

NACAC on ACTS: Federal Court Ruling Pauses Implementation in 17 States

A federal district court has issued a preliminary injunction in [*Massachusetts v. U.S. Department of Education*](#), pausing implementation of the [Admissions and Consumer Transparency Supplement \(ACTS\)](#) for public institutions in 17 states: California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, Virginia, Washington, and Wisconsin.

The court found that, while the U.S. Department of Education has the authority to collect admissions data, the manner in which ACTS was developed and implemented — under a compressed timeline and without sufficient opportunity for stakeholder engagement — likely violates federal law. Specifically, the court determined that the rollout was “arbitrary and capricious,” citing concerns around data quality, institutional burden, lack of clear guidance, and risks to student privacy.

As a result of this ruling, institutions in the 17 plaintiff states are not currently required to submit ACTS data while the case proceeds. However, the broader landscape remains unsettled. A hearing is scheduled for April 13 to consider whether the Association of American Universities and the Association of Independent Colleges and Universities in Massachusetts may join the case — raising the possibility that relief could extend beyond the initial states.

For institutions outside of the 17 states, prior federal guidance remains in effect. The original deadline of March 31 has passed, and institutions that requested and received an extension from the Education Department have until April 8 to submit their data.

Since the introduction of ACTS, NACAC has been actively engaged in raising concerns about the scope, timeline, and implementation of this new reporting requirement. Through public comments, coalition advocacy, and direct engagement with policymakers, NACAC has consistently emphasized the importance of transparency that is both meaningful and workable — grounded in clear definitions, sufficient time for implementation, and protections for student privacy. We also called for additional time to ensure data accuracy and integrity, recognizing the significant operational burden this survey places on institutions.

This ruling reflects many of the concerns NACAC and our partners have raised from the outset. It underscores the importance of a deliberate, collaborative approach to federal data collection — particularly when requirements are as expansive and complex as ACTS.

For NACAC members, this moment brings both temporary relief for some institutions and continued uncertainty for others. We recognize the challenges this creates for college admission counseling professionals and institutions working to support students in an already complex environment. NACAC will continue to monitor developments closely, provide timely updates, and advocate for policies that prioritize clarity, feasibility, and student-centered outcomes.