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From: SCCCD Chancellor's Office <noreply.chancellor@sccd.edu>
Sent: Wednesday, February 19, 2025 11:31 AM
Cc: Carole Goldsmith; Melissa Ferry; Lauren Lowe
Subject: Department of Education "Dear Colleague" Letter



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Department of Education "Dear Colleague" Letter

Dear State Center Community,

You may be aware of a recent "Dear Colleague" [letter](#) from the U.S. Department of Education's Office for Civil Rights, which raised concerns about the legality of certain policies promoting inclusivity across publicly funded K-12 schools, colleges, and universities. While State Center has not received this letter directly, we are closely reviewing it and actively seeking to understand its implications. The letter asserts that any policies aimed at promoting racial diversity are in violation of existing federal law. It also warns that failing to adhere to the Department's interpretation of these laws could result in the loss of federal funding, including student financial aid. Yesterday, our State Chancellor released a statement on the subject and I am sharing that with you at the bottom of this email message.

We are participating in discussions with educational leaders nationwide to understand its impact and navigate this evolving legal landscape. While we undertake this review, our State Center's commitment to student success remains unchanged. We are committed to providing a supportive, inclusive environment where every student can thrive. We are dedicated to ensuring that all students feel a sense of belonging on our campuses. Our mission remains unchanged: expand educational opportunities for students, strengthen pathways to optimize success, and support workforce development so students can successfully enter the job market.

We are confident that we are complying with all relevant state and federal laws. In fact, California Proposition 209 already prohibits discrimination or preferential treatment based on race, sex, color, ethnicity, or national origin. Recent affirmations from the California Attorney General also support that well-developed initiatives to promote inclusivity are legally sound and beneficial.

We recognize the uncertainty of these times, and we are working hard to navigate the new legal environment while remaining true to our vision and mission. If you have any questions, please feel free to reach out to our office or contact your members of Congress directly to voice your opinion.

Dr. Carole Goldsmith
Chancellor



**A Message from
Chancellor Sonya Christian**

February 18, 2025

CEO Colleagues:

By now many of you have seen the February 14, 2025 “Dear Colleague” letter from the Department of Education’s Office of Civil Rights (Department). Without identifying any specific educational institution or program, the letter declares the Department’s general belief that any policies intended to promote racial diversity violate existing federal law. The letter says that even some policies we believe are racially neutral may be unlawful if they rely on “proxies or other indirect means” to promote diversity. The Department states that any educational institutions failing to comply with the Department’s interpretation of the law may face potential loss of federal funding.

The Department’s letter acknowledges that it does not change the law or otherwise have the effect of law but rather it merely provides notice of how the Department interprets existing federal law.

It will be up to the courts to decide whether the Department’s interpretation of the law is correct and, if so, 1) what that law means in particular situations and 2) whether a violation of the law allows the Department to withhold any particular federal funding. The courts will address the issues incrementally based on the facts of each case.

While the letter implies that a policy may be unlawful even if consistent with Proposition 209, it is important to remember that Proposition 209 already prohibits the California Community Colleges from “discriminate[ing] against, or grant[ing] preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.”

The Chancellor’s Office is actively and regularly in conversations with our state and federal partners. We will work swiftly to provide as much clarity, guidance, and support as we can to help our colleges remain focused on serving students without disruption.

California Attorney General Rob Bonta issued a [press release](#) last week providing guidance for businesses, nonprofits, and other organizations on diversity, equity, inclusion and accessibility (DEIA) initiatives in the workplace. The release states that for decades, state and federal courts have consistently recognized that DEIA policies do not amount to impermissible discrimination. In fact, Attorney General Bonta says that decades of research and data demonstrate that properly developed

and implemented DEIA initiatives help prevent unlawful discrimination and ensure that discriminatory conduct is promptly identified, reported and addressed when it does occur. The evidence makes clear the impact of these efforts to the students, faculty, and staff of our system and to the future of California.

As always, I encourage you to continue your critical work in alignment with state and federal laws, regulations, and our shared goal of expanding educational opportunities, strengthening student pathways, and supporting workforce development to meet California's economic needs. Our mission remains unchanged: ensuring that every student can succeed and providing them the support to do so.

Please continue to reassure faculty, staff, administrators, and students **that our existing programs will continue for the foreseeable future**, and to contact their Member of Congress if they are concerned.

If you experience any delays in scheduled payments from any federal agencies (the Department of Education or otherwise), please notify our office immediately. Chris Ferguson is collecting this information and will keep key state agencies informed. We are not always aware of every situation "on the ground," but **at this time, nearly all freezes/pauses on federal funding have been blocked by court orders, and funding to both campuses and students should be flowing as usual.**

As I wrap up, please note that the **League will be hosting a webinar on February 26th, Wednesday, at 9:00 am.** Please plan on participating along with your executive leadership.

Thank you all for your continued leadership and commitment to our students.

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