

**SUN Area Council of Republican Women
RESOLUTION**

*Concerning Privacy Rights of Women, and Condemning governmental overreach
regarding Title IX Policy in Public Schools*

WHEREAS, A person's sex is defined as the physical condition of being male or female, which is determined at conception, identified at birth by anatomy, recorded on the original official birth certificate, and can be confirmed by DNA testing;

WHEREAS, the original birth certificate does not assign gender, it records objective sex, in the same way it records objective height and weight.

WHEREAS, Persons identifying themselves with the opposite sex, referred to as Transgender, may genuinely identify themselves with social constructs, gender roles, or gender stereotypes often associated with the opposite sex, but they do not therefore become the opposite sex by virtue of such beliefs and feelings, no matter how deeply held;

WHEREAS, all women born of women have a right to private and safe space of their own where they can expect to be outside of the presence of members of the opposite sex, specifically in bathrooms, locker rooms, shower facilities, and in overnight-shared-rooming contexts.

WHEREAS, The Department of Education's guidance letter purporting to define what is to be a man or woman for all Americans, and schools that follow such guidance, erases the protection that Title IX gave to women and girls in the educational setting.

WHEREAS, Schools that follow such guidance eliminate women's rights of bodily privacy from members of the opposite sex, and have embraced policies that promote sexism and misogyny.

WHEREAS, A woman's right to privacy is violated, even if she does not know that a man secretly used her bathroom, her locker room or viewed her in a state of undress;

WHEREAS, A woman's right to privacy does not depend, exist or cease to exist on the good or bad intentions of a member of the opposite sex, a woman's right to privacy does not depend on what a member of the opposite sex believes about their own gender identity;

WHEREAS, A woman's right to privacy belongs to the woman alone, and a member of the opposite sex does not get to decide for the woman whether her privacy is violated based on the member of the opposite sexes' beliefs or intentions.

WHEREAS, Federal courts have ruled that the Constitution and Title IX permits schools and employers to maintain separate multi-user restrooms, locker rooms and other multi-user facilities where people may be in a state of undress on the basis of sex;

WHEREAS, the Supreme Court has granted a school's request to continue to protect privacy in multi-user restrooms and locker rooms based on sex, not gender identity, while the case is pending in the Supreme Court;

WHEREAS, A Federal court has ruled the U.S. Department of Education's interpretation of Title IX is not legally binding because they lack authority to promulgate this interpretation;

WHEREAS, Students who identify with the opposite sex should be treated respectfully when using the locker rooms, bathrooms and shower facilities of their sex, regardless of how they identify their gender or what clothes they wear; and all students should treat members of the opposite sex respectfully by not entering areas designated for members of the opposite sex.

WHEREAS, if students object to using facilities with other students of their same sex, or for any reason, desire additional levels of privacy, they should be reasonably accommodated by permitting them to use single-user restrooms/locker rooms and/or family-style restrooms/locker rooms, which is the only way to respect everyone without taking privacy away from anyone.

WHEREAS, School policies which allow persons to use restrooms, locker rooms, or any other facility designated for the opposite sex infringes on the rights of privacy and conscience of other students;

RESOLVED, That the SUN Area Council of Republican Women calls on the U.S. Department of Education to rescind its wrong interpretation of Title IX; calls on courts and legislatures to protect our right to bodily privacy from members of the opposite sex in multi-user bathroom, locker room, shower, and shared rooming contexts; calls on the legislature, courts and department of education to uphold Title IX as promoting equality for women and to reject the elimination of the female sex based on interpretations which mandate sex be replaced with subjective interpretations about women based on oppressive gender constructs rather than objective sex; encourages the executive branch, state and federal legislatures, and courts to recognize the overreach of the Obama Administration regarding the elimination of sex-distinct private facilities as an infringement of our students' Constitutional rights, and further encourages laws to be enacted to protect students' privacy by reserving multi-user private facilities to members of the same sex.

Approved January 5, 2017.



Irene C. Harris, President of SUN Area Council of Republican Women

1/5/2017

Date