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Attorney General Steve Marshall Files Lawsuit Challenging Biden Rule to Redefine ‘Sex’ as ‘Gender Identity’ in America’s Schools

(Montgomery, Ala)— Alabama Attorney General Steve Marshall filed a federal lawsuit Monday challenging the Biden administration’s recently-announced Title IX rule, which would change the meaning of “sex” to “gender identity” and effectively abolish female-only bathrooms and locker rooms in schools across America.

“Since taking office, Joe Biden has brazenly attempted to use federal funding to force radical gender ideology onto states that reject it at the ballot box,” Attorney General Marshall said. “Now our schoolchildren are the target. The threat is that if Alabama’s public schools and universities do not conform, then the federal government will take away our funding. Rest assured, Biden will not be successful.”

This effort is the latest in a string of failed attempts by Biden to redefine “sex” to include sexual orientation and gender identity as a condition for federal funding and without the approval of Congress. In 2022, the State of Alabama sued the U.S. Department of Agriculture over an identical gender-based rule, which threatened the State’s food-stamp and school lunch funding for failure to comply. The federal government later conceded the limited reach of its policy, and the suit was dismissed.

Attorney General Marshall continued, “Alabama parents do not share the Biden Administration’s goal of genderlessness in our schools. They remember what happened in Loudon County, Virginia, and in other schools across the country when governments sacrificed the needs and concerns of every female student to accommodate a few males. That is why Alabamians have supported laws that protect girls’ sports and girls’ bathrooms, as well as laws that prohibit gender ideology from being taught in the classrooms of our youngest pupils.”

“I am pleased to be among the first to challenge this ill-conceived rule that would infringe on the constitutional rights of students, parents, faculty, and the State of Alabama itself.” The attorney general concluded, “This rule highlights Biden’s seemingly endless cascade of failures when it comes to looking out for everyday Americans. I expect the rule to be struck down swiftly.”

Alabama was joined in this effort by Florida, Georgia, and South Carolina, along with non-profit partners including the Independent Women’s Forum, Parent’s Defending Education, and Speech First.

The complaint can be read [here](#).



