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To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing

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As the U.S. Department of Education’s Office for Civil Rights (OCR) considers its responsibility to implement President Biden’s “Executive Order on Preventing and Combating Discrimination based on Gender Identity or Sexual Orientation” (E.O. 13988) and “Guaranteeing an Educational Environment Free From Discrimination based including Sexual Orientation or Gender Identity” (E.O. 14021), I urge you to provide guidance affirming the permissibility of sex-based classification in certain narrowly drawn circumstances described in Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) and its implementing regulations.

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 based on transgender status and sexual orientation while affirming the legitimacy of single-sex classifications in Title IX where sex matters.

Thank you,

-Parker Wolf

Disabled Veteran

GNC Lesbian

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