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## **Moms for Liberty and Young America's Foundation Join with State Attorneys General in Lawsuit to Stop Biden's Unconstitutional Title IX Rewrite**

TOPEKA, KS (May 14, 2024): On behalf of their parent and student members whose constitutional rights have been violated by the Biden Administration's overhaul of Title IX, [Moms for Liberty](#) and [Young America's Foundation](#), both represented by [Southeastern Legal Foundation](#) (SLF), filed a [lawsuit](#) in federal court today. The organizations are joined by the states of Kansas, Wyoming, Utah, and Alaska in the lawsuit, which aims at stopping the Department of Education's blatant disregard for the First Amendment rights of K-12 and college students. SLF and [Mountain States Legal Foundation](#) (MSLF) are representing these parents and students free of charge in their fight for freedom.

Congress passed Title IX of the Education Amendments of 1972 to prohibit schools from discriminating on the basis of sex. Title IX ensures that girls and women are afforded the same educational opportunities as boys and men, while at the same time recognizing that sex-separated facilities such as restrooms and locker rooms are necessary to protect their dignity and privacy.

Within days of taking office, President Biden and his administration started gutting these protections. Biden issued an [Executive Order](#) unilaterally changing the definition of "sex" to include "gender identity" and ordered the Department of Education to rewrite Title IX regulations to forever remove equal access and other legal protections. In late-April 2024, the Biden Department of Education issued the [final rule](#) which Moms for Liberty and Young America's Foundation [now challenge](#) in court.

The Biden Rule is blatantly unconstitutional and unlawful, but even more, it is an affront on the rights of America's students and families. It robs them of their First Amendment rights to speak and not to speak and of their parental right to direct the upbringing of their family.

According to the Department of Education, the word "sex" no longer refers to biological males and females. Instead, it has redefined "sex" to include sex stereotypes, sex characteristics, and gender identity.

The new rule will have a devastating impact on students, who will be forced to self-censor rather than risk being reported for harassment under the new Title IX standard. Students will no longer be able to speak the truth. Instead they will be forced to use incorrect pronouns, affirm queer theory, and decline to speak up for their physical safety and privacy.

For example, under the Biden Rule, if a student or teacher holds the view that there are only two genders informed by biological sex, or that individuals cannot transition genders, he or she can be accused of harassment under Title IX for refusing to accept one's so-called gender identity. If a boy insists on using a girl's bathroom or locker room, the daughters of Moms for Liberty members must accept his presence and cannot even express their concern or disagreement. Or if college students like the members of Young America's Foundation want to host events and activities discussing

gender ideology, transgenderism, and de-transitioning—as they have in the past—they will now think twice and self-censor for fear of punishment.

The Biden Rule also significantly undermines the role of parents—who are the primary caregivers for their children and who are entitled to raise their children to share certain values and beliefs—by requiring conformity to the federal government’s views on biology and so-called gender identity.

SLF Executive Director [Kimberly Hermann](#) states, “Parents have had enough with the Biden Administration. They’ve been investigated by the FBI, they’ve been stonewalled over open records requests, and now they’re being told that they can’t raise their children to hold certain views about biology and gender. As if that weren’t enough, when their children go off to college, they are met with constant censorship from peers and administrators. The Department of Education’s drastic unconstitutional changes to Title IX will only further weaponize the campus thought police. We are proud to stand with these parent and student organizations as they fight back against the administration’s most drastic steps yet.”

MSLF General Counsel [William Trachman](#) states, “President Biden’s Title IX rule should never take effect. It would be a disaster for schools, students, and parents across the country. By trying to force schools to discipline students for not using preferred pronouns, the Biden-Harris Administration has decided to take direct aim at speech and free expression. MSLF is proud to partner with Southeastern Legal Foundation to represent Moms for Liberty and Young America’s Foundation in challenging this unlawful and unconstitutional rule.”

Vice President and General Counsel for Young America’s Foundation [Victor Bernson](#) states, “Gender ideology is a bald-faced lie, men are men and women are women. With its new Title IX rules, the Biden administration is forcing everyone in college across the nation to repeat and live the lie that men can be women. It’s unconscionable. This lawsuit is YAF’s opportunity to stand with our students on the side of truth and against those who would pervert it.”

Moms for Liberty Co-founders [Tiffany Justice and Tina Descovich](#) state, “Parental rights do not end at the classroom door. Every parent in America is about to see biological boys on girls’ sports teams and in girls’ locker rooms; and gender identity and sexual orientation will be taught in every classroom across America, whether parents like it or not. . . . Our children *go* to public school. They do not *belong* to public school. That is something we will never stop fighting to prove, even if it means going toe-to-toe against the heavy-handed ‘gender identity’ mandates from the Biden Administration.”