



May 13, 2025

U.S. Department of Education  
Office of the General Counsel  
400 Maryland Avenue, SW  
Washington, D.C. 20202

To whomever it may concern,

This is a federal Civil Rights complaint filed under the U.S. Department of Education's Office for Civil Rights ("OCR") Complaint Resolution Process against the Council for Accreditation of Counseling and Related Educational Programs ("CACREP"), located at 500 Montgomery Street, Suite 350, Alexandria, Virginia 22314.

The Foundation Against Intolerance & Racism (FAIR) is a nonpartisan, nonprofit organization dedicated to advancing civil rights and liberties, and promoting a common culture grounded in fairness, understanding, and humanity. As an interested third party, FAIR alleges that CACREP's accreditation standards and practices violate the First Amendment and the Equal Protection Clause of the Fourteenth Amendment by compelling ideological conformity and creating a hostile educational environment for students in CACREP-accredited programs at federally funded institutions.

## **Basis of the complaint**

CACREP standards require counseling programs to evaluate a student's "dispositions," defined to include [values and beliefs](#). This framework enables practices that compel students to adopt specific ideologies, penalize dissenting views, and discriminate based on protected characteristics like religion or race. Such requirements undermine constitutional protections and harm students' academic and professional prospects.

## **Specific Allegations**

**Coerced Ideological Compliance:** CACREP's standards mandate that students affirm controversial race-based ideologies, such as "whiteness" or "privilege," through confessional exercises. Refusing to participate may result in academic sanctions which chill free speech and critical inquiry in violation of the First Amendment.

**Hostile Educational Environment:** Required ideological exercises marginalize students whose beliefs—religious or otherwise—conflict with CACREP's frameworks. For instance, a FAIR member in a CACREP-accredited program faced academic pressure and stigmatization for questioning training that clashed with her Buddhist principles, ultimately being forced to apologize for her deeply held religious

beliefs.

**Discrimination Based on Protected Characteristics:** By tying accreditation to race-conscious ideologies, CACREP's standards disproportionately pressure certain racial or ethnic groups to conform, fostering unequal treatment in violation of Title VI of the Civil Rights Act.

**Precedent and Ongoing Harm:** These practices have persisted despite legal precedent condemning similar ideological requirements. In *Ward v. Polite*, 667 F.3d 727 (6th Cir. 2012), the Sixth Circuit held that dismissing a student for religious beliefs conflicting with program ideology may violate First Amendment rights. Yet, CACREP-accredited programs continue to impose these requirements, harming students' academic and professional prospects and undermining the integrity of counselor education.

**Conflict with Federal Policy:** The April 23, 2025, [Executive Order to Reform Accreditation](#) demands constitutional compliance in accreditation practices. CACREP's ideological requirements defy this mandate, enabling coercion in federally funded programs.

## Harm Caused

CACREP's practices harm students by:

- Violating their First Amendment rights to free speech and free exercise of religion.
- Creating a discriminatory and hostile educational environment based on race or ethnicity, in violation of Title VI of the Civil Rights Act.
- Undermining critical thinking and independent thought, which are essential for future counselors to serve diverse communities effectively.
- Threatening students' academic and professional futures through punitive measures for nonconformity.

These practices also damage the credibility of counselor education and the broader academic system by prioritizing ideological conformity over merit and diversity of thought.

## Requested Remedies

We respectfully call on the DOE to:

- Investigate CACREP's standards, particularly evaluations of students' values and beliefs.
- Issue guidance or directives to CACREP to eliminate compelled speech and ideological conformity in its accreditation standards.
- Consider withholding federal funding from any programs engaging in compelled speech.
- Review accreditation practices nationwide to ensure compliance with constitutional principles, as emphasized by the 2025 Executive Order.
- Provide any other relief deemed appropriate to remedy the violations and protect students' civil liberties.

Immediate action is needed to ensure accreditation standards uphold free speech, protect students' civil liberties, and preserve the integrity of our academic institutions.

Forcing ideology onto students doesn't just violate free speech; it also damages the credibility of our academic institutions. FAIR stands ready to support this effort with additional information or assistance to help protect students' civil liberties and create a genuinely inclusive environment.

Thank you for addressing this important issue.

Very truly yours,

Monica Harris

*Monica Harris*

Executive Director

Foundation Against Intolerance & Racism