

## Student Privacy and Title IX Guidance; SR 1798

**SR 1798** addresses a response to the executive and legislative branches of the federal government regarding the May 2016 federal directive on transgender students in schools that receive federal funding. The resolution states that the Kansas State Senate supports the right of states and local school boards, not the federal government, to direct education policy. The resolution specifies the following additional positions of the Kansas State Senate:

- It stands steadfast in its support for the privacy and safety rights of all students in public schools, colleges, and universities in this state;
- It stands steadfast in its support for parents who send their minor children to school, expecting that public schools will not allow their children to be viewed in various states of undress by members of the opposite sex, or to view members of the opposite sex in various states of undress;
- It encourages public schools, colleges, and universities in this state to uphold their primary responsibility to protect the privacy and safety of all students and to therefore disregard the Obama Administration Title IX guidance;
- It strongly opposes the Obama Administration Title IX guidance as an act of executive overreach that threatens the right to privacy, safety, and education of students in this state; and
- It strongly encourages the Congress of the United States to curtail the Obama Administration Title IX guidance by using every legislative tool in its power, including:
  - Passing legislation to protect students' privacy rights;
  - Reassuring states, schools, and other educational institutions that they will not lose federal education funding by disregarding the Title IX guidance;
  - Withholding funding for the U.S. Departments of Justice and Education that would otherwise be used to implement the guidance; and
  - Holding hearings to investigate the process by which the U.S. Departments of Justice and Education developed the guidance and holding those responsible for the decision accountable for their overreach.

The resolution also expresses gratitude and support for the Attorney General of the State of Kansas for joining litigation against the U.S. Departments of Justice and Education challenging the Obama Administration Title IX guidance, as well as gratitude for joining as *amicus curiae* in the petition to rehear the case *en banc* of *Grimm v. Gloucester County School Board* in the U.S. Court of Appeals for the Fourth Circuit.

The resolution requires the Secretary of the Senate to send an enrolled copy of the resolution to the Governor, the Attorney General of the State of Kansas, the President of the United States, the President of the U.S. Senate, and the Speaker of the U.S. House of Representatives.