



Written by [Raven Clabough](#) on August 15, 2019

Dept. of Ed. to Investigate Trans Policy in Connecticut Schools Following Title IX Complaint

The Department of Education will be investigating claims that the Connecticut Interscholastic Athletic Conference's (CIAC) allowance of transgender students in female's athletics constitutes unlawful discrimination, [Life Site News reports](#).

The CIAC handbook states that on the subject of gender identity, it will "defer to the determination of the student and his or her local school." Regardless of how a student identifies, the handbook claims it would be "fundamentally unjust" to ban transgender students from participation "on a gender specific sports team that is consistent with the public gender identity of that student for all other purposes." The handbook does not require transgender athletes to take testosterone suppressing hormones, relying solely on a student's identification to determine gender.



Predictably, as has been seen in professional athletics, this policy has undermined the integrity of female athletics as biologically male competitors have consistently outperformed the biologically female athletes, prompting a complaint by Alliance Defending Freedom (ADF).

According to the complaint, two biological male students placed in top places in the women's outdoor track events, taking spots that should have been reserved for biological females. As such, the complaint states three biologically female track athletes have been "consistently deprived of honors and opportunities to compete at elite levels." Such honors include medals, public recognition critical to scholarship opportunities, and opportunities to advance at a higher level. The complaint also states that the students and their families have faced retaliation and discriminatory treatment because of their opposition to the trans-inclusive policy, which fails to provide equal opportunities to female athletes.

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"Because of the basic physiological differences and resulting strongly statistically significant differences in athletic capability and performance between boys and girls after puberty," the complaint argues, "no one could credibly claim that a school satisfies its obligation to provide equal opportunities for girls for participation in athletics by providing, e.g., only co-ed track or wrestling teams and competitions, with sex-blind try-outs and qualification based strictly upon performance."

These concerns have resonated amongst critics of transgender athletes in professional sports as well, particularly with the 2020 Tokyo Olympics looming ahead. Professional female athletes continue to call into question the fairness of permitting transgender athletes to participate in women's sports, a



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controversy that has been intensified after transgender weightlifter Laurel Hubbard won two golds and a silver medal in three of the women's heavyweight categories at the Pacific Games last month. Under International Olympic Committee guidelines, Hubbard is eligible to compete in next year's Tokyo Olympics.

British group "Fair Play for Women" has made similar statements, calling on sports officials to "wake up" following Hubbard's Pacific Game victories.

"Another Gold for male-born weightlifter Laurel Hubbard this time at the Pacific games," the group tweeted on July 13. "Hubbard is on track for Olympic Gold at Tokyo 2020. It's not the women in this photo who should be hanging their heads. Sports policy makers must wake up."

Under IOC guidelines, transgender athletes are permitted to compete as women so long as their testosterone levels remain below 10 nanomoles per litre for at least 12 months prior to their first competition. But scientists claim these guidelines are arbitrary, noting that there are other factors besides hormones that affect athletic abilities, including bone density and muscle mass.

And researchers at University of Otago published a study last month that shows the mandated testosterone levels are still "significantly higher" than those of women.

A June paper published in the *Journal of Medical Ethics* found "healthy young men [do] not lose significant muscle mass (or power) when their circulating testosterone levels were reduced to [below International Olympic Committee guidelines] for 20 weeks," and "indirect effects of testosterone" on factors such as bone structure, lung volume, and heart size "will not be altered by hormone therapy"; therefore "the advantage to transwomen [men] afforded by the [International Olympic Committee] guidelines is an intolerable unfairness."

Fears over allowing transgender women to participate in women's athletics has even dominated discussion over Congress' "Equality Act" — legislation focused on prohibiting anti-LGBT discrimination in employment and housing. During congressional testimony over the Equality Act, Duke Law School Professor Doriane Lambelet Coleman observed that biological males have an inherent athletic advantage over biological females because of the chemical makeup of their bodies, the *Washington Blade* reports. The intention of segregating sports based on sex was to allow individuals to compete against their own counterparts.

Even outspoken LGBT activists have raised concerns over transgender athletes. Julie Beck, a lesbian and former law and policy co-chair for Baltimore City's LGBTQ Commission, asserts that the Equality Act would allow men to dominate women's sports and could deny scholastic opportunities to girls who would have taken first place.

The ADF is making the same arguments against the CIAC's policy.

"Female athletes deserve to compete on a level playing field. Forcing them to compete against boys makes them spectators in their own sports, which is grossly unfair and destroys their athletic opportunities," ADF Legal Counsel Christiana Holcomb declared.

The Department of Education's Office for Civil Rights notified ADF last week that it is taking seriously the claims made against the CIAC and will be investigating the policy to determine if it violates federal laws which ban sex discrimination.

The *Washington Blade* reports the investigation will examine three issues:

- Whether the CIAC and the district have "denied equal athletic benefits and opportunities to girls,"



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including the students in the complaint through its trans-inclusive policy.

- Whether the CIAC retaliated against a student's mother for speaking out against the trans-inclusive policy by informing her CIAC's executive director would no longer accept her communications from her.
- Whether the district retaliated against a student for advocacy against the trans-inclusive policy when the track coach replaced her on the sprint medley relay team, told her he could not give a good report to college coaches about her, denied her a position as a team captain and suggested she should leave the outdoor track team due to her schedule.

If schools are found to be in violation of Title IX at the conclusion of the investigation, they could potentially lose federal funds unless they are willing to bring their programs into compliance with federal law.

The ADF believes the issue is black-and-white.

"Title IX is a federal law that was designed to eliminate discrimination against women in education and athletics, and women fought long and hard to earn the equal athletic opportunities that Title IX provides," Holcomb argues. "Allowing boys to compete in girls' sports reverses nearly 50 years of advances for women."

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