

Legal Update: 5/13/16 OCR Dear Colleague Letter Regarding Title IX -Transgender Students

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As a follow-up to prior updates regarding transgender students' rights, on May 13, 2016, the U.S. Department of Education Office for Civil Rights (OCR) issued a "Dear Colleague" letter regarding LEA's Title IX obligations for transgender students and explains how the U.S. Department of Education (ED) and the U.S. Department of Justice (DOJ) evaluate a LEA's compliance with these obligations. The letter notes that "as LEA's Title IX obligation to ensure nondiscrimination on the basis of sex requires LEAs to provide transgender students equal access to education programs and activities even in circumstances in which other students, parents, or community members raise objections or concerns. As is consistently recognized in civil rights cases, the desire to accommodate others' discomfort cannot justify a policy that singles out and disadvantages a particular class of students." The letter can be accessed electronically at: <https://t.co/PYMnftITeo>.

If you have any questions or concerns regarding this development, or if we can provide any additional assistance as you review your existing policies and procedures, please do not hesitate to contact us.