



11357 Nuckols Road PMB 115
Glen Allen, VA 23059

March 19, 2025

VIA ELECTRONIC MAIL ONLY: OCRComplaint@hhs.gov

Centralized Case Management Operations
U.S. Department of Health and Human Services
Office for Civil Rights
200 Independence Avenue, S.W.
Room 509F HHH Bldg.
Washington, D.C. 20201

RE: Complaint Under Title VI – Race-Based Discriminatory Practices at Geisinger College of Health Science

Dear Sirs or Madams:

I write to file a formal complaint against The Geisinger College of Health Science (“GCOHS”)¹ for engaging in unlawful race-based discrimination in its programs and policies. GCOHS, as a recipient of federal funds, is obligated under Title VI of the Civil Rights Act of 1964 to operate all programs and activities free from discrimination on the basis of race, color, or national origin. Despite these legal mandates, GCOHS has implemented multiple initiatives that explicitly favor or exclude individuals based on race. This complaint outlines GCOHS’s discriminatory practices, details how they violate federal civil rights laws, and describes their direct harms. I respectfully request that the HHS Office for Civil Rights investigate these practices and take appropriate corrective action to ensure GCOHS’s compliance with federal law.

I. Federal Funding and Applicability of Title VI

GCOHS is a recipient of federal financial assistance and is therefore obligated to comply with the nondiscrimination mandates of Title VI of the Civil Rights Act of 1964. Title VI provides that “[n]o 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.”² There is little room for interpretation

¹ The Geisinger College of Health Science “includes the School of Medicine, School of Graduate Education, School of Nursing, Graduate Medical Education and Center for Faculty and Professional Development.” *See Geisinger College of Health Sciences*, GEISINGER COLLEGE OF HEALTH SCIENCES, available at: <https://www.geisinger.edu/gchs> (last visited Feb. 21, 2025).

² See, e.g., 42 U.S.C. § 2000d.

where the law is so explicit.³ The statute’s broad language covers any form of differential treatment by race in any program or activity receiving federal funds. Title VI “makes no allowance” for racial considerations in education programs.

Title VI “prohibits a recipient of federal funds from intentionally treating one person worse than another similarly situated person because of his race, color, or national origin.”⁴ This prohibition applies to any institution, like GCOHS, receiving federal funds, including federal education grants, research funding, and student loans. Significantly, GCOHS graduates have an *average* of over \$230,000 of debt, overwhelmingly the product of federal student loans.⁵ It is irrelevant if other factors play into GCOHS’s admissions and hiring decisions, or if GCOHS seeks to “advance some further benign ‘intention,’” Title VI “prohibits a recipient of federal funds from intentionally treating any individual worse even in part because of his race, color, or national origin and without regard to any other reason or motive the recipient might assert.”⁶ Under Title VI, a recipient of federal funding, like GCOHS, may not, on the basis of race:

- “[p]rovide a different service or other benefit, or provide services or benefits in a different manner from those provided to others”;
- “[s]egregate or separately treat individuals in any matter related to the receipt of any service or other benefit”;
- “[u]tilize criteria or methods of administration which subject individuals to discrimination”; or
- otherwise implement racial preferences, or rest its actions upon any racially discriminatory purpose or intention—whether in whole or in part.⁷

GCOHS is federally funded and must adhere to Title VI, which categorically forbids racial discrimination in programs and activities that receive federal support. There is no exemption for “well-intentioned” or “diversity-driven” discrimination – the legal mandate is that institutions must

³ *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 287 (2023) (Gorsuch, J., concurring).

⁴ *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 289 (2023) Gorsuch, J., concurring).

⁵ *MSAR Debt Information*, ASSOCIATION OF AMERICAN MEDICAL COLLEGES, available at: <https://students-residents.aamc.org/system/files/2024-09/MSAR014%20-%20MSAR%20Debt%20%20Information.pdf> (last visited Feb. 16, 2025).

⁶ *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 289-90 (2023) (Gorsuch, J., concurring).

⁷ U.S. Dep’t of Health & Hum. Servs., *Civil Rights for Individuals and Advocates - Discrimination on the Basis of Race, Color, or National Origin*, available at: <https://www.hhs.gov/civil-rights/for-individuals/race/index.html> (last visited July 30, 2024); 45 C.F.R. § 80.3(b)(1)–(3); *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265–68 (1977); U.S. Dep’t. of Just., Civ. Rts. Div., *Title VI Legal Manual, Section VI Proving Discrim. – Intentional Discrim.*, available at: <https://www.justice.gov/crt/fcs/T6manual>.

operate in a colorblind fashion when providing opportunities or benefits. Any racial classification or preference by GCOHS runs contrary to its federal civil rights obligations.

II. Geisinger College of Health Sciences Discriminates on the Basis of Race

A. Race-Conscious Recruitment and Admissions

GCOHS intentionally prioritizes certain racial groups in recruitment and enrollment. By GCOHS’s own admission, it prioritizes “the recruitment and inclusion of . . . traditionally underrepresented minorities⁸ in medicine and biomedical sciences, specifically African American/Blacks, Latinos/Hispanics and Native Americans as members of [its] faculty, staff, and student body.”⁹

By naming and prioritizing these racial groups as the focus of recruitment, GCOHS is favoring those applicants and discriminating against other applicants on the basis of race. Indeed, even after the recent Supreme Court decision prohibiting race-based college admissions, GCOHS did “not anticipate changes to [their] holistic admissions process.”¹⁰ This suggests that GCOHS intends to continue considering race-related factors under the guise of a “holistic” review in defiance of legal limits. As the Court explained in *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, “an individual’s race may never be used against him in the admissions process.”¹¹ And yet, GCOHS evidently continues to do exactly that.

B. Race-Exclusive Pipeline and Enrichment Programs

GCOHS operates and participates in pipeline programs that benefit only certain racial groups. Notably, GCOHS established a federally funded “Center of Excellence (COE) for Diversity and Inclusion” with a \$3.4 million grant from the Health Resources and Services Administration (HRSA) of HHS.¹² The COE’s primary goal is described as building “a leakless

⁸ In the context of medical schools and health care systems, “underrepresented minority” nearly universally refers to *at least* Black, Indigenous, and People of Color (BIPOC). This is reflected across the various programs and policies held at GCOHS. Though some programs have more expansive definitions, including sex, gender, and socioeconomic, race is always part of the definition. See Bridget Balch, *Underrepresented Voices in Medicine Tell Their Stories*, AAMC (June 1, 2021), available at: <https://www.aamc.org/news/underrepresented-voices-medicine-tell-their-stories>.

⁹*M.D. Admissions Committee*, GEISINGER COLLEGE OF HEALTH SCIENCES, available at: <https://www.geisinger.edu/gchs/education/gcsom/admissions-financial-aid/md-admissions-committee> (last visited Feb. 16, 2025).

¹⁰ *Division of Enrollment Management*, GEISINGER COLLEGE OF HEALTH SCIENCES, available at: <https://www.geisinger.edu/gchs/education/departments/division-enrollment-management#:~:text=While%20we%20still%20need%20to,to%20our%20holistic%20admissions%20process> (last visited Feb. 16, 2025); See also *Students for Fair Admissions v. Harvard*, 600 U.S. 181 (2023).

¹¹ *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 217 (2023).

¹² *Center of Excellence for Diversity and Inclusion.*, GEISINGER COLLEGE OF HEALTH SCIENCES JOURNAL SPRING 2018, at 7, available at:

pipeline to expand the pool of underrepresented-in-medicine (URM) candidates” for medical school admission and faculty positions.¹³

GCOHS’s own publications detail that the COE and related initiatives are intended to increase the number of medical students and faculty from certain racial minorities, and they outline strategies to achieve this, such as a fast-track master’s-to-MD program, affiliation agreements with historically black colleges and Hispanic-serving institutions to feed more URM students, and “expanding diverse admissions” into GCOHS.¹⁴

Structuring programs explicitly around race means non-URM individuals are excluded solely due to their race. Each time the “government [or a University] uses racial criteria to ‘bring the races together,’ someone gets excluded, and the person excluded suffers an injury solely because of his or her race.”¹⁵ An open admission or pipeline slot given to a “URM” applicant under these programs is a slot denied to a non-URM applicant on the basis of race. GCOHS has not indicated any race-neutral criteria (such as economic disadvantage or first-generation status) for these pipeline initiatives; rather, the defining feature is membership in a particular racial group. This kind of racial segregation in educational programs is precisely what Title VI forbids.¹⁶

C. Curriculum and Training with Racially Stereotyping Content

GCOHS has incorporated “Diversity, Equity, and Inclusion” (“DEI”) and anti-racism training into its curriculum for students and faculty, containing racially biased and offensive content.¹⁷ For instance, as part of an Accreditation Council for Graduate Medical Education (ACGME) sponsored DEI program (“Equity Matters”) adopted in GCOHS’s residency and fellowship training, participants are required to engage with modules such as “examining The Health Benefits of Living ‘White.’”¹⁸

This module, by its very title, singles out “whiteness” as a subject of scrutiny in a manner that can be reasonably interpreted as hostile or demeaning toward individuals identifying as white. Framing educational content around the concept of intrinsic racial advantages creates a hostile environment.

<https://issuu.com/geisingercommonwealth/docs/gcsomjournalspring2018#:~:text=%243,medicine%20candidates> (last visited Feb. 16, 2025).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 283 (2023).

¹⁶ Civil Rights Act of 1964, Title VI, 42 U.S.C. §§ 2000d–2000d-7.

¹⁷ Do No Harm Staff, *Geisinger Commonwealth Sch. of Med. Embraces Accreditors’ DEI Program*, DO NO HARM (March 27, 2024), available at: <https://donoharmmedicine.org/2024/03/27/geisinger-commonwealth-school-of-medicine-embraces-accreditors-dei-program/#:~:text=Course%20offered%20from%20ACGME%20“Equity%20Matters”%20materials.,examining%20the%20“health%20benefits%20of%20living%20white>.

¹⁸ *Whiteness, Power, and Privilege in the Context of U.S. Racism*, ACGME, available at: <https://dl.acgme.org/courses/whiteness-power-and-privilege-in-the-context-of-us-racism> (last visited Feb. 16, 2025).

Likewise, GCOHS’s Student Affairs staff provide “diversity competency training and support.”¹⁹ If such training materials stereotype or blame a particular race for societal inequities, they could foster an atmosphere of racial scapegoating or stigma. No student or staff should be subjected to derogatory generalizations or differential treatment because of their race. Yet, GCOHS’s mandatory programming appears to do exactly that. These actions violate Title VI, which prohibits recipients from subjecting anyone to segregation or adverse distinction in any program activity on account of race.

III. Geisinger College of Health Sciences Created a Hostile Work Environment, Rife with Retaliation and Institutional Racism.

GCOHS has maintained a long-standing pattern of institutional bias, a hostile work environment, and retaliatory actions against individuals who challenge its race-based and politically motivated policies. Instances have been documented or reported where faculty and students have faced discrimination, harassment, and exclusion based on their race, ethnicity, political views, and opposition to institutional policies. Title VI makes clear that “No recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual . . . because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under this part.”²⁰ The following examples, which span more than 15 years, illustrate a pervasive culture of racially discriminatory practices, institutional bias, and retaliation, all of which violate Title VI of the Civil Rights Act of 1964.

A. Racial and Ethnic Discrimination at GCOHS

1. Race-Based Definitions of Diversity and Exclusionary Policies

GCOHS’s commitment to racial preferences and biased diversity policies has resulted in policies and institutional statements that exclude, or disadvantage individuals based on their race and ethnicity. GCOHS has demonstrated a race-centric view of diversity directly violates Title VI.

- March 16, 2009 Presentation by Senior Administrator:
 - In a faculty presentation, an administrator stated that diversity at GCOHS was explicitly based on “what people look like” rather than any substantive qualifications. The administrator expressed concern that a Hispanic student who “looked white” did not contribute to diversity and that this was a “problem” the institution needed to address.
 - The administrator then denigrated the local Pennsylvania community, stating that it was “too intolerant” and that “they kill immigrants here.”
- January 2015 GCOHS Diversity Survey:

¹⁹ *Geisinger Commonwealth Sch. of Md. Student Bulletin 53*, GEISINGER COLLEGE OF HEALTH SCIENCES, available at: <https://www.geisinger.org/-/media/onegeisinger/pdfs/ghs/education/student-life/gcsom-md-student-bulletin> (last visited Feb. 16, 2025).

²⁰ Title VI -- 34 CFR 100.7(e).

- A diversity survey administered by GCOHS in 2015 explicitly prevented White/Caucasian individuals from reporting instances of discrimination or harassment.
- Only “people of color” were allowed to report experiences of discrimination, alienation, or hate crimes. This systematically denied certain racial groups equal access to institutional resources and protections, thereby violating Title VI’s explicit prohibition on discrimination based on race in federally funded programs.

2. Racial Stereotyping and Hostile Work Environment

- Ethnic and Racially Offensive Comments by Administrators and Students:
 - A senior administrator stated that he did not like speaking to a local Italian-American individual because he was “afraid of finding a horse’s head in his bed”—an explicit reference to stereotypical depictions of Italian-Americans as violent mobsters.
 - A student asked a faculty member in class whether they were a “member of the New York Mafia”—an offensive stereotype about Italian-American professionals.
 - These racially charged comments were apparently not investigated, nor were any corrective actions taken.

B. Exclusion of Certain White/European Americans from Institutional Recognition

- Promotion of Racial and Ethnic Slurs in Institutional Communications:
 - A GCOHS-sponsored event about Italian-American heritage linked to online content featuring derogatory and offensive ethnic slurs, including:
 - “Goombah,” a widely recognized pejorative term for Italian-Americans.
 - “Oliveskins,” “Organ Grinders,” and “Cincinnati Red Sauces,” all of which are ethnic slurs used against people of Italian descent.
 - These materials were distributed via official GCOHS email communications, demonstrating the school’s reckless endorsement of ethnic stereotypes that would not have been tolerated if targeting other racial or ethnic groups.

C. Political Retaliation and Retaliation Against Faculty for Opposing Institutional Bias

GCOHS has engaged in political retaliation against faculty and students who hold conservative political views, creating an environment of ideological coercion and political intimidation.

- Official Counseling Services for “Processing” the 2016 Election Outcome:
 - Following the election of Donald Trump in 2016, GCOHS provided counseling services specifically for students who were “struggling” with the results of the election.

- No such counseling was ever offered to students or faculty who were distressed by the 2008 or 2012 election results.
- Mandatory “Racism” Webinars Framing the 2016 Election as a Racial Crisis:
 - GCOHS required faculty and students to attend a webinar that linked the election of Donald Trump to “systemic racism,” implying that Trump voters were responsible for racial injustice.
 - From Fall 2020 to Spring 2021, faculty and staff were required to attend four online “training sessions” by Keba Rogers; some of these sessions involved racially-charged discussions supporting the DEI agenda. Some faculty found these sessions to be offensive and contributing to a hostile work environment.

GCOHS has engaged in a pattern of retaliatory actions against faculty members who challenge its racially and politically charged policies. Faculty members have reported:

- Being removed from interview panels for medical school admissions after criticizing the declining academic standards..
- Being subjected to criticisms about professionalism and character attacks after voicing concerns about GCOHS’s political bias.

Furthermore, GCOHS has instituted a “Committee on Professionalism and Accountability” with a reporting site. Included in Geisinger’s standards of professionalism is: “Commitment to equity, Practice cultural and structural humility, Be responsive to community and social needs, especially the needs of those minoritized and made vulnerable, Advocate for equity and justice in healthcare.”

These establish that GCOHS professional standards includes adherence to DEI concepts of race-based preferences. Failure to uphold these standards could lead to employees being held to “accountability” by the committee, this coercing employee speech.

D. GCOHS has Failed to Address Complaints Regarding Bias, Further Disenfranchising and Alienating Faculty and Students.

GCOHS has established a clear pattern of ignoring, dismissing, and failing to act on complaints of racial and ethnic discrimination. Despite numerous reports submitted through internal complaint mechanisms, employee engagement surveys, and external hiring processes, the institution has consistently failed to take remedial action. In some cases, complaints of systemic bias and discrimination were met with outright mockery, as when a search firm director—later an administrator at GCOHS—laughed when informed of concerns about racial and religious discrimination. Similarly, an anonymous survey comment detailing pervasive bias against individuals of European ancestry did not result in any effective action.

GCOHS’s internal reporting systems, such as the Geisinger Alertline and Ethics Line, have proven ineffective in addressing discrimination complaints. Reports of racially offensive diversity training, gender-based bias in policies, and administrators using institutional resources for political advocacy were closed without explaining to the complainant what if anything was done, cutting

“privacy” as an excuse. Employee engagement surveys documenting institutional bias have similarly failed to result in any meaningful reforms.

IV. Conclusion

GCOHS’s policy of favoring certain races over others undermines the very principles of equal opportunity that are foundational to federal civil rights law. It is both morally wrong and legally impermissible. That GCOHS may couch these policies through sleights of hand and benignly named programs does not make them lawful. “[W]hat cannot be done directly cannot be done indirectly. The Constitution deals with substance, not shadows,” and the prohibition against racial discrimination is “levelled at the thing, not the name.”²¹ As outlined above, these policies violate Title VI, as well as the clear directives set forth by *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll* that educational institutions must not make distinctions on the basis of race.

For the foregoing reasons, GCOHS’s discriminatory focus on race for admissions and the hostile environment that exists for disfavored races violates Title VI. Accordingly, we ask that you open a formal investigation into GCOHS under Title VI. This investigation should examine all facets of GCOHS’s admissions processes, financial aid decisions, pipeline programs, training curricula, and any other relevant practices.

Sincerely,



Kristina Rasmussen
Executive Director
Do No Harm

²¹ *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 230-31 (2023) (quoting *Cummings v. Missouri*, 4 Wall. 277, 325 (1867)).