

Southeastern Legal Foundation Opposes Biden Administration's Proposed Changes to Title IX of the Civil Rights Act

WASHINGTON, DC (September 12, 2022): Southeastern Legal Foundation (SLF) submitted a [public comment](#) today opposing the Biden Administration's [proposed changes](#) to Title IX of the Civil Rights Act. The proposed rule reverses decades of progress our nation has made toward equality, open discourse, due process, and parental rights.

As SLF explained in its [comment](#), the Department of Education is expanding the definition of sex under Title IX to include gender identity, sex stereotypes, and sex characteristics, while also lowering the bar for who can be accused of violating this policy. The Department also mandates that every school implement reporting forms that allow students to accuse their peers of harassment. As the Biden Administration rewrites and redefines the standards for sex discrimination under Title IX, students will be forced to guess whether their words will offend their classmates and subject them to reports of harassment. Rather than risk being reported, investigated, and punished, students will be forced to self-censor and adopt views they do not agree with.

SLF pointed out that students' rights are not the only rights at issue. Under the new rule, teachers will be required to report anything that could be considered harassment, even something as innocent as a joke between friends. And the new rule is just the tipping point for parents who are already concerned about the [lack of transparency](#) in public schools.

"Parents are the primary caregivers for their children, and they raise their children to share certain values and beliefs, such as the view that there are only two genders," says [Kimberly Hermann](#), General Counsel for SLF. "But under this rule, schools will tell children they can no longer hold those views. Schools will instruct teachers to report any students who do not conform to those views. If they don't, their jobs could be on the line. The impact this rule will have on freedom of speech and parental rights cannot be overstated."

Director of Litigation for SLF, [Braden Boucek](#), adds, "The proposed changes to Title IX completely undermine its original purpose: ensuring equal access to education regardless of sex. Now, biological males can compete against females in sports. And if a female student so much as complains about that to her coach, the coach is obligated to report the student to a Title IX coordinator, who can launch a full-scale investigation. Chances are the Title IX coordinator will have a lot more incentive to find discrimination than not."

SLF will continue to monitor the proposed changes to Title IX during the rulemaking process.