

**Dominick J. Lombardi**

Chairman, Orange Republican Town Committee  
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**February 20, 2025**

**Dr. Jennifer Byars**

*Superintendent, Amity Regional School District*

Amity Regional School District Offices  
25 Newton Rd, Woodbridge, CT 06525

**Chairman Paul Davis**

*Amity Board of Education*

Amity Regional School District Offices  
25 Newton Rd, Woodbridge, CT 06525

**Members of the Amity Board of Education**

*Amity Board of Education*

Amity Regional School District  
25 Newton Rd, Woodbridge, CT 06525

**Subject:** Compliance with Federal Civil Rights Law and the Continued Funding of Discriminatory Programs

Dear Dr. Byars, Chairman Davis, and Members of the Amity Board of Education,

The Republican Party has long stood for the fundamental principles championed by Dr. Martin Luther King Jr.: that every individual should be judged by the **content of their character, not the color of their skin**. We believe in a meritocracy where opportunity is open to all based on talent, effort, and dedication—not race, gender, or any other immutable characteristic. Unfortunately, the policies currently implemented within the Amity Regional School District **fundamentally violate these principles** and, more importantly, are in direct violation of **federal civil rights laws**.

I write to formally bring to your attention a matter of urgent legal and policy concern regarding the continued funding of the **Diversity, Equity, and Inclusion (DEI) Coach position through the Open Choice Grant, and the Increasing Educator Diversity Plan**, within the Amity Regional School District. Given the recent directive issued by the **United States Department of Education's Office for Civil Rights (OCR) on February 14, 2025**, which explicitly prohibits educational institutions receiving federal funding from engaging in race-based programming and preferential treatment under the guise of DEI initiatives, the Amity School District's continued allocation of resources to these programs raises *serious compliance concerns*.

The Department of Education’s directive makes it unequivocally clear that:

*“Treating students differently on the basis of race to achieve nebulous goals such as diversity, racial balancing, social justice, or equity is **illegal** under controlling Supreme Court precedent.”*

Furthermore, the directive warns that institutions that persist in implementing DEI programs that prefer racial groups or otherwise employ *race-conscious policies over merit based policies in hiring, training, or curriculum development* are in direct violation of *Title VI of the Civil Rights Act of 1964* and the *Equal Protection Clause of the United States Constitution*. As this letter further states:

*“The Department will no longer tolerate the overt and covert racial discrimination that has become widespread in this Nation’s educational institutions.”*

### **Violations in Amity’s Policies**

1. **DEI Coach Position:** The funding of a DEI Coach through an Open Choice Grant appears to constitute a *flagrant violation* of these federal prohibitions, as it endorses and institutionalizes race-based policies within the district. The Supreme Court’s decision in *Students for Fair Admissions v. Harvard*, 600 U.S. 181 (2023), has explicitly reaffirmed that race-based decision-making within educational institutions is *impermissible* unless it satisfies strict scrutiny—an exceedingly high bar that the employment of a DEI Coach **does not and cannot meet**.

2. **Increasing Educator Diversity Plan:** The Amity School District's stated hiring policy is *facially illegal*. As outlined on the district’s own website:

*“We further believe the differences in individual and cultural characteristics, identities, and traits of each person and group in our school and community are valuable and that students are better served when teachers and teacher leaders reflect the diversity of our community.”*

The **law is clear:** Race-based hiring practices *do not pass constitutional muster* unless they serve to remediate *specific, identified past instances of unconstitutional or illegal discrimination*. Hiring individuals based on race to make the *racial composition of the faculty reflect that of the student body* is *not* a permissible justification under *strict*

*scrutiny*. This policy is therefore illegal *on its face* and invites *legal challenges*.

### **Financial and Legal Consequences of Non-Compliance**

Beyond the legal deficiencies of these policies, I must emphasize the *significant financial implications* of non-compliance with federal law. According to *Connecticut State Representative Mary Welander (CT-D)*, *\$16 billion of Connecticut’s \$22 billion budget is derived from federal funding*. This means that a substantial portion of the Amity School District’s operational funds are *contingent upon*

*compliance with federal civil rights regulations.* Failure to adhere to the **February 14, 2025, directive from the U.S. Department of Education** could put these federal funds in jeopardy, exposing the district to **severe financial and legal consequences.**

As representatives of parents, grand parents, members of the Amity community, alumni's, supporters and taxpayers of the Amity School District, we urge the **immediate cessation** of funding for the DEI Coach position through the Open Choice Grant, and the **Immediate repeal** of the Increasing Educator Diversity Plan to bring the Amity Regional School District into compliance with **federal law.** Should these programs continue to operate in **defiance of federal directives,** the school could be subject to a **formal reporting on this matter to the Office for Civil Rights (OCR) for investigation and enforcement action,** which is something that we would not want to see tarnish the name of such a cornerstone for our community.

The Republican Party believes that **opportunity should be based on merit, not race.** The fundamental ideals of **equality, fairness, and non-discrimination** are not only moral imperatives, but also **legal mandates.** We firmly believe that academic excellence must remain at the heart of Amity's governance as an educational institution. For years, Amity has been a source of pride in our community, and we are committed to preserving that tradition. Amity's legacy of achievement is undeniable. In 2014, the school earned national recognition as a Blue Ribbon School, a testament to its academic excellence. In the 2021–2022 school year, Amity's Debate Team reached the Elite Eight in the International Public Policy Forum, solidifying its reputation for intellectual rigor. The school's theater department has received multiple awards and has entertained our community for years, while our athletic teams have brought home numerous championships. Amity has long upheld a standard of excellence, and we are dedicated to ensuring that remains the case. We will not support any initiatives that compromise the quality of education for our students. Our priority is to keep Amity a source of achievement, tradition, and pride for our entire community. The Supreme Court has spoken clearly, the Department of Education has issued its directive, and the law demands compliance. The Amity School District's policies stand in direct opposition to these principles. I trust that the Amity Board of Education and its leadership will act with the appropriate urgency to rectify this issue. Please provide a written response detailing the district's plan for compliance **within 14 days of receipt of this letter.**

Sincerely,

**Mr. Dominick J. Lombardi**

Chairman, Orange Republican Town Committee

# Legal References and Sources

## Case Law

1. *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181 (2023). Available at: [https://www.supremecourt.gov/opinions/22pdf/20-1199\\_hgdj.pdf](https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf).
2. *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007). Available at: <https://www.law.cornell.edu/supct/html/05-908.ZO.html>.

## Statutory Law

3. *Civil Rights Act of 1964*, § VI, 42 U.S.C. § 2000d (2022). Available at: <https://www.justice.gov/crt/fcs/TitleVI>.
4. U.S. CONST. amend. XIV, § 1 (Equal Protection Clause). Available at: <https://constitution.congress.gov/browse/amendment-14/>.

## Federal Regulations and Government Guidance

5. U.S. Dep't of Educ., Office for Civil Rights, *Dear Colleague Letter: Title VI and Race-Based Programs in Education*, (Feb. 14, 2025). Available at: <https://www.ed.gov/media/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>.
6. *Nondiscrimination Under Federal Grants and Programs*, 34 C.F.R. § 100 (2022). Available at: <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-I/part-100>.

## Amity Regional School District Policies

7. *Amity Regional School District, Increasing Educator Diversity Plan* (2024). Available at: <https://www.amityregion5.org/district-info/dei/diversity-plan>.

## Financial and Legislative Data

9. *Mary Welander (CT-D), Statement on Connecticut Budget & Federal Funding*, Connecticut General Assembly (2024). Available at: <https://theorangetimes.com/we-the-people/>.