



September 3, 2026

Dear Representative,

On behalf of the members and supporters of the American Association of University Women (AAUW), **we urge you to oppose the Title IX Clarification Act (H.R. 8781)**. By writing a narrow, body-based definition of sex into Title IX, the bill threatens protections for transgender, nonbinary, and intersex students and undermines protections against discrimination based on gender identity, sexual orientation, and sex stereotypes. This goes against AAUW's commitment to removing barriers to education and strengthening civil rights protections for all students.

Title IX is essential for ensuring that every student has equal opportunities to learn. For more than 50 years, this landmark civil rights law has prohibited sex discrimination in education programs and activities that receive federal funding. Before Title IX, women and girls were routinely denied educational opportunities, discouraged from studying math and science, excluded from career and technical programs, and subjected to admission quotas at colleges and professional schools. Title IX dismantled these barriers, and expanded educational opportunity for women, allowing them to learn, acquire skills, and be gainfully employed in fields of their choosing.

Title IX's promise belongs to every student. No student should lose educational opportunities or be subjected to harassment because of their sex, gender identity, sexual orientation, intersex traits, or failure to conform to traditional gender expectations. The U.S. Department of Education's hostility and attacks towards transgender inclusive policies exacerbate the inequities LGBTQ+ children already face. According to the CDC's 2023 Youth Risk Behavior Survey, 72% of high school students who identified as transgender reported feeling persistent sadness or hopelessness; 40% of transgender or students questioning their identity experienced bullying; and approximately one in four missed school because they felt unsafe. Narrowing the definition of sex under Title IX would deepen these inequities, and compound the negative, stressful realities LGBTQ+ students already face because of who they are.

The Title IX Clarification Act would weaken the law's broad promise of equal educational opportunity. Title IX states that *no person* should be discriminated against based on their sex. H.R. 8781 would make it easier to deny Title IX protections and educational opportunities to transgender, nonbinary, and intersex students. It would limit the statute's definition of sex to reproductive biology, creating new barriers for students seeking protection from discrimination based on sexual orientation, gender identity, and sex stereotypes. By writing these restrictive definitions into federal law, the bill would make it more difficult for LGBTQ+ students, particularly transgender and nonbinary students, to participate fully in school, access facilities and programs, challenge discriminatory policies, or receive an adequate response when they report sex-based harassment, exclusion, or unequal treatment at school.

This bill would send us backward and encourage the policing of students' bodies. Title IX was enacted because women and girls were routinely denied educational opportunities based on assumptions about their bodies and what they should be able to do. This bill brings that same body-based thinking back into the law, and would subject women, girls, and LGBTQ+ students to



scrutiny on how well they adhere to rigid gender norms and sex-stereotypes. This can lead to increased questioning, bullying, harassment and exclusion for LGBTQ+ students but also for any woman or girl who does not conform to traditional expectations of femininity.

Congress has a responsibility to preserve Title IX as a safeguard against sex-discrimination and a guarantee of equal educational opportunity for all. **The law should not be amended to strip protections from students who already experience disproportionate levels of harassment, bullying, and exclusion.** Doing so would hollow out Title IX's promise and send a harmful message to LGBTQ+ students that their safety, dignity, and education are less worthy of protection.

AAUW urges you to oppose the Title IX Clarification Act (H.R. 8781) and any effort to advance this legislation. Instead, Congress should support strong and comprehensive Title IX protections that allow all students, including women, girls, and LGBTQ+ students, to learn, participate, and succeed without discrimination.

Votes associated with this issue may be scored in the AAUW Action Fund *Congressional Voting Record* for the 119th Congress. Please do not hesitate to contact me at 202-728-3300 or kissellm@aauw.org with any questions.

Sincerely,

A handwritten signature in purple ink that reads "Meghan Kissell". The signature is fluid and cursive, written in a professional style.

Meghan Kissell, MSW
Senior Director, Policy & Member Advocacy