Sex matters in Title IX. Please protect girl’s and women’s right to a fair and safe playing field. Please protect women’s sex-based rights.

The Department of Education’s implementation of E.O. 13988 and E.O. 14021 to Title IX must extend Bostock’s holding consistent with its recognition that sometimes sex matters. In doing so, the Department must also remember that female students are the intended beneficiaries of Title IX’s legal protections. Bostock’s groundbreaking guarantee of equal rights to gay, lesbian, and transgender students includes responsibly balancing the interests of all impacted parties and honoring existing single sex classifications. This can be fairly accomplished by providing guidance that prohibits discrimination on the basis of transgender status and sexual orientation while affirming the legitimacy of single sex classifications in Title IX where sex matters.

Thank you.