

Three female students file lawsuit against Connecticut transgender-athlete policy

ACLU vows to fight Alliance Defending Freedom challenge



In this Feb. 7, 2019, file photo, Bloomfield High School transgender athlete Terry Miller, second from left, wins the final of the 55-meter dash over transgender athlete Andraya

Three female high school athletes filed a federal lawsuit Wednesday challenging Connecticut's prep sports rules that allow biological males to compete against girls, arguing that the policy robs them of competition and scholarship opportunities.

The lawsuit argued that teen track athletes Selina Soule, Chelsea Mitchell and Alanna Smith have been deprived of "honors and opportunities" after losing track-and-field races to biological males who identify as females, thanks to the Connecticut Interscholastic Athletic Conference's policy allowing students to compete based on their gender identity. The girls are represented by the conservative Alliance Defending Freedom, which argued that the policy violates Title IX, "a federal law designed to create opportunities for women in education and athletics" and reverses "nearly 50 years of advances for women."

“Girls deserve to compete on a level playing field,” said ADF legal counsel Christiana Holcomb. “Forcing them to compete against boys isn’t fair, shatters their dreams, and destroys their athletic opportunities. Having separate boys’ and girls’ sports has always been based on biological differences, not what people believe about their gender, because those differences matter for fair competition.”

Vowing to fight the complaint was the [American Civil Liberties Union](#), which called the legal challenge “a dangerous distortion of both law and science in the service of excluding trans youth from public life.”

“The purpose of high school athletics is to support inclusion, build social connection and teamwork, and help all students thrive and grow,” said [Chase Strangio](#), deputy director of the ACLU LGBT & HIV Project. “Efforts to undermine Title IX by claiming it doesn’t apply to a subset of girls will ultimately hurt all students and compromise the work of ending the long legacy of sex discrimination in sports.”

The [ACLU](#) also released statements from Terry Miller and Andraya Yearwood, the two transgender track-and-field athletes cited in the lawsuit.

“I have known two things for most of my life: I am a girl and I love to run,” said the Yearwood statement. “There is no shortage of discrimination that I face as a young Black woman who is transgender. I have to wake up every day in a world where people who look like me face so many scary and unfair things. I am lucky to live in a state that protects my rights and to have a family that supports me. This is what keeps me going.”

The two transgender track athletes have won 15 women’s state championships titles since 2017, and have “taken away more than 85 opportunities to participate in higher-level competitions from female track athletes in the 2017, 2018, and 2019 seasons alone,” said the ADF.

The CIAC responded with a statement defending its 2013 policy on transgender-athlete participation, which allows students to compete on sports teams consistent with their gender identity.

Connecticut school districts are responsible for determining that a student’s gender identity is “bona fide and not for the purpose of gaining an unfair advantage in competitive athletics,” the policy states.

“The CIAC believes that its current policy is appropriate under both state and federal law, and it has been defending that policy in the complaint that was filed previously with the Office of Civil Rights,” said the statement. “Although OCR’s investigation is still pending, the CIAC is aware that a lawsuit has now also been filed in federal court. The CIAC will respond to that lawsuit after we have a chance to review it further.”

The lawsuit, which names the CIAC as well as various school boards, argued that male athletes achieve records 10-20% higher than comparable female athletes, thanks to “basic physiological differences,” including larger lungs, hearts, bones; increased muscle mass; stronger bones; higher myoglobin concentration; longer bones, and a five-inch on average height advantage.

At the same time, female athletes undergo changes after puberty that often impedes athletic performance, including increased body fat, wider hips, and decreased hip rotation. “Each year, thousands of men—and dozens or hundreds of high school boys under the age of 18—achieve times (or heights or distances) in track events better than the world’s single best elite woman competitor that year,” said the lawsuit.

Mr. [Strangio](#) said that “**forcing girls to be spectators in their own sports** is completely at odds with Title IX,” and took exception to the lawsuit’s description of the transgender athletes as “males” and “boys.”

“Additionally, the language of the complaint, which deliberately misgenders transgender youth and demands that high school athletics be organized by chromosomes, is an assault on the basic dignity and humanity of transgender people and a threat to the privacy and equality of all students,” said Mr. [Strangio](#).

The [ACLU](#) said that 14 states have introduced legislation this year to bar student athletes from competing based on gender identity.

[Story source](#)