

DR. CADE BRUMLEY
STATE SUPERINTENDENT



P.O. BOX 94064
BATON ROUGE, LA 70804-9064

LOUISIANA DEPARTMENT OF EDUCATION

LEGAL OBLIGATIONS UNDERTAKEN IN EXCHANGE FOR RECEIVING FEDERAL FINANCIAL ASSISTANCE AND REQUEST FOR CERTIFICATION UNDER TITLE VI AND *SFFA V. HARVARD*

The United States Department of Education (ED), under the leadership of President Donald Trump and Secretary Linda McMahon, issued a national directive regarding discriminatory practices and certain activities relative to diversity, equity, and inclusion (DEI). Their order requires each state superintendent to sign an affidavit certifying the absences of such policies and practices within their respective states. To ensure compliance across each local school system, I am requesting that you, in turn, sign this assurance set and return to the Louisiana Department of Education (LDOE) this week. Your failure to verify could jeopardize federal funding and limit my ability to unequivocally proclaim Louisiana's school systems and schools as being void of practices referenced by ED.

As a recipient of federal funds, you should confer and consult with your legal counsel to determine if any activities within your system are discriminatory. Federal funds may not be released to your local education agency (LEA) in the absence of the following signed assurances:

1. The LEA ensures its current and future compliance with all federal statutes regarding nondiscrimination, including, but not limited to, Title VI of the Civil Rights Act of 1964, which provides that "[n]o person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance¹."
2. The LEA acknowledges that Executive Order 14151², "Ending Radical and Wasteful Government DEI Programs and Preferencing," seeks to terminate all discriminatory programs, including DEI programs and activities, "diversity, equity, inclusion, and accessibility" (DEIA) mandates, policies, programs, preferences within the United States of America.
3. The LEA acknowledges that ED's Dear Colleague Letter³ (DCL), dated February 14, 2025, seeks to clarify the nondiscrimination obligations of schools and other entities that receive federal financial assistance from ED. The LEA acknowledges ED's DCL seeks to reaffirm that discrimination on the basis of race, color, or national origin is, has been, and will continue to be illegal. The LEA further confirms receipt of LDOE's letter, dated February 19, 2025⁴, providing notice of ED's interpretation and potential implications.
4. The LEA acknowledges that ED's Title VI Certification Letter⁵, dated April 4, 2025, details LEAs' legal obligations accepted in exchange for receiving federal financial assistance, requests LEA certification under Title VI and *SFFA v. Harvard*, and outlines the consequences of violating Title VI, including the use of DEI programs to advantage one race over another.

¹ 42 U.S.C. § 2000d. The United States Department of Education's regulations regarding Title VI further state that a recipient of federal funds may not, "on ground of race, color, or national origin ... [r]estrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program." 34 C.F.R.

² <https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/>

³ <https://www.ed.gov/fzmedia/document/dear-colleague-letter-sffa-v-harvard-109506.pdf>

⁴ <https://doe.louisiana.gov/docs/default-source/links-for-newsletters/dr-cade-brumley's-letter-to-system-leaders-02192025.pdf>

⁵ <https://www.ed.gov/media/document/reminder-of-legal-obligations-undertaken-exchange-receiving-federal-financial-assistance-and-request-certification-under-title-vi-and-sffa-v-harvard-april-3>

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5. The LEA shall cooperate in any enforcement or compliance review activities by ED of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The LEA shall comply with information requests, on-site compliance reviews, and reporting requirements.
6. Failure to submit an accurate certification by the stated deadline or the continued use of illegal DEI practices could result in, but not be limited to, the termination of federal funds to the LEA that engages in such conduct and/or substantial liabilities, including the potential initiation of litigation for breach of contract by the Department of Justice in connection with civil rights guarantees contained in federal contracts and grant awards seeking to recover previously received funds paid to them under these contracts and grants.
7. The LEA acknowledges and agrees that it must require subgrantees, contractors, subcontractors, transferees, and assignees to comply with assurances 1-6 above⁶.

The LEA must email this signed assurances document to LDOE.FederalGrants@la.gov by Monday, April 21, 2025.

The undersigned officials certify that the officials have read and understand the LEA's obligations as herein described, that any information submitted in conjunction with this signed assurances document is accurate and complete, and that the LEA is in compliance with the aforementioned nondiscrimination requirements.

Signature of System Leader

Date Signed

Signature of Board President

Date Signed

⁶ Federal regulations require that "[t]he Federal agency or pass-through entity must manage and administer the Federal award in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with the U.S. Constitution, applicable Federal statutes and regulations—including provisions protecting free speech, religious liberty, public welfare, and the environment, and those prohibiting discrimination—and the requirements of this part. The Federal agency or pass-through entity must communicate to a recipient or subrecipient all relevant requirements, including those contained in general appropriations provisions, and incorporate them directly or by reference in the terms and conditions of the Federal award." 2 CFR § 200.300(a).