) shall be in good academic standing, a United States citizen. Preference shall be given to minority medical students who have a permanent residence in the State of Missouri.

Nouri Sandoval Scholarship Endowment

One or more annual scholarship awards shall be given to female students enrolled in the School of Medicine, with preference given to under-represented minorities with financial need. It is the donor's intent that the award be given to one or more fourth-year students who match to a General Internal Medicine residency program. The Association of American Medical Colleges (AAMC) defines underrepresented minorities as those racial and ethnic populations that are underrepresented in the medical professions relative to their numbers in the general population: blacks, Native Americans (including American Indians, Alaskan Natives, and Native Hawaiians), Mexican Americans and mainland Puerto Ricans. If it is ever legally mandated that such minority scholarships are illegal, the fund shall be available to all students in the School of Medicine who meet the criteria of the fund. If a male applies and qualifies for the award in all ways other than sex, then an award of equal amount shall be made available to that applicant from other sources.