

April 17, 2017

Secretary Betsy DeVos
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Dear Secretary DeVos,

We write to express our concern regarding your recent meeting with Representative Earl Ehrhart from Georgia and your failure thus far to meet with student sexual assault survivors, organizations dedicated to their rights, or Title IX experts. As you may know, Representative Ehrhart has waged a years-long campaign to undermine the long-established Title IX rights of students whose educations are threatened by sexual violence—rights you are charged with enforcing. Without these crucial protections, too many student survivors, most of whom are women and girls, will lose the opportunity to learn and thrive in school.

Representative Ehrhart's views on sexual assault are extreme and dangerous. Most recently, he spearheaded an unsuccessful Georgia bill that would have required colleges to refer all sexual assault reports to the police, even against the victim's expressed wishes. Such a law would discourage victims from reporting sexual assault to their schools; in a March 2015 survey conducted by Know Your IX and the National Alliance to End Sexual Violence, 88% of student survivors said that if schools were forced to forward sexual assault reports to the police against the victim's wishes, fewer students would report at all. Depressed reporting would impede victims' access to essential services, undermine accountability for wrongdoers, and make campuses less safe. Nonetheless, Representative Ehrhart forced the bill to a vote not once but twice, in the face of vociferous opposition from survivors, other students, allies, and even critics of Title IX with whom survivors and allies often disagree, such as the Foundation for Individual Rights in Education.

Through the years, Representative Ehrhart has evidenced his disdain for survivors. During legislative hearings on his unsuccessful bill, he called Grace Starling, a victim who bravely testified about her experiences, a "spoiled child" and "snowflake." He also accused her of "utilizing a victim's status" for ulterior motives. Additionally, he has introduced personally identifying information about young survivors during legislative hearings, putting those survivors at risk for retaliation. Representative Ehrhart has further campaigned against student victims' rights by suing the U.S. Department of Education under a theory that his stepson might someday be accused of rape.

As organizations dedicated to ensuring that discrimination never poses an obstacle to a student's education, we know too well—from our clients' and constituents' experiences, and many of our own—that sexual assault can mean the end of a young person's chance to learn and graduate if schools do not fulfill their obligations under federal civil rights law. These crucial

responsibilities include providing academic and living accommodations, facilitating access to mental health care, implementing disciplinary procedures fair to both parties, and ensuring a survivor can move through campus safely. Title IX requires schools to provide such interventions to students and the Department of Education and courts have the duty to enforce the law. We are grateful for the Department of Education's critical role in enforcing Title IX and helping schools comply with the law when they fail to live up to the law's goal of promoting educational equity for survivors.

As you continue your tenure as Secretary of Education, we urge you to meet with student survivors, Title IX experts, and allied organizations and to avoid the cruel politicization of victims' rights. In light of your meeting with a person who has been so openly hostile to Title IX, equality, and victims' rights, survivors and their advocates are even more eager to meet with you. We urge you accept and schedule outstanding meeting requests from these groups during April, Sexual Assault Awareness Month. Help move us toward a better future where sexual violence never interrupts a student's education again.

Sincerely,

National Women's Law Center, joined by:

American Association of University Women (AAUW)

Atlanta Women for Equality

California Women's Law Center

Champion Women

Clery Center

End Rape on Campus

Equal Rights Advocates

Harvard Law School Gender Violence Legal Policy Workshop

Know Your IX

Maryland Coalition Against Sexual Assault's Sexual Assault Legal Institute

National Alliance to End Sexual Violence

Public Justice

SurvJustice

Victim Rights Law Center

Women's Law Project