



Title IX in the K-12 Setting

Testimony before Department of Education

Office for Civil Rights

By Meg Kilgannon

Thank you. I am Meg Kilgannon, formerly the Director of the Center for Faith and Opportunity Initiatives at the Department of Education under the Trump administration, and now Senior Fellow for Education Studies at Family Research Council.

I have listened to several hours of testimony offered in this forum and been struck by the passion so many people feel on this topic. Both men and women have made compelling arguments about how Title IX affects their lives. While I do not agree with all of the comments, I can understand why people advocate for the views that they hold, and I very much appreciate their right to express those views. I am grateful that our governing processes prioritize listening to comments from the public. I hope those who have been sworn in as public servants will listen to all sides with consideration, especially those comments informed by values and experiences different from their own.

We at Family Research Council, an organization representing hundreds of thousands of families across the country, urge that great care be taken when considering the needs of children in the K-12 setting. Title IX is based on sex and sex alone. It distinguishes between men and women based on biological sex. Any other interpretation of “on the basis of sex” harms women and girls, parents, and families. Parents who send their children to schools, whether public or private, do not hand over their right to

direct their children's education at the schoolhouse door. Parents are the primary educators of children and their best advocates. The best schools and teachers strive to truly partner with parents so that together they can work for the good of the child.

“Expansions of protections” for students can therefore never be legitimate protections if they are achieved at the expense of parental knowledge and consent (not to mention at the expense of other students and staff). To interrupt the bond between parents and children, to insert oneself between a custodial parent and his or her child for any reason, is unnatural and unacceptable. Period.

Policies such as keeping duplicate records that hide information from parents about their own child, allowing children to present themselves one way at school and deliberately keeping that information from parents, allowing name changes, allowing children to access opposite-sex changing facilities and the like, all while keeping parents in the dark—such policies can never be called protections and are not in the best interest of anyone.

Further, the social transition of children directed by school officials should be instead considered medical treatment because the reason for directing that behavior is usually alleged to be the mental health of the child. Only parents have the right to direct the medical treatment of students. School administrators lack the medical training and professional competency to address those needs. Medical interventions are the responsibility of the parent and the doctor of their choosing.

Every child has dignity and value. Every child is born in exactly the right body. The protections enshrined in Title IX, including religious exemptions, benefit everyone just as they are. Thank you.

Submitted by Meg Kilgannon, Senior Fellow for Education Studies

Family Research Council