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COMMUNITY HIGH SCHOOL

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*Mission: Strengthen **M**astery, **C**ollaboration, **H**igh Expectations, and **S**uccess for All Students.*

To: Board of Education
From: Dr. Robert Schiffbauer
Date: July 15, 2026
Subject: Legislative Update

In **West Virginia v. B.P.J.**, the U.S. Supreme Court ruled that state laws restricting female athletic teams to biological females, defined by sex at birth, do not violate Title IX or the Equal Protection Clause. The decision found such restrictions serve important governmental interests in safety and competitive fairness, while clarifying that Bostock does not apply to school sports. While immediately impacting states with restrictive laws, the ruling signals increased litigation risks for schools in other jurisdictions that allow transgender girls to participate in female sports.

By explicitly noting that allowing transgender women to compete "necessarily displaces or disadvantages a female athlete," the Court's rhetoric provides a powerful roadmap for future litigation. Biological female athletes in inclusive states can use this precedent to sue schools or athletic associations, claiming their inclusion violates state-level equal protection or causes actionable harm (e.g., loss of roster spots, medals, or scholarships)