

Dept. of Justice: AG Kaul sues Trump administration to stop unlawful data demand to colleges and universities

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MADISON, Wis. – Attorney General Josh Kaul on Wednesday joined a coalition of 17 attorneys general in challenging the Trump Administration’s demand that higher education institutions provide extensive new data via the Integrated Postsecondary Education System (IPEDS), a survey administered by the Department of Education (ED). The coalition argues the rushed implementation of the new data request leaves institutions vulnerable to unreliable data analysis that could lead to costly penalties and baseless investigations into their practices, and that the survey jeopardizes student privacy by requesting in-depth information about individual students.

“The Trump administration has rushed forward with an effort to advance an ideological agenda without sufficiently accounting for the potential consequences from this rushed effort,” said AG Kaul. “The new data requirements, which don’t take student privacy or the importance of getting reliable data seriously enough, should not stand.”

Administered through ED, IPEDS is a mandatory survey that gathers data from colleges, universities, and technical and vocational programs participating in federal student financial programs. On August 7, 2025, President Trump issued a memo stating that IPEDS would now become a tool to track “consideration of race in higher education” and investigate universities’ compliance with *Students for Fair Admissions v. Harvard*.

Following the memo, ED Secretary Linda McMahon announced new requirements for institutions demanding they report data via IPEDS disaggregated by race and sex

and retroactively report data from the current academic year and the previous six years. On December 18, 2025, after the coalition provided comments strongly opposing the new rules, the Trump Administration finalized the new requirements. The deadline for institutions to provide the new data is March 18, 2026.

In the [lawsuit](#), AG Kaul and the coalition argue that the ED's rushed implementation of the new data requirements fails to comply with statutory procedural requirements, ignores the burden placed on institutions and increases the possibility of unreliable conclusions based on the data.

Moreover, the coalition argues the new data demands jeopardize student privacy and could lead to individuals' being identified. Many institutions have data protection obligations to their students, which are placed at risk by the Administration's new IPEDS demands.

The attorneys general argue the Trump Administration's actions are contrary to law, fail to observe the procedure required by law, and are arbitrary and capricious. They argue the implementation of the new data requirements was unlawful and will place an undue burden on colleges and universities.

Joining AG Kaul in filing this lawsuit are the attorneys general of California, Colorado, Connecticut, Delaware, Hawai'i, Illinois, Maryland, Massachusetts, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, Virginia, and Washington.