U.S. Department of Justice
Civil Rights Division

Office of the Assistant Attorney General
Washington, D.C. 20530

August 17, 2026

VIA Electronic Mail

Carrie Nee
University Counsel
William & Mary
Office of University Counsel
James Blair Hall
250 James Blair Dr.
Williamsburg, VA 23186
csnee@wm.edu

Dear Ms. Nee:

The United States Department of Justice is commencing a compliance review investigation of William & Mary ("W&M") pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.* Title VI prohibits a recipient of federal financial assistance from discriminating on the basis of race, color, or national origin. 42 U.S.C. § 2000d. As you know, W&M currently receives federal financial assistance from the Department of Justice and accordingly must abide by Title VI's anti-discrimination requirements. At this time, our investigation will focus on possible race discrimination in W&M's scholarships and financial aid, recruitment, and educational support. **Providing any educational benefits, including recruitment, scholarships, and support services, based on race violates the civil rights of all Americans.**

The Department recently became aware that W&M offers or administers scholarships and other educational benefits that may include unlawful racial criteria. For example, W&M selects its W&M Scholars, who each "receive a scholarship covering at least the full cost of in-state tuition and fees," with "top consideration" given to "diverse people and perspectives."[1] William and Mary Law School ("W&M Law") allegedly awards up to five full scholarships with associated benefits to incoming law students who are graduates of Historically Black Colleges and Universities through its Lemon Legal Scholars Program ("LLSP"). According to a current webpage maintained by W&M Law, LLSP was "[l]aunched in accordance with the Why We Can't Wait Initiative."[2] This initiative was described by W&M Law Dean A. Benjamin Spencer as one facet of a "12-part action plan for real and fundamental change."[3] This "change" is described as an approach to the "problem of racial justice," with the LLSP listed as a means of supporting "underrepresented students."[4] LLSP appears to take its name from the Lemon Project, which is described as "a multifaceted and dynamic attempt to rectify wrongs perpetrated against African Americans by

[1] https://www.wm.edu/as/wmsure/wm-scholars/
[2] https://law.wm.edu/admissions/jdprograms/cost/scholarships/lemon-legal-scholars-program/
[3] https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1002&context=rsjexperiences
[4] https://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1002&context=rsjexperiences

William & Mary through action or inaction."[5] Those wrongs are referenced as the university having "owned and exploited slave labor from its founding to the Civil War; and that it had failed to take a stand against segregation during the Jim Crow Era."[6]

The Department has reviewed other public-facing materials and has reason to believe that W&M may be awarding other scholarships, forms of financial aid, and benefits that include race-based criteria:

- W&M's School of Education ("W&M SOE") offers the Martha L. Muguira Fellowship that includes a preference for Hispanic and Latino women.[7]
- W&M SOE selects Holmes Scholars for specialized mentorship, programming, support, and opportunities to "develop[ ] future education leaders of color."[8]
- W&M SOE nominates three students for the Virginia Teaching Scholarship Loan Program, which it describes "as an incentive to increase the diversity of persons pursuing careers in teaching."[9]
- A W&M Law "Dean's Campaign" webpage advertises a Reaching Back Scholarship that has "a preference for those who attended Historically Black Colleges and Universities or who contribute to the diversity of the Law School."[10]
- A promotional flier for the LLSP and accompanying description posted on October 4, 2022, by the W&M Student Assembly to its Instagram account, advertised a panel discussion, as part of a partnership with "Howard University to bring 15 students to William & Mary Law School to learn about the [LLSP] and promote Black Excellence in the legal field" during a "2-day experience."[11]
- The mission statement of the Lemon Project says the project "builds bridges between William & Mary and African American communities through research, programming, and supporting students, faculty, and staff."
- The Lemon Project's Donning of the Kente is a graduation ceremony that appears to be nominally open to all but is focused exclusively on black or African American students.[12]

In conducting the compliance investigation, we will seek to determine whether W&M is violating Title VI. We have not reached any conclusions about the subject matter of the investigation. If we conclude that W&M is not violating Title VI, we will notify you that we are closing the investigation. 28 C.F.R. § 42.107. If we conclude that W&M is violating Title VI, we

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[5] https://law.wm.edu/admissions/jdprograms/cost/scholarships/lemon-legal-scholars-program/
[6] https://law.wm.edu/admissions/jdprograms/cost/scholarships/lemon-legal-scholars-program/
[7] https://education.wm.edu/admissions/financialaid/soeawards/epplawards/; https://education.wm.edu/documents/financialaid/Muguira.pdf
[8] https://education.wm.edu/centers/holmes/
[9] https://education.wm.edu/admissions/financialaid/other/vtslp/
[10] https://law.wm.edu/giving/waystogive/deanscampaign/
[11] https://www.instagram.com/p/CjSyCGmgR1m/
[12] As recently as December 2024, the ceremony was described as reserved "for students of color." https://web.archive.org/web/20241210110257/https://www.wm.edu/sites/lemonproject/forstudents/donning-of-the-kente/

will inform you and work with you to secure compliance by informal voluntary means. 28 C.F.R. §§ 42.107, 42.108. If we cannot secure compliance by voluntary means, we may take formal action to secure compliance, which could include suspending, terminating, or refusing to grant or continue your federal financial assistance, as well as commencing a civil action. 28 C.F.R. § 42.108.

We expect W&M to cooperate fully with this compliance investigation. The Department's Title VI implementing regulations require, among other obligations, that recipients of federal financial assistance permit access by the Department to sources of information and facilities as may be pertinent to ascertain compliance with Title VI and the implementing regulations. 28 C.F.R. § 42.106. These Title VI implementing regulations also require that every application for federal financial assistance be accompanied by an assurance that the program will be conducted in compliance with all requirements that Title VI and the implementing regulations impose. 28 C.F.R. § 42.105. Pursuant to this requirement, W&M signed contractual assurances agreeing to permit the Department to examine records and access other sources of information and facilities.

Pursuant to this authority, we request documents in the attached Request for Information. We ask you to respond to the accompanying Request for Information by providing all responsive documents in an accessible electronic format (such as searchable PDF, Microsoft Word, or Excel) that preserves metadata and allows for efficient review. Electronic versions of documents should be provided to expedite the review process. If certain documents are only available in physical form, please indicate this in your response. Please send the requested information no later than September 8, 2026. If you anticipate challenges meeting this deadline, contact us by August 31 to discuss a small extension and provide a factual justification for said extension request.

Some of the requested materials may contain student information protected under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g. The Department of Justice is authorized under 34 C.F.R. § 99.3 l(a)(3)(ii) to obtain such information without prior consent for the purpose of enforcing federal legal requirements, including Title VI. Any information disclosed pursuant to this request will be used solely for compliance review purposes and maintained in accordance with applicable federal confidentiality requirements.

If you have any questions about this letter, please contact Christopher Barnewolt at (202) 709-1055 or Christopher.Barnewolt@usdoj.gov. Thank you in advance for your attention to and cooperation in this compliance investigation.

Regards,



Harmeet K. Dhillon
Assistant Attorney General
Civil Rights Division
United States Department of Justice