

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. C. R. No. 11**

**Senator Brenner**

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**A CONCURRENT RESOLUTION**

To urge Congress and the President of the United States, 1  
along with the United States Department of Education 2  
to exclude sexual orientation and gender identity from 3  
Title IX. 4

**BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):**

WHEREAS, Section 1681 of Title IX of the Education 5  
Amendments of 1972, commonly referred to as Title IX, provides 6  
that "[n]o person in the United States shall, on the basis of 7  
sex, be excluded from participation in, be denied the benefits 8  
of, or be subjected to discrimination under any education 9  
program or activity receiving Federal financial assistance"; and 10

WHEREAS, The United States Department of Education, Office 11  
for Civil Rights, has authority to issue rules implementing 12  
Title IX consistent with the objectives of the statute; and 13

WHEREAS, The U.S. Department of Education, Office for Civil 14  
Rights has adopted 34 C.F.R. Part 106, to implement Title IX; 15  
and 16

WHEREAS, The version of 34 C.F.R. Part 106, effective 17  
August 1, 2024, provides that discrimination "on the basis of 18  
sex" includes discrimination on the basis of sexual orientation 19  
and gender identity; and 20

WHEREAS, The members of the 135th General Assembly of the 21  
State of Ohio find that this broad expansion of Title IX is 22  
damaging to all women's sports; now therefore be it 23

RESOLVED, That we, the members of the 135th General 24  
Assembly of the State of Ohio, urge the U.S. Department of 25  
Education, Office for Civil Rights, to remove all references to 26  
sexual orientation and gender identity from 34 C.F.R. Part 106; 27  
and be it further 28

RESOLVED, That we, the members of the 135th General 29  
Assembly of the State of Ohio, urge the United States Congress 30  
and President Biden to amend Title IX to specify that "sex" does 31  
not include sexual orientation or gender identity; and be it 32  
further 33

RESOLVED, That the Clerk of the Senate transmit duly 34  
authenticated copies of this resolution to the President Pro 35  
Tempore and Secretary of the United States Senate, Speaker and 36  
Clerk of the United States House of Representatives, members of 37  
the Ohio Congressional delegation, and the news media of Ohio. 38