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To Whomever It May Concern,

Please accept this Title IX federal civil rights complaint against the University of Pennsylvania.

We are submitting this complaint to the Philadelphia Regional Office and the Washington Headquarters Office, whichever has original jurisdiction over the matter.

Please acknowledge by email receipt of this submission.

Respectfully,

Harry Crouch
President

14 pages including cover letter.

cc: Acting Assistant Secretary, Candice Jackson

candice.jackson@ed.gov

cc: Office for Civil Rights Electronic Submission Portal

ocr.ed@gov

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SUMMARY

The University of Pennsylvania is in violation of Title IX because it offers resources, funding, fellowships, and scholarships that are available to women only, even though men are a minority both nationwide [42%]¹ and at the University of Pennsylvania [47%, incoming class of 2021].² The exclusionary programs are listed below. Women are the overrepresented sex in general nationwide; they are also the majority of law students³ and medical students.⁴ New civil rights data published by the Department of Education makes it clear that concerns over the underrepresentation of women in STEM education are outdated.⁵ 77% of all teachers in the public education system are women, and the numbers are increasing.⁶ Girls have higher grades than boys in all categories.⁷

Men are beginning to face significant problems in the workplace due to this disparity in terms of college degree attainment. Women who apply to STEM degrees are far more likely to be hired than men.⁸ A recent study found out that women are 36% more likely than men to receive a job offer.⁹ Men work in more dangerous jobs and they are more likely to suffer permanent or grievous harm.¹⁰ The gender pay gap myth ignores many variables.¹¹

¹[>>https://nces.ed.gov/programs/digest/d16/tables/dt16_322.20.asp](https://nces.ed.gov/programs/digest/d16/tables/dt16_322.20.asp)

²<https://admissions.upenn.edu/admissions-and-financial-aid/what-penn-looks-for/incoming-class-profile>
http://obp.umich.edu/wp-content/uploads/pubdata/factsfigures/freshprof_uma_fall2013-2017.pdf

³<https://www.nytimes.com/2016/12/16/business/dealbook/women-majority-of-us-law-students-first-time.html>

⁴https://www.washingtonpost.com/local/social-issues/women-are-now-a-majority-of-entering-medical-students-nationwide/2018/01/22/b2eb00e8-f22e-11e7-b3bf-ab90a706e175_story.html?utm_term=.3873f1eff392

⁵<https://www.ed.gov/news/press-releases/us-department-education-releases-2015-16-civil-rights-data-collection>

⁶<https://nces.ed.gov/pubs2017/2017072.pdf>

⁷<http://www.apa.org/news/press/releases/2014/04/girls-grades.aspx>

⁸<http://www.pnas.org/content/early/2015/04/08/1418878112>

⁹<http://insight.movemeon.com/insight-analysis/gender/women-more-likely-to-get-hired-than-men>

¹⁰FORBES article:

[>>https://www.forbes.com/sites/timworstall/2016/12/21/heres-your-gender-pay-gap-fatal-occupational-injuries/#3c5143d36c3e](https://www.forbes.com/sites/timworstall/2016/12/21/heres-your-gender-pay-gap-fatal-occupational-injuries/#3c5143d36c3e)

¹¹Wall Street Journal article:

<https://www.wsj.com/articles/the-wage-gap-myth-that-wont-die-1443654408>

LEGAL THEORY

The Supreme Court prohibits gender discrimination against men.¹² The Second Circuit of Appeals has clarified that discrimination against men is unconstitutional even in the absence of malicious intent and even for a short period of time.¹³ The Sixth Circuit of Appeals has clarified that unlawful anti-male bias can be inferred when the overwhelming majority of the impacted parties are male.¹⁴

The plain language of Title IX, predicated in 34 CFR §106, prohibits any institution from funding/sponsoring discriminatory scholarships, programs, fellowships and initiatives.¹⁵ Title IX prohibits recipients from listing, soliciting, approving, sponsoring discriminatory scholarships even if they are entirely external to the University.¹⁶ Title IX prohibits discrimination in terms of counselling.¹⁷ Title IX prohibits discrimination in terms of health benefits.¹⁸ Title IX prohibits any kind of *preference* for admission in any educational entity, or its substituent chapters.¹⁹ In determining whether discrimination occurs, Title IX requires an assessment of the *overall effect*.²⁰

There were Title IX complaints of a similar nature in the past. For example, Michigan State University in 2016 converted a women-only study space in the Michigan Union to a study lounge that is now available to students of

¹² *Craig v. Boren* (1976). *Sessions v. Morales-Santana* (2017).

¹³ "A defendant is not excused from liability for discrimination because the discriminatory motivation does not result from a discriminatory heart, but rather from a desire to avoid practical disadvantages that might result from unbiased action. A covered university that adopts, even temporarily, a policy of bias favoring one sex over the other in a disciplinary dispute, doing so in order to avoid liability or bad publicity, has practiced sex discrimination, notwithstanding that the motive for the discrimination did not come from ingrained or permanent bias against that particular sex" (*Doe v. Columbia University*, p. 26, footnote 11).

¹⁴ "The statistical evidence that ostensibly shows a pattern of gender-based decision-making and external pressure on Miami University supports at the motion-to-dismiss stage a reasonable inference of gender discrimination ... nearly ninety percent of students found responsible for sexual misconduct between 2011 and 2014 have male first-names" (*Doe v. Miami University*, p. 15).

¹⁵ Such is the overall intent of CFR § 106.

¹⁶ CFR § 106.37.

¹⁷ CFR § 106.36.

¹⁸ CFR § 106.39.

¹⁹ CFR § 106.22.

²⁰ CFR § 106.37.

all genders, following a Title IX and civil rights complaint.²¹ Texas A&M University was subject to a Title IX complaint because it eliminated its last male-only dorm while preserving multiple female-only dorms.²² The press has reported that the Department of Education is investigating Yale University,²³ and the University of Southern California,²⁴ for Title IX violations in similar issues. The Oregon Department of Education has ordered the South Eugene High School to replace the title “Axemen” with “Axe” in order to promote inclusivity.²⁵ In a previous Title IX precedent, the University of Southern California agreed to change the name of the Center for Women and Men (implying a hierarchy of victimhood) into *Relationship and Sexual Violence Prevention Services*. The gender-neutral title had a substantial, positive effect on male participation in the Center.²⁶

This complaint alleges disparate treatment, not disparate impact. On information and belief, we allege that each instance of discrimination is supported by an inference of disparate treatment. Nowhere in this complaint do we infer discrimination based on disproportionate enrolment alone.²⁷ The fact that these scholarships and programs are endorsed as “women only” is sufficient, in and of itself, to infer disparate treatment. Such endorsement has a clearly dissuasive/discriminatory effect on males. This effect is akin to a German campus rejecting Jewish applicants in excess of the maximum quota²⁸ or state-sanctioned hate speech against non-Muslims in Saudi Arabia²⁹ or indeed, the “separate but equal” doctrine struck down in *Brown v. the Board of Education*. As such, such exclusionary language and practices create a hostile environment against prospective male applicants. As per OCR policy, hostile environment can occur even in the absence of intent to harm or even if the hostility is not directed at a particular target. Nor does hostile environment require sexual intent: gender animus or hostility based on sexual stereotypes is sufficient to trigger Title IX liability (*Dear Colleague Letter*, 2010, p. 2).³⁰

²¹ https://www.washingtonpost.com/news/wonk/wp/2016/07/28/a-male-professor-says-this-women-only-study-lounge-is-sexist-and-illegal/?utm_term=.e559327d8b60

²² <https://www.thecollegefix.com/post/31646/>

²³ <https://www.campusreform.org/?ID=10899>

²⁴ <https://www.campusreform.org/?ID=10931>

²⁵ http://www.oregonlive.com/education/index.ssf/2018/02/eugene_officials_chop_south_eu.html

²⁶ Department of Education, Office for Civil Rights, San Francisco Regional Office, Docket #09-16-2128.

²⁷ The ratio of female/male enrolment is relevant only in terms of determining the “underrepresented sex.” Women are no longer the “underrepresented sex” in colleges.

²⁸ *The Law against Overcrowding in Schools and Universities*: https://link.springer.com/chapter/10.1007%2F978-3-0348-9008-3_12

²⁹ <https://www.aljazeera.com/news/2017/09/hrw-saudi-arabia-hate-speech-target-minorities-170926082722213.html>

³⁰ <https://www.bna.com/white-worker-raised-n17179891668/>

The complaint seeks to eliminate gender discrimination against men without jeopardizing the civil rights of women. **When injunctive relief is granted, the female majority will still be able to compete with the male minority on equal footing.** The complaint is timely because all programs listed below involve ongoing and systematic gender discrimination.

LIST OF DISCRIMINATORY PROGRAMS

This list includes some discriminatory programs and scholarships, external or internal, active as of June 2018. The list is neither exhaustive nor final. OCR should request information regarding all women-only spaces, scholarships, fellowships, initiatives, departments, departments, lectureships, committees, groups, and events that are currently active at the University of Pennsylvania.³¹ Title IX also prohibits discrimination in programs which are externally funded if these programs use campus space or receive any other form of institutional endorsement.

1. The University of Pennsylvania violates Title IX by funding a **Center for Research on Reproduction and Women’s Health**,³² which exclusively focuses on the health concerns of women. The University is not currently funding an equivalent medical center that exclusively focuses on gender-specific health & science for men. While the University of Pennsylvania has medical facilities which offer health services to both men and women, none of these facilities has an exclusive focus on the health needs of men; nor do they devote funding for research which focus exclusively on men’s health needs. The *overall effect* of this imbalance is to diminish the quality of the medical services that men receive (compared to women). OCR must assess whether the University complies with Title IX under these circumstances. Please note that the operational logic of this allegation is consistent with the original wording of Title IX. That is to say, whenever a class of male persons receive inferior medical benefits *under* an educational institution, this is a violation Title IX. Please also note that the Third Circuit of Appeals has found that private medical facilities fall under the

³¹ “The compliance review regulations afford OCR broad discretion to determine the substantive issues for investigation and the number and frequency of the investigations” (*Case Processing Manual*, p. 20). OCR must use its discretion in a manner which maximizes its opposition to civil rights violations against men. If OCR chooses to narrow the scope of its discretion, OCR must state the reasons behind the decision.

³² <https://www.med.upenn.edu/crrwh/>

jurisdiction of Title IX.^{33,34} Injunctive relief for this allegation might involve the following:

- a. The creation of an equivalent research center for men and their medical needs.
- b. Changing the name of the Center to a gender-neutral title and ensuring that the Center makes a greater commitment to gender equality in allocating research funds.

2. FOCUS on Health and Leadership for Women (FOCUS) is an organization which discriminates against men.³⁵ The name is discriminatory, the overall effect is discriminatory and hostile against men, all executives are women,³⁶ and FOCUS caters to the exclusive needs of women. (There is no equivalent program that caters exclusively to the needs of men). All speakers in all events have been women.³⁷ All participants in the **Section for Women Residents** are women.³⁸ The University violates Title IX by funding FOCUS, but no equivalent program for males. In addition, FOCUS itself violates Title IX by discriminating against men.

3. University of Pennsylvania Women's Center engages in discrimination against men because the *overall effect* is discriminatory.³⁹ All participants are women.⁴⁰ The Center describes itself as “a perfect space for women, female-identified persons and feminists of all genders” – the overall effect of which is to create a hostile environment against men. All administrators are women.⁴¹ While the Center has an anti-discrimination clause, this is hollow and illusory.

- a. The Center has a discriminatory name, which has a dissuasive and hostile effect on men. If the Center is truly gender-neutral, it can accommodate a simple name change, such as *Violence Prevention Center*. OCR has implemented such name changes in the past.⁴²

³³ <https://www.lexology.com/library/detail.aspx?g=7de9e868-e918-49cf-8050-517974c0f4cf>

³⁴ Pennsylvania is under the jurisdiction of the Third Circuit.

³⁵ <https://www.med.upenn.edu/focus/>

³⁶ <https://www.med.upenn.edu/focus/ProgramLeadership.shtml>

³⁷ <https://www.med.upenn.edu/focus/httpwebdev.med.upenn.educontributefocusAnnualConference17Fall.shtml#description>

³⁸ <http://www.med.upenn.edu/focus/ResidentsandFellows.shtml>

³⁹ <https://www.vpul.upenn.edu/pwc/>

⁴⁰ https://www.vpul.upenn.edu/pwc/files/mli_ownit_01.1_1522264345_crop.jpg

⁴¹ <https://www.vpul.upenn.edu/pwc/contactus.php>

⁴² In a previous OCR precedent, the University of Southern California agreed to change the name of the Center for Women and Men (implying a hierarchy of victimhood) into Relationship and Sexual Violence Prevention Services (#09-16-2128). The name change had a substantial, positive effect on male participation in the Center.

- b. The Center offers resources that are exclusively for the benefit of women, such as **Rape Aggression Defence**, which is endorsed as “woman-only.”⁴³ This reinforces the sexual stereotype that men cannot be victims of rape. The Center also funds **Voices for Change**, a series of events from which men are categorically excluded: all participants were women.⁴⁴
- c. The Center coordinates with internal and external sources which benefit women only. A reasonable person browsing these resources cannot arrive at the conclusion that the Center does not discriminate against men: all listed resources are for the advantage of women and specifically designate women.⁴⁵
- d. The Center offers parenting resources that are available to mothers, such as lactation, but offers no equivalent program for fathers.⁴⁶

4. The University of Pennsylvania has violated Title IX by endorsing/sponsoring **Women Against Abuse**, an external organization which discriminates against men. The organization offers services to “women and children” but not men.⁴⁷ They are explicitly endorsed by the University of Pennsylvania and their events occur on campus space.⁴⁸

5. The University of Pennsylvania violates Title IX by funding a **Gender, Sexuality, and Women’s Studies**, the overall effect of which is discriminatory against men. The name is discriminatory and women are overrepresented in the program (25 women and 5 men as core faculty).⁴⁹ The program funds 11 female graduate students and 1 male graduate student.⁵⁰ Their agenda is preoccupied with women’s issues only, which creates a hostile/dissuasive effect against male participants.⁵¹ All classes taught by the program involve issues which impact women and LGBT groups, but not men.^{52,53} All former directors were women.⁵⁴ There is no equivalent program, funded by the University of Pennsylvania, which is devoted to the gender-specific problems that men experience. The

⁴³ <https://www.publicsafety.upenn.edu/safety-initiatives/rad-self-defense-courses/>

⁴⁴ <https://www.vpul.upenn.edu/pwc/voicesofchange.php>

⁴⁵ <https://www.vpul.upenn.edu/pwc/support.php>

⁴⁶ <https://www.vpul.upenn.edu/pwc/lactation.php>

⁴⁷ <http://www.womenagainstabuse.org/services/safe-havens>

⁴⁸ <http://www.womenagainstabuse.org/media-library/university-of-pennsylvania-students-take-back-the-night>

⁴⁹ <https://www.sas.upenn.edu/gsws/people>

⁵⁰ <https://www.sas.upenn.edu/gsws/program/graduate>

⁵¹ <https://www.sas.upenn.edu/gsws/events/gsws-apc>

⁵² <https://www.sas.upenn.edu/gsws/pc>

⁵³ Please note that this complaint alleges discrimination on the basis of sex only (i.e. against men), not discrimination on the basis of sexual orientation.

⁵⁴ <https://www.sas.upenn.edu/gsws/people/former-directors>

underrepresentation of men, coupled with the exclusionary name and interests of the group, augments an inference of bias even if disparate impact is not sufficient (in and of itself) to trigger legal liability.

- a. The program expresses an unlawful preference for women's issues in its decisions to sponsor/fund events. The program expressly mentions that issues that involve women and "global feminism" receive preferential treatment in terms of funding.⁵⁵ "Feminism" is defined as "organized activity on behalf of women's rights and interests."⁵⁶ Title IX prohibits any such preference in terms of funding.
- b. The program also hosts the **Alice Paul Center for Research on Gender, Sexuality, and Women**.⁵⁷ The name is discriminatory and the *overall effect* is hostile against men.
- c. The program offers three discriminatory scholarships⁵⁸ and all current recipients are women: Chloe, Zain, Liz, Shenila, Lauren, Janet. The scholarships have vague application criteria which attempt to conceal their discriminatory intent.
- d. The program offers **The Phyllis Rackin Graduate Award**, awarded to a "feminist scholar," expressing an unlawful preference in terms of gender ideology. The decision-maker is a woman (Luz Marin). All recipients are women.⁵⁹
- e. The program offers the **Leboy-Davies Graduate Student Award**, which requires the applicant to produce scholarship with "beneficial impact on the lives of women." All recipients have been women, except one male awardee.⁶⁰ The decision-maker is a woman (Anne Esacove). The underrepresentation of men, coupled with the exclusionary name and interests of the group, augments an inference of bias even if disparate impact is not sufficient (in and of itself) to trigger legal liability.

6. Wharton Women in Business discriminates against men. The name is discriminatory, membership is open to women only,⁶¹ all administrators are women,⁶² and all recent panellists were women.⁶³ A student has

⁵⁵ <https://www.sas.upenn.edu/gsws/center/funding/request-co-sponsorship>

⁵⁶ <https://www.merriam-webster.com/dictionary/feminism>

⁵⁷ <https://www.sas.upenn.edu/gsws/center>

⁵⁸ Visiting Scholars, Diversity Visiting Scholars, Research Affiliates.

⁵⁹ <https://www.sas.upenn.edu/gsws/center/funding/phyllis-rackin-graduate-award>

⁶⁰ <https://www.sas.upenn.edu/gsws/center/funding/leboy-davies-graduate-student-award>

⁶¹ "This event is an opportunity to bring together inspiring *female* leaders."

<http://www.whartonwomen.org/wws2017/>

⁶² <http://whartonwomen.org/about/officers/>

specified that he would be interested in testifying as a witness against Wharton: Women in Business if an official investigation is opened.

- a. Wharton hosts events which are available to women only, such as **Women's Visit Day**⁶⁴ and **The Women Effect**.⁶⁵ Their agenda is preoccupied with women's issues only.⁶⁶ They offer parenting resources to mothers, but not fathers.⁶⁷
- b. Wharton offers counselling exclusive to women only, even though this is prohibited by Title IX.⁶⁸
- c. **The Forte Fellowships**, offered by University of Pennsylvania's Wharton School, expressly discriminates against men.⁶⁹
- d. While the program has token male participation in a *separate* wing, Wharton 22s, this is *trivial* participation. The underrepresentation of men in Wharton, coupled with the exclusionary name and interests of the group, augments an inference of bias even if disparate impact is not sufficient (in and of itself) to infer bias. The University does not have an equivalent program for men which might offset the effects of Wharton's campus presence; the *overall effect* of Wharton's presence creates a hostile environment against prospective male applicants.

7. Penn Center for Women's Behavioural Wellness discriminates against men.⁷⁰ All faculty/administrators are women.⁷¹ This is a program which offers counselling to women only (Title IX prohibits discrimination in counselling). There is no equivalent program, funded by the University of Pennsylvania, which caters exclusively to men.

8. Trustee's Council of Penn Women expressly discriminates against men. Members are required to be women.⁷² As such, all members are women.

- a. The Council also offers discriminatory scholarships, such as the **Beacon Award**. While the Beacon Award claims to be open to both sexes, all recipients have been women and the recipient is required

⁶³ <http://www.whartonwomen.org/wws2017/speakers-panels/?display=panels>

⁶⁴ <https://mba.wharton.upenn.edu/event/womens-visit-day-13/>

⁶⁵ <https://tarahealthfoundation.org/women-effect-at-wharton-school-university-of-pennsylvania/>

⁶⁶ <http://www.whartonwomen.org/wws2016/agenda/>

⁶⁷ <http://whartonwomen.org/activities/mothers-wharton/>

⁶⁸ http://whartonwomen.org/activities/health_wellness/

⁶⁹ <https://mba.wharton.upenn.edu/tuition-financial-aid/>

⁷⁰ <http://www.med.upenn.edu/womenswellness/>

⁷¹ <http://www.med.upenn.edu/womenswellness/team.html>

⁷² <https://www.alumni.upenn.edu/s/1587/gid2/16/interior.aspx?sid=1587&gid=2&pgid=929>

to “further the advancement of women.”⁷³ All decision-makers are women, as per the paragraph above. Thus, the overall effect has a dissuasive/hostile impact on male applicants.

- b. Another such discriminatory grant is the **Trustee’s Council of Penn Women Faculty Research Grants**, which is available to women only.⁷⁴

9. Penn Association of Alumnae discriminates against men: “every woman becomes a member upon receiving a degree.”⁷⁵ The University of Pennsylvania has an Association of Alumni which is open to both sexes, not just to men, but the Association of Alumnae is open to women only. This imbalance creates an overall effect which is discriminatory against men. **The Association of Alumnae** uses campus space and receives funding from the institution.

10. Penn Forum for Women Faculty discriminates against men. All members are women and membership is for women only.⁷⁶ There is no equivalent program for men.

11. Penn Graduate Women’s Support group expressly discriminates against men.⁷⁷ There is no equivalent program for the male minority. Title IX prohibits discrimination in counselling.

12. OwnItUPenn is an affiliated organization which consists of women only,⁷⁸ while aiming to “connect young women everywhere.”⁷⁹ All participants are women.⁸⁰ The organization receives funding from the University of Pennsylvania.⁸¹

13. Penn GEMS is an organization that discriminates against boys and men. The name/intent is discriminatory and all participants are girls.⁸²

⁷³ <https://www.alumni.upenn.edu/s/1587/gid2/16/interior.aspx?sid=1587&gid=2&pgid=1101>

⁷⁴ <https://www.sas.upenn.edu/gsws/center/funding/trustees-council-penn-women-faculty-research-grants>

⁷⁵ https://www.alumni.upenn.edu/s/1587/gid2/16/interior_1col.aspx?sid=1587&gid=2&pgid=414

⁷⁶ <https://provost.upenn.edu/faculty/pfwf>

⁷⁷ <https://www.vpul.upenn.edu/caps/gradwomengrp.php>

⁷⁸ All members are women. <http://ownitupenn.com/new-page/>

⁷⁹ “To bridge the gap between **female** leaders and the millennials who admire them. We’re shaking up the **women’s** leadership arena by producing events accessible to college-aged **women** of all demographics -- not just those who can afford to pay their way.”

⁸⁰ <https://www.youtube.com/watch?v=-yMpfCG2Ihs>

⁸¹ <http://ownitupenn.com/our-sponsors/>

⁸² https://www.seas.upenn.edu/awe/gems/documents/gems_brochure_2018_BLUE_NEW-1.pdf

14. Penn Graduate Women in Science and Engineering (GWISE) discriminates against men. The name is discriminatory and all executive members (except one male in a minor position) are women.⁸³ All events involve interest groups for women, where exclusive female participation is the norm.⁸⁴ All recipients of benefits are women, on information and belief (as a reasonable person would suppose). The group aims to implement affirmative action for women in STEM due to the alleged underrepresentation of women in STEM, but UPenn violates Title IX by creating/funding no equivalent affirmative action programs for men in the particular fields wherein they are underrepresented.

15. UPenn Association for Women in Mathematics discriminates against men. The name is discriminatory, the overall effect is hostile against men, and all members are women.⁸⁵

16. UPenn Women in Computer Science discriminates against men. The name is discriminatory, the purpose of the organization is to “support *women*,” the overall effect is hostile against men, and all members are women.⁸⁶

17. PennDesign Women in Architecture discriminates against men. The name is discriminatory, the overall effect is hostile against men, and all members are women.⁸⁷

18. Women in Physics at the University of Pennsylvania discriminates against men. The name is discriminatory, the overall effect is hostile against men, and all members are women.⁸⁸

19. UPenn Advancing Women in Engineering discriminates against men. The name is discriminatory, the overall effect is hostile against men, and all members are women. The organization is dedicated to “recruiting, retaining, and promoting *women*.”⁸⁹

⁸³ <http://pgwise-upenn.squarespace.com/>

⁸⁴ <http://pgwise-upenn.squarespace.com/events/>

⁸⁵ <https://upenn-awm.weebly.com/>

⁸⁶ <https://wics.cis.upenn.edu/>

⁸⁷ <https://www.design.upenn.edu/women-architecture>

⁸⁸ <https://www.facebook.com/WiPatPenn/>

⁸⁹ <https://www.seas.upenn.edu/awe/>

20. Penn Society of Women Engineers discriminates against men. The name is discriminatory, the overall effect is hostile against men, and all members are women.⁹⁰

21. Women of Color at Penn discriminates against men. The name is discriminatory, the overall effect is hostile against men, and all members/participants are women.^{91,92}

22. Penn Association for Gender Equity discriminates against men. All members are women: in addition, the Association creates a hostile/dissuasive effect against men by using the terms “gender” and “woman” interchangeable.⁹³ The group purports to “tackle the issues that are facing women on our campus,” and no reasonable male person would join the organization under these circumstances.

⁹⁰ <https://fling.seas.upenn.edu/~swe/cgi-bin/>

⁹¹ <https://www.flickr.com/photos/aarcupenn/albums/72157628105775362/with/6325606461/>

⁹² Please note that this complaint alleges discrimination on the basis of sex only, not race.

⁹³ <http://www.penngenderequity.org/about/>

INJUNCTIVE RELIEF

In some circumstances, these exclusionary programs can attempt to cloak their invidious intent by posting hollow anti-discrimination disclaimers. For example, they can try to avoid legal liability by writing that “membership is open to all sexes, but we have a gender focus” while maintaining all-female status or female majority. Such rhetoric is diversionary and meaningless. In addition, the very name of an institution (i.e. *Women’s*) can support an inference of discrimination.⁹⁴ This is because a reasonable male person would not seek to participate in such an organization and/or apply for such a scholarship; the name thus creates a hostile overall effect.

This complaint requests the following injunctive relief, in any combination thereof:

- (1) The abolition of all female-only programs (and all programs that provide special preferences to females) within a reasonable period of time.
- (2) The conversion of all discriminatory programs into gender-neutral programs within a reasonable period of time. If such conversion occurs, the names of the programs must be changed into gender-neutral titles, and the programs must begin to actively recruit male students. There is OCR precedent for such conversion.⁹⁵
- (3) The creation of male-specific or male-focused programs and/or scholarships and/or research centres to offset the balance, whenever proper.
- (4) Any other form of injunctive relief, whenever proper (such as a future ban on all such programs).

⁹⁴ OCR routinely opens investigations against institutions which post such disclaimers.

⁹⁵ In a previous OCR precedent, the University of Southern California agreed to change the name of the Center for Women and Men (implying a hierarchy of victimhood) into Relationship and Sexual Violence Prevention Services (#09-16-2128). The name change had a substantial, positive effect on male participation in the Center.

ADDENDUM
(LIST OF DISCRIMINATORY PROGRAMS)

The list is neither exhaustive nor final. OCR should request information regarding all women-only spaces, scholarships, fellowships, initiatives, departments, departments, lectureships, committees, groups, and events that are currently active at the University of Pennsylvania.⁹⁶

1. Center for Research on Reproduction and Women's Health
2. FOCUS on Health and Leadership for Women
 - a. Section for Women Residents
3. University of Pennsylvania Women's Center
 - a. Rape Aggression Defence
 - b. Voices for Change
4. Women Against Abuse
5. Gender, Sexuality, and Women's Studies
 - a. Discriminatory preference in funding programs
 - b. Alice Paul Center for Research on Gender, Sexuality, and Women
 - c. The Phyllis Rackin Graduate Award
 - d. Leboy-Davies Graduate Student Award
6. Wharton Women in Business
 - a. Women's Visit Day
 - b. The Women Effect
 - c. The Forte Fellowships
7. Penn Center for Women's Behavioural Wellness
8. Trustee's Council of Penn Women
 - a. Beacon Award
 - b. Trustee's Council of Penn Women Faculty Research Grants
9. Penn Association of Alumnae
10. Penn Forum for Women Faculty
11. Penn Graduate Women's Support
12. OwnItUPenn
13. Penn GEMS
14. Penn Graduate Women in Science and Engineering
15. UPenn Association for Women in Mathematics
16. UPenn Women in Computer Science
17. PennDesign Women in Architecture
18. Women in Physics at the University of Pennsylvania
19. UPenn Advancing Women in Engineering
20. Penn Society of Women Engineers
21. Women of Color at Penn
22. Penn Association for Gender Equity

⁹⁶ "The compliance review regulations afford OCR broad discretion to determine the substantive issues for investigation and the number and frequency of the investigations" (*Case Processing Manual*, p. 20). OCR must use its discretion maximizing its opposition to civil rights violations against men. If OCR chooses to narrow its discretion, OCR must state their reasons.