

Reading 2: To Ensure the Civil Rights of Transgender Students

Jennifer Roback Morse

Notes

Please write any comments or questions for discussion here.

Statement of the Ruth Institute on the Department of Justice Guidelines to Ensure the Civil Rights of Transgender Students

The Ruth Institute objects to these far-reaching Guidelines of questionable legality. Among our chief concerns:

- These Guidelines, if implemented, will not actually help real children, struggling with unique and complex issues, such as Intersex students and students who experience Gender Dysphoria. (See the complete analysis below.)
- The Guidelines permit students to present themselves as “transgender,” without the knowledge of their parents and without any adult input at all.
- The Guidelines create a class of students called “Transgender” which is a politically defined and not a medically defined class. The government has no competency to do such a thing.
- These Guidelines, if implemented, will certainly harm the millions of ordinary children who are not struggling with gender identity issues at this time.
- These far-reaching Guidelines from the Federal government encroach on the legitimate prerogatives of states, localities and families.
- These Guidelines were issued through a “Dear Colleague” letter, which may or may not be legally binding. Indeed, the 23 states that are suing the Department of Justice argue that such a letter is not binding on local schools.
- School boards are well within their moral and legal rights to decline to participate in the federal government’s war against nature.