Patterson Belknap

Patterson Policy Watch – A Resource for the Nonprofit Sector

Welcome to the *Patterson Policy Watch*, which tracks key legal and policy developments that matter to the nonprofit sector. In response to the rapidly evolving landscape under the new presidential administration, Patterson Belknap's Tax-Exempt Organizations Group is highlighting executive actions, agency directives, legislative updates, and judicial responses that have the potential to impact nonprofit organizations and the communities they serve.

Below is a digest of select developments from the past week through October 26, 2026, which are organized broadly by issue area. We note that this is not a comprehensive list of all updates that may potentially be relevant to tax-exempt organizations. We will continue to provide regular updates to the *Patterson Policy Watch* to help you anticipate and navigate policy and legal developments. You can also view prior editions of the *Patterson Policy Watch* here.

Education

- October 21: The Department of Justice (DOJ) announced its findings that Ohio State University College of Medicine (OSU Medicine) intentionally discriminated against white and Asian applicants in its admissions practices, in violation of Title VI of the Civil Rights Act of 1964 (Title VI), as interpreted by the Supreme Court's decision in *Students for Fair Admissions v. Harvard*, 600 U.S. 181 (2023) (the *Harvard* decision). Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial aid. The *Harvard* decision prohibits the use of race in higher education admissions decisions and was covered in our firm's July 5, 2023 client alert. The DOJ's findings letter states that OSU Medicine intentionally discriminated "against certain applicants, particularly Asians, to benefit preferred race classes of black and Hispanic" through its admissions practices, including in its process for selecting applicants to interview and in granting admission to applicants who were not required to be screened for an interview or interviewed. The DOJ's findings letter also states that OSU Medicine's admissions officers used race proxies after the *Harvard* decision, including proxies based on socioeconomic disadvantage, to make admissions decisions. The DOJ "seeks to enter into a voluntary resolution agreement" with OSU Medicine, and, if those efforts fail, "the Department will file suit." Ohio State University issued a statement that it "strongly disagrees with the findings" and "will contest" them.
    - The DOJ's findings regarding the University of California, Davis School of Medicine, on whose methodology OSU Medicine's socioeconomic disadvantage score was modeled, were covered in the June 16, 2026 issue of the *Patterson Policy Watch*. For more coverage of the DOJ's investigations into medical school admissions, please see the May 12, 2026, May 19, 2026, and June 9, 2026 issues of the *Patterson Policy Watch*.

Patterson Belknap is a firm of approximately 200 lawyers based in New York, delivering a full range of services centered around three areas: litigation and disputes, corporate and transactions, and the legal needs of tax-exempt organizations and private clients.

Unsubscribe | Update my email preferences | Follow us on LinkedIn

This alert is for general informational purposes only and should not be construed as specific legal advice. If you would like more information about this alert, please contact one of the following attorneys or call your regular Patterson contact.

Laura E. Butzel	212.336.2970	lebutzel@pbwt.com
Robin Krause	212.336.2125	rkrause@pbwt.com
John Sare	212.336.2760	jsare@pbwt.com
Susan M. Vignola	212.336.2256	svignola@pbwt.com
Justin S. Zaremby	212.336.2194	jszaremby@pbwt.com
Tiffany N. Tam	212.336.2520	ttam@pbwt.com
Peter B. Franklin	212.336.2978	pfranklin@pbwt.com
Jack McGlone	212.336.2974	jmcglone@pbwt.com
Colleen O'Leary	212.336.2516	coleary@pbwt.com

To subscribe to any of our publications, call us at 212.336.2813, email info@pbwt.com, or sign up on our website, https://www.pbwt.com/subscribe/.

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 www.pbwt.com

Copyright © 2026 Patterson Belknap Webb & Tyler LLP. All rights reserved.
This publication may constitute attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.