## Covering Challenges to Transgender Rights

EWA National Seminar Panel May 30, 2025

## **Evolution of Title IX**

Title IX of the Education Amendments of 1972

Federal civil rights law that prohibits discrimination on the basis of sex in educational programs and activities

At its heart, Title IX says everyone should be able to access their education equally, regardless of their sex.\*

\*Depending on the federal circuit, can include gender identity and sexual orientation.



After Title IX the law is passed in 1972, Title IX regulations (rules) are passed in 1975



1972

Franklin v. Gwinnet
County Public Schools

SCOTUS: Title IX applies to victims of sexual assault

1992

OCR: Title IX applies to transgender students

(Revoked in 2017, reinstated 2021, revoked 2025)

2016



1989

Price Waterhouse v. Hopkins

Sex stereotyping" is sex discrimination under Title VII

2011-13

OCR: Title IX applies to young parents, pregnant women

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G.G. v. Gloucester
County School Board
(4th Cir)
Title IX applies to
transgender students



OCR: Bostock interpretation applies to Title IX. 20 AGs sue.

2021

2023

A.C. v. MSD of Martinsville and B.E. v. Vigo County School Corporation (7th Cir.), Grabowski v. Arizona Bd. of Regents (9th Cir.) Title IX still applies to transgender students

Adams ex rel. Kasper v. School Board of St. Johns County (11th Cir.) No it doesn't

2020

2017

Whitaker v. Kenosha Unified School District (2017)

7th Cir: Title IX applies to transgender students



Bostock v. Clayton Co.

SCOTUS: Firing an employee for being gay or transgender is discrimination under Title VII





U.S. District Court for the Eastern
District of Kentucky issued a
decision that vacated the 2024
President Biden's Title IX
regulations nationwide

President Trump issued EO:
Defending Women from Gender
Ideology Extremism and
Restoring Biological Truth to the
Federal Government

President Trump's OCR announces targeted Title IX investigation into Denver public school bathrooms (dozens more to follow)

1/20/25

1/9/25

4/19/24

President Biden issues 2024
Title IX regulations.

20 Republican AGs sue, specifically with concerns about LGBTQIA+ applications 1/31/25

President Trump's OCR reverts to 2020 Title IX regulations

1/28/25

March 2025 -

OCR gutted.
Courts start issuing injunctions on EOs and OCR moves.



## Safely Centering Transgender Youth in Coverage



Erika Schultz / The Seattle Times



Erika Schultz / The Seattle Times

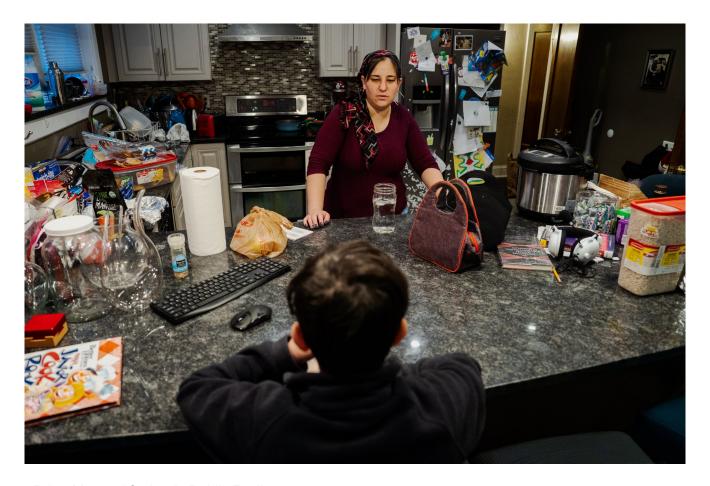




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