



LOUDOUN COUNTY SCHOOL BOARD

Loudoun County School Board Declines to Sign OCR Resolution Agreement

Dear LCPS Community,

Recently, the U.S. Department of Education's Office for Civil Rights (OCR) concluded that policies allowing students to access bathrooms and locker rooms aligned with their consistently asserted gender identity violate Title IX. As current Loudoun County School Board policy permits students to do so (while also providing alternative facilities for any student who requests them), OCR has asked LCPS—along with four other Northern Virginia school divisions with similar policies—to sign a resolution agreement that, amongst other things, would remove any such language in our policies.

This OCR request creates a direct tension between federal agency guidance and binding judicial authority from the U.S. Court of Appeals for the Fourth Circuit. Therefore, after consultation with legal counsel, the Board voted not to sign this agreement, but remains open to discussion with OCR on the matter.

As we've said before, LCPS fully complies with all state and federal laws and regulations, including Title IX, and remains committed to protecting the rights and safety of all students.

Simply put, LCPS is unable to agree to the proposed terms of OCR's resolution agreement for the following reasons:

- We are following controlling law. The Fourth Circuit Court of Appeals has issued binding precedent in Virginia that supports our current policy and practices. Until such time as the U.S. Supreme Court or other controlling authority rules otherwise, we are obligated to follow that precedent.
- This creates confusion. OCR's interpretation of Title IX conflicts with existing law that applies to LCPS. Changing our policy to align with nonbinding federal guidance—rather than controlling case law—would not only be legally problematic, but could undermine clarity and stability for our students, staff, and families.
- Our priority is student safety, belonging, and well-being. We know from research, and from our own experience in LCPS, that inclusive policies contribute to safer, more supportive learning environments for all.

Further details can be found in our response to OCR, [here](#).

This decision is rooted in our legal obligations, our values, and our belief that every student should feel safe, respected, and supported in our schools. We will continue to monitor developments closely to ensure ongoing compliance with applicable law while protecting the rights of all students.

Above all, our mission at LCPS is to empower all students to make meaningful contributions to the world. That begins with creating school environments where every child feels they belong. We will not waver in that commitment.



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Sincerely,

Melinda Mansfield

Chair, Loudoun County School Board

Aaron Spence, Ed.D.

Superintendent, Loudoun County Public Schools

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