



Written by [Raven Clabough](#) on February 11, 2021

Feminist Group Files Petition to Protect Title IX Rights of Women and Girls

Feminists from the left-leaning Women's Liberation Front (WoLF) have filed a "Petition for Rulemaking" this week with Biden's Department of Education asking the department to make a rule to protect Title IX regulations and ensure the rights of women and girls are preserved in school sports. The petition is the latest development in what is sure to be a lengthy battle with the Biden administration on the subject.

On Biden's first day of his presidency, he signed an executive order on gender identity and sexual orientation that would allow biological males to compete in women's sports and allow males to use females' restrooms and locker rooms, not just in schools but in federal facilities, sparking the hashtag #BidenErasedWomen and causing the term "TERFS" — an acronym for "trans-exclusionary radical feminist" — to trend on social media.

In a statement on WoLF's website, the group called Biden's executive order "an unprecedented attack on women's rights and liberty for everybody" and opined that the president once again circumvented Congress to fulfill his agenda.

"With this action, Biden is bypassing the legislative process to implement the most controversial provisions of the Equality Act — changing the definition of sex in federal anti-discrimination regulations so that female people are no longer a discrete class with protected status under the law," WoLF wrote.

WoLF's 142-page [petition](#) focuses on the department's interpretation of the Title IX statute of the 1972 Education Amendments, which prohibits discrimination "on the basis of sex," and asks that Title IX be enforced on the basis of biological sex specifically, as established by a [January 8 memorandum](#) from President Trump's Department of Education.

According to the petition, the memorandum "already set forth legal reasoning that ensures the continued recognition and protection of equal opportunities for members of each sex under Title IX and avoids pitting one group (i.e. females) against another (e.g., persons who identify as a 'gender' incongruent with their biological sex)." The petition asks the Department to "enshrine that reasoning in legally binding regulations so that further actions by the Department intended to eliminate unfair treatment of persons who identify with a 'gender' different from their sex do not eliminate, override, or conflict with the Title IX sex-based rights of women and girls."

Among a number of observations, the petition states that sex is biologically determined based on the



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presence of specific sexual reproductive organs and not by a person's thoughts or beliefs and gender identity is when an individual has an "internal sense of self-identification" that is "incongruent with one's sex." The petition requests the department to "codify" this differentiation.

Additionally, the petition asks Title IX statutory and regulatory provisions be based on sex rather than gender identity so that "single-sex spaces authorized by the Title IX statute and regulations remain valid."

The petition notes,

Single-sex spaces (e.g., sports, intimate facilities, housing) are by definition "single-sex spaces" only if sex, not gender identity, remains the sole relevant characteristic. If a space ostensibly dedicated to being single-sex is also separated based on gender identity, the space ceases to be single-sex... Because the purpose underlying single-sex spaces is to promote the safety, dignity, and equal opportunity of women and girls, it follows that eliminating single-sex spaces will cause great harm to women and girls... That harm to women and girls is not avoided just because the effective elimination of single-sex spaces results from separating spaces based on gender identity. (p. 15-16)

The petition also asks the department to affirm that the following would not qualify as "actionable or unlawful" discrimination or harassment: identifying a person's biological sex by using a sex-based pronoun, acknowledging that sex "is an immutable biological characteristic," and expressing viewpoints that are critical of the concept of gender identity.

On Wednesday, WoLF Legal Director Lauren Adams [said](#) their proposed provisions would protect students who struggle with gender identity from discrimination while also enshrining important protections for women and girls.

Natasha Chart, WoLF executive director, called the petition "an important first step towards holding the Biden administration accountable for how their policies will harm women and girls."

"Feminists are stepping up to defend the rights that previous generations fought for," she asserted.

Breitbart News reports the Department of Education has 60 days to respond to the petition.

WoLF has been preparing for this fight with the Biden administration. In October, the group released a national poll that showed a majority of likely American voters (67 percent) disapproved of policies that would eliminate protections for women in single-sex public spaces. The poll revealed even voters who identified as liberal disapproved of those efforts.

WoLF is not the only left-leaning organization to take a stand [against](#) Biden's efforts. An outspoken LGBT group in the U.K., LGB Alliance, said it was "appalled" by Biden's order and has vowed to help American groups fight it.

"It deals a severe blow to women and girls in sport, prisons, rape shelters, hospitals, etc. and bans lesbians and gays from having our own spaces," the group tweeted. "We will help our US friends to oppose it."



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