

September 4, 2022

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

Dear Sir or Madam:

I am a father of two students in schools in my state. I am writing to express my deep concerns about, and my strong objections to, the proposed changes to the Title IX Regulations. These changes would have a very harmful impact on my parental rights and our children's rights and well-being. These changes must be rejected!

I am concerned that...

1. The proposed regulations would put young women at risk of harm, both psychologically and physically, because they would require schools to allow biological males who identify as females to use private restroom and change facilities designated for biological females only. What about dorms in colleges and universities? I assume the regulations also would force schools (in many cases over their strong objections) to allow males who identify as females to be housed in female-only housing. This is a violation of privacy rights and puts women at risk of harm, injury, sexual abuse, and sexual assault.
2. The proposed regulations in a great many cases violate the investment intentions of parents who are sacrificing to send their sons and daughters to private, church-affiliated schools. Though private, because these institutions receive federal money, they would be required to follow the new Title IX rules. Without question, many students are attending private, church-affiliated schools because they wish to be in a learning environment that affirms rather than repudiates their core beliefs. These beliefs include convictions about biological sex and sexuality. Parents are spending *multiplied thousands of dollars* to avoid educational environments where their own and their children's core convictions are rejected and ridiculed. These students *want* to be educated in insitutiitions that accept their convictions as *givens*, even as they concentrate on teaching them the academic subjects they came to study. The proposed changes in Title IX regulations trample on the intentions of parents' sacrifices and investments. They violate parents' and students' rights in the worst sort of ways. The federal government has no right to force beliefs of any kind on schools, parents, or students.
3. The proposed regulations would infringe on religious liberties by enforcing a perspective on gender and biological sex that countless parents, students, families, and schools simply reject. The Declaration of Independence speaks of equality based on having been created by God. It is self-evident that God created two sexes — male and female. This is not simply an opinion; it is reality, and it is a part of many people's religious convictions. The individual who is born a male is and will be a boy or a man as long as he lives; and the individual born a female is and will be a girl or a woman as long as she lives. Biological sex is not fluid. It is not malleable. The federal government is wrong to insist that any entity — whether an individual, a group, or an institution — cannot hold these convictions.
4. The proposed regulations would violate Freedom of Speech rights by putting countless students in a position where the school must focus on and promote an ideology that neither it nor they accept, one that stands totally contrary to their religious beliefs and that is totally unnecessary for a balanced and complete education.
5. Apparently contrary to the federal government's wishes, a countless number of young people still believe that only two sexes exist — male and female. However, if these regulations are implemented, these young people will have reason to live in fear of offending someone by merely stating

their convictions. The offended party would essentially have a club to use against these young men and women, even though free speech — not the right not to be offended — is guaranteed in the US Constitution.

6. I also object to the proposed changes based on how they will affect communities at large, and especially the young people who are a part of them. These regulations amount to coercion on the part of the federal government. They are telling local schools and school districts that they *must* comply with policies that violate the privacy rights of both boys and girls (because what I wrote of males who identify as females also is true of females who identify as males), or the money for federal school food programs will be withheld. While some may be able to get their children out of the public schools (and this is just the sort of thing that will compel parents to take this action en masse), it is undeniably true that poor families who have fewer resources at their disposal to remove their children from public schools will be stuck. They will be at the mercy of a coercive federal government.
7. The proposed regulations would obliterate women's sports, since (as I have indicated) they would require schools to open women's competition to males who identify as females. This is the *exact opposite* of what Title IX was created to do; it was implemented to *protect* women and their opportunities, not violate them!
8. Perhaps most tragic of all, the regulations will indoctrinate otherwise healthy children and teens into believing that they have been born into the wrong bodies and that they need medical and even surgical correction for this "mistake." Opportunities to take puberty blockers and to have surgeries will violate their rights to make fully informed decisions (which they cannot make as

teenagers, as minors), and violate young people's parents' right to guide their children in the ways they believe to be right. Here is the bottom line: Children do not belong to the state, but to parents! To take children and to teach them unproven ideas about gender identity and sexuality and to send them on a path that many have come later to regret (see <https://sexchangeregret.com>) will certainly drive a wedge between parents and children. Is this the real goal of the proposed changes? One is compelled to wonder.

My above list emphasizes how the proposed Title IX regulations would be harmful to parental rights, religious liberties, children's well-being, the Frist Amendment rights of parents and students, and young people's (especially women's) privacy and safety. I've also shown how these regulations will be extremely harmful to countless individuals in the community at large. If adopted, probably millions of families would have to consider removing their children from the affected schools — all because the federal government would be violating Americans' unalienable rights to live and believe as they choose.

I could put it another way. From a broader perspective, these regulations actually put public schools at risk. Money is allocated to schools each year on a per-student basis, based on the number of children enrolled in school. I ask you to calculate and take into consideration the **economic impact** that would be caused by concerned parents who will decide to remove their children from public schools due to these proposed regulations.

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

With sincerity and conviction,
B. Nathaniel Sullivan