



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING


GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: April 24, 2025

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Michael F. Rice, Ph.D., State Superintendent 

SUBJECT: Favorable Rulings in Title VI Court Cases

Today two separate courts issued rulings favorable to plaintiffs who sued regarding U.S. Department of Education actions to require certification of compliance with Title VI of the Civil Rights Act of 1964.

One was [today's court ruling](#) in *National Education Association (NEA), et al. v. U.S. Dept. of Education, et al.*, Case No. 1:25-cv-00091-LM, Doc. 74 (D.N.H. Apr. 24, 2025).

This court ruling is for a preliminary injunction enjoining the defendants, including the U.S. Department of Education, from:

enforcing and/or implementing the Dear Colleague Letter issued on February 14, 2025, including through the February 28, 2025 'Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act of 1964,' the End DEI Portal, and the April 3, 2025 certification requirement, against the plaintiffs, their members, and any entity that employs, contracts with, or works with one or more plaintiffs or one or more of plaintiffs' members.

According to the order, the injunction applies not only to the NEA and its co-plaintiffs, but also to its members and any entity that employs, contracts with, or collaborates with them. This means that the U.S. Department of Education and its officials are temporarily barred from enforcing or implementing the February 14 Dear Colleague Letter, the February 28 FAQ, the End DEI Portal, and the April 3 certification directive against this broader group.

This ruling is significant because a preliminary injunction can only be granted if, among other things, a court determines that the plaintiffs are likely to succeed on the merits of the case. As noted in the decision:

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To obtain a preliminary injunction, the movant must demonstrate that: (1) **it is likely to succeed on the merits**; (2) it is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities is in the movant's favor; and (4) an injunction is in the public interest. (*Emphasis added.*)

The second ruling is in the case *American Federation of Teachers (AFT), et al. v. U.S. Dept. of Education (ED), et al.*, Case No. 1:25-cv-00628 (D.Md. Apr. 24, 2025), granting a temporary stay of the Dear Colleague Letter issued February 14. As it relates to the Dear Colleague Letter, the court determined that the AFT plaintiffs "are likely to succeed on the merits of their Administrative Procedure Act ('APA') claim, have demonstrated that they will be irreparably harmed absent preliminary relief, and have shown the equities and public interest favor them."

Accordingly, the court stayed the implementation of the February 14 Dear Colleague letter as to "the plaintiffs, their members, and any entity that employs, contracts with, or works with one or more plaintiffs or one or more of plaintiffs' members" until the case is finally resolved. You can read the [memorandum opinion](#) and [the order](#).

This memo is for information purposes only and does not constitute legal advice. You are encouraged to share this information with your legal counsel. Each district should consult with its own legal counsel to determine how these court rulings may apply to the district and what actions, if any, should be taken in response to them.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors