



Dear Alumni,

I felt it was important to share with you a note that I just sent to the campus community that contains news about the results of the investigation into Ilya Shapiro's professional conduct. I would like to thank all of the members of the Georgetown Law community - including alumni - who were engaged with this issue over the last few months.

Regards,

A handwritten signature in black ink, appearing to read "Bin".

William M. Treanor
Dean and Executive Vice President
Paul Regis Dean Leadership Chair

Dear Members of the Georgetown Law Community,

I write to update you on the matter involving Ilya Shapiro and actions I have taken.

In late January, several days before Mr. Shapiro was due to join the Georgetown Law staff as Executive Director of the Center for the Constitution, he tweeted that, although President Biden should nominate Judge Srinivasan for the Supreme Court, the President would instead nominate a "lesser Black woman." His tweets could be reasonably understood, and were in fact understood by many, to disparage any Black woman the President might nominate.

As I wrote at the time, Mr. Shapiro's tweets are antithetical to the work that we do at Georgetown Law to build inclusion, belonging, and respect for diversity. They have

been harmful to many in the Georgetown Law community and beyond.

In considering how to address the impact of Mr. Shapiro's tweets, I was guided by two overarching principles. The first is the Law Center's dedication to speech and expression. Georgetown University's Speech and Expression Policy provides that the "University is committed to free and open inquiry, deliberation and debate in all matters, and the untrammelled verbal and nonverbal expression of ideas." The second and equally important principle was our dedication to building a culture of equity and inclusion. As the Speech and Expression Policy notes, "The freedom to debate and discuss the merits of competing ideas does not mean that individuals may say whatever they wish, wherever they wish." Speech that violates the University's Policy Statement on Harassment is prohibited under the Speech and Expression Policy. Additionally, the Speech and Expression Policy does not supersede professional conduct policies or HR policies that apply to administrators.

I was concerned about the impact of the tweets on both the educational and employment environment at our Law Center, and in particular how they may have impacted our Black female students and employees. As a result, I asked the University's Office of Institutional Diversity, Equity, and Affirmative Action (IDEAA), which oversees the University's policies on non-discrimination and harassment, to investigate whether Mr. Shapiro had violated the University's policies on non-discrimination and on anti-harassment.

I was also concerned that Mr. Shapiro's tweets could undermine his ability to be an effective administrator as Executive Director of the Center for the Constitution. I helped Professor Randy Barnett, the Center's Faculty Director, launch the Center ten years ago in large part because I wanted to support ideological diversity and encourage rigorous discussion about constitutional originalism among people with a range of perspectives. The Center has been a great success. A diverse group of academics from a wide range of backgrounds across the political spectrum have participated in its programs. Mr. Shapiro's tweets, however, have for some raised questions about the Center's ability to continue its important work and to be a place welcoming to people regardless of their race, sex, or gender. As a result, I also asked the Office of Human Resources (HR), which oversees the University's staff policies on professionalism, to investigate whether Mr. Shapiro's tweets violated the University's staff policies on professional conduct.

I placed Mr. Shapiro on paid administrative leave pending the outcome of the IDEAA and HR investigations. He was notified of the issues being investigated and given an opportunity to participate in writing and in person, and he took advantage of that opportunity.

IDEAA and HR have now completed their investigations, and I received their reports this morning. As Mr. Shapiro posted the tweets on January 26, 2022, but his employment did not start until February 1, 2022, IDEAA and HR concluded that Mr. Shapiro was not a Georgetown employee at the time of his tweets. As such, he was not properly subject to discipline for them. As a result, he can begin his work as Executive Director and he will, subject to the Law Center's normal Office of Academic Affairs processes, be able to teach upper-class elective courses as a senior lecturer. At the same time, IDEAA and HR found that Mr. Shapiro's tweets had a significant negative impact on the Georgetown Law community, including current and prospective students, alumni, staff, and faculty, and they recommended that I put in place actions to address the negative impact that the tweets had on the law school community.

I share this concern about the impact of Mr. Shapiro's tweets on our community and on our efforts to build a culture of equity and inclusion at Georgetown Law and am following up on the recommendations of IDEAA and HR. I have met with Mr. Shapiro to discuss the tweets, which he had already acknowledged were "recklessly framed" and "inartful" and for which he has apologized. I stressed to Mr. Shapiro that, although he has every right to express his views, I expect him, as a staff member at the Law Center, to communicate in a professional manner. I requested he consult with his faculty supervisor at the Center for the Constitution, Professor Barnett, on how to ensure that his future communications in his capacity as a Law Center staff member are professional and comply with our University policies. Mr. Shapiro will also participate in programming on implicit bias, cultural competence, and non-discrimination, which the Law Center is requiring senior staff to attend. Finally, I expressed my concern that his tweets would potentially have the effect of making some students feel unwelcome in any elective course he might teach. To that end, I have asked him to make himself available to meet with student leaders concerned about his ability to treat students fairly.

I am deeply aware of the pain this incident has given rise to in our campus community, particularly but not exclusively among our Black female students, faculty, staff, and alumni. I am thankful for the involvement and commitment of so many. I know that there will be a range of feelings and concerns about this resolution, and I am respectful of those differences.

In his offer letter, we invited Mr. Shapiro, as we do all staff, to "learn more about the rich traditions embodied in the Mission of the University: our belief that diversity promotes understanding, our intellectual openness, our international character and our commitment to the principles of lifelong self-reflective learning, responsible community membership, the common good and generous service to others." These are principles

we should all embrace, and it is my hope that Mr. Shapiro will embrace them as he joins our staff.

Georgetown Law is committed to preserving and protecting the right of free and open inquiry, deliberation, and debate. We have an equally compelling obligation to foster a campus community that is free from bias, and in which every member is treated with respect and courtesy. I am committed to continuing to strive toward both of these indispensable goals.

Sincerely,



William M. Treanor
Dean and Executive Vice President
Paul Regis Dean Leadership Chair