U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

June 17, 2025

VIA ELECTRONIC MAIL ONLY

Rector Rachel W. Sheridan
BOARD OF VISITORS OF THE UNIVERSITY OF VIRGINIA
The Rotunda
Charlottesville, Virginia

c/o Farnaz F. Thompson
MCGUIREWOODS
888 16th Street – Suite 500
Washington, D.C. 20006

RE: Racial Discrimination in Admissions at the University of Virginia

Dear Rector Sheridan:

We write regarding a matter of considerable urgency and in furtherance of the Department's prior communications and requests for information. This letter should be viewed in conjunction with the overall Title VI compliance review and inquiries previously sent to the University of Virginia ("UVa").

Since transmission of our correspondence to you yesterday, the United States Department of Justice has received yet another complaint, this time by an active undergraduate student at the University of Virginia, that raises serious questions and concerns about UVa's ongoing use and consideration of race in current admissions processes for selective undergraduate schools or programs such as the Batten School of Public Policy and Leadership and the McIntire School of Commerce.

Please review this correspondence and the requests below carefully.

As you know, consideration of race and race-based preferential treatment in admissions or the award of student benefits by UVa, if true, would constitute a violation of *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181, 231 (2023), the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, Title VI of the Civil Rights Act of 1964, the Executive Orders of the President of the United States, the UVa Board of Visitors' own resolution of March 7, 2025, calling for the elimination of illegal racial discrimination and race-based admissions practices at the university, and a host of other federal and state anti-discrimination laws.

The Department has received evidence that in its Spring 2025 application process for rising Second Year students, UVa's McIntire School of Commerce invited candidates to identify themselves by race, gender, or other "DEI-type" characteristics for the purpose of enabling the school to offer "opportunities" to "underprivileged" communities. Additionally, the evidence gathered thus far demonstrates that the McIntire School of Commerce offered and continues to offer advantages and benefits, including recruitment, student support, and application enhancement programming on race- and gender-conscious bases. For example, the McIntire School's promotional materials boast that its "Commerce Cohort" "engages and supports high-achieving, high-need UVA first-years with academic mentorship, career preparation, and personal development through sessions on practical study and employment skills, critical analysis, self-reflection, and communication—all conducted through the business lens." Among the many benefits offered to the "Commerce Cohort" is "mentorship and advising from the McIntire Office of Undergraduate Admission Staff." The same materials go on to reveal that 68% of the students allowed into this specially designated "Commerce Cohort" are identified as "minority students."

The Department has learned that the mean cumulative grade point average for incoming admitted classes at the McIntire School of Commerce historically hovers around the 3.7 figure, or an A- average for UVa students. However, the program regularly admits UVa students with a grade point averages far below 3.0, and sometimes as low as 2.4. The Department understands that in the most recent admissions cycle for this prestigious program, non-minority students with perfect or near perfect UVa grade point averages were denied entrance. Without further evidence to explain these anomalies, the circumstances and evidence referenced above raise suspicions that improper race-conscious decision-making and preferential treatment are to blame and are occurring in that process.

Racial discrimination is immoral and abhorrent. Most of all, it is illegal. The mounting evidence that the Department is receiving on a near daily basis suggests that the problem identified above at the McIntire School of Commerce is not confined to that component. In fact, the Department possesses evidence that the use and consideration of race in admissions decisions and the conferring or awarding of student benefits and programming opportunities are widespread practices throughout every component and facet of the institution.

Time is running short, and the Department's patience is wearing thin. The Department must insist that the University of Virginia, through its Rector and Visitors, take immediate corrective action to bring the entire institution within compliance of governing federal anti-discrimination laws. Dramatic, wholesale changes are required, now, to repair what appears to be a history of clear abuses and breaches of our nation's laws and our Constitution by the University of Virginia under its current administration.

The Department is waiting to hear from you. In the meantime, if meaningful and immediate progress toward resolution is not secured, the Department will have no choice but to initiate additional formal action(s). The Department will also continue to engage other interested and involved federal agencies as necessary and appropriate to secure UVa's compliance with federal law. Among the remedies available to the United States in the face of UVa's continued refusal to obey the law are the suspension, termination, or refusal to grant or continue UVa's federal financial assistance.

We are confident that you appreciate the seriousness of the present circumstances and the disappointment the Department experienced upon learning of this latest complaint. We expect to hear from you promptly and remain,

Sincerely,

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division
U.S. DEPARTMENT OF JUSTICE

GREGORY W. BROWN
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U.S. DEPARTMENT OF JUSTICE