ENGROSSED HOUSE
CONCURRENT
RESOLUTION NO. 1021

By: Bennett, Coody (Ann), Fisher, Kern, Roberts (Sean), Faught, Strohm, Vaughan, Brumbaugh, Wesselhoft, Moore, Johnson, Wood, Dunlap, Nollan, Calvey, Ritze, Russ and Rogers of the House

and

Stanislawski and Brecheen of the Senate

A Concurrent Resolution supporting the Attorney General to take certain actions regarding the application of Title IX to transgender students and gender identity and federal government overreach; calling on the Superintendent of Public Instruction and the State Board of Education to instruct school districts to disregard certain guidance and adopt certain policies; recognizing and supporting certain authority of boards of education of school districts; and directing distribution.

WHEREAS, each school district has a responsibility to provide a safe and respectful learning environment for all students; and

WHEREAS, decisions and policies regarding the safe and respectful learning environment for students, including decisions and policies on nondiscrimination of transgender students and other policies related to transgender students, have historically been a

matter of local control and set by boards of education of school districts; and

WHEREAS, on May 13, 2016, the Civil Rights Division of the United States Department of Justice and the Office for Civil Rights of the United States Department of Education issued a Dear Colleague Letter on Transgender Students to school districts which interprets Title IX as requiring schools that have traditional sex-segregated bathrooms and locker rooms to allow access for transgender students to facilities consistent with their gender identity; and

WHEREAS, the Dear Colleague Letter on Transgender Students also addresses issues including a school's responsibility to provide a safe and nondiscriminatory environment for transgender students, participation in school activities based upon gender identity, identification of transgender students in documents, the use of names and pronouns when referring to transgender students, privacy related to the transgender status of a student and disclosure and amendment of education records; and

WHEREAS, the failure of a school district to follow the guidance of the Dear Colleague Letter on Transgender Students threatens the loss of the district's federal education funding; and

WHEREAS, the Dear Colleague Letter on Transgender Students is a blatant example of federal government and executive power overreach, a misrepresentation of the requirements of Title IX and an

infringement upon states' rights and the rights of parents and students.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature supports the Attorney General of the State of Oklahoma in taking whatever action is necessary to protect Oklahoma students, parents and school districts from effects of the Dear Colleague Letter on Transgender Students dated May 13, 2016, issued by the Civil Rights Division of the United States Department of Justice and the Office for Civil Rights of the United States Department of Education, and from the overreach of the federal government on the issue of the application of Title IX to transgender students and gender identity.

THAT the Oklahoma Legislature calls for the Superintendent of Public Instruction for the State of Oklahoma and the State Board of Education for the State of Oklahoma to instruct boards of education of Oklahoma school districts that they may disregard the Dear Colleague Letter on Transgender Students and instead adopt or continue enforcing their own policies to provide a safe and respectful learning environment for all students.

THAT the Oklahoma Legislature recognizes and supports the authority of boards of education of Oklahoma school districts to

make decisions and policies to provide a safe and respectful learning environment for all students.

THAT copies of this resolution be distributed to the Attorney General of the State of Oklahoma, the State Board of Education for the State of Oklahoma and the State Superintendent of Public Instruction for the State of Oklahoma.

Adopted by the House of Representatives the 26th day of May, 2016.

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Presiding Officer of the House of Representatives

Adopted by the Senate the ___ day of _____, 2016.

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Presiding Officer of the Senate