



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
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July 30, 2026

BY EMAIL (OCR@ed.gov)

Kimberly Richey, Assistant Secretary
for Civil Rights
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

BY EMAIL (OCR.Denver@ed.gov)

Denver Office
Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582

**Re: Civil Rights Complaint Against Wright State University Regarding
Discriminatory Scholarships**

Dear Ms. Richey and OCR Staff:

This is a federal civil rights complaint submitted pursuant to the U.S. Department of Education's Office for Civil Rights ("OCR") discrimination complaint resolution procedures.¹ We write on behalf of the Equal Protection Project of the Legal Insurrection Foundation, a non-profit that, among other things, seeks to ensure equal protection under the law and opposes unlawful discrimination in any form.

We bring this civil rights complaint against Wright State University ("WSU") located in the vicinity of Dayton, Ohio, for offering, administering, and promoting two (2) scholarships that discriminate on the basis of sex in violation of Title IX.

¹ See 20 U.S.C. §§ 1681–1682; 34 C.F.R. §§ 106.71, 100.7, 100.8, and 100.9.

Most scholarships at WSU are awarded through the university's online scholarship application. Others, including the scholarships challenged in this complaint, are administered directly by individual academic departments and require students to submit separate applications.² WSU explains that "[s]ome departments or divisions may offer other scholarships to continuing students not awarded through the online application" and instructs students to "[c]heck with the chair of your academic department for any other options."

Departmental Scholarship Opportunities

Some departments or divisions may offer other scholarships to continuing students not awarded through the online application. Listed below are some of the scholarship opportunities not included in the online scholarship application. Check with the chair of your academic department for any other options.

The scholarships listed below are currently offered to WSU students and applicants for admission, according to the WSU website, and violate Title IX of the Education Amendments of 1972 ("Title IX") and its implementing regulations³ by discriminating against students based on their sex.

SCHOLARSHIPS THAT VIOLATE TITLE IX (2)⁴

1. Carol Trevino Film Production Fund

Link: <https://www.wright.edu/enrollment-services/financial-aid/continuing-student-scholarships>

Archived Link: <https://archive.is/wip/ftqn5>

Discriminatory Requirement: "Available to a female, junior or senior majoring in Motion Pictures."

² <https://www.wright.edu/enrollment-services/financial-aid/continuing-student-scholarships> [<https://archive.is/wip/ftqn5>] (accessed July 27, 2026).

³ 20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106.

⁴ We found no similar scholarships solely for men.

Carol Trevino Film Production Fund

Award Amount: Amount varies

Eligibility Criteria: Available to a female, junior or senior majoring in Motion Pictures.

Deadline Date: See "How to Apply".

How to Apply: Contact the [Department of Theatre, Dance and Motion Pictures](#) for more information.

Additional Information: All eligible applicants will be considered

2. **Tricia E. Small Endowed Scholarship**

Link: <https://www.wright.edu/enrollment-services/financial-aid/continuing-student-scholarships>

Archived Link: <https://archive.is/wip/ftqn5>

Discriminatory Requirement: "Must be a junior or senior female student majoring in the Motion Picture Program, have demonstrated financial need and have a minimum gpa of 2.5."

Tricia E. Small Endowed Scholarship

Award Amount: Minimum award amount is \$500

Eligibility Criteria: Must be a junior or senior female student majoring in the Motion Picture Program, have demonstrated financial need and have a minimum gpa of 2.5.

Deadline Date: See "How to Apply"

How to Apply: Contact the [Motion Pictures Program](#) for more information.

Additional Information: All eligible applicants will be considered

The Scholarships Listed Above Violate The Law

The scholarships identified above violate Title IX by discriminating on the basis of sex.⁵

Title IX provides that:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681(a).

The statute broadly prohibits discrimination in federally funded educational programs and is not limited to admissions decisions or other major institutional policies. As the Supreme Court has recognized, Title IX was enacted with "a sweep as broad as its language." *North Haven Bd. of Educ. v. Bell*, 456 U.S. 512, 521 (1982).

OCR's implementing regulations likewise prohibit recipients from discriminating on the basis of sex in the administration of financial assistance. Under 34 C.F.R. § 106.37(a), a recipient may not provide scholarships, fellowships, or other financial assistance "in a manner which discriminates on the basis of sex," except in narrow circumstances not applicable here. Accordingly, institutions receiving federal funds must administer scholarship programs through nondiscriminatory eligibility criteria and selection procedures.

Here, the challenged scholarships expressly limit eligibility to female students. WSU therefore excludes otherwise qualified male students solely because of their sex. A male student who satisfies every academic, financial, and programmatic qualification remains ineligible because he is male. That is precisely the type of discrimination Title IX prohibits.

The same conduct also raises serious constitutional concerns. Because WSU is a public university, its administration of these scholarships constitutes state action subject to the Equal Protection Clause of the Fourteenth Amendment. Classifications based on sex are subject to heightened scrutiny and require an "exceedingly persuasive justification." *United States v. Virginia*, 518 U.S. 515, 531–33 (1996); *Sessions v. Morales-Santana*, 582 U.S. 47, 57 (2017). It does not appear that WSU offers comparable scholarships reserved exclusively for male students or otherwise provides equivalent opportunities. Accordingly, WSU cannot plausibly contend that these female-only scholarships are necessary to remedy educational opportunities that WSU previously denied to female students or that the scholarships serve another important governmental objective. Neither proposition is supported by the facts alleged here.

Because the scholarships expressly condition eligibility on being female, they discriminate on the basis of sex in violation of Title IX and its implementing regulations. WSU's

⁵ The published eligibility criteria also appear inconsistent with WSU's own Sex/Gender-Based Harassment, Discrimination, and Sexual Misconduct Policy. *See* <https://policy.wright.edu/policy/1270-sexgender-based-harassment-discrimination-and-sexual-misconduct-policy> [<https://archive.is/wip/Hp2ww>] (accessed July 29, 2026).

offering, promotion, and administration of these scholarships therefore violate Title IX and OCR should require the University to eliminate these unlawful sex-based eligibility requirements.

OCR Has Jurisdiction

WSU is a public entity and a recipient of federal funds, including from the U.S. Department of Education.⁶ It is therefore liable for violating Title IX and OCR therefore has jurisdiction over this complaint.

The Complaint Is Timely

This complaint is timely brought because it includes allegations of discrimination based on sex that occurred within 180 days and that appear to be ongoing. The scholarships remain publicly advertised on WSU's website.⁷

Request For Investigation And Enforcement

Title IX guarantees that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681(a). Congress enacted Title IX to ensure that educational opportunities and benefits funded by the federal government are made available without regard to sex. Educational institutions receiving federal funds therefore may not offer or administer scholarships that categorically exclude otherwise qualified students because they are male or female.

The Office for Civil Rights has both the authority and the responsibility to investigate WSU's role in creating, funding, promoting, and administering these scholarships and to impose whatever remedial relief is necessary to bring the University into compliance with Title IX. This includes, if necessary, initiating administrative proceedings to suspend or terminate federal financial assistance or referring the matter to the Department of Justice for judicial enforcement. The unlawful discrimination identified in this complaint is straightforward: WSU expressly conditions eligibility for these scholarships on the applicant's sex, thereby denying otherwise qualified students the opportunity to compete for financial assistance solely because they are male.

Accordingly, we respectfully request that the Department of Education's Office for Civil Rights promptly open a formal investigation, require WSU to eliminate the unlawful sex-based eligibility requirements for these scholarships, provide appropriate relief to individuals excluded

⁶ See https://www.usaspending.gov/award/ASST_NON_P116J250669_091 [<https://archive.is/wip/SnPgC>] (accessed July 29, 2026).

⁷ <https://www.wright.edu/enrollment-services/financial-aid/continuing-student-scholarships> [archive.is/wip/ftqn5] (accessed July 28, 2026).

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on the basis of sex, and ensure that all ongoing and future scholarships and financial aid programs at WSU comply with Title IX and its implementing regulations.

Respectfully submitted,

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