



611 Mission Street, Suite 400
San Francisco, CA 94105
Phone: 415.621.0672

www.EqualRights.org

February 11, 2025

The Honorable Bill Cassidy
Chair
U.S. Senate HELP Committee
428 Dirksen Senate Office Building
Washington D.C. 20510

The Honorable Bernie Sanders
Ranking Member
U.S. Senate HELP Committee
428 Dirksen Senate Office Building
Washington D.C. 20510

Dear Chairman Cassidy, Ranking Member Sanders, and Members of the Committee:

Equal Rights Advocates (“ERA”) writes to express our concern and firm opposition to the advancement of Linda McMahon’s nomination as U.S. Secretary of Education.

ERA is a 50-year-old non-profit legal organization dedicated to advancing equal educational opportunities for women, girls, and LGBTQ+ students. As longtime advocates for equitable access to education, we believe that Linda McMahon is an unfit and ill-equipped nominee to lead the Department of Education.

ERA specializes in supporting student survivors of sexual violence. We intimately understand that the Department of Education’s enforcement of Title IX—a seminal education civil rights law promulgated by Congress more than 50 years ago—is integral to protecting students’ continued access to education in the wake of sexual assault or harassment. We are deeply concerned that Linda McMahon’s support for an anti-civil rights agenda, one that includes dismantling the Department of Education altogether, will cause countless student survivors to lose essential educational opportunities and suffer even greater harm.

Under the tenure of President Trump’s prior appointee to Secretary of Education, Betsy DeVos, the Department of Education promulgated policies that created significant barriers for students seeking to address sexual violence or other civil rights abuses on campuses nationwide. College climate surveys conducted at the end of the first Trump administration reflect both

increased rates of sexual violence and decreased belief among undergraduate women that reports of sexual misconduct would be responded to fairly and effectively by school officials.¹ Sexual violence on campuses is a public health crisis referred to by some experts as an epidemic.² One-in-five college women and one-in-eighteen college men have experienced sexual assault.³ 23.1% of transgender, genderqueer, and nonconforming college students are survivors of sexual assault.⁴ 26.4% of undergraduate women and 13% of all graduate and undergraduate students experience rape or sexual assault through physical force, violence, or incapacitation.⁵ Additionally, 41.8% of all students report experiencing at least one incident of sexual harassment since enrolling in college.⁶

ERA maintains serious concerns that survivors of sexual harassment and violence in educational programs or activities will suffer even more under Ms. McMahon's leadership. We are particularly disturbed by [allegations](#) that Ms. McMahon herself ignored reported sexual abuse of children during her time at WWE. Such claims should raise serious questions about her ability and willingness to comply with existing laws and ethics, the integrity of her leadership, and her fidelity to the mission of the Department of Education, including the remedy and prevention of sexual violence in schools.

It is critically important for the Department of Education to be led by officials who deeply understand the needs and challenges of our education system. Linda McMahon's lack of [substantive educational experience](#) raises doubts about her depth of relevant knowledge. We further doubt her commitment to protecting and supporting equal access to education for all students. Although the Secretary of Education is tasked with preserving and enforcing the civil rights afforded to all students receiving a publicly funded education, Ms. McMahon is a staunch proponent of [policies](#) that threaten the safety and dignity of racial minorities, LGBTQ+ communities, immigrants, and other vulnerable groups. Denying students equal protection under the law will undoubtedly contribute to a growing [school-to-prison pipeline](#), and increased rates of [harassment and bullying](#), [sexual assault](#), [suicide](#), and [student disappearances](#) from our schools. We fear that, under Ms. McMahon, the Department of Education will enable or even encourage institutions to [push-out](#) vulnerable students and [punish](#) those who do not or cannot conform to a narrowly prescribed view of gender, race, national origin, or religion.

¹ David Canto et al., *Report on the AAU Campus Climate Survey on Sexual Assault and Misconduct*, The Association of American Universities (Jan. 17, 2020), [https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20report%20%20and%20appendices%201-7_\(01-16-2020_FINAL\).pdf](https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/Revised%20Aggregate%20report%20%20and%20appendices%201-7_(01-16-2020_FINAL).pdf) (campus climate survey of 752 students at 33 colleges and universities in the Spring of 2019).

² Mark Devone, *Sexual Assault on College Campuses: An Epidemic and An Alternative Approach*, La Salle University 5-6 (2017)

<https://digitalcommons.lasalle.edu/cgi/viewcontent.cgi?article=1026&context=undergraduateresearch>.

³ Muehlenhard, C. L., et al., *Evaluating the one-in-five statistic: Women's risk of sexual assault while in college*, *Journal of Sex Research*, 566-567 (2017). <https://www.tandfonline.com/doi/full/10.1080/00224499.2017.1295014>

⁴ *Supra* note 1 at 80.

⁵ *Id.* at 14, 80.

⁶ *Id.* at 47.

For the reasons above, we urge the HELP Committee to reject Linda McMahon's nomination as Secretary of Education.

Respectfully,

A handwritten signature in cursive script that reads "Jessica Stender". The signature is written in black ink on a white background.

Jessica Ramey Stender
Policy Director & Deputy Legal Director
Equal Rights Advocates

CC: Members of the U.S. Senate Committee on Health, Education, Labor & Pensions