

Statement of Women’s Rights and Gender Justice Organizations in Support of Full and Equal Access to Participation in Athletics for Transgender People

We, the undersigned organizations committed to women’s rights and gender justice, support the full inclusion of transgender people in athletics. Our organizations have a long history of advocating for fairness in sports and opportunities for all women to benefit from athletic participation and competition. Inclusion of transgender women and girls in women’s sports advances those goals. As organizations that care deeply about ending sex-based discrimination and ensuring equal access to athletics for women and girls, we support laws and policies that protect transgender people from discrimination, including in participation in sports, and reject the suggestion that cisgender women and girls benefit from the exclusion of women and girls who happen to be transgender.

Opponents of the Equality Act, the federal bill that would update our civil rights laws to provide explicit protection to LGBTQ people and expand existing sex discrimination protections, have cited alleged concerns for women’s equality and fair competition in sports as reasons to oppose the bill. Some state legislators have introduced bills that would ban transgender youth from competing in school sports consistent with their gender, citing fears about sexual assault in locker rooms and cisgender boys pretending to be girls in order to dominate girls’ sports. As organizations dedicated to opportunity and well-being for women and girls, we reject these unfounded fears. Instead, we recognize the harm to all women and girls that will flow from allowing some women and girls to be denied opportunities to participate and cast out of the category of “woman” for failing to meet standards driven by stereotypes and fear.

Just as opponents of equality claimed that cisgender women and girls would be harmed if transgender people could use restrooms that match who they are, opponents are now claiming that the need to “protect” cisgender women and girls in athletics justifies opposition to nondiscrimination protections for transgender people in public spaces and activities. As organizations that fight every day for equal opportunities for all women and girls, we speak from experience and expertise when we say that nondiscrimination protections for transgender people—including women and girls who are transgender—are not at odds with women’s equality or well-being, but advance them.

Equal participation in athletics for transgender people does not mean an end to women’s sports. The idea that allowing girls who are transgender to compete in girls’ sports leads to male domination of female sports is based on a flawed understanding of what it means to be transgender and a misrepresentation of nondiscrimination laws. Transgender girls are girls and transgender women are women. They are not and should not be referred to as boys or men, biological or otherwise. And when transgender people are excluded from participation on teams

that align with their gender identity, the result is often that they are excluded from participating altogether.

Nondiscrimination laws and policies protecting transgender people have existed for years in many states and athletic associations around the country. These laws and policies have allowed transgender people to participate equally in society, including in sports, without harming anyone else. None of these policies has resulted in the dissolution of girls' or women's athletics or a surge in transgender girls and women winning national championships. Rather, just like other female athletes, they have made important contributions within expected ranges; and, unfortunately, the small numbers of transgender girls and women who have achieved some level of local sports success have been wrongly stripped of the opportunity to celebrate their hard-earned victories due to public backlash.

People are right to be concerned about sex discrimination in sports. Women and girls continue to fight for equal opportunities and resources at all levels of athletics. As experts in sex discrimination, we know firsthand that equal opportunities for transgender people are not the problem, they are part of the solution. We will continue to spend our energy combating the actual problems: stereotypes about women and girls' interest and ability to compete, lack of equal resources for girls' sports, pay inequality and other types of discrimination against women coaches and professional women athletes, and sexual harassment that pushes women and girls out of sports. We will only accomplish these goals by treating all people, including transgender people, with fairness and respect. That means celebrating all athletes, including transgender athletes—not shaming them and casting them out.

American Association of University Women (AAUW)

California Women's Law Center

Clearinghouse on Women's Issues

End Rape on Campus

Equal Rights Advocates

Feminist Majority Foundation

Gender Justice

Girls Inc.

Know Your IX

Legal Momentum, the Women's Legal Defense and Education Fund

Legal Voice

National Organization for Women
National Women's History Alliance
National Women's Law Center
National Women's Political Caucus
Public Justice
Sargent Shriver National Center on Poverty Law
Southwest Women's Law Center
Surge Reproductive Justice
Tucker Center for Research on Girls & Women in Sport
Women Leaders in College Sports
Women's Law Project
Women's Sports Foundation