



September 15, 2025

The Honorable Jerry Moran
U.S. Senate
521 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Moran,

As you may be aware, the four undersigned school districts, which represent more than 80,000 of your Kansas students and their families, are currently being investigated by the United States Department of Education (Department), Office of Civil Rights (OCR) and Student Privacy Policy Office (SPPO). The investigation is in regard to our practices for responding to requests made by students and their parents and for providing equal access to all students.

We want to begin by saying that every public school district is bound by law to provide a free and appropriate public education to **all students**. We are committed to working with every family individually as each student navigates their academic journey. When working with families, we adhere to state and federal laws, as well as the Kansas High School Athletic Association's (KSHSAA) policies. While this particular issue has become highly politicized, the districts have simply worked to develop practices that comply with the law with regard to gender identity as it has developed over the past 10-15 years.

To our knowledge, no parent, student or staff of any of the undersigned school districts has filed any complaint or reported any alleged civil rights violations to the Department of this kind. Despite the lack of a complaint or any facts which might indicate a violation of current law, the Department has issued numerous data requests to our school districts and made threats to withhold federal funds. **We write to solicit any support you can provide as we navigate this investigation.**

On August 14, 2025, the undersigned school districts received notice from OCR and SPPO that we were under investigation for alleged violations of Title IX and the federal Family Educational Rights and Privacy Act (FERPA). The notice alleged that each district had "a policy, procedure, or guidance (hereinafter 'policy') that permits male students to participate in interscholastic and intramural athletic programs designated for female students, and allows students to use restrooms and locker rooms designated for the opposite sex based on a student's 'gender identity,' in violation of Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and its implementing regulation 34 C.F.R. Part 106." The complaint also alleges that each district has a policy that prevents school officials from disclosing a student's "transgender status" to the student's parents unless authorized by the student, in violation of FERPA, 20 U.S.C. § 1232g, and its implementing regulation at 34 C.F.R. Part 99.

On August 22, 2025, all four districts received numerous data requests in relation to those alleged violations, with a nine-business day turnaround. As each of our districts are facing the same allegations, and the data requests from OCR were both extensive and challenging to interpret, the four districts responded collectively with a request for clarification on exactly what information was being requested, along with a request for additional time to respond.

On August 22, 2025, each of our districts received a response from Bradley R. Burke, regional director of the Office for Civil Rights and Frank E. Miller, Jr., acting director of the Student Privacy Policy Office. In this response, our requests for clarification on exactly what was being requested, along with our request for sufficient time to properly respond, were denied. We remain concerned about the lack of clarification on the basis for the investigation, the authority for the investigation, the stark differences in treatment of this investigation versus other investigations by the OCR, OCR's interpretation of Title IX, and the information and records that OCR is seeking regarding individual students and staff while we follow our obligation to adhere to FERPA.

We are writing to inform you of this investigation targeting Kansas schools, and to make sure you understand that each of our districts is scrupulous in following both state and federal law with regard to how we serve all of our students. We also follow KSHSAA's guidelines when it comes to interscholastic and intramural athletic programs. Given our districts' compliance with the law and the possibility that OCR might push for a resolution agreement that is not in compliance with current law (as has happened in other similar cases recently), we are deeply concerned about the impact this case might have on all of our students.

In their initial letter informing us of the investigations, OCR threatened the loss of all federal funding, language none of us has ever seen in an OCR investigation notice before. Such an outcome would be devastating for each of our districts, with the most negative impact on our neediest students and a potential impact on our ability to fund certain staff positions. Our districts rely on federal funding for critical needs such as providing meals to economically disadvantaged students, staffing our schools, and meeting the educational needs of disabled students.

We believe the most just outcome for this case, and the outcome supported by the Department's implementing regulations, would be for OCR to work with the four districts to come up with a collaborative resolution that aligns with both state and federal law. Alternatively, OCR could stay its investigation unless and until there is existing legal authority to support OCR's current interpretation of Title IX as it relates to gender identity. Our priority is, and has always been, to focus on academics. This investigation has already pulled substantial time and resources away from our ability to focus on academic excellence as we address the requests of this investigation.

We remain committed to placing student learning and educational excellence as our top priority. Any influence you have in reaching out to OCR and Department leadership in this regard would be most appreciated.

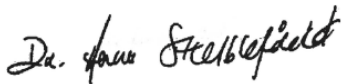
Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Tiffany Anderson".

Dr. Tiffany Anderson, Superintendent
Topeka Public Schools

A handwritten signature in black ink, appearing to read "Michael Schumacher".

Dr. Michael Schumacher, Superintendent
Shawnee Mission School District

A handwritten signature in black ink, appearing to read "Dr. Anna Stubblefield".

Dr. Anna Stubblefield, Superintendent
Kansas City, Kansas Public Schools

A handwritten signature in black ink, appearing to read "Brent Yeager".

Dr. Brent Yeager, Superintendent
Olathe Public Schools