

# Federal Judge Blocks Biden's Transgender Title IX Changes, Slams Admin for 'Abuse of Power'

By Jack Davis  
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The Biden administration's revision of Title IX rules to favor transgender students suffered a major defeat Thursday after a federal judge in Louisiana allowed four states to block the rules.

In a ruling that impacts Louisiana, Mississippi, Montana and Idaho, U.S. District Court Judge Terry Doughty demolished the rule issued by the Department of Education that decided that Title IX — the landmark 1972 law banning sex discrimination — should be used to force schools to give in to the demands of transgender students.

“This case demonstrates the abuse of power by executive federal agencies in the rulemaking process. The separation of powers and system of checks and balances exist in this country for a reason,” Doughty wrote, noting that the Biden administration went beyond its authority in imposing a rule that would have drastic fiscal impacts on every school in the nation and affirming that Title IX “was written and intended to protect biological women from discrimination.”

Doughty was appointed by former President Donald Trump, according to USA Today.

The Education Department rules said Title IX, enacted to protect female students from discrimination or harassment, must be used to protect students based on gender identity as well, according to The New York Times.

The rule would allow students to use bathrooms and locker rooms that align with their gender identity. Schools that fail to do so, or fail to use a transgender student's preferred pronoun, could be creating a hostile environment that could be investigated by the Education Department.

Doughty did not agree, issuing a preliminary injunction that stops the rule from taking effect while it is argued in court. He wrote that the Biden administration rule “would subvert the original purpose of Title IX.”

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“Title IX was enacted for the protection of the discrimination of biological females. However, the Final Rule may likely cause biological females more discrimination than they had before Title IX was enacted,” Doughty wrote. “Importantly, Defendants did not consider the effect the Final Rule would have on biological females by requiring them to share their bathrooms and locker rooms with biological males.

“The Final Rule only focuses on the ‘effect on the student who changes their gender identity’ and fails to address the effect on the other students (‘cisgender students’). These cisgender females must use the bathroom, undress, and shower in the presence of persons who may identify as females but still have male biological parts.” Doughty wrote that the department “declared in the Final Rule, with no explanation, that transgender students do not pose a safety risk for cisgender students.”

But, Doughty wrote, “By allowing biological men who identify as a female into locker rooms, showers, and bathrooms, biological females risk invasion of privacy, embarrassment, and sexual assault.

“Allowing a biological male student to change to a female by simply declaring it, requiring no documentation of the change, and allowing the student to shower with cisgender females in the girls’ locker room goes beyond the scope of arbitrary and capricious.