



## KALKASKA PUBLIC SCHOOLS

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# BOARD TABLES POLICY 2264

### KPS Board Waiting for Additional Clarification Before Adopting New Policy

September 12, 2024

At its last meeting on August 19, the Kalkaska Public Schools' Board of Education tabled a new policy, [Policy 2264](#) — *Nondiscrimination on the Basis of Sex in Education Programs or Activities*. Policy 2266, last revised in March of 2021, will remain in effect at this point. All of KPS's policies are located [here](#).

The policy focuses on Title IX, including definitions, investigators, and processes required by law. The policy does not require the school district to do anything beyond understand the specific definitions of sex-based discrimination, identify who will investigate claims, and/or what processes must be followed.

The Friday prior to the Board Meeting, the United States Supreme Court denied the Biden administration's request to partially reinstate its new Title IX rule. The Court voted 5-4.

According to by Zach Schonfeld, reporting in [The Hill](#):

"The sweeping changes to Title IX, which protects against sex discrimination in schools, cover sexual orientation and gender identity for the first time. Various Republican state attorneys general have persuaded judges to block implementation in roughly half the country.

The Biden administration contended those injunctions went too far, urging the Supreme Court to narrow them to primarily block the prohibitions on gender identity discrimination at the center of the challenges — allowing the other changes to go into effect."

Several states are part of the various lawsuits against the United States Department of Education including the Sixth Circuit Court. Michigan is a part of the Sixth Circuit Court; however, Michigan chose not to take part in any lawsuits. Therefore, the new Title IX went into effect in Michigan on August 1, 2024.

The District is required to follow the law, which it will do. Kalkaska Public Schools does not and will not discriminate against anyone.

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Several participants at the recent KPS Board Meeting spoke out with concerns about the Title IX update. A recurring concern was that the District would be required to allow a person who chooses their gender identity which is different from their biological gender and then be able to select which restroom they would use. In addition, another fear was that males who identify as females would be allowed to participate on female athletic teams.

First, the District works with families regarding any and all gender identity issues that are brought to us and attempts to determine a plan and process that works for both parties. Furthermore, there is no language in the Title IX changes (nor the policy itself) that would force the issue of gender identity and participation in athletics.

Again, the policy that the Board tabled does not require the District to do any of the aforementioned items. The Board of Education tabled the policy adoption officially until the September meeting, but we anticipate tabling the policy until the lawsuit(s) are resolved and/or additional legislation occurs regarding Title IX. If we run into a situation where the Federal Government is requiring us to adopt the policy in order to receive Federal Funds, we will address it at a Board Meeting.

If you have any questions, please contact the Central Office at (231) 258-9109.