

Congress of the United States

Washington, DC 20515

January 7, 2025

The Honorable Dr. Miguel A. Cardona
Secretary
U.S. Department of Education
400 Maryland Ave. SW
Washington, D.C. 20202

The Honorable Catherine E. Lhamon
Assistant Secretary for Civil Rights
Department of Education, Office for Civil Rights
400 Maryland Ave. SW
Washington, D.C. 20202

Secretary Cardona and Assistant Secretary Lhamon,

We are writing to express serious concerns with the recent report regarding the University of Minnesota Twin Cities' Design Justice program showing that students are being segregated based on race.¹ As a taxpayer-funded university, this is nothing short of unacceptable.

While the Design Justice program has different elements, it segregates students by race and in general is only open to Black, Indigenous, People of Color (BIPOC). While the program does have events for "white allies", these are segregated events. The white ally events are open to everyone, but the BIPOC events are only for BIPOC students. This is a shameful, racially discriminatory program that has no place at a public university in Minnesota.

Design Justice explains that "events are intended to be intentional spaces for certain identities." The separate "white ally affinity space events" are designed for "white allies/accomplices within the College of Design."² These brazen efforts to sow division among students solely based on the color of their skin are further unfortunate examples of inappropriate and race-oriented programs taking place on University of Minnesota campuses. As you know, this is the second time we have written to you regarding similar University of Minnesota programming in as many years.³

The U.S. Department of Education Office for Civil Rights (OCR) itself clearly states that "OCR enforces several Federal civil rights laws that prohibit discrimination in programs or activities that receive Federal funds from the Department of Education. These laws prohibit discrimination on the basis of race, color, national origin, sex, disability, and age. These laws extend to all state education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state vocational rehabilitation agencies, libraries, and museums that receive U.S. Department of Education funds."⁴ Furthermore, Title VI of the Civil Rights Act of 1964 expressly prohibits discrimination based on race, color, or national origin in

¹ Collin, Liz (12/4/2024). *U of M hit with federal civil rights complaint for 'segregated, racially discriminatory program'*. Alpha News. <https://alphanews.org/u-of-m-hit-with-federal-civil-rights-complaint-for-segregated-racially-discriminatory-program/>

² *Design justice events: College of design*. Design Justice Events | College of Design. (n.d.). <https://design.umn.edu/justice/events>

³ <https://finstad.house.gov/2023/5/finstad-calls-for-investigation-into-taxpayer-funded-university-internship-program>

⁴ U.S. Department of Education. (2023). *Race and Original Discrimination: Overview of the Law*. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/know.html>.

programs or activities receiving federal financial assistance and all federal agencies that provide grants of assistance are required to enforce Title VI.⁵

The University's decision to offer this program only to BIPOC students appears to be a violation of this law and others that were put in place to protect all students from this form of discrimination. Discrimination under the guise of Diversity, Equity, and Inclusion is still discrimination, and it is reprehensible that the University of Minnesota has fostered this type of learning environment.

As Secretary of the U.S. Department of Education and Assistant Secretary for Civil Rights, proper oversight of this program falls under your jurisdiction. It is our understanding that a civil rights complaint has already been filed against the program. It is critical that you fully and fairly exercise your authority, investigate these unlawful practices by the University of Minnesota, and take proper action to ensure that this does not continue.

Thank you for your time and attention to this important matter. We trust that your swift action will contribute to resolving this issue and ensuring that every student on a University of Minnesota campus isn't discriminated against by their fellow students or their own university.

Sincerely,



Brad Finstad
Member of Congress



Tom Emmer
Member of Congress



Pete Stauber
Member of Congress



Michelle Fischbach
Member of Congress

⁵ Civil Rights Act of 1964. (7/2/1964). Enrolled Acts and Resolutions of Congress, 1789 – 2011. General Records of the United States Government, Record Group 11. National Archives Building, Washington, DC.
<https://www.archives.gov/milestone-documents/civil-rights-act>.