

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE CONCURRENT  
4 RESOLUTION 43

By: Sykes of the Senate

5 and

6 Bennett of the House

7  
8 AS INTRODUCED

9 A Concurrent Resolution relating to action of the  
10 United States Departments of Education and Justice;  
11 directing Attorney General to defend interests of  
12 state; making certain request of members of United  
13 States House of Representatives elected from this  
14 state; condemning actions of Departments; and  
15 directing distribution.

16 WHEREAS, on May 13, 2016, the Civil Rights Division of the  
17 United States Department of Justice and the Office for Civil Rights  
18 of the United States Department of Education issued a letter  
19 addressed to "colleagues" in schools across the country; and

20 WHEREAS, the letter purports to provide "significant guidance"  
21 relating to civil rights protections for transgender students, to  
22 summarize a school's Title IX obligations regarding transgender  
23 students and explain how the United States Department of Justice and  
24 the United States Department of Education evaluate a school's  
compliance with these obligations; and

1       WHEREAS, the letter is accompanied by a document entitles  
2 "Examples of Policies and Emerging Practices for Supporting  
3 Transgender Students"; and

4       WHEREAS, the letter imposes conditions upon receipt of federal  
5 funds by schools relating to treatment of persons in educational  
6 programs or activities on the basis of sex, including gender  
7 identity; and

8       WHEREAS, while the Oklahoma Legislature is fully supportive of  
9 providing a safe and nondiscriminatory environment for and  
10 protecting the privacy of all students, the policies, proscriptions  
11 and conditions set forth in the letter clearly and unequivocally  
12 exceeds the authority of the federal government.

13       NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION  
14 OF THE 55TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES  
15 CONCURRING THEREIN:

16       Section 1. The Attorney General of the State of Oklahoma is  
17 hereby directed to defend, by any means necessary, the interests of  
18 this state against the overreach of the Civil Rights Division of the  
19 United States Department of Justice and the Office for Civil Rights  
20 of the United States Department of Education, as expressed in the  
21 letter referenced in this resolution.

22       Section 2. The members of the United States House of  
23 Representatives elected from this state are hereby requested to file  
24 articles of impeachment against the President of the United States,

1 the Attorney General of the United States, the Secretary of  
2 Education and any other federal official liable to impeachment who  
3 has exceeded his or her constitutional authority with respect to the  
4 letter referenced in this resolution, based upon the grounds that  
5 the Constitution of the United States does not grant the executive  
6 branch of the federal government any authority whatsoever over the  
7 public education system, nor over the use of restrooms or other  
8 facilities thereof.

9 Section 3. The Oklahoma State Legislature hereby condemns the  
10 actions of the Civil Rights Division of the United States Department  
11 of Justice and the Office for Civil Rights of the United States  
12 Department of Education, as expressed in the letter referenced in  
13 this resolution, as contrary to the values of the citizens of  
14 Oklahoma and to the interests of public safety.

15 Section 4. Copies of this resolution shall be distributed to  
16 the Civil Rights Division of the United States Department of  
17 Justice, the Attorney General of the United States, the Secretary of  
18 Education, the President of the United States and all members of the  
19 Oklahoma congressional delegation.

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