



Written by [C. Mitchell Shaw](#) on May 12, 2016

## Obama's Transgender Agenda Pushes Into Schools

In 2008, while running for president, Barack Obama promised he would change the very fabric of the United States. As the president continues to push the envelope on the transgender issue, he is proving that — whatever other faults he may have — he at least was telling the truth about that.

Under Obama's "guidance," the federal Department of Education has begun rolling out rules for how schools must accommodate students who "identify" as transgender.

*Politico* [reported](#) late last week that the Obama "administration plans to reaffirm its view that robust protections for transgender students are within the existing scope of Title IX, a federal law that prohibits sex-based discrimination in federally funded education programs and activities. Multiple agencies are expected to be involved."

The report continued:

New guidance on Title IX represents a natural outgrowth of the administration's aggressive agenda on gender equity and civil rights. In April 2014, guidance issued by the Education Department on sexual violence explicitly mentioned that transgender students are protected under Title IX. LGBT advocates saw it as an important moment for the transgender community but have wanted the administration to go even further in clarifying the law.

*Politico* noted that the new guidance from the Obama administration comes "on the heels of the Justice Department taking its strongest enforcement action to affirm transgender rights to date, warning North Carolina last week that its so-called House Bill 2 violates federal civil rights laws." Furthermore, the Justice Department "sent a letter to the University of North Carolina board of governors and UNC system President Margaret Spellings, arguing that the university's enforcement of the law would violate Title IX and Title VII of the Civil Rights Act, which prohibit employers from discriminating in the workplace, and the Violence Against Women Act."

In an age of moral relativism, the first casualty in any battle of the "culture war" seems always to be reason. This case appears to offer no exceptions to that rule. In a clear example of redefining words and laws, Obama has taken the simple language of Title IX of the Education Amendments of 1972 and decided that it applies to the "right" of "transgendered" persons (read: people suffering from [a recognized mental disorder](#) that causes them to be confused about their external plumbing) to use the restrooms, locker rooms, and showers that correspond to their "self-identified" gender.

Perhaps a look at the actual text of Title IX will make this clear — at least to anyone with more than a third-grade reading comprehension level and a mind open to the idea of allowing words to mean what





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they mean. The relevant passage says:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Black's Law Dictionary defines "sex" as:

The distinction between male and female; or the property or character by which an animal is male or female.

Sex is determined by chromosomes. One X and one Y chromosome makes a person male. Two X chromosomes makes a person a female. How that person *feels* about their external plumbing does not change the reality. That is a separate issue — one for mental health professionals.

What Title IX was designed to prevent is made clear by the text of the law itself. No educational institution that receives federal funding is allowed to use a person's sex as the basis for:

- Excluding them from participating in programs or activities of an educational nature
- Denying them the benefits of programs or activities of an educational nature
- Discriminating against them as part of programs or activities of an educational nature

That seems pretty cut and dried. The issue of whether there should even be federal funding for education is another matter altogether. The issue here is that Title IX clearly prohibits any educational institution that does receive those funds from discriminating in that education "on the basis of sex." Considering that the LGBTQ crowd has made much ado about the difference between sex and gender, it is an obvious twisting of both language and logic to now take a law that deals with sex and attempt to apply it to gender. Sex is demonstrable in the human form; the new idea of "gender identity" exists only in the mind.

Reason doesn't stand a chance when words can mean anything and nothing at the same time.

Even *Politico* seems to realize the injury being done to the meaning of the word "sex" by this redefining. While celebrating Obama's plan, the report admits that "a bigger legal battle could be looming" over this novel interpretation of the law. Francisco Negrón, general council for the National School Boards Association, is quoted as saying, "It's important to recognize that there's a lagging legal framework in the face of rapidly changing social norms. Our understanding of gender identity is changing, and the law hasn't kept up." Negrón went on to say that Title IX — having not kept up with the times — actually doesn't say anything about "gender." "The lack of specificity about gender identity in the law creates all kinds of room for folks on both sides of this issue to make arguments about how the law should be taken."

So, rather than let the law mean what it means, the plan seems to be to pretend it means something else. After all, "the law hasn't kept up" with the times. In a play that is naked on its face, those advocating for "transgender equality" have taken the *absence* of language in a law to argue for its inclusion in the interpretation of the law.

Obama's heavy-handed approach is not only a departure from the philosophy of the Founding Fathers and the enumerated powers of the Constitution; it is a departure from his own statement last month in a press conference alongside British Prime Minister David Cameron in the United Kingdom. According to another [report](#) by *Politico*, the president answered a question about the "United Kingdom issuing travel advice to its citizens on Friday about the new laws in Mississippi and North Carolina that affect the



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rights of British LGBT travelers.” In his answer, Obama said that in a federal system, power is “dispersed,” between the federal government and the states:

I think it’s fair to say that we’re not unique among countries, where particularly under a federal system in which power’s dispersed that there are going to be some localities or local officials that put forward laws that aren’t necessarily reflective of a national consensus.

Almost immediately after making that statement, the president began offering new “guidance” in the form of directives to schools nationwide to force them to comply with *his* view of “transgendered” students. He appears to see the separation of powers within the United States. And he appears to believe that it needs to be done away with to reshape America into something new. During a campaign stop at the University of Missouri in 2008, then-Senator Obama told the assembled crowd:

I just have two words for you tonight: five days. Five days. After decades of broken politics in Washington, and eight years of failed policies from George W. Bush, and 21 months of a campaign that’s taken us from the rocky coast of Maine to the sunshine of California, we are five days away from fundamentally transforming the United States of America.

In the last few months that he has left in the White House, Obama is pulling out all stops in his efforts to make the United States something it never has been. And unless the states and the people stop him, he will succeed.



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