



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

1350 EUCLID AVENUE, SUITE 325  
CLEVELAND, OH 44115-1812

REGION XV  
MICHIGAN  
OHIO

May 13, 2024

Via e-mail only to [REDACTED]

Mark J. Perry, Ph.D.  
[REDACTED]

Re: OCR Docket No. 15-23-2151

Dear Dr. Perry:

On May 15, 2023, the U.S. Department of Education, Office for Civil Rights (OCR), received the complaint that you filed against the Ohio University Heritage College of Medicine (the University) alleging that the University discriminated against individuals on the basis of race by only offering the Cleveland Clinic Physician Diversity Scholars Program (PDS program) to underrepresented minority medical students, which it defined as Black/African American, Hispanic/Latino, Native American/Alaskan Native, and Pacific Islander/Native Hawaiian.

OCR is dismissing your complaint for the reasons explained below.

Pursuant to Section 110(d) of OCR's *Case Processing Manual*, OCR will close or dismiss an allegation if OCR obtains credible information indicating that the allegation is currently resolved.

During the investigation, the University notified OCR that it discontinued the PDS program and stopped promoting the program on its website. It replaced the program with a new program that does not include any eligibility or participation criteria restricted by race or national origin. OCR reviewed the University's website and confirmed that the University stopped promoting the PDS program on its website. OCR reviewed the information the University published about the new program that the University replaced the PDS program with and found no concerns regarding Title VI compliance. In addition, OCR did not obtain any evidence that a specific individual was harmed by the alleged lack of access to the program who might be entitled to an individualized remedy for that harm.

Based on this information, OCR has determined that the facts alleged in the complaint are no longer present and OCR has no evidence that the law is violated. Accordingly, OCR is closing the complaint as resolved as of the date of this letter.

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

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formal policy statements are approved by a duly authorized OCR official and made available to the public. 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, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it 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 about this letter, you may contact me by telephone at (216) [REDACTED] or e-mail at [REDACTED]@ed.gov.

Sincerely,

Nathaniel J. McDonald  
Team Leader