

**Congress of the United States**  
**Washington, DC 20515**

June 17, 2026

The Honorable Linda McMahon  
Secretary  
U.S. Department of the Education  
400 Maryland Ave SW  
Washington, DC 20202

The Honorable Kimberly Richey  
Assistant Secretary for Civil Rights  
U.S. Department of Education  
Office for Civil Rights  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretary McMahon and Assistant Secretary Richey,

I write regarding the U.S. Department of Education (the Department) Office for Civil Rights' June 3, 2026 warning letter to Jefferson County Public (Jeffco) Schools, which threatens enforcement action and the potential withholding of federal education funding. As the Representative of Colorado's Seventh Congressional District, which includes Jeffco School District and the 74,200 students it serves, I am deeply concerned about the serious, long-term consequences these actions could have on our students. I write to request a detailed explanation of the Office for Civil Rights' rationale for this action and to urge the Department to immediately rescind its threat to withhold federal funding from the district.

The Department first notified Jeffco Schools of its findings in March 2026 and provided the district with a 90-day period to address the Department's concerns related to Jeffco Schools' compliance with Title IX of the Education Amendments of 1972 (Title IX), including ensuring that students are able to access facilities and programs regardless their gender identity. Yet, before that period had concluded, the Department issued an additional warning letter escalating the matter and threatening further enforcement action. This is especially troubling given that the Office for Civil Rights did not attend the June 16, 2026 meeting that had been scheduled specifically to discuss the tension between Colorado state law and the Department's interpretation of Title IX, despite the district's preparation and willingness to engage in good-faith dialogue.

This pattern of escalation is further compounded by the Administration's recent decision to move major civil rights investigative and enforcement responsibilities from the the Department of Education's Office of Civil Rights to the Department of Justice. Placing these functions into an agency whose core mission is federal law enforcement fundamentally alters its purpose. This shift effectively weaponizes the Office for Civil Rights, recasting it into a federal enforcement arm.

Jeffco Schools have been working diligently to navigate its obligations under federal and state law while providing data, answering questions, and engaging in good-faith efforts to address both factual and legal concerns. Rather than working collaboratively with the district to ensure compliance and protect the rights and well-being of all students — including our transgender students who deserve equal access to safe, affirming learning environments — the Department has prematurely chosen a punitive approach that places essential educational resources at risk.

As stewards of our public schools, we have a responsibility to ensure every child has the opportunity to access a high-quality education, which, for many students, can be life-changing. The federal funding at issue, combined with state resources, enables Jefferson County to provide that standard of education and to support the community, including students with disabilities, students from low-income families, and English language learners. If the Trump Administration chooses to withhold these resources, the district will be left without the funding necessary to educate and support our students.

All stakeholders in this matter share a common goal: ensuring our students have access to the best educational opportunities possible. And my hope is that we agree that Colorado students should not become collateral damage in a dispute between the Department and the district. As such, I respectfully request responses to the following questions to gain clarity into the Department's course of action in this case by July 17, 2026:

- 1) What specific statutory and regulatory provisions within Title IX does the Department believe Jeffco Schools are violating?
- 2) What actions has the Department taken to work with the district to achieve compliance prior to threatening the termination of federal funding?
- 3) Why did the Department issue an additional warning letter before the expiration of the original 90-day compliance period?
- 4) Has the Department conducted an analysis of the impact that withholding federal funds would have on student outcomes, educational services, and district operations? If so, please provide that analysis.
- 5) Has the Department initiated similar funding-withholding proceedings against any other school districts? If so, please identify those districts and describe the status of those proceedings.
- 6) What criteria did the Department use to determine that threatening the termination of federal funding was warranted in this case?

In light of the significant risk to our students posed by potentially withholding this federal education funding, I strongly urge the Department to rescind its threat and instead pursue a path of action that protects both students and the educational resources upon which they depend.

Sincerely,

A handwritten signature in black ink that reads "Brittany Pettersen". The signature is written in a cursive style and is positioned above a horizontal line.

Brittany Pettersen  
Member of Congress