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Fair Play

The Importance of Sports Participation for Transgender Youth

By Shoshana K. Goldberg February 2021

Contents

- 1 Introduction and summary**
- 4 Transgender sports bans deprive an already vulnerable group of the benefits of sports**
- 8 Current U.S. policies on sports participation for transgender students**
- 14 Trans-inclusive sports policies do no harm for cisgender youth**
- 19 Trans-exclusive sports policies can substantially harm transgender youth**
- 21 Transgender-inclusive athletic policies can have substantial benefits for transgender youth**
- 24 Conclusion**
- 26 About the author**
- 27 Appendix A: Sample high school transgender sports policies, by state**
- 30 Appendix B: Personal stories**
- 34 Endnotes**

Introduction and summary

This report contains corrections.

Jay's story

Jay is a transgender man who competed in equestrian throughout high school and college, including through his transition during college. Below, he describes his experience navigating his transition and team, excerpted from an interview he participated in with the author of this report.

Jay's quotes, and quotes throughout the report, may have been edited for length and/or clarity.

I came out to my equestrian team first. I sent out an email to the entire team, including the coaches, coming out to them. I knew they were going to be supportive because I walked into the barn the next day and my name had already been crossed out on the board and corrected with the name that I had sent them in the email literally 12 hours prior.

I know a lot of other trans athletes have to give up the sport that they love when they start to transition because organizations have a lot of regulations in terms of trans athletes competing on non-coed teams. I'm definitely very fortunate that, at least as far as riding, it's all been coed so my gender identity hasn't been a problem.

But I still decided to transfer [from an all girls' school to a coed school] because I didn't want to be around people who had a preconceived notion of who I was. I wanted to be around people who didn't know me so that they only had one picture of who I was in their mind, and that was Jay as a man. And that's what I got.

My new coach referred to me as one of her boys. I was afraid of nothing because they also accepted me with open arms and really just wanted to make sure that I was comfortable and felt safe, which was incredible because I was worried that I wasn't going to get that.

To read more stories from those affected by transgender sports bans, see Appendix B.

In recent years, opponents of LGBTQ equality have zeroed in on the participation of transgender youth in sports as part of their assault on the equal rights of transgender people. Transgender student-athletes are driven to play sports for the same reasons as all athletes, yet in many states, they are denied the opportunity to do so or can do so only after overcoming numerous invasive and stigmatizing hurdles. These transphobic laws and policies deny transgender athletes access to the numerous well-being, educational, and social benefits sports can confer, while ignoring the reality that transgender women and girls are women and girls, and transgender men and boys are men and boys.

The bills' justifications largely rely on scare tactics, stereotypes, and unwarranted claims that transgender women have a physiological advantage over cisgender women—despite a complete lack of evidence that transgender sports participation has had any measurable impact on the success of cisgender athletes. Transgender athletes have been competing openly for decades, with multiple state high school athletic associations, the National Collegiate Athletic Association (NCAA), the International Olympic Committee (IOC), and several professional and amateur sports leagues allowing transgender athletes to participate in accordance with their gender identity as early as 2004. In that time, women's—and men's—sports have continued undeterred. Yet while cisgender athletes remain unharmed when transgender athletes participate, policies known as transgender sports bans—which ban transgender students from participating and competing on sports teams in accordance with their gender identity, or make it difficult for them to do so—can do substantial harm to the mental health, well-being, and lives of transgender youth, athletes and nonathletes alike. Across multiple surveys, age groups, and settings, three consistent, troubling trends emerge: 1) Transgender youth and young adults are more likely than their cisgender peers to report worse mental health, including substantially higher risk of depression, suicidal ideation, and suicide attempts; 2) Transgender youth and young adults are substantially more likely than their cisgender peers to experience bullying, victimization, harassment, violence, and rejection from peers, against a backdrop of discriminatory policies such as transgender sports bans that serve to legitimize and foster hostile climates; and 3) Where transgender youth encounter accepting and affirming policies and peers, including transgender-affirming sports policies, their risk of poor mental health and suicidality decreases—and where these supports are lacking, risk is substantially higher.

In spite of the risks transgender sports bans pose, in 2020 alone, 20 states introduced bills to regulate or outright ban transgender athletes from participating in sports in accordance with their gender identity. On his first day in office, President Joe Biden issued an executive order calling on the federal government to fully implement the U.S. Supreme Court’s decision in *Bostock v. Clayton County, Georgia* to prohibit discrimination based on sexual orientation and gender identity, explicitly stating that “children should be able to learn without worrying about whether they will be denied access to the restroom, locker room, or school sports.”¹ Ignoring federal law and the Constitution, multiple states are rushing to beat the clock and implement transgender sports bans of their own, with 11 state legislatures advancing bills banning transgender sports participation in accordance with gender identity in the first month of 2021, along with multiple states introducing more extreme anti-transgender measures, such as bans on health care providers’ ability to provide gender-affirming care to transgender minors and restrictions on access to identification documents.² Against this legislative backdrop, it is not enough to simply avoid outright bans on transgender inclusion in sports or have no policy at all; states must be proactive in implementing inclusive policies. As presented throughout this report, the latest research on transgender inclusion in sports illustrates that inclusive policies provide significant benefits for transgender young people—and have no proven effect on competitive equity.

Transgender sports bans deprive an already vulnerable group of the benefits of sports

The benefits—physiological, social, and emotional—of participating in school sports teams and athletics are wide-ranging. In addition to physiological benefits such as lower rates of obesity,³ research has found that high school and college student-athletes may be at lower risk for anxiety and depression,⁴ suicide attempts,⁵ and tobacco and illegal drug use.⁶ Sports participation has also been associated with increased self-esteem and self-confidence,⁷ improved academic performance,⁸ stronger feelings of school connectedness and school-based social support, and broader social capital and community connectedness.⁹ Further, it can lead to life-long friendships with teammates and coaches and promote feelings of comradery, sportsmanship, and the ability to work hard and persevere.

Sports participation can also help increase opportunity for vulnerable school-age youth. For those who have experienced adverse childhood events—including poverty, disruption in family structure or family deaths, or learning or behavioral problems—sports participation can be a source of resilience and empowerment, protecting against short- and long-term negative impacts to mental health and well-being.¹⁰ These benefits can have lifelong effects: There is evidence that participating in high school or collegiate athletics is associated with higher wages and better jobs—meaning, for example, more-senior positions or more benefits offered alongside compensation.¹¹

Mental health and discrimination among transgender youth

These types of benefits are particularly crucial for transgender youth, who are at increased risk for family and peer rejection, victimization, stigma, and discrimination—so have more to gain through their participation in sports. In the 2015 U.S. Transgender Survey (USTS) of more than 40,000 transgender adults ages 18 and above, more than 77 percent of those who were out or perceived as transgender while in grades K-12 reported negative experiences at school, such as verbal or physical harassment, physical or sexual assault, or being prevented from dressing

in accordance with their gender identity; almost one-fifth of respondents said they had to leave school because of such mistreatment.¹² These rates are substantially higher for transgender people of color, highlighting how experiences of transgender people of color can intersect to increase risk for within-transgender disparities. For example, among the USTS sample, more than half (54 percent) of respondents reported being verbally harassed, one-quarter (24 percent) reported being physically attacked, and 13 percent reported being sexually assaulted as a result of others perceiving them as transgender, with rates of all three substantially higher among American Indian, multiracial, and Middle Eastern transgender people.¹³

Additionally, a Center for American Progress investigation of Title IX complaints filed with the Office for Civil Rights at the U.S. Department of Education from March 2010 through May 2018 revealed that the Department of Education has been failing to uphold the rights of transgender students.¹⁴ Compared with complaints among the general population, complaints related to one's sexual orientation or gender identity (SOGI) more frequently involved harassment or violence and were far less likely to lead to any corrective action: From 2013 to 2016, more than 72 percent of SOGI-related complaints involved sexual or gender harassment or violence, compared with less than 20 percent of all complaints in the general population. Furthermore, complaints from LGBTQ students were more than nine times less likely to result in corrective action under the Trump administration (from January 2017 through May 2018) than under the Obama administration (from May 2010 through December 2016).¹⁵

School-based harassment, victimization, and rejection can have life-threatening consequences for transgender youth. An analysis of data aggregated from the 15 states with publicly available data that assessed gender identity in the 2017 and 2019 Youth Risk Behavior State and Local Survey (YRBS),¹⁶ a representative study of individuals in grades 9 through 12, showed that almost 44 percent of transgender youth, versus 16 percent of cisgender youth, reported considering suicide in the previous year.

FIGURE 1

Transgender youth report high rates of suicide risk

Mental health and school climate of transgender and cisgender high school students, overall and by race/ethnicity

Considered suicide in the previous 12 months



Attempted suicide in the previous 12 months



Felt sad or hopeless in the previous 12 months



Bullied at school and/or electronically in the previous 12 months



Skipped school due to safety concerns in the previous 12 months



Threatened or injured with weapon on school property in the previous 12 months



Source: Authors' analysis of U.S. Centers for Disease Control and Prevention, "Youth Risk Behavior Survey, 2017–2019," available at <https://www.cdc.gov/healthyyouth/data/yrbs/data.htm> (last accessed December 2020).

According to the same survey, almost 3 in 10 (29.7 percent) transgender youth had made at least one suicide attempt, compared with less than one-tenth (7.3 percent) of cisgender youth. These rates are significantly lower for white transgender and cisgender youth (20.9 percent and 6 percent, respectively), than youth of color, as seen in Figure 1.¹⁷ More than 59 percent of transgender youth, versus 33.5 percent of cisgender youth, felt “so sad or hopeless for at least two weeks straight ... that [they] stopped doing some usual activities.” Transgender youth were also significantly more likely than cisgender youth to report having been bullied at school or online, having been threatened or injured with a weapon on school property, and having skipped school at least one day in the past month due to safety concerns. More disturbingly, among transgender students, those who had been bullied were 2.5 times more likely to have considered suicide than transgender students who had not been bullied, were more than three times as likely to have attempted suicide, and were 2.9 times as likely to have experienced depressive symptoms. Similar increases in risk for suicidal thoughts, suicide attempts, and depressive symptoms were seen for those who had skipped school due to safety concerns or who had been threatened on campus.¹⁸

Lack of access to affirming spaces and a community that supports transgender youth by affirming their gender identity, name, and pronoun has also specifically been tied to increased suicidality and decreased mental well-being among transgender youth. For example, in The Trevor Project’s 2020 mental health survey, transgender and nonbinary youth who reported that no one in their lives affirmed or respected their pronouns were twice as likely to have attempted suicide in the past year as transgender youth whose pronouns were affirmed by all or most people they knew—28 percent versus 12 percent.¹⁹

Given the well-documented benefits of sports—and disproportionate mental health struggles among transgender youth—transgender sports bans can have disastrous consequences, particularly as they continue to perpetuate and legitimize rejection of gender identity. While inclusion in sports is not a cure-all for the deep-seated discrimination against transgender youth, their exclusion from such activities can potentially put their lives at risk.

Current U.S. policies on sports participation for transgender students

Though limits on available data make it difficult to estimate the exact number of transgender athletes, across available datasets, transgender youth and young adults are consistently found to participate in sports at significantly lower rates than their cisgender peers—including cisgender LGBTQ peers.²⁰

While there are numerous reasons why transgender youth and young adults are less likely to participate in sports, access is one prominent barrier.²¹ Stemming from the sex assigned at birth and/or the gender-segregated nature of most sport leagues, whether a transgender athlete can compete in accordance with their gender identity in the United States, versus their sex assigned at birth, currently depends on their age, where they live, what sport they play, and where they go to school.

Federal policies around transgender inclusion in sports

The International Olympic Committee has allowed transgender athletes to participate in the Olympic Games since 2004,²² and several professional and recreational leagues, including USA Gymnastics, U.S. Soccer, and the National Women's Hockey League, have recently implemented trans-inclusive policies, further expanding access to transgender athletes of all ages.²³ At the college level, the National Collegiate Athletic Association (NCAA) has allowed transgender students to participate in championships in accordance with their gender identity since 2011, though individual schools are able to set their own specific policies.²⁴

However, at the high school level, changes between the Obama and Trump administrations' interpretations of Title IX—and specifically whether Title IX sex protections extend to gender identity—have led to a seesawing in federal guidance between recognition and exclusion of transgender youth in school programming, including sports. Title IX of the Education Amendments of 1972 prohibits discrimination “on the basis of sex” in schools and educational programs and activities, including sports teams, as well as in school facilities such as locker rooms

and bathrooms.²⁵ Under the Obama administration, “sex” under Title IX was interpreted to prohibit discrimination on the basis of gender identity, including discrimination based on transgender status, in guidance issued in 2016 by the U.S. Department of Education and the U.S. Department of Justice;²⁶ this aligned with a growing number of federal courts holding that Title IX prohibited gender identity discrimination.²⁷ This guidance clarified that Title IX required schools to allow transgender students to participate in school activities, including sports, and have access to sex-segregated facilities, such as locker rooms and bathrooms, in ways consistent with their gender identity.²⁸

In February 2017, however, the Trump administration rescinded the Obama administration’s Title IX guidance, instead deferring to “the primary role of the States and local school districts in establishing educational policy.”²⁹ Despite its claim of transferring such decision-making authority to the states, the Trump administration continued to push an anti-transgender stance nationwide: In 2018, then-U.S. Department of Education Secretary Betsy DeVos confirmed that Title IX complaints filed by transgender students regarding access to sex-segregated facilities were no longer being investigated.³⁰

The U.S. Supreme Court’s June 2020 decision in *Bostock v. Clayton County, Georgia*, held that under Title VII—a federal law that prohibits sex discrimination in employment—discrimination based on sexual orientation and gender identity is a form of sex discrimination and therefore prohibited.³¹ This landmark decision could significantly affect interpretations of sex discrimination under Title IX. While Title VII focuses on employment, and Title IX on education, courts routinely look to definitions of sex discrimination under Title VII to inform interpretations of sex discrimination under Title IX. In fact, several courts have already applied that reasoning in cases involving Title IX claims.³² In fact, on his very first day in office, President Biden issued an executive order on “Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation.”³³ The order explicitly notes that “children should be able to learn without worrying about whether they will be denied access to the restroom, the locker room, or school sports” and that under *Bostock*’s reasoning, Title IX prohibits discrimination on the basis of gender identity or sexual orientation.³⁴

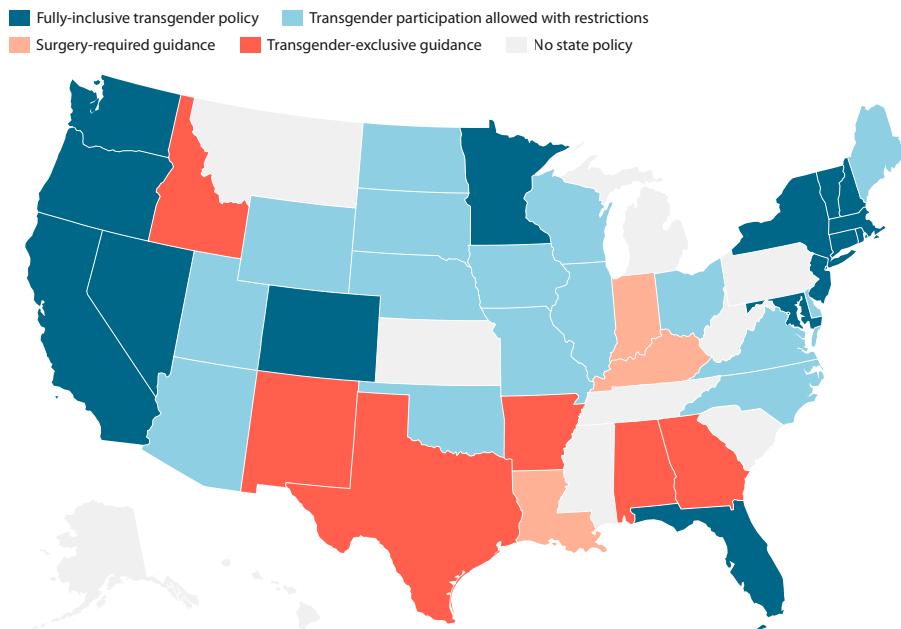
State policies around transgender inclusion in sports

In addition to Title IX, transgender sports participation policy is governed by inconsistent regulations and laws that vary throughout the United States. At the high school level, guidance varies widely across states and is largely based on each state's high school athletic association guidelines, absent any state-level targeted legislation, policy, or rulemaking. (see Appendix A for example policies)

Currently, 10 states have no state guidance on transgender sports participation. (see Figure 2)³⁵ These states are home to approximately 13.4 percent of the estimated 150,000 transgender youth ages 13 to 17 in the United States, and 2,283,222 high school students overall—13.5 percent of the approximately 16.9 million high school-enrolled youth in the United States. (see Figure 3)³⁶ In these states, regulations and rules guiding participation for transgender athletes are up to the judgement of individual schools, which creates confusing scenarios whereby two transgender students in neighboring schools may face entirely different regulations when attempting to participate in accordance with their gender identity.

FIGURE 2

State athletic association policies regarding transgender, nonbinary, and gender-nonconforming student participation in school sports, by state



** Correction, February 8, 2021: This figure has been corrected to show that Connecticut has a fully inclusive policy.*

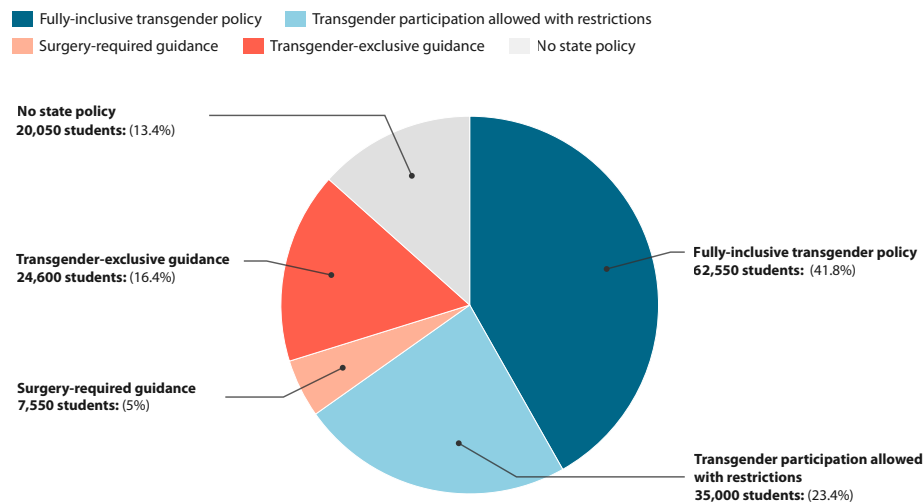
*** Correction, February 9, 2021: This figure has been updated to clarify where its discussion centers on existing exclusionary guidance from state athletic associations, not more extreme proposed bans in state legislatures.*

Note: Policies are current as of December 2020.

Source: Anne Lieberman and Anna Baeth, AthleteAlly; Aaron Ridings, GLSEN; and Chris Mosier, TransAthlete, personal communication with author via email, December 16, 2020, on file with author; TransAthlete.com, "K-12 Policies," available at <https://www.transathlete.com/k-12> (last accessed December 2020).

FIGURE 3

Estimated number and percentage of transgender high school students ages 13 to 17, by state policy environment



**** Correction, February 9, 2021:** This figure has been updated to clarify where its discussion centers on existing exclusionary guidance from state athletic associations, not more extreme proposed bans in state legislatures.

Source: Anne Lieberman and Anna Baeth, AthleteAlly; Aaron Ridings, GLSEN; and Chris Mosier, TransAthlete, personal communication with author via email, December 16, 2020, on file with author; TransAthlete.com, "K-12 Policies," available at <https://www.transathlete.com/k-12> (last accessed December 2020); Jody L. Herman and others, "Age of Individuals Who Identify as Transgender in the United States" (Los Angeles: The Williams Institute, 2017), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Age-Trans-Individuals-Jan-2017.pdf>.

However, as early as 2008, when the first transgender-inclusive high school policy was passed by the Washington Interscholastic Activities Association,³⁷ many other states' athletic associations started to implement policies whereby transgender students could participate in athletics in accordance with their gender identity. Currently, 16 states plus Washington, D.C., have transgender-inclusive statewide guidance and policies that allow students to participate and compete on teams in accordance with their gender identity without requiring the athlete to have undergone medical transition—meaning hormone therapy and/or gender confirmation surgery—or legal transition, such as by changing one's birth certificate or other legal documents, prior to competing. In supporting access to athletics based on gender identity, almost 42 percent of transgender high school-age youth nationwide—representing approximately 62,550 transgender students among more than 6.8 million high school-enrolled youth living in these states—have the same opportunity to participate in and benefit from sports as their cisgender peers.³⁸

In 14 states, home to more than 4.1 million high school-enrolled youth, transgender sports participation is only "allowed with restrictions," such as having to begin medical transition, undergo medical examination, or complete a lengthy process to demonstrate that one's gender identity is sincerely held. Under these policies,

the 35,000 transgender high school students living in these states can only participate in sports if they undergo administrative hurdles and/or medical exams not required of their cisgender peers.³⁹ Further, these policies risk seriously harming transgender youth by requiring unnecessary and invasive medical examinations that are ideologically driven, rather than consistent with the standards of care for routine treatment involving gender-expansive (e.g., transgender, nonbinary, genderqueer, and other noncisgender) youth.⁴⁰ They also reinforce stereotypical gender norms around the types of bodies that are more athletic and the qualities connected with athleticism—namely, that women are inherently weaker and less athletically inclined than men—further harming cisgender and transgender women athletes alike.

An additional three states, Indiana, Kentucky, and Louisiana, have surgery-required guidance** that only allow participation in accordance with gender identity if the athlete has undergone gender confirmation surgery. These policies not only send harmful messages that there is a single, “legitimate” way to transition—namely, through surgery—but they also exclude those for whom surgical transition is not desired, as well as those for whom gender confirmation surgery is unavailable due to factors such as age (gender confirmation surgery is largely not performed on youth under age 18), cost, and/or lack of available providers.

Those outdated and unscientific stereotypes are at the heart of the state athletic guidance held by six states—home to an estimated 24,600 transgender youth—that have the most extreme, and most explicit, transgender-exclusive sports guidance.** Under these policies, participation in sex-segregated sports is based exclusively on one’s “biological sex,” defined by athletic associations—rather than scientific evidence or individual identification—using criteria such as sex listed on one’s birth certificate or in accordance with physical, hormonal, or reproductive/secondary-sex characteristics. Such policies not only set arbitrary guidance around physical characteristics that ignore inherent variability in the bodies of athletes of the same sex, but they also further force transgender athletes to choose between playing a sport and living, and competing, authentically as their gender, as well as create hostile climates that contribute to the negative mental health outcomes detailed earlier in this report.

The number of states with a legislated transgender sports ban is at risk of growing in the upcoming year: During 2020, state legislatures in 20 different states introduced bills to ban transgender high school students from participating in sports.⁴¹ In Idaho, H.B. 500, the Fairness in Women’s Sports Act, was signed into law in

March 2020, making Idaho the first state to implement such a policy and ban both high school and college transgender athletes from participating in sports.⁴² H.B. 500 is currently enjoined following an August 2020 ruling in federal trial court in a suit brought against Idaho by a transgender cross-country college athlete and a 17-year-old transgender high school athlete.⁴³ The court noted in its injunction “the absence of any empirical evidence” that opportunities for women athletes are “threatened by transgender women athletes in Idaho” and in fact found “compelling evidence that equality in sports is not jeopardized” by Idaho’s previous standard that allowed transgender women to compete on women’s teams. The court concluded that the law’s “categorical bar against transgender women athletes’ participation appears unrelated to the interests the Act purportedly advances.”⁴⁴

Meanwhile, in the first month of 2021 alone, 11 states introduced bills similar to—or more extreme than—the bill implemented in Idaho. The first state to do so was Tennessee, despite no existing Tennessee policy allowing transgender students to participate in athletics.⁴⁵ This bill is part of Tennessee’s annual “slate of hate,” a set of divisive and extreme anti-LGBTQ bills that cover topics such as denying gender-affirming health care for transgender minors; allowing federally funded adoption and foster agencies to refuse to place LGBTQ youth or place youth with LGBTQ parents; and now, banning transgender youth from participating in sports in accordance with their gender identity.⁴⁶ This rapid rise in anti-transgender legislation, despite a continued lack of evidence that transgender sports participation has affected the sporting experience of cisgender teammates and competitors, further belies that these bills are not based in reality. As noted by Chase Strangio, staff attorney at the American Civil Liberties Union:

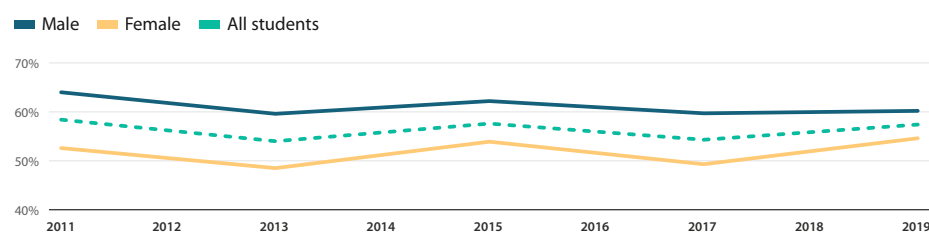
*[M]ost supporters of the legislation can’t point to a single trans youth athlete in their state, let alone one who has ever displaced a nontransgender athlete, and no one can explain how [these bills] save women’s sports. Not one of these lawmakers has introduced legislation to actually invest in women’s sports. These bills are just another opportunity to repeat (and, they hope, enact into law) myths about trans women and girls dominating in women’s athletics and posing a threat to cisgender women and girls.*⁴⁷

Trans-inclusive sports policies do no harm for cisgender youth

Supporters of anti-transgender sports policies often portray them as necessary to protect cisgender women and girls' sports, using names for these bills such as the Save Women's Sports Act (S.B. 172, Louisiana) and the Mississippi Fairness Act (H.B. 1391).⁴⁸ These bills cloak transmisogyny in inflammatory language and scare tactics that distract from the policies' discriminatory intent. Notably, many do not lay out restrictions for transgender boys and men, focusing solely on regulating women's bodies.

There is no evidence to support the claim that allowing transgender athletes to participate will reduce or harm participation in girls' sports. Though anti-transgender groups focus on the very few, cherry-picked examples of competitions where a transgender athlete outperformed a cisgender athlete, evidence suggests that inclusion of transgender athletes has had no impact on sports participation or women's athletic achievements.

FIGURE 4
Percentage of U.S. high school students playing on at least one sports team, by year and sex



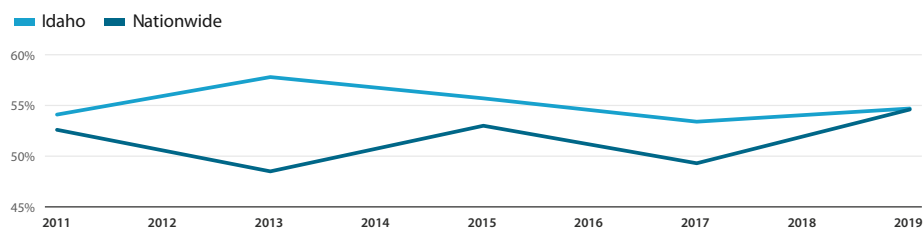
Source: U.S. Centers for Disease Control and Prevention, "1991-2019 High School Youth Risk Behavior Surveillance," available at <http://nccd.cdc.gov/youthonline/> (last accessed December 2020).

As measured in the national Youth Risk Behavior Survey the percentage of high school girls nationwide playing on at least one sports team has remained statistically unchanged since 2011—as has the percentage of high school boys. (see Figure 4) Looking at states that collected sports team participation data on the state YRBS,⁴⁹ participation among high school girls remained static from 2011 to 2019 in states

with fully transgender-inclusive sports policies, whereas participation among girls in states with outright bans or trans-exclusive policies (combined) has decreased—and, as of 2019, was lower than participation among girls (48 percent overall) in states that collected sports participation on their 2019 YRBS.⁵⁰

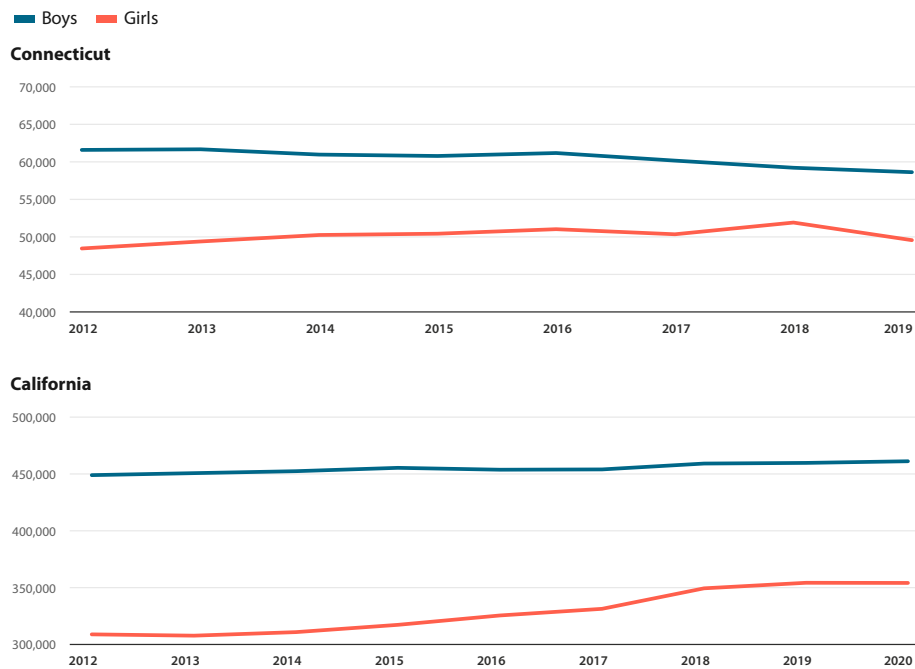
Similar trends emerge within individual states. In Idaho, for example, despite the claim in the Idaho Fairness in Women’s Sports Act that sex-specific teams must be preserved at the exclusion of transgender women in order to “promote sex equality, by providing opportunities for female athletes to demonstrate their skills, strength, and athletic abilities,”⁵¹ data from the YRBS reveal that women in Idaho appear to participate in sports at rates similar to the national average (see Figure 5), even with a policy that prior to H.B. 500 allowed transgender women and girls to participate with restrictions. In 2019, more than half (54.7 percent) of high school-age girls in the state played at least one team sport, equivalent to the national average among girls of 54.6 percent.⁵² Further, girls in Idaho have participated in sports at equal—or even slightly higher—percentages than the national average in each year since 2011.

FIGURE 5
Percentage of female high school students playing on at least one sports team, in Idaho and nationwide



Source: U.S. Centers for Disease Control and Prevention, “1991–2019 High School Youth Risk Behavior Surveillance,” available at <http://nccd.cdc.gov/youthonline/> (last accessed December 2020); Authors’ analysis of U.S. Centers for Disease Control and Prevention, “Youth Risk Behavior Survey, 2017–2019,” available at <https://www.cdc.gov/healthyyouth/data/yrbs/data.htm> (last accessed December 2020).

Evidence from states that already have transgender-inclusive policies suggests that girls’ sports participation may even increase alongside inclusive policies. (see Figure 6) In California, where a statewide transgender-inclusive sports policy has allowed transgender youth to participate in sports since 2014, high school girls’ sports participation in 2020 was the highest it has ever been, increasing by almost 14 percent since 2014. Meanwhile, participation among boys increased by less than 2 percent in the same period.⁵³

FIGURE 6**Number of boys and girls participating in high school sports in Connecticut and California, by academic year**

Source: Alex Putterman and Shawn McFarland, "Connecticut high school sports participation drops for the first time in over a decade, mirroring national trend," Hartford Courant, August 28, 2019, available at <https://www.courant.com/sports/hc-sp-connecticut-high-school-sports-participation-20190827-20190828-bfqwwqrjtbgyzhguymfosiqum-story.html>; California Interscholastic Federation, "Sports Participation at All-time High for Eighth Consecutive Year," August 3, 2020, available at https://www.cifstate.org/news/2019-20_census_rel.

Similarly, in Connecticut, where transgender sports inclusion has been allowed since 2013, sports participation among high school girls increased slightly (by 2.3 percent) from the 2011–2012 to 2018–2019 seasons, even as sports participation among high school students overall, and high school boys, decreased by 1.7 percent and 4.8 percent, respectively, in the same period.⁵⁴ Further, despite claims in the Alliance Defending Freedom’s Title IX complaint that Connecticut’s trans-inclusive policy was disadvantaging cisgender girls, the number of girls participating in outdoor track and field in the state steadily increased every year from the 2011–2012 season to the 2014–2015 season. Though the number has fallen since then, the number of female outdoor track and field athletes in the 2018–2019 season—the most recent year for which data are available—remained higher than that prior to the implementation of the trans-inclusive policy.⁵⁵ Taken together, both states show that when transgender youth are allowed to play, the only result is that more women and girls—not fewer—are playing sports.

In Washington state—the first state to allow transgender athletes to compete in accordance with their gender identity, in 2008—only three transgender athletes had competed in sports as of 2017, none of whom had won a championship.⁵⁶ At the Olympic level, transgender athletes have been allowed to compete since 2004, but to date, none have medaled. The only U.S. transgender athlete to ever make a U.S. national team for a World Championship is Chris Mosier, a transgender man, in 2016. Together, the fact remains that even when transgender athletes are included, it is the variability of athletic ability—not transgender status—among students that leads to success.

Supporting women and girls in sports means expanding opportunities to play, not restricting which women and girls get to play. Women’s sports advocates such as the Women’s Sports Foundation and the University of Minnesota’s Tucker Center for Research on Girls & Women in Sport have extensively explored barriers to sports participation and success among women and girls and note that the most commonly cited barriers are opportunity and costs.⁵⁷ Though the number of girls and women playing sports has increased over time, it still lags behind the number of boys. Nationwide, school budget cuts have reduced the number of high school sport opportunities for girls, with schools with majority-female enrollment far more likely than schools with majority-male or gender-balanced enrollment to cut or altogether drop school sports programs.⁵⁸ These same budget cuts have contributed to sports opportunities for high school boys consistently growing faster than opportunities for high school girls, with high school-age boys receiving more than 1.1 million more available slots than girls.⁵⁹ In the United States, a higher cultural premium is placed on men’s than women’s sports, with men’s sports getting more airtime on television and mentions in print media, male athletes earning higher salaries, and men achieving more positions of leadership than their women counterparts.⁶⁰ The cost of playing sports is also higher for girl athletes than boy athletes, reducing participation particularly among girls from socioeconomically disadvantaged families.⁶¹ Additional barriers include gender stereotypes and norms around sports, which both discourage participation for cisgender girls, who may fear being labeled as queer, transgender, or gender nonconforming, and perpetuate the message that being queer, transgender, or gender nonconforming is something negative.⁶²

While legislators may be concerned about the impact of transgender participation in sports, evidence further highlights that many cisgender athletes are supportive of trans-inclusive athletic policies. Two recent studies focusing on club/intercollegiate college athletes found that cisgender/heterosexual college athletes

were comfortable playing alongside transgender athletes and approved of LGBT nondiscrimination athletic policies, with a third study finding that the general public similarly approves of such policies, with women typically emerging as more accepting than men.⁶³ Rather than continue to exclude transgender athletes due to the presumed discomfort of cisgender athletes and fans, a shift toward more inclusive policies could go a long way toward improving attitudes and increasing acceptance of transgender athletes; the aforementioned studies found that as cisgender people have more contact with transgender people, they become more accepting of transgender people in general, and more likely to favor and support transgender-inclusive policies.⁶⁴

Trans-exclusive sports policies can substantially harm transgender youth

While trans-inclusive policies have no negative impact for cisgender athletes, trans-exclusive bans harm transgender youth and young adults. As detailed above, transgender youth are already less likely to play sports than their cisgender peers. In addition to policy barriers, one main reason is that, unfortunately, many transgender athletes are bullied or harassed by unwelcoming teammates and/or coaches if they disclose their identity.⁶⁵ Some transgender youth are so fearful of being rejected or kicked off the team, they choose instead to not disclose their identity (and thus are not captured by available statistics), perpetuating feelings of internalized transphobia and gender dysphoria. Fears and safety concerns around using gender-segregated athletic and athletic-adjacent facilities—such as locker rooms and bathrooms, as well as physical education classes—further complicates every aspect of the school athletic experience for transgender and nonbinary youth. As noted in GLSEN’s 2019 National School Climate Survey, almost 60 percent of transgender youth reported avoiding gym/physical education class, almost 70 percent reported avoiding school locker rooms, and more than 80 percent reported avoiding bathrooms at school due to safety concerns.⁶⁶

Such findings highlight the reality that many transgender students attend schools in unsafe or unwelcoming environments, which necessitates policies and programs to reduce transphobia, increase acceptance, and subsequently improve mental health and well-being among transgender youth. Instead, unfriendly and noninclusive policies—including policies such as transgender sports bans—perpetuate exclusion, further increasing the risk for adverse mental health. In the 2019 GLSEN National School Climate Survey, more than half of transgender students reported being prevented from using bathrooms (58.1 percent) or locker rooms (55.5 percent) that aligned with their gender identity, and more than 4 in 10 (44.5 percent) were prevented from using the name and pronouns that align with their identity. More than 10 percent of LGBTQ youth reported being discouraged from playing school sports due to their sexual orientation and/or gender identity, and less than 6 percent of transgender or nonbinary students reported attending schools that allowed them to participate in sports that matched their

gender identity. Among schools with any transgender-inclusive policy, only 42 percent specifically enumerated protections that allowed transgender students to participate in sports in accordance with their gender identity.⁶⁷ Exposure to gender-discriminatory school policies and practices, such as being discouraged and/or banned from playing sports, was cited as the underlying reason why more than one-third of LGBTQ youth did not expect or plan to graduate high school. Further, those who had experienced discriminatory policies reported significantly lower self-esteem and sense of school belonging than those who had not experienced discriminatory policies, as well as significantly higher rates of depression and school absenteeism.⁶⁸

Transgender-inclusive athletic policies can have substantial benefits for transgender youth

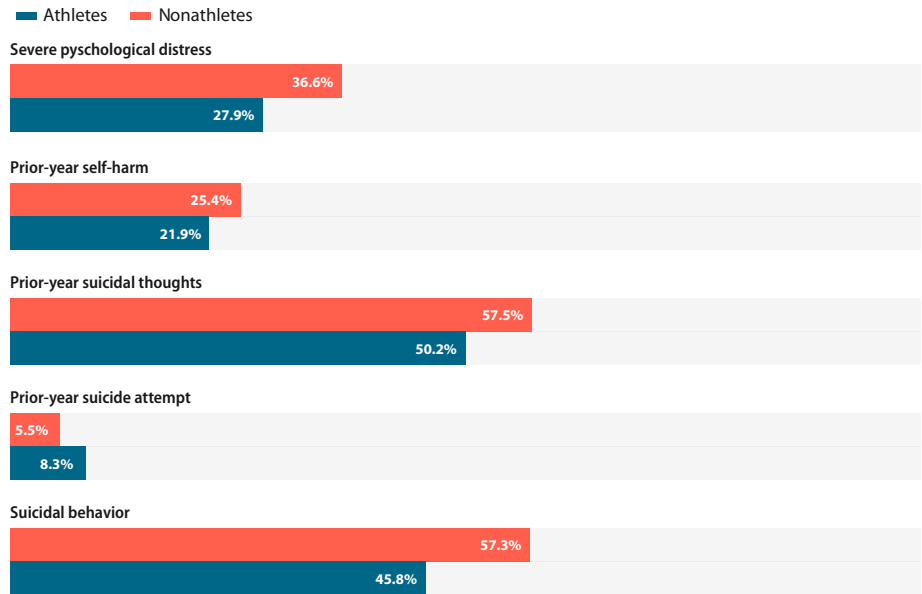
When transgender youth play sports—and, more importantly, are accepted as teammates and competitors while doing so—they are able to access the same benefits afforded to all athletes. Previous research has found that inclusive school policies, such as anti-bullying policies that specifically enumerate protections for LGBTQ youth, have been associated with lower risk of suicide attempts and higher levels of school belonging and feeling safe at school among sexual and gender-minority youth.⁶⁹ Gender-specific policies, such as those that restrict or allow youth to participate in sports and/or use bathrooms and locker rooms in accordance with their gender identity, are no different. Overall, results from GLSEN’s 2019 National School Climate Survey found that transgender and nonbinary students in schools with transgender-inclusive policies were less likely to skip school due to safety concerns, felt greater belonging to their school community, and were less likely to hear anti-LGBTQ remarks or experience victimization or harassment based on their gender identity.⁷⁰

Furthermore, The Trevor Project found that LGBTQ athletes, and transgender/nonbinary athletes specifically, had significantly higher grades than their LGBTQ peers who did not participate in sports, with LGBTQ youth athletes further reporting 20 percent lower rates of depressive symptoms than LGBTQ nonathletes.⁷¹ Similarly, the Human Rights Campaign found that LGBTQ youth athletes were significantly more likely than those who had never played a sport to “always feel safe in [their] classroom,” as well as significantly less likely to have felt “depressed” or “worthless” in the past week; those who used to play a sport, but no longer do, were the least likely to feel safe at school, and the most likely to have felt depressed or worthless.⁷² In an analysis of the 2017 National School Climate Survey, although transgender youth were less likely to participate in school sports than their cisgender peers, those who did participate had higher rates of self-esteem and feelings of school belonging and lower rates of depression, with the largest improvements seen for transgender nonbinary students.⁷³ Furthermore, simply the existence of inclusive policies may be enough to protect against adverse mental health for transgender youth, even those who are not athletes. Among

2017–2019 YRBS respondents, transgender students in states with fully inclusive policies (40.6 percent), and that allow participation with restrictions (46.1 percent) were significantly less likely than students in states with no guidance (54.6 percent) to have considered suicide in the past year, with those in fully inclusive states the least likely to have done so.

Among college students surveyed in the National College Health Assessment III during the fall 2019 and spring 2020 semester,⁷⁴ approximately 14.7 percent of all transgender students, versus 22 percent of all cisgender students, were student-athletes who competed in either varsity, club, and/or intramural sports. Relative to their transgender peers who did not participate in sports, transgender athletes reported significantly higher levels of psychological well-being and flourishing (see Figure 8), and were significantly less likely to meet the threshold for severe psychological distress, to have suicidal thoughts or to have self-harmed in the prior year, or to screen positive for suicidal behavior. (see Figure 7)

FIGURE 7
Mental health and well-being of transgender college students among athletes and nonathletes, 2019-20 academic year



Note: Data include varsity, club, and intramural sports.
Source: Authors' calculations based on American College Health Association, "National College Health Assessment (ACHA-NCHA) III, Fall 2019 to Spring 2020," available at https://www.acha.org/ACHA/Resources/Survey_Data.aspx (last accessed December 2020).

FIGURE 8

Transgender college athletes report better psychological well-being than nonathletes

Psychological well-being mean score of college athletes compared with nonathletes, with 56 being the highest score



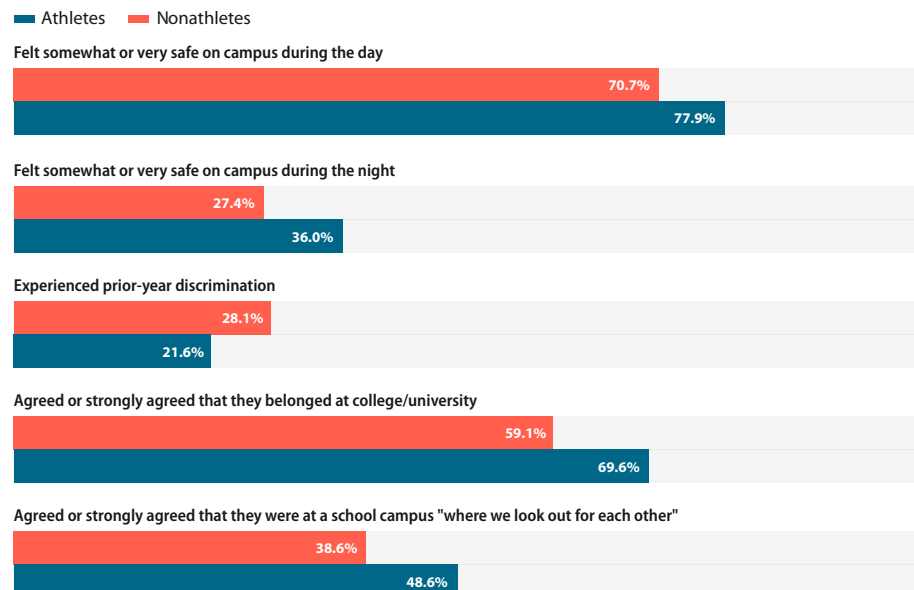
Note: Psychological well-being mean score is based on Diener Flourishing Scale, which ranges from zero to 56.

Source: Authors' calculations based on American College Health Association, "National College Health Assessment (ACHA-NCHA) III, Fall 2019 to Spring 2020," available at https://www.acha.org/ACHA/Resources/Survey_Data.aspx (last accessed December 2020).

In addition, transgender college athletes reported significantly better school climates than transgender college students who did not participate in sports. Transgender athletes were significantly more likely to feel “very safe” (versus “somewhat safe” or “very”/“somewhat unsafe”) on their campus at either day or night and were significantly more likely to feel they belonged at their school and that the campus community “looks out for each other.” They were also significantly less likely to have experienced any form of discrimination in the previous year. (see Figure 9)

FIGURE 9

Perceived school climate among athlete and nonathlete transgender college students, 2019-20 academic year



Note: Data include varsity, club, and intramural sports.

Source: Authors' calculations based on American College Health Association, "National College Health Assessment (ACHA-NCHA) III, Fall 2019 to Spring 2020," available at https://www.acha.org/ACHA/Resources/Survey_Data.aspx (last accessed December 2020).

Conclusion

Jay's story, continued

My first competition where I felt like I was really competing as a man for the first time, because I had had top surgery, my coach sat me down and told me, “You’ve come this far. You’ve overcome this much to get here. If you can do all of that, I’m pretty sure you can go into the ring and roll your shoulders back. You’re worried about these people looking at you, but they’re not judging you. If anything, they’re looking at you and admiring how far you have come.”

I know my parents’ biggest concern when I was coming out was that I was going to change into this completely different person. But the fact that I was able to ride through my transition kept me grounded. I was still able to identify myself as the horse kid. Even though I was changing my name and changing my pronouns, and my body was going through all of these changes, something was consistent for me. I still felt like I was who I had always been because I was able to hold on to something that I had before my transition. Horses saved my life when I was going through my transition, and I’m sure that numerous other trans athletes can say the same for themselves. I truly cannot imagine what it would have been like if I wasn’t able to ride while I was going through all of that.

It is well-established that sports benefit all youth, and may have particularly positive effects for transgender youth. By denying transgender youth access to sports, officials deny them access to all the benefits of sports, including lifesaving benefits that transgender young people need. Inclusive policies already in place have had no negative impacts on cisgender students, whereas sports participation has had numerous positive impacts on transgender youth. Given the increased risk of suicidality and poor mental health among transgender youth—risk that the earlier-mentioned studies demonstrate has been repeatedly linked to hostile political and social environments—expanding inclusive policies to all transgender athletes nationwide would not only offer transgender youth access to school belonging, community connectedness, and self-esteem that otherwise would be lacking, but it also has the potential to save transgender youths’ lives. Alternatively, policies that only allow participation with restrictions, as is the case for 23.4 percent of transgender youth in 16 states, dictate the ways that transgender bodies must function in order to be considered

legitimate, further denying transgender athletes access to bodily autonomy and the ability to define and shape their identity for themselves.

Instead, schools, states, and the federal government should implement the following policy and programmatic changes:

- **Transgender-inclusive and age-appropriate sports participation policies, which allow transgender athletes to compete in accordance with their gender identity, should be implemented nationwide.** For examples of model transgender-inclusive school sports policies for K-12 schools, see GLSEN and National Center for Transgender Equality, “Model Local Education Agency Policy on Transgender and Nonbinary Students”⁷⁵ and LGBT Sports Foundation, “All 50’: The Transgender-Inclusive High School Sports and Activities Policy and Education Project.”⁷⁶ For an example of a model policy for higher education institutions, see Athlete Ally, “Model Policy: Transgender and Nonbinary Athlete Inclusion.”⁷⁷
- **Coaches and athletic staff should receive training** on how to navigate existing policy in their school district around transgender sports participation, as well as on how to ensure a transgender-affirming sports environment.
- **Given the rising number of youth identifying as nonbinary, genderqueer, agender, and other noncisgender gender identities, efforts must be made by all stakeholders, including coaches, athletic directors, administrators, and state organizations, to ensure that sports environments and policies remain welcoming and affirming for youth who don’t identify with a male or female gender.** Nonbinary youth must also be able to meaningfully participate in sex-segregated athletic programs. Approaches to creating inclusive environments include:
 - Ensuring athletes are referred to by their correct pronouns and name in all materials such as team websites, rosters, and programs.
 - Encouraging coaches, teammates, and athletics staff to use gender neutral terms—such as “Go team”—to refer to the team as a whole during internal correspondence, chants, and practices.
- **Schools should ensure that transgender and nonbinary students can participate in sports according to their gender identity.**⁷⁸ The U.S. Supreme Court ruling in *Bostock v. Clayton County, Georgia* provides a powerful tool for removing barriers for transgender students and creating a safe and affirming school climate for all transgender students—athletes and nonathletes alike. This was further clarified by President Biden’s Day 1 executive order that explicitly mentioned protection

for transgender students in sports. States should enact trans-inclusive policies in accordance with *Bostock* that remove bans and barriers to participation.

- **Congress should pass the Equality Act to clarify that sexual orientation and gender identity discrimination is prohibited in key areas of life, including school.** The Equality Act was passed by the House in 2019 with bipartisan support, and comprehensive nondiscrimination legislation such as the Equality Act is supported by the majority of Americans across the country and across party lines.⁷⁹ However, it has not yet been introduced in the current Congress.
- **Congress should pass the Safe Schools Improvement Act (SSIA),** which would require school districts to adopt and implement anti-bullying and harassment policies that specifically prohibit bullying on the basis of sexual orientation and gender identity—along with other identities. The SSIA has not yet been reintroduced in the current Congress.⁸⁰

Transgender youth are already vulnerable to discrimination, harassment, bullying, and social rejection—and exclusionary policies such as sports bans further legitimize transphobic attitudes by sending the message that transgender youth are not welcome in spaces that are otherwise open to all other youth. It is clear that transgender youth are in need of policies that create an inclusive and supportive learning environment. And with already staggeringly high rates of suicidality among transgender youth, the continued rise of transgender sports bans may have disastrous, life-threatening consequences. Local schools across the nation are already creating policies that protect transgender youth and ensure a level playing field for all students—and these policies work. Transgender youth should have the same opportunity as all youth to be part of a team and feel a sense of belonging. Rather than discriminating against students simply because they're transgender, states should adopt inclusive sports policies that foster welcoming environments for transgender and nonbinary youth and work to remove barriers and improve participation for all youth.

About the author

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Appendix A: Sample high school transgender sports policies, by state

Policies that are fully inclusive of transgender students
(16 states, including Washington, D.C.)

Fully inclusive policies are those that allow participation in accordance with one's gender identity, without requiring proof, review, or medical/legal transition. An example of this policy is that held by the Connecticut Interscholastic Athletic Conference (CIAC),⁸¹ which notes:

It would be fundamentally unjust and contrary to applicable state and federal law to preclude a student from participation on a gender specific sports team that is consistent with the public gender identity of that student for all other purposes.

... a student's eligibility to participate in a CIAC gender specific sports team [is] based on the gender identification of that student in current school records and daily life activities.

Transgender students' participation allowed with restrictions
(16 states)

Under policies where **transgender students are allowed to participate with restrictions**, transgender athletes can only participate in sports based on medical transition, such as hormone therapy; medical "proof"; approval by a review board; or other invasive disclosure. An example of this policy is that held by the Ohio High School Athletic Association:⁸²

A transgender female who is taking medically prescribed hormone treatment related to gender transition may participate on a boys' team at any time. However, before a transgender female can participate in a girl's sport or on a girls' team she must either (1) have completed a minimum of one year of hormone treatment related to gender transition or (2) demonstrate to the Executive Director's Office by way of sound medical evidence that she does not possess physical (bone structure, muscle mass, testosterone, hormonal, etc.) or physiological advantages over genetic females of the same age group.

A transgender male who has not yet begun medically prescribed testosterone treatment for purposes of gender transition may participate on a boys' team. If, however, the transgender male student athlete is taking medically prescribed testosterone treatment, before he can participate on a boys' team, medical evidence must be submitted to the Executive Director's Office that certifies that (1) the muscle mass developed as a result of this testosterone treatment does not exceed the muscle mass that is typical of an adolescent genetic boy; (2) that he has not started any hormone treatment (or that the testosterone treatment does not cause hormone levels to exceed normal levels); and (3) his hormone levels are monitored by a licensed physician every three to six months. In any case where a transgender student athlete is taking hormone treatment related to gender transition, that treatment must be monitored by a physician, and the Executive Director's Office must receive regular reports about the athlete's eligibility according to these guidelines.

Surgery-required guidance** (3 states)

In states with **surgery-required guidance****, transgender youth can only participate in athletics in accordance with a gender identity that does not match sex assigned at birth if they have undergone gender confirmation surgery. An example of this policy is found in Indiana:⁸³

A student whose birth gender was male and has changed to female can establish the changed gender by the following:

- a. First, the MTF student shall declare that the gender has changed from male to female, that the MTF student intends to participate as a female, that the MTF student understands and agrees that after the MTF student participates on a team of the female gender, that the MTF student may never later participate on a team of the male gender, and
- b. Second, provide reliable medical evidence that:
 - i. the MTF student has undergone sex change before puberty, or
 - ii. the MTF student-athlete has undergone sex change after puberty, which should include evidence that surgical and anatomical changes have been completed, including genitalia changes and gonadectomy, that all hormonal therapies have been administered in a verifiable manner, that sufficient length of time has occurred such as to minimize gender-related advantages and all legal recognition of the sex change has been conferred with all proper governmental agencies (A copy of the MTF student's amended birth certificate, a court order or other official state determination showing the MTF student's new gender will suffice).

...

Trans-Male Student-Athlete (FTM). A student whose birth gender was female and has changed to male can prove the student's changed gender by the following:

- a. First, the FTM student shall declare that the gender has changed from female to male, that the FTM student intends to participate as a male, that the FTM student understands and agrees that after the FTM student participates on a team of the

male gender, that the FTM student may never later participate on a team of the female gender, and

- b. Second, provide reliable medical evidence that the FTM student is taking or has complete a regime of medically prescribed testosterone for the purposes of gender transition.

Transgender-exclusive guidance** (6 states)

States with **transgender-exclusive guidance**** are ones where transgender athletes can only participate in teams that align with the sex on their birth certificate and/or their sex assigned at birth. An example of this policy can be found in Alabama:⁸⁴

NOTE: A student participates as the gender identified on the certified birth certificate.

No state guidance (10 states)

In states with **no state guidance**, transgender athletic participation is left to individual schools and/or school districts. An example of this policy can be found in Alaska:⁸⁵

The Association will rely on a gender determination made by the student's member school where the determination is based upon prior written and objective criteria adopted by the school; ASAA will not make separate gender identity determinations. ... A student attending a member school which does not have a prior written objective policy used to determine gender identity may only participate based upon the gender assigned at birth.

**** Correction, February 9, 2021:** This report has been updated to clarify where its discussion centers on existing exclusionary guidance from state athletic associations, not more extreme proposed bans in state legislatures.

Appendix B: Personal stories

How these stories were collected

The athletes whose stories are included in this report were recruited through networks of advocacy organizations, including Athlete Ally and OutSports, and “snowball” recruitment, whereby people interviewed identified other transgender athletes who might be interested in participating. Calls for participants focused on recruiting transgender, nonbinary, genderqueer, and other transgender-identified athletes who were either in school or recently graduated and whose ability to participate in sports had been directly impacted by existing policies. All interviews were conducted remotely via Skype by the author in November and December 2020, transcribed using an online transcription service (Rev), and are presented here with minor edits for length and clarity. All interviewees consented to recording, transcription, and having their quotes included for this report, and gave their consent for specific stories to be included in this report.

Mika's story

Mika, a nonbinary former collegiate swimmer and current collegiate swim coach:

I still struggled with gender dysphoria a lot with always being called the women's team. I don't think people realize how hard it is to correct others on what your name is. Even though it's something that's very important and very valid and something that I would tell everyone to do, when it came to myself, I can't even get myself to do it.

But it didn't take long. I thought it was going to take months, but it took about two weeks for everybody to get it and use my name and pronouns, and I wasn't even the one correcting. When it came to swimming, my coaches just changed it on the roster. I corrected each of my coaches once. I don't think I even corrected any of my teammates—they corrected each other. When it came to addressing the team, my coach and I compromised that yes, it was still called a women's team, but when he addressed the team, it would either be addressing it as “Hey, bear cats, hey y'all, hey team!”

Now that I'm a coach, and a resource for all athletics at my college, I normally have one or two first years come up to me and come out to me and I can tell them, "You will be okay if you tell the team this. If anybody on the team said something about it, you at least have one person who's going to have your back, and that will be me."

If I could say one thing to somebody trying to implement a sports ban I would say: That's not very team-like of you. If you want a team to work, you have to have everyone committed. You have to have everyone want to be there. You're not going to have a good team if you think that excluding someone is the solution.

JayCee's story

JayCee, a transgender woman, is a powerlifter and former collegiate curling and crew player:

In the fall of 2018, I signed up for the state bench press competition and the state full powerlifting competition, but was told by USA Powerlifting that due to the fact that I'm a transgender woman I'm not eligible to compete.

After USA Powerlifting (USAPL) published their anti-trans policy, we decided that we were going to protest the state championships. Cisgender lifters who had signed up to compete that were allies and friends of mine, including teammates in two different gyms, decided that they were going to time out their lifts in solidarity. They walked up to the platform when they were announced for their lifts, and just stood there in silence with their hands behind their back, wearing shirts saying, "Trans lifters belong here. Share the platform." When supporters were timing out, the rest of us were cheering/chanting "Share the platform." When someone would actually take a lift, we would stop and sit down to cheer them on as well.

And then in the crowd, after we had sat down, this visibly gender nonconforming kid turned to me and said, "You all are so brave. Thank you for doing this." It was this really emotional moment where you realize that younger generations are watching this happen, and they finally know that there is a lot of support and love for our community, and that it's worth it to fight for our place in sport.

Sport is a human right. It even says so in the Fundamental Principles of Olympism. To deny someone full access to that human right, and take away a social structure that is otherwise afforded to every child and person across the country, is a form of cruelty that really can't be described by words. It's akin to promoting isolation,

dehumanization, and othering on a scale unlike so many other things. When you think about the impact that sport has on a society, you think about the support structure that's afforded through coaches, teachers, discipline, role models, belonging, and community. To deny someone the opportunity to benefit from those things, it goes beyond just policy and rules. It's a complete violation of a person's human rights. What scrutiny and inhumane hoops are you going to put the trans community through to access something that is rightfully everyone's? Trans people belong in sport, and anything less than full access is unjust and degrading.

JayCee has been actively involved in a two-year legal battle against USA Powerlifting (USAPL) and USAPL Minnesota, whose policies prohibit transgender powerlifters from competing in accordance with their gender identity. Alongside Gender Justice, a St. Paul, Minnesota, legal advocacy organization, she has been fighting back against USAPL's policies since 2019, when USAPL allegedly prohibited her from competing in the 2019 Minnesota State Bench Press Championship, even though she disclosed her gender identity and met USAPL eligibility criteria at the time. In January 2021, Gender Justice "formally charged USAPL with violations of the Minnesota Human Rights Act, the first such law in the nation to expressly protect transgender, gender non-conforming and non-binary people from discrimination," with JayCee noting, "I don't want anyone to experience what I and other trans athletes have and continue to experience ... Having our basic human dignity and our opportunities denied because we are trans." USA Powerlifting disputes the allegations. The case has not yet gone to trial.⁸⁶

Emet's story

Emet, a transgender man, former field hockey player, and current field hockey coach:

I didn't start playing field hockey till the end of my freshman year of high school, but it very quickly became a big part of my identity. It was empowering to feel like this is something I'm good at, something I can grow into and do more with it. But suppressing myself just to be able to play sports felt like a piece of me was dying, like I was killing myself at the same time—and that's why I ultimately came out and transitioned. And coaches, the athletics administration, my teammates were really supportive. But when I went on hormones, that made me ineligible to compete on the women's field hockey team, and there's no men's college field hockey in the U.S., so I became team manager. And it was so painful. And it is so painful still watching the team compete and play without me, and without having that opportunity to be on the field with them—as team manager, it just wasn't the same.

It's a dangerous thing to mess with, to force someone into a position where they either hide themselves to be able to have this outlet and this community, or they lose that if they can't participate in sports and live as their authentic selves. Sport is more than just recreation. It impacts mental health and physical health. It's a huge piece of a person's life and provides community. And the physical exercise of it is really important. It's an outlet for so many people. And then when you take away sports as an outlet, and that support system, that's wreaking havoc and honestly, taking people's lives away, either metaphorically or parts of their identity.

Lex's story

Lex, a queer nonbinary transmasculine college squash player:

Athletics, with a focus on squash, are my life. I identify as an athlete, and athleticism is a huge part of how I know myself to be, and a big thing that I am prideful in. No one should have to feel like they are giving up themselves for something that is supposed to be accessible and available to all.

I believe that I could have found some safety and happiness in competing on the women's team as a nonbinary person. Had—this is the big but—had my team, whether the individual members or as a collective, been supportive. And that was missing.

I then did research into NESCAC [the New England Small College Athletic Conference] and [my school's policy] and saw that as an athlete who was assigned female at birth, I could play on the men's team without the team changing to coed. The assistant coach was very supportive of me, and the athletic director [of my entire college] was a godsend. And I was able to switch to the men's team.

I had to sacrifice so much to switch teams—I had to sacrifice my position of leadership [as the captain on the women's team]. But nothing was worth my deteriorating mental health. That's not to say that it was perfect because it absolutely wasn't—I wish that I didn't have to struggle and witness my mental and physical health deteriorate due to the experiences I was having in order to then demand what I deserve. I wish that the athletic director or my coach or any person anywhere could have been like, "Here are the policies. You could change right now."

But in the end, it was the best decision and the best experience of my life, switching teams. I could not be happier. If I hadn't switched teams, I don't think I'd be where I am today—I certainly would not be the optimistic human that I am, who is filled with life and passion and joy.

Endnotes

- 1 Executive Office of the President, "Executive Order 13988: Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation," Press release, January 20, 2021, available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-preventing-and-combating-discrimination-on-basis-of-gender-identity-or-sexual-orientation/>.
- 2 Freedom for All Americans, "Legislative Tracker," available at <https://freedomforallamericans.org/legislative-tracker/> (last accessed February 2021); American Civil Liberties Union, "Legislation affecting LGBT rights across the country," available at <https://www.aclu.org/legislation-affecting-lgbt-rights-across-country> (last accessed February 2021).
- 3 Edward Y Hu and others, "Obesity Among High School Students in the United States: Risk Factors and Their Population Attributable Fraction," *Preventing Chronic Disease* 15 (E137) (2018): 1–11.
- 4 Lindsay A. Babiss and James E. Gangwisch, "Sports participation as a protective factor against depression and suicidal ideation in adolescents as mediated by self-esteem and social support," *Journal of Developmental and Behavioral Pediatrics* 30 (5) (2009): 376–384; Kathleen E. Miller and Joseph H. Hoffman, "Mental Well-Being and Sport-Related Identities in College Students," *Sociology of Sports Journal* 26 (2) (2009): 335–356; Michael J. Panza and others, "Adolescent Sport Participation and Symptoms of Anxiety and Depression: A Systematic Review and Meta-Analysis," *Journal of Sports & Exercise Psychology* (2020), available at <https://pubmed.ncbi.nlm.nih.gov/32438339/>; Emily Pluhar and others, "Team Sport Athletes May Be Less Likely To Suffer Anxiety or Depression than Individual Sport Athletes," *Journal of Sports Science & Medicine* 18 (3) (2019): 490–496.
- 5 Babiss and Gangwisch, "Sports participation as a protective factor against depression and suicidal ideation in adolescents as mediated by self-esteem and social support"; David R. Brown and others, "Psychobiology and behavioral strategies. Physical activity, sport participation, and suicidal behavior: U.S. high school students," *Medicine and Science in Sports and Exercise* 39 (12) (2007): 2248–2257; Ashwin L. Rao and others, "Suicide in National Collegiate Athletic Association (NCAA) Athletes: A 9-Year Analysis of the NCAA Resolutions Database," *Sports Health* 7 (5) (2015): 452–457.
- 6 Matthew Kwan and others, "Sport participation and alcohol and illicit drug use in adolescents and young adults: a systematic review of longitudinal studies," *Addictive Behaviors* 39 (3) (2014): 497–506; Nadra E. Lisha and Steve Sussman, "Relationship of high school and college sports participation with alcohol, tobacco, and illicit drug use: a review," *Addictive Behaviors* 35 (5) (2010): 399–407.
- 7 Elizabeth Daniels and Leaper Campbell, "A Longitudinal Investigation of Sport Participation, Peer Acceptance, and Self-esteem among Adolescent Girls and Boys," *Sex Roles* 55 (11) (2006): 875–880; Christy Greenleaf, Elizabeth M. Boyer, and Trent A. Petrie, "High School Sport Participation and Subsequent Psychological Well-Being and Physical Activity: The Mediating Influences of Body Image, Physical Competence, and Instrumentality," *Sex Roles* 61 (9–10) (2009): 714–726; Stefan Wagnsson, Magnus Lindwall, and Henrik Gustagsson, "Participation in Organized Sport and Self-Esteem Across Adolescence: The Mediating Role of Perceived Sport Competence," *Journal of Sport & Exercise Psychology* 36 (6) (2014): 584–594.
- 8 Ryan D. Burns and others, "Sports Participation Correlates With Academic Achievement: Results From a Large Adolescent Sample Within the 2017 U.S. National Youth Risk Behavior Survey," *Perceptual and Motor Skills* 127 (2) (2020); Carly B. Slutzky and Sandra D. Simpkins, "The link between children's sport participation and self-esteem: Exploring the mediating role of sport self-concept," *Psychology of Sport and Exercise* 10 (3) (2009): 381–389; Scott L. Zuckerman and others, "The behavioral, psychological and social impacts of team sports: a systematic review and meta-analysis," *The Physician and Sports Medicine* (2020), available at <https://pubmed.ncbi.nlm.nih.gov/33196337/>.
- 9 Burns and others, "Sports Participation Correlates With Academic Achievement"; Susan Rankin and others, "The Influence of Climate on the Academic and Athletic Success of Student-Athletes: Results from a Multi-Institutional National Study," *Journal of Higher Education* 87 (5) (2016): 701–730; Dara Shifrer and others, "College-Going Benefits of High School Sports Participation: Race and Gender Differences over Three Decades," *Youth & Society* 47 (3) (2015): 295–318.
- 10 Andrew Martinez and others, "Involvement in Extracurricular Activities: Identifying Differences in Perceptions of School Climate," *The Educational and Developmental Psychologist* 33 (1) (2016): 70–84; Benjamin Oosterhoff and others, "Activity-specific pathways among duration of organized activity involvement, social support, and adolescent well-being: Findings from a nationally representative sample," *Journal of Adolescence* 60 (2017): 83–93.
- 11 Molly C. Easterlin and others, "Association of Team Sports Participation With Long-term Mental Health Outcomes Among Individuals Exposed to Adverse Childhood Experiences," *JAMA Pediatrics* 173 (7) (2019): 681–688; Thomas Perks, "Does sport foster social capital? The contribution of sport to a lifestyle of community participation," *Sociology of Sport Journal* 24 (4) (2007): 378–401.
- 12 Sandy E. James and others, "The Report of the 2015 U.S. Transgender Survey" (Washington: Center for Transgender Equality, 2016), available at <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.
- 13 Ibid.
- 14 Shabab Ahmed Mirza and Frank J. Bewkes, "Secretary DeVos Is Failing to Protect the Civil Rights of LGBTQ Students" (Washington: Center for American Progress, 2019), available at <https://www.americanprogress.org/issues/lgbtq-rights/reports/2019/07/29/472636/secretary-devos-failing-protect-civil-rights-lgbtq-students/>.
- 15 Ibid.

- 16 Centers for Disease Control and Prevention, "YRBSS Data & Documentation," available at <https://www.cdc.gov/healthyyouth/data/yrbs/data.htm> (last accessed January 2021). Gender identity ("Some people describe themselves as transgender when their sex at birth does not match the way they think or feel about their gender. Are you transgender?") was assessed in nine states in their 2017 State and Local Youth Risk Behavior Survey (Colorado, Delaware, Hawaii, Maine, Maryland, Michigan, Rhode Island, Vermont, and Wisconsin), and in 13 states in their 2019 State and Local YRBS (Colorado, Florida, Hawaii, Maine, Maryland, Michigan, Nevada, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and Wisconsin). Data from the two years were aggregated and analyzed together for sample size purposes. Among these states, six (Colorado, Delaware, Florida, Hawaii, Nevada, and Pennsylvania) also assessed sports team participation ("During the past 12 months, on how many sports teams did you play? (Count any teams run by your school or community groups.)"); those who participated in one or more team were considered to be an athlete. As the YRBS included participation in community league sports, which may have more transgender-friendly guidance than seen in school-based contexts, in addition to school-based participation, this likely explains the higher rates of sports participation seen in the YRBS.
- 17 Ibid.
- 18 Results from the author's logistic regression models testing the association between bullying and each mental health outcome among transgender YRBS respondents, adjusting for race/ethnicity and grade in school. Odds ratio for suicidal thoughts: 2.53; 95 percent Confidence Interval (CI): 1.62, 3.95. Odds ratio for suicide attempts: 3.19; 95 percent CI: 1.65, 6.18. Odds ratio for depressive symptoms: 2.95; 95 percent CI: 1.85, 4.70. P-value for all three odds ratios <0.001.
- 19 The Trevor Project, "2020 National Survey on LGBTQ Youth Mental Health" (New York: 2020), available at <https://www.thetrevorproject.org/survey-2020/>.
- 20 Human Rights Campaign, "Play to Win: Improving the Lives of LGBTQ Youth in Sports" (Washington: 2017), available at <https://assets2.hrc.org/files/assets/resources/PlayToWin-FINAL.pdf>; Bethany Alice Jones and others, "Sport and Transgender People: A Systematic Review of the Literature Relating to Sport Participation and Competitive Sport Policies," *Sports Medicine* 47 (4) (2017): 701–716; Anna Kavoura and Marja Kokkonen, "What do we know about the sporting experiences of gender and sexual minority athletes and coaches?," *International Review of Sport and Exercise Psychology* (2020), available at <https://doi.org/10.1080/1750984X.2020.1723123>.
- 21 Jones and others, "Sport and Transgender People."
- 22 The Executive Board of the International Olympic Committee, "IOC Approves Consensus with Regard to Athletes Who Have Changed Sex," Press release, May 18, 2004, available at <https://www.olympic.org/news/ioc-approves-consensus-with-regard-to-athletes-who-have-changed-sex-1>.
- 23 TransAthlete.com, "Policies by Organization," available at <https://www.transathlete.com/policies-by-organization> (last accessed January 2021).
- 24 NCAA Office of Inclusion, "NCAA Inclusion of Transgender Student-Athletes" (Indianapolis: 2011), available at https://www.ncaa.org/sites/default/files/Transgender_Handbook_2011_Final.pdf.
- 25 U.S. Department of Justice, "Title IX of the Education Amendments of 1972, 20 U.S.C.D. 1681 - 1688," available at <https://www.justice.gov/crt/title-ix-education-amendments-1972> (last accessed January 2021).
- 26 Catherine E. Lhamon and Vanita Gupta, "Dear Colleague Letter on Transgender Students" (Washington: U.S. Department of Justice and U.S. Department of Education, 2016), available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201605-title-ix-transgender.pdf>.
- 27 Sharita Gruberg, "Beyond Bostock: The Future of LGBTQ Civil Rights" (Washington: Center for American Progress, 2020), available at <https://www.americanprogress.org/issues/lgbtq-rights/reports/2020/08/26/489772/beyond-bostock-future-lgbtq-civil-rights/>.
- 28 Lhamon and Gupta, "Dear Colleague Letter on Transgender Students."
- 29 Sandra Battle and T.E. Wheeler II, "Dear Colleague Letter: Notice of Language Assistance" (Washington: U.S. Department of Justice and U.S. Department of Education, 2017), available at <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201702-title-ix.pdf>.
- 30 Moriah Balingit, "Education Department no longer investigating transgender bathroom complaints," *The Washington Post*, February 12, 2018, available at <https://www.washingtonpost.com/news/education/wp/2018/02/12/education-department-will-no-longer-investigate-transgender-bathroom-complaints/>.
- 31 *Bostock v. Clayton County*, 590 U.S. (June 15, 2020), available at https://www.supremecourt.gov/opinions/19pdf/17-1618_hfci.pdf.
- 32 See *Adams v. Sch. Bd. Of St. Johns Cnty.*, 2020 WL 456181 (11th Cir. 2020).
- 33 Executive Office of the President, "Executive Order 13988: Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation."
- 34 Gruberg, "Beyond Bostock."
- 35 TransAthlete.com, "K-12 Policies," available at <https://www.transathlete.com/k-12> (last accessed January 2021); Chris Mosier, founder of TransAthlete.com; Anne Lieberman, director of Policy and Programs, Athlete Ally; and Aaron Ridings, policy director, GLSEN, personal communication with author via email, December 4–December 12, 2020, on file with author.
- 36 Jody L. Herman and others, "Age of Individuals Who Identify as Transgender in the United States" (Los Angeles: The Williams Institute at UCLA School of Law, 2017), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Age-Trans-Individuals-Jan-2017.pdf>; U.S. Census Bureau, "2019 American Community Survey 1-Year Estimates: Table B100 School Enrollment by Level of School for the Population 3 Years and Over" (Suitland, MD: 2020), available at <https://data.census.gov/cedsci/table?q=high%20school%20enrollment%20by%20state&g=0100000US.04000.001&tid=ACSDT1Y2019.B14001&hidePreview=true>.
- 37 Jayda Evans, "Ten years on, WIAA's transgender policy keeps conversation going," *The Seattle Times*, April 4, 2017, available at <https://www.seattletimes.com/sports/high-school/ten-years-on-wiaas-transgender-policy-keeps-conversation-going/>.

- 38 TransAthlete.com, “K-12 Policies”; Mosier, Lieberman, and Ridings, personal communication with author via email; Herman and others, “Age of Individuals who Identify as Transgender in the United States”; U.S. Census Bureau, “2019 American Community Survey 1-Year Estimates: Table B100 School Enrollment by Level of School for the Population 3 Years and Over.” The number and percentage of transgender students were derived by summing up the total number of transgender students ages 13 to 17, as reported in Herman and others, in each state policy environment, as reported in communication between the author and Mosier, Lieberman, and Ridings. The number of high school students in each state were derived from summing reported numbers of high school-enrolled youth in each state, by policy environment, as reported in the aforementioned American Community Survey source.
- 39 Ibid.
- 40 Johanna Olson-Kennedy and others, “UCSF Transgender Care & Treatment Guidelines: Health considerations for gender non-conforming children and transgender adolescents” (San Francisco: UCSF Transgender Care, 2016), available at <https://transcare.ucsf.edu/guidelines/youth>; Jason Rafferty and others, “Policy Statement: Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents,” *American Academy of Pediatrics* (2018); World Professional Association for Transgender Health, “Standards of care for the health of transsexual, transgender, and gender nonconforming people: 7th version” (Minneapolis: 2011), available at <https://www.wpath.org/publications/soc>.
- 41 Equality Federation, “Anti-Transgender Bills,” available at <https://www.equalityfederation.org/equality-tracker/anti-transgender/> (last accessed January 2021); Peter Hayes, “Transgender Athlete Fight to Heat Up as Legislatures Return,” *Bloomberg Law*, October 7, 2020, available at <https://news.bloomberglaw.com/us-law-week/transgender-athlete-fight-to-heat-up-as-legislatures-return>.
- 42 Fairness in Women’s Sports Act, ID H0500, Idaho 2020 Regular Session (March 20, 2020), available at <https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2020/legislation/H0500.pdf>.
- 43 Chris Johnson, “Trump-Appointed Judge Rules Against Idaho Law Barring Trans Girls From Sports,” *Washington Blade*, August 17, 2020, available at <https://www.washingtonblade.com/2020/08/17/trump-appointed-judge-rules-against-idaho-law-barring-trans-girls-from-sports/>.
- 44 *Hecox v. Little*, No. 1:20-cv-00184-DCN (D. Idaho, Aug. 17, 2020) at 69.
- 45 An Act to Amend Tennessee Code Annotated, Title 49, Relative to School Sports, TN HB0003, Tennessee General Assembly 112th Session (November 9, 2020), available at <https://www.billtrack50.com/billdetail/1247044>.
- 46 Tim Fitzsimons, “‘Slate of Hate’: Advocates decry anti-LGBTQ bills introduced in Tennessee,” *NBC News*, March 4, 2019, available at <https://www.nbcnews.com/feature/nbc-out/slate-hate-advocates-decry-anti-lgbtq-bills-intro-duced-tennessee-n979116>; Nick Morrow, “NEW SURVEY RESULTS: Tennesseans Agree that Anti-LGBTQ Legislation is a Waste of Time,” *Human Rights Campaign*, February 14, 2020, available at <https://www.hrc.org/news/survey-results-tennesseans-agree-that-anti-lgbtq-legislation-is-a-waste>.
- 47 Chase Strangio, “Conservative legislators want transgender kids’ lives as the new battlefield in their culture war,” *NBC News*, January 17, 2020, available at <https://www.nbcnews.com/think/opinion/conservative-legislators-want-transgender-kids-lives-new-battlefield-their-culture-ncna1254483>.
- 48 Provides for the Save Women’s Sports Act, Senate Bill No. 172, Louisiana Senate 2020 Regular Session (August 1, 2020), available at <http://www.legis.la.gov/legis/View-Documents.aspx?d=1160294>; “The Fairness Act”; enact to prohibit biological males from participating in athletic sports specifically designated for females, House Bill 1391, Mississippi Legislature 2020 Regular Session (February 17, 2020), available at <https://legiscan.com/MS/text/HB1391/id/2145851/Mississippi-2020-HB1391-Introduced.html>.
- 49 Unlike the national YRBS, which utilizes the same questionnaire in every site in which it is administered (and is not reported by state), state YRBS surveys can choose specific items to include or exclude, and this may change over year and/or state. Eight of the 16 states with trans-friendly sports policies (California, Colorado, Florida, Maryland, Nevada, New Hampshire, New York, and Rhode Island) collected sports participation data in their state YRBS at least once on the five surveys conducted from 2011 to 2019 (2011; 2013; 2015; 2017; 2019), as did 11 of the 16 states with policies that allow participation with restrictions (Arizona, Illinois, Oklahoma, Nebraska, Delaware, Vermont, Iowa, Virginia, Wyoming, Missouri, and North Dakota) and 9 of the 10 states with no state policy (all but Michigan). Five of the six states with outright bans collected sports participation data (Texas, Alabama, Arkansas, Idaho, and Georgia), as did two of the three states with transgender-exclusive policies requiring surgery (Kentucky and Louisiana); the two were combined for this analysis, owing to the small number of states, in order to allow for sufficient data to analyze trends over time.
- 50 Results from the state dataset will not match those from the national dataset. Trend analyses to determine if sports participation in the state YRBS dataset changed over time were conducted by the author in accordance with procedures laid out at Centers for Disease Control and Prevention, “Conducting Trend Analyses of YRBS Data” (Atlanta: 2018), available at https://www.cdc.gov/healthyyouth/data/yrbs/pdf/2017/2017_YRBS_Conducting_Trend_Analyses.pdf. Analyses used logistic regression to assess if the association between year and sports participation is statistically significant, adjusting for race/ethnicity and age.
- 51 Fairness in Women’s Sports Act.
- 52 Centers for Disease Control and Prevention, “1991 - 2019 High School Youth Risk Behavior Survey Data: Youth Online,” available at <https://nccd.cdc.gov/Youthonline/App/Default.aspx> (last accessed January 2021).
- 53 California Interscholastic Federation, “California High School Sports Participation at All-Time High for Eighth Consecutive Year,” Press release, August 3, 2020, available at https://www.cifstate.org/mediacenter/releases/2020-21/PR-1_2019-20_CIF_Participation_Census_8.3.20.pdf.
- 54 National Federation of State High School Associations, “High School Activities Participation Data: Connecticut Track and Field—Outdoor (2011 – 2019),” available at https://members.nfhs.org/participation_statistics (last accessed January 2021); Alex Putterman and Shawn McFarland, “Connecticut high school sports participation drops for the first time in over a decade, mirroring national trend,” *Hartford Courant*, August 28, 2020, available at <https://www.courant.com/sports/hc-sp-connecticut-high-school-sports-participation-20190827-20190828-bfqw-wqrjtbgyzhguymfosiqcum-story.html>.
- 55 Ibid.
- 56 Annette Cary, “Fairness or bigotry? Kennewick Lawmaker’s Bill Would Restrict Transgender High School Athletes,” *Tri-City Herald*, January 12, 2020, available at <https://www.tricityherald.com/news/local/education/article239145018.html>; Evans, “Ten years on, WIAA’s transgender policy keeps conversation going.”

- 57 Ellen J. Staurowsky and others, "Chasing Equity: The Triumphs, Challenges, and Opportunities in Sports for Girls and Women" (New York: Women's Sports Foundation, 2020), available at <https://www.womenssportsfoundation.org/wp-content/uploads/2020/01/Chasing-Equity-Full-Report-Web.pdf>; Tucker Center for Research on Girls & Women in Sport, "The 2018 Tucker Center Research Report: Developing Physically Active Girls: An Evidence-based Multidisciplinary Approach" (Minneapolis: 2018), available at <https://z.umn.edu/tcrr-3>.
- 58 Ibid.; Cherly Cooky and Nicole M. Lavoie, "Playing but Losing: Women's Sports after Title IX," *Contexts: Understanding People in their Social Worlds* 11 (1) (2012): 42–46.
- 59 Staurowsky and others, "Chasing Equity."
- 60 Ibid.
- 61 The Aspen Institute Project Play, "Survey: Sports parents now spend more money on girls than boys," available at <https://www.aspenprojectplay.org/national-youth-sport-survey/sports-parents-now-spend-more-money-on-girls-than-boys> (last accessed January 2021); Staurowsky and others, "Chasing Equity."
- 62 Cooky and Lavoie, "Playing but Losing: Women's Sports after Title IX"; Vikki Krane, Heather Barber, and Brent Darrah, "Lesbian, bisexual, transgender, and questioning youth in physical activity contexts," in The Tucker Center for Research on Girls & Women in Sport, "The 2018 Tucker Center Research Report: Developing Physically Active Girls: An Evidence-based Multidisciplinary Approach" (Minneapolis: 2018), available at <https://z.umn.edu/tcrr-3>; Staurowsky and others, "Chasing Equity."
- 63 Brittanie Atteberry-Ash, Michale R. Woodford, and Spectrum Center, "Support for Policy Protecting LGBT Student Athletes among Heterosexual Students Participating in Club and Intercollegiate Sports," *Sexuality Research and Social Policy* 15 (2) (2018): 151–162; Andrew R. Flores and others, "Public Attitudes about Transgender Participation in Sports: The Roles of Gender, Gender Identity Conformity, and Sports Fandom," *Sex Roles* 83 (5) (2020): 382–398; Katrina Pariera, Evan Brody, and Travers D. Scott, "Now that They're Out: Experiences of College Athletics Teams with Openly LGBTQ Players," *Journal of Homosexuality* (2019), available at <https://doi.org/10.1080/00918369.2019.1661727>.
- 64 Ibid.
- 65 Human Rights Campaign, "Play to Win"; Jones and others, "Sport and Transgender People"; Bethany Alice Jones and others, "Barriers and facilitators of physical activity and sport participation among young transgender adults who are medically transitioning," *International Journal of Transgenderism* 18 (2) (2017): 227–238; Anna Kavoura and Marja Kokkonen, "What do we know about the sporting experiences of gender and sexual minority athletes and coaches?"
- 66 Joseph G. Kosciw and others, "The 2019 National School Climate Survey" (New York: GLSEN, 2020), available at https://www.glsen.org/sites/default/files/2020-10/NSCS19-Full-Report_2.pdf.
- 67 Ibid.
- 68 Ibid.
- 69 Jack K. Day and others, "Gay-Straight Alliances, Inclusive Policy, and School Climate: LGBTQ Youths' Experiences of Social Support and Bullying," *Journal of Research on Adolescence* 30 (S2) (2020): 418–430; Marla E. Eisenberg and others, "Risk and Protective Factors in the Lives of Transgender/Gender Non-Conforming Adolescents," *The Journal of Adolescent Health* 61 (4) (2017): 521–526; Kosciw and others, "The 2019 National School Climate Survey." Ilan H. Meyer and others, "Sexual Orientation Enumeration in State Antibullying Statutes in the United States: Associations with Bullying, Suicidal Ideation, and Suicide Attempts Among Youth," *LGBT Health* 6 (1) (2019): 9–14.
- 70 Kosciw and others, "The 2019 National School Climate Survey."
- 71 The Trevor Project, "The Well-Being of LGBTQ Youth Athletes" (New York: 2020), available at <https://www.thetrevorproject.org/wp-content/uploads/2020/08/LGBTQ-Youth-Sports-and-Well-Being-Research-Brief.pdf>.
- 72 Human Rights Campaign, "Play to Win."
- 73 Caitlin M. Clark and Joseph G. Kosciw, "Engaged or excluded: LGBTQ youth's participation in school sports and their relationship to psychological well-being" (forthcoming).
- 74 American College Health Association, "American College Health Association-National College Health Assessment, Fall 2019, Spring 2020" (Silver Spring, MD: American College Health Association, 2020). Note: The opinions, findings, and conclusions presented/reported in this article/presentation are those of the author(s), and are in no way meant to represent the corporate opinions, views, or policies of the American College Health Association (ACHA). ACHA does not warrant nor assume any liability or responsibility for the accuracy, completeness, or usefulness of any information presented in this article/presentation.
- 75 GLSEN and National Center for Transgender Equality, "Model Local Education Agency Policy on Transgender and Nonbinary Students" (New York and Washington: 2020), available at <https://www.glsen.org/activity/model-local-education-agency-policy-on-transgender-nonbinary-students#f>.
- 76 LGBT Sports Foundation, "All 50: The Transgender-Inclusive High School Sports and Activities Policy and Education Project: Proposed Model High School Policy" (2016), available at <https://www.ncrights.org/wp-content/uploads/2016/05/All-50-Model-High-School-Policy.pdf>.
- 77 Athlete Ally, "Model Policy: Transgender and Nonbinary Athlete Inclusion" (New York: 2018), available at <https://www.athleteally.org/model-policy-transgender-inclusion/>.
- 78 GLSEN and others, "LGBTQ+ Student Rights," available at <https://www.glsen.org/activity/lgbtq-student-rights> (last accessed January 2021).
- 79 Reuters, "Biden vows to pass LGBTQ rights legislation in first 100 days," NBC News, October 29, 2020, available at <https://www.nbcnews.com/feature/nbc-out/biden-vows-pass-lgbtq-rights-legislation-first-100-days-n1245244>; PRRI Staff, "Americans Are Broadly Supportive of a Variety of LGBTQ Rights," Public Religion Research Institute, October 30, 2020, available at <https://www.pri.org/spotlight/americans-are-broadly-supportive-of-a-variety-of-lgbtq-rights/>.
- 80 Human Rights Campaign, "Safe Schools Improvement Act," March 10, 2020, available at <https://www.hrc.org/resources/safe-schools-improvement-act>.
- 81 Connecticut Interscholastic Athletic Conference, "Reference Guide for Transgender Policy" (Cheshire, CT), available at https://www.casciac.org/pdfs/Principal_Transgender_Discussion_Quick_Reference_Guide.pdf (last accessed January 2021).
- 82 Ohio High School Athletic Association, "Transgender Policy" (Columbus: 2018), available at <https://www.ohsaa.org/Portals/0/Eligibility/OtherEligibilityDocs/Transgender-Policy.pdf>.
- 83 Indiana High School Athletic Association Executive Committee, "Minutes, May 1, 2017 meeting" (French Lick, IN: 2017), available at <https://www.ihsaa.org/Portals/0/ihsaa/documents/about%20ihsaa/minutes/2016-17/062217.pdf>.
- 84 Alabama High School Athletic Association, "2020-21 Handbook" (Montgomery, AL: 2020), available at <https://www.ahsaa.com/Portals/0/Publications/2020-21/Final%20Copy.pdf?ver=V41fwxO2YncxVNa0lsXFKQ%3D%3D>.

85 Alaska School Activities Association, "2020 – 2021 Handbook" (Anchorage, AK: 2020), available at <https://asaa.org/wp-content/uploads/handbook/2021handbook/asaa/complete/2020-2021-ASAA-Handbook.pdf>.

86 Karleigh Webb, "JayCee Cooper files lawsuit against USA Powerlifting," OutSports, January 13, 2021, available at <https://www.outsports.com/2021/1/13/22227186/jaycee-cooper-usa-powerlifting-transgender-athletes-lawsuit-transphobia-gender-justice-glaad>.

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