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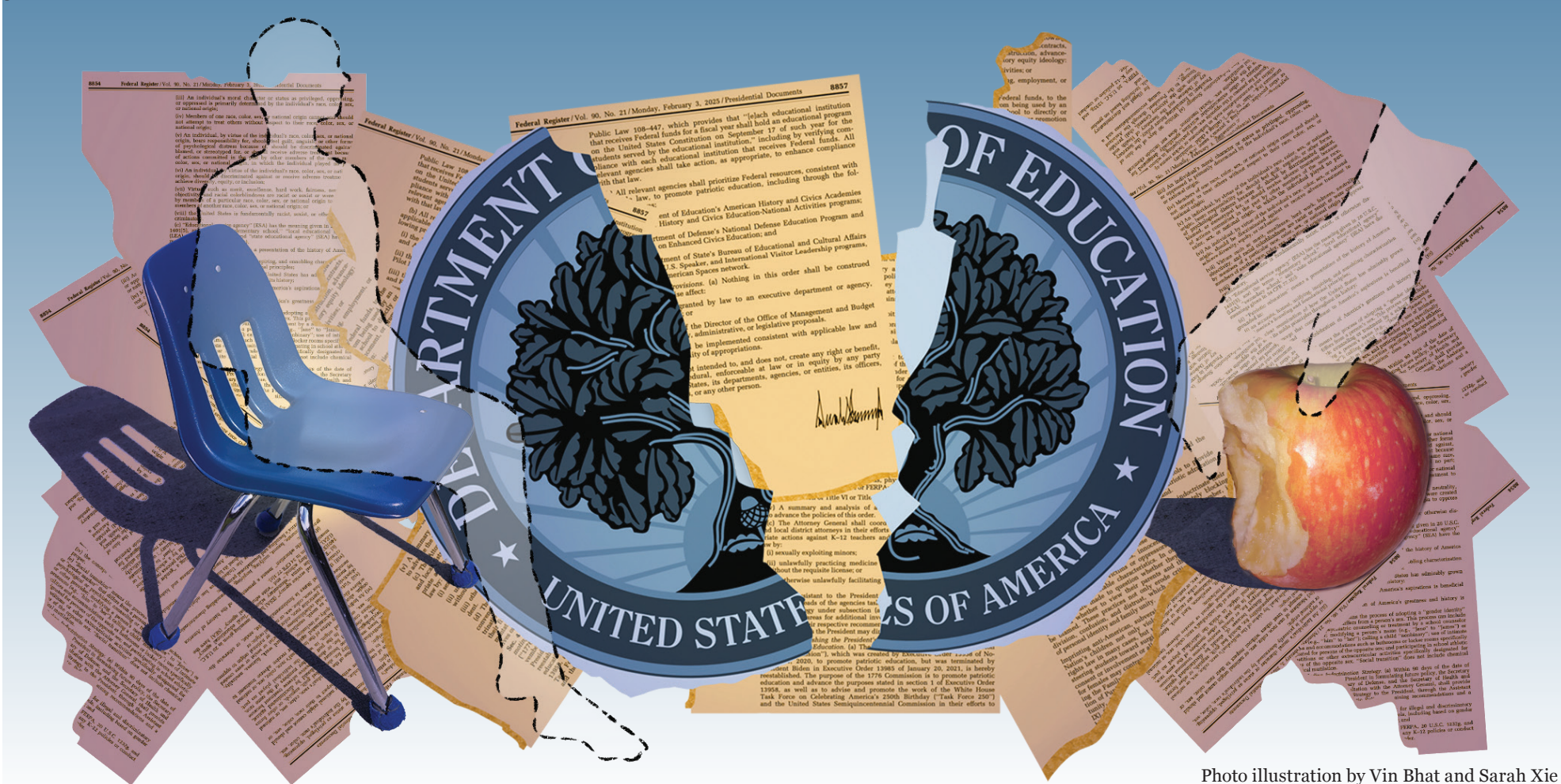
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Cuts to Department of Education harm vulnerable student groups

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FEATURES AND ONLINE EDITOR

On Monday, Feb. 10, the Department of Government Efficiency — established by President Donald Trump with one of its goals focused on reducing federal spending and the national debt — announced that it had cut 89 Department of Education contracts, worth a total of \$881 million. On the same day, the department ended \$101 million worth of diversity, equity and inclusion training grants. These cuts of around \$982 million and Trump’s proposal to further defund the department threaten the education opportunity of vulnerable students — especially special education, undocumented and LGBTQ+ students. So far, there are conversations of reforming or removing the department, but no further action has been taken.

Founded in 1980, the Department of Education is responsible not only for federal education policies but for ensuring equal access and enforcing federal laws such as Title IX, which aims to protect students against sex-based discrimination. The Department supports schools and families in low-income areas by funding programs like Title I — a federal aid act for public schools — and offering financial aid.

Student protections

On Jan. 20, Trump issued an executive order signaling his administration’s intent to narrow the scope of federal civil rights protections under Title IX. A federal district court in Kentucky ruled that the Biden administration’s 2024 Title IX regulations were unlawful and scrapped them, impacting transgender students, especially athletes.

The Office of Civil Rights, a body within the Department of Education, is responsible for regulating and ensuring that districts are enforcing federal laws pertaining to student’s civil rights. Included under the umbrella are civil rights related to sexual harassment, such as Title IX, and referring to racialized and sex-based discrimination or harassment, such as Title VI.

Should the Department be disbanded, the OCR will

be disbanded with it. As a result, school districts will no longer be an entity receiving federal funds and will be under less regulation, potentially leading to a loss of civil rights for students in certain states.

According to Civil Rights and Legals Affairs Coordinator Robert Andrade, the OCR has helped oversee and protect student rights in a structure that is hard to maintain should it be disbanded.

“You need to come up with a process and a procedure and a reporting mechanism for you to be able to actually provide students their rights,” he said. “And if the Department of (Education) gets rid of the OCR, you’re getting rid of the regulatory body that keeps us in check.”

As an entity of the state of California, where most of its funding is supplied from, PAUSD predominately follows regulations decided by the California Department of Education. While no further developments have been made on the status of the Department of Education, Andrade says the district should not be too heavily impacted by potential changes.

This principle holds true even in light of the Trump Administration’s recent executive orders regarding gender identity and student immigration status. The structure of command can be explained as a pyramid, according to Andrade. At the top of the pyramid is federal law — Title IX, Title VI, and all the regulatory laws passed by Congress. In the middle is the state of California and its specific laws and definitions, such as how it describes sexual or discriminatory harassment, which can differ from federal laws. At the bottom is district policy. Andrade notes that when state and federal law clash, PAUSD will adhere to California’s interpretations.

“California says that we have to recognize how a student wants to identify themselves,” he said. “We take into account a student’s choice, and we do take into account a parent’s choice or a guardian’s choice if a student’s unable to consent. There’s where we have a contrary kind of belief. (Additionally), district policy stems from California law that says we also recognize a student’s right to choose.”

Similarly, California laws declare that if a student seeks services or participation in the public educational program

anywhere in the state, the district must provide those services regardless of a student’s identity or citizenship status. The law goes further to say that the district must try to prevent or address situations that result in bullying, harassment and discrimination.

Additionally, there is information that the district is not permitted to ask for in the process of enrolling new students.

“When registering students and families, we don’t ask for social security numbers,” he said. “We don’t ask for a student or family’s citizenship status. All we really ask for is, (if they) have proof that (they) reside in Palo Alto.”

Students are also protected by the Family Educational Rights and Privacy Act, which states that the district cannot disclose any part of a student’s educational record to anyone other than the parent, the student or their family without a judicial order.

“Those various legal documents need to be signed and approved by a local magistrate or judge, and in many situations, judges won’t sign it,” Andrade said. “I think the posture of the Palo Alto community, let alone the city council, is that there is no partnership with immigration enforcement in this regard. If ICE were to come to our schools and take a student, there would be community outrage.”

Although Trump may be nationally moving towards defunding the Department of Education, which would negatively affect students’ civil rights, PAUSD will continue to follow guidelines set by the state of California, ensuring protection and equity for all students.

Special education

To California, with one of the largest public school systems in the country, disbanding the department could result in losses of \$8 billion towards public education. This action will also affect Special Education for students with disabilities, which currently takes a significant amount of funding.

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