



THE 9 ON TITLE IX

WHAT YOU NEED TO KNOW ABOUT THE BIDEN ADMINISTRATION'S PROPOSED CHANGES TO TITLE IX

Jonathan Pidluzny and Alexandra Caro Campana | August 31, 2022

This year marks the 50th anniversary of Title IX of the Education Amendments of 1972, legislation that applies to K-12 and postsecondary schools that received federal funding. Title IX guarantees that “no person in the United States shall, on the basis of sex, be excluded from the participation in, be denied the benefits of, or be subject to discrimination in education and athletic programs on the basis of sex.” The law’s legacy has been to equalize education opportunities for women, most famously in collegiate athletics. Title IX also requires schools to investigate instances of sexual harassment.

The Biden Administration’s proposed changes to Title IX regulations reengineer K-12 and postsecondary education to advance a radical sexual identity agenda, harming students and families. By broadening the definition of sexual harassment to include sexual identity and sexual orientation, the Biden Administration will **weaken parental rights, undermine female athletics by opening women’s competition to biological male athletes, and deepen the campus free speech crisis.** The rule also obliterates due process protections for college students accused of sexual misconduct and is likely to be used to force schools to provide medical care and insurance related to abortions and gender transition.

THE 9 ON TITLE IX: THE BIDEN ADMINISTRATION PROPOSED TITLE IX CHANGES WOULD:

1. **Undermine parental rights and authority** while empowering activist teachers promoting trans-ideology in our public schools.
2. **Deny children basic protections for free speech** and encourage investigations when students “misgender” classroom peers, jeopardizing religious liberty.
3. **Make schools unsafe for women** by opening intimate facilities like bathrooms and locker rooms to students based on gender identity.
4. **Preempt state and local efforts to protect students** from age-inappropriate sexual content.
5. **Open K-12 girls’ athletics competition to biological males**, making competition unsafe and depriving young women of athletic and scholarship opportunities.
6. **Destroy women’s college athletics** by allowing biological males to compete in female athletics and break women’s records.
7. **Permit colleges to reinstitute a “judge, jury, executioner” single-investigator** disciplinary model that weakens due process protections for college students accused of sexual misconduct.
8. **Require colleges to establish pronoun police**, deepening the campus free speech crisis.
9. **Require colleges to provide healthcare services related to “termination of pregnancy”** and gender transition.

Download AFPI’s “Title IX toolkit” to learn more about the “9 on Title IX”



CALL TO ACTION

It is up to you — concerned parents and citizens — to protect the integrity of public education in the U.S. from a radical attempt to rewrite Title IX regulations. You can fight for our children and schools in the following ways:

1. Click [here](#) to comment on the Biden Administration’s proposed rule by September 12. Use this document for information and ideas regarding what to comment on! (Details on the comment process are below).
2. Share this fact sheet and the link to the comment portal:
<https://www.federalregister.gov/documents/2022/07/12/2022-13734/nondiscrimination-on-the-basis-of-sex-in-education-programs-or-activities-receiving-federal>
3. Utilize your social media accounts to alert others about the proposed Title IX regulation changes and how they will harm women and girls and threaten parents’ rights.
4. Demand transparency from your local school board on what this would mean for your children and download the America First Policy Institute’s [parent toolkit](#).
 - a. Email your local school board members.
 - b. Call your school board members.
 - c. Attend school board meetings and speak out.
 - d. Run for school board.
5. Educate federal lawmakers on the definition of “sex” according to biology in Title IX of the Education Amendments of 1972.

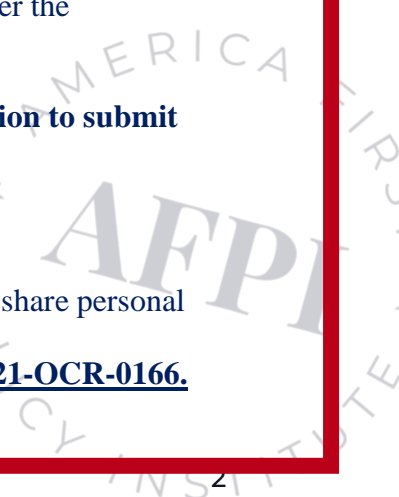
Make your voice heard and help protect public education. Concerned citizens have until ***September 12, 2022, to file a public comment*** opposing the rule change. Public comments are important for several reasons:

- A high number of comments is a strong signal to the media, federal administrators who write regulations, and stakeholders that the issue is very important to the public.
- The Department of Education is legally required to take every comment into account. Thoughtful criticism can lead to important changes that improve the final rule.
- When agencies neglect to respond to comments or fail to address serious deficiencies highlighted during the comment period, courts can strike them down under the Administrative Procedures Act.

Visit the Federal Register [comment portal](#) for the proposed Title IX regulation to submit your public comment.

TIPS:

1. Personal insights and pointed questions make for effective submissions.
2. Public comments can be made anonymously for those who would like to share personal experiences without public attribution.
3. **Be sure to include the Docket ID at the top of your comment: ED-2021-OCR-0166.**



4. Remember: comments are due September 12, 2022.

