



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
230 SOUTH DEARBORN ST., 37TH FLOOR
CHICAGO, IL 60604

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March 25, 2024

The Equal Protection Project
Ameer Benno, Esq.
18 Maple Avenue, Suite 280
Barrington, RI 02806

Sent by email only to: ameer@legalinsurrection.com

Re: OCR Docket # 05-24-2221

Dear Mr. Benno:

On January 22, 2024, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the above-referenced complaint you filed against the University of Wisconsin-Madison (University) alleging that in September 2023 the University discriminated on the bases of race, color and national origin by excluding applicants based on race, color and/or national origin from its *Creando Comunidad: Community Engaged Black, Indigenous, and People of Color Fellows* fellowship program.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d-2000d-7, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination based on race, color, or national origin, including shared ancestry, in any program or activity operated by a recipient of federal financial assistance from the Department. As a recipient of federal financial assistance from the Department, the University is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

OCR will investigate the following issue:

- Whether the University excluded applicants based on race, color and national origin from its *Creando Comunidad: Community Engaged Black, Indigenous, and People of Color Fellows* fellowship program (Fellowship Program) in a manner inconsistent with the requirements of Title VI.

Please understand that opening an investigation does not mean that OCR has made a decision about the complaint. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint.

OCR offers, when appropriate, a mediation process to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegation. Some information about the mediation process is in the enclosure to this letter.

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

In addition, when appropriate, a complaint may be resolved before OCR completes its investigation if the recipient expresses an interest in resolving the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must address all the allegations that OCR determines are appropriate to resolve before the conclusion of an investigation. Information about this is in the enclosure to this letter.

You may have a right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the University may not harass, coerce, intimidate, discriminate, or otherwise retaliate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file a complaint alleging such treatment.

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

We will communicate with you periodically regarding the status of your complaint. If you have any questions about this letter, please contact [REDACTED]

Sincerely,

Dawn R Matthias

Dawn Matthias
Team Leader

Enclosure