

Mike DeWine, Governor
Dr. Stephanie K. Siddens, Interim Superintendent of Public Instruction

December 20, 2022

Dear Board Members, Superintendents, and School Leaders,

Thank you for your continued partnership on behalf of Ohio's students. On December 13, 2022, the State Board of Education adopted the enclosed resolution. The resolution directs me to send the resolution to every Ohio public school district board member and superintendent for every Ohio public school district and to every school leader of an Ohio elementary or secondary school or preschool program licensed by the Department of Education receiving federal funds, and to provide you with the following information:

- The State Board opposes the proposed regulatory changes released by the U.S. Department of Education on June 23, 2022;
- The applicable USDOE guidance documents have been enjoined by a U.S. District Court and are, therefore, unenforceable at this time;
- The State Board disagrees with the rule promulgated by the Department of Agriculture on June 14, 2022;
- While this rule currently remains in effect, the Ohio Attorney General has joined with twenty-one other state attorneys general in seeking injunctive relief from the new USDA rule; and
- This correspondence is intended to inform schools and districts, not to compel them to take a particular course of action.

Enclosed are copies of this letter and resolution. Superintendents and School Leaders, please distribute a copy of the letter and resolution to each of your board members. As always, if you have any specific questions about the applicability of Title IX with respect to certain situations, the Department of Education recommends that you consult with your Title IX coordinator or your legal counsel.

Sincerely,

Stephanie K. Siddens, Ph.D.
Interim Superintendent of Public Instruction

Enclosures

Cc: Charlotte D. McGuire, President, and Members of the State Board of Education