

September 18, 2017

Dear SSTAC committee members,

In response to the concern raised around footnote 15 in the “Toolkit for Transgender and Gender Nonconforming Students,” I have drafted alternative language for the Toolkit.

Please let me know if you have any feedback on this edit. This change will go into effect by Wednesday, 9/20/17.

***We are deleting the current text and footnote on page 8 of the toolkit:***

A student should not be required to provide medical or other documentation that is not required of all students in order to participate, according to 2016 Title IX guidance. Title IX requires schools provide transgender students with the right to participate in such activities, including athletics, in a manner consistent with their gender identity.

***And inserting the following text:***

Title IX requires schools provide transgender students with the right to participate in such activities, including athletics, in a manner consistent with their gender identity.<sup>1</sup> The Minnesota State High School League allows participation for all students regardless of their gender identity or expression in an environment free from discrimination with an equal opportunity for participation in athletics and fine arts.

The Toolkit is being sent to a graphic designer for formatting. We will send the Toolkit to you when it is available.

Thank you for your help in protecting Minnesota’s children and for your service on the SSTAC.

Sincerely,



Commissioner Kevin Lindsey  
Minnesota Department of Human Rights

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<sup>1</sup> See, 34 C.F.R. §106.41(a) which provides “No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide any such athletics separately on such basis.”