



May 29, 2018

The Honorable Betsy DeVos  
Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretary DeVos,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, and the 180 undersigned organizations, we urge you to clarify that you understand, and the U.S. Department of Education and the U.S. Department of Justice will continue to enforce, the Supreme Court's landmark case of *Plyler v. Doe* and subsequent caselaw, as well as Title VI of the Civil Rights Act of 1964.

On May 22, 2018 during your testimony before the House Education and the Workforce Committee, in response to a question about educators potentially reporting a child to Immigration and Customs Enforcement (ICE), you erroneously testified, "I think that's a school decision, it's a local community decision." These comments and their misrepresentation of the law have caused fear and confusion for children, families, and educators, all of whom are owed accurate information about their rights and the law. Schools may not deny access to a basic public education to any child residing in the state, regardless of the child's, parents', or guardians' immigration status. To comply with the U.S. Constitution, federal civil rights laws, as well as the mandates of the Supreme Court, schools must ensure that they do not discriminate on the basis of race, color, or national origin, and that students are not barred from enrolling in public schools at the elementary and secondary level on the basis of their own citizenship or immigration status or that of their parents or guardians. This is the law; it is not optional.<sup>i</sup>

It is imperative that you immediately make clear publicly, to children, their families, and educators in every public school in multiple languages and through all of the Department's communication channels that **all children in this country have a right to a public education from kindergarten through 12<sup>th</sup> grade regardless of their immigration status. Schools may not do anything to deny or chill access to that constitutional right, including by reporting, or threatening to report, children to ICE. This right is protected by the Supreme Court and federal law and cannot be changed by the Secretary of Education, the Attorney General, any state, district, school, or any individual.**

Officers  
Chair  
Judith L. Lichtman  
National Partnership for  
Women & Families  
Vice Chairs  
Jacqueline Pata  
National Congress of American Indians  
Thomas A. Saenz  
Mexican American Legal  
Defense and Educational Fund  
Hillary Shelton  
NAACP  
Secretary  
Jo Ann Jenkins  
AARP  
Treasurer  
Lee A. Saunders  
American Federation of State,  
County & Municipal Employees

Board of Directors  
Helena Berger  
American Association of  
People with Disabilities  
Kimberly Churches  
AAUW  
Kristen Clarke  
Lawyers' Committee for  
Civil Rights Under Law  
Lily Eskelsen Garcia  
National Education Association  
Fatima Goss Graves  
National Women's Law Center  
Chad Griffin  
Human Rights Campaign  
Mary Kay Henry  
Service Employees International Union  
Sherrilyn Ifill  
NAACP Legal Defense and  
Educational Fund, Inc.  
David H. Inoue  
Japanese American Citizens League  
Derrick Johnson  
NAACP  
Michael B. Keegan  
People for the American Way  
Samer E. Khalaf  
American-Arab  
Anti-Discrimination Committee  
Marc Morial  
National Urban League  
Janet Murguía  
UnidosUS  
Debra L. Ness  
National Partnership for  
Women & Families  
Rabbi Jonah Pesner  
Religious Action Center  
Of Reform Judaism  
Lisa Rice  
National Fair Housing Alliance  
Anthony Romero  
American Civil Liberties Union  
Anisa Tootla  
League of Women Voters of the  
United States  
Richard L. Trumka  
AFL-CIO  
Toni Van Pelt  
National Organization for Women  
Randi Weingarten  
American Federation of Teachers  
Dennis Williams  
International Union, UAW  
John C. Yang  
Asian Americans Advancing Justice |  
AAJC

Policy and Enforcement  
Committee Chair  
Michael Lieberman  
Anti-Defamation League  
President & CEO  
Vanita Gupta

We urge you to act swiftly to ameliorate the harm your earlier statement caused. Please contact Liz King, Leadership Conference director of education policy, at (202) 466-3311 with any questions.

Sincerely,

National Organizations (105)

The Leadership Conference on Civil and Human Rights

ACCESS

Achievement First

Alliance for Excellent Education

American Association of University Women (AAUW)

American Civil Liberties Union

American Federation of Teachers

American-Arab Anti-Discrimination Committee

Anti-Defamation League

Asian Americans Advancing Justice | AAJC

Augustus F. Hawkins Foundation

Autistic Self Advocacy Network

Avanza Strategies

Beloved Community

Camelback Ventures

Campaign for Youth Justice

Center for Law and Social Policy (CLASP)

Children's Defense Fund

Clearinghouse on Women's Issues

Coalition of Labor Union Women

Council for Native Hawaiian Advancement

Council of Administrators of Special Education

Democrats for Education Reform

Disability Rights Education & Defense Fund

Diverse Charter Schools Coalition

EdNavigator

Education Leaders of Color (EdLoC)

Equal Justice Society

Families In Schools

Feminist Majority Foundation

GLSEN

Herd on the Hill

Hispanic Federation

Human Rights Campaign

Immigrant Legal Resource Center

ImmSchools

Innovare - Social Innovation Partners  
Internationals Network for Public Schools  
Japanese American Citizens League  
Justice Strategies  
KIPP  
LatinoJustice PRLDF  
Latinos for Education  
Lawyers' Committee for Civil Rights Under Law  
League of United Latin American Citizens (LULAC)  
Learning Disabilities Association of America  
LSA Family Health Service  
LULAC  
MALDEF  
MANA, A National Latina Organization  
NAACP  
NAACP Legal Defense and Educational Fund, Inc.  
National Action Network  
National Alliance for Partnerships in Equity (NAPE)  
National Asian Pacific American Women's Forum (NAPAWF)  
National Center for Transgender Equality  
National Congress of American Indians  
National Council of Jewish Women  
National Crittenton  
National Domestic Workers Alliance (NDWA)  
National Education Association  
National Employment Law Project  
National Immigrant Justice Center  
National Indian Education Association  
National Network for Arab American Communities  
National Organization for Women  
National PTA  
National Urban League  
NEA Educators for Our Revolution  
Network of Arab-American Professionals  
New Leaders  
New Profit  
OCA - Asian Pacific American Advocates  
Offor Walker Group  
Pahara Institute  
Partners for Each and Every Child  
PFLAG National  
Poverty and Race Research Action Council  
Relay Graduate School of Education

Sargent Shriver National Center on Poverty Law  
School Social Work Association of America  
Southeast Asia Resource Action Center  
Southern Poverty Law Center  
Stand for Children  
Strategies for Youth, Inc.  
Students for Education Reform  
TASH  
Teach For America  
Teach For America DACA Alumni Board  
Teach Plus  
Teach To Lead  
The Advocacy Institute  
The Arc of the United States  
The Education Trust  
The Fellowship: Black Male Educators for Social Justice  
The National Council of Asian Pacific Americans (NCAPA)  
The Opportunity Institute  
The Opportunity Network  
The Sentencing Project  
The United Methodist Church - General Board of Church and Society  
TNTP  
Treatment Communities of America  
UnidosUS  
Wayfinder Foundation  
Youth Justice Project of the Southern Coalition for Social Justice

State/Local Organizations (76)

A.C.D.P Inc.  
Access California Services  
Advocates for Children of New York  
African American Attorneys Hawaii  
Aliento  
Alliance for Quality Education  
Arkansas United Community Coalition  
Asian Americans Advancing Justice - Atlanta  
Atlanta Neighborhood Charter School  
Baltimore's Coalition of Black Leaders in Education  
Bard Early College in New Orleans  
Brothers Empowered to Teach  
CABE  
Camino Nuevo Charter Academy  
Campaign for School Equity

Center for Health Progress  
Children Now  
Children's Defense Fund - California  
Children's Defense Fund - Minnesota  
Children's Defense Fund - New York  
Children's Defense Fund - Ohio  
Children's Defense Fund - Texas  
City Charter Schools  
Coalition for Asian American Children and Families  
Coalition for Educational Justice  
College Beyond  
College Goal New York  
Colorado Association for Bilingual Education  
Colorado Children's Campaign  
Deep South Cherokee Keetoowah Foundations Foundations  
Down Syndrome Association of Connecticut  
Education Justice Alliance  
Education Law Center - PA  
El Puente  
El Sol Science and Arts Academy  
Envision Education  
Equality California  
FATHUM: Learning Solutions  
FirstLine Schools  
Gestalt Community Schools  
Hawai'i Friends of Civil Rights  
Hispanic Federation - CT  
Hispanic Federation - FL  
Innovate Public Schools  
Isac Amaya Foundation  
Kids in Tech, Inc.  
KIPP Bay Area Schools  
Maryland Center for Developmental Disabilities  
Muncie Human Rights Commission  
NAACP CO MT WY State Conference  
Native Hawaiian Education Council  
New Abolitionist Association  
New York Civil Liberties Union  
New York State Association for Bilingual Education  
North Carolina Justice Center  
OneGoal, Massachusetts  
oneTILT  
Opportunities for a Better Tomorrow



Otero Strategy Group  
Our Voice Nuestra Voz  
Pacific Gateway Center  
Palestinian American Community Center  
Parent Advocate Group for an Equitable, Quality Education (PAGE QE)  
Parent Revolution  
Project Hospitality  
REACH  
ReGeneration Schools  
South Bronx Preparatory  
Tennessee Educational Equity Coalition  
Tennessee State Conference NAACP  
The Chesapeake Language Project  
The Committee for Hispanic Children and Families, Inc.  
The Education Trust-NY  
The Trinidad Center  
UnLocal, Inc.  
Western Connecticut Association for Human Rights – WeCAHR

---

<sup>i</sup> See: 42 U.S.C. § 2000c-6, 42 U.S.C. § 2000d., 28 C.F.R. § 42.104(b)(2) and 34 C.F.R. § 100.3(b)(2)., *Plyler v. Doe*, 457 U.S. 202 (1982)., *Brown v. Board of Education*, 347 U.S. 483 (1954)., and The U.S. Department of Education & the U.S. Department of Justice. “Dear Colleague Letter on the Rights of All Children to Enroll in Public Schools.” May 8, 2014.