

Now & Next

Higher Education Alert

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Education Department asks colleges to publicly detail reform commitments

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The Department's new Call to Action reiterates priorities for admissions, campus speech, academic culture, affordability, research security, and the role of higher education in advancing American interests.



What's the impact?

- The Department is asking every college and university to publish a statement describing its commitments across seven priority areas, including admissions, campus speech, intellectual pluralism, affordability, academic rigor, foreign influence, and national service.
- Institutions should consider if they have a clear, internally coherent, and legally supportable position on the issues the Department has identified.
- Responding is a governance and strategy decision for institution presidents and boards, not just a legal compliance question, and any public statement will become a durable representation against which future conduct may be measured.

On August 3, 2026, Secretary of Education Linda McMahon (Secretary) issued a [National Call to Action to University Presidents and Governing Boards](#), requesting that every postsecondary institution to publish a statement before the end of 2026 describing its commitments to “rigorous teaching, pathbreaking research, and national service.” Institutions are encouraged to post those statements prominently on their websites and to address seven sets of questions concerning admissions, free speech and campus protests, intellectual pluralism, affordability, academic rigor, foreign influence, and service to the national interest.

The letter follows the Administration’s effort last fall to obtain institutional participation in the *Compact for Academic Excellence in Higher Education*. The Compact proposed detailed requirements governing university operations in exchange for continued or preferential access to federal benefits. Seven of the nine institutions initially approached publicly declined to participate, with several citing academic freedom, institutional independence, and the principle that research funding should be awarded on the merits.

The letter appears to reflect a recalibration of that strategy. Rather than asking selected institutions to enter into a formal agreement, the US Department of Education (the Department) is asking every institution to explain publicly how it will address many of the same underlying concerns. The new letter is materially less prescriptive than the Compact and, on its face, announces no new funding condition, certification obligation, or enforcement process. But it should not be dismissed as merely rhetorical. It provides a clear signal of the Administration’s expectations for institutional leadership and may inform future scrutiny by federal agencies, Congress, state officials, litigants, donors, and other stakeholders.

What the Department is asking institutions to address

The letter does not provide a model statement. Indeed, the Secretary expressly acknowledges that there is “no single template for academic excellence” and anticipates that institutions with different missions will issue different declarations. The Department nevertheless asks institutions to describe adopted and planned reforms in seven areas:

- / transparent, merit-based admissions;
- / free speech, open debate, and the prevention of protest-related harassment and disruption;
- / intellectual pluralism in academic units, faculty hiring and evaluation, and research;
- / affordability, cost containment, degree value, and student loan repayment;
- / academic rigor, grade inflation, and teaching and assessment in the age of artificial intelligence;
- / foreign influence, foreign gifts, research integrity, and protection of sensitive research; and
- / prioritization of American students, faculty, workforce needs, security interests, and national prosperity.

The breadth of those questions reinforces that the Department views these issues as matters of institutional governance and strategy—not solely legal compliance. The letter is addressed expressly to both presidents and governing boards and asks institutional leaders to speak publicly on behalf of their institutions.

From the Compact to the Call to Action: What changed?

Although the Call to Action does not reference the Compact, the overlap is substantial. The principal difference is the mechanism: the Compact sought binding and highly specific commitments; the letter seeks public explanations of institutional principles and planned reforms.

Topic	October 2025 Compact	August 2026 Call to Action
Overall approach	Proposed an agreement reflecting federal priorities for universities receiving student-aid access, research funding, visas, tax benefits, and other federal benefits. Institutions choosing different “models and values” were told they could forego those benefits.	Asks every institution to post a public statement before the end of 2026. It recognizes different institutional missions and provides no required template, stated funding incentive, or penalty.
Admissions and merit	Prohibited consideration of an extensive list of characteristics and their proxies in admissions and financial aid; required published objective criteria, standardized testing, and public data regarding admitted and rejected applicants by race, national origin, and sex.	Asks institutions to make admissions criteria transparent and “wholly described” to applicants and to explain how decisions will be based on merit, achievement, and educational purpose. The letter expressly invokes <i>Students for Fair Admissions v. Harvard</i> .
Free speech and First Amendment considerations	Required a campus environment containing a broad spectrum of ideological viewpoints, with no single ideology dominant, and contemplated revising governance structures—including transforming or abolishing units viewed as hostile to “conservative ideas.”	Asks how institutions will protect the free exchange of ideas, wide-ranging debate, and open-minded discourse. It does not prescribe viewpoint surveys, ideological targets, or particular changes to academic units.
Academic freedom and intellectual pluralism	Required an academic-freedom policy but stated that academic freedom is not absolute. It also required empirical assessments of faculty, student, and staff viewpoints and efforts to obtain a	Does not expressly require an academic-freedom policy. Instead, it asks how institutions will encourage intellectual pluralism in all academic units and how faculty hiring and evaluation will ensure that

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	broad spectrum of viewpoints within every field, department, school, and teaching unit.	all relevant perspectives are taken seriously.
Campus protests	Prohibited “heckler’s vetoes,” disruptions of instruction and study spaces, accosting students, and discriminatory obstruction of campus access. It called for lawful force when necessary, swift and serious sanctions, and policies addressing incitement and support for designated terrorist organizations.	Asks institutions to “guarantee” that unruly and violent protesters do not harass students or disrupt classes, research, public lectures, or campus operations. It does not specify enforcement methods, sanctions, or terrorism-related policy language.
Institutional neutrality	Required neutrality at every level of university administration and directed employees speaking as university representatives to refrain from addressing societal and political events except where those events directly affected the institution. The requirement extended to colleges, departments, centers, and institutes.	Points to institutions that have adopted positions of institutional neutrality as examples of reform, but does not directly ask every institution to adopt such a policy.
Sex and gender policies	Required sex-specific facilities and athletic competition and directed institutions to define “male,” “female,” “woman,” and “man” by reproductive function and biological processes.	Does not address sex-based facilities, athletics, or institutional definitions of sex.
Affordability and student outcomes	Called for reductions in administrative spending, elimination of programs that fail to serve students, a five-year tuition freeze for domestic students, publication of program-level earnings data, first-term tuition refunds for students who withdraw, specified uses of large endowments, and acceptance of military transfer credits.	Asks how institutions will offer affordable, “high-return” degrees, contain costs, improve pricing transparency, and ensure programs equip students to repay their loans.
Academic rigor, grade inflation, and AI	Required grade integrity and contemplated public dashboards showing grade distributions, trends, unusual increases, and comparisons with peer institutions.	Asks how institutions will incentivize rigor in the age of AI, combat grade inflation, and prioritize excellence in teaching and learning.
International students	Proposed limiting international students to 15% of undergraduate	Does not propose visa-related enrollment caps, civics instruction, or student-record

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	enrollment and students from any one country to 5%. It also called for selection based on extraordinary talent rather than institutional financial advantage, screening for hostility to the United States, civics instruction, and sharing relevant information—including discipline records—with the Department of Homeland Security and the Department of State.	sharing. It asks institutions to prioritize American students and faculty and to ensure that foreign actors do not improperly influence student admissions or academic programs.
Foreign influence and research security	Required extensive foreign-funding compliance, including proposed anti-money-laundering and know-your-customer programs, and prompt disclosure of direct and indirect foreign funding.	Asks institutions to prevent foreign influence over academic programming, research personnel, researcher assignments, and admissions; reject gifts with problematic conditions; and protect sensitive research and technology from malign foreign actors.
Governance, certification, and enforcement	Required annual certifications from the president, provost, and head of admissions; annual surveys evaluating performance under the Compact; Department of Justice review; loss of benefits; repayment of government funds; and, in some circumstances, return of private contributions.	Directly engages presidents and governing boards and requests a public institutional statement. It contains no certification requirement, agency-review mechanism, or stated consequence for declining to respond.

A shift in strategy

In sum, the Compact attempted to secure institutional compliance through a formal bargain. The letter instead seeks public commitments. The mechanism has changed; many of the underlying priorities have not. Notably, several of the Compact’s most controversial operational requirements do not appear in the letter. The letter does not request international enrollment caps, institutional definitions of sex, standardized admissions testing, tuition freezes, viewpoint surveys, mandatory neutrality policies, annual certifications, or DOJ enforcement. It also acknowledges institutional variety rather than presenting a single federal model.

At the same time, the Administration’s broader policy objectives appear to remain the same. The letter continues to press institutions on transparent and merit-based admissions, ideological balance, faculty hiring, protest management, grade inflation, administrative costs, degree value, foreign influence, research security, and the prioritization of American interests.

The change is therefore best understood as one of method: while the Compact sought to prescribe what participating institutions would do, the letter asks institutions to tell the public what they stand for, what reforms they have adopted, and what they plan to do next. That distinction reduces the immediate legal and financial stakes. It does not eliminate the governance consequences.

Because any institutional response will become a public representation that could later be compared with institutional policies and practices, there are important legal and regulatory considerations to evaluate. A response that is overly broad, inconsistent with existing governance documents, or adopted without adequate internal consultation could create avoidable regulatory, litigation, accreditation, labor, and reputational risk.

What Colleges and Universities should consider

Institutions are not presented with the same binary choice posed by the Compact. The letter does not state that an institution must respond, adopt the Department's framing, or address every issue in a particular manner. Institutions nevertheless should make a deliberate decision about whether and how to respond.

- / **Clarifying the governance process.** Determine whether a response would be issued by the institution's president, approved or acknowledged by the governing board, or developed through another institutional process involving faculty or shared-governance bodies.
- / **Inventorying existing commitments.** Review mission statements, strategic plans, admissions materials, academic-freedom and free-expression policies, protest rules, faculty handbooks, research-security protocols, international enrollment strategies, and public statements before creating new commitments.
- / **Avoiding unsupported guarantees.** The Department uses language asking how institutions will "guarantee" certain outcomes. Institutions should avoid promising results they cannot ensure and should distinguish commitments to lawful policies and consistent enforcement from guarantees concerning third-party conduct.
- / **Accounting for institutional type.** Public and private institutions operate under different constitutional and state-law frameworks, particularly regarding speech, institutional expression, and campus demonstrations. Any statement should reflect the institution's actual legal obligations rather than adopting a generic formulation.
- / **Coordinating across functions.** Admissions, academic affairs, faculty governance, student affairs, campus safety, international programs, research administration, finance, communications, and legal counsel will all have a stake in the issues raised.
- / **Considering the consequences of silence and response.** Declining to respond carries no stated penalty, but institutions may face questions from regulators, legislators, donors,

students, or other constituencies. Responding may demonstrate institutional leadership, but it also creates a public record against which future conduct, and potential False Claims Act actions, may be measured.

Looking ahead

The Call to Action is not simply a repackaged Compact. Its legal posture, scope, and level of prescription are materially different. But the comparison confirms that the Administration remains focused on many of the same questions about university governance and institutional purpose.

For presidents and boards, the immediate issue is not merely whether to post a statement by year-end. It is whether the institution has a clear, internally coherent, and legally supportable position on the issues the Department has identified—and whether leadership is prepared to defend that position publicly.

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