



## Republican National Committee

Counsel's Office

### RESOLUTION CONDEMNING GOVERNMENTAL OVERREACH REGARDING TITLE IX POLICIES IN PUBLIC SCHOOLS

WHEREAS, A person's sex is defined as the physical condition of being male or female, which is determined at conception, identified at birth by a person's anatomy, recorded on their official birth certificate, and can be confirmed by DNA testing;

WHEREAS, Transgender policies deal with students who choose to be designated by their desired *gender identity*; an identity that conflicts with their anatomical sex;

WHEREAS, The U.S. Congress has never included *gender identity* within the Title IX Federal Law that prohibits discrimination on the basis of sex in any federally funded education program or activity and that mandates allowing students of one biological sex to play sports designated for the opposite biological sex;

WHEREAS, Federal courts have ruled that Title IX does not extend to claims of discrimination based on *gender identity* and that schools can maintain separate restrooms, locker rooms and other facilities on the basis of sex where privacy is a concern;

WHEREAS, The Obama Administration's Education Department's Office for Civil Rights released an updated policy letter stating that Title IX's sex discrimination prohibition extends to an individual's chosen *gender identity* of male or female;

WHEREAS, Federal courts have ruled that the U.S. Department of Education's interpretation of Title IX is not legally binding because the Department lacks authority to promulgate such an interpretation; and

WHEREAS, Policies of the Obama Administration, presidential candidate and former Secretary of State Hillary Clinton, and public schools that allow any students to use the restrooms, locker rooms, or other facilities designated for the exclusive use of the other sex infringes on the rights of privacy and conscience of other students; and therefore be it

**RESOLVED**, The Republican National Committee calls on the Department of Education to rescind its interpretation of Title IX that wrongly includes facility use issues by transgender students;

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*RESOLVED*, The Republican National Committee encourages State Legislatures to recognize that these Obama *gender identity* policies are a federal governmental overreach, a misinterpretation of Title IX policies, and an infringement upon the majority of students' Constitutional rights; and

*RESOLVED*, The Republican National Committee encourages state legislatures to enact laws that protect student privacy and limit the use of restrooms, locker rooms and similar facilities to members of the sex to whom the facility is designated.