



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

November 7, 2014

Honorable Doris O. Matsui
House of Representatives
Washington, DC 20515

Dear Congresswoman Matsui:

Thank you for your September 29, 2014, letter about the high rates of bullying of Sikh students and your interest in protecting Sikh and other students from bullying and harassment. I share your concerns and highlight below the Department's efforts to prevent bullying and harassment in our schools for all students, including Sikhs. In addition, this letter explains how the Department has expanded its collection of data on harassment and bullying. An identical response has been sent to each signatory of the letter.

The Department has worked extensively to increase its targeted outreach about anti-bullying resources to Sikh and other frequently targeted communities. The Department's Office for Civil Rights (OCR), for example, has widely disseminated to school districts its 2010 guidance on preventing bullying and harassment based on race, color, national origin, sex, and disability. In that guidance, we noted specifically that Sikhs or other groups that face discrimination on the basis of actual or perceived shared ancestry or ethnic characteristics may not be denied protection under Title VI of the Civil Rights Act of 1964 on the ground that they also share a common faith. This guidance and a fact sheet summarizing it for lay audiences have been translated into Punjabi, the language of the South Asian region where Sikhism began, as well as into Arabic, Chinese, Korean, Tagalog, and Vietnamese, among other languages. OCR has also published information on how to file a complaint and its complaint form in all of these languages, as well as in Hindi, Hmong, Laotian, and Urdu.

In addition to sharing written guidance, OCR and the Department's Office of Safe and Healthy Students joined with the White House Initiative on Asian Americans and Pacific Islanders (WHIAAPI), which I chair, in meetings and events that either included or focused on Asian American and Pacific Islander (AAPI) youth, parents, and educators. These meetings included summits, national conferences, webinars, and regional roundtables across the country. Most notably, WHIAAPI hosted a major summit in New York in 2011 focused on protecting AAPI students, such as Sikh and Muslim AAPI youth, from bullying. At the all-day summit, which attracted 500 AAPI students, parents, and educators, we provided translated materials and interpreters, and solicited recommendations on how to ensure that federal resources reach South Asian and limited English proficient (LEP) AAPI communities.

Through quarterly meetings of the Federal Interagency Working Group on Muslim, Arab, Sikh, and South Asian communities, the Department has regularly provided information about anti-harassment laws and resources that are available to students to address prejudice and discrimination and engaged in ongoing dialogues with advocacy organizations to ensure that the unique needs of these communities are being addressed. Earlier this year, I held a roundtable with AAPI education leaders on a range of issues, including bullying prevention, and in July

2014, in a follow-up meeting, several Department offices met with the Asian American Legal Defense and Education Fund, the Southeast Asia Resource Action Center, and the Sikh Coalition to address bullying and harassment.

The Department recognizes the need for expanded and disaggregated data on bullying and harassment, and has made significant strides in gathering that information. For the 2009-2010 school year, the Department revamped its Civil Rights Data Collection (CRDC) into a comprehensive set of detailed school- and district-level data disaggregated by race (including disaggregating Asians from Native Hawaiians and Other Pacific Islanders), ethnicity, English learner status, sex, and disability. The transformed CRDC provides new details on bullying and harassment, including the existence of school district harassment or bullying policies and reported allegations of harassment or bullying based on race, color, national origin, sex, and disability. OCR has expanded the CRDC further by collecting, on an optional basis for the 2013-2014 school year and on a mandatory basis for the 2015-2016 school year, data from school districts about reported allegations of harassment or bullying based on religion, which will help provide more detail on the experiences of various school populations, including Sikh, Muslim, and Jewish students.

In addition, WHIAAPI recently launched a new data catalog on Asian American and Pacific Islander communities, now available at <http://www.data.gov/aapi>. It serves as the most comprehensive single location to find government data on the AAPI community, including CRDC and other data sets that provide a more accurate picture of the AAPI community. Also, in June 2013, WHIAAPI held an *iCount* Symposium on disaggregating education data, following a Department Request for Information (RFI) on the topic in 2012. The RFI and *iCount* Symposium provided the Department an opportunity to identify states, localities, and schools that further disaggregate education data into AAPI subgroups and to highlight these practices and share them more broadly. As you know, as we propose data expansions, the Department is mindful of ensuring that the benefits of collecting more disaggregated data are weighed alongside the burdens of data reporting for school districts and states, preserving the privacy interests of individual students, consistent with the government data collection standards implemented by the Department in Guidance published at 72 Fed. Reg. 59,266 (Oct. 19, 2007).

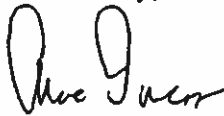
More broadly, the Department has taken significant steps to prevent bullying and harassment of all students in our schools. Since 2010, the Department has led the Federal Partners in Bullying Prevention (FPBP), which is a collaborative effort across eight federal agencies to coordinate federal bullying prevention. Since then, the Department and the FPBP have made significant efforts to address bullying and harassment in schools, including:

- Issuing guidance explaining schools' legal obligations under federal law to protect students from discriminatory peer harassment on the basis of race, color, national origin, sex, or disability (<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>);
- Issuing guidance explaining school districts' responsibilities under the Individuals with Disabilities Education Act (IDEA) to address bullying of students with disabilities (<http://www.ed.gov/blog/2013/08/keeping-students-with-disabilities-safe-from-bullying/>);
- Funding the Technical Assistance Center on Positive Behavioral Interventions and Supports, to give schools capacity-building information and technical assistance on improving school climate and engaging students, which has reduced the incidence of bullying behavior;

- Providing a technical assistance memo to all Governors and Chief State School Officers outlining the key components of state anti-bullying laws, such as identifying prohibited conduct, potential sanctions, reporting requirements, investigation processes, and appropriate training (<http://www2.ed.gov/policy/gen/guid/secletter/101215.html>);
- Publishing a comprehensive compendium of state anti-bullying laws and analyses of their key components;
- Working with other federal agencies to develop a uniform definition of bullying to further research, monitor trends, and gain a broader understanding about the issue and finding new ways of combatting it;
- Funding creation of anti-bullying training modules for teachers and school bus drivers (more than 100,000 of whom have been trained) (<http://safesupportivelearning.ed.gov>);
- Launching StopBullying.gov as a clearinghouse for all federal anti-bullying resources and information about state laws and model policies to stop bullying and protect children;
- Conducting an annual review and update of the Policies and Laws section of the Stopbullying.gov Web site, which provides the public with information about state anti-bullying laws and model policies (<http://www.stopbullying.gov/laws/index.html>);
- Partnering with the Ad Council on a “Be More than a Bystander” Stop Bullying Video Challenge and an associated advertising campaign to offer anti-bullying tips and tools and to encourage youth to help prevent bullying (<http://www.stopbullying.gov/respond/be-more-than-a-bystander/index.html>);
- Releasing anti-bullying videos outlining a school’s responsibilities to safeguard students from harassment and identifying tools that support students experiencing bullying (<http://www.stopbullying.gov/videos/2014/02/civil-rights.html>); and
- Hosting four federal bullying prevention summits, conducting numerous anti-bullying webinars, and creating a youth engagement bullying prevention toolkit.

I look forward to continuing to work with you to strengthen our efforts to ensure that every student can attend a safe school, free of bullying and harassment, that is conducive to learning. The Department also welcomes opportunities to provide targeted technical assistance to Sikh and other communities regarding anti-bullying resources and the protections of the federal civil rights laws the Department enforces. If you or your staff have additional questions, please do not hesitate to contact the Department’s Office of Legislation and Congressional Affairs at 202-401-0020.

Sincerely,


Arne Duncan