

Tuesday, May 17, 2016

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## **Oregon School Districts Are Being Bullied**

Oregon School Districts are being bullied. The Oregon Department of Education, the U.S. Department of Education and the Justice Department are using the Title IX law to push open access to bathrooms and showering facilities; a law which actually contains **not one** reference to gender but rather uses the word "sex" to indicate biological males and females.

In Oregon, on May 5, 2016, Oregon K-12 School Districts received a 15-page document from the Oregon Department of Education (ODE) titled '[Guidance to School Districts: Creating a Safe and Supportive School Environment for Transgender Students](#)'. In this document the ODE references the United States Departments of Education and the Department of Justice as stating that "Prohibiting a student from accessing the restrooms that matches his (her) gender identity is prohibited sex discrimination under Title IX". This was drawn from a 4<sup>th</sup> Circuit Court decision which does not apply to Oregon.

In February 2015, a spokesperson from the [Office for Civil Rights](#) stated that the government has the power of the "**bully-pulpit**".

On page 2 of this ODE document, it states that these "guidelines are not legal advice, nor should they be relied on as legal advice."

So this ODE "Guidance" document is not meant to provide legal advice but it does provide **substantial pressure** as well as the **expectation** that districts will comply.