U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

ASSISTANT SECRETARY FOR
FAIR HOUSING AND EQUAL OPPORTUNITY

June 23, 2026

Dear Colleague:

I write to highlight a disturbing trend on America's university and college campuses—the rise of institutionalized separatism on the basis of race—and remind educational institutions and fair housing organizations of the requirements of the Fair Housing Act.[1]

For decades, American youth had the privilege of growing up in a post-civil rights movement America completely removed and repaired from its past tolerance for racial injustice. Rather than celebrate this remarkable victory for the Nation, its citizens, and its colorblind constitutional principles, many institutions of higher learning have propagated the pernicious idea that racial and ethnic divisions are a healthy—indeed, desirable—part of our national life. On campus, this has taken the form of racially separate residences, orientation programs, and graduation ceremonies. There is a term for these arrangements: neo-segregation.

In 2016, for instance, California State University, Los Angeles reportedly began offering "Black-Only" housing to students.[2] That same year, the housing website for the University of California, Berkely featured "a picture of black students" in a segregated dormitory alongside the statement: "I enjoy being around peers who look like me."[3] The outrage that would follow from pairing the same statement with a picture of white students in a dormitory is not difficult to imagine. And for good reason: decent Americans will not tolerate the morally contemptible project that is race segregation—and neither does federal law. Yet educational institutions persist and deploy dissembling terminology to facilitate this conduct.

Universities employ focus-group tested words and phrases, such as "diversity," "multiculturalism," "safe spaces," and "intersectional allyship," that not only encourage neo-segregationist schemes but undermine the integrationist aspiration of one American people, united by the common bonds of shared citizenship, bounty, and

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[1] This guidance does not have the force and effect of law and does not bind the public or create new legal standards. This document is designed to provide clarity to the public regarding existing legal requirements under the Fair Housing Act.

[2] *Segregation or Sanctuary? Black-Only University Housing Draws Criticism*, CBS NEWS SACRAMENTO (Sept. 8, 2016), https://www.cbsnews.com/sacramento/news/segregation-or-sanctuary-black-only-university-housing-draws-criticism/.

[3] Hank Adler, *Promoting and facilitating segregated student housing . . . in 2016?*, LOS ANGELES DAILY NEWS (Aug. 26, 2016), https://www.dailynews.com/2016/08/26/promoting-and-facilitating-segregated-student-housing-in-2016/ (internal quotation marks omitted).

sacrifice, and governed by the Constitution—"the greatest political privilege that was ever accorded to the human race."[4]

These jargonistic words and concepts are also designed to immunize universities that engage in these potentially unlawful discriminatory practices. As the late Justice Antonin Scalia observed, while "talk[ing] the talk of multiculturalism and racial diversity in the courts," many institutions of higher education instead "walk the walk of tribalism and racial segregation on their campuses—through minority-only student organizations, separate minority housing opportunities, separate minority student centers, even separate minority-only graduation ceremonies."[5] But the Fair Housing Act unequivocally prohibits segregating dwellings based on race.[6]

The Fair Housing Act provides that "it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States."[7] To this end, the Act makes it unlawful "to refuse to sell or rent" or to "make unavailable or deny" housing to anyone because of race, color, religion, sex, familial status, national origin, or handicap.[8] Schools, colleges, and universities that provide housing for their students must adhere to the Fair Housing Act.[9]

The United States Department of Housing and Urban Development will no longer tolerate the unlawful racial discrimination in university housing that has gone on for far too long in this Nation's educational institutions.[10] Racial segregation was a moral abomination when it was demanded by the majority in certain regions of the United States many decades past. It is no less morally outrageous when it is demanded by other racial groups today.

The law is clear: When educational institutions permit the existence of racially segregated student housing—or openly encourage separation on the basis of race, color, or national origin, advertise a discriminatory preference, or have policies that

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[4] Calvin Coolidge, Speech, Dinner at the White House (Dec. 12, 1924), https://coolidgefoundation.org/quote/quotations-c/.

[5] *Grutter v. Bollinger*, 539 U.S. 306, 349 (2003) (Scalia, J., concurring in part and dissenting in part).

[6] Educational institutions that receive federal funds are also prohibited from discriminating on the basis of race, color, or national origin under Title VI of the Civil Rights Act of 1964. 42 U.S.C. § 2000d, *et seq*. Likewise, "the Equal Protection Clause of the Fourteenth Amendment provides that no State shall deny to any person within its jurisdiction the equal protection of the laws," and this "central mandate" requires "racial neutrality in governmental decisionmaking." *Miller v. Johnson*, 515 U.S. 900, 904 (1995) (cleaned up).

[7] 42 U.S.C. § 3601 (cleaned up).

[8] *Id.* at § 3604(a), (f)(1).

[9] *See, e.g., United States v. Univ. of Neb. at Kearny*, 940 F.Supp.2d 974, 979-81 (D. Neb. 2013) (holding that dormitories are covered dwellings under the Fair Housing Act).

[10] The problem is decades old. In 1996, for instance, Wesleyan University "decided to fill nine empty spaces at Malcolm X house with whites, but backed down when black students objected to living with anyone of another race. The problem was solved by consigning several white students to the basement of the philosophy building." Stephan Thernstrom & Abigail Thernstrom, *Reflections on the Shape of the River*, 46 UCLA L. REV. 1583, 1610 (1999).

discourage students from one race, ethnicity, or nationality from living with students who do not share those characteristics—they violate the Fair Housing Act.

The Department will ensure maximum accountability for educational institutions violating the Act. No euphemism, woke rationalization, or appeal to "safe spaces," "affinity housing," or "cultural celebration" will shield universities from liability where intentional unlawful discrimination is found. We will pursue every available remedy to bring discriminatory institutions into compliance, including, without limitation, compensatory and punitive damages, civil penalties, and injunctive relief.[11]

Anyone who believes unlawful discrimination is transpiring within university, college, or school housing may file a complaint with the Office of Fair Housing and Equal Opportunity. Information about filing a complaint with my office, including a link to the online complaint form, is available here.

Thank you in advance for your commitment to providing our Nation's students with an educational environment that is free from unlawful discrimination.

Sincerely,

/s/
Craig Trainor
Assistant Secretary for
Fair Housing and Equal Opportunity

[11] 42 U.S.C. §§ 3612-3614. Counsel for intervening parties can recover reasonable attorney's fees and costs if they substantially contribute to the success of the litigation.