



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

February 18, 2026

VIA Electronic Mail Only

Dr. Nikolai Vitti
Superintendent of Schools
Detroit Public Schools Community District
3011 W. Grand Blvd.
Detroit, MI 48202
nikolai.vitti@detroitk12.org

Re: U.S. Department of Justice Compliance Review

Dear Dr. Vitti:

The U.S. Department of Justice, Civil Rights Division (“DOJ”) is aware that on November 13, 2025, the Michigan State Board of Education revised the Michigan Health Education Standards Guidelines (the “Michigan Standards”) to (among other provisions), require that local school districts add instruction on “sexual orientation,” “gender identity,” “gender diversity,” and “gender expression” to their health and sex education curriculum beginning as early as grade six (i.e., for 11- to 12-year-old students). Michigan Standards at 58-67. Unlike sex education, health is a required class for graduation in the state of Michigan, with no opportunity for parents to opt their children out of receiving instruction. MCL §§ 380.1502 (all public schools); 380.1278a(1)(a)(iii) (requirements for receiving a high school diploma).

As Attorney General Pamela Bondi noted in her memorandum titled *Upholding Constitutional Rights and Parental Authority in America’s Education System*, there has been a growing trend of local authorities introducing gender ideology into public schools. Not limited to health or sex education, teaching on gender ideology has been embedded in other classes, such as English and Language Arts. *See e.g., Mahmoud v. Taylor*, 606 U.S. 522, 533 (2025) (noting that “13 ‘LGBTQ+-inclusive’ texts” were chosen “for use in the English and Language Arts curriculum from pre-K through 12th grade”).

Federal civil rights laws prohibit discrimination based on sex, among other protected characteristics. Given the serious concerns over the introduction of these types of materials into Michigan public schools, DOJ is commencing a compliance review investigation of Detroit Public Schools Community District (“DPSCD”), pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.* Title IX provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. § 1681(a). Where it serves as a funding agency, DOJ may enforce Title IX against recipients of federal financial assistance. 20 U.S.C. § 1682. As you know, DPSCD receives financial assistance from DOJ and accordingly has certain obligations under federal law, including abiding by Title IX’s anti-discrimination requirements.

The Supreme Court of the United States has “long recognized the rights of parents to direct the religious upbringing of their children.” *Mahmoud*, 606 U.S. at 546 (citation and internal quotation marks omitted). “Sexual orientation and gender identity” are more than “sensitive political topics”—“education about these subjects is uniquely likely to interfer[e] with children’s religious development” as they “relate to the very architecture of many faiths.” *Id.* at 591 n.7 (Thomas, J., concurring) (citations and internal quotation marks omitted).

Accordingly, parents are entitled to advance notification about, and an opportunity to opt their children out of, instruction—in any class—that includes gender ideology. *See id.* at 569 (ordering school board to “notify [parents] in advance whenever one of the [LGBTQ+-inclusive] books in question or any other similar book is to be used in any way and to allow them to have their children excused from that instruction”).

Implementation of the Michigan Standards may contravene not only *Mahmoud*, but also President Trump’s January 2025 Executive Orders Nos. 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government* and 14190, *Ending Radical Indoctrination in K-12 Schooling*. At this time, DOJ’s investigation will focus on DPSCD’s (1) implementation of the Michigan Standards in health or sex education; and (2) lessons that include “sex,” “human reproduction,” “human sexuality,” “genitalia,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “hormone blockers,” “puberty blockers,” “transitioning,” or “LGBTQIA+” in any other class, for all grades pre-K-12—either of which may violate Title IX or *Mahmoud*.

In conducting its compliance investigation, DOJ will seek to determine whether DPSCD is violating Title IX. DOJ has not reached any conclusions about the subject matter of this investigation. If DOJ concludes that DPSCD is failing to comply with Title IX, we will inform you and work with you to resolve the failure by informal voluntary means. 28 C.F.R. §§ 42.107-42.108, 54.605.¹ If DOJ cannot secure compliance voluntarily, we may take formal action to secure compliance, which could involve suspending, terminating, or refusing to grant or continue DPSCD’s federal financial assistance, as well as commencing a civil action. 28 C.F.R. § 42.108. If DOJ concludes that DPSCD is complying with Title IX, we will notify you in writing that DOJ is closing the investigation. 28 C.F.R. § 42.107(d)(2).

We expect DPSCD to cooperate fully with this compliance investigation. To that end, I formally request you preserve all records in your possession relevant to this inquiry. DOJ’s Title IX implementing regulations require, among other things, that recipients of federal financial assistance allow DOJ to access sources of information and facilities relevant to determining compliance with Title IX and the implementing regulations. 28 C.F.R. § 42.106. These implementing regulations also require that every application for federal financial assistance be accompanied by an assurance that the facility or program will be operated in compliance with all requirements that Title IX and the implementing regulations impose. 28 C.F.R. § 42.105. Pursuant to this requirement, DPSCD signed contractual assurances that permit DOJ to examine records and access other sources of information and facilities.

Pursuant to this authority, we request the following materials:

1. Identify and describe with particularity all student, teacher, administrator, staff, employee, DPSCD Board of Education, and DPSCD Sex Education Advisory Board codes of conduct, handbooks,

¹ *See* 28 C.F.R. § 54.605 (adopting and applying “[t]he investigative, compliance, and enforcement procedural provisions of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d),” which “may be found at 28 CFR 42.106 through 42.111”).

protocols, policies, procedures, directives, correspondence, and communications, both formal and informal, that pertain to health or sex education for all grades pre-K-12 from September 1, 2023 to present. A responsive answer and production will provide all such codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications. A responsive answer and production will also include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications, and advising said parents and guardians of the opportunity to opt their children out of participation.

2. Identify and describe with particularity all student, teacher, administrator, staff, employee, DPSCD Board of Education, and DPSCD Sex Education Advisory Board codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications, both formal and informal, that pertain to “sex,” “human reproduction,” “human sexuality,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “transitioning” or “LGBTQIA+” from September 1, 2023 to present. A responsive answer and production will provide all such codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications. A responsive answer and production will also include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications, and advising said parents and guardians of the opportunity to opt their children out of instruction or participation.
3. Identify and produce every document, including, but not limited to, slideshows, presentations, imagery, posters, signage, recordings, handouts, notes, and drafts thereof, referring or relating to “sex,” “human reproduction,” “human sexuality,” “genitalia,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “hormone blockers,” “puberty blockers,” “transitioning,” or “LGBTQIA+” in health or sex education, or any other class, for all grades pre-K-12 from September 1, 2023 to present. A responsive answer and production will also include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such slideshows, presentations, imagery, posters, signage, recordings, handouts, notes, and advising said parents and guardians of the opportunity to opt their children out of instruction or participation.
4. Identify and describe with particularity all student, teacher, administrator, staff, employee, DPSCD Board of Education, and DPSCD Sex Education Advisory Board codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications, both formal and informal, that pertain to any contemplated or approved change in policies or procedures regarding the issuance of the Michigan Standards in November 2025. A responsive answer and production will provide all such codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications. A responsive answer and production will also include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such codes of conduct, handbooks, protocols, policies, procedures, directives, correspondence, and communications, and advising said parents and guardians of the opportunity to opt their children out of instruction or participation.
5. Identify and produce every document, including, but not limited to, curricula, syllabi, lesson plans, reading lists, manuals, textbooks (student and teacher editions), story books, picture books, library books, class materials, classwork, homework assignments, quizzes, tests, exams, assessments, questionnaires, surveys, and drafts thereof, referring or relating to “sex,” “human reproduction,”

“human sexuality,” “genitalia,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “hormone blockers,” “puberty blockers,” “transitioning,” “queer culture,” or “LGBTQIA+” for health or sex education, or any other class, for all grades pre-K-12 from September 1, 2023 to present. A responsive answer and production will include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such curricula, syllabi, lesson plans, reading lists, manuals, textbooks (student and teacher editions), story books, picture books, library books, class materials, classwork, homework assignments, quizzes, tests, exams, assessments, questionnaires, surveys, and advising said parents and guardians of the opportunity to opt their children out of instruction or participation.

6. Identify and describe with particularity, in the form of a spreadsheet, every single outing, field trip, overnight trip, conference, assembly, production, initiative, celebration, ceremony, proclamation, commemoration, remembrance, recognition, award, certificate, “awareness” event, “visibility” event, “advocacy” event, or other event or program, whether in-school or after-school, referring or relating to “sex,” “human reproduction,” “human sexuality,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “transitioning,” “queer culture,” “LGBTQIA+,” “Pride Month,” “Pride Week,” “drag queen,” or “drag performer” for all grades pre-K-12 from September 1, 2023 to present. A responsive answer and production will include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such outing, field trip, conference, assembly, production, initiative, celebration, ceremony, proclamation, commemoration, remembrance, recognition, award, certificate, “awareness” event, “visibility” event, “advocacy” event, or other event or program, whether in-school or after-school, and advising said parents and guardians of the opportunity to opt their children out of instruction or participation.
7. Identify and describe with particularity, in the form of a spreadsheet, every single club, support group, organization, alliance, association, or extracurricular program or activity, whether in-school or after-school, referring or relating to “sex,” “human sexuality,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “transitioning,” “queer culture,” “LGBTQIA+,” “Pride Month,” “Pride Week,” “drag queen,” or “drag performer” for all grades pre-K-12 from September 1, 2023 to present. A responsive answer and production will include all documents, forms, notices, alerts, permission slips, and correspondence providing advance notification to parents and guardians of such club, support group, organization, alliance, association, or extracurricular program or activity, whether in-school or after-school, and advising said parents and guardians of the opportunity to opt their children out of instruction or participation.
8. Identify and produce every document, correspondence, communication, contract, agreement, memorandum of understanding, invitation for bids, request for proposals, request for quotations, or procurement solicitation referring or relating to toolkits, workshops, curricula, class materials, guest speakers, lecture series, task forces, initiatives, partnerships, associations, alliances, best practice recommendations, model policies, reports, white papers, teacher or staff training, professional development, technical assistance, capacity building, or other programming or support referring or relating to health or sex education, “sex,” “human reproduction,” “human sexuality,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “transitioning,” “queer culture,” or “LGBTQIA+” for all grades pre-K-12 from September 1, 2023 to present.

9. Identify and describe with particularity, in the form of a spreadsheet, every single inquiry, request, notice, report, complaint, charge, or legal proceeding on the basis of or that could relate to health or sex education, “sex,” “human reproduction,” “human sexuality,” “genitalia,” “sexual orientation,” “gender identity,” “gender diversity,” “gender spectrum,” “gender expression,” “gender fluidity,” “gender nonconformity,” “transitioning,” “queer culture,” “LGBTQIA+,” “Pride Month,” “Pride Week,” “drag queen,” “drag performer,” or the Michigan Standards, including, but not limited to, complaints regarding sex-segregated bathrooms, locker rooms, sports teams, and overnight trips regarding any pre-K-12 student from September 1, 2023 to present. A responsive answer will include the following:
 - a. the date of the complaint;
 - b. the name and contact information of the complaining party (“Complainant”) and all witnesses;
 - c. the category of Complainant (e.g., student, parent, teacher);
 - d. the time, date, and location of the alleged act, behavior, conduct, speech, or incident prompting the complaint;
 - e. the office, unit, or entity that received the complaint and the office, unit, or entity responsible for reviewing the complaint;
 - f. the name, title, telephone number, and email address for the DPSCD officials or employees responsible for handling or responding to the complaint;
 - g. the nature or brief description of the complained of act, behavior, conduct, speech, or incident; and
 - h. the precise description on an individualized basis of DPSCD’s response to each complaint, including the process used to review the complaint, case status, identification of any remedial measures undertaken by DPSCD, protective measures for the victim, disciplinary proceedings, measures, or punishments imposed against the alleged perpetrator(s), whether criminal proceedings were referred, pursued, or taken against the alleged perpetrator(s), and the disposition of any legal proceedings.

10. Identify all members of the DPSCD Sex Education Advisory Board (“SEAB”) from September 1, 2023 to present. A responsive answer will include the following for each SEAB member:
 - a. Name, title, and contact information (i.e., address, telephone number, and email address); and
 - b. Dates of tenure.

Please provide all documents in an accessible, sortable, searchable electronic format (e.g., PDF, Microsoft Word document, or Microsoft Excel spreadsheet) that preserves metadata and allows for efficient review. If certain documents are only available in physical form, please indicate that in your response. Whenever requested, the terms “document” or “documents” include physical and electronic materials, including, but not limited to, all information contained in databases, computer systems, computers, and mobile devices, as well as all memoranda, meeting minutes, policies, technical standards, reports, transcripts, school records, handwritten and other notes, correspondence, emails, text messages, direct messages (or “DMs”) on social media applications.

Some of the requested materials may contain student information protected under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232(g). DOJ is authorized under 34 C.F.R. § 99.31(a)(3)(ii) to obtain such information without prior consent for the purpose of enforcing federal legal requirements, including Title IX. Any information disclosed pursuant to this request will be used solely for compliance review purposes and maintained in accordance with applicable federal confidentiality requirements.

Compliance with this request includes notifying all individuals or organizations that have access to these responsive records, even if not directly affiliated with DPSCD.

Please send the requested information by **April 6, 2026**. If you anticipate challenges in meeting this deadline or have any questions, please contact Trial Attorney LaDawn Burnett at LaDawn.Burnett@usdoj.gov.

Thank you in advance for your prompt attention to and cooperation in this compliance investigation.

Sincerely,



Harmeet K. Dhillon
Assistant Attorney General
Civil Rights Division
U.S. DEPARTMENT OF JUSTICE

cc: Jenice C. Mitchell Ford, General Counsel (jenice.mitchellford@detroitk12.org)
LaTrice McClendon, President, DPSCD Board of Education (latrice.mcclendon@detroitk12.org)