



WISCONSIN INSTITUTE FOR LAW & LIBERTY, INC.
330 E. Kilbourn Avenue, Suite 725, Milwaukee, WI 53202-3141
414-727-WILL (9455)
Fax 414-727-6385
www.will-law.org

May 6, 2025

VIA EMAIL: keith.sonderling@imls.gov

Mr. Keith E. Sonderling
Director, Institute of Museum and Library Services
955 L'Enfant Plaza North, SW, Suite 4000
Washington, D.C. 20024-2135

Re: Title VI Complaint – Discriminatory DPI “Unconference” Violates Federal Law

Director Sonderling:

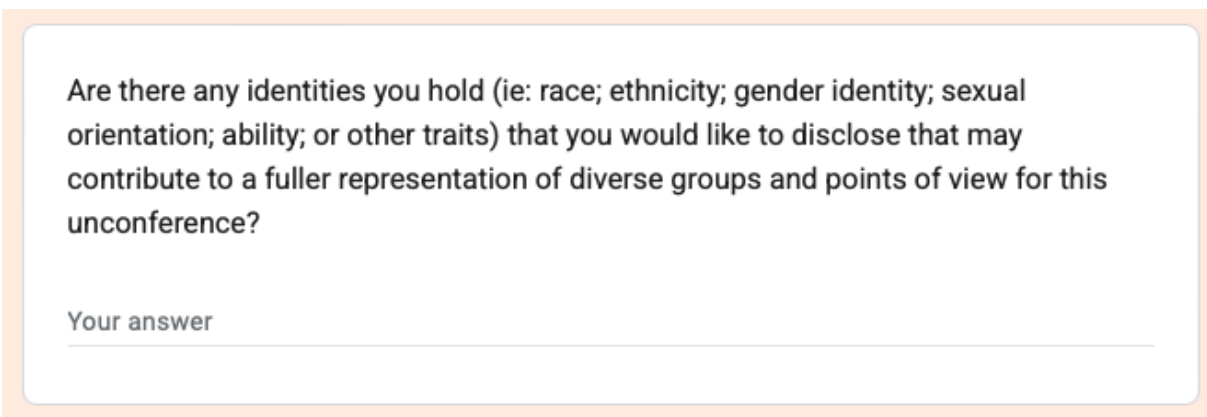
We write to file a formal complaint under Title VI of the Civil Rights Act of 1964 regarding a racially discriminatory conference organized by the Wisconsin Department of Public Instruction (DPI) and funded at least in part by your agency.

On May 20, 2025, DPI plans to host a day-long, taxpayer-funded “BIPOC-Centered Library Staff Unconference” in Madison, Wisconsin. The [website](#) for the conference confirms that the event is funded through support from the Institute of Museum and Library Services (IMLS). This means IMLS resources are being used to sponsor and promote a racially exclusionary event in direct violation of federal law.



The conference is organized by the Wisconsin Library [IDEA Project](#) (Inclusion, Diversity, Equity, & Access), and it is marketed as a “no-cost, day-long workshop for Black, Indigenous, and People of Color (BIPOC) working in Wisconsin public libraries.” Promotional materials from DPI state that the event will “uplift and center

the experiences of BIPOC library workers,” with sessions on “tribal and indigenous libraries,” “BIPOC-centered mental health,” and the creation of a “statewide BIPOC Support Network.” A screenshot of the [registration form](#) shows that attendees are asked to disclose their race or ethnicity.

A screenshot of a registration form question. The text is centered in a white box with a light orange border. The question asks if there are any identities (race, ethnicity, gender identity, sexual orientation, ability, or other traits) that the respondent would like to disclose to contribute to a fuller representation of diverse groups and points of view for the conference. Below the question is a line for the answer, labeled "Your answer".

Are there any identities you hold (ie: race; ethnicity; gender identity; sexual orientation; ability; or other traits) that you would like to disclose that may contribute to a fuller representation of diverse groups and points of view for this unconference?

Your answer _____

This is not a general training on library management or community service. It is a racially segregated event that invites, encourages, and prioritizes attendance based on skin color. That is illegal under Title VI and a misuse of taxpayer dollars.

We bring this matter to your attention not only because of the involvement of your agency, but because we believe your leadership is exactly what is needed to address it. Upon your appointment, you stated: “It is an honor to be appointed by President Trump to lead this important organization in its mission to advance, support, and empower America’s museums and libraries, which stand as cornerstones of learning and culture in our society. I am committed to steering this organization in lockstep with this Administration to enhance efficiency and foster innovation. We will revitalize IMLS and restore focus on patriotism, ensuring we preserve our country’s core values, promote American exceptionalism and cultivate love of country in future generations.”

Unfortunately, this DPI event reflects the very opposite approach—prioritizing racial identity over professional excellence and using federal dollars to promote division instead of unity. We are confident that you share our concern that IMLS funds should be used to serve all Americans equally, without racial classifications, exclusions, or preferences.

Legal Background

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance. DPI receives such assistance from the U.S. Department of Education and programs such as this conference receive federal funding from IMLS.

In *Students for Fair Admissions v. Harvard*, 600 U.S. 181 (2023), the U.S. Supreme Court confirmed that the Constitution and federal civil rights laws “do not permit race to be used as a stereotype or as a negative.” It emphasized that institutions have “no authority to use race as a factor in affording educational opportunities.” *Id.* Programs that separate, favor, or assign benefits based on race violate this core principle.

In April 2024, the U.S. Department of Education and Department of Justice jointly issued a [Title VI certification form](#) affirming these standards, emphasizing that recipients of federal funds must “administer their programs and activities in a manner free from race discrimination.”

DPI’s Response Confirms Discriminatory Intent

Only after [public inquiry](#) did DPI release a statement claiming the event is open to all races. This update does not appear to be publicly posted on DPI’s website or social media channels, and DPI has taken no meaningful steps to clarify or correct the racially exclusionary framing of the event. Their intent is plain: to create a taxpayer-funded, state-promoted event centered on race. Participation and purpose are tied explicitly to racial identity.

Even assuming the event is technically open to all, the registration form still categorizes attendees by asking them to submit their race and the description on the event website assumes shared perspectives based on race. This is unlawful racial stereotyping under *SFFA*, and it is a violation of equality under the law.

Additional Context: IMLS and “Libraries Talk About Race”

This event is not an isolated instance. It builds upon the ongoing DPI initiative called “Wisconsin Libraries Talk About Race,” where the agency created an [advisory group](#) based on “diverse identities,” allocated Library Services and Technology Act (LSTA) funds to support BIPOC-only programming, and established a goal of fighting “white supremacy” in libraries. The advisory group’s work continues to shape current federally funded programs under the WisLibIDEA Project—which uses IMLS dollars to train staff based on race rather than professional merit or public service.

Conclusion

These practices by the Wisconsin DPI are incompatible with the priorities outlined in the Trump administration [Fact Sheet](#) in March 2025, which stated unequivocally that “federal agencies will not support or perpetuate DEI ideologies that divide Americans.” The Trump administration rightly warns that DEI programs have too often “undermined core American values of equal treatment under the law.” The upcoming DPI conference demonstrates this is a real concern.

Additionally, March 14, 2025, President Trump issued an [Executive Order](#) directing that the IMLS “be eliminated to the maximum extent consistent with applicable law.” The order reflects a broader effort to reduce the size of the federal bureaucracy and end the use of taxpayer resources to promote discriminatory and divisive ideologies. DPI’s continued use of IMLS funds to sponsor race-based programming shows the agency still isn’t getting the message: government programs must serve all Americans equally, without regard to race. This is exactly the kind of discriminatory policymaking the Executive Order is meant to end.

We believe you have the resolve and authority to ensure that IMLS-funded programs reflect colorblind policy and equality under the law, and not the divisive, race-based frameworks promoted by DPI.

We respectfully request that:

1. OCR immediately investigate the use of federal funds by DPI for the May 20, 2025 “BIPOC Unconference.”
2. OCR investigate similar events by DPI that classify participants by race.
3. DPI be required to adopt a colorblind approach to taxpayer-funded training and professional development.
4. DPI officials responsible for these activities undergo mandatory training on federal civil rights law and the decision in *SFFA v. Harvard*.
5. DPI be required to publish a transparent accounting of how much federal funding was used for the May 20, 2025 conference.

Federal law requires that public institutions use public funds for the benefit of all—not just those in certain racial categories. DPI is violating that obligation. Your agency has the authority—and duty—to stop it.

Sincerely,

WISCONSIN INSTITUTE FOR LAW & LIBERTY, INC.



Dan Lenington
Managing Vice President &
Deputy Counsel



Cory Brewer
Education Counsel

cc: U.S. Department of Education

Office for Civil Rights
OCR@ed.gov

Denver Office
Office for Civil Rights
U.S. Department of Education
OCR.Denver@ed.gov