

From: Nolt, Dorie
To: Dearman, Eleanor

Thu 1:33 PM

As I said before, our Dear Colleague Letter is about students.

School employees who believe they have been subjected to sex discrimination in violation of Title IX may file complaints with the Office for Civil Rights. The Equal Employment Opportunity Commission (EEOC) [Fact Sheet: Bathroom Access Rights for Transgender Employees Under Title VII of the Civil Rights Act of 1964] also may have jurisdiction over complaints of sex discrimination in employment. OCR's Case Processing Manual explains that OCR will generally refer complaints to the EEOC if both OCR and EEOC seem to have jurisdiction and the complaint solely alleges employment discrimination against an individual. On the other hand, OCR will itself generally process complaints that allege a pattern or practice of employment discrimination or that include information regarding a recipient's other practices. EEOC interprets and enforces Title VII's prohibition of sex discrimination as forbidding any employment discrimination based on gender identity. EEOC has a webpage that provides additional information about civil rights of transgender workers.

From: Dearman, Eleanor
To: Nolt, Dorie

Thu 11:53 AM

Thank you! I really appreciate it.

From: Dearman, Eleanor
To: Nolt, Dorie

Thu 11:07 AM

Hi,

I just wanted to follow up to see if it will still be possible to get answers to the questions in my previous email today. Let me know if I can do anything to help.

Best,
Eleanor

From: Dearman, Eleanor
To: Nolt, Dorie
Wed 9:55 AM

Yes, absolutely. Let me know if I can do anything to help, as well. Thank you, again!

From: Nolt, Dorie
To: Eleanor Dearman

Wed 9:54 AM

I may not be able to get an answer today. Can you wait until tomorrow? Most of our staff are out at a retreat.

From: Dearman, Eleanor
To: Nolt, Dorie

Wed 9:52 AM

Sorry to keep sending more questions. Does Title IX apply to employees at schools as well as the students? If so, would the same requirements for accommodating transgender employees by letting them use the bathroom corresponding to their gender identity hold under title IX? Or would that be title VII?

From: Nolt, Dorie
To: Eleanor Dearman

Our guidance is related to students.

From: Dearman, Eleanor
To: Nolt, Dorie
6/9/2016

Hi Dorie,

I just wanted to follow up about my previous question.

Thank you for your time,
Eleanor

From: Dearman, Eleanor

To: Nolt, Dorie
6/9/2016
Hi Dorie,

I hope you're having a nice Wednesday. I was wondering if the directive, particularly the portion on restrooms and locker rooms, would also apply to adults.

Also, I wanted to make sure you know that your replies are on the record. Just to clarify. Let me know if you have any questions.

Thank you for all of your help!
Eleanor

From: Dearman, Eleanor
To: Nolt, Dorie 6/9/2016

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6/7/2016

Thank you! I appreciate the help. I'll look this all over and let you know.

From: Nolt, Dorie
To: Eleanor Dearman

6/7/2016

That's the one. Here is our release on it, which better explains it:

<http://www.ed.gov/news/press-releases/us-departments-education-and-justice-release-joint-guidance-help-schools-ensure-civil-rights-transgender-students>

that also includes a blog on the guidance from Assistant Secretary Lhamon and Principal Deputy Assistant Attorney General Gupta, as well as a best practices document with local highlights.

Let me know if you have further questions after that.

From: Dearman, Eleanor
To: Nolt, Dorie
6/7/2016

Yes, I believe so. Here's the guidance I've been reading.

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf>

Am I missing another?

From: Nolt, Dorie
To: Eleanor Dearman
6/7/2016
Have you read our guidance?

From: Dearman, Eleanor
To: Nolt, Dorie6/7/2016
Hi Dorie,

Thank you for helping me out on this! It is much appreciated. I am working on a PolitiFact check for a Sen. Ted Cruz claim where he said President Obama made a decree "demanding that every public school now allow grown men and boys into the little girls' bathroom."

I was hoping you could help me to gage the accuracy of this claim. Let me know if you have any questions or need more context. I'm available by email anytime, and my cell number is (940) 368-3996.

Best,
Eleanor