



# An Act to Protect Equal Athletic Opportunities

**Section 1: Name.** This statute shall be known as the Equal Athletic Opportunities Act.

**Section 2. Equal athletic opportunities in education.** Any accredited school, school district, or institution of higher education that offers, operates, or sponsors interscholastic or intercollegiate athletics shall provide equal athletic opportunities for members of both sexes.

**Section 3: Separate athletic opportunities.** Notwithstanding the requirements of Section 2, a school, school district, institution of higher education, or private athletic club located within [INSERT STATE] may operate or sponsor single-sex teams where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

**Section 4: Designation of athletic opportunities.**

- (A) All public and private schools, school districts, institutions of higher education, and athletic clubs that participate in athletic competitions or events with or against other schools or clubs must designate each athletic team, sport, athletic competition, or athletic event as a:
- (1) *team, sport, competition, or event for males, men, or boys;*
  - (2) *team, sport, competition, or event for females, women, or girls; or*
  - (3) *a co-educational or mixed team, sport, competition, or event.*
- (B) An individual who competes in any sport, athletic competition, or athletic event designated for females, women, or girls must be biologically female. The biological sex listed on a participant's birth certificate may be relied on to establish the participant's eligibility under this section *if the sex designated on the birth certificate was designated at or near the time of the participant's birth.*



***Section 5: Protecting women's athletic opportunities.***

- (A) No school, school district, athletic club, athletic association, or institution of higher education that operates, sponsors, or permits athletic competitions or events may allow any male to compete for, against, or with a team designated for females, women, or girls to compete in any event designated for females, women, or girls.
- (B) A school, school district, athletic club, athletic association, or institution of higher education that operates, sponsors, or permits athletic competitions or events may not:
  - (1) allow any male to occupy a roster spot on any team designated for females, women, or girls; or
  - (2) allow any male to receive a scholarship designated for female athletes.

***Section 6: Permitting male practice players.*** Nothing in this Act shall prohibit a school, school district, athletic club, athletic association, or institution of higher education from allowing males to practice or train with teams designated for females, women, or girls, so long as no such male player takes a roster spot, opportunity to compete, scholarship, or spot at the school from any female.

***Section 7: Definitions.***

- (A) ***Sex:*** For purposes of this statute, “sex” refers to a person’s biological sex (either male or female) at birth;
- (B) ***Athletic event:*** For purposes of this statute an “athletic event” includes any competition, contest, game, jamboree, scrimmage, tournament, showcase, combine, or tryout related to a sport or physical activity.
- (C) ***Athletic club:*** For purposes of this statute “athletic club” refers to any privately or publicly operated organization that operates sports teams, trains athletes for competition, or allows athletes or athletic teams to use its facilities on a regular basis.
- (D) ***Athletic association:*** For purposes of this statute “athletic association” refers to any governing body for athletic competition or sport or any organization of athletic conferences.



- (E) **Compete:** For purposes of this statute, “compete” means to take part in a contest, game, jamboree, tournament, showcase, combine, tryout, or other event after which team(s) or any individual(s) are designated as winners, roster spots are determined, or prizes awarded.
- (F) **Team:** For purposes of this statute, “team” means any group of people that participate in athletic or physical competitions for the same organization, school, club, college, university, or cause.

**Section 8: Compliance protected.** No governmental entity, licensing or accrediting organization, athletic association, or school district may consider a complaint, open an investigation, or take adverse action against a school or school district for complying with this law.

**Section 9: Liability.**

- (A) Any individual who is deprived of an athletic opportunity or who suffers or who will suffer direct or indirect harm resulting from a violation of this statute may bring a private cause of action for injunctive relief, compensatory damages, and legal fees, against the violating entity.
- (B) Any school, school district, athletic association, or athletic club that suffers or will suffer direct or indirect harm as a result of a violation of this statute may bring a private cause of action against the violating entity for injunctive relief and compensatory damages.
- (C) Any individual, athletic team, or athletic club subjected to retaliation or other adverse action as a result of reporting a violation of this statute to an employee or representative of a school, school district, athletic association, or athletic club, or subjected to retaliation or other adverse action as a result of reporting a violation of this statute to a state or federal government entity with oversight authority, may bring a private cause of action against the retaliating entity for injunctive relief, damages, and any other relief available under law.
- (D) An action brought under this section must be commenced within one year of the event giving rise to the complaint.