

HIGHER EDUCATION INFORMATION MEMO

AUGUST 21, 2025

Trump Administration Issues Memorandum Aimed at Requiring Colleges and Universities to Produce More Student and Applicant Data

On Aug. 7, 2025, the President issued a Memorandum to the Secretary of Education (“Memorandum”) titled “[Ensuring Transparency in Higher Education Admissions](#).” The Memorandum is a product of recent Administration priorities aimed at limiting or eliminating the use of race in college and university admissions.

The Trump Administration’s Memorandum relies on the Supreme Court’s June 2023 decision in *Students for Fair Admissions* (wherein the Court held that affirmative action programs that do not comply with the Court’s strict scrutiny standard violate the Constitution) for the premise that “the Supreme Court of the United States has definitively held that consideration of race in higher education admissions violates students’ civil rights.” The Memorandum states that colleges and universities engage in “rampant use” of certain “racial proxies” like diversity statements, which the Administration describes as “concern[ing]” and practices that “threaten our national security and well-being.”

The Memorandum directs the Secretary Of Education (the “Secretary”) to, within 120 days, “**expand the scope** of required reporting to provide adequate transparency into admissions....” To that end, it directs the Secretary to “**increase accuracy checks** of submitted data to ensure the validity of [the Integrated Postsecondary Education Data System] IPEDS data.” (Emphasis added.)

Coupled with the Memorandum, the Administration also released a [Fact Sheet](#), which explained the “lack of available admissions data from universities – paired with the rampant use of ‘diversity statements’ and other overt and hidden racial proxies – continues to raise concerns about whether race is actually used in admissions decisions in practice.” The sheet further touted the Administration’s efforts in “holding elite universities accountable,” through various agreements and settlements.

The Memorandum mandates the Secretary to “revamp the online presentation of IPEDS data, such that it is easily accessible and intelligibly presented for parents and students” and to, if necessary, “overhaul the IPEDS data collection portal to remove inefficiencies and better streamline the process to more efficiently organize and utilize the data received from the institutions.”

The [National Center for Education Statistics](#) (“NCES”) is the principal federal agency responsible for collecting, analyzing and reporting data on education in the United States. IPEDS, which is managed by NCES, constitutes the “core postsecondary education data collection program, designed to help NCES meet its mandate to report full and complete statistics on the condition of postsecondary education in the United States.” [NCES Handbook of Survey Methods](#), Integrated Postsecondary Education Data System (IPEDS).

IPEDS collects data annually via surveys from every postsecondary institution participating in federal student financial aid programs. Colleges and universities are already required to report certain information to IPEDS, including the race and ethnicity of their students, pursuant to the Higher Education Act and related regulations. Colleges and universities that do not comply with IPEDS reporting requirements are subject to penalties, including fines.

In a [notice seeking public comment](#) (the “Notice”) on the Memorandum, the Department of Education provides insight on the type of data it intends to collect. The Department indicates it plans to seek data based on, *inter alia*, students’ race, sex, high school GPA, test scores, time of application, types of application (early decision, early access or regular decision), ranges of family income, Pell Grant eligibility, parental education and financial aid status. The data that the Department intends to collect on financial aid awards will include both merit-based and need-based scholarships, and any financial aid from federal, state or local sources, disaggregated by a variety of factors, including admissions test scores, high school GPA, ranges of family income and whether the student was admitted via early decision, early action or regular admission. The Notice signals that a new IPEDS “Admissions and Consumer Transparency Supplement” (ACTS) survey component would be the means to collect this data, but not necessarily every institution would be required to participate.

The Notice explains that four-year institutions with “selective” admissions, as opposed to trade schools and community colleges, “have an elevated risk of noncompliance with the civil rights laws” and “in awarding scholarships because of their selectivity” and therefore would be subject to the ACTS survey component. The ACTS survey would seek data on undergraduate and graduate students for the five prior academic years to help “establish a baseline of admissions practices from before” the Supreme Court’s decision in *Students for Fair Admissions*.

The Notice seeks public input regarding (1) whether there are certain academic institutions or characteristics of academic institutions that make them at high or low risk of noncompliance to help the Department identify whether it should narrow or expand the scope of institutions required to complete the ACTS survey; (2) whether open enrollment institutions (community colleges and trade schools) are “at-risk of noncompliance with respect to scholarship awarding practices that provide preferential treatment based upon race;” and (3) the anticipated amount of time it would take to collect and submit the data requested by the ACTS survey. The public comment period ends Oct. 14, 2025.

In light of this Memorandum and Notice, colleges and universities should be prepared for increased government oversight with respect to their admissions and institutional aid practices as those practices may be reflected in the demographic data collected and reported via IPEDs surveys. Because a stated goal of the Administration is to make the presentation of IPEDS data more accessible, it is likely there will be an increase in complaints from students, parents and/or the public in addition to those initiated by the Department.

Bond will continue to update clients on this matter as the Department of Education implements the Memorandum. If you have any questions about what information needs to be collected in connection with this Memorandum, or what this may mean for your institution, please contact [E. Katherine Hajjar](#), [Samuel P. Wiles](#), any attorney in Bond’s [higher education practice](#) or the Bond attorney with whom you have regular contact.

