



September 17, 2025

Christopher McCaghren, Ph.D.
Acting Assistant Secretary for Postsecondary Education
Office of Postsecondary Education
U.S. Department of Education
OPEGGrants@ed.gov
400 Maryland Avenue SW
Washington, DC 20202

RE: Request for Reconsideration of Non-Continuation of EOC Grant Award P066A210055

Dear Dr. McCaghren:

Indian Hills Community College (IHCC) respectfully requests reconsideration of the Department's decision to discontinue continuation funding for its TRIO Educational Opportunity Center (EOC) award, P066A210055, effective September 30, 2025.

In its notice, the Department stated that IHCC's 2021 application indicated the EOC project would "prioritize recruiting Hispanic residents, immigrants and the African American population." Respectfully, this is a mischaracterization of IHCC's application. The word "*prioritize*" does not appear in the cited section of IHCC's Plan of Operation. On page 22, IHCC affirmed that it would "ensure participation without regard to race, color, national origin, gender or disability," and further stated that the project would "encourage applications" from persons who are members of traditionally underrepresented groups, including racial or ethnic minority groups. This language was included to satisfy Section 427 of the General Education Provisions Act (GEPA), which the 2021 EOC solicitation required all applicants to address. The solicitation specifically instructed applicants to describe steps to ensure equitable access and to identify barriers based on gender, race, national origin, color, disability or age. IHCC's statement was drafted in direct response to this requirement.

Encouraging applications is not the same as prioritizing recruiting, and IHCC has never reserved slots, applied different scoring or provided preferential treatment based on race or ethnicity. The broader Plan of Operation from IHCC's 2021 application makes clear that IHCC has always conducted broad-based outreach across its 22-county service area, with particular emphasis on identifying low-income and potential first-generation college students. Outreach examples include schools, workforce development centers, veterans' organizations, dislocated worker programs, social service agencies, adult education providers and general community efforts such as newsletters, websites, media campaigns and public information sessions. While Hispanic outreach is referenced in other sections of

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the Plan of Operation, each instance appears within the context of this broad, community-wide outreach. These references illustrate how IHCC works collaboratively to remove barriers and expand awareness, not to establish preferences or priorities based on race or ethnicity.

Participation in IHCC's EOC has always been, and continues to be, determined solely by statutory criteria: low-income status and/or potential first-generation college status. Enrollment data confirm this: in 2023–24, IHCC's EOC served 1,000 individuals, of whom 730 were both low-income and first-generation students, 125 were low-income only and 145 were first-generation only. The program also served 33 military- or veteran-connected students. In total, 713 participants completed a FAFSA during the rollout of the new form last year, demonstrating the project's direct alignment with TRIO's statutory purpose.

Participant data also confirms the broad reach of the program. In 2023–24, 67.3% of IHCC EOC participants were White/non-Hispanic, 17.6% Black or African American, 9.6% Hispanic/Latino and 5.5% American Indian, Asian, Native Hawaiian or multiracial. These figures demonstrate that while IHCC conducts outreach to ensure awareness among all populations, participation has consistently reflected the diversity of the region and has never been based on racial or ethnic preference.

It is also important to note that IHCC's 2021 application was developed and reviewed under the priorities and requirements in effect at that time, including GEPA §427. The Department's current interpretation of Title VI, as articulated in the February 14, 2025 Dear Colleague Letter, had not yet been issued. Applying this interpretation retroactively to language written four years earlier overlooks the fact that grantees prepared their applications in good faith based on the Department's requirements at that time.


Following issuance of the Dear Colleague Letter, IHCC reviewed all EOC practices to ensure full compliance with the Department's current interpretation of Title VI. Outreach is designed solely to provide equal access and remove barriers to awareness for all residents, while enrollment and participation decisions are based exclusively on statutory eligibility requirements. IHCC remains fully committed to ensuring that its program aligns with the Department's February 14, 2025 guidance as well as with federal civil rights law.

For these reasons, IHCC respectfully requests that the Department reconsider its determination. The language cited in the non-continuation notice does not accurately represent IHCC's 2021 application or its practices. The Plan of Operation demonstrates that IHCC's EOC project has always complied with civil rights law, and following issuance of the February 14, 2025 Dear Colleague Letter, IHCC reviewed and confirmed that all practices remain consistent with the Department's current interpretation of Title VI. By ensuring both historical compliance and present alignment, the program

continues to serve the best interests of the Federal Government by supporting disadvantaged individuals in pursuing higher education.

Thank you for your attention to this matter. Please contact me with any questions or requests for additional information.

Sincerely,



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President

Indian Hills Community College

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