



ADVOCATES PROTECTING CHILDREN

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Advocates Protecting Children
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We are writing to comment on 34 CFR Part 106 [Docket ID ED-2022-OCR-0143] RIN 1870-AA19 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance: Sex-Related Eligibility Criteria for Male and Female Athletic Teams, published on April 13, 2023.

This regulation states: (b)(2) If a recipient adopts or applies sex-related criteria that would limit or deny a student's eligibility to participate on a male or female team consistent with their gender identity, such criteria must, for each sport, level of competition, and grade or education level: (i) Be substantially related to the achievement of an important educational objective; and (ii) Minimize harms to students whose opportunity to participate on a male or female team consistent with their gender identity would be limited or denied.

The proposed policy update fails to take into consideration the impact on women and girls, including their safety when competing against biological males, having their consent undermined by being forced to use locker rooms and showers with biological males, not to mention that it undermines the intent of Title IX by privileging the feelings of biological males who wish to compete in girls and women's sports rather than protecting the rights and safety of girls and women.

In addition, the policy does not consider that encouraging students to embrace a transgender identity has the potential to harm these students. Once a child is affirmed in a trans identity, the likelihood that the child will pursue medical interventions that damage his or her otherwise healthy body goes up tremendously. Considering that gender dysphoria resolves in the vast majority of children if they are allowed to progress naturally through puberty, the new policy promotes an ideology that is likely to result in harm to a gender confused child.

Finally, this policy ignores how all children are harmed with by embracing a policy that undermines the biological reality sex.

We ask you to consider the very reason that Title 9 was enacted and ask you to preserve the original intention of Title 9, To protect women and girl's rights and protections.

Sincerely,

Advocates Protecting Children Board

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There is no such thing as a transgender child.