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PRESS RELEASE

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Attorney General Brown Sues Trump Administration Over Unlawful Conditions on Funding for K-12 Schools

*Hundreds of millions in federal financial assistance at risk in
Maryland*

BALTIMORE, MD (April 25, 2025) – Attorney General Anthony G. Brown today, as part of a coalition of 19 attorneys general, filed a [lawsuit](#) challenging the U.S. Department of Education’s threat to withhold federal funding from state and local agencies that refuse to abandon lawful programs and policies that promote equal access to education in K-12 classrooms across the nation.

On April 3, 2025, the Department of Education (ED) informed state and local agencies that they must accept the Trump administration’s new and legally incoherent interpretation of Title VI of the Civil Rights Act of 1964 with respect to diversity, equity, and inclusion efforts – or else risk immediate and catastrophic loss of federal education funds. Maryland, like many other states, refused to submit to the ED’s vague, contradictory, and unsupported interpretation of Title VI. In filing today’s lawsuit, Attorney General Brown and the coalition seek to bar the ED from withholding any funding based on these unlawful conditions.

“With these blatantly unlawful actions, the Trump Administration is playing politics with children’s futures, threatening to defund schools just because they promote policies that ensure equal education for all students,” **said Attorney General Brown**. “Maryland will not stand by while President Trump tries to bully our State with vague, contradictory demands that would hurt our most vulnerable students and violate the law we’ve followed for decades.”

The U.S. Department of Education provides Maryland with hundreds of millions in congressionally mandated financial support each year for a wide variety of needs and services related to children and education. This funding includes financial support to ensure that students from low-income families have the same access to high-quality education as their peers, provide special education services, recruit and train highly skilled and dedicated teachers, fund programming for non-native speakers to learn English, and provide support to vulnerable children in foster care and without housing. As a condition of receiving these funds, state and local education agencies provide written assurances they will comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color or national origin, and

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Maryland has consistently and regularly certified its compliance with Title VI and its implementing regulations.

However, on April 3, the ED issued a letter that conditioned continued federal financial assistance on state and local education agencies certifying that they are not operating programs inconsistent with the Trump administration's view that efforts supporting diversity, equity, and inclusion are unlawful. The letter forced state and local agencies to choose between two untenable options: (1) refuse to certify compliance based on the ED's un-defined viewpoint on what constitutes unlawful diversity, equity, and inclusion programs, curriculum, instruction, and policies, and place federal funding in peril or (2) certify compliance, attempt to identify and eliminate lawful diversity, equity, and inclusion to the detriment of students, and still face liability for failing to fully comply with the ED's vague and ill-defined order. Faced with this choice, Maryland provided the ED with written certifications making it clear that Maryland and its local partners fully comply with Title VI and its lawfully issued implementing regulations, but it informed the ED that Maryland would not assent to its additional, unlawful demands.

In the lawsuit, Attorney General Brown and the multistate coalition assert that the ED's attempt to terminate federal education funding based on its misinterpretation of Title VI violates the Spending Clause, the Appropriations Clause, the separation of powers, and the Administrative Procedure Act.

In filing the lawsuit, Attorney General Brown joins the attorneys general of California, Colorado, Connecticut, Delaware, Hawai'i, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, Nevada, New York, Oregon, Rhode Island, Vermont, Wisconsin, and Washington.

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