



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

8TH FLOOR, 5 POST OFFICE SQUARE
BOSTON, MA 02109-3921

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July 24, 2023

Michael A. Kippins

By email: mkipkins@lawyersforcivilrights.org

Re: Complaint No. 01-23-2231
Harvard University

Dear Attorney Kippins:

This letter is to notify you that the U.S. Department of Education, Office for Civil Rights (OCR) has opened for investigation the above-referenced complaint you filed against Harvard University. You allege that the University discriminates on the basis of race by using donor and legacy preferences in its undergraduate admissions process.

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. Section 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance from the U.S. Department of Education. Because the University receives federal financial assistance from the U.S. Department of Education, the University is subject to Title VI and its implementing regulations.

OCR is opening the following issue for investigation:

Whether the University discriminates on the basis of race by using donor and legacy preferences in its undergraduate admissions process in violation of Title VI and its implementing regulations.

Please note that opening the complaint for investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the University, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the *Case Processing Manual*, available at <http://www.ed.gov/ocr/docs/ocrcpm.pdf>. Please also note that complainants 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 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 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, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

If you have any questions, you may contact the investigative staff whose contact information is in the transmittal email.

Sincerely,

A handwritten signature in black ink that reads "RAMZI AJAMI". The signature is written in a cursive style with all caps.

Ramzi Ajami
Regional Director

cc: Oren M. Sellstrom, osellstrom@lawyersforcivilrights.org
Iván Espinoza-Madriral, iespinoza@lawyersforcivilrights.org