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The Future of DEI Part II: Analyzing Federal Changes

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The Trump administration's second term has unleashed a sweeping assault on diversity, equity, and inclusion in higher education—from executive orders to legislative bans—that recalls historical repression. In rapid succession since January 2025, President Trump has signed orders dismantling federal DEI programs, overhauling accreditation, and mobilizing law enforcement under the banner of “combating antisemitism.” For example, on Jan 20, 2025, Trump issued an EO, “Ending Radical and Wasteful Government DEI Programs,” explicitly targeting Biden’s first-day equity order (EO 13985) and instructing federal agencies to terminate all DEI mandates. A week later he signed an EO on “Additional Measures to Combat Anti-Semitism,” reaffirming his 2019 order and directing agencies (DOE, DOJ, HHS) to form a task force focused on rooting out antisemitism in schools and on college campuses.

In April 2025, the White House unveiled a sweeping accreditation reform order that empowers federal officials to freeze funding or revoke accreditation for any institution deemed insufficiently “supportive” of national security or failing to police “extremism.” The order explicitly targets

minority-serving institutions and schools in “disadvantaged” regions. Meanwhile, the Justice and Education Dept. officials have leveraged Title VI to police campus speech: threatening to cut aid unless states certify no DEI is used to “advantage one race over another” and freezing research grants at schools (for example, Northwestern’s ~\$790M allocation and Harvard’s ~\$2.2B) after they resisted demands to rein in student activists.

Executive Order highlights:

1. “Ending Radical DEI Programs” (Jan 20, 2025)

- **Description:** This EO instructs all federal agencies to dismantle DEI offices, training, and equity-based initiatives, revoking Biden’s 13985 equity order.
- **Fact Check:** In practice, it immediately terminated federal DEI working groups, suspended race-conscious grants, and triggered broad chilling effects—even where agencies weren’t previously DEI-heavy.

2. Accreditation Overhaul EO (April 2025)

- **Description:** This EO mandates accreditors reject institutions that fail to meet new “neutrality” and anti-extremism standards, threatening federal funding for schools perceived as “woke.”
- **Fact Check:** The vague language allows DOE to politically target schools, especially those protecting protest speech or maintaining robust DEI programs—functionally coercing compliance through financial pressure.

3. Executive Order “Combating Antisemitism” (Jan 29, 2025)

- **Description:** This order reaffirms Title VI protections for Jewish students and establishes a DOJ-led Task Force on antisemitism in education.
- **Fact Check:** While billed as a civil rights initiative, it has overwhelmingly been used to investigate pro-Palestinian organizing, without parallel protections against Islamophobia or anti-Black racism.

4. DOE Title VI Certification Letters (Spring 2025)

- **Description:** The Department of Education sent directives demanding states and institutions certify that DEI practices do not lead to racial “discrimination.”
- **Fact Check:** These certifications are legally ambiguous but have functioned as intimidation

tools; states like Illinois refused, while others quietly complied under duress.

5. Funding Freezes and Lawsuits (Ongoing)

- **Description:** The administration froze research and program grants at schools like Harvard and Northwestern for failing to curtail certain student protests.
- **Fact Check:** Elite schools with endowments are suing under the First Amendment, but smaller institutions are censoring themselves to avoid losing critical operational funds.

Federal Legislation: Recently Proposed or Passed

1. “Academic Neutrality Act” (Introduced March 2025)

- **Description:** Prohibits any federal funding to universities that “promote political or ideological agendas,” targeting DEI language in curriculum and training.
- **Fact Check:** The bill’s vague language could be used to criminalize ethnic studies and racial justice work, and though not yet passed, it’s gained momentum in the House.

2. “Campus Free Expression Restoration Act” (Introduced February 2025)

- **Description:** Prohibits schools from allowing “disruption” of campus speakers, tying federal funding to adherence to a narrow definition of “viewpoint neutrality.”
- **Fact Check:** The act is marketed as protecting speech but is crafted to suppress student protest against right-wing speakers and has civil liberties groups deeply alarmed.

3. “DEI Transparency and Funding Accountability Act” (Expected May 2025)

- **Description:** Will require schools receiving federal funds to publicly disclose all DEI-related spending, partnerships, and staff roles annually.
- **Fact Check:** Though billed as “transparency,” it’s a surveillance tool being pushed by groups seeking to defund equity offices and target specific educators.



This scene's charged rhetoric mirrors the administration's framing of campus dissent as illegitimate—a politicized campaign of intimidation. Critics note that these actions (threatening universities with funding cuts, orchestrating hearings) are practically "McCarthyite," aimed at silencing students and faculty. In fact, while Title VI was meant to prevent racism, pro-Israel lobbyists and Trump appointees have transformed it into a "Trojan Horse" to label any pro-Palestine or anti-racist protest as antisemitism. Kenneth Marcus (Trump's former OCR chief) has openly advocated denying federal dollars to schools that allow "anti-Jewish harassment," effectively making funding conditional on suppressing pro-Palestinian speech. Campus free-speech advocates warn this will only accelerate: more hearings, more "threats to pull school funding," and more pressure to "squash protests," just as happened under the last Trump administration.

State-Level Anti-DEI Laws: Texas, Florida, and Beyond

Conservative state governments have led the charge to outlaw DEI in public higher ed. Florida's legislature (with Gov. DeSantis) passed a law banning any spending on DEI offices or initiatives at public colleges and even outlawed teaching that "distorts" history or includes identity politics. Texas's 2023 Senate Bill 17 (signed into law) forces public universities to shut down all DEI offices

and training, bans mandatory diversity statements for jobs, and forbids departments from asking about diversity commitments in hiring. Similar bills have been enacted or proposed across red states: Alabama, Idaho, North Dakota, Ohio, Utah, and others have banned DEI funding and programs (19 such bills passed as of April 2025). Even during Biden's term, laws like Tennessee's or Iowa's have restricted teaching "that one race is inherently privileged" or "that an individual should feel guilt solely because of race," echoing K-12 bans on Critical Race Theory. As the Chronicle tracker shows, 19 college-level anti-DEI laws have passed since 2023 (and more are pending in places like Kansas and Kentucky)—signaling a full-on legislative assault in the states.

Examples of state bans:

- **Florida (2023):**
 - Barred public universities from spending on DEI; forbade courses with identity politics/CRT.
- **Texas (2023):**
 - SB 17 requires closing all campus DEI offices and bans DEI training and diversity statements.
- **Iowa (2024):**
 - Enacted what observers call “the most extreme” campus DEI ban in the country (attacking diversity offices and programs).
- **Other states:**
 - North and South Dakota, Tennessee, Utah, Ohio, etc., have adopted similar prohibitions on DEI staff or spending.

These state laws not only mirror the federal narrative (“DEI = discrimination”), they also chill institutional practices. In many cases they explicitly invoke federal pressure or Title VI threats to justify their bans, exemplifying how conservative policymakers coordinate across levels. For instance, Florida’s bill was widely seen as part of a larger “woke indoctrination” agenda aligned with Trump’s complaints. Analysts warn that as long as such laws empower blaming DEI for every campus conflict, racialized students and faculty will bear the brunt—even as majority students and conservative speakers face few repercussions.

Pro-Equity Policies as Local Resistance

By contrast, progressive states and cities are doubling down on inclusive education. Illinois has emerged as a leader: in 2021 the State Board adopted Culturally Responsive Teaching and Leading Standards to embed anti-racist, culturally sustaining practices in teacher preparation. These standards “encourage future teachers...to engage in self-reflection, to get to know their students’ families, to connect the curriculum to students’ lives” – a direct counterpoint to the federal push to sanitize history. In Chicago, the Board of Education (Dec. 2024) rescinded its old multicultural policy and passed a new Culturally Responsive Education and Diversity (CRED) Policy, mandating “the integration of cultural responsiveness, linguistically responsive anti-racist, anti-bias, and diversity practices” across all schools. This policy is explicitly anchored in liberatory thinking and inclusive partnerships and even aligns with the state’s CRT standards.

Meanwhile, Mayor Brandon Johnson and the Chicago Teachers Union have publicly vowed to “never waver” in supporting Black history and culturally relevant curriculum, warning that any “whitewashing” of history is unacceptable.

While red flags have often symbolized radical critique, Chicago’s official stance is the reverse—its policies validate rather than punish students’ identities. For example, CPS’s new CRED policy requires all students to see their cultures reflected in the curriculum. By institutionalizing anti-racist and culturally responsive practices, Illinois and Chicago provide a protective envelope for educators and students: these local mandates counter federal overreach by making clear that equity work is not optional but state policy. In effect, state and district initiatives have created zones of resistance where diverse education continues to be valued, even as national directives threaten to withdraw support.

Accountability Tools

To track this turmoil objectively, equity advocates are turning to new metrics. The College & University Political Repressivity Index (CUPRI)—produced by my firm, “Green Book for Colleges & Universities”—rates 180 U.S. higher-ed institutions on their history of suppressing activism and complying with repressive policies. In CUPRI’s analysis, universities with high scores aren’t merely restrictive in a vacuum; they “reflect a broader, escalating crisis of Islamophobia, anti-Blackness, transphobia, and hate crimes.” In particular, CUPRI highlights how many campuses have surveilled or punished Black and Muslim student movements (e.g., Black Lives Matter, pro-Palestine). It even charts how schools have implemented Trump’s own EOs banning racial equity programs. On the corporate side, the Consumer Equity Index (CEI) assesses Fortune 100 companies for structural justice—across labor, environment, racial, and economic domains. This isn’t an ESG score. It’s not a performative checklist. Instead, CUPRI and CEI provide community-grounded yardsticks to hold institutions accountable: they illuminate who is resisting regressive pressures and who is capitulating. In the coming wave of “woke bashing,” such metrics will be crucial for organizers and consumers demanding transparency and consequences.

Impacts on Underfunded Institutions



All this rhetoric and rule-making hits hardest at already-struggling colleges. Take Chicago State University: a chronically underfunded HBCU that in 2016 had to cut 40% of its staff (saving \$13M) amid a budget crisis. CSU serves a mostly low-income, minority student body and has often teetered on accreditation sanctions. If federal funds or Title VI assistance are now contingent on dropping equity commitments, CSU (and similar institutions like Northeastern Illinois University) will face an existential squeeze. These schools rely heavily on federal support (Pell grants, Title I, minority-serving grants) and have few alternate revenue streams. Even a modest funding freeze—like the ones imposed on Northwestern and Harvard—would magnify CSU’s fiscal wounds. In short, under-resourced universities have the least capacity to comply with expensive new mandates or to withstand punitive measures. Critics warn that making DEI programs illegal effectively means divesting the very programs that helped these campuses function. The result will be larger class sizes, fewer support services, and ultimately fewer opportunities for the very students the DEI backlash claims to protect.

Lessons from History: COINTELPRO and Performative Repression



These developments echo darker chapters of U.S. history. As the CUPRI report reminds us, “political repression in higher education is neither new nor accidental.” In the 1960s-’70s, the FBI’s COINTELPRO program secretly spied on and sabotaged Black, anti-war, and other progressive student groups. Today’s tactics—public intimidation of protesters, investigating student clubs, threatening funding—are COINTELPRO-style moves under a 21st-century veneer. The atmosphere also recalls McCarthyism: congressional panels grilling universities, official denunciations of dissent, and pressuring administrators to conform. In fact, civil rights lawyers warn of “McCarthyite hearings” and a climate of fear that will “pressure universities to squash protests.” The Trump administration’s theatrics—from large-scale protests to “cults of personality” about race—feel almost like political theater (or, as some put it, “WWE-style” spectacle). But the stakes are real. When the White House boasts that the “grave train” of federal aid is ending, it’s effectively telling students and researchers that underrepresented voices will be silenced in the name of budget discipline. This blend of authoritarian posturing and hyper-patriotic rhetoric—labeling every campus mural or diversity statement as un-American—is a classic fascist gambit. As one commentator notes, today’s conservatism is performing an

image of strength while retreating on substance, a neoliberal performance that salutes equity in words but denies it in deeds. In sum, the crackdown is as much about sending a political message as implementing policy: it's repression as performance.

Forecast – The Next 3½ Years

Looking ahead, the constellation of forces we've described suggests an intensification of this conflict.

We predict:

1. **Escalating Legal Warfare:** More universities (like Harvard) will sue to block funding cuts, setting important precedents on Title VI and First Amendment limits. Watch for landmark court battles over whether the feds can withdraw aid without due process.
2. **Widening State Battles:** With Trump's blessing, more red states will adopt strict DEI bans (perhaps including new targeting of K-12 and teacher prep). Blue and purple states will respond with their own equity initiatives, producing a patchwork of conflicting laws likely resolved in federal courts or Congress.
3. **Surveillance and Policing of Activism:** The government may expand monitoring of campus protesters (e.g., by invoking anti-terror or material support statutes, as Trump has threatened) —echoing Project 2025 plans to use law enforcement against student radicals. Expect at least a push for comprehensive data collection on "bias incidents."
4. **Organizing and Counter-Movements:** On the positive side, student and faculty activism will grow. Facing repression, campus coalitions (like racial and religious solidarity networks) will become more unified. Local "sanctuary" policies (akin to how Chicago declared itself a sanctuary city for immigrants) might emerge for academic freedom and student organizing. Grassroots groups will lean heavily on tools like CUPRI/CEI to guide protests and boycotts.
5. **Accountability through Indices and Media:** Outrage over the backlash will energize investigative journalism and index-based accountability. New reports will rank governors and legislators by their DEI records. Colleges will feel pressure from alumni and parents (as 70% are at institutions graded poorly on equity metrics) to reinstate inclusive programs.
6. **Pivot or Persistence in 2028:** If Trump (or his allies) ultimately loses ground politically, the backlash may spur a re-legitimization of DEI frameworks. But if right-wing control persists (for example, via continued congressional victories), this repression could become normalized policy. Either way, the coming years will force communities to organize deeply or face erosion of educational equity.

None of these outcomes is preordained. History shows that heavy-handed crackdowns breed strong resistance (as with civil rights and Vietnam-era movements). The “war on DEI” is itself evidence of DEI’s staying power—if it truly were insignificant, it wouldn’t warrant such aggressive attacks. By wielding federal and state power to suppress anti-racist teaching, the rulers are engaging in what the poet Brecht called “masking” real class conflicts. Yet the wave of bans and orders also mobilizes a coalition of teachers, students, unions, and community groups who see through the facade.

In the long view, our work remains building that resistance and community-rooted equity. We reaffirm that education was never about protecting comfortable narratives; it is about empowering those most marginalized to speak truth to power. As long as there are students daring to demand justice and educators daring to teach it, these fascistic and neoliberal stunts will ultimately backfire. The fight for inclusive, liberatory education—and for all the human rights it embodies—is a generational struggle. We will continue to organize, to document, and to insist on democratic accountability at every level. The backlash may roar, but our long march for equity, community control, and liberation will endure far beyond any executive order or legislative session.

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