September 17, 2018

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

RE: Opposition to Use of ESSA Funds for Weapons

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 112 undersigned national, state and local organizations, we write to share our significant concern regarding the Department’s reported contemplation of the use of Student Support and Academic Enrichment grants provided to states under the Every Student Succeeds Act (ESSA) for purchasing firearms and firearms training for school staff. The Department’s consideration of this use for the funding is inconsistent with both congressional intent and evidence-based educational practices, working against ESSA’s purpose to “provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close achievement gaps.” Having more firearms in schools would expose children and school staff to a greater risk of gun violence and make everyone in schools less safe. The Department must immediately publicly clarify that ESSA funds cannot be used for weapons.

ESSA is not intended to fund firearms and does not state that funds can be used to bring weapons into schools. In fact, the law provides that local education agencies can use Student Support and Academic Enrichment grants to implement drug and violence prevention activities and programs that create and maintain school environments that are “free of weapons.”

Research shows that students are safer and learn better when their schools are supportive and welcoming, and there is no evidence to show that increasing the number of available firearms makes students any safer. Evidence-based and promising programs such as Positive Behavior Interventions & Supports (PBIS), Multi-Tiered Systems of Support (MTSS), and
restorative practices, as well as increased student support like mental health services and counseling services, are widely recommended by educational experts to improve school safety and climate. However, there is no evidence showing that guns make people safer.\(^6\)

In fact, increasing the number of firearms in schools would make children and school staff less safe. When people have greater access to guns, more people are killed with guns.\(^7\) Even in cases of self-defense, firearms do not make people safer. Having a gun does not reduce the risk of injury during a crime over other forms of protection.\(^8\) Firearms pose unacceptable safety risks to children and school staff even when used by trained personnel. When involved in gunfights, trained police officers hit their intended targets less than 20 percent of the time.\(^9\) And the risk is even greater for children and teachers of color, with research consistently showing that negative stereotypes about race affect split-second decisions like discharging a firearm,\(^10\) even defensively, putting people of color at greater risk of being injured or killed.

In conclusion, any decision or recommendation by the Department allowing schools to use ESSA funds for weapons would be contrary to congressional intent and pose serious danger to children and their teachers. It would funnel money away from the intended purpose of ESSA to improve educational services and close achievement gaps. The Department must immediately publicly clarify that ESSA funds cannot and should not be used for firearms or firearm training.

If you have any questions or need additional information, please contact Liz King, education program director at The Leadership Conference, at king@civilrights.org or (202) 466-0087 or Nicole Dooley, policy counsel at the NAACP Legal Defense and Educational Fund, Inc., at ndooley@naacpldf.org or (202) 682-1300.

Sincerely,

National (55)
The Leadership Conference on Civil and Human Rights
NAACP Legal Defense & Educational Fund, Inc.
Acelero Learning
America Forward
American Civil Liberties Union
American Federation of Teachers
American Muslim Democratic Caucus
American-Arab Anti-Discrimination Committee
America's Promise Alliance
Anti-Defamation League
Association of University Centers on Disabilities (AUCD)
Augustus F. Hawkins Foundation
Bazelon Center for Mental Health Law
BELL
Children's Defense Fund
City Year
CLASP
Clearinghouse on Women's Issues
Democrats for Education Reform
Disability Rights Education & Defense Fund
Diverse Charter Schools Coalition
The Education Trust
Educators for Excellence
The Expectations Project
Feminist Majority Foundation
Girls Inc.
GLSEN
Hispanic Federation
Human Rights Campaign
Jumpstart
Learning Policy Institute
NAACP
National Alliance for Partnerships in Equity (NAPE)
National Association for Down Syndrome
National Black Justice Coalition
National Center for Learning Disabilities
National Center for Transgender Equality
National Council of Jewish Women
National Disability Rights Network
National Down Syndrome Congress
National Education Association
National Indian Education Association
National Urban League
National Women's Law Center
PolicyLink
Reading Partners
Roca
Sargent Shriver National Center on Poverty Law
Southeast Asia Resource Action Center (SEARAC)
Teach Plus
uAspire
UnidosUS
Union for Reform Judaism
Wyman Center, Inc.
YWCA USA

State/Local (58)
AAUW of Georgia
California Down Syndrome Advocacy Coalition
CDCRC Inc
Center for Pan Asian Community Services, Inc.
Children's Defense Fund - New York
Coalition of Black Leaders in Education
Coalition of Florida Farmworker Orgs.
Colorado Children's Campaign
Deep South Cherokee Keetoowah Foundation
Disability Law Center
Disability Law Center of Alaska
Disability Law Colorado
Disability Rights Florida
Disability Rights Maryland
Disability Rights Montana
Disability Rights New Jersey
Disability Rights Oregon
Disability Rights TN
Disability Rights Washington
Disability Rights Wisconsin
Down Syndrome Association of Connecticut
Down Syndrome Connection of the Bay Area
Education Law Center - PA
Eighth Street Baptist Church
Florida Council of Churches
Florida PTA
Kentucky Protection and Advocacy
Latino Policy Forum
NAACP COMTWY State Conference
Nollie Jenkins Family Center
North Carolina Justice Center
Orangeburg Consolidated School District 5 Education Association
Quality Education for Every Student (Boston)
Real Talk Coalition for Education Equity
The Education Trust–New York
Urban League of Greater Atlanta
Urban League of Greater Pittsburgh
YWCA Ames-ISU
YWCA Berkeley/Oakland
YWCA Binghamton & Broome County
YWCA Brooklyn
YWCA Cambridge
YWCA Central Massachusetts
YWCA Clark County
YWCA Elgin
YWCA Greater Baton Rouge
YWCA Hartford Region, Inc.
YWCA Madison
YWCA Nashville & Middle Tennessee
YWCA of Kauai
YWCA of Spokane
YWCA of the University of Illinois
YWCA Olympia
YWCA Pierce County
YWCA San Francisco & Marin
YWCA Southeastern Massachusetts
YWCA Titusville
YWCA White Plains & Central Westchester

5 34 U.S.C. § 10556(a).
8 David Hemenway, PRIVATE GUNS, PUBLIC HEALTH 78 (2004).