



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

February 11, 2025

Charlie Baker
NCAA President
National Collegiate Athletic Association
700 W. Washington Street
P.O. Box 6222
Indianapolis, IN 46206

Bob Lombardi
NFHS President
National Federation of State High School Associations
P.O. Box 690
Indianapolis, IN 46206

Re: Restoration of Women's Athletics Records, Titles, Awards and Recognitions

Dear Messrs. Baker and Lombardi:

I write on a matter of urgent importance to female athletes attending NCAA member institutions, as well as girls and young women participating in high school sports at institutions that follow NFHS guidelines, and all Americans who support fairness and equal opportunities for girls and women in sports. In short, the NCAA and NFHS must not only prospectively protect female categories in sports, but also restore to female athletes all records, titles, awards, and recognitions wrongfully credited to male athletes.

After President Trump issued his January 5, 2025, Executive Order, [*Keeping Men Out of Women's Sports*](#), the NCAA released a [statement](#) that “a clear, national standard” such as that contained in the Executive Order is desirable, and that the NCAA would “take necessary steps to align NCAA policy in the coming days, subject to further guidance from the administration.” The NCAA’s February 6, 2025 [announcement of an updated policy](#) demonstrated steps to align NCAA policy with the President’s *Women’s Sports* Executive Order. As a corollary, the NCAA and NFHS should finalize policies that utilize the clear, fact-based language in the President’s January 20, 2025, Executive Order, [*Protecting Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*](#), to remove the glaring loopholes that permit males to join, compete, or set standards on women’s teams going forward. The NCAA and NFHS should also immediately act to rectify the injustices that female athletes across the nation endured during the years that NCAA and NFHS policies promoted and facilitated men competing on women’s teams.

Over half a million student athletes at the NCAA’s 1,100 member institutions depend on the NCAA to fulfill its [mission](#) to “[p]rovide a world-class athletics and academic experience for student-athletes that fosters lifelong well-being.” That mission has been, and will remain,

compromised until the NCAA fully commits to fairness for female athletes—in the present, the future, and the past. Likewise, the NFHS, which writes the playing rules for high school sports, owes it to the millions of high school students to fulfill their [mission](#) by “providing leadership . . . through the writing of playing rules that emphasize health and safety.” Indeed, the President issued his *Women’s Sport Executive Order*, in part, to end injuries incurred by female athletes at the hands of male competitors.

According to Title IX of the Education Amendments of 1972, by which the NCAA and NFHS expect their member institutions to abide, no student shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any federally funded education program or activity. *See* 20 U.S.C. § 1681(a). The Department of Education (Department) enforces this statute and its attending regulatory regime and will hold educational institutions accountable for depriving female athletes of the awards, records, points, prizes, titles, trophies, announcements or other recognition assigned in favor of male athletes who were allowed to compete in female sports.

As President Trump’s *Women’s Sports Executive Order* found, “allow[ing] men to compete in women’s sports” is “demeaning, unfair, and dangerous . . . and denies women and girls the equal opportunity to participate and excel in competitive sports.” In reliance upon prior Federal court cases, the President observed that “‘ignoring fundamental biological truths between the two sexes deprives women and girls of meaningful access to education facilities’” under Title IX. Against this biological and legal reality, permitting a male athlete to hold a title or record in a female category is a glaring manifestation of sex discrimination against women. Such discrimination not only affects the female athletes who rightfully earned a particular title or should hold a particular record, but also makes athletic accomplishment less accessible to generations of younger girls and women whose aspirations are stifled and opportunities are blunted by aspiring to unrealistic records set by biological men.

Whether the number of records in women’s events attributed to men is 1 or 1 million, every official record of women’s performances must accurately reflect the achievements of female athletes, not of male ones. Female athletes unfairly deprived of records, titles, awards, and recognitions due to men’s participation in women’s categories deserve acknowledgment of harms suffered and receipt of those accolades. These include, but are not limited to: NCAA titles; NCAA finish status/ranking; conference titles; Conference championships; All-American status; Academic All-American status; record board statistics; win/loss records; meet or tournament records and wins; Conference recognitions (*e.g.*, SEC Champion, SEC 1st Team); academic standing awards for female student athletes; invite recognitions to Conference or NCAA Championships or tournaments; banners, photos, and similar publicly placed acknowledgment of male athletes awarded under women’s categories. As the NCAA and NFHS are well aware, athletes earning these achievements benefit in substantial ways, such as improved career prospects, increased professional recognition and opportunities, and enhanced marketability. Such benefits, earned by female athletic stars like Missy Franklin, Allyson Felix, and recently [Nyrania Barr-Miller at University High School in central Florida](#), inspire tens of thousands of girls and women to compete for athletic achievements.

Consistent with President Trump's *Women's Sports* Executive Order and the inexorable command of Title IX, the Department will vigorously enforce federal civil rights laws against educational institutions that thwart the achievements and ambitions of female athletes by forcing women to train and compete in environments that measure women's accomplishments against those of men. The NCAA's and NFHS's leadership on this issue will also encourage K-12 school districts, interscholastic athletic associations, and sports governing bodies to similarly act to restore to girls and women the dignity and equality of opportunity represented by factually accurate records of female athletic accomplishments.

We cannot undo the damage inflicted by years of policies and practices that have denied the material reality of sex and conflated that immutable characteristic with a subjective, fluid concept of "identity" by prospectively returning to objective, factual sex classifications in athletics. But we can recognize the harms done and injustices committed by such misguided policies and reversing their effects will restore a genuine commitment to girls' and women's equality of opportunity in athletic competition across the United States.

The Department strongly urges the NCAA and NFHS to take immediate action and require its member institutions to do the same: correct the records for all women's competitions to reflect and honor the achievements of female student athletes, and return to female athletes the titles, awards, and recognitions they earned and deserve.

Sincerely,

A handwritten signature in blue ink, appearing to read "Candice Jackson".

Candice Jackson
Deputy General Counsel
Office of the General Counsel
U.S. Department of Education