

From: Elizabeth Miller
Sent: Tue, 8 Jun 2021 19:38:48 -0500
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (single-sex sports teams)

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Dear Department of Education,

I am writing regarding the Department of Education's carrying out of its responsibilities under the Executive Order 14021 on [Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity](#), 86 Fed. Reg. 13803 (March 11, 2021), and Executive Order 13988 on [Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#), 86 Fed. Reg. 7023 (Jan. 25, 2021).

As a lifelong active progressive Democrat and feminist, I urge support for single-sex sports for women and girls, and constitutional protections for freedom of speech and belief.

Thanks to the groundbreaking passage of Title IX, women have prospered in the education system, including through increased participation in competitive athletics. Today, however, the Department

of Education is considering policy changes that threaten to roll back these gains by re-interpreting Title IX to prohibit single-sex sports teams.

No one should face discrimination in publicly-funded education due to their sexual orientation or non-conformity to sex-stereotypes. But the notion of "gender-identity," on the other hand, denies the reality of differences when they do exist between the sexes, almost universally to the disadvantage of women and girls. It is no more appropriate to separate teams by personal identity than it is to separate teams by sexual orientation or race.

When female athletes are forced to compete in de facto coed teams, they are deprived of titles, records, medals, scholarships, and opportunities to win, or participate, fairly and safely. In one example, two male high school track runners in Connecticut blew away female competitors at the state track championship and smashed 15 records previously held by female competitors.

I encourage you to remember that all students are welcome to use sex-specific programs and spaces with their same-sex peers, and that this has not changed. We can not allow the rights of women

and girls to be dictated by threats, nor can we allow women and girls to be silenced by threats of discipline, suspension, or even expulsion for speaking the truth or for saying no.

I urge the Office of Civil Rights to ensure the legacy of Title IX by continuing to enforce the law on the basis of sex, and to affirm that the first amendment protects our right to discuss issues of public concern, including matters that affect single-sex spaces and sports.

Very truly yours,

Elizabeth Miller