



ATHLETES

FOR ACTION

UNIT 4: FEDERAL LAW-UNDERSTANDING TITLE IX AND THE EXECUTIVE ORDERS





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OVERVIEW OF EXECUTIVE ORDERS



INTRODUCTION



This is a crucial session designed for high school athletes to explore Title IX, the federal law that has provided girls and women with significant opportunities in education and athletics.

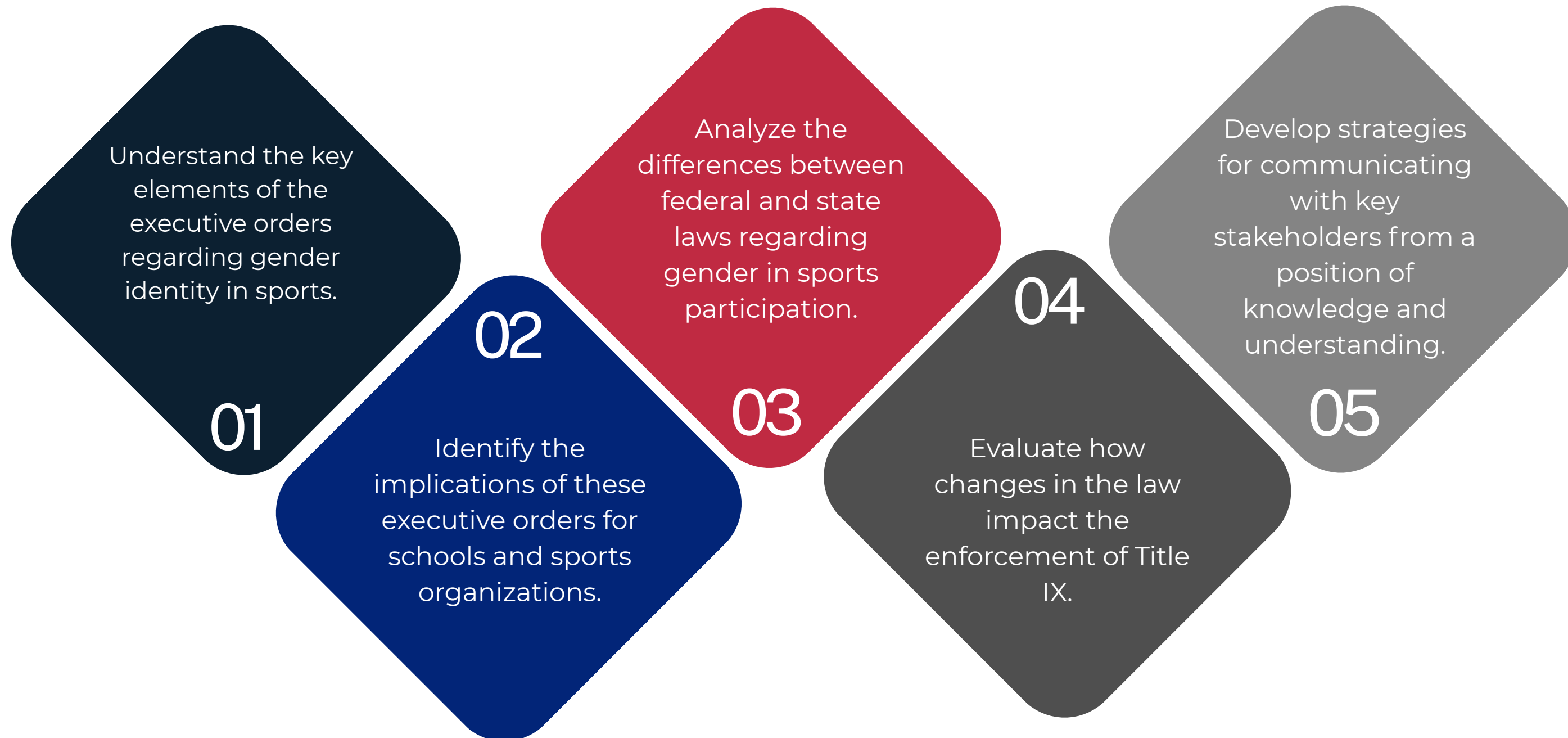
This unit aims to equip you with the insights necessary to navigate the evolving legal landscapes surrounding protecting girls and women's sports.





LEARNING OBJECTIVES

Throughout this session, you will:





GROUP POLL



What is your understanding, if any, of the Executive Order signed by President Trump in February 2025, and what actions did it take?





OVERVIEW

- In our discussion of the "Executive Orders," we refer to significant **federal documents concerning Title IX and gender identity** in sports. The first relevant order was signed by **President Biden in April 2024, aimed at promoting inclusivity for transgender athletes**. However, in February 2025, **President Trump signed an executive order to restore and clarify the original intent of Title IX**, emphasizing the protection of opportunities for girls and women.
- This shift represents a **critical debate in the realm of inclusivity within educational and athletic environments**, raising important questions about **fairness** and **safety** for competing athletes.

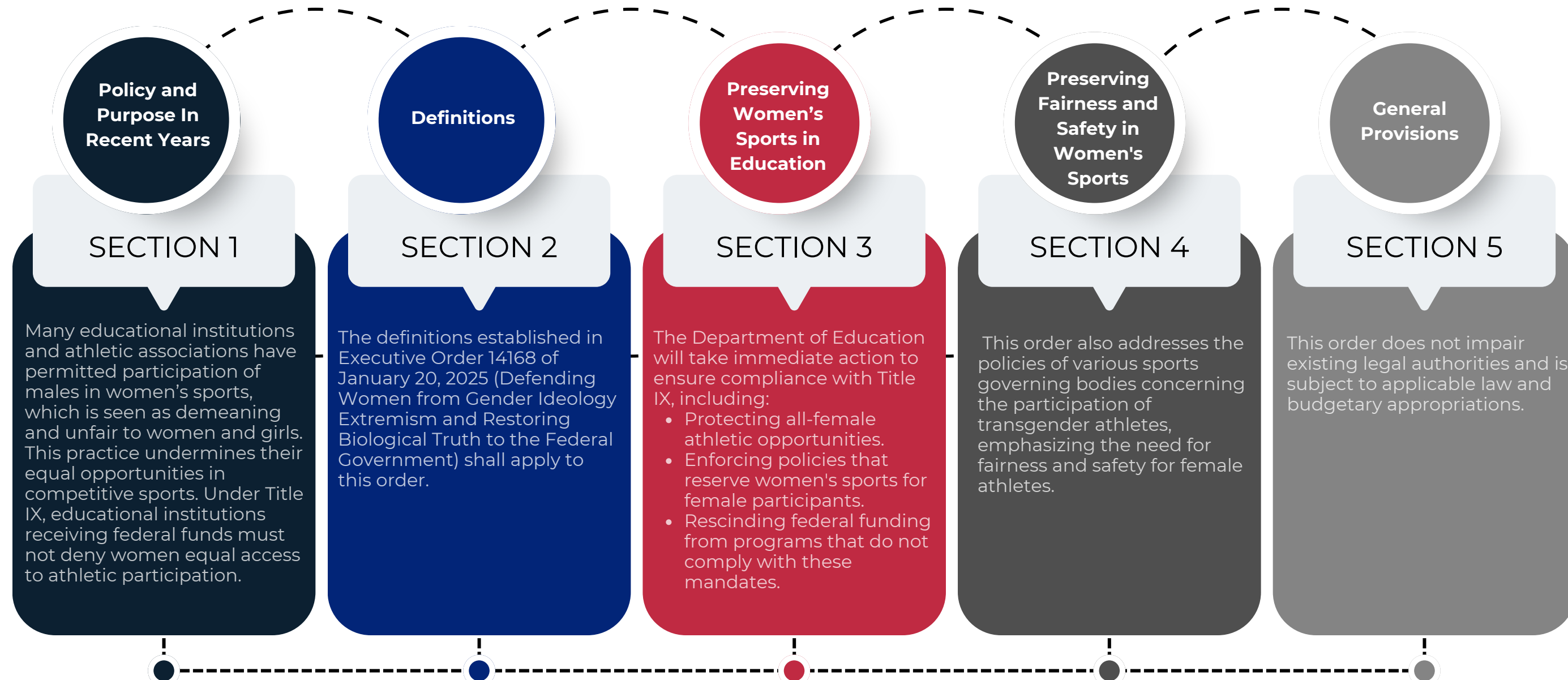




PRESIDENT TRUMP'S EXECUTIVE ORDER

The White House Date: February 5, 2025

By the authority vested in me as President of the United States, I hereby declare the following:



As we explore the contents of these executive orders, it is essential to critically assess their impact and implications for all athletes. Understanding these frameworks empowers you to contribute to the ongoing conversation about equity in sports.



EXAMINATION OF EXECUTIVE ORDERS IN FULL



PRESIDENT TRUMP'S EXECUTIVE ORDER



01



02



03



Background Info

President Trump signed the Executive Order on February 5, 2025

Key Details

Next, we will dive into the exact language and wording of the Executive Order by each section

Introduction

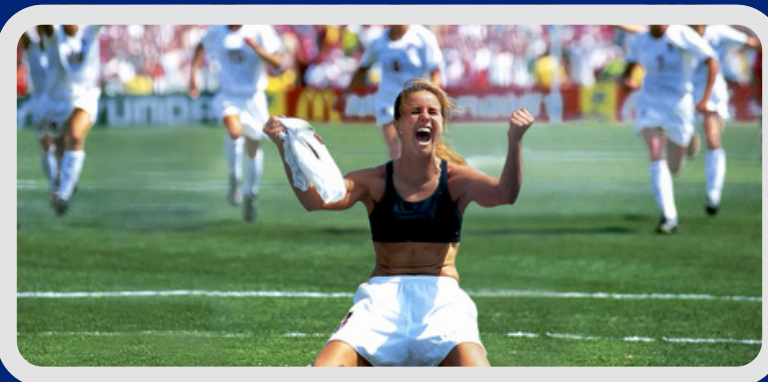
By the authority vested in me as President by the Constitution and the laws of the United States of America, and to protect opportunities for women and girls to compete in safe and fair sports, it is hereby ordered...



SECTIONS 1 & 2

SEC. 1. POLICY AND PURPOSE

- In recent years, many educational institutions and athletic associations have allowed men to compete in women's sports. This is demeaning, unfair, and dangerous to women and girls, and denies women and girls the equal opportunity to participate and excel in competitive sports.
- Moreover, under Title IX of the Education Amendments Act of 1972 (Title IX), educational institutions receiving Federal funds cannot deny women an equal opportunity to participate in sports. As some Federal courts have recognized, "ignoring fundamental biological truths between the two sexes deprives women and girls of meaningful access to educational facilities." *Tennessee v. Cardona*, 24-cv-00072 at 73 (E.D. Ky. 2024). See also *Kansas v. U.S. Dept. of Education*, 24-cv-04041 at 23 (D. Kan. 2024) (highlighting "Congress' goals of protecting biological women in education").
- Therefore, it is the policy of the United States to rescind all funds from educational programs that deprive women and girls of fair athletic opportunities, which results in the endangerment, humiliation, and silencing of women and girls and deprives them of privacy. It shall also be the policy of the United States to oppose male competitive participation in women's sports more broadly, as a matter of safety, fairness, dignity, and truth.



SEC. 2. DEFINITIONS

- The definitions in Executive Order 14168 of January 20, 2025 (Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government), shall apply to this order.

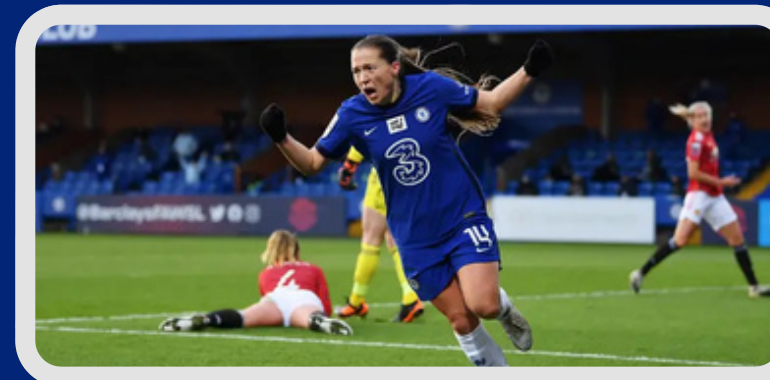




SECTION 3

SEC. 3. PRESERVING WOMEN'S SPORTS IN EDUCATION

- (a) In furtherance of the purposes of Title IX, the Secretary of Education shall promptly:
 - (i) in coordination with the Attorney General, continue to comply with the vacatur of the rule entitled “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance” of April 29, 2024, 89 FR 33474, see *Tennessee v. Cardona*, 24-cv-00072 at 13-15 (E.D. Ky. 2025), and take other appropriate action to ensure this regulation does not have effect;
 - (ii) take all appropriate action to affirmatively protect all-female athletic opportunities and all-female locker rooms and thereby provide the equal opportunity guaranteed by Title IX of the Education Amendments Act of 1972, including enforcement actions described in subsection (iii); to bring regulations and policy guidance into line with the Congress’ existing demand for “equal athletic opportunity for members of both sexes” by clearly specifying and clarifying that women’s sports are reserved for women; and the resolution of pending litigation consistent with this policy; and
 - (iii) prioritize Title IX enforcement actions against educational institutions (including athletic associations composed of or governed by such institutions) that deny female students an equal opportunity to participate in sports and athletic events by requiring them, in the women’s category, to compete with or against or to appear unclothed before males.
- (b) All executive departments and agencies (agencies) shall review grants to educational programs and, where appropriate, rescind funding to programs that fail to comply with the policy established in this order.
- (c) The Department of Justice shall provide all necessary resources, in accordance with law, to relevant agencies to ensure expeditious enforcement of the policy established in this order.





SECTION 4

SEC. 4. PRESERVING FAIRNESS AND SAFETY IN WOMEN'S SPORTS

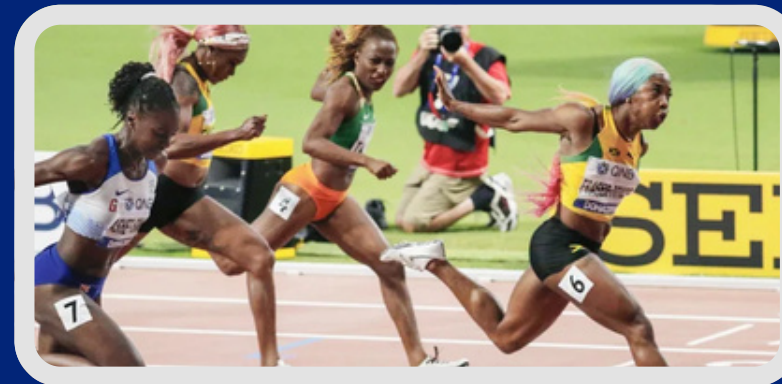
- Many sport-specific governing bodies have no official position or requirements regarding trans-identifying athletes. Others allow men to compete in women's categories if these men reduce the testosterone in their bodies below certain levels or provide documentation of "sincerely held" gender identity. These policies are unfair to female athletes and do not protect female safety. To address these concerns, it is hereby ordered:
 - (a) The Assistant to the President for Domestic Policy shall, within 60 days of the date of this order:
 - (i) convene representatives of major athletic organizations and governing bodies, and female athletes harmed by such policies, to promote policies that are fair and safe, in the best interests of female athletes, and consistent with the requirements of Title IX, as applicable; and
 - (ii) convene State Attorneys General to identify best practices in defining and enforcing equal opportunities for women to participate in sports and educate them about stories of women and girls who have been harmed by male participation in women's sports.
 - (b) The Secretary of State, including through the Bureau of Educational and Cultural Affairs' Sports Diplomacy Division and the Representative of the United States of America to the United Nations, shall:
 - (i) rescind support for and participation in people-to-people sports exchanges or other sports programs within which the relevant female sports category is based on identity and not sex; and
 - (ii) promote, including at the United Nations, international rules and norms governing sports competition to protect a sex-based female sports category, and, at the discretion of the Secretary of State, convene international athletic organizations and governing bodies, and female athletes harmed by policies that allow male participation in women's sports, to promote sporting policies that are fair, safe, and in furtherance of the best interests of female athletes.
 - (c) The Secretary of State and the Secretary of Homeland Security shall review and adjust, as needed, policies permitting admission to the United States of males seeking to participate in women's sports, and shall issue guidance with an objective of preventing such entry to the extent permitted by law, including pursuant to section 212(a)(6)(C)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(C)(i)).
 - (d) The Secretary of State shall use all appropriate and available measures to see that the International Olympic Committee amends the standards governing Olympic sporting events to promote fairness, safety, and the best interests of female athletes by ensuring that eligibility for participation in women's sporting events is determined according to sex and not gender identity or testosterone reduction.



SECTION 5

SEC. 5. GENERAL PROVISIONS

- (a) Nothing in this order shall be construed to impair or otherwise affect:
 - (i) the authority granted by law to an executive department or agency, or the head thereof; or
 - (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.
- (d) If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.





IMPLICATIONS OF EXECUTIVE ORDERS





INTERACTION WITH FEDERAL AND STATE LAWS

Understanding how the Executive Order and Title IX coexist with separate and often conflicting state laws is crucial for school administrators, sports coaches, legal professionals, and educators alike. This intersection is particularly complex due to the varying interpretations and implementations of laws like Title IX.

01

Federal Law: Title IX

Title IX of the Education Amendments Act of 1972 is a federal law designed to eliminate gender-based discrimination in education. Over the years, it has evolved and is often viewed as a mechanism to promote women's sports. This federal protection is pivotal as it establishes a baseline for compliance that all educational institutions receiving federal aid must meet. Failure to comply can lead to significant consequences, including the loss of federal funding and other legal ramifications.



02

State Law Variations

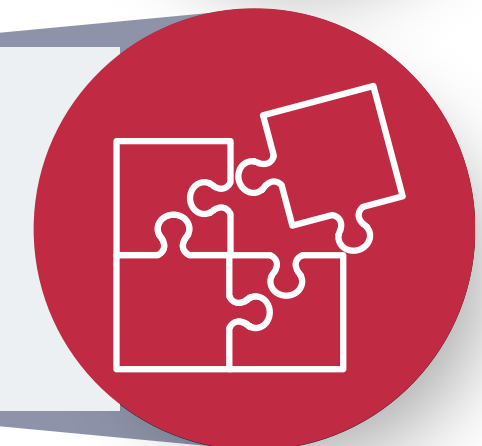
While federal law provides a framework, enforcement and interpretation can vary significantly from state to state. Some states have enacted their own legislation that aligns with the Executive Order and protects women's sports, while others have laws that may conflict with those protections.



03

The Challenge of Compliance

Navigating this complex landscape requires a keen understanding of both federal mandates and state-specific regulations. Ultimately, the interaction between the Executive Order, federal laws like Title IX, and varying state regulations highlights the intricacies of ensuring the protection of girls' and women's sports in an era of evolving legal standards.





UNIT 4 RECAP





KEY TAKEAWAYS



Title IX as a Foundational Federal Law

Title IX establishes a nationwide baseline that guarantees equal athletic opportunities for women and girls at any school receiving federal funding, and failure to comply can result in serious consequences, including the loss of federal funds.



Executive Orders

The April 2024 executive actions emphasized inclusivity based on gender identity, while the February 2025 executive order reasserts a sex-based interpretation of Title IX, prioritizing fairness, safety, and equal opportunity for female athletes.



Interpretation of Title IX in Executive Orders

The February 2025 Executive Order mandates federal agencies—especially the Department of Education—to protect all-female athletic opportunities, prioritize Title IX enforcement actions, and rescind funding from institutions that allow male participation in women's sports.



Federal and State Laws Do Not Always Align

While federal law sets the standard, states vary widely in how they interpret and implement gender-related sports policies, forcing schools and athletic programs to navigate overlapping—and sometimes conflicting—legal requirements.



Legal Frameworks

By knowing how Title IX, executive orders, and state laws interact, athletes can engage in informed conversations with coaches, administrators, and policymakers, and advocate for policies that align with fairness, safety, and the original intent of women's sports protections.