



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

February 28, 2023

By email only [REDACTED]

Mark J. Perry
[REDACTED]

Re: Case No. 11-22-2301
Medical University of South Carolina

Dear Dr. Perry:

On September 2, 2022, the U.S. Department of Education, Office for Civil Rights (OCR) received your complaint against the Medical University of South Carolina. You allege that the University discriminates on the basis of race. Specifically, you allege that the University sponsors the following programs and scholarships for medical students who are underrepresented in medicine (URM), which are limited to medical students who are Black/African American, Native American, Hispanic, and Pacific Islander, and which exclude non-URM students on the basis of race and/or color:

- URM Visiting Student Program
- Mentoring Ensures Medical School Success Program, including the Student Diversity Transition Forum, the Residency Selection Forum, and Student Ambassadors and Peer Mentors Program
- Jenny and Jerry Reeves, M.D. Diversity Scholarship
- Coastal Community Foundation Thaddeus Bell, M.D. Scholarship
- Rose Delores Gibbs, M.D. Endowed Scholarship

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color or national origin by recipients of Federal financial assistance. As a recipient of Federal financial assistance from the Department, the University is subject to Title VI and its implementing regulation.

OCR is closing the complaint under Section 110(d) of OCR's *Case Processing Manual*, which states that OCR will close or dismiss a complaint if OCR obtains credible information indicating that the complaint has been resolved.

URM Visiting Student Program

The Complainant alleged that the URM Visiting Student Program discriminated on the basis of race because the University's website stated that its goal was to provide support for URM students.

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

www.ed.gov

On February 10, 2023, the University informed OCR that the program is now called the Achieving Health Equity by Advancing Diversity (AHEAD) Visiting Student Program and that eligibility for the program is open to students regardless of race. OCR verified that the University’s website now calls the program AHEAD, and that it no longer mentions race, color, or national origin. Rather, it indicates that AHEAD is open to students from various groups, including “students with disabilities, those from rural backgrounds, first-generation college students, members of the LGBTQ community, those from disadvantaged or marginalized backgrounds, and other students interested in diversifying the physician workforce and/or addressing healthcare disparities in the communities they serve.”¹ The Complainant was unable to provide, nor was OCR otherwise able to find, examples of students who were or are currently being excluded from this program because of their race.

Mentoring Ensures Medical School Success Program (MEMS Program), and included activities

The Complainant alleged that the MEMS Program discriminated on the basis of race because the University’s website stated that the Program provided URM students with a faculty mentor. OCR verified that the University changed its website to state that the MEMS Program’s purpose is to support medical students “to include those from racial/ethnic minorities, rural and/or first-generation college students, as well as other students interested in further diversifying the physician workforce,” that it is open to all students, and that it does not exclude any students on the basis of race or ethnicity.² The Complainant was unable to provide, nor was OCR otherwise able to find, examples of students who were or are currently being excluded from this program because of their race.

Scholarships

The Complainant alleged that the University discriminates on the basis of race because the University’s website stated that the Jenny and Jerry Reeves, M.D. Diversity Scholarship, Coastal Community Foundation Thaddeus Bell, M.D. Scholarship, and Rose Delores Gibbs, M.D. Endowed Scholarship were awarded to URM students. OCR verified that the University changed the Diversification Scholarship Opportunities web page, on which the scholarships are described to state:

The College of Medicine has scholarships designed to promote a diversified health care workforce. All students are welcome to apply. The College of Medicine does not exclude applicants on the basis of age, color, disability, citizenship status, ethnicity, gender identify, gender expression, national origin (including ancestry), parenting status, pregnancy, race, religion, sex, sexual orientation, veteran or military status, or any other protected category under applicable local, state, and federal law.³

The University further informed OCR that the Jenny and Jerry Reeves, M.D., Diversity Scholarship and the Rose Delores Gibbs, M.D. Endowed Scholarship are now both available to all students

¹ <https://medicine.musc.edu/diversity/students> (last checked February 27, 2023).

² <https://medicine.musc.edu/diversity/students> (last checked February 27, 2023).

³ <https://medicine.musc.edu/diversity/students/diversification-scholarship-opportunities> (last checked February 27, 2023).

without regard to race, color, or national origin. On February 21, 2023, OCR reviewed the following description on the University's web page for both scholarships:

This scholarship was created in furtherance of the University's commitment to diversify the physician workforce and improve health outcomes for diverse patient populations through training opportunities. To that extent, particular attention will be given to applicants that demonstrate academic merit and financial need, and possess any of following attributes: first generation in their family to attend medical school, from a rural area, service history in rural areas, and/or any other attribute that would make the candidate unique in the practice medicine in the State of South Carolina.

Finally, on February 10, 2023, the University informed OCR that it removed the Coastal Community Foundation Thaddeus Bell, M.D. Scholarship from its website because it is awarded by the Coastal Community Foundation, an outside group. Students apply directly to the Foundation via the Coastal Community Foundation's website instructions. According to the University, no University student has been awarded this scholarship in the past six years. On February 17, 2023, OCR verified that this scholarship is no longer advertised on the University's website.

For each of these scholarships, the Complainant was unable to provide, nor was OCR otherwise able to find, examples of students who were or are currently being excluded from these scholarships because of their race.

Based on this information, OCR determined that this complaint has been resolved. Therefore, OCR is closing the complaint because OCR determined that it is resolved.

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.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint against the University with OCR.

Under the Freedom of Information Act, 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, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact Samantha Shofar, the OCR attorney assigned to this complaint, [REDACTED].

Sincerely,

Jennifer Barmon
Team Leader, Team III
District of Columbia Office
Office for Civil Rights