



SCHOOL of LAW

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November 14, 2025

Dear Faculty Senators,

Yesterday, I received a forwarded copy of Rachel Sheridan's accounting of my resignation. I have also seen a letter from Governor Youngkin to Governor-Elect Spanberger, which also touches on the subject of my resignation.

I am sharing my own account, which you will see differs in significant parts from the account of Rector Sheridan and Governor Youngkin. The document I am sharing is not a direct response to or a point-by-point rebuttal of the letters from Rector Sheridan and Governor Youngkin. There will be time for that later, if need be. This is instead a document that I put together over the summer, so I would have a record of the events while they were fresh in my mind. I was never sure if I would release it publicly, but I thought there might be a legislative hearing or inquiry that would require me to respond, and I wanted to make sure my memories were freshly recorded.

In light of Rector Sheridan's letter, as well as the Governor's, which I do not think present an accurate accounting of my resignation, I am sending my document to all of you now. I am sorry for the slight delay. I did not send this to you yesterday because I thought it would be inappropriate to do so on the third anniversary of the tragic deaths of three of our students

I am sorry to add to your already substantial burden. I'm sorrier still for the University community, which has had to suffer the turmoil created by my resignation and now this dispute about what led to my resignation.

All that said, I think it is time to set the record straight, which will hopefully enable UVA to make all necessary changes in order to end this chapter and begin a fresh, new chapter in the history of a remarkable university.

My Resignation

I began this document a couple of weeks after I stepped down. I wanted to record my recollection of events while they were still fresh in my mind. I did not write this for public consumption, so it is less tight or organized than it might otherwise be. I wrote it down because I thought there might be an investigation or legislative hearing, and I thought it was important to create a contemporaneous record of what I recalled. I have edited it slightly since then after conversations with others who were involved in or witnessed this saga, who reminded me of things I forgot. I also made some edits last night to try to streamline this a bit, though I didn't have time to make it as concise as it should be.

The DEI Resolution

This is a turbulent time in higher education, but on the day that I resigned, UVA was objectively in a very strong position. I will not belabor the point, because I believe an honest assessment, based on data, would make that clear. Instead, I will focus on the events that led to my resignation.

The trouble began at the March 2025 Board meeting, when we received a resolution regarding diversity, equity, and inclusion (“DEI”) that Governor Youngkin’s office drafted. This was the first time in my seven years that the Governor’s office had drafted a resolution on behalf of the Board.

The original resolution was quite sweeping and filled with inflammatory rhetoric criticizing DEI, much of it lifted from President Trump’s executive order. After numerous edits and intense conversation, the resolution passed by the Board was fairly mild—so much so that the Board, which included four members appointed by the previous, Democratic Governor, adopted the resolution unanimously. We were directed to dissolve “the DEI office” at UVA and move all permissible programs to another institutional home within the University, and we were to ensure that we were complying with anti-discrimination laws. We were specifically told by an official in the Governor’s office that we were not being directed to fire anyone. We were told to update the Board within 30 days.

Confusion began, at least at the public level, that night, when Governor Youngkin went onto Fox News to crow that “DEI is dead” at UVA. That was an exaggeration of the Board’s resolution. It was also a little hard to decipher, as it’s not clear even today what it means to kill DEI, and the Governor didn’t go much beyond the soundbite. For example, did it mean that we could no longer try to recruit qualified first-generation students from rural parts of Virginia, or offer financial aid, or even serve matzah in the dining halls during Passover, because each of those efforts would be advancing diversity, equity, and/or inclusion? Regardless, the Governor’s theatrics created a false impression in the public that the Board had resolved do something radical and sweeping as opposed to something tempered.

Consistent with the actual resolution, we made a number of changes to comply with what was asked of us. We dissolved the DEI office and moved permissible programs to new homes, including to a newly created office. We also reviewed practices and policies to ensure none were running afoul of the law.

We also realized we needed to do a more thorough review, given that UVA is very decentralized, comprising 12 different schools and dozens of departments, which we would not be able to complete in just 30 days. To guide that review, an internal group at UVA, with help from outside counsel, eventually drafted a memo to the Deans outlining the legal parameters and standards. The legal review was never something we shied away from, as none of us had any interest in violating the law. At the same time, it is fair to say that the law here is not crystal clear. It is also fair to say that simply because someone in power does not like a policy, that does not automatically make the policy illegal. More on that below.

We communicated the changes we made to the Board within the 30-day deadline and pledged to continue a more in-depth review. We had also prepared a message to our community to describe the work we had done. We were told by a board member, Rachel Sheridan, who is now the current Rector, that we could not communicate with the community because the Board needed to meet with us again to

offer feedback first. Rachel was serving as chair of the board audit committee and had taken a leading role in our responding to the board's DEI resolution and would later take a leading role in overseeing our response to the Department of Justice letters and in negotiating my resignation.

Having to remain silent about our response to the Board resolution left us in a difficult position because our community was curious about the changes and what it might mean for them. At the same time, external critics interpreted our silence as inaction. We explained to Board members that we were being placed in an untenable position, given that we could not implement any changes if we could not even discuss them publicly. We also pointed out that the Board had merely asked for an update, which implied that more work could still be done. But they nonetheless insisted that we remain quiet. So began the narrative that we were recalcitrant and resistant to any changes, which was not true but would continue up and through my forced resignation.

The DOJ Letters

The Board held a special meeting on April 29, roughly three weeks after we had submitted our update. Prior to that meeting, we received our first letter, on April 11, from the Civil Rights Division of the Department of Justice (DOJ) asking us to submit information about undergraduate admissions, to ensure compliance with the Supreme Court's 2023 decision in *Students for Fair Admission*, which significantly curtailed the extent to which race can be taken into account in college admissions. On April 18, we received another DOJ letter regarding law school admissions.

On April 28, the day before the special Board meeting, we received yet another letter from the DOJ. The letter asked us to explain why we hadn't complied with the Board's resolution, though it exaggerated the scope and nature of that resolution, suggesting—as had Governor Youngkin on television--that we were supposed to eliminate the entirety of DEI. It was unclear, and still is, why the United States Department of Justice would have the interest or authority to enforce a resolution of the Board of a state university as opposed to enforcing federal law.

At the special Board meeting, we barely discussed the substance of our response to the Board DEI resolution, which was the reason for calling the meeting in the first place. Instead, we had a very lengthy discussion of a proposed Board resolution about viewpoint diversity and how to increase it, and the Board ultimately adopted another mild resolution—this time about increasing viewpoint diversity. In addition, we discussed the DOJ letter about the Board's DEI resolution that arrived the day before. We had hired outside counsel for the admissions inquiries from the DOJ, and a decision was made to expand the scope of their representation to respond to the April 28 letter about the DEI resolution. With that decision came continued insistence by the Board that we not provide any explanation of what we had done in response to the Board resolution, at least until we delivered a response to the DOJ. Which meant continued silence, which worried our community and buttressed the false narrative that we were dragging our feet.

It is important to understand that in order to get outside counsel, we must get the Attorney General's permission. We were allowed to hire McGuire Woods, a law firm with which we had worked in the past. We asked for the three lawyers who had worked with us previously, but only two were approved—Jack White and Farnaz Thompson. Both are very good lawyers who are also conservative, and Farnaz worked on Project 2025. The third lawyer—the senior most lawyer of the three—Jonathan

Blank, is a UVA alum and a moderate. Despite his seniority and the volume of work required, as well as his knowledge of UVA, I was told he was not allowed to participate.

The two lawyers most involved on the DOJ side, in turn, were Gregory Brown and Harmeet Dhillon. Both are UVA alums, and Harmeet and I overlapped in Law School, though I do not have a strong memory of her. Gregory Brown worked as a plaintiff's attorney in Charlottesville prior to joining the Justice Department last winter. He brought several cases against the university while a plaintiff's attorney and while I was president. I heard along the way that neither of the DOJ lawyers were fans of mine.

Over the next several weeks, a pattern evolved. We assembled voluminous information related to admissions for one or more of our twelve schools, and a few days before the deadline for submission, we would receive another DOJ inquiry asking about another school. They also sent a letter asking about antisemitism and one alleged incident of antisemitism in particular. Each time the scope of the DOJ inquiry expanded, our lawyers asked for and received extensions for submission of material.

At several points, I suggested we submit what we had already put together and ask for an extension only with respect to the most recent inquiry, but I was told we should take the extensions and wait to submit a comprehensive response. Which meant that, by the time I resigned, we had yet to respond to the DOJ's inquiries, despite receiving seven letters and despite having assembled hundreds of pages of responsive information.

It is impossible for me to know, but the timing of the DOJ letters, the ever expanding scope of their inquiries, and their willingness to give us extension after extension made me wonder more than once if the DOJ was not actually interested in our response, perhaps because they showed—from what I saw--that we were complying with the law. Regardless, the public claim made by one of the DOJ lawyers that we kept stalling by asking for extension after extension was misleading, at best. Why our own lawyers did not seem to understand or appreciate that submitting information in stages would be better than submitting nothing at all, especially given the false accusations that we were stonewalling, remains a mystery to me. I do not know if they were exercising their independent judgment or receiving directions from a Board member and/or the Attorney General's office.

The DOJ Meeting

Fast forward to the June Board meeting, which was held during the first week of that month. Several days before the meeting, Board member Rachel Sheridan reached out to let me know that she and fellow Board member Porter Wilkison were invited to a meeting with the DOJ lawyers who had been submitting all of the inquiries, namely Harmeet and Gregory. Rachel and Porter were not yet Rector and Vice Rector, respectively, nor were they yet voted into those positions—that happened at the June meeting. Why they alone were asked to meet with the DOJ remains unclear to me; it also remains unclear whether Rachel and Porter suggested that the current Rector and Vice Rector should join them at the meeting.

I offered to join that meeting but was told I was not invited. I offered at a later time to go meet with the DOJ lawyers but was told by Rachel and Porter that that would be supremely unpleasant and would

likely lead to a bad outcome. All of which means that I never once spoke directly with the DOJ lawyers; everything was communicated through Rachel, Porter, and later another board member, Paul Manning.

Rachel reported to me after the meeting that the DOJ lawyers were very upset and that they basically insisted that I would need to resign in order to resolve the various inquiries and avoid the federal government inflicting a great deal of damage to UVA. I found that a little shocking but also a little hard to believe. We nonetheless discussed what that might look like. I indicated then, as I did in many conversations that followed, that of course I would be willing to resign if it were in the best interest of UVA, but I wasn't sure it would be, given what it would mean in terms of letting the federal government decide who gets to be president of the University of Virginia.

At the Board meeting, Rachel and Porter reported out on their conversation with the DOJ, and they explained how upset the lawyers were and how serious this was. They omitted, however, the part about the DOJ insisting that I needed to resign, for reasons I still do not understand. After the meeting, we received additional letters asking for more information and suggesting the DOJ's patience was wearing thin. Given that the topic of my resignation did not come up again in the week that followed the board meeting, I chalked that piece of it up to a negotiating tactic or bluster and largely put it out of my mind. Rachel also seemed unclear, in our conversations, whether my resignation continued to be a real demand from the DOJ. We also decided to do an external compliance review, to make sure we were not violating any laws, thinking that this might satisfy the DOJ—and because we felt like we had nothing to hide. I am not sure if that was ever communicated to the DOJ attorneys.

Things changed a bit more than a week later. On June 12, I received a text from Paul Manning, a Board member and a friend. He asked to see me. We met for lunch a few days later, on June 16. I had asked him a few months earlier, when I was constantly butting heads with our Board about a host of issues, whether I should step down because the Board clearly wanted to go in a direction different from what I envisioned and were pushing me to the limit of what I could in good conscience agree to do. He encouraged me to hang on, given the upcoming gubernatorial election and the potential changes on the Board that would follow. At the lunch on June 16, he told me he had a different answer now and thought I should resign.

Paul told me that he had heard from both the Governor and Rachel about the need for me to resign. He told me that, as a friend, he did not want me to go through the ordeal of trying to fight the federal government, and he was worried what the DOJ—and other agencies—might do to UVA, especially with respect to research funding. He also told me that I would likely be blamed for the losses. It was unclear to me whether this conversation was Paul's idea, or whether he was carrying water for the Governor and Rachel.

I told Paul, as I had told Rachel, that I was willing to resign if it were in the best interests of UVA, but I again expressed some doubt that this was the best course for UVA. Paul also asked that I keep the information confidential, because if it became public the DOJ attorneys might immediately go after UVA. I suggested to Paul that he at least inform Robert Hardie, who was still the Rector and would be until July 1. He indicated that he would have Farnaz, “as the board's lawyer,” speak with Robert. I do not think that conversation ever happened. Paul let me know when he finally spoke with Robert about this, which happened nine days after our lunch—on June 25th, the day before I resigned.

The morning after our lunch on June 16, Paul called me to say that he wanted to make clear that any decision to resign was mine alone to make, which seemed incongruous with the conversation the day earlier. I could be wrong, but the message sounded a little forced, like he had been told to pass that along to me.

Pressure from Board Members and A Lawyer

Over the course of the ten days between my lunch with Paul and my resignation, I had several conversations with Rachel and Paul. I again indicated my willingness to resign if it was in the best interests of UVA but raised a number of objections, mostly having to do with academic freedom and the independence of the Board to hire and fire the President. At one point I asked what else the Board would be willing to give away to avoid a potentially expensive fight with the federal government—raising examples like cancelling the basketball program. Rachel responded by saying that was “such a law professor question,” which was not meant as a compliment. I was trying to get them, with little success, to appreciate the value of the principles at stake and the cost of sacrificing them, even if that cost couldn’t be easily quantified.

I also suggested several times that this seemed like an issue that the entire Board should take up, given that it was not just about me but about the Board’s authority. I was told that it would be hard to have a Board meeting because of a dispute over whether Ken Cuccinelli was actually a member of the Board. I was also told that the best way for me to avoid a Board meeting was for me to simply resign. They told me that this was just an issue between me and the Trump administration. I let them know I thought otherwise, and that a decision by Board members not to do anything to prevent this was a decision all the same, and that they would likely be held accountable for it—both by our community and by their fellow Board members. Nonetheless, they declined to inform the rest of the Board, almost all of whom—except Robert Hardie—did not learn about my resignation until after the fact.

In one of our conversations, Rachel indicated that I should talk to a friend of hers, Beth Wilkinson, who was a lawyer who apparently did some work with Columbia University during their dispute with the federal government. Rachel said she would be able to walk me through what it might look like for me personally if we tried to fight against the federal government. I asked if she was working for the Board, and Rachel said they might need to hire her if we did get into litigation with the federal government, because McGuire Woods did not have the capacity or sophistication.

Beth reached out to me on Tuesday, June 24, two days before I resigned. She got quickly to the point, saying that she heard I was willing to resign and wanted to walk me through what that would look like. Startled, I said I thought she was going to talk about her experience with Columbia, but instead she was focused solely on persuading me to resign. I told her, as I had told Rachel and Paul, that I would resign if it were in the best interest of UVA, but that it wasn’t clear to me it was. I also asked her if she was working for the Board as their lawyer, and she told me she was.

This surprised me, both because Rachel did not indicate that Beth was already working for the Board, and also because lawyers representing a potentially adverse party have an ethical duty to indicate as much—and not pretend they are the same side. The conversation continued to be tense, and at one point Beth told me that I was going to be kicked out one way or the other, and that if I didn’t resign, the Board would fire me. This was obviously different from what Paul had told me days earlier, namely that the

decision to resign was mine alone. Beth then indicated that the Board might even try to fire me for cause if I did not resign, which would mean not just leaving the presidency but losing my tenured faculty position and being kicked out of the university altogether. A little flabbergasted, I asked how in the world could the Board possibly fire me for cause. She fumbled with the question and then offered one reason: that I walked out of a Board meeting. That never happened.

I called Paul to tell him how stunned and angry I was that he and Rachel were not honest with me about Beth's role and about her threats against me on behalf of the Board. I also called Robert Hardie, who was still the Rector, to ask if he knew that Rachel had hired a lawyer, ostensibly on behalf of the Board. He did not know, and he was quite upset about it and conveyed as much to Rachel and Paul. In a heated conversation subsequently with Rachel, she defended her authority to hire a lawyer for the Board because she was chair of the audit committee. I pointed out that even if she had the formal authority, on a normally functioning board the Rector would at least have been notified of the appointment and not told about it after the fact.

In the meantime, I also informed some of my closest colleagues about the request that I resign, in order to get their counsel. We ran some numbers to see how long we could hold out if funding were cut, though at no point did Rachel or Paul even hint that we should try to fight the DOJ. To the contrary, when I raised the idea, Rachel claimed that even Harvard was striking a deal, which seemed to oversimplify Harvard's actions. She also indicated that we faced some potential legal liability, though the only example she or anyone ever gave on that front was that the medical school may not have been following the recent Supreme Court admissions decision.

After that decision by the Supreme Court a couple of years ago, it bears noting, we issued guidance on admissions practices to our 12 schools as well as dozens of departments who admit students, and we let them know that we fully expected them to comply with the decision. The news about the medical school was the first time I had heard that one of the schools' admissions practices might be out of compliance. In addition, I never saw any proof of that claim, so I cannot judge its veracity. I also never received an answer to the question of why, assuming the medical school was not fully following the Supreme Court's decision, it followed that the president of the university should resign—as opposed to us fixing the problem, which is how civil rights enforcement actions traditionally work.

During the ten-day period before I resigned, I also reached out to a former Board member, who has extensive connections in DC, to see if there was some way to stop this from happening. We spent several days trying to understand if this was a bluff and/or if there were some way to forestall the looming threat to UVA and to me. In the meantime, Paul Manning reached out directly to the DOJ lawyers to make sure he was not missing anything, and he said that they told him that if I didn't resign, they would "bleed UVA white."

I also thought more about my own timeline as President. I was just completing my 7th year. My contract extended for another three years. But throughout the spring, I thought about whether to make this upcoming academic year my last, or whether to spend two more years. (I was not going to serve out the three years, in part because my daughter plays college soccer, and I wanted to be able to see her games in her senior year.) I was increasingly inclined to spend just one more year, because we had hit the milestone of finishing the capital campaign and because we had either completed or made significant progress on all of the major initiatives in our strategic plan. I thought spending two more years as

president might not be ideal, because I expected people would be anxious to plan for the next 5-7 years, and waiting two years to do so would be too long. In addition, and perhaps most significantly, I found it increasingly untenable to work with many members of the current Board. We were not aligned, and it was an increasingly combative and mutually distrustful relationship. I thought if I announced my resignation, at least the Board's attention would shift from introducing last-minute resolutions toward finding the next president.

I had planned to spend time this summer coming to a final decision about my future and my timeline. In the midst of the tumult, I recognized I couldn't and shouldn't wait until the summer, so I made the decision that next year would be my last, which at the time felt right to me on a personal and professional level. On Wednesday, June 25th, I called Rachel and Paul to let them know that I had decided that next year would be my last, and that I would announce as much sometime this summer. I suggested that Rachel convey that to the DOJ lawyers, thinking that this would be a reasonable solution. They would know I was resigning, and I would be doing it on my own terms. It would also allow for an orderly transition.

Whether I would have ultimately decided to make next year my last year if I had had some time away this summer before making the decision is impossible to know at this point, given all that has transpired.

The Final Day

Rachel went to meet with the DOJ lawyers the next day—Thursday, June 26th. That morning, an article came out in the NY Times describing how DOJ lawyers were pressuring me to resign. I still have no idea who leaked the story. At around 1pm on Thursday, I was called by Rachel and the two outside lawyers, Jack and Farnaz, who attended the meeting with Rachel. I was told that the DOJ lawyers were very upset with the leaked story in the Times and that the only offer on the table was that I needed to resign by 5pm that day or the DOJ would basically rain hell on UVA. I also needed my resignation to be effective prior to the students returning. If I did not resign that day, I was told that the DOJ would extract/block hundreds of millions of dollars from UVA before they would even negotiate.

I was then told that the DOJ had offered an amazing deal—unlike any the lawyers had ever seen, in their words. They were basically willing to grant UVA blanket immunity—all of the inquiries and investigations would be suspended, no financial penalties would be imposed, and agencies would be told not to cut off our research funding. They said they had never seen or heard about such a great deal for any university. Rachel praised the lawyers for their astute and savvy bargaining, and I was told this was an amazing deal.

I was shocked and pointed out that this was an unreasonable deadline. But I agreed to do my best to respond in time. I gathered my colleagues again, and we tried to figure out the best course. We made a number of phone calls to try to forestall this, which were not successful, as well as a number of calls to get a sense of whether this was a bluff. All signs indicated that it was not.

As the clock ticked, the pressure increased. I spoke with Robert Hardie, who was still the Rector and is a great friend and was a strong and steadfast supporter of mine throughout my presidency. He had only been recently read in on the details of what was transpiring. He had written down the seven concessions

that the DOJ lawyers were apparently willing to make and later shared them with our COO, JJ Davis. He said there were no good options but that given what was at stake and what the DOJ was offering, we should take the deal, as hard and distasteful as it was. Rachel and the lawyers called a couple more times as the deadline approached, as did Paul Manning, who told my colleague that I had already agreed to resign—albeit under very different circumstances—and that if I didn’t resign that day, UVA would be punished by the DOJ and the Board would fire me the next day. After pursuing as many options as we could to forestall my resignation, around 4pm one of my closest and wisest colleagues said: “If you don’t have any Board support, it’s over. You can’t fight this on your own.”

At 4:30 or so, I submitted my resignation to Robert Hardie, who had just three days left as Rector. I recall thinking that it still might not be over, because there was a chance that the Board would refuse to accept my resignation. Accepting my resignation, after all, would signal that the Board (or more precisely a small subset of the Board acting without authorization from their colleagues) was willing to give up perhaps its most important power and duty—to hire and fire the President. I also asked repeatedly that Rachel and the two outside lawyers get this supposedly amazing DOJ offer in writing, and I asked repeatedly to see it. I was told at least part of it was in writing, but that I could not see it for fear of a leak.

I was also told later—after I submitted my resignation—that part of the agreement with the DOJ was that UVA would undertake an external compliance review, led by Jack and Farnaz, to ensure we were following the law. We had already agreed to do an external compliance review a couple of weeks earlier, though we hadn’t discussed the parameters or what it would look like. That piece of the agreement was not conveyed to me until after my resignation. An external compliance review shared with the DOJ did not sound like blanket immunity to me, nor much different than the path we were headed down already. My chief of staff suggested to Robert Hardie that he should hold off on accepting my resignation until this was settled, but Robert indicated that the Governor’s office was instructing him to accept the resignation on behalf of the Board as soon as possible so that it would be irrevocable and the deal with the DOJ could be completed.

The next day the story of my resignation leaked, and I announced my resignation, effective prior to August 15. I ultimately decided to step down on July 11. Rachel and Robert agreed to reach out to Board members individually to let them know the news, but I do not know if they did so—and, if they did, I do not know what they told Board members.

Throughout this whole episode, I learned of three potential legal issues. As mentioned earlier, two were raised in our initial review of policies and practices and were arguably—though not definitely—inconsistent with the Supreme Court’s admissions decision. One set an aspirational goal of increasing the diversity of our faculty; one had to do with how some employment searches were run. I say these were arguably out of compliance because the Court’s decision was about college admissions and applying that reasoning beyond the admissions context involves some judgment calls. Nonetheless, we changed those policies. The third had to do with the medical school, which I addressed above.

There was never any finding of any legal liability by the DOJ prior to my forced resignation.

Some Brief Reflections

The whole episode still feels surreal and bewildering, and I still cannot make complete sense of it. I've also asked myself a million times if I should have done something differently, and I'm sure anyone reading this will have questions as well. Some might question, for example, why I did not simply refuse to resign and instead insist that I be fired. I considered that, and some of my colleagues encouraged me to take that path. That was in part why I suggested there be a Board meeting. In the end, when I had four hours to decide whether to resign, I was told there was not enough time, realistically, to call the Board together in the few hours before the 5pm deadline. I was repeatedly told that 5pm was the point of no return.

Some might also question why I did not just go public when this was happening. I considered that as well. But the call for my resignation, right until the end, seemed so outlandish as not to be entirely believable. It also felt like a hostage situation, where the kidnapper threatens harm if you do not keep information about the demands confidential. I was repeatedly told to keep this threat confidential and scolded for sharing the information with some close colleagues to help me think through the best path. I worried that if I went public, UVA would lose funding and get attacked by the Trump administration, and I would still end up being fired or forced to resign regardless. Finally, I honestly thought that my letting the DOJ know—through Rachel—that I planned to step down at the end of the next year would resolve this piece of the DOJ puzzle. That said, I will be turning the question of going public around in my head for a while, I am sure.

If the DOJ was sincerely threatening UVA if I did not resign, I think it's important to recognize that that presented a difficult choice. What is not clear to me, however, is whether the threat was real, or whether the idea came from the Board members who spoke with the DOJ lawyers, our own lawyers, the Governor, or some combination of that group. Harmeet Dhillon emphatically and publicly stated, twice, that neither she nor her DOJ colleagues demanded my resignation or offered some sort of quid pro quo. This is not consistent with what I was told by Rachel and Paul, but I was never in the room when these conversations took place.

Given the contradictory statements, someone is obviously not telling the truth, and it's not clear to me what incentive Harmeet would have to be dishonest about this. It's not as if the Trump administration has been shy about calling for resignations. Forcing university presidents to resign, moreover, has not been part of the playbook of the Trump administration; as far as I know, I am the only university president in the country who has been forced to resign as part of a supposed deal with the Trump administration. At the very least, we had Board members who were apparently more complicit than other universities.

To that end: Assuming the threat did come from the DOJ, I do not understand why the Board members involved did not say from the very beginning that forcing the resignation of the president because of federal pressure is off the table. It is puzzling and disappointing that they did not recognize and convey that this was an outrageous incursion into the Board's own authority, with little legal basis or

justification. It is equally puzzling and disappointing that they did not acknowledge and convey to the DOJ that I never knowingly or intentionally violated the law, nor did I ever suggest that others should.

At the very least, the entire Board should have had a chance to weigh in on this decision, which unfolded over three weeks. This is not a decision that should have been made by a tiny subset of the Board and especially without informing the Rector and Vice-Rector—the latter of whom was kept entirely in the dark, as far as I know. Even if the Board could not formally meet, there was plenty of time for the Board members involved to call their colleagues to get their views and their agreement with the path these Board members were following. Rachel, Porter, and Paul should also take some responsibility for the decision to allow this to happen, and the decision to shield it from their colleagues on the Board. If they went even further and actively worked, along with the Governor, to force my resignation, I believe they should have had the courage and decency to say so and to make it happen themselves without hiding behind the DOJ.

On the same theme, the timing of this raises questions in my mind. The pressure to resign increased significantly in the second half of June. Robert Hardie stepped down as Rector on June 30, and Rachel Sheridan became Rector on July 1. What is unclear to me is whether those exerting the pressure were trying to ensure that my resignation occurred before Rachel became the Rector, so she would not have to be the one who formally accepted my resignation and the responsibility that comes with that.

Finally, as indicated earlier, the lines between policy and the law have been repeatedly blurred during this entire episode. The Board and University leaders set policy; the DOJ enforces the law. Too often, people within the DOJ and on our own Board have implied that if we were following policies that they did not favor, we were somehow doing something illegal. That is not the case, obviously. DEI, for example, is not itself illegal. One can do illegal things in the name of DEI, just like one can do illegal things in the name of promoting viewpoint diversity. But diversity itself, including viewpoint diversity, is not against the law.

We were committed to following the actual law. We were also open to changing policies and practices if they were not working well or if there were persuasive, principled reasons to change course. At the same time, I was never going to give up the core values of UVA or my own principles simply to satisfy the prevailing political winds or the political ambitions of some. In the end, that may have been the real problem, though I will probably never know. What I do know is that I was accused more than once by some Board members and the Governor's office of being stubborn. Perhaps I am. But stubborn and principled often look the same, especially to those who are unprincipled.

Some Outstanding Questions

In the end, I'm left with some lingering questions:

1. According to Paul Manning, the Governor knew what was happening and suggested I needed to resign. What did the Governor know, when did he know it, and what—if anything—did he do to try to either secure my resignation or prevent it?
2. How involved was the Attorney General's office in directing the legal representation offered by McGuire Woods?

3. Why did Rachel, Porter, and later Paul not inform the rest of the Board about the DOJ's apparent insistence that I resign?
4. Harmeet Dhillon, one of the DOJ lawyers, publicly and unequivocally stated—twice—that neither she nor her colleagues asked for my resignation or offered some sort of quid pro quo. That is not what Rachel, Porter, and Paul conveyed to me. Who is telling the truth?
5. Was it appropriate that Rachel Sheridan hired a lawyer to persuade me to resign, without informing me or the rest of the Board?
6. Was there a written agreement before my resignation, as I was told? If so, what did it say? If not, why was I told there was one?

Sincerely,

James E. Ryan
President Emeritus
Professor of Law and Education