



March 27, 2026

Office for Civil Rights U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Via Email: ocr@ed.gov

Re: Discrimination Complaint Against the University of Maryland, College Park

Dear Office for Civil Rights:

I am filing this complaint on behalf of the America First Policy Institute (AFPI), a 501(c)(3) organization dedicated to advancing policies that put the American people first. As part of our mission, we investigate potential violations of federal anti-discrimination laws by recipients of federal funding from the U.S. Department of Education. AFPI raises this complaint as a third party concerned that discrimination in hiring is occurring in higher education.

AFPI has learned that the University of Maryland (UMD), located at 1101 Main Administration Building, College Park, MD 20742, may be engaging in discriminatory practices in violation of federal law through its Diversity, Equity, and Inclusion (DEI) policies, scholarship and grant distribution on the basis of protected characteristics, and policies requiring use of locker rooms and restrooms based on gender identity rather than biological sex. UMD receives substantial federal funds and is therefore subject to federal civil rights regulations laid out below.

Alleged violations include the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq.*)
- Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 *et seq.*)
- Exec. Order No. 14,173, 90 Fed. Reg. 8633, 8634 (Jan. 21, 2025);
- [Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination](#), issued by Attorney General Pam Bondi (AG Guidance) (July 29, 2025)

AFPI sent UMD a letter (**EXHIBIT A**) on December 9, 2025, detailing some of these concerns, and received a response (**EXHIBIT B**) on December 23, 2025, claiming compliance but providing no substantive evidence. UMD did not use its internal grievance process for this matter.

I. UMD's Office of Belonging and Community (Formerly Office of Diversity and Inclusion) May Employ Discriminatory DEI Policies

UMD's [Office of Belonging and Community](#) (OBC), renamed from the Office of Diversity and Inclusion in summer 2025, appears to promote "diversity, equity, and inclusion goals" as stated in [UMD's 2025-2026 catalog and current website](#). Below are examples of policies and programs that may be violations of federal law because they discriminate on the basis of race, gender, or sexual orientation.

In 2024, OBC conducted a [Survey](#) (2024) that was "aimed to capture the experiences and perceptions of our students, faculty and staff to help inform the creation of an action plan" to develop or support policies and programs on the basis of race, gender identity, or sexual orientation. Following the survey, OBC implemented the [action plan](#) which generated the following new programs:

- a. "Diversity Equity and Inclusion (DEI) Training and Free Expression [Training](#)" for UMD's Department of Public Safety (DPS), which changes DPS's policies and procedures for its on campus policing potentially based on race, gender, and sexual orientation.
- b. A "[Restorative Justice Alternative Resolution Process](#)" which provides alternatives to disciplinary action for students potentially based on race, gender, and sexual orientation.

II. UMD Provides Scholarships and Benefits Based on Protected Characteristics.

UMD provides financial opportunities and benefits tied to LGBTQ+ affiliation, constituting preferential treatment based on sex (including sexual orientation and gender identity) to the disadvantage of non-LGBTQ+ students, in violation of Title IX and AG Guidance § IV(A). Examples include:

- The [Rodler-Wood Endowed Scholarship](#): Awarding \$1,000 to support students based on LGBTQ+ criteria, which may exclude non-LGBTQ+ individuals.
- The [Fearless Terp Scholarship Fund](#): Awarding funds based on LGBTQ+ status, which may exclude non-LGBTQ+ students.

III. UMD Has LGBTQ+ Inclusive Locker Room and Restroom Policies.

UMD's University Recreation & Wellness facility put up a sign in front of male and female locker rooms that states: "Youth over the age of five (5) years **must** use the locker room corresponding to their gender identity. A family locker room is located on the pool deck for the convenience of older youth, parents and guardians."

This policy, observed and photographed in early 2026 by a student at UMD, requires **anyone over the age of five** identifying as a member of the opposite sex to access facilities aligned with that person's believed gender identity. This policy has been in effect since at least 2026 and remains in place. A photo of the sign described above follows:



IMMIGRATION CONCERNS

In addition to the above instances of potential violations of federal nondiscrimination laws, UMD may be violating federal immigration law. This may include possible violations of 8 U.S.C. §1324(a)(1)(A)(ii-iv) by allegedly harboring and/or encouraging entry of illegal aliens and thwarting ICE enforcement.

As of February 2026, UMD provides the following services, which may serve to encourage or harbor illegal aliens on the UMD campus:

- 1-855-HELP-MY-FAMILY (1-855-435-7963) is a hotline provided as a resource on UMD's "[Undocumented Student Support and Resources](#)" webpage. An outside organization called the Illinois Coalition for Immigrant & Refugee Rights operates this hotline, which provides various services to illegal aliens and others across the Country including advanced reports about ICE enforcement activity and investigations in the local area. The information that the hotline collects is then published on a data base called the Rapid Response Network, which is shared with illegal immigrant communities for the

purpose of assisting them in avoiding or thwarting ICE enforcement. Illegal aliens who are students at UMD can also sign up for ICE activity text alerts on this organization's [website](#).

- UMD also provides students, faculty, and others with a flier called "[8 Things You Can Do to Support Undocumented Students](#)," which advises them on how to harbor illegal aliens on campus:

8 THINGS YOU CAN DO TO SUPPORT UNDOCUMENTED STUDENTS

<p>1 DO NOT INQUIRE ABOUT A STUDENT'S IMMIGRATION STATUS Students may have legitimate fears about disclosing this information. Educators and other personnel should not make assumptions about students' immigration status.</p>	<p>5 CONVEY ASSURANCE OF CONFIDENTIALITY in discussing the topic if a student chooses to disclose their immigration status</p>
<p>2 USE INCLUSIVE LANGUAGE such as undocumented student," "undocumented immigrant," "unauthorized" or "illegalized," "people without documents," or "people without legal status." The term "illegal alien" can make students feel unwelcome.</p>	<p>6 ESTABLISH WELCOMING SPACES while respecting student privacy, where undocumented students have the opportunity to learn and engage with their peers without fear or intimidation</p>
<p>3 LEARN THE FACTS Every academic year, 65,000 undocumented students graduate from high school in the United States. Currently, around 5-10% of these 65,000 high school graduates move on to a higher education institution (Gonzales, 2009). Maryland allows undocumented students to pay in-state tuition under certain conditions.</p>	<p>7 BE SENSITIVE to the limits that undocumented students face in your classroom activities and discussions. Not every student is eligible to register to vote, to travel out of the country, or feels comfortable discussing their family's migration story.</p>
<p>4 DONATE Donate to fundraisers such as the Terp Crisis Fund or the Undoc Students UMD Opportunity Fund to help undocumented students on our campus (both linked under the "Actions You Can Take" dropdown below).</p>	<p>8 SHARE RESOURCES Include links on your syllabus or canvas page for students to access for themselves, peers, loved ones, etc., on their own terms and at their own discretion.</p>


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Accessed January 2025. https://stamp.umd.edu/engagement/immigrant_undocumented_student_life_program/information_faculty_and_staff

AFPI respectfully requests that OCR investigate these alleged violations, including reviewing UMD's policies, eligibility criteria, demographic data, and internal assessments. We are available to provide additional information.

Sincerely,

Leigh Ann O'Neill

Leigh Ann O'Neill
Chief Legal Affairs Officer

Justin Holtsnider

Justin Holtsnider
Legal Advocacy Content Specialist
America First Policy Institute



December 9, 2025

Justin Holtsnider
America First Policy Institute
1455 Pennsylvania Ave N.W., Suite 225
Washington, DC 20004
jholtsnider@americafirstpolicy.com

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED and EMAIL:
president@umd.edu**

Darryll J. Pines
President, University of Maryland
1101 Main Administration Building
College Park, MD 20740

Re: Investigation Regarding UMD’s Compliance with Federal Anti-Discrimination and Immigration Laws

Dear President Pines:

The America First Policy Institute (AFPI) is investigating whether the University of Maryland (“UMD”), a recipient of tens of millions of dollars of funding from the federal government, has violated and is continuing to violate federal anti-discrimination and immigration laws. Our concerns arise from publicly available information AFPI has reviewed, suggesting UMD’s Office of Diversity and Inclusion may employ discriminatory and unlawful “Diversity, Equity, and Inclusion” policies. Furthermore, publicly available information that AFPI has reviewed concerning assistance that UMD provides to illegal aliens may also violate federal immigration law.

AFPI is a 501(c)(3) organization dedicated to advancing policies and litigation that put the American people first. AFPI’s guiding principles are liberty, free enterprise, national greatness, American military superiority, foreign policy in the American interest, and the primacy of

American workers, families, and communities.

As a major recipient of federal funds, UMD is subject to the requirements of Title VI, Title VII, Title IX, the Equal Protection Clause (among other relevant federal laws), and the July 29, 2025, “Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination” issued by Attorney General Pam Bondi. ([July 29, 2025, Guidance](#)). These authorities strictly prohibit the use of race, color, national origin, sex, or their proxies in any aspect of UMD’s programs, policies, scholarships, and awards. (AG Guidance §§ III, IV(A)-(D)). Additionally, UMD is required to comply with federal immigration and RICO laws, including but not limited to [8 U.S.C. §1324](#) and [18 U.S.C. § 1961\(1\)\(F\)](#).

Based on AFPI’s initial examination of UMD’s publicly available information about its “Diversity, Equity, and Inclusion” and immigration policies, the specific practices below raise serious concerns of a potential violation:

I. The Office of Diversity and Inclusion uses certain language that suggests UMD may employ a discriminatory and unlawful DEI program.

In UMD’s official [2025-2026 catalog](#), UMD states that “[t]he Office of Diversity and Inclusion (ODI) provides leadership and expertise for helping the University achieve its diversity, equity, and inclusion goals.” This language suggests that UMD may employ a discriminatory and unlawful DEI program that preferences applicants, students, employees, or others based on protected characteristics in a way that disadvantages other qualified persons. Should ODI promote disparate treatment based on such protected characteristics, UMD may be in violation of federal anti-discrimination laws. (AG Guidance § IV).

II. UMD’s LGBTQ Scholarships suggest that UMD provides financial opportunities or other benefits based on protected characteristics.

As a federally funded entity, UMD is prohibited from providing scholarship opportunities or other benefits based on protected characteristics, as this would constitute preferential treatment for certain groups to the disadvantage or exclusion of others. (AG Guidance § IV(A)).

Based on publicly available information, it appears that UMD provides a scholarship benefit called the [LGBTQ+ Equity Center Awards and Scholarships](#) which may violate federal anti-discrimination laws. There also appears to be several other scholarship benefits designated for LGBTQ+ affiliation, such as the [Rodler-Wood Endowed Scholarship](#) and the [LGBT Advocacy Scholarship Fund](#). While these scholarship programs may not appear overtly discriminatory in UMD’s public facing information, they may be in practice. (AG Guidance §§ IV(B), IV(E)).

Another such scholarship program warranting review for discriminatory practices is UMD’s [Fearless Terp Scholarship Fund](#), which purports to have been created “to help support students in the LGBTQ+ community at Maryland.” Similarly, UMD’s [28th Annual Lavender Celebration of Graduates and Award Winners](#) appears to have been created exclusively to “celebrate our LGBTQ+ graduates!”

III. The existence of LGBTQ Inclusive Locker Rooms may be a violation of Title IX and other federal laws.

The Attorney General warns that “[c]ompelling employees to share intimate space with the opposite sex [...] would typically be unlawful.” (AG Guidance § IV). On UMD’s [LGBTQ+ Equity Center](#) webpage, it states that “[c]ampus community members and visitors may use the restroom and/or locker room facilities that correspond most closely with their gender identity or expression.” This policy may be a violation of Title IX for permitting biological males to use females’ changing facilities and bathrooms in such a manner that it poses discrimination on the basis of sex. (Title IX, 20 U.S.C. § 1681 et seq.).

IV. Assistance to, and Harboring of, Illegal Aliens

UMD may be in violation of federal laws pertaining to illegal immigration. Offering to provide illegal aliens free immigration legal services or assistance to thwart ICE enforcement may constitute an unlawful inducement to illegally enter or remain in the United States. ([8 U.S.C. § 1324\(a\)\(1\)\(A\)\(ii-iv\)](#)). Violation of these federal laws may also be a predicate offense for a potential RICO violation. ([18 U.S.C. § 1961\(1\)\(F\)](#)).

A. Inducement to enter and remain in the United States.

Based upon publicly available information, UMD appears to offer services or benefits to illegal aliens that may constitute unlawful inducement to enter and remain in the United States. ([8 U.S. Code § 1324\(a\)\(1\)\(A\)\(ii-iv\)](#)). One such inducement is the provision of “free, confidential 30-minute consultations with an immigration attorney for currently enrolled undergraduate and graduate students with immigration-related concerns,” which appears on the UMD [website](#).

UMD also may be violating federal law by providing [instructions](#) to thwart ICE enforcement by offering services such as a “1-855-HELP-MY-FAMILY (1-855-435-7963)” hotline, in addition to providing instructions on how to be [unhelpful](#) to ICE Agents. This includes instructing students on how to obstruct lawful ICE enforcement by “invit[ing] the agents to wait in a public area and explain[ing] that you will contact University representatives that can assist them,” and to “not invite them to enter or consent to them entering non-public areas of the University.” UMD also provides a [flier](#) to help guide students on concealing illegal aliens from ICE or other immigration enforcement authorities and prevent students, faculty, or others from undertaking efforts to assist ICE enforcement, as follows:

8 THINGS YOU CAN DO TO SUPPORT UNDOCUMENTED STUDENTS

1

DO NOT INQUIRE ABOUT A STUDENT'S IMMIGRATION STATUS

Students may have legitimate fears about disclosing this information. Educators and other personnel should not make assumptions about students' immigration status.

2

USE INCLUSIVE LANGUAGE

such as undocumented student," "undocumented immigrant," "unauthorized" or "illegalized," "people without documents," or "people without legal status." The term "illegal alien" can make students feel unwelcome.

3

LEARN THE FACTS

Every academic year, 65,000 undocumented students graduate from high school in the United States. Currently, around 5-10% of these 65,000 high school graduates move on to a higher education institution (Gonzales, 2009). Maryland allows undocumented students to pay in-state tuition under certain conditions.

4

DONATE

Donate to fundraisers such as the Terp Crisis Fund or the Undoc Students UMD Opportunity Fund to help undocumented students on our campus (both linked under the "Actions You Can Take" dropdown below).

5

CONVEY ASSURANCE OF CONFIDENTIALITY

in discussing the topic if a student chooses to disclose their immigration status

6

ESTABLISH WELCOMING SPACES

while respecting student privacy, where undocumented students have the opportunity to learn and engage with their peers without fear or intimidation

7

BE SENSITIVE

to the limits that undocumented students face in your classroom activities and discussions. Not every student is eligible to register to vote, to travel out of the country, or feels comfortable discussing their family's migration story.

8

SHARE RESOURCES

Include links on your syllabus or canvas page for students to access for themselves, peers, loved ones, etc., on their own terms and at their own discretion.



Accessed January 2025. https://stamp.umd.edu/engagement/immigrant_undocumented_student_life_program/information_faculty_and_staff

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We encourage UMD to provide additional information about the policies described above so that we may assess whether they are in compliance with federal non-discrimination, immigration, and related laws. To assist us in assessing whether UMD's DEI and immigration policies comply with federal non-discrimination, immigration, and related laws, we request the following:

- (1) all policies, programs and guidelines by the ODI regarding eligibility criteria, selection procedures, and evaluative materials used to help "the University achieve its diversity, equity, and inclusion goals";
- (2) all eligibility criteria, selection procedures, and evaluative materials used for the LGBTQ Scholarships outlined above, including any criteria related to "diversity, equity, and inclusion" or similar concepts;
- (3) aggregate demographic data for recent applicants and participants in these programs;
- (4) any internal legal or compliance assessments conducted in response to federal non-discrimination obligations stemming from Title IX policies over your LGBTQ+ Inclusive Locker Rooms;
- (5) any internal legal or compliance assessments conducted in response to federal immigration laws surrounding UMD's 30-minute legal consultation for illegal aliens, ICE activity instructions and the Support Undocumented Students flier; and
- (6) any internal legal or compliance assessments conducted in response to federal

nondiscrimination obligations or the July 29, 2025, Attorney General's Guidance.

Thank you for your prompt attention to these serious compliance issues. Given UMD's obligations as a recipient of federal funds and more broadly as a U.S. education institution, it is imperative that all programs, policies, scholarships, and awards are in full alignment with federal nondiscrimination and immigration enforcement requirements.

We look forward to receiving the information about UMD's programs, policies, scholarships, and awards requested above. We also welcome your response detailing the steps UMD has taken to ensure that no program, policy, scholarship, or award confers unlawful preferential treatment based on protected characteristics or their proxies, and that UMD is complying with federal law regarding immigration enforcement.

We look forward to your affirmative reply to this letter by December 31, 2025.

Sincerely,

A handwritten signature in cursive script that reads "Justin Holtsnider".

Justin Holtsnider
America First Policy Institute



4716 Pontiac Street
Seneca Bldg, Suite 2117
College Park, MD 20742
301-405-4945 Main

OFFICE OF GENERAL COUNSEL

December 23, 2025

VIA ELECTRONIC MAIL (jholtsnider@americafirstpolicy.com)

Justin Holtsnider
America First Policy Institute
1455 Pennsylvania Ave N.W., Suite 225
Washington, DC 20004

Dear Mr. Holtsnider,

On behalf of the University of Maryland, College Park (“UMD”), and UMD President Darryll J. Pines, I am responding to your December 9, 2025 letter regarding “UMD’s Compliance with Federal Anti-Discrimination and Immigration Laws.”

UMD complies with federal anti-discrimination and immigration laws and regulations, as well as with the U.S. Supreme Court’s ruling in *Students for Fair Admissions v. Harvard* (“*SFFA*”), 600 U.S. 181 (2023). UMD does not offer any benefit or preference in admissions, financial aid or employment on the basis of an individual’s race, color, national origin, sex, or immigration status. UMD revised its admissions procedures in 2023 to ensure compliance with *SFFA* and since that time, under my office’s direction, has engaged in an ongoing, comprehensive review of its programs and services for compliance with federal laws.

UMD’s Office of Diversity and Inclusion was renamed over the summer to Belonging and Community (belonging.umd.edu); substantively, its scope and services have been modified to better align with the work performed on behalf of the entire campus community. While UMD values diversity in the broadest sense of the word, and the U.S. Supreme Court in *SFFA* acknowledged diversity within higher education as worthy of pursuit, UMD does not engage in “discriminatory and unlawful DEI” programming or any other activities that violate federal anti-discrimination laws.

Any institutional services and support available to members of UMD’s LGBTQ community are accessible and open to anyone at the university, regardless of protected status. In addition, UMD is bound by federal and state laws protecting gender identity and sexual orientation. *See Bostock v. Clayton Cnty*, 590 U.S. 644, 660 (2020) (holding that Title VII protects against sex discrimination based on gender identity); *Grimm v. Gloucester Cnty Sch. Bd.*, 972 F.3d 586, 616 (4th Cir. 2020) (holding that policies excluding transgender students from using facilities consistent with their gender identity discriminated on the basis of sex in violation of Title IX); Md. Code Ann., State Gov’t § 20-606 (prohibiting unlawful employment practices, including discrimination based on sexual orientation or gender identity).

UMD does not interfere with or obstruct the enforcement activities of ICE or any other federal agents. The instructions to which you refer in your letter are standard protocols designed to guide our staff in properly interacting with, and facilitating the lawful efforts of, immigration and other federal enforcement officials who come to campus.

Finally, UMD does not offer programming or services limited to immigrant or undocumented students. However, those students, like other UMD students, can seek and obtain legal advice and assistance from the UMD Undergraduate and Graduate Student Legal Aid Offices, a service that is funded and supported entirely by student fees and private contributions, and that is otherwise available to all UMD students.

I hope this information is helpful. Please direct any further correspondence regarding this matter to my attention.

Sincerely,

A handwritten signature in black ink that reads "Jay Rossello". The signature is written in a cursive style with a large, stylized initial "J".

Jay Rossello
Vice President for Legal Affairs & General Counsel