

**Opening Statement of Ranking Member Robert C. “Bobby” Scott
Committee on Education and the Workforce
“Examining the Policies and Priorities of the U.S. Department of Education”
May 22, 2018**

Thank you, Madam Chair.

Welcome, Secretary DeVos. Thank you for being here this morning. I want to begin by expressing my deepest condolences to the Santa Fe High School community over the tragedy that took the lives of 8 students and 2 teachers on Friday. That was the 16th school shooting this year. We **must** pass gun safety legislation to stop the violence that continues to devastate our schools and our communities.

Secretary DeVos, I appreciate your support for holding Congressional hearings on solutions for keeping students safe from gun violence, and I am disappointed that the Majority has not heard our voices, nor have they heard the voices of students, parents, and educators crying out for action. I once again call on the Majority to hold these hearings immediately.

The Department of Education bears the tremendous responsibility of implementing and enforcing federal laws covering nearly 18,200 school districts and more than 50 million public school students. Every one of those students deserves an equitable, high-quality public education. That’s their right, and it’s the responsibility of the Department of Education – as well as Congress – in partnership with states, to make it a reality.

Last week, we honored the anniversary of the Supreme Court’s unanimous and landmark ruling in *Brown v. Board of Education*. Sixty-four years ago, our nation’s highest court declared separate to be inherently unequal and ordered public education to desegregate in order to provide equitable learning opportunities to all students.

Unfortunately, since taking office, your Department has relentlessly chipped away at civil rights protections, including civil rights protections in education.

In 2017, your department:

- rescinded protections for Transgender students
- rescinded Obama-era reforms to the student loan servicing process, which helped borrowers better manage their loans
- suspended protections for student loan borrowers that enabled them to have debts discharged when a school closes abruptly or defrauds its students
- rolled back the Obama-era guidance on Title IX protections against campus-based sexual assault, despite overwhelming public support for the guidance
- rolled back 72 documents that provide guidelines on special education

This year, you have taken steps to erode protections for students of color with disabilities by proposing a delay of the Equity in IDEA rule. This important rule is set to go into effect this July

and clarifies when school districts must take action to address disparities in over-identification, placement, and discipline of students of color with disabilities.

Your proposed delay is overwhelmingly opposed by students, parents, teachers, civil rights advocates, and individuals with disabilities.

Most recently, you directed the Department's Office of Civil Rights to stop investigating cases of systematic inequities that harm minority students and even reopened previously resolved cases concerning accessibility for students with disabilities.

Today is the first opportunity for members of this Committee – the committee vested with oversight jurisdiction over the Department of Education –to ask you about these issues. It is nearly a year and a half into your tenure at the Department. Such a delay of oversight of the Secretary of Education is unprecedented in recent history, and it comes at a time when the need for meaningful oversight is greater than ever.

As the Department works to implement the Every Student Succeeds Act (ESSA), we have serious questions about your approval of state plans that disregard the performance of subgroups of students and violate the law.

We have serious questions about your proposed deregulatory agenda for the coming year that could undermine the triad of states, accreditors, and federal oversight that support program integrity in higher education.

We have questions about the severe conflicts of interests in your Department.

We have questions about your Federal Commission on School Safety. You vowed that it would be more than talk and you would take action to prevent future shootings. Instead, we see you blaming school safety on civil rights and threatening to roll back protections for students of color and students with disabilities.

And Madam Secretary, we have questions about your publicly signaled intent to rescind the 2014 ED-DOJ School Discipline Guidance package promulgated under the Obama administration.

That guidance outlines how school districts can avoid racial disparities in discipline, especially regarding suspensions, without jeopardizing school systems and school safety. Rescinding that guidance would be particularly troubling in light of findings showing that discipline disparities aren't merely a function of poor students acting out more, as is often the claim. The role of racial bias in perpetuating educational inequity – whether explicit or implicit – cannot be ignored by your Department.

The Education Department's enforcement of civil rights law appears to be in full retreat at a time when students – all students – need the Department to stand with them, fight for them, and protect their right to a quality public-school education.

To put it more plainly: Your Department is moving us further away from the promise of educational equity contained within *Brown v. Board*.

America's students, parents, and teachers deserve better than this.

I look forward to the Secretary's testimony today and having a chance to discuss these issues, which are so vital to our nation's future. Thank you Madame Chair and I yield the balance of my time.