



Inspiring all girls
to be strong,
smart, and bold

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As of January 31, 2017

September 20, 2017

Hilary Malawer
U.S. Department of Education
400 Maryland Avenue SW, Room 6E231
Washington, DC 20202

Submitted Electronically

Attention: ED-2017-OS-0074-0001

Dear Ms. Malawer:

We appreciate the opportunity to comment on the Department of Education's request for comments on regulations that may be appropriate for repeal, replacement or modification, in accordance with Executive Order 13777.

Girls Inc. inspires all girls to be strong, smart, and bold. Our comprehensive approach to whole girl development equips girls to navigate gender, economic, and social barriers and grow up healthy, educated, and independent. These positive outcomes are achieved through three core elements: people - trained staff and volunteers who build lasting, mentoring relationships; environment - girls-only, physically and emotionally safe, where there is a sisterhood of support, high expectations, and mutual respect; and programming - research-based, hands-on and minds-on, age-appropriate, meeting the needs of today's girls. Informed by girls and their families, we also advocate for legislation and policies to increase opportunities for all girls.

Last year, Girls Inc. served approximately 150,000 girls ages 5-18, primarily through after-school and summer programming delivered by our 82 affiliates in 30 U.S. states and in Canada. Almost 70 percent of the girls we serve come from households with annual incomes of \$30,000 or less. Ninety-four percent of Girls Inc. girls graduate from high school, and 82 percent plan to go to college.

Girls Inc. believes that all Department of Education civil rights regulations and guidance documents are important and necessary to ensuring students have equal educational opportunities. Current civil rights rules and regulations benefit schools and students by providing a clear framework that, when followed, allows all students the opportunity to learn in a safe and welcoming environment regardless of sex, race, color, national origin, disability status, English proficiency, sexual orientation, or gender identity. These benefits are critical to the success of our nation and far outweigh any burden that schools may face in complying. We urge you to

keep current civil rights regulations and guidance documents in place and to continue enforcing them.

In particular, we urge the Department to keep in its current form 34 C.F.R. Parts 1 thru 1299, which include regulations governing the Secretary and the offices for Civil Rights; Elementary and Secondary Education; Special Education and Rehabilitative Services; Career, Technical, and Adult Education; Post-Secondary Education; Educational Research and Improvement; and the National Council on Disability.

We also urge the Department to preserve all current significant civil rights guidance documents, including guidance on sexual, racial, and disability-based harassment (including guidance on sexual violence); access to athletic opportunities; gender equity in career and technical education; single-sex schools; equal access to educational resources; nondiscriminatory school discipline; racial diversity programs; the rights of students with disabilities in charter schools; restraint and seclusion of students with disabilities; and the rights of English language learners.

Girls Inc. is especially concerned about Secretary DeVos' announcement of the Department's intention to rescind or amend the 2011 and 2014 guidance documents on Title IX and sexual assault. The 2011 Dear Colleague Letter and the 2014 "Questions and Answers" document clarified schools' obligations to their students to ensure access to an education free from gender-based harassment and violence.

Over the past several years, colleges and universities have made significant progress in their handling of campus sexual assault, thanks in large part to the Department's enforcement efforts. Of course, schools still make mistakes that hurt both survivors and accused students, but existing rules already require a fair process. Instead of undermining those rules and making it harder for survivors of sexual assault to continue their education, the Department should give schools the technical support they need to follow the law, and investigate unfair disciplinary action as appropriate.

Furthermore, sexual assault is not a problem that begins when young people get to college, and schools at the K-12 level still have a long way to go with respect to preventing and addressing sexual harassment and violence. The Department must increase Title IX enforcement, not decrease it. It is important to hold all schools accountable for providing a safe environment for students.

If you have any questions, please contact me at 202-463-1881, ext. 301 or lkaufmann@girlsinc.org.

Sincerely,



Lara S. Kaufmann
Director of Public Policy