**CALL TO ACTION**

**U.S. DEPARTMENT OF EDUCATION INTENDS TO CHANGE**

**TITLE IX TO INCLUDE SEXUAL ORIENTATION & GENDER IDENTITY**

Child & Parental Rights Campaign is sounding the alarm to parents, educators, and community leaders about the Biden Administration’s sweeping new proposed regulations to Title IX that would promote radical gender identity ideology as mandated policy in our schools.

Title IX of the Education Amendments of 1972 regulates every public K-12 school, college, and university in the nation, prohibiting discrimination “on the basis of sex.” As a result, Title IX impacts tens of millions of children and parents across the country.

On July 12, 2022, the U.S. Department of Education published in the Federal Register a Notice of Proposed Rulemaking to rewrite the federal regulations that implement Title IX toexpand the law’s scope, **without Congressional approval,** to include sexual orientation and gender identity. This will have devastating effects on parental rights, children’s well-being, First Amendment rights, and girls’ privacy, safety and sports opportunities.

Concerned citizens have only **till September 12, 2022** to act.

Here’s what the proposed new regulations will do:

* **Create a New Category of “Sex Discrimination” Based on Sexual Orientation and Gender Identity.**

The new rules will dramatically expand the scope of Title IX to include “discrimination on the basis of sexual orientation and gender identity.” They declare that preventing a student from participating in any school activity “consistent with their gender identity” ***subjects a student to harm*** on the basis of sex.

* **Make Upholding Biological Reality a Form of “Sex-based Harassment.”**

The new regulations create a new form of “***sex-based harassment***.” Actions like using a child’s given name and biologically accurate pronouns instead of a preferred name and pronouns may be regarded as sex-based harassment.

* **Normalize Gender Identity Ideology and Harm Children’s Health.**

The new regulations will promote gender identity ideology in our schools as mandated policy, encouraging students to believe that theycan be **“born in the wrong body.”** Studies show that if not socially transitioned, 61% to 98% of children will come to terms with their biological sex. But if transitioned, children will be less likely to reconnect with their sex.

Many children will then pursue chemical and surgical alterations that have irreversible life-altering consequences like **sterility and life-long sexual dysfunction**, interrupting healthy growth and development, and other serious risks, like loss of bone density, cognitive problems, blood clots, cardiovascular disease, and cancer.

* **Create a Head-On Collision With Parental Rights.**

The new regulations would authorize K-12 schools to support socially transition children to a different gender without requiring notice to parents, the involvement of medical professionals, or legal documentation. These are life-altering decisions they are not qualified to make.

These rules will foreseeably increase calls to child protective services for parents who uphold biological reality. Children are harmed when *parents are disempowered* to make the best decisions to protect their mental, physical, and spiritual well-being.

* **Require Schools to Open Up Their Privacy Facilities Based on Gender Identity.**

Schools would be required to permit males who identify as females to use privacy facilities set aside for females, and vice versa. Girls/women will have to surrender their right to privacy and be placed at increased risk for harassment or assault by males who claim a female identity.

* **Jeopardize Girls’ and Women’s Athletic and Educational Opportunities.**

These rules will require sports teams to be based on gender identity, instead of biological sex, forcing girls and women to compete on an unfair basis for athletic opportunities and scholarships against males and creating significant risks of injury for girls and women.

* **Threaten Religious Freedom and Free Speech in favor of Gender Indoctrination.**

School districts will be forced to adopt policies that compel students and staff to refer to others as something other than their sex. This will violate students’ and teachers’ First Amendment rights to speak freely and treat others in a manner that is biologically accurate and consistent with their faith.

* **Turn Title IX Coordinators into federal law enforcement officials.**

The new regulations give Title IX Coordinators sweeping new authority to enforce the new mandates. They empower Title IX Coordinators to decide whether to make a complaint against a school official or another student even if a child does not want to.

**TAKE ACTION**

Parents, educators, and community leaders must take action against the devastating impacts of the USDOE’s proposed Title IX regulations through the **Public Comment** process **on or before September 12, 2022**.

**What you should know about Public Comments on Federal Agency Rulemaking**:

* ***What is a public comment?***

A public comment is written input on proposed regulations that gives reasons or evidence why they should or should not be adopted. The Federal Register has a portal for the public to submit their comments.

* ***What is the goal?***

The USDOE is required to consider and respond to the public comments they receive. If they fail to address comments about negative impacts its proposed rules will have, a court may strike them down as “arbitrary and capricious.”

The goal is a high volume of public comments that may cause the USDOE to reconsider or delay, or may assist other branches of government to block their implementation.

* ***What sorts of information should be in a public comment?***
	+ Name of the proposed rule and RIN (Regulation Identifier Number)
	+ For each area of concern explaining how they would ***specifically impact*** or pose ***specific threats*** to you, your family or children, your organization or its members.

* + ***Personal stories*** and/or citations or links to relevant studies, articles, reports, examples, or other evidence.
	+ ***Pose questions the USDOE needs to answer*** – such as the **economic impact** of the proposed regulations. Money is allocated to schools based on the number of students registered each year. When schools lose students they lose funding. *The threat of lost funding by parents removing their children can be a powerful weapon.*

**Here’s What To do:**

* **Parents, educators,** and **community leaders** should submit comments regarding the proposed Title IX regulations. Explain who you are, why you are commenting, and the types of *specific impacts, threats, information and/or personal stories* described above.
* Consider stating that the proposed regulations are so harmful that if adopted you may **consider removing your children from public school** and/or encouraging others to do so.
* Comments should be submitted to the Federal Register electronically at: <https://www.federalregister.gov/documents/2022/07/12/2022-13734/nondiscrimination-on-the-basis-of-sex-ineducation-programs-oractivitiesreceivingfederal#opencomment?utm_source=email&utm_medium=email_pray_act&utm _campaign=take_action>
* On the Federal Register Web Page click the Green “Submit a Formal Comment” button.
* Be sure to put the **Docket ID: ED-2021-OCR-0166** at the top of your comment.
* Prewritten comments can be **uploaded** in Microsoft Word or “print to PDF” format by clicking the Green “+ Add a File” button.
* Educate your family, friends, and members on the threats posed by these regulations and **encourage them to submit comments to the USDOE** by September 12.

**TOOLS FOR ADVOCACY**

Child & Parental Rights Campaign has developed the following resources to help you prepare your comments:

* **Call to Action** that includes a brief summary of the proposed regulations and what to do.
* **Detailed Legal Analysis** of the key provisions of the proposed regulations.
* **Sample comment starters** for parents, educators, and community leaders for the following concerns:
	+ Parental rights
	+ Harms to children
	+ Freedom of speech
	+ Freedom of religion
	+ Protecting girls’ sports and privacy spaces
	+ Harms to minority community
	+ Economic impact

[Button with link - <https://childparentrights.org/title-ix/>]

*Child & Parental Rights Campaign, Inc.* is a non-partisan not-for-profit public interest law firm founded to protect the well-being of children and defend parental rights against the impacts of gender identity ideology. Our attorneys and staff stand ready to assist with additional information, legal representation, or educating you or your network or organization. You can reach us at info@childparentrights.org or 770.448.4525.