

Nos. 24-38, 24-43

IN THE
Supreme Court of the United States

BRADLEY LITTLE, GOVERNOR OF IDAHO, *et al.*,
Petitioners,

v.

LINDSAY HECOX, *et al.*,
Respondents.

STATE OF WEST VIRGINIA, *et al.*,
Petitioners,

v.

B.P.J., BY HER NEXT FRIEND AND MOTHER,
HEATHER JACKSON,
Respondent.

**On Writs of Certiorari to the United States Courts
of Appeals for the Ninth and Fourth Circuits**

**BRIEF OF AMICI CURIAE PROFESSIONAL,
OLYMPIC, AND INTERNATIONAL
ATHELETES IN WOMEN'S SPORTS IN
SUPPORT OF RESPONDENTS**

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**STATEMENT OF IDENTITY AND INTREST OF
AMICI CURIAE¹**

Amici are 27 current and former individual athletes in international, Olympic, and professional women's sports. Amici believe that everyone deserves the opportunity to play school sports, and that the sports community benefits from inclusivity rather than exclusion.

The individual amici athletes are:

- **Megan Rapinoe** is a two-time World Cup Champion and former co-captain of the U.S. Women's National Team. She led that team to the 2019 Women's World Cup Championship and took home the Championship's two highest honors. Megan is an advocate for equality for all.
- **Layshia Clarendon** is a recently retired 12-year WNBA veteran point guard. In her 2 terms as WNBPA Vice president she helped negotiate a groundbreaking CBA Agreement that will serve as a bedrock for women's professional sports leagues moving forward. In 2018 Clarendon Captured gold with Team USA in the Fiba World Championships. The previous season,

¹ Pursuant to Rule 37, no counsel for a party authored any part of this brief and no counsel or party made a monetary contribution intended to fund the preparation or submission of the brief. All parties have granted blanket consent to the filing of *amicus curiae* briefs.

Layshia was named a WNBA All-Star, led the league in total assists, and broke the franchise record for assists in a single season with the Atlanta Dream. Clarendon was Cal's leading scorer while in college where they led the Golden Bears to the first Final Four in school history. During their senior season, Layshia was an All-Pac-12 first-team selection and the Pac-12 women's basketball Scholar-Athlete of the Year. In 2022, Layshia was inducted into the Pac-12 Hall of Fame. Clarendon is a noted social advocate, speaker, and writer, who is often asked to lend their voice and opinions on various social topics. In 2020, Layshia Clarendon became the first out trans and nonbinary player in WNBA history. As an anchor athlete for Athletes for Impact, Layshia launched The Layshia Clarendon Foundation in 2021 to help broaden healthcare access for trans and nonbinary people. They have also been published in The Players' Tribune, Mic, Esquire, and ESPN. In the off-season, you can find them on the sidelines providing color commentary for women's hoops.

- **Lori Lindsey** is a retired soccer midfielder and former member of the USWNT. She played in the 2011 FIFA Women's World Cup in Germany and was an alternate for the 2012 London Olympics.
- **Aimee Mullins** is an actor, model, and public speaker. Aimee is a former track and

field athlete who set three world records in the 100-meter, 200-meter, and long jump events and competed in the 1996 Paralympics in Atlanta. She was president of WSF from 2007-2009, and Chef de Mission of Team USA for the 2012 Olympic Games.

- **Breanna Stewart** is a two-time WNBA Champion and five-time All-Star, currently playing for the New York Liberty. She is a two-time Olympic gold medalist and was named WNBA MVP in both 2018 and 2023. Off the court, Stewart is an outspoken advocate for gender equity, human rights and equal opportunities for women in sports.
- **Sue Bird** is a WNBA Champion, Olympic Gold Medalist and Hall of Famer; Co-Founder of A Touch More and Togethxr; Host of Bird's Eye View and Co-Host of A Touch More: The Podcast.
- **Grete Eliassen** is a six-time X Games medalist.
- **Serena Gray** is a two-time NCAA volleyball tournament semifinalist and former USA Volleyball national team member.
- **Molly McCage** is a League One Volleyball Champion, USA Women's Volleyball National Team member and Athletes Unlimited's Player Executive Committee Chair. She is an NCAA National Champion and two-time Athletes Unlimited Best

Middle Blocker. Molly is an advocate for equality for all.

- **Cassidy Litchman** is a former member of the USA Volleyball Women's National Team and was a two-time All-American at Stanford. She played professionally in Europe and Asia and was a founding member of Athletes Unlimited's professional volleyball league where she is now the Vice President of Volleyball & Athlete Engagement.
- **Phaidra Knight** is a former rugby player who was a member of the United States National Team from 1999 to 2017. She participated in three Women's Rugby World Cups, and won All-World Team honors in the first two World Cups. She was named USA Rugby's Player of the Decade in 2010. She became the first and only black American to be inducted into the World Rugby and USA Rugby Hall of Fame in 2017 and 2021, respectively. Currently training as a mixed martial artist at the Renzo Gracie Academy in New York, NY, Phaidra is grooming to become a professional fighter. In 2021, she made her debuts in Muay Thai Kickboxing and MMA and is the current Bantamweight Champion for Cage Wars MMA Promotion. The former attorney is on the Board of Directors for USA Rugby and the Board of Trustees for the Women's Sports Foundation, after serving as President in 2021.

- **Maya Satya Reddy, J.D.**, is a queer South Asian former professional golfer, three-time NCAA All-American, LGBTQ+ sports law and policy consultant, and community organizer. Maya has dedicated her career to fighting for LGBTQ-inclusive policies in sports in law, policy, and community organizing.
- **Julie Foudy** is a two time World Cup Champion, two time Olympic Gold Medalist and a former captain of the US Women's Soccer team.
- **Madison Bugg** has played volleyball collegiately at Stanford and now professionally for 10 years, in Europe and now the US. She is an advocate for equality for all!
- **Gaby Vincent** is a former professional soccer player in the NWSL who has played for the Utah Royals, Kansas City Current, Washington Spirit, and the US Women's U23 squad. She now works in LGBTQIA+ advocacy for the DC Government and part-time as a color commentator for the Washington Spirit.
- **Meike Babel** is a Former WTA #27 in Singles, #45 in Doubles. Member of German Billie-Jean-King-Cup Team. Later coached at Vanderbilt University.
- **Esther Lofgren** is an Olympic gold medalist, world record holder, many-time

World Championship medalist, and collegiate D1 All-American in the sport of rowing. She advocates for everyone to have the opportunity to participate in sport and supports equality for all.

- **Carley Knox** is entering her 17th season with the Minnesota Lynx and her 22nd in the WNBA. As Lynx President of Business Operations, her passion and commitment to women's athletics is fueled by her belief and desire to use sport as a vehicle of change in the community, to help support gender equality and social justice, and to celebrate diversity. Knox attended Ohio University where she earned degrees in both Sports Administration and Women's Studies. During her time as a Bobcat, she was a member of the Women's NCAA Division I Soccer team that went on to win the Mid-American Conference Championship in 1998. After graduating, Knox went on to coach women's soccer at St. Bonaventure University in Olean, New York, where she began her master's in psychology. Upon returning to Ohio, she accepted a position with an LPGA tournament, The Jamie Farr Owens Corning Classic, where she worked in operations, marketing, and sales. In the fall of 2002, Knox went on to pursue a graduate assistantship at Bowling Green State University, where she obtained her master's degree in Sports Administration and Women's Studies.

- **Becky Sauerbrunn** is a two-time World Cup Champion and former captain of the U.S. Women's National Team. She won a Gold Medal at the 2012 London Olympics and three National Women's Soccer League Championships. She believes sports are for everyone and uses her platform to support the inclusion of transgender athletes in all levels of competition.
- **Taylor Fricano** is a 7 year professional volleyball player who has competed at the highest level in her sport. She believes in opportunity for everyone, and is empathetic to those who just want to compete as their true selves.
- **Samantha Mewis** is a World Cup Champion, Olympic Bronze Medalist, and 3x NWSL Champion. She is currently the Editor-in-chief of The Women's Game.
- **Nikki Hiltz** is a nonbinary track and field Olympian. The 1500 specialist is a 9 time US National Champion, World Indoor Silver Medalist, and Pan American Games gold medalist. Nikki is also a vocal advocate for LGBTQIA+ community, particularly passionate about making the sport of running more inclusive for all gender identities.
- **Sophia Gibb** is a swimmer and a 2016 Paralympic Silver Medalist, a 2020 Paralympic Bronze Medalist, a 2x World Champion, a 6x World Championship

Medalist, and a 2020 Team Captain. She is also an advocate for inclusion & equality.

- **Mary Osborne Gilbert** is a professional surfer who supports sports for all.
- **Imani Dorsey** spent eight seasons in the National Women's Soccer league and is a founding board member for the Black Women's Player Collective. During her career, Imani was a 2023 NWSL Champion, earned 2018 Rookie of the Year honors, was the 2021 U.S. Soccer One Nation Social Impact Award recipient and a 2022 Athlete Ally Action Award Nominee.
- **Brenda Villa** is a four-time Olympic medalist and former captain of the U.S. Women's National Water Polo team. She was captain of the first ever Gold medal winning team. She believes in access for all.
- **Lynn Biyendolo** is an Olympic Gold medalist and a 4 time NWSL champion. Lynn is an advocate for equality and inclusion for all.

INTRODUCTION

School sports are an integral part of growing up in the United States and a focal point of pride for many communities. It is essential for all students to have an equal opportunity to play school sports because playing sports builds commonalities across differences; leads to superior academic, professional, and health outcomes; and fosters belonging and resiliency.

Amici are professional athletes in women's sports whose participation in school and youth sports was central to their professional and personal development. Through playing sports, they learned essential values like teamwork and discipline, and they gained supportive communities that celebrated them and challenged them to be better versions of themselves. *Amicus* Esther Lofgren reflects on the importance of sports to her development: "I am truly grateful for the profound ways in which participating in team sports have shaped me as a person, and for their power to build key lifelong skills, healthy habits, and friendships." Likewise, *amici* have observed that when sports are inclusive, everyone benefits. *Amicus* Breanna Stewart puts it succinctly: "No one should be denied the chance to play the game they love because of who they are. Inclusion makes all of us better." As a result, of their experiences, *amici* believe that everyone deserves the opportunity to play school sports. Or, in the words of *amicus* Meike Babel: "Any athlete who wishes to participate in sports should be able to do so, period!"

The two laws at issue in this case—Idaho's H.B. 500, Idaho Code §§ 33-6201–06, and West Virginia's

H.B. 3293, West Va. Code § 18-33-2-25D—ban all transgender women and girls, and many intersex people, from playing school sports in Idaho and West Virginia at any level. *Amicus* Maya Satya Reddy observes: “Policies and legislation that bar trans women and girls from sport are sending the message that no matter how good you are, and no matter how much you love your sport, if you do not conform to what girls and women are ‘supposed’ to look like or behave, you cannot play. . . . These bills purport themselves to be ‘protecting women’s sports’ but they are just preventing kids from being able to play just because of who they are, and they impact all girls and women, especially those of color.”

Amici’s position is simple: “There is no place in any sport for discrimination of any kind.”² *Amicus* Reddy puts it another way: “Protecting women’s sports means everyone gets the opportunity to play.” Not only do both laws harm the excluded students, they harm the athletic community as a whole. “The global athletic community grows stronger when we welcome and champion all athletes – including LGBTQI+ athletes.”³ Accordingly, *amici* oppose H.B. 500 and H.B. 3293.

² *Billie Jean King, Megan Rapinoe, and Candace Parker Join Nearly 200 Athletes Supporting Trans Youth Participation in Sports*, WOMEN’S SPORTS FOUND. (Dec. 21, 2020) https://www.womenssportsfoundation.org/press_release/billie-jean-king-megan-rapinoe-and-candace-parker-join-nearly-200-athletes-supporting-trans-youth-participation-in-sports/.

³ *Id.*

I. Inclusive school sports are essential for all athletes.

All students deserve the opportunity to play school sports and reap the social, developmental, academic, professional, and health benefits that come from being part of an inclusive athletic community. School sports bring together a diverse group of students, fostering a sense of belonging and community built on shared values like teamwork, leadership, discipline, and giving back. The entire athletic community benefits from inclusive teams centered around those shared values.

A. Playing school sports leads to superior academic, professional, and health outcomes.

Bringing young athletes together through school sports “often means exposing student athletes to a supportive environment that enriches both their love for their respective sports as well as their interest in school.”⁴ Unsurprisingly, the benefits of playing school sports do not stop at graduation but carry through into adulthood, where student athletes enjoy better academic and professional success, physical health, and mental health than their peers who did not play school sports. These benefits reach every area of a person’s life, increasing their “well-being, life satisfaction, community cohesion and unity, civic

⁴ See Reed W. Lawson, *Toward a Psychology of Positive Youth Development*, 55(1) AM. PSYCH. 170 (2000).

renewal, and youth development.”⁵ When sports are part of a person’s lifestyle, that person can “age through their sport,” reaping the benefits of athletics throughout their life.⁶ As *amicus* Nikki Hiltz states: “Every single kid should be able to get the opportunity to play sports and learn all the valuable life lessons sports can offer regardless of their gender identity.”

Academic and professional success. Participation in school sports has a well-documented positive effect on academic achievement.⁷ Students who play school sports “have better academic and educational outcomes, including grades, test scores, and educational expectations.”⁸ “Athletes who participate in high school sport are more likely to finish college, and more likely to be actively engaged in planning for

⁵ E. J. Staurowsky, et al., *Chasing Equity: The Triumphs, Challenges, & Opportunities in Sports for Girls & Women*, WOMEN’S SPORTS FOUND., 26 (2020), <https://www.womenssportsfoundation.org/wp-content/uploads/2020/01/Chasing-Equity-Full-Report-Web.pdf>.

⁶ *Id.*

⁷ See, e.g., Scott L. Zuckerman, et al., *The Behavioral, Psychological, and Social Impacts of Team Sports: a Systematic Review and Meta-Analysis*, 49 PHYS. & SPORTS MED. 246, 253 (2021); Ryan D. Burns, et al., *Sports Participation Correlates With Academic Achievement: Results From a Large Adolescent Sample Within the 2017 U.S. National Youth Risk Behavior Survey*, 127(2) PERCEPTUAL & MOTOR SKILLS 448(2020); Kelly Troutman & Mikaela Dufur, *From High School Jocks to College Grads: Assessing the Long-Term Effects of High School Sport Participation on Females’ Educational Attainment*, 38(4) YOUTH & SOC’Y 443 (2007).

⁸ Staurowsky, *supra* note 4 at 28.

their future after their sport career ends.”⁹ Indeed, researchers observe “a significant linear relationship between an increase in hours of moderate to vigorous physical activity and [girls’] grade point average.”¹⁰ These benefits hold true across racial and ethnic backgrounds, areas of study,¹¹ and LGBTQ+ status.¹²

Research shows that participating in school sports not only boosts grades, but also “facilitates the socialization of participants helping them to develop a strong work ethic, persistence, and respect for values essential for academic success.”¹³ These benefits transcend the classroom and promote skills that are valuable for professional success, such as learning to work as part of a team to collectively achieve the team’s goals.¹⁴ *Amicus* Lori Lindsey explains how the value of her athletic experience transcended sports, as she learned “so many incredible lessons from soccer –

⁹ Expert Declaration of Prof. Mary D. Fry ¶ 46 (“Fry Decl.”), Joint App’x (“J.A.”) at 142, *Little v. Hecox*, No. 24-38.

¹⁰ Staurowsky, *supra* note 4 at 28.

¹¹ *Id.*

¹² *The Trevor Project Research Brief: The Well-Being of LGBTQ Youth Athletes*, THE TREVOR PROJECT (2020), <https://www.thetrevorproject.org/wp-content/uploads/2020/08/LGBTQ-Youth-Sports-and-Well-Being-Research-Brief.pdf>.

¹³ Martin Van Boekel, et al., *Effects of Participation in School Sports on Academic and Social Functioning*, 46 J. APPLIED DEV. PSYCH. 31, 37 (2016).

¹⁴ Rochelle M. Eime, et al., *A Systematic Review of the Psych. & Social Benefits of Participation in Sport for Children and Adolescents: Informing Development of a Conceptual Model of Health through Sport*, 10(98) INT’L J. BEHAV. NUTRITION PHYS. ACTIVITY 1 (2013).

especially the values of hard work, discipline, and teamwork. These values have carried over into every part of my life, beyond sport.” *Amicus* Gaby Vincent adds: “Sports have afforded me countless opportunities for education, leadership, and, now, my career and everyone should have that access.” Hard work, discipline, and teamwork are keys to success in many facets of life. School sports provide young people with irreplaceable opportunities to develop these crucial skills. Surveys show that 94% of women in C-suite positions played sports, as did 80% of Fortune 500 women executives and 69% of women who earn more than \$100,000 per year.¹⁵

Physical health. Research is clear that students who play sports benefit from improved health outcomes throughout their life. Some of the direct physical benefits of playing sports include “positive effects on lipidemia, blood pressure, oxygen consumption, body composition, metabolic syndrome, bone density and depression, increased muscle strength, and reduced damage to the skeleton and muscles.”¹⁶ In addition, student athletes are less likely to smoke or drink alcohol or have serious disease including breast cancer, cardiovascular disease, and

¹⁵ AJ Hess, *Women Who Played Sports Are More Likely to Be Business Leaders*, FAST COMPANY (Sept. 24, 2024), <https://www.fastcompany.com/91194420/women-who-played-sports-are-more-likely-to-be-business-leaders> (last visited Oct. 17, 2025).

¹⁶ Christer Malm, et al., *Physical Activity and Sports—Real Health Benefits: A Review with Insight into the Public Health of Sweden*, 7(5) SPORTS 1, 13–14 (2019).

obesity.¹⁷ Once again, these benefits of participation in school sports do not stop when students leave the classroom. Research shows that student athletes are more physically active throughout their life than their peers who do not play school sports and continue to reap the health benefits of physical activity.¹⁸

Mental health. Similarly well-established are the lasting mental health benefits to students who play school sports. “Exercise impacts mental health, leading to a decrease in depressive symptoms, with team sports participation specifically associated with lower rates of loneliness and social anxiety, effects that are more pronounced for those at greater psychologic risk.”¹⁹ Inclusive athletic communities give student athletes a space to feel celebrated and accepted, which helps build confidence and self-esteem.²⁰ Students who participate in school sports

¹⁷ Staurowsky, *supra* note 4 at 25, 26. *See also*, Hans Steiner, et al., *Adolescents and Sports: Risk Or Benefit?*, 39 CLINICAL PEDIATRICS 161 (2000); Malm, *supra* note 15.

¹⁸ Staurowsky, *supra* note 4 at 25, 26. *See also* Anders Husoy, et al., *Prospective Associations of Physical Activity and Sedentary Time in Adolescence with Cardiometabolic Risk in Young Adulthood*, 57(3) MED. & SCI. IN SPORTS & EXERCISE 535 (Mar. 1, 2025); Jared Ramer, et al., *Childhood predictors of high school sport participation and effects on mental health*, 57(1) ANNALS OF MED. 1 (2025).

¹⁹ Ellis Barrera, et al., *The Medical Implications of Banning Transgender Youth From Sport Participation*, 176(3) J. AM. MED. ASS’N PEDIATRICS 223 (Mar. 2022).

²⁰ *See* Sara Pedersen & Edward Seidman, *Team Sports Achievement and Self-Esteem Development Among Urban Adolescent Girls*, 28(4) PSYCH. WOMEN Q. 412, 419 (2004); *see also* Carly B. Slutzky & Sandra D. Simpkins, *The Link Between Children’s Sport Participation and Self-esteem: Exploring the*

experience “elevated levels of confidence, happiness, self-esteem, life satisfaction, and general well-being.”²¹ “They have better emotional self-regulation, meaning they are more able to manage negative emotions, to keep things in perspective, and to feel and express joy when good things happen.”²² Girls who play school sports are less likely to have body image issues or “experience symptoms of depression, stress, and overall distress.”²³ One study found that transgender students who participated in collegiate sports may be less likely to report psychological distress, self-harm, suicidal thoughts, and suicidal behavior compared to transgender students who did not participate in sports.²⁴ These benefits continue through adulthood—high school students who played team sports “reported lower depression scores as

Mediating Role of Sport Self-Concept, 10(3) PSYCH. SPORT & EXERCISE 381 (May 2009); Dennis Bengtsson, et al., *Health-related outcomes of youth sport participation: a systematic review and meta-analysis*, 22 INT’L J. BEHAV. NUTRITION & PHYS. ACTIVITY 1 (2025).

²¹ Staurowsky, *supra* note 4 at 27.

²² Fry Decl., *supra* note 8 at ¶ 36.

²³ Staurowsky, *supra* note 4 at 27.

²⁴ Shoshana K. Goldberg, *Fair Play: The Importance of Sports Participation for Transgender Youth*, CTR. FOR AM. PROG. (Feb. 8, 2021), <https://www.americanprogress.org/article/fair-play/>. See also Caitlin M. Clark & Joseph G. Kosciw, *Engaged or excluded: LGBTQ youth’s participation in school sports and their relationship to psychological well-being*, 59(1) PSYCH. SCH. 95 (Jan. 2022) (finding that among LGBTQ youth, sports participation is associated with higher levels of self-esteem and lower levels of depression).

young adults” than their peers who did not.²⁵ In addition, research links improved motor competence (such as object control and stability) with improved executive functions such as working memory and cognitive flexibility.²⁶ “Adolescence is a time of important neurodevelopment, and restricting transgender youth from participating in youth sports during this critical time deprives them of the potential benefits of physical activity on neurodevelopment.”²⁷

B. Diverse and inclusive athletic communities foster belonging.

1. School sports foster community across difference.

Playing school sports with a diverse group of people fosters community and belonging across differences such as race, disability, LGBTQ+ status, and national origin. This creates an environment of inclusion and empathy that benefits both individual athletes and the entire athletic community. Indeed, *amicus* Madison Bugg notes: “Sports were vital to my childhood and development of belonging and sense of self.” *Amicus* Hiltz adds: “It was on youth sports teams

²⁵ Staurowsky, *supra* note 4 at 27. See also Ramer, *supra* note 17; Heller, et al., *Long-term Effects of Childhood Sport Participation and Social Support on Social Anxiety: Findings from a 15-year Longitudinal Study in Switzerland*, J. PUB. HEALTH (2025); Bengtsson, *supra* note 19.

²⁶ Ran Bao, et al., *Associations Between Motor Competence and Executive Functions in Children and Adolescents: A Systematic Review and Meta-analysis*, 54(8) SPORTS MED. 2141 (Aug. 2024).

²⁷ Barrera, *supra* note 18.

where I first felt that I truly belonged and was a part of something bigger than just myself.”

Where individual athletes are celebrated for being their full selves, inclusive athletic communities serve as spaces of support, solidarity, and positive social change. As one meta-analysis on the health-related outcomes of youth sports participation concluded, “It is . . . important to engage as many children and adolescents as possible in organized sports so that they may reap potential long-term benefits. . . . Stakeholders should prioritize the development and sustained support of such programs to ensure the benefits of sport participation are accessible to *all* youth, regardless of demographic background.”²⁸

Playing sports in racially diverse communities benefits athletes and their communities. *Amicus* Babel observes: “We grow when we compete with and against athletes with different life experiences.” This is true at all levels of sport—from professional to school sports. For example, in July 2020, the WNBA and WNBPA jointly announced that the 2020 WNBA Season would be a “Season of Social Justice.” The leagues created the Social Justice Council, where *amicus* Layshia Clarendon is a leading member. The Council’s mission is to “be a driving force of necessary and continuing conversations about race, voting rights, LGBTQ+ advocacy, and gun control amongst other important societal issues.”

Likewise, school sports communities that are inclusive of athletes with disabilities create opportunities for those athletes and reframe societal

²⁸ Bengtsson, *supra* note 19 (emphasis added).

notions of normalcy and empowerment. As *amicus* and Paralympic track athlete Aimee Mullins explains: “I think the greatest adversity that we create for ourselves is this idea of ‘normalcy’ as it applies to human beings. There is no normal. There’s common, there’s typical, but there’s no normal. Whether it’s gender, physical or mental ability, or another categorization used to make assumptions about people, sports help break down barriers that society imposes.” Welcoming athletes with disabilities into the athletic community means that more people benefit from playing sports. *Amicus* Mullins again: “If we can begin to shift away from the mirage of normalcy and instead view deviations from the common through a lens of possibility, we can increase access to sports and all the benefits they provide. So many more potential participants would be invited to engage their rare and valuable abilities, both in sport and in their communities.”

As with race and disability, school sports communities that are inclusive of LGBTQ+ athletes create space for athletes to thrive in their sports as their full selves. *Amicus* Lindsey explains: “I was grateful that when I came out as a lesbian, I didn’t have to step away from the sport I loved. I gained the tremendous gift of being fully myself and showing other LGBTQ+ athletes that there’s a place for them in sports.” School sports that welcome LGBTQ+ athletes also show that those athletes can play sports and deserve the benefits of playing sports, just like other athletes. By welcoming athletes as they are, inclusive athletic communities also enable athletes to learn from each other.

Athletic communities also benefit from welcoming LGBTQ+ athletes. To take just one example, tennis legend Billie Jean King founded the Women's Tennis Association, lobbied for the passage of Title IX, and secured equal prize money for men and women athletes at the US Open in 1973.²⁹ *Amicus* Megan Rapinoe states: "The entire athletic community benefits from diversity. We are at our best when we fight discrimination not when we institutionalize it. Trans women and girls are part of the women's sports community and if we allow for their systematic exclusion, we are opening the door to discrimination against any woman or girl who does not fit to the government's preferred standards of womanhood. That sets us all back." *Amicus* Vincent reflects: "Sports bring the world together and I believe they should represent the diversity that our world has to offer, which includes trans and gender diverse athletes."

Sports also transcend national origin. From traveling teams to the Olympics, sports bridge regional, ethnic, and national boundaries, giving athletes an opportunity to learn about different people and bring that knowledge back to their communities.

2. School sports foster community by emphasizing shared values.

School sports foster inclusion and belonging among youth from diverse backgrounds and identities by

²⁹ Peter Dreier, *Billie Jean King Led a Revolution in Women's Sports and LGBTQ History*, TEEN VOGUE (Oct. 18, 2024) <https://www.teenvogue.com/story/billie-jean-king-revolution-womens-sports-lgbtq-history> (last visited Oct. 17, 2025).

focusing on shared values central to athletic achievement: teamwork, leadership, discipline, and giving back. Learning to work together as a team, to challenge each other to be better, to inspire their peers, to work hard, and to give back to the community that nurtures them are cross-cutting skills and values that young athletes absorb while playing sports. As *amicus* Rapinoe reflects: “When I was able to come out and play as my full self, not only did my performance improve but my ability to be a leader and a good teammate improved as well. Every young person should have the opportunity to get to play sports as their authentic selves and that includes young trans people.”

School sports are a particularly important site of development for young girls to learn leadership skills.³⁰ Thus, it is critically important that sports be open and welcoming to all: “uneasiness with exclusionary sporting policies may decrease overall participation, whereas inclusionary policies have been associated with an increase in sports participation for all youth.”³¹

These leadership skills carry student athletes through to adulthood, where they have the opportunity to give back to the sport and community that helped them develop.

³⁰ Staurowsky, *supra* note 4 at 25.

³¹ Barrera, *supra* note 18.

II. Exclusion From School Sports Harms Everyone

Excluding youth from playing school sports because of their race, gender, LGBTQ+ status, national origin, or other characteristic inflicts significant stigma and long-lasting harm on them and on their athletic community. As *amicus* Bugg reflects: children “often turn to sports for an opportunity to grow, to belong, and to simply have fun.” “Arbitrarily excluding athletes from their teams undermines a caring climate, which, in turn, diminishes the positive outcomes for all youth and collegiate athletes.”³² This exclusion also contradicts a central cultural value of sports in the United States—that “if you can play, you can play.”³³

Harm to excluded students. Excluding certain students from school sports because of their race, gender, LGBTQ+ status, national origin, or other characteristic is deeply stigmatizing and inflicts lasting harm on those students. Exclusion turns school sports from a safe place for youth to learn essential skills and values into a space of rejection and stigma. Instead of reaping the benefits of playing

³² Fry Decl., *supra* note 8 at ¶ 48.

³³ Yale Athletics, *You Can Play*, YOUTUBE (Oct. 4, 2016), <https://youtu.be/wNnM3oBP3uM>; You Can Play Project, *University of Connecticut – You Can Play*, YOUTUBE (Mar. 1, 2017), <https://youtu.be/ZUb7vg0J3pc>.

school sports, students excluded from school sports experience fear, rejection, and anxiety.³⁴

For LGBTQ+ students, exclusion from school sports exacerbates the high levels of discrimination that they already encounter in school environments. According to one study, more than eighty percent of LGBTQ+ youth are not out to their coaches, and may report experiencing anti-LGBTQ+ attitudes while participating in school sports.³⁵ These students already participate in sports at a lower rate than their peers.³⁶ Indeed, a survey of transgender teens suggested that a lack of interest in playing sports may be influenced by their perception that sports are inaccessible or unwelcome spaces for them.³⁷ When LGBTQ+ students are excluded from school sports, they lose out on a supportive and affirming community, the opportunity to bond with their peers, and guidance and mentorship from teachers and coaches. In other words, “excluding any subset of girls from sports can encourage divisiveness and compromise group cohesion, undermining the benefits

³⁴ Robert Phillips, et al., *Transgender Athlete Participation in Sport: Misplaced Fear and the Harms of Exclusion*, 23(8) AM. COLLEGE OF SPORTS MED., CURRENT SPORTS MED. REPS. 277 (Aug. 2024).

³⁵ *HRC’s LGBTQ+ Youth Report*, HUMAN RIGHTS CAMPAIGN FOUND. (Aug. 2023), <https://www.hrc.org/resources/2018-lgbtq-youth-report>.

³⁶ *Id.*; see also Barrera, *supra* note 18.

³⁷ Johan P. DeChants, et al., “*I Get Treated Poorly in Regular School-Why Add To It?*”: *Transgender Girls’ Experiences Choosing to Play or Not Play Sports*, 9(1) TRANSGENDER HEALTH 61 (2024).

all youth deserve from team sports.”³⁸ Denying the mental and emotional benefits of playing school sports to transgender athletes is especially harmful because transgender youth are more likely to experience lower self-esteem and higher rates of school absenteeism, depression, and suicidality.³⁹ Indeed, transgender adults report feeling harmed by being denied access to sports and physical activities.⁴⁰

Loss of opportunity to play sports is also harmful to the physical well-being of transgender students, who are “particularly vulnerable to mental and physical comorbidities that are mitigated by physical activity.”⁴¹ In particular, sports bans like Idaho’s and West Virginia’s “ha[ve] the potential to worsen exercise-dependent bone strength accrual by discouraging [transgender] youth from athletic participation at a critical moment in bone development.”⁴²

Harm to athletic community. Excluding certain students from school sports also harms the athletic

³⁸ *Transgender Exclusion in Sports*, AM. PSYCH. ASS’N (Dec. 2023), <https://www.apa.org/topics/lgbtq/transgender-exclusion-sports> (last accessed Oct. 17, 2025).

³⁹ *Fact Sheet: The Importance of Sports Participation for Transgender Youth*, CTR. FOR AM. PROGRESS (Mar. 18, 2021), <https://www.americanprogress.org/article/fact-sheet-importance-sports-participation-transgender-youth/>.

⁴⁰ Owen DW Hargie, et al., ‘People have a knack of making you feel excluded if they catch on to your difference’: Transgender experiences of exclusion in sport, 52(2) INT’L REV. SOCIOLOG. SPORT 223 (2017).

⁴¹ Barrera, *supra* note 18.

⁴² *Id.*

community as a whole because it deprives the community of the contribution of those students. It also deprives the community of their unique perspectives and life experiences. It is difficult to imagine baseball without Jackie Robinson, golf without Tiger Woods, or tennis without Billie Jean King—each of whom championed diversity and changed their sport for the better. As *amicus* Lofgren reflects: “Every sport I have participated in - rowing, soccer, basketball, volleyball, track & field - has a history that includes periods of excluding people because of who they are. It’s clear how discriminatory and harmful these exclusions were, every year for decades and decades, and how many millions of children and adults benefited when these policies ended and advocates worked tirelessly to create new opportunities where none had existed before.” *Amicus* Imani Dorsey adds: “Sports are strongest when they are inclusive and welcoming for everyone. As a Black woman, the relationships and bonds I’ve formed with my teammates have been invaluable to my life. Every individual deserves this opportunity: to play the sport they love alongside people who share their interests and passions.”

Without a diverse school sports community, there are fewer perspectives for the rest of the community to benefit and learn from. When students from different backgrounds come together to play school sports, challenge each other to be better versions of themselves, and grow into supportive teammates and leaders, they show their coaches, teachers, mentors, peers, and parents the value of an inclusive athletic community.

CONCLUSION

The opportunity to play school sports is an essential part of the American educational experience. Inclusive athletic communities foster a sense of belonging across diversity, provide students with safe spaces in which to feel celebrated and challenged, and teach core values like teamwork, leadership, discipline, and giving back. Based on their experience of playing sports at the highest levels, *amici* believe that all students deserve the opportunity to benefit from playing school sports, and that excluding LGBTQ+ students harms not only those students but the athletic community as a whole. As *amicus* Lofgren says: “Our country and our world are best when everyone can participate, learn, and benefit from the opportunity to play. Sports are for everyone.”

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