

Biden Admin Withdraws Trans Student Athlete Proposal as Virginia Continues Title IX Challenge

By [Virginia Mercury](#) December 24, 2024

The U.S. Department of Education on Dec. 20 signaled it would withdraw a proposed rule that would have set a regulatory standard for how schools limit or ban transgender students from competing in sports aligned with their gender identity. As President Joe Biden's administration [backtracks](#) its efforts to maintain some protections for transgender students due to pending litigation, similar efforts in Virginia could be rolled back, too.

The proposed rule — which would have required states to allow biological males who identify as female to compete in girls' and women's sports — is separate from an extended civil rights protections rule for LGBTQ students under Title IX, which is still being challenged.

[*More than half of states sue to block Biden Title IX rule protecting LGBTQ+ students*](#)

Virginia Attorney General Jason Miyares called the withdrawal a "major victory" in a statement on Monday. Last year, he [joined](#) a coalition of attorneys general to oppose the Biden administration's attempt to make changes to Title IX that aimed to protect LGBTQ+ students from discrimination.

"The proposed rule would have jeopardized the integrity of women's sports, forcing female athletes to compete on an uneven playing field while uprooting decades of progress for women in sports. I'm proud to have stood up for Virginia's female athletes and for the common-sense protections they deserve," said Miyares in a statement.



During the past four years, lawmakers and attorneys have sparred over transgender policies in Virginia, as the Biden administration and groups like the [ACLU of Virginia](#) have sought to maintain and expand safeguards.

Opponents of the rule said it would impose gender ideology on others with conservative views and potentially impact the safety of women and girls.

Alliance Defending Freedom Senior Counsel and Vice President of Legal Strategy Jonathan Scruggs said female athletes deserve to compete on a "level playing field" and the presidential administration, through the Department of Education, has taken a step in the right

direction with the withdrawal. ADF, a conservative Christian legal organization focused on protecting religious rights, has been active in cases seeking to prohibit transgender athletes from competing in women's sports.

"The decision to withdraw the proposed sports rule merely reflects the views of the vast majority of Americans who [believe](#) that women's sports should remain reserved for female athletes," Scruggs said in a statement, adding that ADF will continue to fight other Title IX measures.

Other efforts to ban transgender women athletes

Bluefield University in Southwest Virginia, and other National Association of Intercollegiate Athletics member schools, [banned](#) transgender women from competing in women's sports in April.

Other efforts to ban transgender women from sports in Virginia have been unsuccessful.

In this year's General Assembly session, Democrats killed bills that would have essentially [banned](#) transgender students from competing in sports programs at elementary, middle and high schools as well as higher education institutions.

In February, Gov. Glenn Youngkin's administration [attempted](#) to match the Virginia High School League's policy on transgender athletes with its overhauled policies that students should be placed on teams based on their biological sex rather than their gender identity, but the attempt failed.



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The Virginia High School League, which oversees interscholastic athletic competition for Virginia's public high schools, [allows](#) for transgender athletes to participate on teams that match their gender identity, but under certain conditions.

The parents of a Hanover County transgender student were successful in challenging a school's decision to ban their child from trying out for her school tennis team when a federal court judge temporarily allowed

the student in August to try out for and, if selected, play on a sports team this school year.

But four months later, the parents of the student dropped the lawsuit against the school system because the student was no longer enrolled in the school division due to "ongoing harassment and concerns about her safety."

Trump presidency could usher in new era of challenges for trans student athletes

Virginia, like all the states, is preparing for Republican President-elect Donald Trump to take office next month. Trump promised that he would ban trans students from playing on school sports teams that align with their gender identity during his successful campaign for office against Vice President Kamala Harris.



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The rhetoric has left transgender youth [seeking](#) help, the Associated Press reported, as Trump continues the calls to roll back protections for

trans students.

"With the stroke of my pen on day one, we're going to stop the transgender lunacy," [said](#) Trump at AmericaFest on Sunday, adding that "I will sign executive orders to end child sexual mutilation, get transgender out of the military and out of our elementary schools and middle schools and high schools."

by Nathaniel Cline, [Virginia Mercury](#)

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