

Federal Judge Blocks Obama's Transgender Bathroom Rules Based on "Identity"

By Administrator

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A federal judge in Texas has blocked the Obama administration's order that requires public schools to let transgender students use the bathrooms and locker rooms based on their gender identity and not biology. U.S. District Judge Reed O'Connor issued an injunction that ruled Title IX "is not ambiguous" about sex being defined as "the biological and anatomical differences between male and female students as determined at their birth."

"This case presents the difficult issue of balancing the protection of students' rights and that of personal privacy ... while ensuring that no student is unnecessarily marginalized while attending school," he wrote.

The ruling was the second recent setback for transgender advocates. Earlier this month, the U.S. Supreme Court ruled that a Virginia school board can block for now a transgender male from using the boys' restroom while justices decide whether to fully intervene.

A representative of Governor Pat McCrory praised the decision. The governor signed HB2 which overturns any local ordinances that mandates transgenders be allowed to use bathrooms and locker rooms based on their gender identity.

"The federal court decision bolsters the efforts of Governor McCrory, along with 22 other states, to protect the privacy of families and children in our school bathrooms, locker rooms and shower facilities," said Communications Director Josh Ellis. "We're also pleased that a federal court has sided with Governor McCrory's position that the Obama administration has overstepped its authority by bypassing Congress and the courts."

Texas and 12 other states challenged the White House directive as unconstitutional.

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The judge also sided with Republican state leaders who argued that schools should have been allowed to weigh in before the White House directive was announced in May.

The Justice Department issued a brief statement saying it was disappointed in the ruling and was now reviewing its options.

The ruling does not prohibit schools that allow transgender students to use the facilities of their choice from continuing to do so.