



Written by [David Kelly](#) on July 14, 2022

## Title IX Goes Woke

This year the Department of Education (DOE) is celebrating the 50th anniversary of the passage of Title IX of the Education Amendments of 1972. The [federal law](#) prohibits discrimination based on sex in any educational program or activity receiving federal financial assistance. It is enforced by the DOE's Office for Civil Rights. For the 50<sup>th</sup> anniversary, Biden's administration is seeking radical changes that will put women's safety and privacy at risk, and deprive women of athletic and professional opportunities.



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Since its inception in 1972, Title IX has been enforced using the self-evident definition of "sex" — a person's status as male or female based on immutable biological traits. The [new rule](#) proposed by Biden's DOE will redefine "sex" as used in Title IX to include "sex stereotypes, sex-related characteristics (including intersex traits), pregnancy or related conditions, sexual orientation, and gender identity."

Please note that this writer — and I'm certain many of you readers would agree — believes that the DOE needs to be defunded and sunset from the federal government. Parents need to be the decision-makers for their children's education, not any government entity. But with that said, with the current state of affairs being what they are, the new Title IX changes being proposed are absolutely 100% woke and will affect public education.

The DOE claims:

The proposed regulations will advance Title IX's goal of ensuring that no person experiences sex discrimination, sex-based harassment, or sexual violence in education. As the Supreme Court wrote in [Bostock v. Clayton County](#), 140 S. Ct. 1731 (2020), it is "impossible to discriminate against a person" on the basis of sexual orientation or gender identity without "discriminating against that individual based on sex."

The regulations will require that all students receive appropriate supports in accessing all aspects of education. They will strengthen protections for LGBTQI+ students who face discrimination based on sexual orientation or gender identity. And they will require that school procedures for complaints of sex discrimination, including sexual violence and other sex-based harassment, are fair to all involved. The proposed regulations also reaffirm the Department's core commitment to fundamental fairness for all parties, respect for freedom of speech and academic freedom, respect for complainants' autonomy, and clear legal obligations that enable robust enforcement of Title IX.

The consequences of such a rule change would be significant, as it:

- Deprives women of privacy and safety. Men who identify as women will be allowed access to



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women's bathrooms, locker rooms, dorms, overnight accommodations, sports, and any other sex-segregated activity at educational institutions that receive federal financial aid.

- Contradicts state laws in [thirteen states](#) that protect female students and prevent male athletes from competing in women's sports. States like Arizona, Arkansas, Florida, Georgia, Idaho, South Dakota, and Texas have all passed legislation protecting women's sports.
- Negatively impacts educational and career opportunities for women. The changes will impact women's scholarships and their opportunity to get on the playing field in the first place.
- Puts students in jeopardy of losing funding at their schools. The Left claims to be pro-student, but any school that maintains safe and separate bathrooms and locker rooms for males and females will be at risk of losing federal funding.
- Distorts justice and undermines due-process protections for the accused. Biden's rule will strip those accused of sexual assault or harassment of their right to be represented by counsel, to introduce evidence, or to cross-examine witnesses during the adjudication of sexual assault and sexual harassment hearings on school campuses.
- Harms childhood development by redefining sex and gender. Teaching children to question their biology and gender is untested and unscientific. Young children and developing adolescents are being harmed by this woke political agenda.

These proposed changes make clear that the Biden administration's pet mission is to advance the transgender agenda. And it's ironic that Title IX — a federal law once advanced by liberals and feminists as ultimately protective of the rights of women and girls — is being transformed into a woke agenda and a truly dystopian nightmare for American public education.

The good news here is that Biden's education secretary, Dr. Miguel A. Cardona, has been tasked with seeking comments on these proposed changes. If you want to have your say on the proposed rule changes for Title IX, [reach out](#) to the DOE before the 60-day comment window closes on September 12.



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