



October 24, 2025

To College and University Presidents and Trustees:

We write to urge you to reject the Trump administration's harmful invitation to violate the law, abdicate your duty to your students and campus community, and betray academic freedom by signing its "Compact for Academic Excellence in Higher Education." On October 1st, the University of Arizona, Brown University, Dartmouth College, Massachusetts Institute of Technology, the University of Pennsylvania, the University of Southern California, the University of Texas, Vanderbilt University, and the University of Virginia received the Compact, and now there is [reporting](#) that the Compact has been extended to all universities. As the Massachusetts Institute of Technology did last week, each institution presented with this Compact should reject it.

The Compact is the next stage of this administration's two-pronged attack on education: close doors of opportunity for students and punish institutions that teach and discuss viewpoints with which the President disagrees. Rather than ensure academic excellence in higher education, this Compact seeks to undermine core constitutional and civil rights protections and academic freedoms that are crucial to education, to a functioning democracy, and to your institution. It demands ideology over critical thinking, exclusion over inclusion, and discrimination over equal opportunity, harming student success and readiness for the future. We implore you not to acquiesce to such unlawful demands and remind you of your obligation to follow the law.

The Compact impermissibly calls on colleges and universities to restrict their speech, as well as the speech of their students and faculty, in exchange for promises of federal funding. The administration knows it is inviting your institution to violate the law, as its attempts to impose these same ideologically motivated conditions into other sources of federal funding have been repeatedly blocked by the courts. The First Amendment prohibits the government from favoring some speakers over others and conditioning federal funding on espousing certain viewpoints. Yet the Compact is rife with potential First Amendment violations as it calls on schools to commit to "defining" gender terms based on "reproductive function and biological processes," suppress peaceful protest on campus, and refrain from speaking on issues of societal and political concern. It also suggests schools revise governance structures to protect the safe sharing of "conservative ideas." These restrictions are not limited to activities the federal government funds, but to the institutions as a whole, requiring signatory colleges and universities to broadly restrict speech that advances viewpoints the administration disfavors. The Compact thus unlawfully requires signatory institutions to both waive their own right to speak under the First Amendment, and to unlawfully act as an agent of the government in suppressing the speech of their students and faculty.

The Compact also seeks to induce colleges and universities to take steps that are likely to close the doors of opportunity for talented students, particularly students of color, international

students, and LGBTQIA+ students, and limit their ability to thrive on campus, violating federal civil rights laws. Civil rights protections in higher education fundamentally ensure no one is denied equal access to educational programming and activities because of their race, color, national origin, disability, and sex (including sexual orientation, gender identity, pregnancy and related medical conditions). But this Compact, which the administration will enforce in a manner consistent with its [radical and inaccurate view of the law](#), requires signatories to take actions that are likely to unfairly exclude students and create unwelcoming campus environments. For example, while colleges and universities can lawfully consider the impact of race on an individual applicant's life and host affinity groups and spaces, like Black student unions, that are open to all, the Compact, through its overbroad discussions with respect to proxies, campus spaces, programs, and resources, aims to chill its signatories into ceasing lawful initiatives. This Compact could thus lead universities to single out students whose experiences are inextricably intertwined with race for unfavorable treatment, violating Title VI of the Civil Rights Act of 1964 and the Constitution.

Similarly, because Title VII of the Civil Rights Act of 1964 already applies to colleges and universities, the Compact's provision requiring signatories to not consider race or any protected category in hiring may cause confusion and deter signatories from engaging in lawful initiatives designed to advance diversity, equity, inclusion, and accessibility in faculty recruitment and beyond. The Compact ignores that courts have routinely held that efforts like diversity statements, anti-bias trainings, targeted recruiting, and aspirational diversity goals are lawful. These initiatives are important to building an academic environment with diverse perspectives and ideas and assist with Title VII compliance. Rolling back these initiatives could allow workplace discrimination to fester.

Complying with this Compact would also run afoul of Title IX of the Education Amendments of 1972 (Title IX), state laws with explicit antidiscrimination protections for transgender students, and the Constitution's equal protection guarantee. As the Supreme Court recognized decades ago, Title IX has "a sweep as broad as its language." *North Haven Bd. of Educ. v. Bell*, 456 U.S. 512, 521 (1984). But this Compact seeks to flip Title IX's broad mandate on its head. By redefining sex solely based on "reproductive and biological criteria" and restricting access to facilities and educational activities, like athletics, on that basis, the Compact seeks to force schools to unlawfully exclude transgender students from education. It also risks harming women who do not conform to sex-based stereotypes by subjecting them to invasive scrutiny and sex-verification, exposing institutions that comply to serious liability.

Finally, we underscore the serious risk this Compact poses to institutional independence and academic freedom by ceding control over policies in admissions, hiring, instruction, and access to student programs and activities to an administration that has repeatedly distorted civil rights laws and undermined core freedoms. Colleges and universities play an essential role in our democracy, preparing the youngest generation of leaders to think critically and thrive in our multi-racial nation and global economy. Institutions can only deliver on this promise if they protect faculty's freedom to teach and students' freedom to learn. Preserving independence is more essential now than ever, not only for educational institutions and the students you serve, but for the health of our democracy.

We implore you to reject political interference and instead safeguard freedom in research and teaching and promote equal opportunity in higher education and your institution.

Sincerely,

National Women's Law Center
Lawyers' Committee for Civil Rights Under Law
Legal Defense Fund

Joined by:

ACLU of Texas
Advocates for Trans Equality
African American Policy Forum
AFT, AFL-CIO
American Association of University Women (AAUW)
American Atheists
American Humanist Association
Asian Americans Advancing Justice – AAJC
Autistic Self Advocacy Network
Callisto
Campus Advocacy Prevention Professionals Association (CAPPA)
Center for Law and Social Policy (CLASP)
Clearinghouse on Women's Issues
Disability Rights Education & Defense Fund (DREDF)
EdTrust
End Rape On Campus
Equal Justice Society
Equal Rights Advocates
Feminist Majority Foundation
Freedom From Religion Foundation
Fund for Leadership, Equity, Access and Diversity (LEAD Fund)
Human Rights Campaign
Just Solutions
Know Your IX at Advocates for Youth
Legal Momentum, The Women's Legal Defense and Education Fund
Muslim Public Affairs Council
National Education Association
National Organization for Women
National Urban League
National Women's Political Caucus
Public Citizen
Public Counsel
Public Justice
Red Wine & Blue
Rocky Mountain Victim Law Center
Stop Sexual Assault in Schools
Students Engaged in Advancing Texas (SEAT)
Texas Appleseed
Texas Transgender Nondiscrimination Scholars

The Leadership Conference on Civil and Human Rights
Transgender Education Network of Texas (TENT)
UNT chapter of the AAUP-AFT
Young Invincibles