



# Advocates for Children of New York

Protecting every child's right to learn

September 19, 2017

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

Re: Comment on FR Doc # 2017-13157

Dear Secretary DeVos:

On behalf of Advocates for Children of New York (AFC), we are writing to submit comments regarding the notice issued in response to Executive Orders 13771 and 13777 regarding regulations or guidance that should be repealed, replaced, or modified. We urge you to maintain regulations and guidance that delineate protections for students, especially students who have historically been marginalized or discriminated against.

For 45 years, AFC has worked to ensure a high-quality education for New York students who face barriers to academic success, focusing on students from low-income backgrounds. We advocate on behalf of children who are at greatest risk of school-based discrimination or academic failure due to poverty, disability, race, ethnicity, immigrant or English Language Learner status, sexual orientation, gender identity, homelessness, or involvement in the foster care or juvenile justice systems. Each year, our attorneys and education specialists serve thousands of families, providing free legal and advocacy services to help children receive an excellent education and teaching families what they need to know to stand up for their children's educational rights.

In our daily work with families, we often rely on federal regulations to help protect the rights of students and help them access a high-quality education. For example, we use the federal Individuals with Disabilities Education Act (IDEA) regulations to help ensure that school districts provide educational services that meet the individual needs of students with disabilities. We consult these regulations when a question arises and use these regulations to advocate for students to get educational services that will allow them to make meaningful progress. We have also seen the important role that non-regulatory guidance has played in helping to protect the rights of students. By clarifying and expanding upon the provisions of the law, federal regulations and guidance help schools, parents, students, and advocates understand schools' obligations to students.

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We would be concerned about any attempt to repeal or roll back regulations or guidance that delineates the rights of students, including students with disabilities, English Learners, students who are homeless, students in foster care, LGBTQ students, students with challenging behaviors, or students who are involved in the juvenile justice system. The United States Department of Education has long played an important role in helping to support and protect students at risk of academic failure. We urge you to maintain regulations and guidance that assist these students.

If you have any questions, please feel free to contact me at 212-822-9514 or [ksweet@afcny.org](mailto:ksweet@afcny.org).

Respectfully,

A handwritten signature in cursive script that reads "Kim Sweet".

Kim Sweet  
Executive Director