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To: T9PublicHearing
Subject: TITLE IX

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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 on the Basis of Gender Identity or Sexual Orientation" (E.O. 13988) and "Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, 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.

"I support the extension of Title IX's protections to claims of discrimination on the basis of sexual orientation and transgender status. I also agree, as eloquently stated in E.O. 14021: '[A]ll students should be guaranteed an educational environment free from discrimination on the basis of sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, and including discrimination on the basis of sexual orientation or gender identity.'

[Note: placing people by sex, as in women's sports, is not discrimination. I agree that trans people should not be mistreated, taunted, etc, and that is how I read this section. What follows explains the legal basis for this position more clearly]

"Bostock v. Clayton County (140 S.Ct. 1731 (2020)), the primary legal authority for E.O. 13988, clearly demonstrates how transgender people can be protected from discrimination without disturbing single sex classifications whose application and enforcement do not constitute discriminatory actions under existing law.

"Gender identity is not equivalent to nor a substitute for sex
SALLY TATNALL

(b)(6)