**Washington State University Pool & Match Guidelines**

**Student Financial Services**

The information below is from reference material “Federal Nondescrimination Law Regarding Diversity: I (<https://sfspartners.wsu.edu/media/761428/federal-nondiscrimination-law-regarding-diversity.pdf>)

To help balance donor preferences and potential legal requirements, one strategy—“pooling”—may be helpful for institutions and private donors alike. When an institution pools funds, it places each individual donor gift in the same general scholarship pool with all other comparable aid. Comparable aid is aid for a common purpose (e.g., financial need or high GPA) if race, ethnicity and sex limitations were temporarily disregarded. When pooling, the institution should ensure any pooled aid that has race-, ethnicity-, or sex-conscious selection criteria is a small proportion of the total pool. Later, the organization considers only neutral criteria to determine which students will receive aid, and the amount and type of aid (loan, scholarship/grant, work-study, and allocation) each will receive. Only after making final aid decisions does the institution match individual student aid recipients with funding from the pool—first allocating funds from donors that restrict their awards to student aid recipients who satisfy additional requirements, and then allocating the unrestricted funds to the rest of the student aid recipients. Although not reviewed by any court, strong arguments support a characterization of this strategy as neutral because dollars are fungible and the strategy increases the pool of dollars available to all student aid recipients, including those who would not satisfy donor race, ethnicity, and sex preferences or restrictions.

If after allocating the donor funds to those students who meet the additional requirements the remaining funds are not adequate to meet all predetermined aid recipients, the gap must be made up through institutional funds. focused on individuals of specified race, sex, or another characteristic that may trigger heightened judicial review. Relevant to this analysis is the fact that the U.S. Department of Education in its Title VI policy guidance observed, “[A] decision to bar an award [intended for a specific group of students] . . . will not necessarily translate into increased resources for students from non-targeted groups.” Pooling with an expanding, rather than defining, effect on total aid funds of a particular category should logically reduce the potential vulnerability of any scholarship specifically focused on individuals of specified race, sex, or another characteristic that may trigger heightened judicial review

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