

September 7, 2022

RE: Docket ID: ED-2021-OCR-0166 – Public Comment

Dear Sir or Madam:

I am president of Wisconsin Family Action, a state family policy council, with headquarters located in Madison, Wisconsin.

I am writing to express my deep concerns about the proposed changes to the Title IX Regulations and the violations of the tens of thousands of constituents and their rights that will occur if these changes take place.

I am concerned that....

- The proposed regulations would violate parental rights by allowing school personnel to keep from parents important information about their child's "gender identity" and/or "gender expression" at school. School officials have no authority to trump parental authority or keep parents in the dark about these matters. Right now in Wisconsin at least 3 lawsuits are dealing with this very issue—the trouncing on parental rights by schools via policies similar to this proposed federal regulation.

- The proposed regulations would harm children's health and well-being by keeping the above information from parents. One of the lawsuits in Wisconsin involves Kettle Moraine School District where the school refused to do as a parent requested regarding a child who was struggling with gender identity issues. The parents asked the school to use the child's given name and the pronouns for her biological sex. The school refused. As a result of all the school basically pushing this child into believing she could do the impossible—change her sex—she became emotionally distraught, in conflict with her parents, and more. In addition, school personnel who push minors to seek out a medical provider who will prescribe cross-sex hormones or puberty blockers or "transition" surgery are putting minors at great risk both physically and mentally.

- The proposed regulations would violate my members' children's and teachers' Freedom of Speech by forcing school personnel and students to call students by names and more egregiously by pronouns that do not reflect their biological reality. I know of teachers in Wisconsin have basically been told their jobs are in jeopardy if they don't capitulate on this. This matter violates the **religious liberties and conscience rights** of those whose faith clearly teaches there are only two sexes: male and female.

- The proposed regulations would threaten girls' privacy / safety / sport's opportunities by allowing boys to participate in girls' athletic teams or events, thereby often keeping girls from championships, records, and even scholarships. With this change in athletics, comes access to locker rooms, restrooms, etc. This violates the privacy rights of the vast majority of students. How can anyone forget the horrendous situation in Loudoun County, Virginia, last year, where a biological male "identifying" as female, accosted a female student in the girls' restroom. The school administration's response? Move the boy to another school, where he did the same thing. In one Wisconsin school, a first-grade girl was so traumatized by a biological male being

in the girls' restroom that the parents had to find alternative schooling for her. This is fundamentally wrong and puts girls in particular in exceedingly vulnerable situations.

These proposed changes to the Title IX regulations would be so harmful to parental rights, children's well-being, religious liberties, First Amendment rights, girls' privacy, safety, and sports opportunities that if adopted we believe many parents and teachers will consider leaving the public school.

We ask you to consider the economic impact of concerned parents removing their children from public schools and worsening the teacher shortage due to these proposed regulations.

I strongly urge you to abandon these changes to the Title IX regulations.


Julaine K. Appling, President Wisconsin Family Action