



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

915 2<sup>nd</sup> AVENUE, ROOM 3310  
SEATTLE, WA 98174-1009

REGION X

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February 28, 2025

**Via e-mail only to:** becky.parsons@tumwater.k12.wa.us

Superintendent Kevin Bogatin  
Tumwater School District

Re: Tumwater School District – OCR Case Number 10251194

Dear Superintendent Bogatin:

On February 17, 2025, the United States Department of Education, Office for Civil Rights (OCR), received a complaint against the Tumwater School District (the District). The complaint alleges that the District discriminated against a female basketball player (Student) on the basis of sex when it deprived her of a fair athletic opportunity by allowing a male player on an opposing basketball team to compete against the Student's team in February 2025 which forced the Student to withdraw from participation in the game. The complaint states that the opposing team player was allowed to play pursuant to the Washington Interscholastic Athletic Association policy that allows athletes to play on the team that aligns with their "gender identity." The complaint further alleges that the Student and the Student's brother were subjected to intimidation and retaliation.

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of federal financial assistance from the Department. As a recipient of federal financial assistance from the Department of Education, the District must comply with this law.

Please note that opening an investigation does not mean that OCR has made a final determination with regard to the merits. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint. OCR will ensure that its investigation is legally sufficient in accordance with OCR's [Case Processing Manual \(CPM\) \(February 19, 2025\)](#) and OCR's [Complaint Processing Procedures](#). The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

**Enclosed at the end of this letter is an initial data request for information needed to process this complaint.**

When appropriate, the complaint may be resolved before the conclusion of an investigation when the District expresses an interest to OCR to resolve the complaint and OCR determines that it is

appropriate to resolve the complaint allegation(s) because OCR's investigation has identified concerns that can be addressed through a resolution agreement.

If OCR determines during the course of the investigation that a complaint could be appropriate for mediation, OCR will contact the parties and offer this resolution option.

Please be advised that the District must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

When contacting OCR about this complaint, please include in the subject line of any e-mail correspondence and in any other communication, a reference to the case number at the top of this letter.

Upon receipt of this letter, please notify OCR of the name, address, e-mail address, and telephone number of the person who will serve as the District's contact person during OCR's investigation of this complaint. If you have any questions, please contact the regional OCR office in Seattle by e-mail at [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov).

Sincerely,

Stephen Chen  
Program Manager

Enclosure