

COMMENTS TO THE DEPARTMENT OF EDUCATION

The undersigned hereby submit these Comments regarding the draft Title IX regulation that the Department of Education issued on June 23, 2022:

1. **Definition of Sex:** The Department of Education proposes to expand the definition of “sex” to include “sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.” (106.10)

The Department of Education does not possess the legal authority to redefine foundational words such as “sex.”

2. **Free Speech:** The Department of Education proposes to define Hostile Environment Harassment as “sex-based conduct that is sufficiently severe or pervasive, that, based on the totality of the circumstances and evaluated subjectively, denies or limits a person’s ability to participate in or benefit from the recipient’s education program or activity.” (106.2)

This sweeping definition would encroach on First Amendment free speech rights, and seeks to negate the Supreme Court definition of sexual harassment found at *Davis v. Monroe*. The Department should retain the definition of sexual harassment found in the 2020 regulation.

3. **Due Process Rights:** The Department of Education proposes to eliminate a number of due process rights of accused students, including the right to an impartial investigation conducted by a person who is not the decision-maker (106.45(b)(2)), the right to direct review of the evidence (106.46(e)(6)(i)), the right to a live hearing (106.46(f)(1)(i)), and the right to cross-examination (106.46(f)(3)).

To date, 175 judicial decisions have affirmed the importance of due process and fairness in campus adjudications, including the right to impartial investigations, review of the evidence, live hearings, and cross-examination.

The undersigned 498 persons who attended the CPAC meeting in Dallas, Texas, August 4-6, hereby urge the Department of Education to abandon its ill-advised and ideologically based plan to issue a new Title IX regulation.

Signed by:

Name	City	State
Maureen Byrne	New London	NH
Uno Vesile	Dallas	TX
David Dambroso	Tulsa	OK
Paula Lansford	Longview	TX
Boyd Lansford	Longview	TX
Joyce Muno	San Antonio	TX
Bill Underhill	Dallas	TX
Debbie Rogers	Fort Worth	TX
Ariel Kohane	New York	NY
Jessica Steels	College Station	TX
David Steels	College Station	TX
Kim Casida McLigam	McKinney	TX
Julie Caceres	Fort Worth	TX
Brian Bledsoe	Arlington	TX
Michael Watkins	Fort Worth	TX
Pedro Echeverria	Dallas	TX
James Cullen	Bradenton	FL
Eugene Pletsch	Boston	MA
Shelly Frasier	Fort Worth	TX
Bobby Planzer	Fort Worth	TX
Many Jones	Frisco	TX
Kimberly Lawrence	Victoria	TX
Nelson Rubio	Doral	FL
Sophia Lacayo	Doral	FL
Sofia Rubio	Doral	FL
Erin Priddy	Plano	TX
Debora Conley	Lawton	OK
Bill Stand	Denton	TX
Russell Linnemeier	Parker	TX
Paula Bengel	Carrollton	TX
Mustafa Ansari	Arlington	TX
Susan Cordre	Carrollton	TX
Barbara Clifford	Birmingham	AL
Mike Clifford	Birmingham	AL
Karen Vandivek	Hurst	TX
Debbie Martin	Hurst	TX
Theresa M Riley	Borger	TX
Kim Kauffman	Cleveland	OH
Judith Richard	Carrollton	TX
Timothy A Krause	Nacogdoches	TX
Dana Spencer	Barry	TX
Edward Retta	Dallas	TX
Ken Crisco	Fort Worth	TX

William Haltom	San Antonio	TX
Tom Bartel	Plano	TX
Bradley Londer	Belle Fourche	SD
Markus Potenteen	Detroit	MI
Juliette Farley	San Antonio	TX
Adam Rizzieri	Plano	TX
Erin L Volz	Centralia	WA
Michel Sanchez	Fort Worth	TX
Marthe Anderson	Alba	TX
James Anderson	Alba	TX
Matthew Armato	Dallas	TX
Karlee Cox	Prosper	TX
Raizert Wilcox	Plano	TX
Linda Bianchi	Plano	TX
Terri Bianchi	Plano	TX
Valerie Greenbery	Plano	TX
Andrew Howard	Saint Albans	VT
Micah Mclamish	Flower Mound	TX
Joshua Feuerstein	Dallas	TX
Breana Shulman	College Station	TX
Kush Rowley	Frisco	TX
Therese Boehnlein	West	TX
Jerry Filler	Frisco	TX
Lucia Navarro	Katy	TX
Kelley Rumps	The Woodlands	TX
Stephen Mey	Irving	TX
Marguerite Davidson	Reno	NV
Sue Pinew	New Braunfels	TX
Jan Watters	Gordon	TX
Laoma R Gove	Waxahachie	TX
Jennilyn Salinas	San Antonio	TX
Michey Vaughn	Flower Mound	TX
Carolyn Elkins	Irving	TX
Denise Lunkski	Arlington	TX
Taylor Moolre	Moore	OK
Roseann Cox	Midlothian	TX
Zachary Wanyga	Baltimore	MD
Gabriella DePetris	Annapolis	MD
Nicole Anderson	Dallas	TX
Donna Carol	Mansfield	TX
Roger Boyd	Justin	TX
Sheena Rodriguez	Euless	TX
Cathy Hailman	Fort Worth	TX
Rebecca Angham	Wimberly	TX
Levi McKyle	Athens	TX
Susan Christenson	Plano	TX

Many Johnson	Nashville	TN
Cody Cox	Prosper	TX
Candence Voughan	McAllen	TX
Brandy Perez	Mission	TX
Audray Leach	Flower Mound	TX
Misdya Thorton	Dallas	TX
Lidia Belle	Killen	TX
Lisa Cohen	Dallas	TX
Carrie Moore	Corpus Christi	TX
Brooke Cox	Dallas	TX
Linela Ellis	Modesto	CA
Brianne L Mogg	Modesto	CA
Cyndie Phillips	Magnolia	TX
Dawn Berdnarz	Woodlands	TX
Sharon Lineberry	Plano	TX
Stan Karf	Forney	TX
Julia McDonald	Dallas	TX
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Oleg Voloshin	Dallas	TX
Margot Moran	Naples	FL
Hannah Moran	Naples	FL
Mariana Vasquez de Velazco	San Jose	CA
Andy Wigzell	Richardson	TX
Jennifer Sanchez	La Habra	CA
Ken Anderson	Mineola	TX
Janel Jones	Fort Worth	TX
Sara Labus	Amarillo	TX
Alexandra Jones	Fresno	CA
Micah Thornta	Dallas	TX
Dyani Naes	Forney	TX
Taylor Mondick	Fort Worth	TX
Hollie Plemons	Fort Worth	TX
Mary D Smelser	Frisco	TX
Kan Roettl	Allen	TX
Jaipe Boyer	Georgetown	TX
George Martinez	Dallas	TX
Ann A. Smith	Dallas	TX
Barbara Coombs	Austin	TX
Michelle Corandpre	Garland	TX
Erik Fox	Bowie	TX
Martha R Johnson	Hattiesburg	MS
William Mathews	Wylie	TX
Mary Mathews	Wylie	TX
Lisa Healey	Midlothian	TX
Teresa Pick	New Braunfels	TX

Daniel Rooso	Dallas	TX
Lee Mulcay	Dallas	TX
Wade Chapman	Oxford	MS
Jerry Pambey	Atlanta	GA
Cheryl Stark	Fort Worth	TX
Shirley Covington	Dorchester	TX
Mike Covington	Dorchester	TX
Samuel Nelson	Fort Worth	TX
Gera Donner	Plano	TX
Tera Collman	Bedford	TX
Phillip C. Russell	Farmers Branch	TX
Sharon Kappers	Coppell	TX
Walin O'Brien	Dallas	TX
Richelle Lyon	Kerrville	TX
Carol Polzir	Big Lake	MN
Trazy Shannon	Houston	TX
Michael Colt	Dallas	TX
Viveka Nevins	San Jose	CA
Matt Nevins	San Jose	CA
Rey Cedeno	San Francisco	CA
Sheila Piantanida	Vine Grove	KY
Jon Spiers	Houston	TX
Jon Palmer	Granbury	TX
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James Ellis	Conroe	TX
Jolen Hyves	Houston	TX
Corey Whitfield	Marble Falls	TX
Susan Chambers	Wichita	KS
Charlotte Hays	Wichita	KS
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Joey Najera	Austin	TX
Cindy Najera	Austin	TX
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Ryan Malki	Los Angeles	CA
Leslie L French	Vancouver	WA
Ben Onwuelezi	Wylie	TX
Anna Zimmerman	Dallas	TX
Kat Flint	Arlington	TX
	North Richland	
Michael Vitale	Hills	TX
Jeff Tevoman	Sachse	TX
Holly Tevoman	Sachse	TX
Francine Bejarano	Denton	TX
Gio Thompson	Houston	TX
Kathleen E Jackson	Rockport	TX

Donald Holcome	Dallas	TX
Elizabeth Grimmett	Wills Point	TX
Kaylee Spielman	Springfield	VA
Bridget Ziegler	Saratoga	FL
Sayjay Narcuyan	Dallas	TX
Deborde Campbell	Pollock	LA
Angela Wbb	Forney	TX
Cameron Webb	Forney	TX
Christian Webb	Forney	TX
Courtnie Boogley	Salado	TX
Paul M Goodman	Crowley	TX
Mary Boggs	Lewisville	TX
Kevin Pate	Brownwood	TX
Tony Rinaland	Dallas	TX
Johnny Uribe	Houston	TX
Matthew Uribe	Houston	TX
Roman Betancourt	New York	TX
Stephanie Broncano	Frisco	TX
Bill Carson	Navarro County	TX
Brian Tarret	Royse City	TX
Vanessa A Cancel	Mansfield	TX
Sophia F Rodriguez	Mansfield	TX
Evan Maguire	Chesapeake	VA
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Grant Trevithick	Dallas	TX
Larry Watley	Plano	TX
Kevin J Boyer	Frisco	TX
Lauren Ravae	Colleyville	TX
Wade Bauer	Plano	TX
Frank Brunbauer	Wylie	TX
Kristie White	Meridian	ID
Mary Potter	Austin	TX
Chop Bausade	Frying	TX
Thomas Klein	McKinney	TX
Constantine Draper	Fuquay-Varina	NC
JC McPharson	Addison	TX
Cindi Castilla	Dallas	TX
David Fadool	Atlanta	GA
Tanya Marcus	Denton	TX
Karen Van Creveld	Dallas	TX
Erin Van Creveld	Dallas	TX
Mike Billand	Houston	TX
Dalila Newhand	Fort Worth	TX
Shannon White	Tarrant County	TX
Blake Marshall	Kansas City	KS
Barbara Nash	Arlington	TX

Tawnya Zeller	Mansfield	TX
Susan Scherer	Arlington	TX
Matthew Gill	Charlotte	NC
Scott Shadpock	Dallas	TX
Wanda Dietel	Sunnyvale	TX
Steven Jessup	Corsicana	TX
Brandon Copel	Dallas	TX
Michael Bates	Tulsa	OK
Anne Hamilton	Royse City	TX
Jenniffer Roy	Plano	TX
Sean Roy	Plano	TX
Jake Dacy	Plano	TX
Kanden Dacy	Plano	TX
Christa Johnson	Oklahoma City	OK
Calvin Johnson	Oklahoma City	OK
Lisa Half	Beaumont	TX
ME Anderson	Dallas	TX
Kyle Quinn	Rochester	NY
Daniel Uribe	Houston	TX
May Petit	New York	NY
Bob Clark	Halton City	TX
Ray Orsak	Shenandoah	TX
Will Hall	Dallas	TX
Samuel Hall	Dallas	TX
Anna Hall	Dallas	TX
Kathleen Hazelett	Gordonville	PA
James Tolles	Houston	TX
Elizabeth Smith	Tucson	AZ
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Betty Koehn	Wichita	KS
Jaycob Koehn	Wichita	KS
Rich Myers	Lancaster	PA
Olga Gilbert	Forney	TX
Jan Watters	Gordon	TX
Harmony Goodall	Dallas	TX
Sharon McGill	Waco	TX
Lady Bacon	Crandall	TX
Jerry Bacon	Crandall	TX
Anita Murphy	Tinawanda	NY
Josh Brown	Burnet	TX
Tyler Shelby	Eules	TX
Scott McKenzie	Magnolia	TX
Rhonda Fanous	Fairview	TX
Kristin Braziel	Arlington	TX
Sue Gamboa	Little Elm	TX
Beza Zedler	Arlington	TX

Kara Miracle	Campbellsville	KY
Robert McGhenhey	Emory	TX
E.T. Schlich	Colleyville	TX
Sunday Shibley	Willis	TX
Rhonda Hurst	Highland Village	TX
Candace Hunt	Tupelo	MS
Connie Davidson	Shawnee	KS
Angela Carrol	Kansas City	KS
Philip Vargaese	Grand Prairie	TX
Regina Louis	Albuquerque	NM
David Lantz	Watduga	TX
Lauren Leon	Rockville	MD
Dennis Palmer	Wataunga	TX
Diana Halcomb	Round Rock	TX
Robert Snapp	Machiasport	MN
Daniel Escobedo	Macallen	TX
Loane Satele	Killen	TX
Shawn Petche	Grants Pass	OR
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Jean Drugan	Whitney	TX
Sharon Reagan	Gulf Breese	FL
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Lori Lemuson	Willoughby Hills	TX
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Sunday Shibley	Willis	TX
Paula Brown	Waxahachie	TX
Jennifer Harrux	Sterling	VA
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Josephine Valle	First Wartle	TX
Stacey Tucci	McKinney	TX
Rebecca L. Long	San Angelo	TX
Judy Neal	Spring Branch	TX
Erika Vanwright	San Antonio	TX
Emily Vanwright	San Antonio	TX
George Nemeh	Scottlake	AR
Elizabeth Sharp	Monroe	CA
Julian Markwitz	Los Angeles	CA
Jennifer White	Fort Worth	TX
Gina Castameda	San Antonio	TX
Jacob Schrader	Desmoines	IA
Joshua Putney	Desmoines	IA
Ed Butwosley	Plano	TX
Ian Mikol	Dallas	TX
Hill Thompson	Dallas	TX
Diana Maue	Sugar Land	TX
Suzanne Silva	Lucas	TX
Jim Brown	Mkiney	TX
Michael Lovorn	Winona	MN
Kaylee Musolf	Winona	MN
Lyna Macbeth	Pittsburgh	PA
Cherie Zalstein	Dallas	TX
Rhalp Cornell	Arlington	TX
Robert McGheyhey	Emory	TX
John Dietrich	Denton	TX
Liem Bui	St Cloud	FL
Barry Schlech	Annetta	TX
Carol Cook	Allen	TX
Angela Matinez	Allen	TX
Eric Abbenante	Irving	TX
Angela BreitKrewtz	Emory	TX
Paul Mick	Houston	TX
David Petteys	Highlands Ranch	CO
Karlen Ruybal	Houston	TX
Hanna Abdulhameed	Houston	TX
Jason Baldwin	Fort Worth	TX
Cathie Broten	Midland	TX

Naomi Hodgkins	Mesquite	TX
Robert Mesaros	New Braunfels	TX
Claton Butches	Rapid City	SD
Ann Stacey	Granbury	TX
Amanda Wilson	Watauga	TX
Angel Fimbres	Los Angeles	CA
Will Moravits	New Braunfels	TX
Rosie Moravits	New Braunfels	TX
Kathleen Young	Midland	TX
Denise Fisher	Watauga	TX
Toni Ringlein	Cathedral City	CA
Mark Neese	Boue	TX
Nate Weymouth	Dallas	TX
Amy Richie	Forney	TX
Jim Richie	Forney	TX
Ashton Richie	Forney	TX
Zuny Tarrío	Miami	FL
Raphael Wall	Oklahoma City	OK
David Wall	Oklahoma City	OK
Anolra Slaiton	Anna	TX
Julia Titus	Austin	TX
Garret Anderson	Perkins	OK
Karelynn Sheer	Katy	TX
Jeff Sheer	Katy	TX
Paul Gregor	Magnolia	TX
Juan Cruz	Houston	TX
	Montgomery	
Dewey Clark	Village	MD
Timothy Mullaly	Dallas	TX
Todd Bagley	Heath	TX
Kevin Whitt	Dallas	TX
Kathleen Bartel	Plano	TX
Aloraham Farooglie	Chandler	AZ
Sandy Stultz	Granbury	TX
Liri Basha	Naples	FL
Gary Yeck	Austin	TX
Steven Zerrian	Killeen	TX
Lauren Hayden	Kingman	AZ
Katie Duffy	Harleysville	PA
Ernest Gomez	Heartland	TX
Janet Reid-Bills	Plano	TX
Petra Sanchez	Dallas	TX
Leigh Hughes	Longview	TX
Susan Bale	Plano	TX
Sonica C. Zach	Austin	TX
Lorrie O'Brian	Grand Prairie	TX

Karen Forbes	Dallas	TX
Edith Along	Scottsdale	AZ
Julie Whihow	Gilbert	AZ
Donna Parlson	Garland	TX
Terry Todd	Ovilla	TX
John Gastomaki	Dallas	TX
Candace Goss	Albany	OR
Mark E. Espin	Grandview	TX
Dalton O'Neil	Plano	TX
Larry Walls	Conway	AR
David Manson	Dallas	TX
Amha May	Arlington	TX
Iris Carpenter	Price	UT
William Duck	Fort Myers	FL
Michelle McCamish	Flower Mound	TX
Ronald Noblert	Bellaire	TX
Johnson Kuruvilla	Forney	TX
Walter McLoughlin	Dallas	TX
Ray Bridget Moore	Arlington	TX
Janice Fouler	Dallas	TX
Baylee Denton	Dallas	TX
Davie Denton	Dallas	TX
David Sondheimer	Castle Rock	CO
Pamela D. Aulie	Collinsville	TX
Kara Salomon	Irving	TX
Katherine Siegel	Trinity	TX
	North Richland	
Diane Velasco	Hills	TX
Frederick J Kempf	Dallas	TX
Ellen Adams	Milton	GA
Veronica W.	Fort Worth	TX
Shawn Sims	Bakersfield	CA
Ken Gray	Murray	UT
Rulean Gray	Murray	UT
Kent Cuning	Uvelde	TX
Linda Bounds	Oak Leaf	TX
Harlon Bounds	Oak Leaf	TX
Ronald Starling	Cedar Hill	TX
Kathy Starling	Cedar Hill	TX
Taylor Silverman	Kalamazoo	MI
Di Jin	El Dorado Hills	CA
Keith Jin	El Dorado Hills	CA
Jo Stauts	Greeneville	TN
Andrew Sweet	Jersey City	NJ
Thomas D.	The Villages	FL
Suzanne D.	The Villages	FL

Kathy May	Keller	TX
Leche Read	Dallas	TX
Heather Clement	Key West	FL
Gew Sera	McKinney	TX
Barbara McKeithen	Mandeville	LA
Diane Hill	Garland	TX
Margaret Albracht	The Colony	TX
Elizabeth Torres	San Juan	PR
Eugene Ralph	Dallas	TX
Kathleen Cherry	Richardson	TX
Tom C.	Great Falls	VA
Justin Wright	Dallas	TX
Steven Nguyen	Grand Prairie	TX
Francine Long Champ	Arlington	TX
Judy E Fine	Rockwall	TX
Olivia Martin	Dallas	TX
Catherine C. W.	Grand Prairie	TX
W. Joe Washburn	Dallas	TX
Seun Keyes	Houston	TX
Kathleen Rubermonce	Corinth	TX
Emma Richard	Dallas	TX
Jacob Wells	Boston	MA
M. Pavel	Dallas	TX
Mary Beth Phillips	Colleyville	TX
Michael Hartley	Dallas	TX
Shane Duncan	Rockwall	TX
Amy Bond	Richardson	TX
Teresa Pick	New Braunfels	TX
Regina McDaniel	New Braunfels	TX
Saul W.	Dallas	TX
Josephine B	Houston	TX
John Banks	Frisco	TX
William E Diaz	Georgetown	TX
Callie Jones	Frisco	TX
Kim Christensen	Forney	TX
Dan Christensen	Forney	TX
Martha Christensen	Forney	TX
Angela Schoeberle	Woodridge	IL
Boyle Gavron	Chicago	IL
Rhody Lynn Kennedy	Rockwall	TX
Silvie Messel	Washington	DC
Bev Wataff	Katy	TX
Try H.	Richardson	TX
Deborah H.	Richardson	TX
Elizabeth Ayala	Waxahachie	TX

