



The Art of War

The war against DEI and what planners need to know



ACSP Online Faculty Workshop

Presented by the ACSP Anti-racism Committee

Agenda

- 1 Introduction & Overview
About the team and purpose of the session
- 2 Anti-DEI Offensive: What planners need to know
Anti-DEI executive orders and legislation
- 3 Our field's response: New PAB accreditation Statements
2025 PAB amendment breakdown
- 4 What planners can do
Individual and Institutional actions
- 5 Resources

Our Anti-Racism Committee



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Our Anti-Racism Committee



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Doctoral Candidate, University of Utah

Anti-racism Committee Charge

The ACSP anti-racism committee is charged with **ensuring BIPOC inclusion in all facets of ACSP**, including the governing board, interest groups, committees, and conference planning activities.

This committee is responsible for **anti-racism training at the bi-annual ACSP administrators conference and the ACSP annual conference** by developing welcoming strategies such as workshops, networking sessions, and conference panels.

This special committee will also **respond to the accumulated research that documents racism in the planning academy and disseminate the findings** completed over the years by POCIG, task forces, and other committees throughout ACSP.

What's at stake

AICP Code of Ethics and Professional Conduct, Section A, 1.5.

“Incorporate equity principles and strategies as the foundation for preparing plans and implementation programs to achieve more socially just decision-making. **Implement**, for existing plans, regulations, policies and procedures, **changes which can help overcome historical impediments to racial and social equity.** Develop metrics and track plan implementation over time to **measure and report progress toward achieving more equitable outcomes.”**

What's at stake

ACSP Initiative on Academic Freedom

“The boards of directors of the three organizations representing university programs and educators in architecture, landscape architecture, and planning—ACSA, CELA, and ACSP— jointly communicate **our opposition to any legislation that prevents educators from teaching and sharing complete and accurate knowledge about the built environment for the purpose of shielding students from “divisive” or “disagreeable” content related to the impact of race and racism in American and global society**, as well as other pedagogy related to gender and LGBTQ+ identities.”

2025 ACSP Administrator's Conference

Exit Survey Results

Challenges faced thus far:

- Reduced financial support for recruiting diverse student body
- Removal of university DEI offices
- Removal of financial support for DEI trainings and student groups
- Some faculty are asking for relief from teaching potentially controversial classes

In the context of attacks on DEI, planning academics are valuing:

- Clear guidance and support from leadership and institution
- Strong support for academic freedom from the university
- ACSP's strong support for DEI as well as POCIG and QTIG's work (e.g., mentoring program)

2025 ACSP Administrator's Conference

Exit Survey Results

Ideas for ACSP:

- Online workshops
- Access to literature that demonstrates the value of DEI in the classroom, community, and society
- Bringing back in-person junior faculty of color workshops
- Prioritize the participation of universities in precarious positions (e.g., small, less prestigious, lacking resource, politically conservative)

Tensions:

- Renaming and reframing seems inappropriate (e.g., from DEI to inclusive excellence)
- Doubling down on DEI may not be wise and get programs/campuses in trouble

Anti-DEI Offensive: What planners need to know

"IN THE MIDST OF CHAOS THERE IS OPPORTUNITY"

What is the context?



Harvard-UNC
affirmative action
decision

June 29, 2023, the
supreme court ruled in
Students for Fair
Admissions v. Harvard
that Harvard's race-
conscious admissions
policies are
unconstitutional.



Accreditation boards
under fire

Accreditation Boards are
under fire for DEI
requirements and losing
their accreditation for
supporting DEI.



Anti-DEI executive
orders

Executive orders have
targeted all federal and
private entities to
eliminate DEI or lose
federal funding.



60 Universities
targeted -
mobilization of anti-
semitism

Trump administration is
investigating universities
and rescinding federal
funding under the guise
of mobilization of anti-
semitism on campus to
restrict academic
freedom



52 Universities
targeted -
mobilization of anti-
DEI measures

Trump administration is
investigating schools for
using racial preferences
and stereotypes in
education programs and
activities to restrict
academic freedom

Key Anti-DEI Executive Orders

THE TRUMP EFFECT

*Resources: Chronicle of Higher Education and Planetizen Federal Action Tracker

Ending radical & wasteful DEI programs and preferences

1 Action Taken

January 27, 2025, in response to EO 14151, the Office of Management and Budget temporarily paused all agency grant, loan, and other financial assistance programs effective January 28, 2025.

2 Lawsuit filed

National Association of Diversity Officers in Higher Education, the American Association of University Professors, Restaurant Opportunities Centers United, and the Mayor and City Council of Baltimore, Maryland brought the lawsuit, alleging the directive infringed on Congress' power over government spending while violating other constitutional provisions, including free speech protections.

3 Federal court response

US District Judge Adam Abelson temporarily blocked the Trump administration from carrying out certain directives of the president to crack down on diversity, equity and inclusion – or DEI – programs. Injunction lifted on March 15, 2025. Ruling handed down by two federal judges on April 24, 2025 in New Hampshire and Maryland that serves as a nationwide injunction.

Deterring private sector DEI activities

1 Action Taken

EO 11246 was revoked upon President Trump's signing of EO 14173, this new Executive Order provides that, for a 90-day period, federal contractors are permitted to "continue to comply with the regulatory scheme in effect on January 20, 2025."¹⁴ EO 14173 directs the OFCCP to "immediately cease ... promoting 'diversity,' holding Federal contractors and subcontractors responsible for taking 'affirmative action,' and allowing or encouraging Federal contractors and subcontractors to engage in workforce balancing based on race, color, sex, sexual preference, religion, or national origin.

2 Lawsuit filed

National Association of Diversity Officers in Higher Education, the American Association of University Professors, Restaurant Opportunities Centers United, and the Mayor and City Council of Baltimore, Maryland brought the lawsuit, alleging the directive infringed on Congress' power over government spending while violating other constitutional provisions, including free speech protections.

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Unleashing American Energy

1 Action Taken

Wide impacts on funds appropriated from the Infrastructure Investment and Jobs Act and the Inflation Reduction Act. Paused all distributions for programs that relate to Section 2 (EV mandates and broad energy principles).

2 Lawsuit filed

This motion was filed as part of the [lawsuit](#) brought on March 13, 2025, by Democracy Forward and co-counsel DeLuca, Weizenbaum, Barry & Revens, challenging the administration's unlawful suspension of funding, arguing that the freeze violates the Administrative Procedure Act, disrupting vital community-led projects, putting jobs, public health initiatives, and climate resilience efforts in jeopardy.

3 Federal court response

A judge ordered the federal government to release funds allocated under the Inflation Reduction Act and Infrastructure Investment and Jobs Act.

NIH decrease in indirect costs

1 Action Taken

February 7, 2025 announcement that the National Institutes of Health (NIH) will cap the indirect costs NIH grantees can recoup at 15% of the amount of each grant. This change represents a seismic shift for institutions accepting federal research funding, including universities, teaching hospitals, and other research institutions, which typically receive almost double or triple that 15% rate. In 2023, NIH provided more than \$35 billion in total funding, \$9 billion of which was allocated to overhead through indirect cost rate reimbursements.

2 Lawsuit filed

22 states and a coalition led by the Association of American Medical Colleges (AAMC) quickly filed for injunctive relief.

3 Federal court response

February 10, 2025, a federal district court judge in Massachusetts issued a temporary restraining order barring the administration from imposing the cap in those 22 states, followed later that day by a nationwide injunction in the AAMC case.

Dismantling the National Science Foundation (NSF)

1 Action Taken

On February 18, 2025, NSF fired 168 employees or 10% of workforce.

On May 8, NSF were told 37 divisions would be abolished. NSF also terminated over 1400 grants worth more than \$1B as part of continuing efforts to reduce the size of the federal government and DEI.

2 Lawsuit filed

22 states and a coalition led by the Association of American Medical Colleges (AAMC) quickly filed for injunctive relief to cap higher education institutions indirect research cost rates at 15%.

3 Federal court response

A federal judge, issued a temporary restraining order on February 6 blocking the administration's "deferred resignation" program. Consequently, that delayed immediate layoffs until legal challenges were resolved. Indirect cost reduction to 15% expected to hit NSF next.

Dismantling Environmental Protection Agency (EPA)

1. As of April 29, 2025, the EPA is seeking to cancel 800 grants awarded during the Biden Administration to reduce disparities in pollution exposure under the umbrella of environmental justice.
1. 377 recipients notified that grants were being ended, and another 404 notices went out in May.
1. Implementing a massive reduction in force (RIF), resulting in layoffs and reassignments
1. Opportunity Finance Network (OPN) has filed a lawsuit on April 21, 2025 against the EPA over its handling of the Greenhouse Gas Reduction Fund (GGRF) and to restore access to federally obligated funding through the Clean Investment Accelerator (CCIA) program.

Dismantling the Centers for Disease Control and Prevention (CDC)

1. On April 1, 2025 - 10,000 people were fired at the CDC, FDA, and NIH
1. Entire FOIA team, Division of Violence Prevention, National Institute for Occupational Health, Office of Smoking and Health, National Division of HIV, among others dismantled
1. BRACE Centers at Universities funding halted

Federal Funding Attacks on Private Institutions

1. \$400M in federal funds frozen at Columbia University
2. \$2.2B and another \$450M in federal funds frozen at Harvard University
3. \$175M in federal funds frozen at University of Pennsylvania
4. Northwestern, Cornell, Brown, and Princeton Universities have some federal funds frozen
5. DOE has launched 97 investigations under the guise of mobilization of anti-semitism and DEI programs on campus to restrict academic freedom

Relevant State Anti-DEI Legislation

EXTREME CASES

Florida

- SB 266 and HB 931

The Florida Board of Education has passed regulations limiting the use of public funds for Diversity, Equity and Inclusion ([DEI](#)) programs, activities and policies in the public college system.

Iowa

- SF 2435

Republican Gov. Kimberly Reynolds signed the state's \$8.9 billion budget into law on May 9, which sets aside just over \$1 billion for K-12 and higher education. The budget [includes a provision](#) that doesn't just ban DEI offices at state colleges and universities. It also limits the types of positions and viewpoints an institution can promote in any way.

North Carolina

- House Bill 607

Prohibits UNC system schools and community colleges from compelling students, faculty and administrators to express a given view of social policy during consideration for admission, employment or professional advancement. Purpose of the bill is to protect free speech and maintain institutional neutrality.

- Senate Bill 364

Enacts new GS 126-14.5 requiring State agencies, departments, and institutions to refrain from soliciting or requiring an applicant for employment: (1) to endorse or opine about beliefs, affiliations, ideals, or principles regarding matters of contemporary political debate or social action as a condition of employment and (2) to describe the applicant's actions in support of, or in opposition to, the beliefs, affiliations, ideals, or principles identified above.

What this means for institutions?



Loss of funding

Loss of federal grant funding to support NIH, NSF, EPA, HUD, IRA, USDA, etc research.



DEI office closures

To comply with federal laws, closures of DEI offices, cultural centers, and affinity groups have occurred.



Hiring Freezes

Due to uncertainty in federal funding universities have instituted hiring freezes.



Adapt / Innovate

Institutions must adapt to a new reality where federal funding may be restricted.

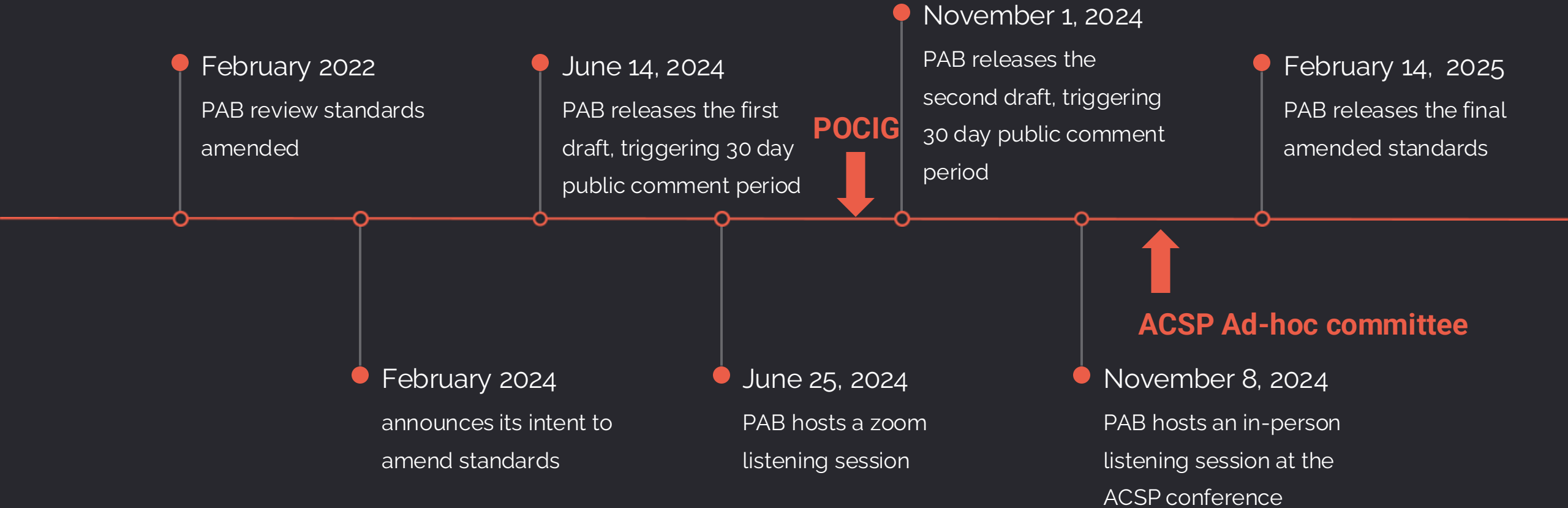
Our Field's Response: New PAB Accreditation Standards

SOFTENING DEI-RELATED REQUIREMENTS

Timeline



Timeline



Key DEI-related changes

Student and faculty makeup

Initially recommended removing requirements that planning programs:

- develop **strategic planning goals** that reflect “**the program's intent to achieve and maintain diversity**” in its **student and faculty makeup**
- make deliberate attempts to recruit and support students and faculty from “**underrepresented groups**”
- support faculty that are “**women, racial and ethnic minorities, and members of underrepresented groups in academia**”

Key DEI-related changes

Curriculum

Initially recommended removing the requirement that:

- Strategic plans include goals include **“incorporate into the curriculum the knowledge and skills needed to serve a diverse society.”**
- DEI and social justice as guiding values and principles **“are embedded in a range of required courses”**

Reinstated these requirement after round 1 of public comment

Key DEI-related changes

Curriculum

Initially recommended removing the requirement that:

- teach how planning has advanced and hindered the “**attainment of justice, equity, diversity, inclusion and social justice**” in history and theory classes

Replace with:

- teach how planning has advanced and hindered “**opportunities for particular people, places, and communities**”

ACSP Ad-hoc Committee Comment

Key suggestions

1. Include the definition of diversity in the strategic plan section of the standards
2. Continue requiring diversity-related strategic goals and assessment mechanisms for achieving such goals while giving schools flexibility
3. Explicitly define and use the term "Historically marginalized/underserved communities" throughout the standards
4. Use "intellectual diversity" as a means to achieve and maintain diversity of our student and faculty bodies

Click [here](#) to read the letter

Committee members: **Rayman Mohamed**, ACSP President, Wayne State University; **Ivis Garcia**, ACSP President-Elect, TAMU; **Ed Goetz**, University of Minnesota; **April Jackson**, UIC; **Minjee Kim**, UCLA; **Jane Rongerude**, Iowa State University

Final approved amendments

- Inclusion of the definition of “diversity” in the Strategic Plan section

A. Strategic Plan: The Program shall have a strategic plan for achieving its goals and objectives – either as a free-standing plan or part of a broader unit’s strategic plan – and must be able to demonstrate progress towards goal attainment. The Program must document active engagement in plan development by faculty, students, alumni, practitioners and any other key stakeholders the Program deems important to the process. Practitioners and other key stakeholders may include a broad spectrum of professionals who can be resources for the Program during plan development and implementation. The strategic plan shall include the Program’s definition of diversity, equity, inclusion and social justice, and shall highlight the Program’s proposed efforts to advance and support this definition. Diversity is an inclusive concept which encompasses, but is not limited to, race, ethnicity, class, gender, age, sex, sexual orientation, ability, educational attainment, first-generation status, spiritual beliefs, creed, culture, tribal affiliation, nationality, immigration status, political beliefs, and/or veteran status. The strategic plan must include the following elements:|

Final approved amendments

- Removed all references and specific commitment to “**underrepresented groups**” and “**women, racial and ethnic minorities.**”
- Removed requirement for planning programs demonstrate their efforts to advance DEI goals in a **measurable way** that can be **tracked over time**

B. Student Diversity: Diversity is an inclusive concept which encompasses, but is not limited to, race, ethnicity, class, gender, age, sex, sexual orientation, ability, educational attainment, first-generation status, spiritual beliefs, creed, culture, tribal affiliation, nationality, immigration status, political beliefs, and/or veteran status. The Program shall address the following elements:

- 1) *Recruitment*: Consistent with applicable law and institutional policy, the Program shall demonstrate efforts to attract a diverse student population that progresses the strategic plan, shall report the rationale for determining diversity goals, and shall provide evidence of activities and strategies intended to assist in achieving student diversity goals.
- 2) *Climate of inclusiveness*: The Program shall report on actions being taken to promote a culture of inclusiveness within the Program, including but not limited to support of student groups, promotion of community events, curricular elements, and faculty involvement.

B. Faculty Diversity: Diversity is an inclusive concept which encompasses, but is not limited to, race, ethnicity, class, gender, age, sex, sexual orientation, ability, educational attainment, first-generation status, spiritual beliefs, creed, culture, tribal affiliation, nationality, immigration status, political beliefs, and/or veteran status. The Program shall address the following elements:

- 1) *Recruitment*: Consistent with applicable law and institutional policy, the Program shall demonstrate efforts to attract a diverse faculty that progresses the strategic plan, shall report the rationale for determining diversity goals, and shall provide evidence of activities, initiatives, and strategies intended to attract faculty from different backgrounds and perspectives to promote intellectual diversity.

Executive Order 14279 (April 23, 2025)

Reforming Accreditation to Strengthen Higher Education

“The Secretary of Education shall hold accountable accreditors who...engage in unlawful discrimination in accreditation-related activity under the guise of ‘diversity, equity, and inclusion’ initiatives.”

Law and medical schools explicitly targeted

Will start recognizing new accreditors to increase competition

ABA Legal Ed council suspends accreditation standard focused on diversity

BY JULIANNE HILL

FEBRUARY 21, 2025, 3:44 PM CST

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The council of the ABA Section of Legal Education and Admissions to the Bar has suspended enforcement of the accreditation standard originally titled "Diversity and Inclusion" until Aug. 31. (Image from Shutterstock)

Updated: The council of the ABA Section of Legal Education and Admissions to the Bar has suspended enforcement of the accreditation standard originally titled "Diversity and Inclusion" until Aug. 31 in the wake of a Trump administration executive order mandating the dismantling of diversity, equity and inclusion efforts and demands by the U.S. Department of Education that academic institutions eliminate DEI polices or risk federal funding cuts.

At its quarterly meeting in San

Under Pressure, Psychology Accreditation Board Suspends Diversity Standards

As the Trump administration threatens to strip accrediting bodies of their power, many are scrambling to purge diversity requirements.

[Listen to this article · 7:13 min](#) [Learn more](#) [Share full article](#) [Bookmark](#) [Comments 22](#)



What this means for planning programs

- Some protection (cover) provided by the PAB, particularly the requirements for strategic plans and for curriculum
- Step backwards in the profession's commitment to increase the diversity of planning faculty and students from historically underrepresented groups (but perhaps okay given the current political conditions)
- Quality and sincerity of planning programs' compliance with the standards will vary widely .
- Program administrators' role in upholding diversity is increased
- Next section will share concrete (and hopefully, low-effort) strategies for continuing to uphold DEI values in your programs

What planners can do about it

THE SUPREME ART OF WAR IS TO SUBDUE THE ENEMY WITHOUT FIGHTING

Individual & Collective Forms of Resistance

Scholar-activist Approaches for Stamina and Protection


- Create opportunities for faculty, staff, and students to connect, reflect, and retool
- Understanding Uncertainty
- Breaking the Cycle of Overwhelm
- (Re)claiming our Agency



Action-based Advice for Supporting Faculty

- Share data repositories for missing Federal Agency Data (see Resources slide)
- As one additional safeguard, recommend faculty pursue **professional liability insurance**
- Encourage faculty to think about signing up for apps like deleteme, HelloPrivacy, Aura or Incogni that remove personal information from data broker sites and offer email masking, etc.

Educators Professional Liability Insurance



Career Protection

Nation's largest independent program; more than 80,000 educators insured!

Multiple plans to protect virtually any educator:

- W-2 employed educators, independent contractors, private practitioners and student teachers.
- Educators in pre-school through post-secondary settings, plus those active in adult / continuing / alternative education programs.
- Educators in public and private institutions.
- Instruction or services provided online or in-person

Rates as low as \$108 per year* for \$1 million in liability protection for W-2 employed educators. Private practice/independent contractor rates start at \$203 per year. Discounted rates available for students.

Plans administered by **Forrest T. Jones & Company**, a leader in insurance protection for educators with more than 60 years experience.

* Rates vary from \$108 to \$116 based on state of residence and association membership. Non-membership rates begin at \$133. A state-mandated \$20 fee is added to the rate for Pennsylvania.

Triple-Threat Security

- Work-related errors & omissions
- job protection benefits**
- Criminal defense support

Please provide the following information to view all professional liability plans available to you:

Enter Your Residential Zip |

Do you belong to a professional association?

Yes No / Not Listed

VIEW YOUR PLANS

Pedagogical-based advice for supporting faculty

Deepen Practices & Skills to Foster Pluralism

- Establish democratic and pluralistic norms in our classrooms (embed engagement guidelines in syllabi, co-create community agreements and group norms)
- Recommit to our own individual practices, in order to *model and guide* students in the classroom (active listening, story-sharing, navigating tension through inquiry)
- Engage the American intellectual tradition of pluralism in moments of conflict (prioritize human connection, **normalize respectful and collaborative disagreement**, resist the need for perfect resolution in conversations, return to community agreements)



Institutional Forms of Resistance

First Amendment Protections: A Connected Landscape

Academic Freedom	Free Speech
<p>Education is seen as a <i>common good</i> that over time, contributes to human flourishing, democracy and self-determination. The POV is that a society requires historical study and a variety of modes of thought to understand the world, in order to continuously shape & improve it.</p>	<p>The right to <i>free speech</i> is established through the First Amendment's 3 core rules associated with public discourse:</p>
<p><i>Academic freedom</i> is understood as the rights of faculty to teach and to pursue research <i>free from coercion and interference</i>, in order to contribute to this common good.</p>	<p>(1) the state is prohibited from regulating speech (i.e., peaceful protest is protected speech); (2) the expression of all ideas is permitted (there is no such thing as a "false" idea); and (3) restraints on "the voluntary <i>public expression of ideas</i>" are prohibited.</p>
<p>To prepare for the responsibility of academic freedom, faculty build expertise, shared norms, and knowledge practices through study/training, accountability networks, and academic societies. Faculty authority in the classroom <i>emerges from this disciplinary expertise</i>, through the social and pedagogical labor of developing an educated student body, and via faculty governance structures within a university setting.</p>	<p>The "Campus Free Speech Act," calls on professors to present "both sides" of an issue in the classroom in order to "protect the students' right of free speech". In this view, faculty are expected to "...regulate speech in a viewpoint- and content-neutral manner". This view hinges on an understanding of the classroom as a <i>public versus educational</i> setting.</p>

Most DEI programs remain lawful

January 21 Executive Order & Feb. 14 DOE “Dear Colleague Letter” do not prohibit your department or universities from:

- Committing to the egalitarian values of diversity, equity, and inclusion
- Cultivating academic environments in which all students belong (e.g. DEI language, Pride flags, or any other slogan supporting belonging)
- Programming, events, or curricula focused on specific groups that are open to all.
- Pursuing teaching & research agendas

Memorandum

To: Colleagues, University Offices of General Counsel, and University Leaders

From: [To promote readability, signatories are listed in Appendix A].

Date: February 20, 2025

Re: **DEI Programs Are Lawful Under Federal Civil Rights Laws and Supreme Court Precedent**

We are law professors who study and teach antidiscrimination law, education law, employment law, constitutional law, and civil rights. “DEI” is common shorthand for a varied set of initiatives broadly designed to counter pervasive biases and stereotypes, and to cultivate more diverse, equitable, and inclusive institutions. We are concerned that federally funded institutions will eliminate, or already have eliminated, important DEI initiatives that remain legally defensible and often further institutions’ legal obligations under those very laws. **This memo explains why common DEI initiatives remain legally defensible** notwithstanding President Trump’s January 21, 2025 Executive Order titled “[Ending Illegal Discrimination and Restoring Merit-Based Opportunity](#)” (the “J21 EO”) and related agency communications like the Department of Education’s February 14 [Dear Colleague Letter](#) (the “DCL”).



First, the J21 EO expressly (a) recognizes the right of federally funded institutions to engage in their own First Amendment protected speech and (b) does not apply to academic programs or classroom teaching.

Second, common DEI initiatives are lawful under prevailing federal civil rights laws and Supreme Court precedent.

Third, neither the J21 EO nor related communications change existing federal law. In fact, the J21 EO and DCL concede that DEI initiatives are not inherently unlawful.

Fourth, the constitutionality of the J21 EO is currently being litigated.² Among other arguments before the court, evidence suggests that the J21 EO rests on, and furthers, pernicious stereotypes about women and Black people.

SPOTLIGHT CASE: COLUMBIA FACULTY RACE COURSE



Karen Attiah

@karenattiah.bsky.social



In a moment when institutions are capitulating to the administration over diversity and race—

Im thinking of offering a condensed version of my short Columbia course on race, media and global history for this moment.

Would y'all sign up?

Apr 20, 2025 at 9:13 AM



3.5K



466



Reply

Bluesky

UPDATE: 4/28 RESISTANCE SUMMER SCHOOL HAS OFFICIALLY SOLD OUT!!

We hit the 500-student cap in 48 hours. Grateful for everyone's support!

There are five enrollment tiers (Purchase at the links):

- Supporter Tier (\$100): Access to recordings only (no live participation).
- Community Tier (\$200): Full live

So... welcome to my Summer School.

weekly 1:1 check-ins and writing coaching sessions with Karen Attiah during the course.

SPOTLIGHT CASE:

A Tufts University doctoral student was incarcerated for writing an op-ed on the school's failure to condemn Israel's war in Gaza. She has been released from federal custody.

During a recent hearing in the case, Judge William Young (Boston) expressed uncertainty about whether non citizens in the U.S. have the same full free speech rights as citizens. The judge said the court is trying to determine whether the government engaged in "retribution" against someone because of their speech or political expression (July TBD)



Rümeysa Öztürk (center) after being released from ICE custody Friday evening. Accompanied by Nora Ahmed, legal director of the ACLU of Louisiana (left) and Öztürk's attorney, Mahsa Khanbabai (right).

courtesy of Öztürk's legal team

No legal requirement to share student data

University administrators have no legal obligation to provide information about students or faculty to federal agencies.

- Title VI does not require higher education institutions to provide the personally identifiable information of individual students or faculty members to federal agencies.
- Moreover, sharing this information may violate the First Amendment rights of students and faculty for multiple reasons, as well as FERPA and analogous state laws.
- Sharing personal information is inconsistent with institutional commitments to freedom of speech and academic freedom.



555 New Jersey Ave., NW, Suite 600, Washington, DC 20001

PHONE: 202.737.5900 • www.aaup.org

April 2, 2025

Dear College or University Office of the General Counsel:

News reports have revealed that, as part of its investigation into alleged Title VI violations at dozens of universities and colleges across the United States, the Office for Civil Rights (OCR) in the U.S. Department of Education has requested the names and nationalities of students and faculty who may have been involved.¹ **On behalf of our members and chapters, we write to you to clarify some of the legal implications of complying with the federal government’s request to provide the personally-identifiable information of students and faculty, to make clear that you are under no legal compulsion to comply with such a request, and to strongly urge you not to comply, given the serious risks and harms of doing so.**

More than 300 noncitizen students and faculty have reportedly had their visas summarily revoked in the last three weeks of the Trump administration’s “Catch and Revoke” program, in many cases because they engaged in political speech or protest activity that the administration has targeted.² While the legality of the program is being challenged,³ these visa revocations alongside widely publicized student and faculty member ICE abductions and detentions have led to pervasive fear and the chilling of speech and expressive activity across campuses.⁴ News reports, and the administration’s own statements, make clear that many of these revocations and detentions have been motivated by students’ and faculty members’ speech and expressive activities.

Toolkits for Faculty

Who Protects Academic Freedom?

We all do. Here are some steps you can take:

Find and read your university's policies on student rights. Volunteer to serve on a committee, lead a workshop, or teach about academic freedom. Talk to faculty, students, and administrators about their views on academic freedom.

Within the community, be ready to explain academic freedom and its importance to society. Academic freedom contributes to advances in fields including planning, medicine, electronic technologies, food safety, agriculture, and the humanities.

Keep your mind open to new ideas. This does not necessarily mean agreeing with new ideas, but rather hearing and considering them fairly, and modeling this in the classroom.

Resist overly-expansive claims of academic freedom rights. Academic freedom comes with rights as well as responsibilities.

Within your college or university, find and read the policies for faculty academic freedom. Read the procedures a professor can use to complain about potential academic freedom violations.

Support controversial plays, art exhibits, films, and similar events. Resist efforts to ban books or otherwise restrict speech. Offer moral support to everyone working to protect academic freedom.

Discuss the value of academic freedom with friends, neighbors, co-workers, educators, and students. Link the value of academic freedom to the mission of a university.

Exercise your own right to express your opinions. Answer speech you don't like with more speech, rather than with calls for suppression.

Toolkits for addressing harassment



Resources for Administrators

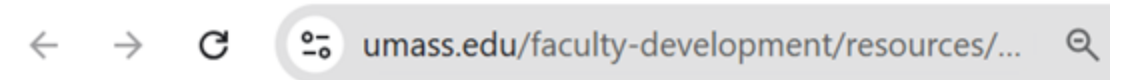
How should college and university administrators respond to the targeted harassment of their faculty or staff members, graduate student-employees, students, or other employees?

Targeted harassment of faculty is often manufactured within a highly-partisan right-wing media ecosystem. Unfortunately, administrators often take the attacks at face value, responding in ways that legitimize the attackers, explicitly or implicitly, and chastise higher education workers.



Toolkit for Institutions

This toolkit offers resources for academic institutions to protect and support researchers from campaigns of intimidation and harassment. The guides and templates included here can be reviewed and adapted for your institution's needs.



Administrator's Toolkit: Helping Faculty in Cases of Public Harassment

<u>Assess Immediate Security Concerns</u> LEARN MORE	<u>Set Faculty Member at Ease & Collect the Details</u> LEARN MORE	<u>Activate a Support System</u> LEARN MORE
<u>Communicate</u> LEARN MORE	<u>Options for Responding to Harassment</u> LEARN MORE	<u>Set Expectations with Faculty Member</u> LEARN MORE
<u>Public Records Requests</u> LEARN MORE	<u>Harassment Regarding Teaching or Classroom</u> LEARN MORE	<u>Longer Term Prevention and Preparation</u> LEARN MORE

CENTER FOR THE DEFENSE OF
ACADEMIC FREEDOM
aaup

GENERAL LEGAL

FIND YOUR LOCAL NLG CHAPTER OR CONSULT THE REFERRAL DIRECTORY. NLG PROVIDES GUIDANCE FOR SEVERAL TYPES OF LEGAL DEFENSE FUNDS AND A LIST OF ATTORNEYS SPECIALIZING IN IMMIGRATION ISSUES.



KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY

THE CAIR LEGAL DEFENSE FUND OFFERS THE LEGAL RIGHTS OF THE MUSLIM COMMUNITY. CALL TO REPORT AN INCIDENT. CAIR HOTLINE AT 202-742-6420 OR EMAIL CIVILRIGHTS@CAIR.ORG



MORE INFORMATION ON THE ACADEMIC FREEDOM SYLLABUS

CENTER FOR THE DEFENSE OF
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DIGITAL SECURITY RESOURCES

THE SURVEILLANCE TECHNOLOGY OVERSIGHT PROJECT OFFERS GUIDANCE ON SECURING DEVICES AND COMMUNICATION, INCLUDING A TOOLKIT ON PROTEST SURVEILLANCE SAFETY.



KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY

ACCESS NOW HAS A 24/7 SECURITY HELPLINE EMAIL HELP@ACCESSNOW.ORG OFFER RESOURCES ONLINE IN THE CONTEXT OF GAZA.



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IMMIGRATION LEGAL RESOURCES

ADC RUNS AN EMERGENCY LEGAL HOTLINE: 844-ADC-9955. SUBMIT AN INCIDENT FORM IF YOU ARE CONTACTED BY THE FBI. CALL 202-244-2990 FOR IMMEDIATE HELP.



ILRC HOSTS A LISTSERV WITH UPDATED INFORMATION FOR IMMIGRATION LEGAL SERVICE PROVIDERS AND PUBLIC DEFENDERS.

IMMIGRATION ADVOCATES NETWORK PROVIDES A SEARCHABLE NATIONAL DIRECTORY FOR LEGAL CLINICS AND LEGAL SERVICES SPECIFIC TO IMMIGRATION ISSUES.



LCR PROVIDES FREE LEGAL ADVICE FOR IMMIGRANTS FACING IMMINENT THREATS. CALL 617-988-0606 OR EMAIL HOTLINE@LAWYERSFORCIVILRIGHTS.ORG

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ACADEMIC FREEDOM RESOURCES

RESOURCES TO HELP YOU UNDERSTAND YOUR RIGHTS AND TAKE ACTION.



ACADEMIC FREEDOM PROJECT OFFERS ONLINE GUIDANCE ON REPORTING VIOLATIONS WITH RECOMMENDATIONS ON REMEDY MEASURES AND STEPS TO TAKE IF YOU'RE THE TARGET OF A VIOLATION.

FOR MORE INFORMATION ON THE ACADEMIC FREEDOM SYLLABUS



CAOV DEDICATED TO SUPPORTING ACADEMIC FREEDOM THROUGH EDUCATION, RESEARCH, AND ADVOCACY.

MORE INFORMATION ON THE ACADEMIC FREEDOM SYLLABUS

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AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS

Academic Freedom Syllabus





Political Attacks on Higher Ed

The AAUP is working with our chapters and allies to defend and advance higher education as the Trump administration and many state governments are accelerating attacks on academic freedom, shared governance, and higher education as a public good. Learn more and find resources [here](#).

ORGANIZE	
FIGHT	WIN
BUILDING OUR POWER IN HIGHER ED	
SUMMER INSTITUTE	2025
aaup	



The Fight for Higher Ed

The Trump administration's onslaught is designed to overwhelm. The articles at the center of the new issue of *Academe* cut through the chaos.

Authors discuss mobilizing a mass response, the implications of key executive orders, and how working with the AAUP Redbook can strengthen the faculty voice on your campus.

Reframing & Renaming

Could adjustment to language allow programs to continue advancing DEI values under the radar?

- “Intellectual diversity” (ACSP)
- “Inclusive Excellence” (AAC&U)
- “Do no harm” (AAG)
- “Cultures of care” (AAG)



Spotlight Cases

“Keep calm and carry on”

Harvard University

1st Amendment Clarity:

- Lawsuit filed against Trump administration (April 21, expanded May 12) on grounds that the federal government has trampled on the First Amendment and the Administrative Procedure Act. Harvard is asking the court to block the government's moves against its research funding, effectively restoring the flow of money.
- Statement clarifying their compliance with law. the First Amendment, and Students For Fair Admissions v. Harvard, which ruled that Title VI of the Civil Rights Act makes it unlawful for universities to make decisions 'on the basis of race.

Culture of Care:

- Feedback: "20224 Pulse Survey" about experiences of inclusion and belonging on campus
- Action: "Focus on fostering connections across difference, creating spaces for dialogue, and cultivating a culture of belonging—not as an abstract ideal, but as a lived experience for all."

Rename & Reframe:

- "Office for Equity, Diversity, Inclusion, and Belonging" → "Community & Campus Life"

Oregon State University

1st Amendment Clarity:

- Statement clarifying their compliance with law and the First Amendment and Title VII of Civil Rights Act

Culture of Care:

- No one is excluded from applying for scholarships
- All “cultural centers” remain open

Rename & Reframe:

- “Inclusive Excellence”
- Instead of being under DEI, centers are under “Cultural Resources”

University of Utah

1st Amendment Clarity:

- Freedom in academic research and teaching remains

Culture of Care:

- Supporting centers remain as long as they don't provide academic advising and are inclusive for everyone (cultural centers)
- Support to non-racialized identities such as political (Indigenous) or migratory (undocumented)

Rename & Reframe:

- Language like: Same Access, or Inclusive Excellence, or Engagement.

Florida State University

Response to Anti-DEI Legislation 2023

1st Amendment Clarity

- No layoffs (compared to University of Florida closing its DEI office with staff layoff)

Culture of Care

- Student-led organizations are allowed to continue
- Stopped funding DEI-related programming and activities, training and expenditures

Reframe

- EDI office changed to "Office of Equal Opportunity Compliance and Engagement"

Response to 2025 "war on DEI"

1st Amendment & Legal Clarity

- Centralized webpage to keep the University community updated: <https://www.research.fsu.edu/research-offices/federal-research-updates>

Off-Grid - Below Radar

- Scrubbed words such as "women," "diverse," "systemic" and "cultural relevance" from the university website
- Removed ~125 courses from public-facing lists
- Alumni spotlights removed

Protect Yourself and Your Colleagues

Resources for planning faculty and students

Resources for faculty resistance

- Researcher Support Consortium
 - How institutions can support researchers facing attacks: <https://researchersupport.org/institutions/>
 - Resources for researchers facing attacks: <https://researchersupport.org/researchers/>
- Academic Freedom Crisis Toolkit (UMass-Amherst)
 - <https://www.umass.edu/faculty-development/resources/academic-freedom-crisis-toolkit>
- Faculty First Responders: Understanding Right-Wing Attacks on Faculty
 - <https://facultyfirstresponders.com/administrators/>
- American Association of University Professors
 - <https://www.aaup.org/programs/academic-freedom/center-defense-academic-freedom>
 - <https://www.aaup.org/programs/academic-freedom/center-defense-academic-freedom/academic-freedom-field-guide>
 - "AAUP President: [ED's Office for Civil Rights Has Declared War on American Civil Rights in Education](#)" 2025
 - [Faculty Rights in the Classroom](#) - 2017

Resources for faculty resistance

- AAG JEDI Committee Resources for Defending Geographic Inquiry and Our Communities
 - <https://www.aag.org/aag-jedi-committee-resources-for-defending-geographic-inquiry-and-our-communities/>
- Protecting yourself from “Doxxing” and other personal privacy measures
 - UC Berkeley Office of Ethics, Risk, & Compliance: [Protect yourself from Doxxing](#)
 - <https://onlineharassmentfieldmanual.pen.org/protecting-information-from-doxing/>
 - Apps that remove personal information from data broker sites and offer email masking, etc: support: deleteme, HelloPrivacy, Aura, and Incogni
- Professional Liability Insurance - Trust for Insuring Educators
 - <https://www.ftj.com/educatorliability>

Resources for data & research protection

- <https://www.datarescueproject.org/data-rescue-tracker/>
- <https://datacurationnetwork.org/2025/02/05/curating-for-data-rescue/>
- University of Virginia Library: [Government Information Data Rescue](#)
- Public Environmental Data Partners: Data + Screening Tools
 - [Data + Screening Tools main page](#)
 - [EPA EJScreen](#)
 - [Center for Disease Control](#)
 - [Climate and Economic Justice Screening Tool](#)
- ICSPR: [DataLumos Project](#)
- Environmental Data and Governance Initiative ([EDGI](#))

Resources for data & research protection

- Also, if you come across a "dead" page on one of the government websites, you can copy-and-paste the URL into archive.org's way-back machine.
- Taking back control from data brokers:
<https://onlineharassmentfieldmanual.pen.org/protecting-information-from-doxing/>

Resources for Deepening Practices & Skills to Foster Pluralism

Interfaith America's "Pedagogies for Pluralism":

<https://www.interfaithamerica.org/resources/pedagogies-for-pluralism/>

The Faculty Center for Innovation's "Engaging Difficult Dialogues":

<https://sites.google.com/a/newschool.edu/faculty-professional-development-network/home-page/equity-diversity-and-inclusion/engaging-difficult-dialogues?authuser=0>

Resources on Academic Freedom and Free Speech

The Free Speech Center, at Middle Tennessee State University:

<https://firstamendment.mtsu.edu/post/free-speech-center-newsletter-5-13-25/>

A Primer on Academic Freedom, GW Law School:

<https://www.law.gwu.edu/sites/g/files/zaxdzs5421/files/downloads/Academic-Freedom-Primer.pdf>

AAUP FAQ's on Academic

Freedom:<https://www.aaup.org/programs/academic-freedom/faqs-academic-freedom>

Designing Anti-racist cultures of care resources

- AAG
 - <https://www.aag.org/a-toolkit-for-what-resists-fixing-creating-a-culture-of-care/>
- Curricular resources to support academic freedom
 - <https://www.aaup.org/programs/academic-freedom/center-defense-academic-freedom/academic-freedom-syllabus>
- Brave Classrooms & Courageous Conversations
 - Harvard Graduate School of Education: Instructional Moves for Inclusivity & Belonging <https://instructionalmoves.gse.harvard.edu/inclusivity-and-belonging>
 - University of Connecticut Center for Teaching Excellence, "[Building Community and Brave Spaces as a Foundation for Equitable Classrooms](#)"

Anti-racist curricular resources

- JAPA Special Issue: Anti-Racist Futures - <https://www.tandfonline.com/toc/rjpa20/89/4>
- Reimagining Urban Planning for Belonging, a project of the Othering & Belonging Institute, <https://belonging.berkeley.edu/reimagining-urban-planning>; OBI offers a wide range of complementary anti-oppression curricular offerings, <https://belonging.berkeley.edu/resource/curriculum>
- Liberation Libraries, a project of the ACSP Faculty Women's Interest Group- <https://fwig920992552.com/>
- Divorcing White Supremacy Culture, a project of Tema Okun, original author of the widely circulated and misused "Characteristics of White Supremacy Culture" list <https://www.whitesupremacyculture.info/>
- Anti-racist Resources Organized by Stages of White Racial Identity Development, <https://libguides.du.edu/c.php?g=1046908&p=7596766>
- Awareness-Based Systems Change & Racial Justice, <https://jabsc.org/index.php/jabsc/article/view/1590>



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GENERAL LEGAL RESOURCES

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IMMIGRATION ISSUES.



KNIGHT LITIGATES ISSUES OF FREEDOM
OF SPEECH, ESPECIALLY IN DIGITAL
SPACES. THEY PRIORITIZE CASES ON
FREE SPEECH AND SOCIAL MEDIA,
TRANSPARENCY AND DEMOCRACY, AND
PRIVACY AND SURVEILLANCE. CONTACT
THEM **HERE**.

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PAL LEGAL WORKS WITH A NETWORK OF
ORGANIZATIONS TO RESPOND TO REQUESTS
FOR LEGAL AND ADVOCACY ASSISTANCE.
FILL OUT THEIR **INTAKE FORM** FOR
IMMIGRATION AND CRIMINAL MATTERS,
THEY CAN OFFER REFERRALS.

*MORE INFORMATION CAN BE FOUND ON THE
ACADEMIC FREEDOM FIELD GUIDE*



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Thank You!

SLIDE DECK WILL BE MADE AVAILABLE ON ACSP WEBSITE

QUESTIONS?

