



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

PRESS RELEASE

FOR IMMEDIATE RELEASE

Media Contacts:
press@oag.state.md.us
410-576-7009

Attorney General Brown Issues Multistate Guidance for Schools on Diversity, Equity, Inclusion, and Accessibility Initiatives

BALTIMORE, MD (March 5, 2025) – Attorney General Anthony G. Brown joined a coalition of 15 attorneys general in issuing [guidance](#) to help K-12 schools, colleges and universities understand the legality, viability and importance of diversity, equity, inclusion, and accessibility policies and practices in education.

The guidance comes in response to concerns following a Trump administration executive order and the U.S. Department of Education’s “Dear Colleague” letter and FAQ document targeting diversity policies and programming in schools. The coalition’s guidance reminds educational entities that efforts to seek and support diverse, equitable, inclusive, and accessible educational experiences for students are legal, and that longstanding legal precedents supporting these programs cannot be changed by an executive order or a letter from the Department of Education.

“All students deserve the opportunity to learn in an environment that makes them feel safe and supported,” **said Attorney General Brown.** “The Trump administration’s shameless, politically driven assault on diversity, equity, and inclusion is nothing more than an effort to roll back progress and deny equal opportunity to those who need it most. Schools’ DEI policies are not just lawful—they are fundamental to ensuring every student, regardless of race, sex, or gender identity, has a fair shot at success. No executive order or bureaucratic memo can erase our nation’s commitment to educational equity.”

Opponents to diversity initiatives have sought to improperly expand the Supreme Court of the United States’ narrow ruling in *Students for Fair Admissions Inc. v. President and Fellows of Harvard College (SFFA)* far beyond its scope. Today’s multistate guidance updates guidance issued by the Commonwealth of Massachusetts after the 2023 ruling. It clarifies that the recent executive order and communications from the Department of Education do not change the law with respect to higher education admissions, and they do not and cannot prohibit or restrict universities from pursuing and implementing diversity, equity, inclusion, and accessibility efforts. The updated guidance also includes tips to help K-12 schools set their students up for success.

In their guidance, the attorneys general emphasize that institutions of higher education can continue to create missions and set goals related to student body diversity and equitable outcomes for students and can use all legal methods to pursue them.

The attorneys general clarify that while SFFA limited the ability of institutions of higher education to consider an applicant's race in and of itself as a positive factor for admission, schools can still work to diversify their applicant pools and student bodies through recruitment efforts. The guidance notes that institutions do not have to ignore race when identifying prospective students for outreach and recruitment programs, provided such programs do not give students preference based on racial status, and that all students have the same opportunity to apply and compete for admission. Schools can continue to target outreach to potential applicants based on a wide range of characteristics, such as academic interests, geographic residency, financial and socioeconomic status, family background, and parental education level.

The guidance also encourages K-12 schools to strive for a school climate where all students feel safe, supported, respected and ready to learn. School leaders can do this by reviewing their current practices to ensure that their district complies with anti-discrimination, anti-bullying and civil rights laws, and by adopting programs and policies that incorporate best practices and meet the needs of their communities. In addition, the attorneys general identify steps schools can take to ensure that all students, including those from historically underrepresented backgrounds, are prepared for college or careers.

Joining Attorney General Brown in issuing the guidance are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Massachusetts, Minnesota, New Jersey, New York, Nevada, Oregon, Rhode Island and Vermont.

###

<https://www.marylandattorneygeneral.gov/press/2025/030525a.pdf>