

Why are States Trying to Ban Transgender Student Athletes?

Compelling Question: Why do states want to ban transgender students from playing sports?

Grade Level		Time	Standards/Competencies	
K-2	3-5	45–90 Minutes	Common Core Anchor: Reading: R1, R2, R7 Writing: W1 Speaking & Listening: SL1, SL2, SL3 Language: L4, L6	SEL: Self-Awareness Social Awareness Relationship Skills Responsible Decision-Making
MS	HS			



Web Related Connections

Lessons

[Transgender Identity and Issues](#)

[Unheard Voices: Stories of LGBT History](#)

Student-Direct Resource

[Pronouns: Why Do They Matter? \(on Sutori\)](#)

Other Resources

[Beyond the Binary: Discussing Transgender and Gender Non-Conforming Identity in K-12 Schools](#)

[Gender Neutral Pronouns Make Headlines](#)

[Let's Get it Right: Using Correct Pronouns and Names](#)

[Safe and Inclusive Schools for All](#)

[Sports and Social Justice](#)

[The Most Basic of Rights: Transgender Students are Entitled to Respect and Dignity](#)

Key Words

assigned at birth
backlash
cisgender
civil rights
controversy
dispute
dubious

LESSON OVERVIEW

In 2020, twenty bills in eighteen states were introduced by state legislatures to limit athletes who are transgender from competing on sports teams. Only Idaho was successful in passing such a law. By the end of January 2021, these bills began to gain momentum again, with states once again introducing bills to limit athletes who are transgender from competing on sports teams. If the bills pass, these students would be restricted to playing sports based on their sex assigned at birth, not their gender identity. In March 2021, the Mississippi House and Senate passed a bill that would ban transgender athletes from competing on female sports teams in schools and universities. The Governor is expected to sign it. It is important to reflect on these current bills in the context of the larger picture of transgender rights in the United States.

This lesson provides an opportunity for students to reflect on how their experiences with playing sports and participating in other activities affects them, learn more about these bills that aim to prevent transgender students from playing sports, and consider what they can do about it.

[Note to Teacher: We believe that it is important to educate students on issues related to gender identity and systemic discrimination, especially given the absence of this topic in the curriculum and the disproportionate rates of anti-transgender bullying and harassment in schools. Here are some recommendations in preparation for doing this lesson.

- Encourage a safe, inclusive, and respectful classroom environment by carefully reviewing this lesson and assessing students' maturity and readiness to engage in the topic prior to teaching it. To establish clear parameters with students that will ensure safe, respectful and constructive dialogue, see [Establishing a Safe Learning Environment](#) and [Creating an Anti-Bias Learning Environment](#) for guidelines.
- Be sensitive and aware that you may or may not know you have students in your classroom who are transgender, non-binary, and/or gender non-conforming, or whose family members are transgender, nonbinary, and/or gender nonconforming.
- Be aware that information about gender identity should only come from the student directly and be prepared for the possibility that students who have not shared this previously, may disclose it during the lesson. Don't assume that everyone in a young person's life knows this aspect of their identity. Young people do not always feel comfortable sharing information about their

gender identity with their friends and family. For more information, see [Beyond the Binary: Discussing Transgender and Gender Non-Conforming Identity in K-12 Schools](#).

- If you are required to disclose a student's gender identity to their parents/caregivers once they share it with you, let your students know this at the beginning of the lesson so they can make an informed decision about what they want to share about their identity.

LEARNING OBJECTIVES

- Students will reflect on their experiences with sports and other extracurricular activities.
- Students will learn about the recent bills that aim to limit transgender athletes from participating in school sports.
- Students will explore actions they can take about these bills or transgender rights in general.

Key Words (cont.)

endured
equity
genetic testing
injunction
interscholastic
invasive
legal brief
legislative
medical transition
non-binary
scrutiny
transgender
underrepresented
violates
visibility

MATERIALS & PREPARATION

- “[How high school sports became the latest battleground over transgender rights](#)” (one copy for each student)
- Inside Idaho’s Ban on Trans Women in Sports video (2020, 7:37 min., VICE NEWS, www.youtube.com/watch?v=HPxV72MPOC8)

PROCEDURES

Extracurricular Activities and Sports: My Experiences

1. Ask aloud (without asking students to respond): *Do you participate in extracurricular activities? Do you participate in sports, either through school or in your community?* Have students jot down what activities they currently participate in, either through school or in their community.
2. Have students turn and talk with someone sitting near them, responding to the three questions below. If they do not participate in any extracurricular activities or sports, have them consider their hobbies or other interests.
 - What sports or other extracurriculars do you participate in?
 - What do you like about or get out of that activity?
 - How would you feel if you could not do that activity or play that sport?
3. Reconvene the class and ask students to share examples of what they like about the sport or other activity and how they would feel if they could not do it. Create a T-chart as follows:

What I like about sports, other activity	How I would feel if I couldn't do it
I like the team spirit.	I would miss my teammates.
It will help me get into college.	I would feel less connected in school.
I've made friends.	I would be bored.
It's who I am.	It could hurt my chances of getting in college.

4. Ask students: *As you look at the chart, what do you notice? What do you wonder?*



Information Sharing

1. Explain to students that today we are going to discuss recent state laws proposed to limit transgender athletes from participating in school sports. Elicit what they might have heard or already know about these laws.

Note: Make sure your students know the definitions of gender identity, transgender, cisgender, and non-binary, as follows:

Gender identity: Relates to a person's internal sense of their own gender. Since gender identity is internal, one's gender identity is not necessarily visible to others.

Transgender: An umbrella term for people whose gender identity differs from the sex they were assigned at birth.

Cisgender: A term for people whose gender identity is the same as the sex they were assigned at birth.

Non-binary: People whose gender identity falls outside the “gender binary” or who don’t identify as exclusively male or female.

2. Based on what students already know, share some or all the following information:

- In 2020, twenty bills in eighteen states were introduced that would limit athletes who are transgender from competing on sports teams. Many of the bills target youth and college athletes, with supporters arguing that transgender girls have an unfair physical advantage in girls' sports.
 - Only one state (Idaho) was successful in passing the law. However, the ACLU challenged this bill in court, stating “In Idaho and around the country, transgender people of all ages have been participating in sports consistent with their gender identity for years. Inclusive teams support all athletes and encourage participation — this should be the standard for all school sports.” In August 2020, a judge issued a temporary injunction to suspend the bill while the case is being heard in federal court.
 - On Dec. 21, over 60 women’s and LGBTQ rights groups and nearly 200 women athletes, including Billie Jean King, Megan Rapinoe and Candace Parker, filed legal briefs to contest the Idaho law and support the inclusion of transgender athletes.
 - These bills gained momentum again in 2021 and as of the end of February 2021, over twenty states have introduced bills to limit athletes who are transgender from competing on sports teams. If these bills pass, students would be restricted to playing sports based on their sex assigned at birth, not their gender identity, or being unable to play at all. This would disproportionately harm Black and Latinx transgender athletes, who already face systemic obstacles to participation in sports.
 - Larger context of transgender rights: Over the past three decades, the movement for transgender rights has made many legislative gains. In addition, there has been growth and progress in the general public’s understanding and acceptance of the transgender community. On President Biden’s first day in office in January 2021, he signed an executive order committing the administration to following Supreme Court precedent and federal law, including restoring anti-discrimination protections for LGBTQ+ students that among other things, mandate that transgender students should be able to learn without facing sex discrimination. A few days later, Biden signed an executive order that overturned Trump’s ban on transgender people serving in the military. Many challenges for the transgender community remain around employment, health care, sports, safety, public acceptance and more.
3. Engage students in a brief discussion about this information by asking:
 - What are your thoughts and feelings after hearing this information?
 - What is new information for you?
 - How does learning this information challenge your thinking about what you thought previously?



Reading Activity

1. Distribute the article, “[How high school sports became the latest battleground over transgender rights](#)” to all students and give them 10–15 minutes to read it silently or read aloud together with students taking turns reading. As an alternative, have students read for homework the evening before.
2. After reading, engage students in a discussion by asking some or all the following questions:
 - What are some of the big ideas discussed in the article?

- What is the perspective of the writer? How do you know?
 - Why are transgender students underrepresented in high school athletics?
 - What does the author mean when she says that increased visibility for transgender people has led to “legislative backlash?” Have you seen examples of this in your community or elsewhere?
 - In what ways have transgender rights progressed? In what ways do those rights continue to be limited?
 - What did you learn that you didn’t know before? What was surprising?
 - How did the article challenge your prior thinking about these issues?
 - How does this issue impact our specific state, community, or school?
 - What are your thoughts about how this issue should be resolved?
3. The article ends with, "As policymakers and elected officials debate the future of sports for girls and women, the rights of transgender athletes hang in the balance." Have students write down one main question they would like to ask an elected official who may be weighing in on transgender rights issues.
 4. To learn more about the case in Idaho (the only state that passed the bill so far), show the video, [Inside Idaho's Ban on Trans Women in Sports](#). After watching, engage students in a brief discussion by asking: *What is your biggest takeaway from the video?*

Actions I Can Take

1. Ask students: *Now that you know about these state bills and their aim to limit transgender athletes' ability to play sports, what do you think we can do about it?* Have students use the same pairings as their prior discussion and have each pair join with another pair to make a group of four. Give the small groups 5–7 minutes to come up with at least three ideas of actions that can be taken to address this issue.
2. Reconvene the class and ask each small group to share one of their ideas. Then repeat the process by asking small groups to continue sharing ideas, but not repeat ideas that have already been shared. Continue the process until all the ideas are shared. The list might look something like this:
 - Write a letter to state legislators to share their thoughts.
 - Hold a forum at school for students and families to learn more about these bills or transgender rights in general.
 - Act as an ally to transgender students and people by supporting or standing up for them or addressing anti-transgender bias.
 - Examine school policies and make sure they are inclusive of transgender students.
 - Speak out about these bills on social media.
 - Learn more about your state laws around these bills and transgender rights in general.

Closing

Have students reflect on the lesson today and share one thought, feeling or action they want to take about the bans on transgender athletes or transgender rights in general. They can either write or share this aloud, beginning their sentence with either: “I think...” (thought) “I feel...” (am feeling) or “I will...” (action).

ADDITIONAL READING

- [“Advocates brace for anti-LGBTQ backlash at state level after Biden victory”](#) (NBC News, January 21, 2021)
- [Billie Jean King, Megan Rapinoe, and Candace Parker Join Nearly 200 Athletes Supporting Trans Youth Participation in Sports](#) (Women’s Sports Foundation, December 21, 2021)
- [“Fair Play: The Importance of Sports Participation for Transgender Youth”](#) (Center for American Progress, February 8, 2021)

- “Four Myths About Trans Athletes, Debunked” (ACLU, April 30, 2020)
- “Snapshot: LGBTQ Equality By State” (Transgender Law Center)
- “The Mothers Leading the Battle Against Trans Student Athletes” (The New Republic, February 19, 2021)
- “These Are The States Trying To Stop Trans Kids from Playing Sports” (Human Rights Campaign, February 10, 2021)
- “Transgender Athlete Bans Are Gaining Momentum In State Legislatures” (Forbes, February 16, 2021)
- “Transgender girls are at the center of America’s culture wars, yet again” (The Washington Post, January 29, 2021)
- “Megan Rapinoe: Bills to ban transgender kids from sports try to solve a problem that doesn’t exist” (The Washington Post, March 28, 2021)

Common Core Standards

CONTENT AREA/STANDARD
Reading
R1: Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
R2: Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.
R7: Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.
Writing
W1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.
Speaking and Listening
SL1: Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others’ ideas and expressing their own clearly and persuasively.
SL2: Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.
SL3: Evaluate a speaker’s point of view, reasoning, and use of evidence and rhetoric.
Language
L4: Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.
L6: Adapt speech to a variety of contexts and communicative tasks, demonstrating command of formal English when indicated or appropriate.

CASEL's SEL Competencies

COMPETENCIES
Self-Awareness: The abilities to understand one's own emotions, thoughts, and values and how they influence behavior across contexts.
Social Awareness: The abilities to understand the perspectives of and empathize with others, including those from diverse backgrounds, cultures, & contexts.
Relationship Skills: The abilities to establish and maintain healthy and supportive relationships and to effectively navigate settings with diverse individuals and groups.
Responsible Decision-Making: The abilities to make caring and constructive choices about personal behavior and social interactions across diverse situations.

How High School Sports Became the Latest Battleground Over Transgender Rights

By Elizabeth A. Sharow on December 22, 2020

Reprinted under a Creative Commons license from <https://theconversation.com/how-high-school-sports-became-the-latest-battleground-over-transgender-rights-151361>.

This year, 20 states proposed to ban **transgender girls** – meaning those assigned male at birth but who live and identify as girls – from competing on girls interscholastic sports teams.

The only bill to pass was in Idaho. That law **bars transgender athletes** from participating in high school and college sports. It also authorizes “sex testing” of athletes through genital exams and genetic and hormone testing.

The **ACLU is challenging the law**, arguing that it violates civil rights, and a federal court has delayed its implementation. On Dec. 21, **over 60 women's and LGBTQ rights groups** and **nearly 200 women athletes**, including Billie Jean King, Megan Rapinoe and Candace Parker, filed legal briefs contesting the Idaho law and supporting the full inclusion of transgender athletes.

The right of girls and women to compete on sports teams has endured **50 years** of policy debate. With **more young people** now identifying as transgender, whether transgender girls can compete on girls high school teams has risen to the forefront of these discussions.

My research helps explain why sports is a key venue for disputes over transgender equality today. The expansion of competitive sports for girls and women – both internationally and in the U.S. – has heightened scrutiny of who “belongs” on girls and women’s teams.

A patchwork of rules

Whether transgender youth can participate in athletics currently depends on **where they live**.

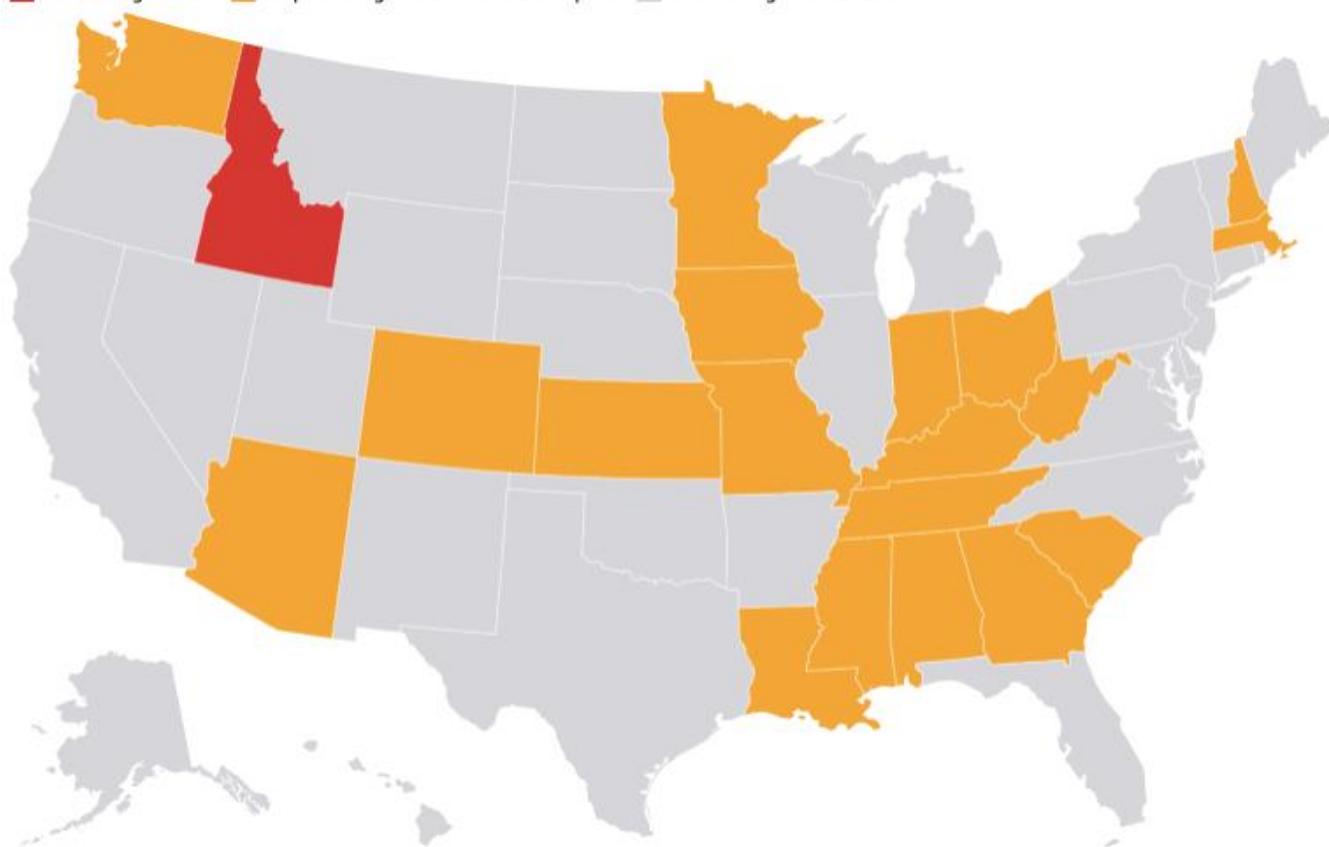
Some states, like Minnesota and Massachusetts, allow transgender athletes to compete on the teams that comport with their identity, regardless of medical interventions. Others, like Illinois and Virginia, **require a documented medical transition**, including disclosure of hormone therapies. In states such as Georgia and New Mexico, athletic eligibility is **determined only by the sex designated** on a student’s birth certificate. Still others, like Pennsylvania, let **local schools decide**. **Ten states** offer no statewide guidance for incorporating transgender athletes.

These eligibility rules are typically determined by state athletic associations, not state legislatures. However the recent spate of legislation suggests this could change.

2020 proposed transgender athlete bans across the US

Nineteen states proposed and one passed legislation this year that restricts transgender athletes from competing on girls' high school or college sports teams. As of December 2020, the Idaho law had not gone into effect due to a temporary injunction.

■ Passed legislation ■ Proposed legislation that did not pass ■ Took no legislative action



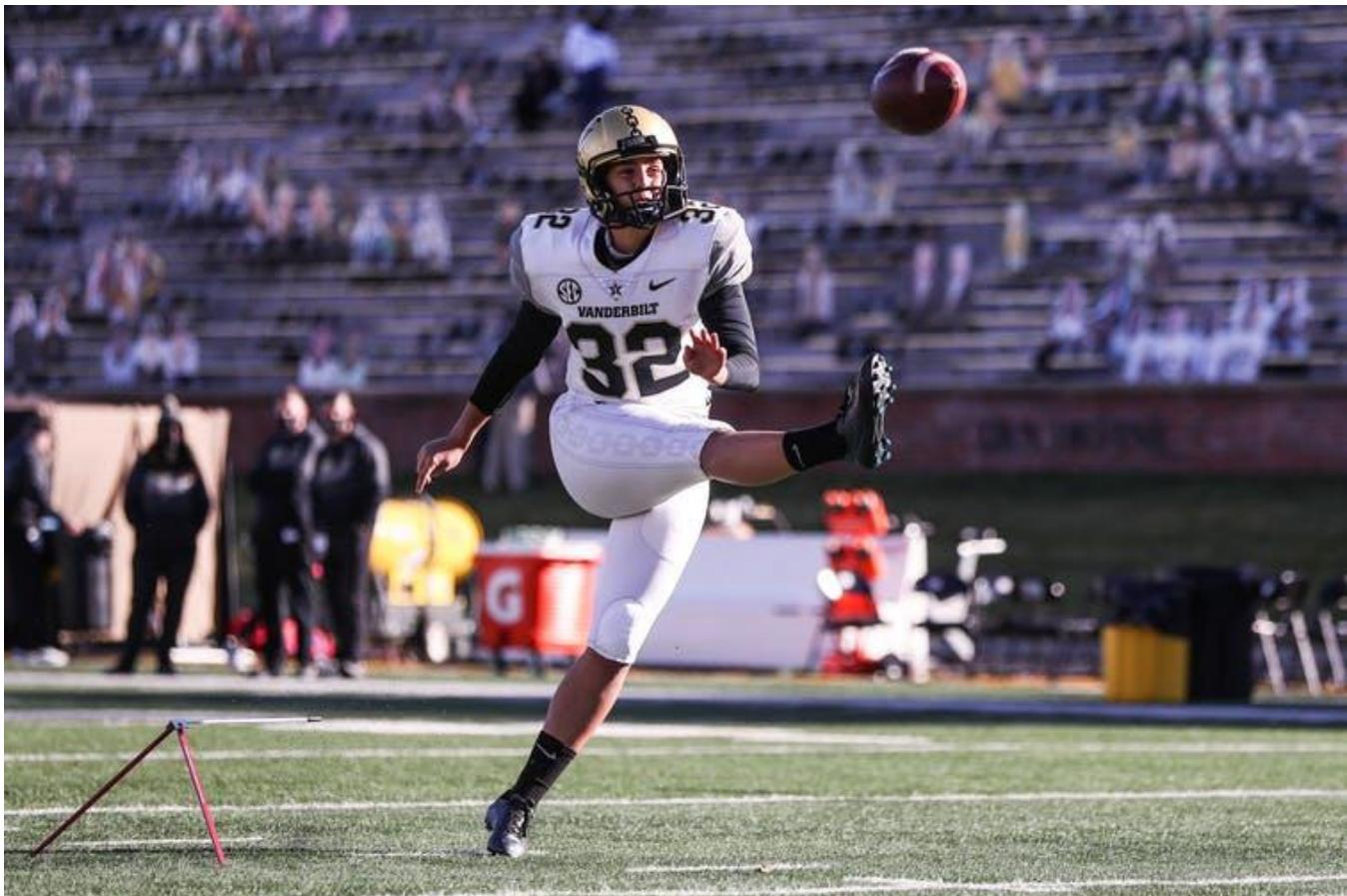
Some states have existing laws that protect against gender identity discrimination in schools.

Map: The Conversation, CC-BY-ND Source: Elizabeth A. Sharrow, University of Massachusetts Amherst [Get the data](#)

Title IX and same-sex sports

Title IX of the Education Amendments of 1972 is a federal law that bans sex discrimination at all levels of education. Every U.S. school must comply with the mandate.

Title IX has dramatically [increased women's access](#) to college education, graduate schools and athletics. Today, [43% of high school athletes are girls](#), as compared with 7% in 1971, the year before the bill became law. After Title IX passed, policymakers had to decide how to increase women's access to school-sponsored sports. The National Organization for Women and other [pro-integration activists argued](#) that coed teams would ultimately help secure women's equal status and visibility as athletes. At the same time, they worried immediate sex integration might disadvantage women, given the previous lack of training, coaching and athletic competition for girls and women. So, starting in 1979, policymakers [required schools](#) to expand access by creating new teams specifically for women and girls.



In 2020, Sarah Fuller of the Vanderbilt Commodores became the first woman to play in a Power Five college football game. Missouri Athletics/Collegiate Images/Getty Images

Since then, women have [rarely competed](#) on men's college or high school sports teams. Likewise, in 13 cases between 1971 and 2006, the [U.S. courts ruled](#) against [cisgender boys and men](#) – those assigned male at birth and who live as boys and men – who wanted to play on teams for girls and women. [Research shows](#) that the legal reasoning in these cases advances the dubious notion that girls are inherently inferior athletes.

Despite [controversy around sex-segregated teams](#), they remain the [norm for athletic competition](#) in the U.S.

Currently, transgender athletes are underrepresented at the high school level. One [report from the Human Rights Campaign](#) found that only 12% of transgender girls participate in organized sports, compared with 68% of young people overall.

Among the reasons for this is the lack of clarity in equity policy. [Court cases establish](#) that public schools must affirm the gender of all students and protect them against exclusion under Title IX. However, the rights of transgender athletes to access high school sports teams are not specifically addressed in federal athletic policy guidelines.

Transgender visibility and backlash

Over the past three decades, the movement for transgender rights has made many **legislative and social gains**. These include increased public recognition, **legal victories** and some **state-level protections** against discrimination at school.

But increased visibility for transgender people has also produced legislative backlash on issues like **access to public restrooms**.

These “**bathroom bills**” – which included attempts to deny transgender students access to sex-segregated bathrooms at school – provided a blueprint for current legislative proposals barring transgender athletes. They were premised on the idea that transgender people should not have the right to use sex-segregated spaces, like public restrooms and **locker rooms**, that align with their gender identity.

Recent legislative proposals suggest that such bans should also apply to high school sports competition.

International sports and sex testing

Ongoing disputes in the international sporting environment are also relevant to the broader debate about who “belongs” in women’s sports.

The case of South African Olympic track star Caster Semenya drew significant attention to this question.

Semenya is a cisgender woman – meaning she was assigned female at birth and lives as a woman – and an Olympic gold medalist in the women’s 800-meter event. After her first international championship in 2009, **several competitors challenged** her victory. **They suggested** that she was too fast, that her physical appearance was not sufficiently feminine, and that she was not “actually a woman.”

In a **decadelong dispute**, the international governing agency for track and field **fought to enact a contested policy** that requires Semenya – and any other woman athlete whose gender is questioned – to submit to bodily and hormonal evaluations and possible medical treatments in order to remain eligible for particular running events.

The **United Nations** and **Human Rights Watch** argue the policy has lasting negative impacts on the targeted athletes. Semenya **refuses** to comply.

These **sex testing** policies, also known as gender verification, have long policed the elite women’s category and particularly **harm women of color**, who have been disproportionately scrutinized.

Idaho lawmakers envision enforcing their transgender ban on high school athletes in similarly invasive ways.

Meanwhile, **scientists are divided** on whether **monitoring testosterone** – as both **international policy** and Idaho law now advocate – can identify any consistent athletic advantage. They **continue to debate the meanings of gender** and the **impacts of sex difference**.

Yet as the 2021 legislative season begins, **some states** have already proposed additional transgender athlete bans. U.S. Rep. Tulsi Gabbard, Democrat of Hawaii, **introduced a bill** in Congress that would limit Title IX’s athletic equity protections only to girls and women assigned female at birth. A court case involving transgender athletes’ rights in **Connecticut** and the **Idaho case** remain ongoing.

As policymakers and elected officials debate the future of sports for girls and women, the rights of transgender athletes hang in the balance.

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