

## **FOR IMMEDIATE RELEASE**

**Wednesday, June 27, 2018**

### **Legal and Advocacy Groups Demand Betsy DeVos Withdraw False Claims About Sexual Assault Cases**

*Trump Administration Violated Federal Law in Using Unsupported and Misleading  
Claims To Roll Back Title IX Protections for Student Survivors of Sexual Violence*

**WASHINGTON, D.C.**— Today, legal and advocacy groups [petitioned](#) the Department of Education (“DOE”) to retract and correct its unreliable and misleading 2017 “[Dear Colleague Letter](#)” that, along with an accompanying Question and Answer document, established the Trump Administration's discriminatory new Title IX policy. The groups seek corrections under the Information Quality Act (“IQA”), a data accuracy law that requires government agencies provide accurate, reliable, and unbiased information to the public, particularly when such information has a clear impact on public policy.

The 2017 Letter, signed by Acting Assistant Secretary Candice Jackson, contains at least six incorrect and unsupported statements of fact. For example, the 2017 Letter states, without proof, that under the prior Title IX guidance:

- Many schools established procedures for resolving allegations that ... are overwhelmingly stacked against the accused;
- Many schools traditionally employed a higher clear-and-convincing evidence standard; and
- Many schools established procedures for resolving allegations that lack the most basic elements of fairness and due process.

These factual assertions run counter to the available evidence, which may be why DOE did not cite *any* evidence to support them. “[T]he inaccurate information disseminated...incorrectly suggests that students who claim they have experienced sexual violence (primarily women and girls) are being given unfair advantages in comparison to their alleged perpetrators (primarily men and boys),” **the groups state in their correction demand.** “[The] prevention and redress of sexual harassment and violence in educational institutions is a serious issue, [but] the Department disrespects the issue, as well as the people who experience it, when it relies on and disseminates information that lack the basic attributes of quality.”

The [letter](#) was submitted on June 27, 2018. Under the IQA guidelines, the Administration has 60 days to respond to the request for correction.

Along with Democracy Forward, the other signatories to the letter include the National Center for Youth Law, SurvJustice, National Women’s Law Center, Equal Rights Advocates, Victim Rights Law Center, End Rape on Campus, Futures Without Violence, Public Justice, Legal Voice, Know Your IX, a project of Advocates for Youth, American Association of University Women, and Legal Momentum, the Women’s Legal Defense and Education Fund.

SurvJustice, Equal Rights Advocates, and Victim Rights Law Center have an [active lawsuit](#) against DOE challenging the new Title IX guidance as an unlawful, discriminatory, and unconstitutional policy. The groups are represented by Democracy Forward, the National Center for Youth Law, and the National Women’s Law Center.

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[Democracy Forward](#) is a nonprofit legal organization that scrutinizes Executive Branch activity across policy areas, represents clients in litigation to challenge unlawful actions, and educates the public when the White House or federal agencies break the law.

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