

# State Superintendent tells school districts not to comply with new Title XI rules

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Taylor Mitchell/KFOR

OKLAHOMA (KFOR) – Oklahoma State Superintendent Ryan Walters is pushing back on the Biden Administration telling school districts not to comply with the [new Title XI regulations](#). The new rules would prohibit sex-based discrimination at government-funded schools.

Walters argues the recent rule changes are illegal and unconstitutional. On Tuesday, he told all Oklahoma superintendents to not make any changes based on the new regulations.

“If the Biden administration really wants to move forward with the most radical initiatives that we have ever seen in the country’s history we’re gonna sue him,” said Ryan Walters, Oklahoma State Superintendent.

That was [Walters’ promise last year](#) if the rule became law.

In a letter to all Oklahoma public school superintendents on Tuesday, Walters says the rules, “violate the First Amendment, the Administrative Procedures Act, and longstanding civil rights protections for women and girls. The USDE has not been given the legislative or judicial authority to redefine ‘sex.’”



RYAN WALTERS  
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION  
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

Dear Superintendents,

I write to you regarding the recent rule changes the Biden administration made to Title IX. In discussion with several other state education leaders and legal counsel, there are some serious concerns with the legality of these rule changes, especially as it relates to its redefinition of "sex" to include gender identity. This re-definition could prohibit single-sex extra-curriculars, including athletics, scholarship programs, locker rooms, bathrooms, and any other activity or space that is exclusive to one sex. Additionally, these rules could turn the act of not using preferred pronouns into a Title IX violation, which would be a clear violation of the First Amendment.

I believe these rule changes are illegal and unconstitutional. They violate the First Amendment, the Administrative Procedures Act, and longstanding civil rights protections for women and girls. The USDE has not been given the legislative or judicial authority to redefine "sex". I expect there will be litigation filed soon challenging the validity of these rules. Although these rule changes are set to go into effect August 1, I hope and expect there to be a preliminary injunction and possibly a permanent injunction that would delay the implementation of these rules while the rule is decided in federal court, which could be an indefinite amount of time.

Legislation being considered in Oklahoma would define "Man" and "Woman" by biological sex. If passed, state law and the new Title IX regulations would be in direct conflict.

Please do not make any district policy changes based on the new Title IX regulations. These federal rule changes are illegal and making policy changes before the courts come to a definitive ruling on the legality of these rules could put your district out of compliance with other current and legal state and federal statute. Our agency is here to assist you with any legal or policy support you may need regarding these rules.

Please do not hesitate to reach out to me or my staff if you have any questions, comments, or concerns surrounding these rules. This will remain a fluid situation as the legal process plays itself out, and I will keep you all in the loop as changes happen.

Thank you,

Ryan Walters

"What we're seeing now is the federal government's obsession with controlling our schools and pushing a radical agenda," said Walters.

In the letter he also wrote, "I hope and expect there to be a preliminary injunction and possibly a permanent injunction that would delay the implementation of these rules while the rule is decided in federal court, which could be an indefinite amount of time."

News 4 reached out to several Oklahoma school districts asking if they planned to comply with Walters rules.

Mustang Public Schools superintendent Charles Bradley responded saying, "We will take time to digest what was announced today and consult our legal counsel moving forward."

Mid-Del Public Schools officials told KFOR, "We plan to review the federal guidelines and the memo from Walters with our legal counsel before potentially changing any policies."

Oklahoma City Public Schools District sent KFOR the following statement:

*"Our legal department is reviewing the letter received this morning from the State Superintendent as well as the new Title IX regulations.*

*OKCPS remains committed to providing a supportive and inclusive environment for every student. We want our community to know that our focus is on educating children and ensuring they have a positive school experience. We believe all children deserve access to a quality education and we remain committed to providing that to every student in OKCPS."*

The rule changes are set to go into effect on August 1. Walters also told superintendents the agency will be offering legal and policy support that they may need when avoiding compliance.

News 4 reached out to the Biden Administration, the U.S. Department of Education and Walters for a comment, but we are still waiting to hear back.