

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

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.

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

2017

2020

2021

2023

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



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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

1/28/25

1/9/25

4/19/24

1/31/25

March 2025 -

President Biden issues 2024 Title IX regulations.

20 Republican AGs sue, specifically with concerns about LGBTQIA+ applications

President Trump's OCR reverts to 2020 Title IX regulations

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





Brian Munoz / St. Louis Public Radio



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