



The American-Arab Anti-Discrimination Committee

Comments to the

U.S. Department of Education

on the

Notice of Proposed Rulemaking Regarding Equity Assistance Centers

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VIA ELECTRONIC EMAIL

Britt Jung
U.S. Department of Education
400 Maryland Avenue SW, Room 3E231
Washington, DC 20202-6135

RE: Equity Assistance Centers

Dear Ms. Jung:

I am writing to you on behalf of the American-Arab Anti-Discrimination Committee (ADC), the country's largest Arab-American organization. ADC is a non-secular, non-profit grassroots organization. Founded in 1980 by U.S. Senator James Abourezk, ADC consists of members from all 50 states and has multiple chapters nationwide. ADC is committed to protecting civil rights, promoting mutual understanding, and preserving the Arab cultural heritage. ADC has protected the Arab-American community's civil rights for over thirty five against discrimination, racism, and stereotyping. ADC has standing commitment to access for all to a quality education as an affirmative right. ADC respectfully takes this opportunity to submit the following comments to the U.S. Department of Education on the *Proposed Rulemaking on Equity Assistance Centers*, specifically on the definition, requirement and implementation of religious desegregation.

Proposed Section 270.7: Definition of "Religion Desegregation"

ADC supports and understands the need for implementation of the religion desegregation requirement. There is a need to make sure religion is held in uniformity with other protected identity characteristics including race, and to address religious discrimination and disparate treatment of students in schools. ADC welcomes the religion desegregation requirement because we have received reports of bullying and harassment, isolation and alienation, and disparate treatment in discipline of Arab Muslim students. This inherently has an impact on a student's academic progress and success, as well as their substantive access to a quality education.

For example, ADC received a complaint from Florida resident D.B. where a middle-school student called her son a "terrorist." In another incident, Texas resident K.S. 12 year old son was placed in detention after he verbally responded to a student whom made the following statements, "don't want what happened in Parris to happen here", "why are Muslims terrorists?", "we don't want another 9/11", and "you guys should stay in Paris." These few anecdotes demonstrate the need of religion desegregation,

especially where schools may see the only option to prevent this type of bullying and treatment to improperly place all Muslim students or those perceived Muslims together. The U.S. Department of Education proposal is essential to preventing schools using “segregation” based on religion as a way to combat bullying.

However, religion cannot be used to discriminate against and/or marginalize other people or groups of people, irrespective of a person’s particular faith and/or belief. Religion is not a defense to treating students differently and consequently denying them access to a quality education based on gender identity and/or sexual orientation.

RECOMMENDATION:

Based on the above, ADC recommends the U.S. Department of Education define religious desegregation as follows:

Religion desegregation means the assignment of students to public schools and within those schools without regard to their religion, including providing students with a full opportunity for participation in all educational programs regardless of their religion. Religion desegregation shall prohibit solicitation and/or requests of assignment of students to public schools from students, parents, guardians, teachers, paraprofessionals, counselors, and administrative staff. Assignments shall be made to not impede the religion desegregation, and does not exclude and/or deny students based on sexual identity and/or sexual orientation.

Oppose the Proposed § 270.5: Reducing the Number of Regional Centers

The reduction of regional centers is counterproductive to ensuring access to resources and assistance in desegregation so that all students have access to quality schools without regard to their race, religion, and gender. Consolidation runs the risk of undermining the effectiveness of the Equity Assistance Centers because drastically increasing the burden on centers from the generally 5 - 6 states to nearly 14 states. The Proposed § 270.5 rule will essentially cut off underserved populations access and assistance to the Equity Assistance Centers.

Furthermore, the proposed rules directly conflicts with all the promising efforts proposed by the U.S. Department of Education in § 270.7 “religion desegregation” and § 270.4 “community organization eligibility”. The reduction of the number of regional centers will make the uphill battle for implementation and awareness on access for assistance in the new proposed efforts more burdensome. § 270.5 places the Equity Assistance Centers is a conundrum to do more with less, when actually an increase in regional centers is necessary. The reduction in the number of regional centers will inevitably lead to some assistance efforts receiving priority over others, when all should be top priority.

School desegregation efforts in particular require in-person meetings, collaborative planning, training, capacity building, and relationship building to address institutional and cultural causes of bias, relational trust, and infrastructures. Technology cannot replace the need for regional centers, especially in poor school districts, where districts do not have access to technology and/or technological supports. ADC strongly opposes the U.S. Department of Education proposal to reduce the number of regional centers under proposed § 270.5 and strongly urges the Department to reconsider. Equity Assistance Centers play a vital role in combating segregation in schools and providing direct support.

RECOMMENDATION:

Retain the number of Regional Centers and remove proposed rule § 270.5.

ADDITIONAL RECOMMENDATIONS:

1. § 272.30 language of the current rule should not be removed such that the Secretary shall evaluate applications on the basis of the selection criteria;
2. § 271 language of the current rule should not be removed such that the regulations governing the State Education Agencies (SEA) program shall remain unchanged;
3. Proposed § 270.4 language, Inclusion of Community Organizations in Parties Eligible to Receive Desegregation Assistance, should be implemented.

In conclusion, the American-Arab Anti-Discrimination Committee (ADC) welcomes the efforts by the U.S. Department of Education to support the Equity Assistance Centers, which provide invaluable assistance to our nation's schools and students. ADC provides the recommendations set forth above to ensure that Equity Assistance Centers promote equality for all students. ADC strongly supports the "religion desegregation" inclusion and believes implementation must be handled with particular care. ADC strongly urges the U.S. Department of Education to issue guidance and/or memorandum that encompasses the considerations discussed above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Yolanda C. Rondon", is written in a cursive style.

Yolanda C. Rondon, Esq.
Staff Attorney, Legal & Policy Department
American-Arab Anti-Discrimination Committee