



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

REGION IX  
CALIFORNIA

50 UNITED NATIONS PLAZA  
MAIL BOX 1200, ROOM 1545  
SAN FRANCISCO, CA 94102

February 7, 2023

Mark Perry  
*By email only*

Re: University of California, San Francisco - Fresno  
OCR Case No. 09-22-2485

Dear Mr. Perry:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has reached a resolution of the above-referenced complaint against the University of California, San Francisco – Fresno (University). OCR opened the following issue for investigation: Whether the University’s Obstetrics and Gynecology Scholarship for Visiting Underrepresented in Medicine (UiM) Students -2022 discriminates based on race and sex because it excludes students based on race, gender identity, and sexual orientation.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin under any program or activity receiving federal financial assistance. OCR also enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of federal financial assistance. As a recipient of federal financial assistance from the Department, the University is subject to Title VI and Title IX.

For the reasons described below, OCR is dismissing the complaint.

OCR will dismiss a complaint when OCR obtains credible information indicating that the allegations have been resolved, and there is no systemic allegation. The University provided OCR documentary evidence reflecting that the scholarship at issue in this case has been changed so that it is now available for visiting students, regardless of gender or race. Specifically, the webpage for the scholarship indicates that it is an opportunity for “individuals from disadvantaged backgrounds, who are committed to working with

*The Department of Education’s mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

underserved populations, or are interested in working with issues related to diversity, equity, and inclusion.” “Disadvantaged background” is described as coming from a family with a low income, or from social, cultural, or educational environments that have “demonstrably presented barriers to navigating admissions or access to medical careers.” Because OCR has determined that the complaint alleged in this complaint has been resolved, OCR is dismissing the complaint pursuant to OCR’s *Case Processing Manual* Section 110(d).<sup>1</sup>

This concludes OCR’s consideration of this complaint.

This letter sets forth OCR’s determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR’s formal policy statements are approved by a duly authorized OCR official and made available to the public.

OCR would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, OCR will seek to protect, to the extent provided by law, personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released.

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Sincerely,



Anamaria Loya  
Chief Attorney

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<sup>1</sup> *Case Processing Manual* (Jul. 18, 2022), <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>.