

A NEW DEAL FOR YOUTH

September 21, 2026

Office of Postsecondary Education
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202

Re: Comments on Notice of Proposed Rulemaking [Docket ID ED-2025-OPE-1042]

A New Deal for Youth is glad to provide public comment in response to the Department of Education's notice of proposed rulemaking, titled "Accreditation, Innovation, and Modernization: Secretary's Recognition of Accrediting Agencies; Institutional Eligibility under the Higher Education Act, as Amended, Student Assistance General Provisions."

A New Deal for Youth (ND4Y) is a youth-led effort advocating for the creation of new systems, policies, investments, and structures that reimagine life for young people in America. We are youth and young adults, ages 16-30, who embody the diversity of our country. We hail from urban, suburban, rural, and tribal communities across the United States, the District of Columbia, and Puerto Rico.

A large number of our members are current students or alumni of public and private colleges and universities. We rely on the accreditation process to ensure that we receive quality education, that employers and other postsecondary institutions will recognize the course credits and degrees that we work hard to earn, and that we will remain eligible for the federal financial aid that makes attendance and graduation possible for many of us.

Our comment responds to the proposed rule's target on activities this administration considers "DEI" or "illegal discrimination." Recent changes in federal policies surrounding these issues form the backdrop for this proposal regarding higher education accreditation. As young people, we pay attention to these policy changes not because every DEI program is automatically good or every federal restriction is automatically harmful, but because the rules being created today will shape what universities and other institutions are able — and willing — to do tomorrow.

The question is not simply whether we support or oppose DEI. The deeper question is: what happens to students when the policies designed to address unequal starting points become harder to sustain?

When Equality Doesn't Mean the Same for Everyone

This proposed rule change is not happening in isolation; it is occurring alongside broader federal efforts to redefine how institutions can approach race, diversity, equity, and inclusion. The Internal Revenue Service is now part of that conversation as well: In September 2026, the Treasury Department and the IRS proposed regulations that could affect the tax-exempt status of private schools that engage in activities this administration considers racial discrimination ([Docket: IRS-2026-1189](#)).

These developments raise an important question: Where do we draw the line between preventing discrimination and addressing inequality? That distinction matters.

Scholarships, mentorship programs, support services, and other resources designed to help students facing greater barriers are not about excluding everyone else. In fact, IRS guidance has historically recognized that certain financial assistance programs and other policies favoring racial minority groups may be consistent with a school's nondiscrimination policy "when the purpose and effect is to promote the establishment and maintenance of that school's racially nondiscriminatory policy as to students." ([Rev. Proc. 75-50](#))

The challenge is that the federal government is increasingly scrutinizing programs that take race or other protected characteristics into account. That scrutiny may lead institutions to reconsider programs that were created to address disparities and designed with the goal of expanding access and opportunity, not limiting it – as a truly illegal and discriminatory policy would do.

And this is where the conversation becomes bigger than DEI.

Equity does not mean giving everyone the exact same resources regardless of their circumstances. It means recognizing that people do not always begin from the same place and asking what conditions are necessary for everyone to have a meaningful opportunity to succeed.

We have to ask: What would this rule mean for students who already enter college facing barriers that others may never have to face?

For a student who has to overcome greater financial, academic, or social barriers, additional support is not an advantage over another student. It can mean being able to enroll, remain in college, graduate, and build a future that might otherwise be harder to reach.

For example, one member of our group is an HBCU alumna who is currently attending graduate school through an equity program that supports HBCU graduates and other underrepresented students. Without this opportunity, graduate school may not have been financially possible for her. Programs like these expand access and allow students from different backgrounds to bring

their experiences and perspectives into academic spaces. Policies that put these programs at risk could limit opportunities for students and ultimately weaken higher education as a whole.

Political Interference

Threatening accrediting agencies with the revocation of their official recognition if they consider DEI mandates and overlook intellectual diversity seeks to align the academic landscape with the traditional and conservative agenda of the current administration. While every individual has the right to hold and have their own ideological convictions respected, one cannot ignore the persistence of systemic inequalities based on race, gender, and social class that largely shape the conditions that marginalized groups face. DEI policies in higher education bring visibility to and validate these realities, granting historically marginalized communities the opportunity to access a quality education that truly represents them in light of their historical context.

This structural reform also poses a threat to student life on an operational level. Students attending universities that operate without officially recognized accreditation will lose access to financial aid and student loans, making tuition costs difficult to afford. Furthermore, credit transfer procedures will be compromised, as students wishing to transfer to other institutions will be unable to validate their coursework due to a lack of academic standing with the Department of Education. This impact extends to workforce entry as well, given that graduates will face significant obstacles securing employment if their degrees lack official accreditation.

The university experience should not be dictated by ideological battles in the corridors of power. This stage ought to be an opportunity for students to reach their full potential and understand the world and its diverse realities from all possible perspectives, grounded in solidarity and mutual respect. The Department of Education's proposed structural reform threatens this foundational experience. For the reasons outlined above, we recommend that the proposal's restrictions on programs and policies that support diversity, equity, and inclusion in postsecondary student bodies do not move forward.

Respectfully submitted,

A New Deal for Youth