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June 9, 2016

The Honorable Vicky Hartzler
Congress of the United States
2235 Rayburn Building
Washington, D.C. 20515-2504

Dear Congresswoman Hartzler:

Thank you for your letter of June 7, 2016, regarding the letter of guidance issued by the U.S. Department of Justice and U.S. Department of Education.

President Obama was wrong to dictate a national policy so quickly and unilaterally. Missourians recognize these situations are occurring across our state, and school districts are attempting to address the needs of their transgender students with dignity, fairness, and respect.

A case recently before the 4th Circuit, *G.G. v. Gloucester County School Board*, is positioned for the most direct route to the United States Supreme Court. In that case, a transgender high school student argues that school policy requiring students to use the restroom corresponding to the biological sex assigned at birth violates the Constitution and laws of the United States. The U.S. Court of Appeals for the 4th Circuit recently sided with the student, ruling that Title IX requires public schools to permit transgender students to use sex-segregated facilities corresponding to their gender-identity.

Our office has been in contact with the lawyers representing the Gloucester County School Board, which released a statement earlier this week signaling the district's intent to file a petition for U.S. Supreme Court review. We have informed the school board's counsel that Missouri will submit an amicus curiae brief urging the Supreme Court to hear the school board's appeal when they file their petition later this summer. At that time, Missouri will take the opportunity to express our

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view that school districts are capable of forming lawful policy on this issue at the local level once a common understanding of the requirements of Title IX is reached. We believe this is the most direct route to a conclusive ruling.

Respectfully,



JOAN GUMMELS
General Counsel