# Trump administration issues executive orders reshaping higher education policy



On April 23, the Trump administration issued a series of executive orders (EOs) aimed at significantly reshaping federal policy on higher education, marking a decisive shift in regulatory oversight, civil rights enforcement, and institutional accountability. These measures address diverse aspects of the education sector, including college accreditation, foreign gift reporting, workforce training, and protections under civil rights laws.

A major component of the administration's strategy is an EO targeting the accreditation system. This directive charges the Department of Education (ED) with overhauling the existing college accreditation process, which plays a crucial role in maintaining academic standards and determining institutional eligibility for federal student aid. The order criticises accreditors for prioritising what it calls "divisive Diversity, Equity, and Inclusion (DEI) ideology" over academic quality and encourages the establishment of new accrediting bodies while simplifying how colleges can change their accreditor. This is seen as an extension of efforts in various states to distance educational institutions from accreditors perceived as too progressive. However, Jon Fansmith from the American Council on Education (ACE) explained to The Chronicle of Higher Education that the primary obstacle to the entry of new accreditors is not competition from existing organisations but federal laws and regulations governing accreditation recognition. Concerns have been raised, including by The Chronicle and The New York Times, that the order may serve as a pretext to diminish diversity requirements and compromise accreditors’ independent judgement, risking a fragmented and politicised system with implications for academic quality and federal aid stability.

The administration also expanded the enforcement of Section 117 of the Higher Education Act through a separate EO. This provision requires universities to disclose foreign gifts and contracts, and the new order increases ED’s enforcement authority by fostering collaboration with the Department of Justice and linking compliance with continued access to federal funding. Notably, it connects reporting obligations to potential liability under the False Claims Act, raising the prospect of personal liability for university officials certifying compliance. While enforcement of Section 117 was already intensified during the first Trump administration and enjoys bipartisan Congressional interest—highlighted by the House’s recent passage of the DETERRENT Act, which lowers reporting thresholds and broadens disclosure requirements—the new order broadens these measures further. Inside Higher Ed observed that it mostly reiterates previous efforts but tasks Education Secretary Linda McMahon with collaborating across federal agencies and reversing policies from the Biden administration that were viewed as allowing excessive secrecy. ACE’s Sarah Spreitzer, speaking to The Washington Post, acknowledged the complexity institutions face in meeting these requirements and anticipated ongoing consultation with ED to manage compliance.

The administration simultaneously revived the White House Initiative on Historically Black Colleges and Universities (HBCUs) and re-established its advisory board. Although the order does not introduce new funding, it signals continued federal support for HBCUs, emphasising private-sector partnerships and workforce development. ACE expressed strong endorsement of this move, highlighting findings from a recent report demonstrating that HBCUs and Minority-Serving Institutions (MSIs) excel at promoting economic mobility and serving Pell-eligible and first-generation students. ACE President Ted Mitchell characterised HBCUs as “a vital national asset” and noted that MSIs “play a fundamental role in expanding access to higher education and economic opportunity.”

Another EO addresses workforce training by initiating a review of federal development programmes with the aim of better aligning education and training with reshoring initiatives and sectors such as artificial intelligence and advanced manufacturing. It sets an ambitious goal of supporting one million apprenticeships per year but does not provide additional funding or detailed plans for implementation. This reflects a broader policy preference for promoting short-term credentials, technical education, and trade-based training as alternatives to traditional degree pathways.

In a significant change to civil rights enforcement, a further EO mandates all federal agencies to eliminate the use of “disparate impact liability” as a basis for enforcement actions. The doctrine, historically utilised under Title VI of the Civil Rights Act and other statutes, permits regulators to address policies that result in discriminatory effects regardless of intent. The order instructs the repeal or deprioritisation of regulations incorporating disparate-impact standards, and The Washington Post reported that the Department of Education has begun reviewing and rescinding civil rights agreements that were based on statistical disparities. The implications for higher education are substantial, given that Title VI enforcement influences efforts to address disparities in access, discipline, and programme participation for diverse student populations. The elimination of disparate-impact liability could reduce legal incentives for institutions to address outcome gaps among students.

Together, these executive orders constitute a notable shift in federal policy toward higher education, focusing on realignment through the lenses of national security, deregulation, and a redefined concept of merit. The practical effects of these directives will unfold based on their implementation by federal agencies and potential responses by Congress and the judiciary. The American Council on Education will continue monitoring these developments as they impact the landscape of higher education governance and policy in the United States.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

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