

Docket ID: ED-2017-OS-0074

**Public Comment in Response to U.S. Department of Education Request Regarding Review
of All Regulations and Guidance Documents**

September 19, 2017

Dear Secretary DeVos:

Thank you to The Department of Education for this opportunity to comment regarding review of all regulations and guidance documents. I am an openly Latinx transgender man and a naturalized U.S. citizen who works at PFLAG National. It's a tremendous honor to represent our more than 200,000 members and supporters in 400 chapters across the nation and in Puerto Rico.

Founded in 1972 with the simple act of a mother publicly supporting her gay son, PFLAG is the nation's largest family and ally organization. We at PFLAG believe all children deserve a great education and to feel safe and welcome in their classrooms. When a school or a school district doesn't treat students fairly and allows discrimination, civil rights laws require the Department of Education to step in. In order to make sure that schools understand what the law requires of them, and to make sure that everyone understands the protections students have including LGBTQ students, regulations (or rules) and guidance have been developed over the past several years to clarify the law. We support our civil rights laws and these tools that help to make sure that all students receive the protections and supports they deserve.

Our education system is unfair to too many students and communities. Students who are African-American, Latinx, Asian-American, Native American, immigrants, English learners, girls, LGBTQ, or students with disabilities, face too many barriers to educational success. We need to use all of the tools we can to change that problem and make sure ALL children get the education they deserve. Now is not the time to take these tools away or weaken them. **We oppose any effort to rescind, modify or replace regulations and guidance that clarify our civil rights and education laws.**

It should come as no surprise that all PFLAG families want all of their children to be treated equally. The statistics below tell the real story of the day-to-day experiences confronting LGBTQ students. As reported in PFLAG's publication "Cultivating Respect: Safe Schools for All," LGBTQ students are at higher risk for depression, dropping out of school and self-harm as a result of bullying, harassment and discrimination. According to GLSEN's 2015 National School Climate Survey and the 2015 U.S. Transgender Survey by the National Center for Transgender Equality, here are the facts:

- 95.8% of LGBTQ students heard anti-gay remarks at school, while 95.7% heard negative remarks about gender expression and 85.7% heard negative remarks specifically about transgender people.
- 85.2% of LGBTQ students reported being verbally harassed, 27% reported being physically harassed and 13% reported being physically assaulted at school in the past year because of their sexual orientation, with 77% of those who were out or perceived as transgender experiencing mistreatment.
- 48.6% of LGBTQ students experienced cyberbullying or some type of electronic harassment in the past year (via text or social media).
- 57.6% of LGBTQ students reported feeling unsafe in school because of their sexual orientation, and more than a third (43.3%) felt unsafe because of their gender expression.

These experiences have far-reaching consequences: 31.8% of LGBTQ students missed an entire day of school because they felt unsafe, with 17% of those who were disclosed as transgender leaving a K-12 school due to severe mistreatment.

The reported grade-point average of students who were more frequently harassed because of their perceived or actual sexual orientation or gender expression was 2.9, and for students who were less often harassed, the reported GPA was 3.3.

We rely on The Department of Education to help our nation's schools provide high-quality education for all children. America should be a place where every child, no matter their unique challenges, individual qualities, or where they come from, can grow up to be what they dream.

PFLAG's values are America's values, and that includes making schools equally safe and welcoming for all students, including those who are LGBTQ. **Please do not rescind, modify or replace regulations and guidance that clarify our civil rights and education laws.**

Thank you for your consideration, and we hope that you will seize this opportunity to enrich the lives of all students everywhere.

Sincerely,

Diego Miguel Sanchez, APR
 Director of Advocacy, Policy & Partnerships
 PFLAG National