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AAUW of Virginia Marks the 25th Anniversary of the U.S. Supreme Court VMI Decision and Supports a Robust Response to the VMI Equity Audit and Investigation

As we mark the 25th anniversary of the June 26, 1996, landmark Supreme Court decision *United States v. Virginia et al.*, which struck down the long-standing male-only admissions policy of the Virginia Military Institute (VMI), the American Association of University Women (AAUW) of Virginia speaks out about the continuing need for action to make VMI a truly inclusive institution.

As an advocate for advancing equity for women and girls, AAUW opposes all forms of discrimination and supports the constitutional protection of the civil rights of all individuals. We believe that high-quality public education is the foundation of a democratic society and advocate for equitable access to education and climates free of harassment, bullying, and sexual assault.

Writing for the 7 -1 majority, Justice Ruth Bader Ginsburg stated that VMI failed to show "exceedingly persuasive justification" for its sex-based admissions policy and that a proposed parallel program for women would not afford women the same opportunities and connections as male cadets received at VMI. She concluded that, "There is no reason to believe that the admission of women capable of all the activities required of VMI cadets would destroy the Institute rather than enhance its capacity to serve the 'more perfect Union.'" While the decision led to the admission of hundreds of women in the years since, a recent investigation into the racial and gender culture of VMI reveals ongoing inequities and barriers that prevent women and others from realizing those opportunities.

AAUW of Virginia applauds VMI graduate Governor Ralph Northam and the other state leaders who ordered an outside investigation into VMI's climate and culture. The detailed findings of the resulting [report](#), "Marching Toward Inclusive Excellence: An Equity Audit and Investigation of the Virginia Military Institute," produced by the law firm of Barnes and Thornburg LLP, reveal the barriers and adverse climate that women and minorities face. However, unless VMI and the Virginia General Assembly consider the report's comprehensive recommendations and take immediate remedial action, this effort will meet the fate of far too many other investigations and be relegated to a bookshelf collecting dust.

The report confirms that VMI's culture "creates and reinforces barriers" to confronting disparate treatment of cadets and faculty based on race, gender, and sexual orientation. It identifies several areas requiring immediate reform, including an environment that tolerates gender inequity, sexual harassment and assault; racist views and harassment; and discriminatory treatment of LGBTQ individuals. In addition, the VMI report questioned the equitable operation of the VMI Honor Court whose decisions result in a disproportionate expulsion of minorities. AAUW of Virginia supports the report's recommendation that VMI should treat racist behavior, sexual

misconduct, and discrimination against LGBTQ individuals with the same seriousness as Honor Code violations. There is no honor in racial, gender, and sexual orientation discrimination.

The report highlighted the Institute’s continued inability to ensure cadet safety. It found that “Sexual assault is prevalent at VMI. . . . Many female cadets reported a consistent fear of assault or harassment by their fellow male cadets.” We find it inexcusable that “These fears are exacerbated by some procedures at VMI, including the inability to lock their doors.”

As an ardent supporter of Title IX of the Education Amendments of 1972, which prohibits sex discrimination in education programs receiving Federal financial assistance, AAUW of Virginia deplors that “. . . the investigation revealed that some sexual misconduct incidents do not make it into that Title IX process due to victims’ concerns of being ostracized for or retaliated against for reporting—or simply because their reports are ignored. . . . Cadets reported that VMI administrators have intimidated female cadets to reconsider assault reports, including by asking them to consider the impact on the male assailants’ careers.”

As a state-supported institution, VMI must uphold its responsibility to Virginia’s taxpayers by taking swift and robust action to remedy the abhorrent practices that discriminate against minority, female, and LGBTQ cadets that attend VMI. AAUW of Virginia will watch to see if VMI and our lawmakers take the necessary actions to ensure that the diversity, equity, and inclusion climate at VMI is one that ensures every cadet, no matter their gender, race or sexual orientation, is ensured an equitable and safe education.

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[AAUW](#) is a national organization that advances equity for women and girls through research, education, and advocacy. This nonpartisan, nonprofit organization has more than 170,000 members and supporters across the United States, as well as 800 college and university partners and 1,000 local branches, 24 of which are in Virginia.