



February 27, 2024

Dear Friends,

On Friday, Feb. 14, the Office of Civil Rights of the U.S. Department of Education released a "Dear Colleague" letter requiring schools from K-12 through higher education to conform to the Department's interpretation of federal law. The letter specifically prohibits any efforts that treat students differently "...on the basis of race to achieve nebulous goals such as diversity, racial balancing, social justice, or equity." Schools were given until Feb. 28, 2025, to comply with applicable statutes and regulations "based on the understanding embodied in this letter" or "face potential loss of federal funding."

The letter has generated considerable discussion on campuses nationwide and among higher education associations. In a Feb. 25 letter to the Department of Education, the American Council on Education raised objections and concerns about the letter's content and asked the Department to rescind the Dear Colleague letter and engage instead in dialogue. Several higher education associations co-signed the ACE letter, including the Association of Jesuit Colleges and Universities (AJCU). An excerpt may be found as follows:

Unfortunately, the [Dear Colleague Letter's] ambiguous language has only led to greater confusion on campuses about their compliance responsibilities. Therefore, we respectfully request that the Department rescind the [Dear Colleague Letter] and engage with the higher education community to ensure a clear understanding of their legal obligations in this area.

The University follows all laws that govern our work with great care and will continue to do so. However, the Dear Colleague letter's scope is wide and not entirely clear. For this reason, I have asked members of the Cabinet to consider potentially relevant programs and projects within their divisional areas. We have started implementing some prudent steps as a precaution, including removing or adjusting some website content. Some of these moves may be temporary and none affect our deeper commitment to remaining a welcoming, inclusive community in accord with our Catholic and Jesuit mission. We will continue to monitor the situation and determine if additional actions are needed.

As we move forward with our necessary response, I repeat my message on Feb. 14: "We will not compromise the deeper commitments that have and will always inspire our shared work and mission."

Thank you for helping the University to navigate through these uncertain times. We will continue providing periodic updates as we learn of new developments.

Yours Faithfully,

Joseph G. Marina, S.J.