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Black Students and Parents Reach Victory in Challenge to Education Department's Anti-Opportunity "Dear Colleague Letter"

Today, the [Legal Defense Fund](#) (LDF) announced it reached a [settlement](#) on behalf of the National Association for the Advancement of Colored People (NAACP) challenging the U.S. Department of Education's anti-opportunity "Dear Colleague Letter," related "Frequently Asked Questions" (FAQ) document, certification requirement, and EndDEI portal. The [lawsuit](#) alleged that the Department sought to prohibit and chill lawful efforts to ensure equal educational opportunities for Black students, and that its guidance rested on a legally flawed interpretation of Title VI and the Equal Protection Clause. Prior on April 24, 2025, LDF and the NAACP successfully secured a preliminary injunction against the certification requirement. The settlement follows the Trump Administration's decision to vacate its appeal in a related challenge.

As part of the settlement, the Education Department agreed that it will no longer rely on the "Dear Colleague Letter" or its certification requirement, nor will it attempt to enforce or reinstate them under a different name. The Department also agreed not to use their "End DEI" portal or related FAQ document. The settlement also preserves the NAACP's [preliminary injunction win](#), which recognized students' right to receive information free from vague prohibitions. The settlement affirms Black students' right to equal opportunity in classrooms and extracurricular activities, including access to inclusive and accurate curricula, selective programs, affinity groups, and policies that foster a sense of belonging.

"This settlement marks a critical step toward protecting the promise of equal education for Black and Brown students, which was jeopardized by the Department's misguided and harmful directives," said **Janette McCarthy Wallace, General Counsel at the NAACP**. "We are deeply grateful to the student and parent members of the NAACP across the country who had the courage to stand up, speak out, and challenge policies that threatened their rights. Their bravery helped stop efforts to roll back decades of civil rights progress and protecting equal opportunity for children of color across the country."

"We are pleased that this settlement resolves the chaos and uncertainty caused by the Department's flawed guidance, which was inconsistent with longstanding civil rights law and harmed efforts to protect Black students and families," said **Rachel Kleinman, Deputy Director of Litigation at LDF**. "By speaking out and refusing to allow these harmful policies to stand, our clients secured a crucial victory. This settlement ensures students of color can learn in environments that are inclusive, supportive, and consistent with their constitutional and civil rights."

This settlement follows opinions in three separate lawsuits, including in this case, in which federal district courts rejected the Trump Administration’s unlawful interpretation of Title VI as prohibiting curricula related to race, race-neutral admissions policies for selective programs, affinity groups, and other programs and policies that afford students an equal education.

“Title VI protects students’ right to receive an equal education and often requires the very programs that the Trump administration claims it prohibits. Should the Education Department attempt to advance this misguided interpretation again to attack schools and students, we stand ready to challenge it as unlawful,” **said Katrina Feldkamp, Assistant Counsel at the Legal Defense Fund.**

LDF also led [previous advocacy](#) challenging the U.S. Department of Education’s efforts to dial back progress towards racial justice, [including a letter](#) signed by more than 60 civil rights organizations calling on the agency to rescind its harmful “Dear Colleague” letter and subsequent FAQ.

[Read](#) the full settlement.

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Founded in 1940, the [Legal Defense Fund \(LDF\)](#) is the nation’s first civil rights legal organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957, though it was founded under the leadership of Thurgood Marshall while he was at the NAACP. LDF’s Thurgood Marshall Institute (TMI) is a division of LDF that undertakes innovative research and houses LDF’s archive. In all media attributions, please refer to us as the Legal Defense Fund or LDF (do not include NAACP) and refer to the Institute as LDF’s Thurgood Marshall Institute or TMI.