

August 23, 2017

Dear Assistant General Counsel Hilary Malawer,

I am the parent of a 6-year-old daughter who is also a cancer survivor - two years with no sign of disease, at this point - but who does suffer from side-effects of having a brain tumor affecting motor coordination and neurological processing speeds. Childhood cancer is devastating enough, but to strip civil rights protections that could protect her now and in the future as she finds her way as a female with limitations - through no fault of her own - in this society would constitute an oppression that is frankly the opposite of the spirit of this country's perfect union. I am deeply concerned about the potential for civil rights laws to be altered through the Trump administration's efforts to promote corporate rights over individual rights. All people - regardless of sex, race, color, sexual orientation, gender identity, national origin, or disability status - should receive the benefit of our civil rights laws. That includes me, my daughter, my niece, my mother - all of the women in my family and my life - as well as family and friends of color, my transgender student, my immigrant neighbors.

The right to obtain an education with protections is specifically important to me. I am on the start-up board for a non-profit private community school that was formed out of a response to our community's lack of private school options and the recognition that public schools are not equitably funded, organized, staffed, administered, built, supported - in ways that impact options for developing best possible teaching practices founded in the latest research into child development and educational formation. We are not a charter school and are not seeking charter school status. In part, this is because we do not want to be tied to any perceived efforts to align ourselves with the DeVos model of dismantling and/or disabling public schools - we used to live in Michigan before moving to Illinois, and I saw this first-hand. It is not the direction that our country should move in. But I recognize that civil rights laws should protect us all, not only those of us seeking alternative systems for education.

So I am asking the Department of Education NOT to repeal, replace, or modify current civil rights regulations. The Department should also preserve all current significant guidance documents, such as the guidance on: sexual harassment (including the April 2011 "Dear Colleague Letter" containing guidance on sexual violence); racial and disability-based harassment; access to athletic opportunities; gender equity in career and technical education; 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.

As a private school board member, I am mindful of the federal civil rights laws that protect students from discrimination on the basis of sex (Title IX); race, color and national origin (Title VI); and disability (Americans with Disabilities Act, Rehabilitation Act, and Individuals with Disabilities Education Act). I want to be a responsible citizen and administrator advocate for all of our students. The federal government must do this as well: enforce the law, provide oversight, and proactively work to ensure that students' rights are realized. Current regulations and guidance help make my daughter's challenges less daunting in this crumbling republic. Students' rights are a global human reality and must be maintained.

Sincerely,
Rachel Lapp Whitt
Bloomington, IL