

Exhibit 25

PRICING SCHEDULE

Task/Activity	Hours	Item	Bill Rate	Total
Leadership Diversity Training	40	<u>5-Days</u> Formula: (5 Sessions x \$2,600 daily rate)	\$2,600.00	\$13,000.00
Curriculum Development & Management	160	<u>160 Hours</u> Formula: (160 Hours x \$350 bill rate) ***all inclusive	\$350.00/Hr	\$56,000.00
Live 8- hour day Training	400	<u>50 Sessions</u> Formula: (50 Sessions x \$3,500 daily rate) ***all inclusive	\$3,500.00	\$175,000.00
Live 4-6 hour Training	450	<u>75 Sessions</u> Formula: (75 Sessions x \$2,500 daily rate) ***all inclusive	\$2,500.00	\$187,500.00
Innovative Sprints, Recommended Diversity and Culture Sensitivity Follow-ups and Reinforcement Trainings	20	<u>20 Sessions</u> Formula: (20 Sessions x \$500hourly rate) ***all inclusive	\$500.00	\$10,000.00
Consultation & Diversity Support	380	<u>10 Hours Per Week</u> Formula: (40 hours per mo. x 12 months x \$225)	\$225.00/Hr	\$108,000.00
Diversity Training Materials	N/A	<u>Course Materials:</u> Books & Handouts (2100 individuals x \$22,50)	\$22.50/Hr	\$47,250.00
TOTAL				\$596,750.00
OPTIONS				
Video Simulation	TBD	Contingent upon on length, actors, animations, etc.	\$3,000.00-\$7, 000.00/Ea	TBD
Video Recap	TBD	Contingent upon on length, actors, animations, etc.	\$2,000.00-\$5, 000.00/Ea	TBD

Kim Taylor-Wilson
Corrin & King Business Strategies, LLC
CorrinKing.com
email: Kim@CorrinKing.com

Tracee Clayton Garrett
Global Insight Productions, LLC
GlobalInsightProductions.com
email: Tracee@GlobalInsightProductions.com

One-on-One Training	TBD	Trainers for select groups	\$250.00/Hr	TBD
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email: Kim@CorrinKing.com

Tracee Clayton Garrett
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GlobalInsightProductions.com
email: Tracee@GlobalInsightProductions.com

Exhibit 26

B.6. PROPOSED COST

OVERVIEW AND GENERAL INFORMATION

CIDIS LLC (CIDIS) is pleased to submit our cost proposal in response to #V211-22-054. The following sections demonstrate that our proposal represents an outstanding value to VMI, guaranteeing cost realism and an unmatched understanding of the performance requirements.

The data submitted herein complies with CIDIS's policies and represents a comprehensive evaluation of the resources necessary to perform the Request for Proposal (RFP) requirements. Cost data provided herein is sufficient to establish the reasonableness, realism, and completeness of the proposed cost. This proposal fully responds to the requirements of the solicitation and is valid for 120 days from the date of proposal closing.

CONTRACT TYPE

CIDIS has proposed this effort on a Time and Materials (T&M) basis.

PERIOD OF PERFORMANCE

This proposal is based on a period of performance from and assumed Award Date of February 1, 2022 to June 30, 2027 as follows:

Period of Performance	Start Date	End Date
Base Year	February 1, 2021 (assumed)	June 30, 2023
Option Year 1	July 1, 2023	June 30, 2024
Option Year 2	July 1, 2024	June 30, 2025
Option Year 3	July 1, 2025	June 30, 2026
Option Year 4	July 1, 2026	June 30, 2027

TEAM COMPOSITION

CIDIS has teamed with the following subcontractors based on their technical merit for meeting and exceeding the Performance Work Statement (PWS) requirements in their areas of expertise while complementing CIDIS's technical capabilities.

Company Name	Size	Contract Type
Korn Ferry U.S. Government Services	Large	Firm Fixed Price
Conscient Strategies	Women-Owned Small Business	Time and Materials

ESCALATION

CIDIS has proposed an escalation factor of 2.0%. CIDIS calculates escalation based on the anticipated contract start date to the end of the period of performance. Escalation is compounded annually.

TRAVEL AND OTHER DIRECT COSTS (ODCs)

CIDIS has priced travel based on one trip per week per position. Incurred costs will be billed on per diem rates.

The proposed DEI Compass Survey and subsequent pulse surveys as outlined in the proposal will be billed as an ODC.

PRICING ASSUMPTIONS

- A majority of the DEI consulting and coaching services will be completed virtually.
- The proposed costs outlined in this volume does not include training, as those costs will need to be determined once courses are identified.
- One full-time coach as priced in the proposal can provide the following services per year.
 - Regular coaching services for 20 personnel (e.g., leadership, faculty, etc.)
 - Group coaching services for 100 VMI community members each quarter
 - Four hours per week for coaching office hours to be utilized as needed by members of the VMI community

PROPOSED COST SUMMARY

	Base	Option 1	Option 2	Option 3	Option 4	Total Evaluated Cost
Labor	\$ 1,827,930.00	\$ 1,153,008.00	\$ 1,176,068.16	\$ 1,199,589.52	\$ 1,223,581.31	\$ 6,580,177.00
Travel/ODCs	\$ 287,700.00	\$ 237,350.00	\$ 237,350.00	\$ 237,350.00	\$ 237,350.00	\$ 1,237,100.00
Total	\$ 2,115,630.00	\$ 1,390,358.00	\$ 1,413,418.16	\$ 1,436,939.52	\$ 1,460,931.31	\$ 7,817,277.00

PROPOSED COST

Labor Category	Base Period				Option Period 1				Option Period 2				Option Period 3				Option Period 4				Total Evaluated Cost
	FTEs	Hours	Rate	Total	FTEs	Hours	Rate	Total	FTEs	Hours	Rate	Total	FTEs	Hours	Rate	Total	FTEs	Hours	Rate	Total	
Program Manager	0.68	1,200	\$ 170.00	\$ 204,000.00	0.50	960	\$ 173.40	\$ 86,424.00	0.50	960	\$ 176.87	\$ 169,795.20	0.50	960	\$ 180.41	\$ 173,193.60	0.50	960	\$ 184.05	\$ 176,488.80	506,439.55
DE/ADME	0.34	648	\$ 195.00	\$ 127,320.00	0.25	480	\$ 196.00	\$ 95,040.00	0.25	480	\$ 202.58	\$ 97,241.44	0.25	480	\$ 205.94	\$ 99,259.07	0.25	480	\$ 211.07	\$ 101,312.60	231,028.16
DE/Analyst Sr	1.36	2,616	\$ 150.00	\$ 392,400.00	1.00	1,920	\$ 153.00	\$ 291,720.00	1.00	1,920	\$ 156.06	\$ 299,635.20	1.00	1,920	\$ 159.18	\$ 305,627.90	1.00	1,920	\$ 163.36	\$ 311,740.48	1,603,163.57
DE/Analyst Mid	1.36	2,616	\$ 110.00	\$ 287,760.00	1.00	1,920	\$ 112.50	\$ 215,800.00	1.00	1,920	\$ 114.44	\$ 219,722.88	1.00	1,920	\$ 116.73	\$ 224,127.15	1.00	1,920	\$ 119.07	\$ 228,609.67	1,173,633.28
DE/Analyst Mid	1.36	2,616	\$ 110.00	\$ 287,760.00	-	-	\$ -	\$ -	-	-	\$ -	\$ -	-	-	\$ -	\$ -	-	-	\$ -	\$ -	287,760.00
Coord	1.36	2,616	\$ 193.00	\$ 505,248.00	1.00	1,920	\$ 198.90	\$ 381,888.00	1.00	1,920	\$ 202.88	\$ 389,529.76	1.00	1,920	\$ 206.94	\$ 397,316.28	1.00	1,920	\$ 211.07	\$ 405,200.60	2,084,112.64
Labor	-	-	\$ -	\$ -	-	-	\$ -	\$ -	-	-	\$ -	\$ -	-	-	\$ -	\$ -	-	-	\$ -	\$ -	6,580,177.00
Travel/ODC/COST CLIN	-	12,436	\$ -	\$ -	4	7,290	\$ -	\$ -	4	7,200	\$ -	\$ -	4	14,880	\$ -	\$ -	4	14,880	\$ -	\$ -	1,337,190.00
Total	-	-	\$ -	\$ 287,700.00	-	-	\$ -	\$ 237,350.00	-	-	\$ -	\$ 237,350.00	-	-	\$ -	\$ 237,350.00	-	-	\$ -	\$ 237,350.00	7,917,277.00

Exhibit 27

Table A Training

Participant Type	Number of Participants	Cost
Board of Visitors	16	\$69,411.84
Academic Board	18	\$78,088.32
Cadets	1600	\$248,190.00
Staff	750	\$76,650.00
Total		\$472,340.16

Base Year	Option Year 1	Option year2	Option year 3	Option year 4	Option year 5
\$510,511.50	\$521,998.00	\$533,742.96	\$545,752.18	\$558,031.60	\$570,587.31

Table B Travel

Travel Budget and Justification				
Travel costs provided is associated with travel for meetings, stakeholder engagement, and other items included in the work plan. The lowest available commercial fares or equivalent accommodations was considered.				
Purpose of Travel	Location	Item	Rate	Cost
In person training	VMI	Lodging	\$100 X 4 x 20 nights	8,000
Kick off				
Travel		Mileage 196	196 miles x .53 x 4x 20	8,310.4
Total				\$16,310
Travel is required to provide in person training at all levels. Training classes should not exceed 30 individuals to maximize learning and sharing on the sensitive topics. Additionally, kickoff sessions, strategic and program review session will be accomplished in person.				

Standards for educational achievement have been developed that delineate the values and desired outcomes of educational programs in ways that are both transparent to stakeholders and provide guidance for curriculum development, instruction, and assessment. Although assessment can be costly it is an industry standard to get a baseline before implementation of any new strategies or programs. Therefore, we recommend that the people managers on staff and Cadets complete the Core Strength assessment to enhance and facilitate teaming capabilities and strategic alignment for inclusive excellence. To baseline awareness and emotional intelligence we also recommend that the Academic Board and Board of Visitors take the EQi 360 assessments.

Table C Assessments

Participant Type	# of Services Provided	Cost per Person	Total Cost	25% Personnel Influencers
Board of Visitors	16	\$250	\$4,000	
Academic Board	18	\$250	\$4,500	
Staff	750	\$150		\$28,200
Cadets	1600	\$150	\$240,000	\$60,000
Total	2,384		\$248,500	\$88,200

*Core Strength is for the Cadet 1600 cadets at \$150.00 pers assessment

*EQi (360) for Executives and Board of Visitors \$250.00 per assessment

Although assessment can be costly it is an industry standard to get a baseline before implementation of any new strategies or programs. Therefore, we recommend that the people managers on staff and Cadets complete the Core Strength assessment to enhance and facilitate teaming capabilities and strategic alignment for inclusive excellence. To baseline awareness and emotional intelligence we also recommend that the Academic Board and Board of Visitors take the EQi 360 assessment.

Core Strengths RQ:

Core Strengths Relationship Intelligence connects your people strategy with your business objectives to deliver your organization’s brand promise. This is achieved through a conscious commitment to improving collaboration, building better teams, and coaching for performance. <https://www.corestrengths.com/relationship-intelligence/>

EQ-i 2.0/360 is one of the premier assessments used to identify gaps between self-perception and how others perceive you. It can uncover leadership blind spots as well as mutually understood strengths. Once leaders are aware of their blind spots, they can work to grow in these areas or build their team in a way that augments their tendencies. <https://oka-online.com/products/eq-i-2-0-and-eq-360-certification-training/>

Appendix H Cost Proposal Form

Virginia Military Institute
Diversity Equity and Inclusion

Team CTW is pleased to submit our proposal cost to the Virginia Military Institute (VMI) for the Diversity, Equity, and Inclusion (DEI) Consultation and Training Contract. It is with complete confidence and based upon our team's collective 64 years of experience that ROI-Coaching will provide Diversity, Equity, and Inclusion Training and Consulting services for the VMI. CTW and ROI-Coaching partnership seeks to support VMI's DEI efforts as a trusted and long-term partner, providing timely, effective and cost-efficient program management, non-technical coaching and consulting support requirement.

Team CTW proposal cost support the recent Executive Order 14035 of June 25, 2021 Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Government signed by President Biden which states: "The initiative will advance opportunity for communities that have historically faced employment discrimination and professional barriers, including: people of color; women; first-generation professionals and immigrants; individuals with disabilities; LGBTQ+ individuals; Americans who live in rural areas; older Americans who face age discrimination when seeking employment; parents and caregivers who face employment barriers; people of faith who require religious accommodations at work; individuals who were formerly incarcerated; and veterans and military spouses."

<https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>

The following is a proposed summary cost of recommended training, consulting and coaching services in response to VMI's RFP. Our recommendation is for Diversity, Equity, Inclusion and Accessibility training twice annually for VMI Board of Visitors, Academic Board, Cadets and Staff. This includes additional follow-up session to encourage continued learning and paradigm shift.

Exhibit 28

Small Business Subcontracting Plan

Veritas is a SWaM certified, minority owned, small business.

Proposed Costs

CLIN	CLIN Description	Quantity	Unit	Unit Cost (Normal)	Unit Cost (DoD Cost)	Total Amount
0001	Strategic Source Review	10	Hours	\$375	\$275	\$2,750
0002	DIE&B Culture Sessions*	10	2-Hour Block	\$1,500	\$800	\$8,000
0003	DIE&B Analysis and Assessment Write-Up	15	Hours	\$375	\$275	\$4,125
	DIE&B Strategic and Implementation Plan Write-Up					
0004	DIE&B Culture Facilitation Certification Training	2	3-day Block + 18 Facilitation Certification Exam Hours	\$25,000	\$15,000	\$30,000
0005	Various Training**	20	4-hour Blocks	\$3,500	\$2,250	\$45,000
0006	Coaching/Consulting	30	Hours	\$375	\$275	\$8,250
0007	Strategic Communications***	6	Hours	\$275	\$200	\$1,200
Total						\$99,325

*(10) Culture Sessions are recommended for the following reasons:

- Facilitate Culture Sessions with approximately 25% of total (750) workforce to maximize statistical relevance = 185 people
- No more than 20 people per Session; this to enable authentic and meaningful dialogue = 10 sessions

**Actual recommended training is unknown until Assessment results, so Veritas is putting in a placeholder for number of training blocks.

***Strategic communication is Veritas helping ghostwrite communication to staff/team that provides intent and updates of efforts.

Handwritten signatures and initials, including a large signature on the right and initials on the left.

Exhibit 29

VIRGINIA MILITARY INSTITUTE

**Diversity, Equity and Inclusion (DEI) Consultation and Training
Project #V211-22-054**

PROPOSED COSTS

Assessment / Evaluation

- 1. Diversity Audit
 - a) Interpersonal activities, including focus groups among leadership, examinations of the existing internal culture and external factors impacting that culture. Leadership discussions, focus groups, review. Staff discussions, focus groups, review.
 - b) Statistical survey audit to determine the state of the external culture that exists throughout the industry and to form a baseline of where the VMI currently stands.
 - c. Comprehensive Audit Cost: \$ 35,500
 - d. Audit Report
Preparation, implementation, evaluation, analysis and presentation: \$ 15,500

Readiness Training

- 1. Readiness
 - a. Leadership discussions, focus groups, review
 - b. Staff discussions, focus groups, review
 - c. Total Readiness Cost \$ 55,000
 - d. Readiness report
Preparation, implementation, evaluation, analysis and presentation: \$ 15,000
- 2. Assessment/Evaluation & Baseline Report
 - a. Preparation, implementation, evaluation, analysis and presentation: \$ 15,500

Leadership/Executive Coaching

- 1. Eight coaching sessions \$ 8,000
- 2. Coaching report \$ 5,000

Corps of Cadets Educational Training

1. Diversity Audit
 - a. Interpersonal activities, including focus groups among leadership, examinations of the existing internal culture and external factors impacting that culture.
 - b. Leadership discussions, focus groups, review.
 - c. Staff discussions, focus groups, review.
 - d. Total cost for Corps of Cadets Diversity Audit: \$ 16,000

2. Statistical survey audit to determine the state of the external culture that exists throughout the industry and to form a baseline of where the VMI currently stands.

3. Audit Survey
Preparation, implementation, evaluation, analysis and presentation: \$ 20,000

4. 27 recorded modules \$189,000 *
 - A. Creative development, copywriting
 - B. Animation, talent
 - C. Production

5. Nine (9) monthly reports \$ 9,000

6. Nine (9) live modules
 - a. On-site consultants/trainers \$ 18,000

Tracking Mechanisms & Deliverables \$ 13,500

Communication & Coordination

1. Final report and analysis \$ 25,000
2. General discussions/presentations with leadership/staff/industry \$ 14,000
3. Day-to-day communications \$ 15,000
4. Administrative costs \$ 21,000

* Production costs for the 27 videos are one-time only costs; for the following four-years' renewals, there would be no additional video costs other than minor updates. This would reduce future year's annual costs by approximately \$125,000 each year. Thus, the average annual video training cost for 27 modules over five years is \$37,800.

Summary

Total costs, 18 months	\$490,000
Average cost per month	\$ 27,222
First 12 month's average total cost	\$326,667 **
Second 6 month's average total cost	\$163,333 **

** Creative development and production for cadet training videos will be billed as each video or group of videos is completed, which may alter the cost amounts shown between the first 12 and last 6 months of the engagement.

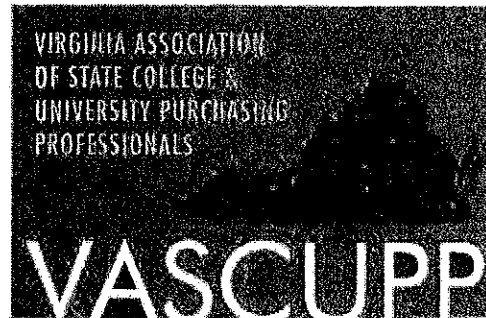
Exhibit 30



Request for Proposal

PROJECT #V211-22-054 DEI CONSULTATION & TRAINING

DECEMBER 14, 2021



Kate Mortenson

KATE@IPONDR.COM | 612-385-6370

IPONDR SBC | 1625 HENNEPIN AVENUE, SUITE 200, MINNEAPOLIS, MN 55403



Kate Mortenson

President and CEO

Email: kate@ipondr.com

Cell: 612.385.6370

Twitter: @KateMortMSP

d. Proposed Cost

E-learning per participant per month based on annual contract = \$3.

Quarterly reporting, \$250 per segment (ie students, senior leaders, board)

Workshops, in-person >100 people = \$7,500 not incl travel expenses

Workshops, in-person >100 people CUSTOM topic \$10-15K, not incl travel

Custom multimedia learning content production = \$10-30K depending on media type

Hourly consulting = \$150/hour, not incl travel

Proposal:

\$84,600 for E-learning program/annual for 2350 participants

\$3,000 for 4 quarterly reports, segmented 3 ways

\$157,500 for 7 non-custom workshops (750 staff) three times per year

\$50,000 for two multimedia custom learning 'Impact Stories'

\$36,000 for 20 hours per month consulting/planning

Total estimate/annual = \$331,100 exclusive of travel and customary expenses.

In closing, iPondr@Work is a woman-founded and owned company, with a majority non-white team, established in 2019, in Minneapolis, just prior to the arrival of the COVID pandemic and the killing of Mr George Floyd. While we are deeply market-tested and continually informed by our clients, we are a new-er company--a breakthrough company with behavior-change technology for taking care of self and others through the practice of Empathy and DEI understanding. We have served or are serving clients as diverse as Higher Ed, Manufacturing, and Fortune 500--each with unique needs that we are ready to meet, with the tools for cultural change in Inclusive Behavior and Empathetic Leadership, Learning and team building.

Our *empathetic* team of DEI experts and tech forward E-learning practitioners are ready to serve the unique needs of Virginia Military Institute.

My Best,

Kate Mortenson
Founder, CEO

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Exhibit 31

7. Proposed Cost – Pricing Schedule

Mayadan Consulting Associates propose that we will spend, on average, 25 hours per month conducting the work as outlined within a description of services:

1. The organization must be able to provide DEI training that includes guidelines, cultural sharing, areas of modification, bias intervention options, and DEI language that best fits the VMI community.
2. The organization must be able to provide opportunities for individuals to embrace DEI concepts, explore allyship, and a framework for lifelong learning
3. The organization must be able to discuss cultural and identity oppression in the context of current culture as it relates to VMI.
4. The organization must be able to design, conduct, review, and analyze an organizational DEI cultural assessment.
5. The organization must be able to review the assessment from a framework that is both individual and organizational while understanding the VMI philosophy.
6. The organization should provide accountability and support within the ranks of Institute Executives.
7. The organization must be able to provide opportunities for face-to-face training on post.
8. The organization must be able to assist in determining roadmap of training, consulting, and coaching.
9. The organization must be able to provide on-going DEI support.
10. Trainings must take place on Post, in person

Given this structure, our consulting pricing rate is \$1500/hour.

$$\text{\$1500 (Hourly Rate) X 25 Hours X 12 Months} = \underline{\text{\$450,000.00 TOTAL}}$$

The schedule of the work will be set between the offerors and VMI upon the receipt of the contract.

Exhibit 32



Proposed Cost

To provide the diverse technical and applicable experience needed for *this* project, the REG team is made up of experts in strategy and development, engagement, analysis and reporting, subject matter experts, and DEI training consultants.

PERSONNEL	ROLE	HOURLY RATE	% FTE
Guess, Bird Lead Contact	Director of Strategy and Delivery of Racial Equity Training; Project Lead (Client Engagement)	\$600.00	1.0FTE
Zhu, Sen Senior Analyst	Statistical technician and visualization master	\$250.00	.2FTE
Gackenbach, Pete Data Analyst	Manager of data preparation and analysis	\$175.00	.2FTE
Rene Paulson Senior Statistician	Senior Statistical manager and data leader	\$350.00	.2FTE
Vernita Stevens Senior Consultant	Training and Facilitation Expert	\$350.00	.2FTE

Proposed Project Total

LEAD WITH DATA	COST
1. Meet with client leadership team	Included
2. Foundational review and gap analysis	\$5,000
3. Facilitate foundational shared language and purpose (4 sessions)	\$40,000
4. Conduct Racial Equity Audit Assessment	\$15,000
FRAME THE DATA	
5. Evaluation Racial Equity Audit Assessment	\$10,000
CAPACITY BUILDING & TOOLKIT APPLICATION	
6. Conduct Equity Eye Analysis Toolkit Training (3 Sessions) Create DEI Vision Statement	\$32,000
RESULTS BASED ACCOUNTABILITY	
7. Measure, Monitor, Manage DEI (Metrics, Indicators, n Plans, 3 Sessions)	\$30,000
7a. Contingency	\$3,000
ADDITIONAL SERVICES *	
8. Additional Training Sessions - Up to 50 Participants (2 Hours)	\$10,000/per
Additional Annual or Routine Assessment and Reporting	\$15,000/yr
PROJECT TOTAL	\$135,000

NOTE: Project total is all inclusive of travel, lodging, training workbooks and all materials.

NOTE: *Additional Services are not including in project total.

Exhibit 33

Pricing

TMI Consulting, Inc. recommends a separate SOW for each phase of work with any work between phases being billed at our hourly rates. This proposal reflects a New Client Discount of 50% off our standard pricing for services. This discounted quote is valid for 30 business days.

Service	Details	QTY	Price	Term	Total
Fireside Chat	Up to 60 minutes interactive interview with Dr. Jana and a Senior Leader from your organization.	1	\$25,000.00	-	\$25,000.00
TMI Academy 2.0: DEI Foundations Bundle	Bundle access for up to 2,400 employees/cadets to all 4 DEI foundation courses. Courses included: DEI 101, Unconscious Bias 101, Allyship 101, and LGBTQ+ 101		\$180.00 per person	12 months	\$433,216.00
TMI Academy 2.0 now comes with: <ul style="list-style-type: none"> • Admin Support • Reporting Functions • Grouping Features for Teams The number of <i>Teams</i> will be at the discretion of the <i>Client</i> , and will be determined after any and all Data Analysis is complete. Once the number of Teams has been established, an updated invoice for the Group Fee will be sent.		DEI Foundations Bundle Payment Schedule <ul style="list-style-type: none"> • Due at Signing: \$93,116.00 • Due after Data Analysis: \$2,100.00 (Per Group) 			
CDO Retainer	Includes: up to 4 Quarterly Strategy Sessions, Project Management and Communication Budget, 1 Monthly Call	1	\$40,000.00 per month	12 months	\$480,000.00
* See the Appendix for a full list of included services and terms within a CDO Retainer, pg. 21	Additional Services Covered Under Retainer <ul style="list-style-type: none"> • Standard Material Review, as available • Facilitated Debriefs (up to 10) • Webinar Design and Deployment • Custom Academy Training Design (deployment not included) • DEI Panelist or Moderator • Coaching • Focus Groups (up to 6) and Stakeholder Interviews (up to 20) • DEI Visioning Process • Roadmap Recalibration • Talent Acquisition (up to 10 hours per month) • Capacity Building (up to 10 hours per month) • B Corp Handbook Assessment 				
Inclusion for Innovation Accountability Package	Employee experience survey, with data gap analysis by demographic group. Includes: <ul style="list-style-type: none"> • Rollout and Communication Support • Data Analysis • 1 Trend Report and Strategic Plan • 1 Data Walkthrough (1 hour with SLT) • 1 round of data clarification * Two assessments 18-24 months apart.	2	\$150,000.00 per assessment	18 months	\$300,000.00
* Assessment Package Fee Schedule	<ul style="list-style-type: none"> • 2021: \$75,000 due at signing • 2022: \$75,000 due at the beginning of the fiscal year • 2023: Second assessment (\$105,000) prorated monthly for 12 months 				
Loom The Culture Map® Structural Inclusion Audit	Includes: One Audit, Data Dashboard and Planner Access (up to 8 months), Policy Review and Recommendations, 1 Data Walkthrough (1 hour with SLT/HRLT), Success Coach, and Online Support	1	\$50,000.00	-	\$50,000.00
Total					\$1,288,216.00

Optional Add-Ons

Add-Ons are billed outside of the monthly retainer rate and can be added as needed.

Service	Details	QTY	Price	Term	Total
Additional Executive Strategy Session(s)	Strategy sessions available to guide the organization forward in their DEI goals or address specific concerns that arise in the lifecycle of the work.	1	\$2,500.00	NA	\$2,500
Additional Focus Group	One additional focus group	1	\$1,000.00	NA	\$1,000.00
Additional Interviews	Up to 5 additional interviews	1	\$1,000.00	NA	\$1,000.00
Data Clarification	Additional rounds of data clarification available at hourly rates.	Refer to Hourly Rates Table			
Fireside Chat or Webinar Recording	Pre-Recording or Live Recording of event to be made available to an internal audience ONLY.	1	\$5,000.00	NA	\$5,000.00
DEI Council/ERG Development	A TMI Subject Matter Expert, or TMI Consultant, can support the strategic direction of the DEI Council, alongside an executive sponsor, who will help maintain momentum.	1	\$10,000.00	6 months	\$60,000.00

Hourly Rates

Role	Rate
Fractional CDO	\$600
Subject Matter Expert	\$600
Lead Consultant, Senior Consultant, Facilitator	\$300
Associate Consultant	\$195
Senior Project Manager	\$250
Project Manager	\$185
Designer	\$180
Statistician	\$200
Coach	\$600
Customer Service/Tech Support	\$150

Travel

Travel and accommodations are approved by the client and billed on a line-item basis

* If the CEO engages with the client during non-working hours (vacation, weekends or sabbatical) their hourly rate will be twice that of the standard rate.



Exhibit 34



Price Proposal

Virginia Military Institute

RFP# V211-22-054

Diversity, Equity, and Inclusion (DEI) Consultation
and Training

December 10, 2021

Presented by:
Jason Levin
Executive Director, WGU Labs



VI.B.6. Proposed Cost

Labs proposes conducting VMI's Diversity, Equity, and Inclusion (DEI) Consultation and Training for the following cost. With Labs born from the nation's largest online university, we have a strong track record of virtual services engagements. To offer economic value, Labs proposes a virtual-only engagement with the exception of on-site training delivery for faculty, staff, and cadets. CAPE Inclusion will hold **two (2) 3-day on-site training visits** over the course of the engagement, with additional site visits available upon request.

Approximately 37 percent of the engagement cost will be passed through to CAPE Inclusion, a nationally certified minority-owned small business. See ATTACHMENT F Small Business Subcontracting Plan.

Item	Cost	Quantity	Subtotal
WGU Labs Services	\$100,000	1	\$100,000
CAPE Inclusion Services	\$25,000	1	\$25,000
CAPE Inclusion Platform (analysis only, not ongoing use)	\$10,000	2	\$20,000
Training (3 days onsite, 2 facilitators)	\$10,000	2	\$20,000
Travel (1 trip, 3 days onsite, 2 travelers)	\$3,000	2	\$6,000
Research Participant Incentives	\$5,500	1	\$5,500
SUBTOTAL			\$176,500
OPTIONAL COSTS			
CAPE Inclusion Platform ongoing usage per month (one-time implementation covered above)	\$1,875	16	\$30,000
Postsecondary Data Partnership membership for student benchmarking (if recommended by Labs and agreed upon by VMI leadership) paid directly to PDP	Est. \$2,695 per year	1.5	\$4,042
Additional Training (3 days onsite, 2 facilitators)	\$10,000	TBD	TBD
Additional Travel (1 trip, 3 days onsite, 2 travelers)	Est. \$3,000	TBD	TBD

Exhibit 35

Carmack, Lynn W

From: Sen, Tinni
Sent: Friday, January 21, 2022 6:05 PM
To: Tomlin, Kathleen H; Carmack, Lynn W; Love, Jamica N; Kline, Keith A; Sheikh, Ammad; Lackey, Tracey M
Cc: Lawhorne, Jeffrey L; Clark, Dallas B
Subject: Re: DEI Consultation and Training RFP - Vendor presentations

Kathy,
Thanks for that quick reply. And thanks for numbering your answers – really helps organize my thoughts. Let me reply accordingly:

1. There is only 6 criteria so I am puzzled by the mention of 8 and how you arrived at that notion. This requires further discussion. The panel scored 4 criteria and the remaining two, Price and SWaM, were scored by mathematical formula and the same points were then added to all panel members' score sheets. Hah! Clearly I can't count. Yes, you are right. I'm curious - what's that mathematical formula?
2. You are not permitted to discuss your scoring before the interview to prevent bias. I see. I guess I don't understand why you assume that there would be any more or less bias if we discussed the proposals. In fact, it would be a more informed decision, right.

The scoring determines which firms are selected to move to the next step. Scoring is subjective; selection for interviews is not. Well, I have to disagree with you there. Both scoring and interviews are done by the same folks – each process will be as subjective/objective as the other.

Once the interviews are complete, the panel can discuss anything they wish with each other that will prove helpful in making the best selection from the interview pool. The problem is that waiting to have a discussion after the interview precludes any discuss about ways to effectively conduct the interview. Also, what happens next? Do we present our rankings to Dr. Love?

If you choose to share your scores at that time, feel free; but realize there may be other panel members who prefer not to share theirs with the group. In the interest of transparency, shouldn't all scores be available to the committee?

3. As indicated, in your third paragraph, the Procurement Office is not relevant to candidate interviews and does not possess the expertise in human resources to benefit a department in that arena. My office is not responsible for negotiating contracts or acquiring personnel. We do not possess the expertise in DEI. We do, however, possess the expertise in the acquisition, negotiation and administration of goods and services – and this procurement is a service. I agree with you. So, I am assuming that those categories are weighted to reflect the importance of the different expertise being brought to this process? I guess I will be able to tell that when you share the mathematical formula.
4. We follow a strict requirement as set out in the Governing Laws for Higher Education found in the *Restructured Higher Education Financial and Administrative Operations Act*. VMI developed our procedures and processes to ensure compliance with the *Code of Virginia Ethics in Public Contracting*. Thanks - so those documents disallow discussion before we rate the vendors, disallow discussion before we interview the vendors, and allow discretion in which committee members choose to share their scores?
5. The Instructions to the Evaluation Committee was provided to you in advance of receiving the proposals with the non-disclosure statement. The procedure we use was developed from the *Code* which requires individual (not group) proposal evaluations.

Well, it's still an individual evaluation – we still have our own scores. Discussing it doesn't make it a group evaluation, right? That would only happen if the committee submitted one score. If you consider that point, then we could have a discussion and that would enhance our understanding of the strengths/weaknesses of vendors. Each of us brings their area of expertise and experience to the process. Harnessing that would make the final choice a much better one.

Thanks,
Tinni

Tinni Sen, PhD (She/Her/Hers)
Alexander P. Morrison 1939 Professor of Economics and Business
Co-Advisor, VMI Promaji Club
Department of Economics and Business
Virginia Military Institute
Lexington, VA 24450
Office: 540.464.7478, cell: 540.817.8866
sensb@vmi.edu
tinnis.sen@gmail.com

I live and work on the ancestral lands of the Monacan peoples.

From: "Tomlin, Kathleen H" <TomlinKH@vmi.edu>

Date: Friday, January 21, 2022 at 3:24 PM

To: "Sen, Tinni" <SenSB@vmi.edu>, "Carmack, Lynn W" <carmacklw@vmi.edu>, "Love, Jamica N" <lovejn@vmi.edu>, "Kline, Keith A" <klineka@vmi.edu>, "Sheikh, Ammad" <sheikhas@vmi.edu>, "Lackey, Tracey M" <lackeytm@vmi.edu>

Cc: "Lawhorne, Jeffrey L" <LawhorneJL@vmi.edu>, "Clark, Dallas B" <clarkdb@vmi.edu>

Subject: RE: DEI Consultation and Training RFP - Vendor presentations

Hello, Tinni. I will be happy to explain the process to you.

1. There is only 6 criteria so I am puzzled by the mention of 8 and how you arrived at that notion. This requires further discussion. The panel scored 4 criteria and the remaining two, Price and SWaM, were scored by mathematical formula and the same points were then added to all panel members' score sheets.
2. You are not permitted to discuss your scoring before the interview to prevent bias. The scoring determines which firms are selected to move to the next step. Scoring is subjective; selection for interviews is not. Once the interviews are complete, the panel can discuss anything they wish with each other that will prove helpful in making the best selection from the interview pool. If you choose to share your scores at that time, feel free; but realize there may be other panel members who prefer not to share theirs with the group.
3. As indicated, in your third paragraph, the Procurement Office is not relevant to candidate interviews and does not possess the expertise in human resources to benefit a department in that arena. My office is not responsible for negotiating contracts or acquiring personnel. We do not possess the expertise in DEI. We do, however, possess the expertise in the acquisition, negotiation and administration of goods and services – and this procurement is a service.
4. We follow a strict requirement as set out in the Governing Laws for Higher Education found in the *Restructured Higher Education Financial and Administrative Operations Act*. VMI developed our procedures and processes to ensure compliance with the *Code of Virginia Ethics in Public Contracting*.
5. The Instructions to the Evaluation Committee was provided to you in advance of receiving the proposals with the non-disclosure statement. The procedure we use was developed from the *Code* which requires individual (not group) proposal evaluations.

Please let me know if you require additional information.

Kathleen H. Tomlin

Colonel
VCO, VCCO, CUPO
Director, Procurement Services

Virginia Military Institute

314 Smith Hall, Lexington, Virginia 24450-0304
540-464-7166 Office
tomlinkh@vmi.edu | vmi.edu/procurement



From: Sen, Tinni <SenSB@vmi.edu>
Sent: Friday, January 21, 2022 2:34 PM
To: Carmack, Lynn W <carmacklw@vmi.edu>; Love, Jamica N <lovejn@vmi.edu>; Kline, Keith A <klineka@vmi.edu>; Sheikh, Ammad <sheikhas@vmi.edu>; Lackey, Tracey M <lackeytm@vmi.edu>
Cc: Tomlin, Kathleen H <TomlinKH@vmi.edu>
Subject: Re: DEI Consultation and Training RFP - Vendor presentations

Hello Lynn,
Thanks for the information. I had a couple of questions about the process.

First, I am puzzled by the scores. Since some of us scored on 6 criteria, and others on all 8, how are you calculating the final scores?

Second, why are we not allowed to discuss our scores amongst ourselves? I have run faculty searches, and that discussion is key to each of us understanding how we view the strengths and weaknesses of each applicant, and on what kinds of questions we pose at the final interview. It is enormously important in determining the outcome.

Finally, I understand that your office has scored on pricing and on how well the vendor satisfies the SWAM criteria. I also understand that the rest of us on this committee, especially Dr. Love, has the expertise to evaluate the DEI aspects of each vendor. The pricing information does not change, right? Nor does the SWAM aspect of each vendor? In that case, shouldn't those who know DEI have the final say in identifying who we hire to train the VMI community? We don't have the procurement office sit in our candidate interviews, even though there are large sums of monies involved.

These questions may all stem from my ignorance of state laws that govern the RFP process. If so, I welcome your clarification and explanation.

Thanks,
Tinni

Tinni Sen, PhD (She/Her/Hers)
Alexander P. Morrison 1939 Professor of Economics and Business
Co-Advisor, VMI Promaji Club
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sensb@vmi.edu
tinnis.sen@gmail.com

I live and work on the ancestral lands of the Monacan peoples.

From: "Carmack, Lynn W" <carmacklw@vmi.edu>
Date: Thursday, January 20, 2022 at 9:11 AM
To: "Love, Jamica N" <lovejn@vmi.edu>, "Sen, Tinni" <SenSB@vmi.edu>, "Kline, Keith A" <klineka@vmi.edu>, "Sheikh, Ammad" <sheikhas@vmi.edu>, "Lackey, Tracey M" <lackeytm@vmi.edu>
Cc: "Tomlin, Kathleen H" <TomlinkH@vmi.edu>
Subject: RE: DEI Consultation and Training RFP - Vendor presentations

Good morning,

Thank you again for participating in this RFP process. I have scheduled the top three firms to visit VMI for in-person presentations. Each firm will be allowed one hour, which includes questions from the panel. The firm will decide if they want to allow questions during the presentation or to hold them until the end. But the time will remain one hour regardless.

Following the final presentation, the panel, by consensus, will select the firm to be recommended for the contract. The individual scoring sheets are confidential, but below are the combined scores for the 3 firms, including pricing and SWaM points.

FIRM:	LOVE	LACKEY	SHEIKH	SENN	KLINE	AVG
NewPoint Strategies	81.97	99.97	77.97	80.97	89.97	86.17
Veritas Academy	82	90	82	81	79	82.8
CK Business Strategy	83.5	57.5	82.5	83.5	86.5	78.7

Respectfully,

Lynn Carmack
540-464-7223



New Platform Count-down! eVA is changing!
Remain in the know by visiting the eVA Transition Newsroom:
[Next Gen eVA](#)

From: Carmack, Lynn W
Sent: Monday, January 17, 2022 11:46 AM
To: Love, Jamica N <lovejn@vmi.edu>; Sen, Tinni <sensb@vmi.edu>; Kline, Keith A <klineka@vmi.edu>; Sheikh, Ammad <sheikhas@vmi.edu>; Lackey, Tracey M <lackeytm@vmi.edu>
Cc: Tomlin, Kathleen H <tomlinkh@vmi.edu>
Subject: DEI Consultation and Training RFP - Vendor presentations

Good morning,

LTC Love has indicated that she would like for the panel to schedule presentations with the top three companies, based on scoring. Those firms are NewPoint Strategies, Veritas Academy and CK Business Strategy. She would also like to

schedule the interviews in January. After looking at everyone's Outlook calendar schedule, I'm not sure if this will be possible because everyone already has a busy schedule. Based on calendar availability, Monday 1/31/22 may be an option. Or Friday 2/4/22. Please make sure your calendars are up to date so that I can confirm those days or look for other options.

Respectfully,

Lynn W. Carmack, CUPO, CPSM, CPSD, VCCO, CPPO
Major, Virginia Militia
Assistant Director of Procurement Services
Virginia Military Institute
314 Smith Hall
Lexington, VA 24450
540-464-7223
carmacklw@vmi.edu



New Platform Count-down! eVA is changing!
Remain in the know by visiting the eVA Transition Newsroom:
[Next Gen eVA](#)

Exhibit 36



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER ONE (2022)

ENDING THE USE OF INHERENTLY DIVISIVE CONCEPTS, INCLUDING CRITICAL RACE THEORY, AND RESTORING EXCELLENCE IN K-12 PUBLIC EDUCATION IN THE COMMONWEALTH

By virtue of the authority vested in me as Governor, I hereby issue this Executive Order to ensure excellence in K-12 public education in the Commonwealth by taking the first step on Day One to end the use of inherently divisive concepts, including Critical Race Theory, and to raise academic standards.

Importance of the Initiative

The future of the Commonwealth of Virginia is chiefly dependent on the education of our children. Education has life-shaping power, and our educational system should instill in Virginia students a love for lifelong learning to ensure that they become their own best teachers. We must enable our students to take risks, to think differently, to imagine, and to see conversations regarding art, science, and history as a place where they have a voice.

Political indoctrination has no place in our classrooms. The vast majority of learning in our schools involves imparting critical knowledge and skills in math, science, history, reading and other areas that should be non-controversial. Inherently divisive concepts, like Critical Race Theory and its progeny, instruct students to only view life through the lens of race and presumes that some students are consciously or unconsciously racist, sexist, or oppressive, and that other students are victims. This denies our students the opportunity to gain important facts, core knowledge, formulate their own opinions, and to think for themselves. Our children deserve far better from their education than to be told *what to think*.

Instead, the foundation of our educational system should be built on teaching our students *how to think* for themselves. Virginia must renew its commitment to teaching our children the value of freedom of thought and diversity of ideas. We must equip our teachers to teach our students the entirety of our history – both good and bad. From the horrors of

American slavery and segregation, and our country's treatment of Native Americans, to the triumph of America's Greatest Generation against the Nazi Empire, the heroic efforts of Americans in the Civil Rights Movement, and our country's defeat of the Soviet Union and the ills of Communism, we must provide our students with the facts and context necessary to understand these important events. Only then will we realize Dr. Martin Luther King Jr.'s dream that our children "will not be judged by the color of their skin but by the content of their character."

The Constitution of Virginia requires that the Governor shall take care that the laws be faithfully executed. It further provides a right to be free from any governmental discrimination upon the basis of religious conviction, race, color, sex, or national origin. Critical race theory and related concepts are teaching our children to engage in the very behavior the Constitution prohibits.

Directive

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth, and pursuant to Article V of the Constitution and the laws of Virginia, I hereby order the following:

1. The Superintendent of Public Instruction shall review all policies within the Department of Education to identify those that promote inherently divisive concepts. Such policies shall be ended.
2. The Superintendent of Public Instruction shall immediately review all guidelines, websites, best practices, and other materials produced by the Department of Education to identify those that promote or endorse divisive or inherently racist concepts. Such shall be removed.
3. Executive Employees shall be prohibited from directing or otherwise compelling students to personally affirm, adopt, or adhere to inherently divisive concepts.
4. The Superintendent of Public Instruction shall review the Department of Education's Cultural Competency Training to determine if it or any portion promotes inherently divisive concepts, and take action consistent with the laws of Virginia to modify such training to end the use of inherently divisive concepts. In addition, the Superintendent shall make recommendations on how the Department of Education and school division can develop and make available to all teachers and school leaders model professional development and training so teachers and schools are prepared to engage students on important civics and historical issues in a fair and unbiased manner without imposing their own personal beliefs.
5. The Superintendent of Public Instruction shall review and revise or rescind Superintendent's Memo #050-19 to remove reference to any inherently divisive concepts.
6. The Superintendent of Public Instruction shall review all changes made to the Commonwealth of Virginia's public education curriculum within the last 48 months to identify inherently divisive concepts, including concepts or ideas related to Critical Race Theory, and initiate, through the regular curriculum re-evaluation process,

changes that will replace them with concepts and lessons that ensure all Virginia students are taught to respect all individuals regardless of their race, sex, or faith.

7. The Superintendent of Public Instruction shall review the “EdEquityVA” program and end any portion that promotes inherently divisive concepts.
8. The Superintendent of Public Instruction shall end the Virginia Math Pathways Initiative.
9. The Superintendent of Public Instruction shall provide a report to me and the Secretary of Education within 30 days any policies, programs, training, or curricula that falls within the definition of inherently divisive concepts and within 90 days identify any necessary executive and legislative actions needed to end use of all inherently divisive concepts in public education.
10. The Superintendent of Public Instruction shall review and immediately end the use of any portion of any Governor’s School program that promotes inherently divisive concepts.
11. The Superintendent of Public Instruction shall raise standards in K-12 education and immediately take steps to:
 - a. increase the transparency and honesty of performance measures for public elementary and secondary schools in the Commonwealth and ensure that such measures do not obscure or conceal disparities in performance among student groups;
 - b. ensure that performance measures for public elementary and secondary schools prioritize the attainment of grade-level proficiency in reading and mathematics for all students, especially in grades K-5;
 - c. ensure that the Commonwealth’s proficiency standards on Standards of Learning assessments in reading and mathematics are rigorous in comparison with assessments administered by other states and national assessments in reading; and
 - d. increase the number of academic-year Governor's Schools in the Commonwealth and maintain standards of excellence for students in all such schools.
 - e. ensure that parents are empowered with open access to information on primary instructional materials utilized in any school and that fair and open policies are in place to address any concerns or complaints in a timely and respectful manner.
12. The Superintendent of Public Instruction shall issue a report to the Secretary of Education and me within 90 days on the status of efforts to close the “achievement gap” in K-12 education, with recommendations for additional executive and

legislative actions that should be undertaken to ensure all students are graduating high school career and college ready.

13. The Superintendent of Public Instruction will initiate, through the regular curriculum re-evaluation process, changes that ensure Virginia students are given thorough and comprehensive education of world, United States, and Virginia history without the influence of inherently divisive concepts.

For the purposes of this Executive order “inherently divisive concepts” means advancing any ideas in violation of Title IV and Title VI of the Civil Rights Act of 1964, including, but not limited to of the following concepts (i) one race, skin color, ethnicity, sex, or faith is inherently superior to another race, skin color, ethnicity, sex, or faith; (ii) an individual, by virtue of his or her race, skin color, ethnicity, sex or faith, is racist, sexist, or oppressive, whether consciously or subconsciously, (iii) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race, skin color, ethnicity, sex or faith, (iv) members of one race, ethnicity, sex or faith cannot and should not attempt to treat others as individuals without respect to race, sex or faith, (v) an individual's moral character is inherently determined by his or her race, skin color, ethnicity, sex, or faith, (vi) an individual, by virtue of his or her race, skin color, ethnicity, sex, or faith, bears responsibility for actions committed in the past by other members of the same race, ethnicity, sex or faith, (vii) meritocracy or traits, such as a hard work ethic, are racist or sexist or were created by a particular race to oppress another race.

Effective Date

This Executive Order shall be effective upon its signing and shall remain in force and effect unless amended or rescinded by further executive order or directive.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 15th day of January, 2022.



Handwritten signature of Glenn Youngkin in black ink.

Glenn Youngkin, Governor

Attest:

Handwritten signature of Kelly Thomasson in black ink.

Kelly Thomasson, Secretary of the Commonwealth

Exhibit 37

One Corps – One VMI A Unifying Action Plan



**Office of the Superintendent
Virginia Military Institute
Lexington, Virginia 24450**

**Assessment by the Superintendent
and accompanying Unifying Action Plan**



SUPERINTENDENT
VIRGINIA MILITARY INSTITUTE

May 19, 2021

Upon my arrival in November, VMI was in the midst of a crisis. Despite its long history of producing leaders of character of all races and gender, media reports of VMI led state policymakers to believe VMI glorifies a dark time in our nation's history, lacks diversity and was making no effort to improve, and has a culture of structural racism in its treatment of minority cadets. My 35 years of military and civilian service permitted me to have first-hand interactions with leaders and organizations that performed at their best because of their diversity. This experience would not have been possible however, without the rigorous education, tough discipline, and honorable living impressed upon me at VMI.

My priority as interim superintendent was to perform a personal assessment of the Institute's climate, culture, policies, and procedures. Of particular concern was understanding the current status of what is fundamentally the VMI experience: the unique method of education that challenges cadets physically, mentally, and academically while instilling in them traits of character built on honor, integrity, civility, personal conduct and discipline, and a lifelong bonding through the "brother rat" spirit. One Corps, One VMI is the product of that assessment.

With the ongoing turbulence, I believe we find ourselves needlessly fractured. We must return our collective focus on VMI's mission which defines the Institute and what it means to be a VMI cadet. Our method of education develops young leaders beyond the classroom and is critical to their success in military, civil, academic, and corporate life. The Institute must focus on the 21st Century ensuring the culture and climate of VMI is such that any cadet, faculty, or staff member can find their place. Therefore, One Corps, One VMI focuses on five outcomes:

- **Honor.** The VMI Honor Code must continue to be a way of life for each and every cadet and alumnus.
- **Diversity and inclusion.** VMI must ensure that every cadet, regardless of race, gender, religion, or nationality, feels a part of the VMI legacy.
- **The VMI brand.** The outward face of VMI should be built around young leaders of character who exemplify honor, civility, and service above self.
- **Competing and winning.** VMI cadets must compete to win in the classroom, on the hill through their cadet life in barracks, and on the field of competition.
- **One VMI.** VMI's strength is in its diversity of experiences, thought, abilities, and backgrounds. No single cadet's challenge is greater than another's. It is through the reliance on their fellow cadets that the Corps succeeds.

VMI continues to be a leadership laboratory that is among the finest in the nation. There's no question that VMI continues to produce young leaders the state and our nation needs to take on 21st Century challenges. Through this Unifying Action Plan, and in coordination with partners throughout the commonwealth, VMI will set a path to remedy any perceived wrongs that may exist and to continue to fulfill its mission of educating cadets to be citizen-soldiers and leaders of character.

Cedric T. Wins
Major General, U.S. Army (Retired)



A Unifying Action Plan

INTRODUCTION

This is VMI's Unifying Action Plan. It is intended to achieve a single purpose – advance the VMI experience, traditions, and culture to be more positive and inclusive producing leaders prepared for the complex world we live in today and into the future. This plan aligns with the long-term Vision 2039 benchmarks.

Allegations of structural racism must be taken seriously. We must look at ourselves critically and ensure that VMI presents a welcoming environment to any young man or woman seeking the benefits of the VMI experience. As a top-performing state, national and international institution, VMI's contribution over its 182-year existence is invaluable. VMI produces high-caliber leaders who fill essential roles throughout our society and with global impact. A plan is required to address the allegations, reveal any evidence of racism, initiate appropriate corrections, and reverse any perceptions among the wide range of VMI constituents that VMI supports an environment of institutional racism.

The VMI Unifying Action Plan takes the 14 descriptors of Vision 2039 and reinforces the focus on the Cadet as an individual committed to the unifying principles of 'One Corps, One VMI' – a Cadet fully embracing pride in the accomplishments and diversity of the Corps, inclusive of all Cadets and respectful of the tests of character each Cadet must overcome in academics, athletics and within our military system.

This plan ensures VMI's unique method of education and training continues to prepare future generations of America's leaders for honorable and devoted service to our state, nation and society. The VMI Unifying Action Plan will produce graduates whose life experience at VMI is based on mutual respect, built on the strength diverse talent offers and a collective commitment to the greater good of those they serve and lead in life.



BACKGROUND

Founded in 1839, the Virginia Military Institute is the first state supported military college in the United States. Located in Lexington, Virginia, VMI is the second institution of higher education created by the Commonwealth of Virginia and is a highly respected and ranked institute of higher education. Nationally, under Title 10 of the United States Code, VMI is one of six institutions of higher education designated as a Senior Military College and unique among them where its entire student body is organized as a military corps.

VMI has many distinguished alumni among its graduates, including:

- 11 Rhodes Scholars
- 7 Medal of Honor recipients
- 285 Generals and Admirals
- Professional sports athletes
- Numerous college and university presidents
- Industrialists
- Countless business leaders
- Scores of historic and legendary civic, political and military leaders.

Our Reserve Officer Training Corps (ROTC) programs supporting the Army, Navy, Air Force, and Marine Corps frequently top the nation in innovative military educational and training practices. VMI leads the nation's colleges and universities as a significant source of commissioned officers.

VMI, through its rigorous military-like environment and its comprehensive academic and physically demanding program, is anchored on a regimental, class, honor, and educational system producing young men and women who embody the values of honor, integrity, respect, civility, duty, service above self, and academic excellence. These attributes are in high demand in our society and highly sought after in military, government, medical, legal, and private and public industry throughout the nation. Society needs, now more than ever, self-disciplined leaders with a resolute sense of duty. As our record soundly shows, VMI produces those kinds of people.

The Commonwealth of Virginia has directed an independent, third-party review of VMI's culture, policies, practices and equity in disciplinary procedures. VMI came under scrutiny due to accusations of structural racism by some of its Cadets and alumni. These serious accusations led Virginia's Governor, The Honorable Ralph S. Northam, a VMI alumnus, to announce he would launch an independent probe into "structural racism" at VMI.

Accusations were made that VMI is flawed with institutional racism, outdated, obsolete and should be shut down. Further, the symbology of the American Civil War on VMI's Post does not provide the appropriate environment and culture, exacerbating the situation, as social stress across the United States found its way to Lexington and the Institute itself.

The State Council of Higher Education for Virginia issued a Request for Proposal on 5 November 2020 to contract a third party to conduct the investigation and announced on 7 December 2020 they intended to award the contract to Barnes and Thornburg LLP, a law firm with a national reputation.



PROBLEM STATEMENT

As a highly valued state, national and international institution, VMI's contribution over its 182-year existence has been invaluable. VMI produces high-caliber leaders who fill essential roles throughout our society. In light of racism allegations, VMI has and will continue to actively take the opportunity to assess itself and implement necessary change, so that:

The Virginia Military Institute recasts the VMI experience, traditions, and culture, to be inclusive and honorable for all VMI Cadets, faculty, staff, alumni, parents and friends. Should the Institute fail to change, it risks altering or eliminating the pillars of its proven unique educational model.

VMI reaffirms its commitment to providing an environment that emphasizes the dignity and worth of every member of its community. As such, there is **zero tolerance** for racism, sexism, discrimination, hatred, intolerance, or prejudice of any kind. Behavior which attacks diversity, inclusion, equal-opportunity and accountability is unacceptable.

To ensure VMI operates in and supports an environment and culture which emphasizes and inculcates in its members this commitment, the following actions are ongoing or will begin:

- VMI welcomes the independent third-party investigation and equity audit with full cooperation and grants full access to the Institute;
- VMI will review the report produced by Barnes and Thornburg, assess their recommendations to determine those which are actionable, and establish a plan and timeline for implementation.
- VMI will make all efforts to actively respond to any and all acts of racism and eliminate or correct it as appropriate;
- In addition to the independent review, VMI has commenced with a top-down, bottoms-up internal review of the Institute and will take immediate, near-term and long-term actions to correct identified shortfalls.
- VMI has already taken steps to: address iconography, memorials and symbols of the institute; examine hiring practices; implement training and education to address diversity and inclusion; review Cadet led governance and administrative oversight that holds the Corps accountable for racist and sexist acts; develop plans for recruiting and retention of a diverse student body, faculty, administrative and administrative support staff, and classified workforce.
- Under Title IX, existing VMI policies address discrimination, harassment and sexual misconduct, equity and retaliation. Those policies require periodic review to ensure they are understood and continue to appropriately address reports of infractions among the Corps. Similar policies, consistent with state laws and human resource regulations, exist to protect the rights of our faculty, staff and administrative support staff.

While a zero-tolerance policy is an important and immediate action, VMI will ensure that it keeps pace and better exemplifies our society in the 21st century, while producing graduates who represent the best of our nation, capable of leading in the complex world in which we now live. As VMI moves forward, whenever and wherever opportunities are found to better the Institute, the VMI experience, or the quality of our current Cadets, then such improvements must and will be made.



STATEMENT OF PURPOSE

"The character of the individual Cadet is directly influenced by the prevailing culture of the Institute..." "The way Cadets – men and women – live together and work together while at VMI lays the foundation for the way they will live and work throughout their lives."

Vision 2039 – Focus on Leadership

As a result of my own initial assessment through a series of listening sessions with Cadets, faculty, athletic coaches and staff, as well as engagements with the VMI Board of Visitors, alumni and senior national leaders, I have concluded VMI must move past accusations of institutional racism by placing increased emphasis and focus on diversity, equity and inclusion with accountability at all levels. To transition this assessment into action, I formed a focused planning effort to produce and implement this action plan.

My 45-day assessment identifies the following key areas that need addressing:

- 1. Diversity and inclusion:** Since 1968, the experience, reflection, and achievements of VMI graduates is built upon the cumulative changes made and now reflected in VMI's multiracial, international, co-ed student body and the leaders we have produced who continue to excel in the military, private industry, public and governmental service and politics. While measures of diversity – racial, gender, ethnic and economic – grew slightly over the past five years, among that diverse group, the quality of high caliber Cadets with strong credentials who desire to excel at VMI, has proven to be undeniable. We must ensure we are using appropriate and achievable benchmarks which reflect VMI leadership's attention to diversity in the Corps of Cadets, faculty and staff. More can be done to improve on the diversity of our Corps, faculty and staff.
- 2. Visible manifestations of VMI:** Understand how to recalibrate VMI's visible emphasis on traditions, symbology and outward manifestations of our culture towards the accomplishments of the Institute and its notable alumni in the 20th and 21st century. VMI has a long history spanning nearly two centuries. The earliest part of that history has a very different meaning through the modern lens. Extensive discussions with Cadets, faculty, staff and some alumni suggest our traditions and symbology, in certain cases, are divisive. We must find common ground about what exemplifies the bonds created during one's Cadetship that is inclusive of every member of the VMI community. We cannot erase our history, but we will place ourselves properly as a part of Virginia's and our Nation's history reflecting the more relevant, diverse and inclusive world our graduates will lead into the future.
- 3. The Honor Code and its application through the Honor System:** Review the governance and oversight of the Honor System ensuring fair and equitable enforcement of our enduring, single sanction Honor Code. The Honor Code is foundational to the educational experience and, as such, its administration through the Honor System must be beyond reproach. There remains a perception that Cadets are targeted, guilt is applied first, and punishment rendered unevenly. Better education of Cadets on their obligation to remain personally accountable for conduct that runs counter to the Honor Code during their Cadetship is needed. We must ensure all Cadets understand and are committed to their personal development to attain achievement through hard work, merit and avoiding shortcuts.



4. **A Unified Corps of Cadets:** Return to the strength of a **unified** Corps, stratified **only** by the class system. The notion that there are opposing components of the Corps – athlete versus non-athlete; permit versus non-permit – runs against the fundamental notion of a common purpose for producing young men and women who represent the fulfillment of the VMI mission. A truly unified Corps represents one of the best opportunities to demonstrate that the Cadet experience – VMI’s learning laboratory where character is honed – is incompatible with the notion that racist, sexist or homophobic acts of any kind are tolerated.
5. **The three pillars of the VMI experience:** Rebalance the three aspects of a VMI education: academics, athletics, and military life. We’ve become imbalanced with redundant requirements, unclear standards and our application of systems that dominate the daily lives of our Cadets. Each pillar tests (and expands) the limits of a Cadet’s abilities, so they are prepared to address the demands of life. Challenging our Cadets to excel to the best of their abilities in all three areas simultaneously is what makes VMI unique in its development and educational system. While the military and athletic components are integral parts of the VMI experience, VMI is an institution of higher learning where the resource of time must be applied appropriately to academics as a focus. Cadets and faculty both expressed a need to devote adequate time to their studies while also investing in academic opportunities beyond their normal coursework.

The VMI Unifying Action Plan begins by declaring what VMI stands for:

VMI is renowned for taking a diverse group of individuals, immersing them in the curricular and co-curricular experiences and over time, carefully and deliberately building leaders who:

- Possess unwavering character
- Demonstrate great skill in sound reasoning
- Make appropriate ethical decisions
- Lead naturally among their peers and in their communities
- Engage in societal problem-solving yielding wide impact
- Stand and deliver through strength and conviction
- and above all else, lead honorably and serve selflessly

The VMI Unifying Action Plan also defines what VMI is not for:

At VMI, we are not for violating the simple Honor Code; “A Cadet will not lie, cheat, steal, nor tolerate those who do.” We are not for personal gain above personal honor.

At VMI, we are not for those who engage in or tolerate acts of racism, sexism, discrimination, hatred, or prejudice. There is zero tolerance for this type of dishonorable behavior.

At VMI, we are not for behavior that fails to treat all Cadets, faculty and staff with respect and dignity.

On the grounds of this premier military institution, everyone must be treated with respect, civility and honor. We must hold ourselves accountable to demonstrate the very best of VMI. The second there is a departure from ethical conduct into hatred, discrimination, bullying or marginalization, then we are moving backwards; and that is not where VMI needs to be – VMI is moving forward towards continued betterment and future achievements.



OUTCOMES

For the future, the VMI system will successfully achieve these outcomes through the VMI Experience:

- #1. ***The VMI Brand.*** *The outward face of VMI is built around young leaders who carry themselves honorably, with civility and humility. It's what our alumni, parents, local and national leaders and potential employers come to expect of a VMI Cadet. It's reflected in an inclusive legacy from the VMI Post to the classroom; from the field of competition to the battlefield, from the training grounds to the boardroom. We are prepared and can be trusted to lead our subordinates or support our superiors. That is what others outside of VMI must see in us, and what we must see in ourselves.*
- #2. ***A VMI which is Diverse and Inclusive.*** *A diverse and inclusive VMI begins with a Corps of Cadets who build on our legacy. A legacy based on the VMI experience with every Cadet being a part of its traditions; living in a positive and meaningful culture; inclusive and respectful of all. That diversity extends to how we recruit the best talent in our faculty, coaches and administrative staff to train and develop Cadets, because we believe, respect and advocate that diversity is our strength.*
- #3. ***Committed to Honor.*** *The heart of VMI is the Honor System. Cadets live by a simple code which pervades all aspects of Cadet life, rapidly becoming a lasting lifestyle. A Cadet's honor is their most guarded possession, a cherished leadership trait, an outcome which is only found so strongly in a single sanction honor system.*
- #4. ***A VMI that Competes to Win.*** *The VMI experience is appropriately balanced and centered on academic excellence. It has the right measure of high achievement coupled with physical and mental rigors of a military-like environment which are intended to build resiliency, character, and leadership qualities. We play at the highest level in athletics well represented by Cadet athletes who are pursuing a quality education and always compete to win.*
- #5. ***One-VMI.*** *VMI accepts individuals from all walks of life and builds successive classes of leaders, imbued with a high sense of public duty, possessing the skills to successfully lead across the military, government, public, and private sectors. At VMI, one is no less than any other and success comes from working together as a team and supporting one another. Our athletes must embrace opportunities to demonstrate their leadership and commitment to the VMI experience both on and off the field. The Corps of Cadets must recognize the efforts of all Cadets and that all are being challenged academically, militarily, and athletically; each constrained by time and resources, all in a pursuit of excellence.*



ACTION CONCEPT

Moving VMI forward means adopting an action concept where VMI looks, thinks, and acts facing forward to the future. This best practice ensures a diverse and inclusive environment, with equal opportunity for all and where we reaffirm VMI's core values and avow what VMI is not for. My intent for implementation is for the Institute Planning Committee (IPC) leaders to review, refine and identify actionable tasks that are measurable and focused on achieving the identified outcomes.

The action concept achieves the previously stated outcomes and is descriptive of VMI in the 21st century. VMI will succeed in these outcomes through the pursuit of five functional areas. These five areas continue forward to:

1. improve the health, welfare and resiliency of the Corps of Cadets;
2. maintain and provide modern facilities and quality of life;
3. provide greater leadership, mentorship and talent management;
4. increase faculty and staff efficacy; and,
5. produce effective internal and external communications.

While progress toward the outcomes is measured by the five functional areas, they are sequenced by immediate, near-term and long-term tasks which are needed at specific points in the process to move forward.

Foundational to improving VMI is Cadet Life. Fundamental and meaningful change to VMI starts and ends with caring for VMI's Cadets. The VMI Corps of Cadets is the centerpiece of VMI and improving Cadet Life underpins the future VMI experience.

Ensuring there is a unifying balance between athletics, academics and the military is essential. The standard of living for Cadets should evolve as necessary to remain conducive to success by continuously upgrading facilities and classrooms; recent examples of which include safety and security enhancements and technological improvements within barracks.

A VMI oriented on improving Cadet Life will allow VMI Cadets to gain the skills, qualities and attributes for the future. Hence, as the Unifying Action Plan is implemented, all efforts ensure the VMI Corps of Cadets has a safe, trusted and healthy environment where they can learn and grow, immersed in a 21st century academic, athletic and military educational and training environment which operates under the premise of excellence.



KEY TASKS

*Key Tasks + Focus Areas = Outcomes
(VMI Cadet Life as the Foundation)*

The first key task in the Unifying Action Plan is investigation and reviewing VMI's culture and eliminating any discovery of institutional racism on the VMI Post. As soon as that achievement starts, VMI pursues a deeper effort for a second key task to upgrade the VMI System. A third key task is focused on investing in the future with greater talent management for Cadets, faculty, and staff.

KEY TASK 1

Investigate and Review VMI's Culture for Any Institutional Racism and Intolerance - Immediate Actions. Ending any institutional racism starts with reaffirming a zero-tolerance policy and ends when mandatory diversity education for the entire Corps of Cadets, faculty and staff is institutionalized. Steps along the way are:

- Reaffirm VMI's zero tolerance for racism, hatred, and intolerance; recognizing all are dishonorable;
- Advance VMI symbology to associate toward example-setting 20th and 21st century traits;
- Establish a Diversity, Equity, and Inclusion Program with a Chief Diversity Officer, directly reporting to the Superintendent and informed by other similar state and national entities and efforts;
- Continue strategic communications to inform varied communities of VMI's progress;
- Maintain the comprehensive training programs for the Corps of Cadets for ready and resilient Cadets, sexual harassment/assault response and prevention, suicide prevention, substance abuse and bystander intervention;
- Continue mandatory diversity, equity, and inclusion education for the entire Corps of Cadets, faculty, and staff.

KEY TASK 2

Upgrade a VMI experience that leverages more Diversity, Equity and Inclusion - Near-Term Actions. Advancing towards a culture which is diverse, equitable and inclusive with its own accountability means upgrading the VMI Experience. Modernizing VMI commences with building a Cadet governed system of diversity, equity and inclusion, and ends when a culture emerges where racism, prejudice, and hatred of any kind is not tolerated. Steps along the way are:

- An accountable Cadet leadership and governance which self-corrects and resolves any acts or inferences of racism, sexism, and harassment;
- Review and update VMI's organization and functions to improve the Institute's ability to achieve VMI's outcomes;
- Review VMI's policies, procedures, plans, and goals to verify incorporation of diversity, equity, and inclusivity;
- Continue a culture where racism, prejudice, and hatred of any kind is not tolerated or embodied as attributes of a VMI Cadet and graduate.



KEY TASK 3

Invest in the Future - Long-Term Actions. Building a diverse, equitable and inclusive culture is an investment which will take five years (a full cycle of a class plus an additional year) to incorporate final changes. The third key task commences with the Matriculation in August 2021 and ends when the Corps of Cadets, faculty, and staff more closely reflect the diversity of the United States population in the 21st century. Steps to get VMI there are:

- Institutionalizing continuous diversity and inclusion training for Cadets, faculty and staff;
- Partnership with organizations with proven track records of identifying qualified minority applicants who are seeking careers in higher education, civil and/or military service;
- Address challenges that inhibit VMI from recruiting Cadets, faculty, and staff to better reflect the population of the United States;
- Elevate to a talent management system which recruits Cadets for: (1) excellence in academics, career military service and/or civilian occupations and winning inter-collegiate teams; (2) faculty for a 21st century educational system; and (3) accomplished and deeply experienced military professionals who lead and mentor from the front;
- Continue to implement the major tenants of Vision 2039; the master plan aims at improving the academic, military, and athletic programs and the infrastructure of the Institute to enhance Cadet leadership development and the environment in which it takes place.



FOCUS AREAS

Focus Areas are the avenues traveled to achieve the Five Element End-State. These Focus Areas are sequenced in time as the key tasks are achieved and produce the conditions, improvements, changes, and advancements necessary to realize VMI's End-State and a diverse, equal, and inclusive environment representative of our nation.

Focus Area 1

Health, Welfare and Resiliency of the Corps of Cadets.

Objective: Continue to provide and care for the VMI Corps of Cadets including; good order and discipline for the Corps; an advantageous place to learn and grow; streamlined systems to resolve misconduct and misbehavior and reward success and achievement; empower Cadets to gain strength through diversity, acceptance by inclusion, and the building of resiliency.

Reason: Protect Cadets from negative influences and safeguard them from harm. The Corps of Cadets is the centerpiece of VMI. Their health, education, welfare and resiliency are the primary focus of the Institute.

Focus Area 2

Facilities and Quality of Life.

Objective: Further a positive environment where Cadets can learn and grow, where faculty educate with the latest means available, and staff can provide an open, safe and positive workplace and living accommodations. Facilities are modern and functional, allow essential connectivity within VMI and outside, and are well-maintained.

Reason: Cadets are safe with an appreciable level of comfort to live in. A healthy, clean, comfortable and positive learning environment; safe and positive.

Focus Area 3

Leadership, Mentorship and Talent Management.

Objective: Always embracing a system where Cadets, faculty and staff live positive leadership attributes and demonstrate respect, thriving in a diverse and inclusive environment with supporting mentorship. A place where role-models are prevalent, sound judgement is the order of the day, and the right talent comes from the VMI experience.

Reason: Focus VMI on building the right talent for America, which is intolerant of hatred, prejudice and unacceptable behavior which prevents diversity, inclusion, equal-opportunity and accountability. Prejudice, dishonorable behavior, and intolerance is not perceived as systemic at VMI, and if it surfaces, it is eliminated.



Focus Area 4

Greater Academic Diversity - Faculty and Staff Efficacy.

Objective: As academics are the cornerstone of the Institute, greater academic capability is required. Enhance VMI faculty's ability to deliver world-class academics through 21st century technology and pedagogy designed to meet the needs of today's Cadets, along with cutting-edge courses/curriculum which further a Cadet's ability to synthesize knowledge. Increase VMI's staff's ability to support the VMI mission with diversity, equity, inclusion and accountability. Provide education tailored to teach leadership and success in the complex 21st century domestic and international environment.

Reason: Ensure VMI's System attains the VMI vision and includes diversity, equal opportunity, inclusion and accountability.

Focus Area 5

Internal and External Communications.

Objective: Continuous communication to varied and wide audiences the VMI vision, mission and ability to produce a superior education free from prejudice and intolerance.

Reason: VMI's processes to stop intolerable behavior are communicated and clearly understood. Precise, succinct and clear communication (up and out, and down and in), demonstrating that VMI is vigilant and that immediate action is taken to swiftly resolve issues encountered.



CONCLUSION

VMI is at a crossroads. As the world around VMI changes, the Institute must continue to evolve or risk becoming irrelevant. Keeping pace with change, if not leading it, is necessary to meet the demands and complexities of the 21st century. With change so comes opportunity.

At this point in VMI's history, we have a tremendous opportunity to recast our proud and strong legacy, to advance the VMI experience, traditions, and culture, and to be increasingly positive and honorable for all VMI Cadets, faculty, staff, alumni, parents and friends. The goal of the VMI Unifying Action Plan is to move VMI forward, while maintaining our best traditions and producing leaders who positively contribute to a modern 21st century society. This means we must look at ourselves critically, fix the problems we find, and change our ways with an eye towards the future.

The difference between success and failure in this life of ours is mostly hard work, so you must constantly work to try to improve yourself.

Burke Davis, *Marine! The Life of Chesty Puller.*

On this 19th day of May 2021

By Order of:

Major General Cedric T. Wins, '85
Superintendent
The Virginia Military Institute



Exhibit 38



Quarterly Report 1

Commonwealth's Equity Audit

July 1, 2021 – December 15, 2021

**Prepared by the
Superintendent
Major General Cedric T. Wins**

**Approved by the
VMI Board of Visitors
Mr. Thomas R. Watjen, President**

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EXECUTIVE SUMMARY

On 1 June 2021, the State Council of Higher Education for Virginia released the final report of a state-ordered review of the Virginia Military Institute’s culture, polices, procedures, and discipline with respect to diversity, equity, and inclusion (DEI) issues.

On 1 July 2021, VMI published its *Diversity, Equity, and Inclusion Review: 30-Day Report* wherein it detailed the status (as of 1 July) of each of the 42 recommendations included in the Barnes & Thornburg final report. The VMI 30-day report also detailed 29 separate actions (comprised of more than 100 individual items) that VMI has undertaken since the initiation of the review. Bottom line: The Institute has been proactive in promoting and executing DEI-related change since before the review began and continues to do so as detailed in that 30-day report and this, the first quarterly report.

On 8 July 2021, Mr. Thomas Watjen ’76 (President, VMI Board of Visitors) released a statement stressing that “It is important for VMI to continue its efforts to ensure the Institute is a place to learn, train, and work in an environment that is safe and inclusive for all.” This statement further established three BOV DEI objectives:

1. **To create and foster a more diverse VMI.**
2. **To create and foster a safe, equitable, and inclusive environment for all on post.**
3. **To assure that we maintain a safe, rigorous process for resolving issues which have even the potential to violate the code of a cadet.**

Mr. Watjen went on to say that “The Commonwealth of Virginia is an important partner in this process. These quarterly reports will further demonstrate VMI’s commitment to diversity, equity, and inclusion while maintaining our focus on our mission and purpose.” What follows is VMI’s first report submitted in compliance with the BOV’s direction.

1. MAINTAIN ACCOUNTABILITY

- VMI submitted its VMI Inclusive Excellence – One VA Plan to the Commonwealth of Virginia on 30 August 2021. Approved by the full BOV, the plan assigns Institute executives responsibility for implementing and tracking its five goals and ten objectives designed to drive VMI toward inclusive excellence.
- VMI began submitting “quarterly reports” to the BOV for follow-on submission to SCHEV and the

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General Assembly on 15 December 2021, and will continue this practice for the next three years.

2. IMPROVE DIVERSITY IN LEADERSHIP AND THE CORPS

- As detailed in its Inclusive Excellence Plan, VMI established goals and objectives to improve and increase diversity across the VMI community. One element in achieving those goals and objectives is the Diversity Recruitment Plan. The plan expands advertising to increase diverse applicants, increases DEI training for hiring committee members, and reviews hiring and onboarding processes, to include developing sponsorship and mentorship programs. The Institute has also invested in various recruiting tools to aid in reaching highly qualified prospective cadets in the underrepresented student populations to help improve diversity in the Corps of Cadets. To track progress in both areas, the Institute uses a Diversity Dashboard. The dashboard displays disaggregated data that is analyzed and used to assess progress toward inclusive excellence.

3. MONITOR AND ADJUST INSTITUTIONS AND TRADITIONS

- Barnes and Thornburg made VMI's honor code, and the system used to administer it, a key element in their final report. VMI established an ad hoc committee to fully review the Honor Court Standard Operating Procedures (HC SOP) to identify, mitigate and eliminate where possible the potential for bias in the honor system. The committee recommended, and the Superintendent approved, 12 key changes to the HC SOP that advance this effort and ensure equity throughout the system.

4. TEMPER ASSOCIATIONS BETWEEN VMI AND THE CIVIL WAR AND CONFEDERACY

- VMI's long history spans nearly two centuries. When viewed through a 21st Century lens, VMI has been challenged in connecting the early part of that history to our mission of producing educated and honorable men and women. Therefore, the Institute has undertaken steps to refocus the individuals and events that we celebrate by concentrating on those in 20th and 21st Centuries that align with our core values. This important work will be shared by the Board of Visitor's Commemorations and Memorials Naming and Review Committee and the Institute's Inclusive Excellence Committee. Their work thus far is detailed in the full report.

5. ACTIVELY ADDRESS RACIST, SEXIST, AND OTHER UNACCEPTABLE LANGUAGE AND BEHAVIOR

- Despite claims to the contrary, VMI has had a Title IX training program for years that includes bystander intervention and sensitivity training. This annual training combines progressive online and in-person training sessions for the entire Corps of Cadets.
- VMI's new and ongoing Inclusive Excellence training for administrators, employees, and cadets is designed to create and sustain an inclusive community where faculty, staff, and cadets have increased cultural competencies that in turn lead to increased inclusivity.
- VMI has also taken steps to make VMI a more inclusive, inviting, and inspirational place to live, study, and train. In addition to the Unifying Action and Inclusive Excellence Plans, the Institute has updated its General Order 16 "*Discrimination, Harassment, and Sexual Misconduct*," as well as overhauled its Institute Regulations: Part III (*Blue Book*) to ensure consistency and proportionality in punishments awarded for DEI and other breaches of good order and discipline. It has also revised

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its door locking policy to allow cadets to lock their doors after taps each night or in the event they feel threatened or unsafe.

6. ENCOURAGE REPORTING AND TRANSPARENCY

- VMI's Inspector General (IG) has redesigned posters, cards, and handouts to encourage reporting. They are hung throughout barracks, academic buildings and other facilities frequented by cadets. Additionally, administration and cadet leadership have initiated a campaign to empower the Corps of Cadets to regulate themselves while also holding them accountable to do so. Finally, it is important to note that VMI has utilized for years dedicated, anonymized email and voicemail systems for confidential and anonymous reporting of discriminatory, racist, or sexist incidents.

7. RECOGNIZE AND CELEBRATE OTHER CULTURES

- Army Regulation (AR) 670-1 acknowledges cultural differences in its established grooming standards. AR-670-1 was adopted and implemented at VMI during the 2021 fall semester. Additionally, on 8 September 2021, VMI established the Inclusive Excellence Committee. The mission of this committee is to support creating an inclusive, equitable, culturally competent, and supportive atmosphere across Post.

8. ADDRESS TENSIONS BETWEEN ATHLETES AND NON-ATHLETES

- While VMI intends to remain an NCAA Division I institution for reasons articulated in the full report, it also recently established a "Closing the Gap" Committee to explore the perceived rift between athletes and non-athletes reported in the Barnes and Thornburg Report. This committee is comprised of cadets – both athlete and non-athlete – and Institute personnel from the Athletic Department and Commandant's Office. If the rift is confirmed, the committee will develop viable, cadet-led initiatives to close the divide between the two groups.
- VMI will continue to comply with the Admissions' Office Athletic Recruiting Guidelines while also developing an Athletic Recruiting Best Practices Handbook to aid in uniform, transparent and reportable guidelines for the recruitment of athletes.



QUARTERLY REPORT 1

July 1, 2021 – December 15, 2021

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1. MAINTAIN ACCOUNTABILITY

- A. **VMI should create a comprehensive, unified, public strategic plan around DEI improvements, including measurable goals such as increased diversity in the Corps of Cadets and faculty; coordination with the Alumni Agencies; dedicated funding for recruitment of diverse cadets; and specific responsibilities for the chief diversity officer. VMI should consider following the model of the DEI plan at Texas A&M, another senior military college.**

VMI submitted its *VMI Inclusive Excellence – One VA Plan* to the Commonwealth of Virginia on 30 August 2021. The plan was reviewed by the BOV's DEI committee prior to submission and subsequently approved by the full BOV on 10 September 2021. It includes the following goals and objectives:

Goal 1: Access and Success

- Objective 1: Achieve increased student enrollment from historically underrepresented and underserved populations.
- Objective 2: Increase retention and academic success of historically underrepresented and underserved undergraduate students.
- Objective 3: Recruit and retain a diverse faculty and staff.

Goal 2: Climate and Intergroup Relations

- Objective 1: Create and maintain a climate that acknowledges and celebrates diversity and employs inclusive practices throughout its daily operations, aligned with VMI's vision, mission, and values.

Goal 3: Education and Scholarship

- Objective 1: Offer courses, curricula, art/artistic events, and learning opportunities at the undergraduate level that achieve DEI learning goals.
- Objective 2: Increase the cultural competencies of faculty and staff.

Goal 4: Organizational Culture and Accountability

- Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.
- Objective 2: Create a culture of evaluation and continuous improvement for administrators and senior leaders.
- Objective 3: Sustain and increase institute-wide efforts designed to amplify potential secure gifts, grants, and opportunities to advance the DEI goals in the Inclusive Excellence framework.

Goal 5: Community Engagement

- Objective 1: Evaluate and expand community engagement and partnerships to create collective impact with other community organizations.

VMI's Inclusive Excellence Plan is a living document. Rather than a plan with a beginning and end date, it will be updated, adjusted, and tweaked as conditions at VMI evolve over the coming years.

The Inclusive Excellence Plan contributes to achieving the below fundamental principles that aid in moving VMI toward being an inclusive, inviting, inspirational place to live, study, and train. These principles come from the BOV's DEI Objectives, as well as the Unifying Action (UAP) and Inclusive Excellence (IEP) Plans:

- **BOV DEI Objective #1:** To create, and foster a more diverse VMI
- **UAP Outcome #1:** The VMI Brand
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **UAP Outcome #5:** One-VMI

B. Beginning in January 2022, and for a period of at least three years, VMI should submit quarterly reports to the Board of Visitors, to SCHEV, and to the General Assembly detailing VMI's progress on their own DEI plans as well as the recommendations contained herein. The General Assembly and the Commonwealth's executive branch should take the appropriate action to make this compulsory.

VMI began submitting "quarterly reports" to the BOV for follow-on submission to SCHEV and the General Assembly on 15 December 2021. Subsequent submissions will be along traditional timelines but with a short lag for report preparations. For example, the report for the first quarter of calendar year 2022 (Jan – Mar) will be submitted to the BOV in April. The report for the second quarter (Apr – Jun) will be submitted to the BOV in July and so on for this three-year commitment.

Tracking and reporting on our DEI plans and progress will help achieve the core principles below and move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train.

- **BOV DEI Objective #1:** To create, and foster a more diverse VMI
- **UAP Outcome #1:** The VMI Brand
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **IEP Goal 4:** Organizational Culture and Accountability
 - Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.
 - Objective 2: Create a culture of evaluation and continuous improvement for administrators and senior leaders.

C. Virginia's General Assembly or its Executive Branch should ensure these reports on VMI's progress on its stated DEI plan and goals are addressed, to include a report on progress and lack of progress. The evaluating entity should be wholly independent from VMI to avoid any actual or appearance of any conflict of interest. This entity should have the authority to collect and review VMI documents, and conduct interviews as necessary, and to contact any individuals, cadets, faculty and administration associated with VMI.

The General Assembly (GA) was unable to take up this issue in the August 2021 special session. The next opportunity for them to do so is in the 2022 regular session that runs from 12 January – 12 March 2022. VMI's Director of Government Relations continues to track GA actions related to VMI, and the Institute will respond appropriately to requests for information beyond that included in the quarterly reports.

D. In constituting the evaluating body referenced in 1(c) above, the General Assembly and

Commonwealth's executive branch should incorporate a diverse panel of individuals including but not limited to higher education experts, military veterans, DEI experts, and a diversity officer with higher education experience.

The General Assembly (GA) was unable to take up this issue in the August 2021 special session. The next opportunity for them to do so is in the 2022 regular session that runs from 12 January – 12 March 2022. VMI's Director of Government Relations continues to track GA actions related to VMI and the Institute will respond appropriately to requests for information beyond that included in the quarterly reports.

E. VMI's Board of Visitors and administration should be required to take annual DEI training.

In accordance with Virginia Code § 23.1-1304: Governing boards' additional duties; educational programs, SCHEV is required to design and provide training and education programs for the governing boards of public institutions of higher education. These programs are designed to address not only the role, duties, and responsibilities of the governing boards, but also topics such as in-service programs on current issues in higher education and workforce planning, strategy and investment. It is reasonable to expect that DEI-related issues in higher education are among the training and education included in SCHEV's annual training plan.

To facilitate this training, the CDO is working with SCHEV to discern the precise training requirements based on § 23.1-1304, and is prepared to augment and/or provide their annual requisite training to the BOV.

As to VMI administrators, faculty and staff, the CDO is designing a dual-pronged training approach. Recognizing that one-off "required training" is ineffective, she is planning a building block approach that combines online training during the fall semester and reinforcing face-to-face sessions in the spring semester. She will be guided in the selection of training topics by the DEI baseline assessment that was administered during October and November 2021.

The fall semester training program utilizes Paradigm Reach. "Reach content is taught by Paradigm experts Dr. Evelyn Carter, Dr. Carissa Romero, and Joelle Emerson, leaders who have pioneered research in the space and helped transform diversity, equity, and inclusion strategies for the world's most forward-thinking companies." (<https://paradigmreach.com/>). Topics available through this medium include:

- Unconscious bias (the focus for fall 2021 training)
- Inclusive hiring
- Transgender inclusion
- Inclusive leadership
- Belonging and psychological safety
- Inclusive performance management
- Growth mindset
- Inclusive culture
- Allyship
- Micro-aggressions
- Anti-racism

To reinforce face-to-face sessions in the spring semester, the CDO is currently exploring multiple external vendors. One company she is investigating is Visions, Inc.

“The Visions Inc. mission is to empower the creation of environments where differences are recognized, understood, appreciated, and utilized for the benefit of all through both time-tested and innovative training and tools, public advocacy, and consulting models addressing the personal, interpersonal, cultural, and institutional levels.” (<https://visions-inc.org/history/>)

Through in-person workshops, Visions Inc. provides training in:

Guidelines: The guidelines provide an agreed-upon set of principles/behaviors designed to create effective cross-cultural interactions and lead to more effective collaboration. They provide safety for full participation across the many levels and constituents of the organization, and serve as a diagnostic tool to gauge how an organization is integrating the models and tools of multiculturalism.

Cultural Introductions/Cultural Sharing: This activity allows participants to share who they are as cultural beings in terms of race, class, gender identity/expression, sexual orientation, and lifestyle, and the group to recognize the diversity that is present and how to become more connected and aware of implicit biases and assumptions.

Three Dimensions of Change: For lasting change to occur, it must occur in 3 domains; thinking (cognitive), doing (behavioral) and feeling (affective).

Diversity, Equity and Inclusion Assumptions and Definitions: A clear agreement on the meaning of specific language and concepts is key to meaningful discussions and identifying priorities. This diagnostic tool helps individuals and organizations assess where they are on the continuum of mono-culturalism, diversity, and inclusion/equity, and provides a framework for understanding historical and current forms of oppression.

Implicit Bias: Drawing from current research, we share critical data about how implicit bias negatively impacts communication across differences. We teach skills for individuals and organizations to interrupt unconscious habits and enhance their capacity to build authentic relationships and increase inclusion. We support participants in identifying options for interventions and change strategies.

Four Levels of Oppression: The four levels (Personal, Interpersonal, Institutional, and Cultural) are a framework to examine the ways identity differences impact relationships, cultural, and organizational patterns.

Modern Isms and Internalized Oppression: This theory explores how old-fashioned forms of racial oppression have been partially eclipsed by more subtle forms of racism that sometimes stem from good intent. This piece of our model lists specific behaviors that comprise "modern oppression," and "internalized oppression". Alternative behaviors are identified, and opportunities are provided to identify options for how to apply this model.

For VMI's classified employees that may not have access to a computer for online training, the

CDO is customizing in-person training packages based on topics of interest or concern identified by this population. For example, the fall 2021 training focused on ageism.

The training being developed and executed by the CDO for the BOV and VMI employees will be required annually and tracked for compliance through the online tools used to conduct the training and attendance rosters at the in-person sessions.

The current and proposed training addresses this recommendation, and it contributes to achieving the core principles below that help move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train:

- **BOV DEI Objective #1:** To create, and foster a more diverse VMI
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **UAP Outcome #5:** One-VMI
- **IEP Goal 2:** Climate and Intergroup Relations
 - Objective 1: Create and maintain a climate that acknowledges and celebrates diversity and employs inclusive practices throughout its daily operations, aligned with VMI's vision, mission, and values.
- **IEP Goal 3:** Education and Scholarship
 - Objective 2: Increase the cultural competencies of faculty and staff.
- **IEP Goal 4:** Organizational Culture and Accountability
 - Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.
 - Objective 2: Create a culture of evaluation and continuous improvement for administrators and senior leaders.

2. IMPROVE DIVERSITY IN LEADERSHIP AND THE CORPS

A. VMI should include in its plan a strategy with measurable goals to recruit, maintain, and promote minority and female administrators, faculty, and staff.

VMI's Diversity Recruitment Plan was completed in April 2021. Highlights of the plan include:

- Expanding advertising to increase diverse applicants (race, gender, veterans, and disabled) by sending the job announcement to a self-identified pool of tens of thousands of DEI focused candidates.
- Requiring all hiring managers and committee members to complete training on EEOC laws/DHRM hiring policies, prior to interviewing. The HR Director intends to further expand this required training by incorporating additional College and University Professional Association (CUPA) approved DEI training modules. This updated "Hiring Manager's Toolkit" will be available to all hiring committee members in May 2022.
- Increasing diversity in hiring committee membership.
- Ensuring compliance with the Commonwealth's Department of Human Resource Management (DHRM) requirement for all VMI employees, to include those on hiring committees, to complete cultural competencies training by the end of the calendar year. This DEI related training will become part of the Institute's annual training plan.
- Developing roles, responsibilities, and training required to implement sponsorship, orientation, and mentorship programs designed to ensure the success of all new hires unfamiliar with VMI, the military environment, and the local community. Like the updated Hiring Manager's Toolkit, the goal

is to have these programs online by May 2022.

VMI's Diversity Recruitment Plan contributes to achieving the core principles below that help move VMI toward being an inclusive, inviting, inspirational place to live, study, and train:

- **BOV DEI Objective #1:** To create, and foster a more diverse VMI
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **IEP Goal 1:** Access and Success
 - Objective 3: Recruit and retain a diverse faculty and staff.

B. VMI should establish and support a Faculty Senate and Faculty DEI Committee (or similar bodies), the purpose of which would be to allow faculty an opportunity to discuss ideas and initiatives, including those related to DEI, and to have a direct reporting line to MG Wins and the Board of Visitors on such initiatives.

FACULTY SENATE

The Barnes & Thornburg (B&T) report provided little detail on the potential underlying issues that led to this recommendation. Given the dearth of data provided by B&T, along with the scope, scale, and complexity of faculty governance, the Superintendent and the Dean believe that more information is needed before taking action. To this end, VMI is developing a faculty governance survey that will examine the issue in greater depth. The primary purpose of the survey is to diagnose issues with the current system of governance. Information gathered from the survey will help determine the extent to which the current system is functioning as intended, and if not, which specific aspects of the system need intervention.

The survey currently under development will cover issues pertinent to faculty governance, including faculty voice, transparency in decision making, and faculty and department head engagement. Staff in the Office of Assessment and Institutional Research (OAIR) are leading the survey's development. A small group of faculty are working with OAIR staff to ensure item clarity and adequate coverage of topics. We anticipate that survey questions will be finalized this semester and added to the annual Employee Survey, which is administered by an external contractor in January. Results are expected to be available by the middle of the spring semester, with discussion and deliberations occurring soon thereafter. An action plan, if necessary, will likely be finalized by the end of the spring term.

Results will inform the scale and scope of any action plan and corresponding implementation timeline. If modest changes to the current system of faculty governance are required, we anticipate BOV approval and implementation during AY 2022-23. If extensive changes are needed, we anticipate BOV approval and implementation in AY 2023-24, at the earliest.

FACULTY DEI COMMITTEE

Rather than establish a faculty committee focused on DEI issues in addition to the Superintendent's Institute-wide DEI Committee, the Dean elected to revise a number of standing, and new, academic committee charters by incorporating DEI initiatives that support key goals and objectives from the Inclusive Excellence and Unifying Action Plans. The following committee charters were revised:

- Committee for Civic Engagement
- Committee on Academic Advising
- Faculty Development

- Science, Technology, Engineering and Math Advisory Committee
- Arts, Humanities, and Social Sciences Advisory Committee

The Superintendent established the Inclusive Excellence Committee on 8 September 2021, on which the Chief Diversity Officer (CDO) serves as a co-chair, that will guide the work to address DEI initiatives Institute-wide:

1. Making recommendations on the implementation of the *VMI Inclusive Excellence-One Virginia Plan*.
2. Providing input on institutional policies and procedures to address diversity, equity, and inclusion issues and making recommendations to the Superintendent, via the Chief Diversity Officer as appropriate.
3. Evaluating and recommending solutions where inequities exist.
4. Facilitating briefings and consultations with administration (Policy Group & IPC) regarding DE&I and inclusive excellence initiatives.
5. Seeking regular feedback from cadets and employees to inform decision-making and understand opportunities for improvement about DE&I and inclusive excellence.
6. Communicating the work of the committee with the VMI community.

The full text of the Inclusive Excellence Committee charter is included at [Appendix 1](#).

VMI's interest in addressing potential faculty governance, voice, transparency, and engagement issues contributes to achieving the core principles below, and move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train:

- **BOV DEI Objective #1:** To create, and foster a more diverse VMI
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **IEP Goal 1:** Access and Success
 - Objective 3: Recruit and retain a diverse faculty and staff.
- **IEP Goal 2:** Climate and Intergroup Relations
 - Objective 1: Create and maintain a climate that acknowledges and celebrates diversity and employs inclusive practices throughout its daily operations, aligned with VMI's vision, mission, and values.

- C. VMI should monitor public statistical information on DEI metrics from other military colleges and Virginia institutions of higher learning and use that information to set goals and measure improvement. VMI should also examine the efforts made to implement DEI initiatives at those schools for best practices.**

To encourage and enhance DEI initiatives, VMI's Diversity Dashboard was launched in October 2020 to monitor admissions, graduation rates, and hiring at all levels of the Institute. It was modeled on the Diversity Dashboard at The College of William and Mary and developed with input from the teaching and research faculty, administrative and professional faculty, classified employees, the Commonwealth's Chief Diversity Officer (CDO) and DEI professionals from James Madison University.

VMI's CDO is the office with primary responsibility for the dashboard. Together with the offices of Institute Research, Information Technology and Human Resources the CDO will annually (fall) collect disaggregated data on cadet enrollment at census date and disaggregated data on

employment among faculty and staff, with an emphasis on full time employees, to update the dashboard. The CDO and the Inclusive Excellence Committee will also conduct the “best practices” research element of this recommendation. The year-over-year collection and comparison of this data with other military and public colleges will facilitate the acquisition and sharing of best practices as VMI marches forward to inclusive excellence.

Once collection of data is completed, the CDO and Inclusive Excellence Committee will analyze the data annually (spring), develop and staff recommendations based on that analysis, and brief the BOV in late spring to facilitate implementation the following academic year.

The current dashboard is static, but the goal is a dynamic dashboard posted to the VMI website. The new dashboard will include metrics showing progress toward inclusive excellence goals and objectives and while also being updated more frequently based on personnel gains and losses in the VMI community. The current iteration of the DEI dashboard is included at [Appendix 2](#).

Tracking, analyzing, and using DEI data and metrics to enhance Inclusive Excellence at VMI contributes to achieving the core principles below that will move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train:

- **BOV DEI Objective #1:** To create, and foster a more diverse VMI
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **UAP Outcome #5:** One-VMI
- **IEP Goal 1: Access and Success**
 - Objective 3: Recruit and retain a diverse faculty and staff.
- **IEP Goal 2: Climate and Intergroup Relations**
 - Objective 1: Create and maintain a climate that acknowledges and celebrates diversity and employs inclusive practices throughout its daily operations, aligned with VMI’s vision, mission, and values.
- **IEP Goal 4: Organizational Culture and Accountability**
 - Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.
 - Objective 2: Create a culture of evaluation and continuous improvement for administrators and senior leaders.

D. Historically, DEI recruitment and scholarship funding at VMI has focused almost exclusively on athletes. VMI should review the feasibility of establishing and funding scholarships for minority non-athlete cadets as well as other mechanisms to provide support for minority non-athlete cadet recruitment and retention, including by using funding from the Alumni Agencies and other donors.

VMI currently awards Institutional, State, and Federal need-based aid in accordance with accepted federal methodologies and the Free Application for Federal Student Aid (FAFSA). Recipients of Institutional need-based aid are matched to hundreds of VMI Foundation scholarships based on the criteria prescribed in each of the scholarships’ memoranda of understanding. Individual academic and ROTC departments, athletics, Institute Honors, etc. are guided by internally developed procedures for selecting their merit-based recipients.

VMI has been successful in meeting need-based aid. Our AY 2021-22 need-based financial aid

“packaging guidelines” funds 60-65% of the demonstrated need for non-Virginia cadets and works to meet 100% of the need for Virginia cadets who meet the March 1st application deadline and as funds are available. For both groups, loans (Federal Direct – Subsidized) are used to meet need. The maximum amount of subsidized loan is used based on the cadet’s year in college (\$3,500 1st year, \$4,500 2nd year, and \$5,500 thereafter up to the aggregate limit for dependent students of \$31,000 of which \$23,000 may be subsidized or need-based). Packaging guidelines are reviewed annually to ensure consistency in financial aid awards, to review compliance with policies and procedures, and to mitigate, to the extent possible, tuition and fee increases.

With respect to establishing a minority scholarship, VMI takes its direction for federal and state law, as well as the State Council of Higher Education for Virginia (SCHEV). SCHEV clearly states in its draft overview of House Bill No. 1980 (§ 23.1-615.1: Enslaved Ancestors College Access Scholarship and Memorial Program), to avoid violating the Equal Protection Clause of the 14th Amendment by basing a scholarship solely on race, racially conscious scholarship programs must address a compelling state interest and be narrowly tailored to meet that interest. This is known as the strict scrutiny standard. According to SCHEV, any race conscious scholarship program must demonstrate:

- A. Beneficial experiences and educational outcomes as the compelling governmental interest
- B. Race or other special protected class status is considered only if necessary, to achieve goals
- C. Existing racial diversity of the institution is not adequate to achieve the compelling governmental interest
- D. Race-neutral (existing) strategies have failed to accomplish diversity goals
- E. No undue burdens on opportunities for those students outside the specified racial or ethnic group
- F. The scholarship program has a set time frame or end point; and
- G. The scholarship program is subject to periodic review to ensure race is not being considered more or longer than necessary.

Therefore, to comply with these guidelines, and in an effort to meet the intent of this recommendation, VMI proposes using SCHEV’s underrepresented student populations (URP) language as a criterion for consideration when awarding future need-based scholarships. SCHEV defines underrepresented students as someone who meets one or more of these criteria:

- A. Non-white US citizen and permanent residents.
- B. Degree-recipients receiving Pell grants at any time during the five years prior to degree award.
- C. Non-traditional students: age 25 or older at entry.
- D. Students from one of 34 Virginia localities with low associate and baccalaureate attainment rates.

VMI believes by using the SCHEV language we can meet the intent of this recommendation without violating the law. A collaborative effort between the Financial Aid Office, the Office of Admissions, the Dean’s Office, and the VMI Foundation seeks establish the framework for a URP focused scholarship program in time to support the 2023-24 admissions cycle (i.e., August 2022).

Additionally, VMI will participate in the Enslaved Ancestors College Access Scholarship and Memorial Program mentioned above. VMI is awaiting finalization of the aforementioned guidelines from SCHEV to initiate a scholarship consistent with this program.

These initiatives to increase support for minority non-athlete cadet recruitment and retention contributes to achieving the core principles below that will move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train:

- **BOV OBJ 1:** To create, and foster a more diverse VMI
- **UAP Outcome #1:** The VMI Brand
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **Goal 1:** Access and Success
 - Objective 1: Achieve increased student enrollment from historically underrepresented and underserved populations.

3. MONITOR AND ADJUST INSTITUTIONS AND TRADITIONS

- A. VMI should perform a root cause analysis as to why minority cadets are drummed out at a disproportionate rate.**

Virginia Code § 42.1-85. Records Management Program and the Library of Virginia's Records retention and Disposition Schedule provides guidance related to student honor council records. It states that records associated with student honor council acquittals should be destroyed immediately (not retained) and records associated with student honor council convictions should be retained for three (3) years after the last action and then disposed of via confidential destruction. VMI's record retention and disposition policies with respect to VMI honor court records is in compliance with these guidelines. Therefore, the full case files required to conduct a root cause analysis are not available. What is available, as reported on in the Barnes & Thornburg report, is the Report Log that is maintained by the Vice President for Investigations and dates back to 2011. This log contains simple data such as the name of the alleged offender, the date the report was received, the source of the report, disposition of the investigation, approval to conduct an education/remediation session, trial results and limited demographic data. While VMI understands the benefit of a root cause analysis to either confirm or refute the perception that minority cadets are drummed out at a disproportionate rate, the fact is, the records required to conduct such an analysis do not exist beyond the past three years.

Despite that, and to ensure the equity of the system, the Superintendent established an ad hoc committee to conduct a thorough review of the Honor Court Standard Operating Procedures (HC SOP) to identify, mitigate, and eliminate the potential for bias in the honor system. The committee first met on 8 July 2021 and reported out to the Superintendent on 20 August 2021. Subsequent to the committee's out brief, the Superintendent met with the cadets of the Honor Court to get their feedback on the committee's recommendations. NOTE: the AY 2021-22 Honor Court President was a member of the review committee.

On 21 October 2021, after considering the committee's and the cadets' input, the Superintendent approved the following changes in pursuit of equity and the elimination of bias in the honor system.

- Extensions beyond the standard 21 days between pre-trial and trial are afforded only to the defense. Requests for extensions from the defense must be approved by the Superintendent's Representatives to the Honor Court (previously it was the Honor Court President).

- In instances where a scheduled trial date falls in the next semester due to winter or summer furlough, thereby negating the opportunity for a speedy trial, the accused may be offered the opportunity to have the case heard by a Special Board of Inquiry. These instances will be addressed on a case-by-case basis and typically only when the delay impacts graduation or commissioning. Approval authority for such a request resides solely with the Superintendent.
- Non-honor court cadets may be utilized during an investigation to collect evidence only after the rationale and plan have been briefed to and approved by the Superintendent's Representatives to the Honor Court.
- Develop and offer a list of pro bono attorneys from which accused cadets can seek legal assistance. More detail is provided in response to recommendation 3(G).
- Increase the randomly selected jury pool from 24 to 36 cadets. More detail is provided in the response to recommendation 3(F).
- Eliminate pre-emptive strikes. More detail is provided in the response to recommendation 3(F).
- Randomize final juror selections. More detail is provided in the response to recommendation 3(F).
- Increase the number of seated jurors from 8 to 12 with one being an alternate. More detail is provided in the response to recommendation 3(F).
- Increase the number of guilty verdicts required to convict from 5 of 7 (71.4%) to 9 of 11 (81.8%). More detail is provided in the response to recommendation 3(F).
- In an additional effort to increase diversity on the honor court, include DEI related language on the honor court election ballots, conduct class briefings on honor court roles and responsibilities and the value of diversity on the court, and conduct an education campaign on the top 15 candidates that helps class members learn more about each candidate before voting.
- In instances where it is deemed beneficial by the Superintendent's Representatives to the Honor Court, a member(s) of the jury pool not selected as a juror(s) may be invited to observe select trial proceedings. These rare instances might occur if the seated, randomized jury did not yield the desired diversity mix or the case is particularly contentious.

The Honor Court, along with the Superintendent's Representatives to the Honor Court and in coordination with the CDO, will develop and maintain a set of working papers that includes demographic and DEI-related data. These working papers, devoid of personal identifiable information, will facilitate an annual assessment of the effectiveness of these new measures in ensuring equity throughout the honor system.

Due to the number and impact of these approved honor system related changes, especially when combined with the revision of VMI's Institute Regulations: Part III (Blue Book), the committee recommended and the Superintendent concurred that the best course of action would be to allow the Honor Court to revise their SOP, educate the Corps on the changes, and implement with the start of the new academic year (i.e., August 2022).

Implementation of these 12 changes represents a significant step forward in eliminating the potential for bias to creep into the honor system and contributes to achieving the core principles below that will move VMI toward being an inclusive, inviting, inspirational place to live, study, and train:

- **BOV OBJ 2:** To create and foster a safe, equitable, and inclusive environment for all on Post.
- **UAP Outcome #1:** The VMI Brand
- **UAP Outcome #2:** A VMI which is Diverse and Inclusive
- **UAP Outcome #3:** Committed to Honor
- **UAP Outcome #5:** One-VMI
- **IEP Goal 1:** Access and Success
 - Objective 2: Increase retention and academic success of historically underrepresented and underserved undergraduate students
- **IEP Goal 2:** Climate and Intergroup Relations
 - Objective 1: Create and maintain a climate that acknowledges and celebrates diversity and employs inclusive practices throughout its daily operations, aligned with VMI's vision, mission, and values.
- **IEP Goal 4:** Organizational Culture and Accountability
 - Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.
 - Objective 2: Create a culture of evaluation and continuous improvement for administrators and senior leaders.

B. VMI does not track key data about cases brought to the Honor Court, including data about cases that do not reach an investigation or trial. Given that cadets of color are overrepresented among convictions, VMI should record and examine the following information about all Honor Court cases, regardless of the outcome of the case: first and last name of accused, race of the accused, gender of the accused, whether the accused is an athlete, the details of the charge, and the reporter's position (cadet, faculty, staff). VMI should analyze these statistics to monitor and address any disproportionate impact on minority cadets when it comes to Honor Court charges and convictions.

VMI agrees that retaining the categories of information discussed in this recommendation will benefit the Institute going forward. That said, it is also important to note that the Superintendent's Representatives to the Honor Court work very closely with the Honor Court and are intimately familiar with each case. In their roles as advisors, observers, and monitors of the system, they track honor court cases and take note of clear or suspected trends.

As an example, in the past when the number of reported athletes appeared to be increasing, the Superintendent's Representatives conducted an analysis and then met with coaches to explain the apparent trend. This allowed the coaches to meet with, discuss, and educate the athletes on reportable offenses with which there appeared to be an issue. The Superintendent's Representatives also distributed fact sheets to the athletes with the intent of further educating them on the elements of the honor code with which the trend suggested there was confusion.

Similarly, the Honor Court takes action if an emerging trend suggests some other demographic of the Corps of Cadets – or the Corps as a whole – is having an issue with some element of VMI that is honor code reportable. In these instances, the Honor Court President calls a Corps formation to educate the entire Corps on the issue to increase their understanding and awareness.

That said, retention of key demographic data will augment current efforts to monitor the fairness of the system while also reinforcing the goal of ensuring the honor code is enforced equitably

regardless of race, gender, or permit status. The Superintendent's Representatives will work with the CDO to identify relevant types of information to collect and retain that will facilitate annual reviews and updates to the Superintendent. These annual assessments will buttress the in-stride reviews currently being conducted. As with recommendation 3(a) above, this change will be incorporated into the Honor Court SOP this fall, briefed to the Corps in the spring and implemented in the 2022-23 academic year.

Applying these Honor Court SOP changes contributes to achieving the core principles below that will help move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train:

- **BOV OBJ 2:** To create and foster a safe, equitable, and inclusive environment for all on Post
 - **UAP Outcome #1:** The VMI Brand
 - **UAP Outcome #2:** A VMI which is Diverse and Inclusive
 - **UAP Outcome #3:** Committed to Honor
 - **UAP Outcome #5:** One-VMI
 - **IEP Goal 1:** Access and Success
 - Objective 2: Increase retention and academic success of historically underrepresented and underserved undergraduate students
 - **IEP Goal 2:** Climate and Intergroup Relations
 - Objective 1: Create and maintain a climate that acknowledges and celebrates diversity and employs inclusive practices throughout its daily operations, aligned with VMI's vision, mission, and values.
 - **IEP Goal 4:** Organizational Culture and Accountability
 - Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.
 - Objective 2: Create a culture of evaluation and continuous improvement for administrators and senior leaders.
- C. The understanding of what constitutes an actionable violation of the Honor Code varies widely among the Corps, and particularly as between members of the Honor Court on one hand and members of the Corps at large on the other. VMI should adjust its Honor Court guidance, training, and practices to clarify what constitutes an Honor Code violation (as opposed to other rule violations) and what penalty will be applied.**

VMI does not agree with the generalization that the Corps of Cadets lacks understanding about what constitutes an actionable violation of the honor code. Additionally, attempting to combine this cadet run process (the honor code) with an Institute run process (administering good order and discipline) appears to be an attempt to malign the VMI honor system and force changes. The fact is, what constitutes an honor violation is spelled out clearly for all Matriculants during honor code specific classes conducted by honor court members during matriculation week at VMI. Following matriculation week, new cadets are assigned a dyke and one of the key elements of the dyke system is continued education on the honor code. Additionally, the honor code and the system used to administer it are explained clearly in the charter that is hung in every cadet room and every VMI classroom. That charter unmistakably spells out infractions of the honor code that warrant reporting, investigation and, if sufficient evidence exists, trial by jury. If found guilty, there is only one punishment: dismissal.

An excerpt from the Academic Year 2021-22 Honor Code Charter that captures honor code violations is captured in Appendix 3. It clearly lays out what VMI considers lying, cheating, stealing, or tolerating those who do.

The Honor Court also has an education function as described in the Honor Court Standard Operating Procedures (SOP). Appendix 3 also contains an excerpt from the Honor Court SOP that addresses educating the Corps of Cadets and keeping them informed of administrative issues or changes that could impact the honor code.

As mentioned earlier in this response, introducing new cadets (Rats) to the VMI honor code is a concerted effort during matriculation week at VMI. It is important to note that these training and education sessions are conducted in the evening after practices and the evening meal have concluded specifically to allow in-season athletes to participate. The new cadets are assessed (quizzed) on these honor code classes and remediated if they do not perform well. The below outline lays out the subject matter of the multiple training and education sessions that new cadets have with the honor court.

1. **Session I**
 - a. The Code – “A cadet will not lie, cheat, steal, nor tolerate those who do.”
 - b. Purpose of the code
 - c. Why follow the code?
 - d. The Court’s Composition
 - e. Definitions: Lying, cheating, stealing, tolerating, instigation, malingering, quibbling
2. **Session II**
 - a. Review Session I
 - b. Honor and Academics
 - c. Honor and Cadet Life
 - d. Special Reports
 - e. GIM/Profile regulations and procedures
3. **Session III**
 - a. Review Session I and II
 - b. Permits: signing in and out
 - c. Q&A

Finally, as noted in the Barnes & Thornburg report, a number of suspected honor code violations are reported by the VMI faculty. As also pointed out in Annex N of the Honor Court SOP, VMI makes a concerted effort to educate VMI faculty on the honor code and the system used to administer it. This education process occurs annually as part of the New Faculty and Staff Orientation Program and is presented by the senior Superintendent’s Honor Court Representative – a tenured full professor. In addition to this educational session, it is important to note that the honor code charter hangs in every classroom and that VMI’s academic regulations addresses faculty responsibilities in upholding the VMI Honor Code through its work for grade policy. This responsibility is also detailed in the Faculty Handbook.

Sustaining VMI’s single sanction Honor Code contributes to achieving the core principles below that will move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train:

- **BOV OBJ 2:** To create and foster a safe, equitable, and inclusive environment for all on Post
- **UAP Outcome #1:** The VMI Brand
- **UAP Outcome #3:** Committed to Honor
- **UAP Outcome #5:** One-VMI
- **IEP Goal 4:** Organizational Culture and Accountability
 - Objective 1: Develop a robust, empowered infrastructure to address longstanding institutional challenges and sustain the journey toward Inclusive Excellence.

D. Many cadets noted the incongruity between a harsh punishment under the Honor Court for what cadets would consider a relatively minor offense (lying to a fellow cadet about off-post activities), and a light penalty under another system for what they would consider a major offense (such as sexual misconduct and use of racial slurs). VMI should examine data related to punishments imposed by the Honor Court, the Cadet Equity Association, and other disciplinary organizations to ensure that they are applied equitably and that disparate penalties are not imposed for the same severity of behavior.

As in recommendation 3(c) above, conflating honor code sanctions and good order and discipline penalties suggests a misunderstanding of VMI's administrative processes for governing the Corps of Cadets. Additionally, at VMI lying is not a minor offense, regardless of who was lied to or for what purpose. That is spelled out in the Honor Code Charter. That said, an explanation of penalty assessment by VMI's various governance entities may assist in clarifying the issue.

The Officer of the Guard Association (OGA) and the Cadet Equity Association (CEA) are both subcommittees of the General Committee (GC). The First Class (senior) President also serves as the President of the GC. At the cadet level, the First Class President is the approval authority for penalty recommendations stemming from an OGA or CEA substantiated allegation.

Those penalty recommendations are reviewed by the Assistant Commandant for Cadet Government and subsequently forwarded to the Commandant of Cadets. The Commandant is the approval authority for all cadet recommended penalties related to good order and discipline within the Corps of Cadets. He may approve the recommendations as submitted or modify them based on mitigating and/or extenuating circumstances. The range of possible penalties for substantiated offenses are guided by VMI's Institute Regulations: Part III (Blue Book).

The administration of the VMI Honor Code is outside the purview of the Commandant. Run by the cadet honor court and supervised by the Superintendent's Honor Court Representatives, the honor code is administered through the honor system. In the VMI system, a sanction (penalty) can only come as a result of a guilty verdict at trial. The only sanction administered for a guilty verdict is dismissal. For this reason, the Superintendent (vice the Commandant) is the approval authority for a recommended honor dismissal stemming from a guilty verdict. The Superintendent can approve or deny the recommended sanction.

With that understanding as backdrop, the new Commandant has noted inconsistencies with respect to how discipline was handled for breaches of Institute rules and regulations. His research determined that the fundamental issue is who had the authority to adjudicate infractions and assign penalties. Prior to his arrival, there were as many as six (6) of his Deputy and Assistant Commandants with the authority to adjudicate infractions. Punishment was not consistent across these various individuals and as a result cadets "shopped around" their reports of infractions to find

the Institute Official that would award the least severe penalty. These practices fed the perception and realities of inconsistency.

Additionally, the Commandant found inconsistencies in the processes used by cadet entities to govern the Corps of Cadets and those established in the VMI White Book (Cadet Government Procedures), which was last updated and re-published on 1 August 2021. He also noted disconnects between the GC, its subcommittees (i.e., OGA, CEA, and Rat Disciplinary Committee (RDC)), and the Commandant's Office when awarding penalties related to Blue Book offenses.

To eliminate the inconsistencies in the good order and discipline domain that crept into the system over time, the Commandant has taken the follow steps:

- Authority to punish cadets for routine disciplinary infractions now resides solely with the Commandant and the Deputy Commandant. A revised Blue Book will provide the guidelines for those penalties. The Deputy Commandant will handle most "minor" infractions.
- For severe infractions, the Commandant and the Corps Sergeant Major (senior enlisted advisor) will convene a board that includes appropriate cadet leadership. While authority to administer penalties is retained by the Commandant, this process ensures senior cadet leadership observes the process and has the opportunity to voice an opinion on the penalty. This new process ensures consistency and provides cadet leadership a solid foundation from which to refute perception and rumor to the contrary.
- GC subcommittees (i.e., (OGA, CEA, & RDC) will inform the Commandant prior to initiating investigations into Blue Book violations. The First Class President will not enact a recommended penalty prior to the Commandant's review and approval thereby ensuring consistency and proportionality.
- In cases where the offense is egregious and possible penalties include dismissal, the Commandant refers the offense, along with a recommended penalty, to the Superintendent for adjudication.

Finally, VMI's Institute Regulations: Part III (Blue Book), which contains rules and regulations governing the good order and discipline of the Corps of Cadets is due for a comprehensive review and revision. This holistic revision, described as a cadet driven, Commandant supervised effort, is intended to further eliminate inconsistencies, ensure proportionality, and bring this governing document in line with 21st Century values and the culture change described in recommendation 6(a). It is anticipated that this effort, along with the administrative process changes described above, will ensure the penalties assigned for all infractions, to include those related to DEI issues, match the severity of the offense after consideration of all the facts involved in each case. This project is anticipated to be completed by the end of the fall 2021 semester after which an information and education campaign will be conducted for the Corps of Cadets to ensure they are properly apprised of the changes.

It is important to note that the improvements shaped by the Commandant in the good order and discipline arena, will in no way impact the sanction awarded for a substantiated honor violation. Those two administrative processes are intended to remain separate and distinct to avoid the potential for the types of biases and inequities alleged throughout the Barnes & Thornburg report.

Revising the *Blue Book* and refining the process for awarding punishments for infractions related to good order and discipline contributes to achieving the core principles that will move VMI toward being a more inclusive, inviting, inspirational place to live, study, and train: