
Subject: Message from Provost and General Counsel [IWOV-UGC.FID79051]
Date: Tuesday, February 18, 2025 at 4:14:06 PM Eastern Standard Time
From: Quinn, Brian
To: DeanDirChair

Deans, Directors, and Chairs:

To better support the work that you do, we are sending you this message.

As a condition of receiving federal funding, multiple agencies are now requesting certification from MSU that the institution does not “operate any programs promoting DEI that violate any applicable federal anti-discrimination laws.”^[1]

Well-established federal and state laws prohibit MSU from discriminating against or granting preferential treatment based on protected identities in employment, admissions, and all other programs and activities, including scholarships, awards, groups, and other opportunities. These laws and associated regulations, which remain unchanged, form the basis for, and are described in, MSU’s [Notice of Non-Discrimination, Anti-Harassment and Non-Retaliation](#).

Consistent with those institutional commitments to non-discrimination, programs and activities are regularly reviewed to ensure compliance with the law. Now is a prudent time to review programs and activities under your purview to confirm compliance with anti-discrimination laws and MSU’s existing policy, in particular any efforts that may be focused on (or appear to focus on) individuals based on a protected identity.

Within your respective colleges and units, you must ensure that:

- Membership and participation in programs or activities are not restricted based on a protected identity.
- Preference is not given based on a protected identity.
- If the name of a program, activity, group, scholarship, award, or other opportunity is linked to a protected identity, all materials (*e.g.*, websites, applications, promotional and outreach materials) make clear that all are welcome and shall receive equal opportunity to participate or apply.
- The college or unit does not promote or otherwise support external programs, scholarships, awards, or other opportunities that are restricted based on a protected identity.

Additional background and information can be found on the Office of General Counsel (OGC) [webpage](#): FAQ on Diversity Initiatives/Prop 2.

OGC is available to assist. If you have a question related to a specific program or activity, please contact OGC via this form:

https://msu.co1.qualtrics.com/jfe/form/SV_39LZp7pZFtcW9ds. An OGC attorney will review and provide guidance.

As a reminder, for questions related to a contract or grant, please contact OSP/CGA or OGC as instructed on the [Federal Updates Resulting From Administration Transition webpage](#).

Thank you,

Thomas Jeitschko
Interim Provost and Executive Vice President for Academic Affairs

Brian Quinn
Vice President for Legal Affairs and General Counsel

[1] Executive Order 14173: Ending Illegal Discrimination and Restoring Merit-Based Opportunity directs federal agencies to include in every contract or grant award a “term requiring such counterparty or recipient to certify that it does not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.”

[1] Executive Order 14173: Ending Illegal Discrimination and Restoring Merit-Based Opportunity directs federal agencies to include in every contract or grant award a “term requiring such counterparty or recipient to certify that it does not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.”