



February 28, 2025

NWCCU Members,

Recently, the US Department of Education sent out a “Dear Colleague Letter” (DCL) which outlined the Department’s directions in relation to its reading of the 2023 Supreme Court decision in *Students for Fair Admissions v. President and Fellows of Harvard College* and the impact on DEI programs and initiatives at colleges and universities. The letter outlines the Department’s interpretation of “federal civil rights and constitutional law principles” in connection with such DEI programs and initiatives. The DCL directs schools to comply with the Department’s guidance in institutional operations.

Please note the letter states,

This guidance does not have the force and effect of law and does not bind the public or create new legal standards. This document is designed to provide clarity to the public regarding existing legal requirements under Title VI, the Equal Protection Clause, and other federal civil rights and constitutional law principles.

Moreover, the Significant Guidance at the Department of Education website referenced in the Dear Colleague Letter, notes the following:

Guidance documents represent the Department of Education’s (ED) current thinking on a topic. They do not create or confer any rights for or on any person and do not impose any requirements beyond those required under applicable law and regulations.

NWCCU is closely monitoring the Department’s guidance, and institutions are encouraged to review the DCL and stay abreast of the situation as it unfolds. We expect some clarity and guidance will be forthcoming in the coming weeks. Feel free to reach out to your NWCCU Liaison if you have concerns or questions.

Please know that institutions may provide feedback regarding the DCL. Comments can be submitted by emailing comments to OCR@ed.gov or writing to the following:

Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Sincerely,

Jeff Fox
Interim President