



United States Department of Education

Office for Civil Rights Administrative Complaint

March 16, 2026

United States Office of Civil Rights
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Email: OCR@ed.gov

VIA EMAIL

To Whom It May Concern:

Defending Education brings this federal civil rights complaint against Stanford University pursuant to the U.S. Department of Education's Office for Civil Rights' discrimination complaint resolution procedures. Stanford is discriminating based on race in programs or activities that receive federal financial assistance in violation of Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*, and the Equal Protection Clause of the 14th Amendment to the U.S. Constitution.

Defending Education is a nationwide, nonpartisan membership organization comprised of parents, students, and other concerned citizens. It brings this complaint as an interested third-party organization that opposes racial discrimination and political indoctrination in America's schools.

In 1885, California senator Leland Stanford founded Stanford University "to promote the public welfare by exercising an influence on behalf of humanity and civilization."¹ Today, Stanford hosts more than 17,000 students from all 50 U.S. states

¹ *A History of Stanford*, Stanford University (accessed Feb. 20, 2026), <https://www.stanford.edu/about/history/>.

and 91 other countries.² But today, sadly, Stanford betrays this rich history by discriminating on the basis of race.

I. The Fourteenth Amendment and Title VI prohibit schools from discriminating based on race.

Section 1 of the 14th Amendment to the U.S. Constitution asserts: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”³

As the Supreme Court explained in 2003 and affirmed in 2023, when an institution covered by Title VI violates the Equal Protection Clause of the Fourteenth Amendment, the institution’s conduct also violates Title VI.⁴ Title VI of the Civil Rights Act of 1964 covers “a college, university, or other postsecondary institution, or a public system of higher education[,] ... any part of which is extended Federal financial assistance.”⁵

Covered schools must implement their policies, and administer their classes, in a “color-blind” manner.⁶ Prohibited discrimination includes “separate treatment in any matter.”⁷ This includes restricting “in any way ... the enjoyment of any advantage or privilege enjoyed by others” and using “criteria or methods of administration which have the effect of subjecting individuals to discrimination.”⁸

II. Stanford’s National Board Resource Center BIPOC cohort discriminates between applicants based on race.

If a primary or secondary school teacher wants to achieve National Board Certification, Stanford has a program to help them do exactly that—unless the teacher is White or Asian.

For the past several years, Stanford’s National Board Resource Center (NBRC) has partnered with the California Teachers Association and the UCLA National Board Project to launch “fully-funded cohort[s] of Black, Indigenous, People of Color

² *Id.*

³ U.S. Const. amend. XIV.

⁴ See *Students for Fair Admissions v. Harvard*, 600 U.S. 181, 198 n.2 (2023) (citing *Gratz v. Bollinger*, 539 U.S. 244, 276 n. 23 (2003)).

⁵ 42 U.S.C. § 2000d-4a(2)(A); see also 34 C.F.R. § 100.3; *FAQ: Race, Color, and National Origin Discrimination*, U.S. Dep’t of Education (accessed Feb. 13, 2026), <https://tinyurl.com/3x5v6dd3>.

⁶ *SFFA*, 600 U.S. at 198 n.2, 230.

⁷ 34 C.F.R. §100.3(b).

⁸ *Id.*

(BIPOC) teachers ... who are committed to earning National Board Certification and serving as teacher-leaders in their communities.”⁹

The program’s eligibility requirements page (Exhibit A) lists four criteria for applicants. The list explicitly states that an applicant must “identify as a person of color” to be eligible for the program.¹⁰ A sentence below the criteria adds “The cohort will be selected to seek a *diverse balance* of the following elements: *racial and ethnic diversity*, geographic representation, and subject matter/grade level.”¹¹ According to the California Teachers Association, the BIPOC cohort program is still active throughout the 2025-2026 school year.¹²

National Board Certification is “the most respected professional certification available in K-12 education.”¹³ Certification helps teachers receive higher salaries and quicker advancement, and many states distribute financial awards and incentives to certified teachers working in the state.¹⁴ California, for example, offers a “\$25,000 incentive award” to certified teachers who work in high-priority schools (i.e., schools where at least 55% of students are English learners, foster youth, or eligible for subsidized meals at school).¹⁵

Members of Stanford’s BIPOC Cohort receive 1) regular “community-building, mentoring, and support facilitated by National Board-Certified teachers of color,”¹⁶ 2) access to the Stanford National Board Resource Center’s online nationwide certification support group; 3) asynchronous materials and resources designed specifically for candidates in the National Board program; and 4) “individualized coaching” for writing and assembling the components of a National Board Certification application.¹⁷

Because Stanford only offers the program to “teachers of color,” Stanford is clearly discriminating between program applicants on the basis of race.

⁹ *Increasing Diversity in National Certification*, California Educator (Aug. / Sept. 2022), <http://educator.cta.org/i/1476161-august-september-2022/41>.

¹⁰ *CTA & NBRC BIPOC Cohort*, NBRC (accessed Feb. 13, 2026), <https://nbrc.stanford.edu/candidates/cta-nbrc-bipoc-cohort> (archived Feb. 13, 2026, at: <https://web.archive.org/web/20260214015857/https://nbrc.stanford.edu/candidates/cta-nbrc-bipoc-cohort>).

¹¹ *Id.* (emphasis added).

¹² *National Board Certification*, California Teachers Ass’n (accessed Feb. 13, 2026), <https://www.cta.org/nbct>.

¹³ *National Board Certification Overview*, Nat’l Bd. for Pro. Teaching Standards (accessed Feb. 9, 2026), <https://www.nbpts.org/certification/overview/>.

¹⁴ *National Board Certification Incentive Awards*, Virginia Dep’t of Education (accessed Feb. 23, 2026), <https://www.doe.virginia.gov/teaching-learning-assessment/teaching-in-virginia/national-board-certification-incentive-awards>.

¹⁵ *State Financial Incentives for National Board Certification*, Nat’l Bd. for Pro. Teaching Standards (June 2023), https://www.nbpts.org/wp-content/uploads/2021/05/state_incentive_chart.pdf.

¹⁶ *CTA & NBRC BIPOC Cohort*, NBRC (accessed Feb. 13, 2026), <https://nbrc.stanford.edu/candidates/cta-nbrc-bipoc-cohort>.

¹⁷ *Id.*

III. Stanford’s policies likely violate Title VI and the Equal Protection Clause.

The Department of Education has a duty to investigate complaints of “possible” discrimination “on the ground of race, color, or national origin” in violation of Title VI and the Equal Protection Clause.¹⁸ Prohibited discrimination includes “separate treatment in any matter,” restricting “in any way ... the enjoyment of any advantage or privilege enjoyed by others,” and using “criteria or methods of administration which have the effect of subjecting individuals to discrimination.”¹⁹ And, of course, it includes racial preferences in employment.²⁰ In short, any action or policy that is not “color-blind” violates the law,²¹ and a discriminatory policy is a continuing violation that remains while the policy is in effect.²²

Based on the eligibility criteria clearly stated on Stanford’s BIPOC cohort webpage, Stanford has adopted, implemented, and enforced a racially discriminatory program and it maintains this program through the present day. That is incompatible with the “color-blind” mandate of Title VI and the Equal Protection Clause.²³

* * *

For these reasons, Defending Education respectfully asks OCR to open a civil rights investigation into Stanford for potential violations of Title VI of the Civil Rights Act of 1964 and of the Fourteenth Amendment’s Equal Protection Clause.

Sincerely,



Sarah Parshall Perry
Vice President
Defending Education
(Encl. Exhibit A).

¹⁸ 34 C.F.R. §§100.3, 100.7; *see* 42 U.S.C. §2000d; U.S. Const. amend. XIV.

¹⁹ 34 C.F.R. §100.3(b).

²⁰ 34 C.F.R. §100.3(c).

²¹ *SFFA*, 600 U.S. at 198 n.2, 230.

²² *See, e.g., Sewell v. Monroe City Sch. Bd.*, 974 F.3d 577, 583-84 (5th Cir. 2020); *Doe v. Mery Cath. Med. Ctr.*, 850 F.3d 545, 566 (3d Cir. 2017); *Sharpe v. Cureton*, 319 F.3d 259, 268 (6th Cir. 2003).

²³ *SFFA*, 600 U.S. at 198 n.2, 230.

Exhibit A

CTA & NBRC BIPOC Cohort

Are you an educator of color considering pursuing National Board Certification? Are you a CTA member looking to deepen your teaching practice and connect with other educators of color? **The California Teachers Association (CTA), the UCLA National Board Project, and the National Board Resource Center at Stanford (NBRC) are partnering to launch a second fully-funded cohort of Black, Indigenous, People of Color (BIPOC) teachers committed to earning National Board Certification and serving as teacher-leaders in their communities.**

Please read the information below and [apply here](#) . Applications are due Aug 9, 2024 at midnight.

NBRC Certification Support Services and the CTA/NBRC/UCLA BIPOC Cohort include:

- Regular BIPOC Cohort online community-building, mentoring, and support facilitated by National Board Certified teachers of color
- [NBRC's online nationwide certification support group](#), including regular opportunities to work with a group of educators and a National Board Certified facilitator in your content area and gradespan.
- Asynchronous materials and resources designed specifically for candidates in the NBRC or UCLA National Board program.
- Individualized coaching on writing and artifact selection for the National Board portfolio components

Read about our BIPOC cohort as featured in the Aug, 2022 issue of the California Educator



Eligibility criteria:

- Teach in a high-priority* California public school (See the California Department of Education's list of eligible high-priority schools at [this website](#))
- Be a member of the California Teachers Association (if you are unsure, check with your local union leadership or visit the [CTA Chapter Search](#))
- Identify as a person of color
- Meet eligibility prerequisites for National Board Certification. More info at [nbpts.org](#) .

The cohort will be selected to seek a diverse balance of the following elements: racial and ethnic diversity, geographic representation, and subject matter/grade level.

**high-priority school* is defined as a school with 55% or more of its pupils classified as an English learner or foster youth, or eligible for a free or reduced-price meal.

Cohort Meeting Dates and Times:

The CTA/NBRC BIPOC cohort will join the [NBRC Online Support Group](#) Tuesdays, 5-6pm Pacific online OR the UCLA National Board Project meetings on Saturdays in person at UCLA. Additional BIPOC Cohort-specific meetings will meet at least once a month, at times and days to be determined.

What financial costs are associated with the CTA/NBRC BIPOC Cohort?

Through the CTA/NBRC BIPOC cohort, all fees for participation in the support program are covered by generous funding from the California Teachers Association, the National Education Association, and National Board Resource Center at Stanford.

While this opportunity does not cover the direct costs of certification, we will provide support and information about accessing local funding sources, including the [California National Board Incentive Grant](#).

- National Board certification costs \$475 per component for each of the 4 components, plus a \$75 registration fee for every school year that you submit components. This fee is paid to the National Board for Professional Teaching Standards (NBPTS).
- The California National Board Incentive Grant will award \$2,500 to any teacher who initiates the process of pursuing a certification from the National Board Certification when teaching at a high-priority school*. This funding will be disbursed directly to NBPTS to cover the cost of purchasing National Board components. Candidates will still be required to cover the yearly \$75 registration fee.

**high-priority school* is defined as a school with 55% or more of its pupils classified as an English learner or foster youth, or eligible for a free or reduced-price meal. See the California Department of Education's list of eligible high-priority schools at [this website](#).

Applications for the 2024-25 cohort are [available here](#) and due Aug 9. Applicants will be notified on or before Tues, Sept 10. Learn more at [cta.org/nbct](#)

BIPOC Cohort FAQ

[Contact us for more info](#)