



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

July 11, 2017

Honorable Patty Murray  
United States Senate  
Washington, DC 20510

Dear ~~Senator~~ *Patty Murray*

This letter responds to the incorrect statements and unfounded arguments set forth in your June 27, 2017, correspondence to me concerning my commitment to civil rights as Secretary of Education.

Upholding America's civil rights laws is among the most important missions with which the Department is charged; all students must be able to learn in a safe and nurturing environment. Unfortunately, prior to my arrival at the Department, OCR had descended into a pattern of overreaching, of setting out to punish and embarrass institutions rather than work with them to correct civil rights violations and of ignoring public input prior to issuing new rules. During the prior administration, OCR's reputation as a fair and neutral enforcer of the nation's civil rights laws suffered as it sacrificed timely, balanced adjudications of individual complaints in favor of data collection efforts that may have had no impact on the individual student's complaint.

At the previous administration's direction, OCR all too often automatically handled individual complaints as evidence of systematic institutional violations. As a result, OCR staff were forced to expand the scope of these investigations dramatically beyond the facts alleged in the filed complaint. This led to unprecedented processing times and significant backlogs, which in turn harmed students. The adage "justice delayed is justice denied" is fitting in this instance; too many students have been forced to wait months, and in some cases years, for adjudication of their complaints while OCR chose to collect years of data about an institution.

Each individual student and each complaint deserve to be treated with care and respect. The Department today is returning OCR to its role as a neutral, impartial investigative agency – the charge given to it by Congress. My clear and consistent direction to OCR has been to protect students through a thorough investigation of the allegations of each complaint based on an equal and impartial application of the law, and OCR has taken steps to strengthen its ability to execute on the guiding principles of neutrality, balance and fairness. Many of the changes implemented came after discussions with career staff in OCR who had identified material problems impeding their ability to promptly seek justice. OCR will now implement faithfully the civil rights laws passed by Congress and treat each complainant and respondent in accordance with these guiding principles.

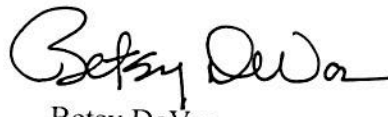
OCR will also no longer ignore its responsibilities to provide notice and the opportunity to provide comments when issuing new rules. The previous Administration too often issued new regulations via administrative fiats using Dear Colleague Letters. Doing so may have been politically expedient, but it deprived the public of meaningful opportunities to provide input. At my direction, the Department will no longer mask new regulations as Dear Colleague Letters and will issue new regulations only after appropriate notice and public comment. This process will ensure that OCR's rules will reflect the best input of all stakeholders and not merely political appointees writing letters in the Office for Civil Rights.

Our approach will again ensure that all civil rights violations are shown equal care and given equal importance. The Department will no longer value one type of violation over another or one class of complainant over another. All victims deserve justice delivered promptly and with a blind eye to the characteristics of the complainant.

My commitment to OCR's mission is unwavering because my commitment to providing better opportunities for America's students is unwavering. The Administration's budget reflects that commitment, proposing level funding for OCR based on an annualized FY 2017 Continuing Resolution in an environment where fiscal discipline is of paramount importance to address our Nation's considerable debt.

Nearly 30 years ago, as a young mother, I saw firsthand the inequities in America's education system and the resulting consequences for too many students and families. Since that time, my work in education has centered on one goal: to ensure *every* student in America has an equal opportunity for a world-class education. I bring that same vision and determination to the Department – to uplift every individual student and provide him or her with the greatest possible opportunity to succeed in education, a career and life. A vigorous defense of their civil rights is of paramount importance to achieving this goal, and it is why this Department is unwavering in its commitment to defend all students to the fullest extent possible under law.

Sincerely,

A handwritten signature in black ink that reads "Betsy DeVos". The signature is written in a cursive, flowing style.

Betsy DeVos