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Update on Supreme Court Decision Regarding Title IX Sports

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On June 30, 2026, the U.S. Supreme Court announced its decision in *West Virginia v. B.P.J.*, which consolidated two cases involving high school transgender athletes. The Supreme Court ruled that schools do not violate Title IX or the Equal Protection Clause of the U.S. Constitution by requiring all students playing on a girls' athletic team to be biological females.

The Court was careful to note that their ruling does not answer the question of whether Title IX or the Equal Protection Clause obligate schools to restrict participation on girls' teams to biological females. The ruling stands for the proposition that schools **may** limit participation on a girls' athletic team to biological females.

Notably for school districts in Pennsylvania, the Supreme Court's ruling in the *B.P.J.* case appears to have no effect on the Pennsylvania Human Relations Act and its regulations prohibiting discrimination against students based on gender identity. That being said, it continues to be the opinion of the U.S. Department of Education that federal law does require limitation of girls' sports teams to biological females, which is further than the Supreme Court's ruling went, and the Department is taking actions consistent with a conclusion that federal law in this area would pre-empt any state or local law from requiring otherwise.

As fall sports ramp up, school districts may need to re-examine their approach to requests from students self-identifying as transgender regarding sports participation. **We remain available to consult with districts regarding their practices in handling such requests and to assist them in understanding the risks and consequences associated with balancing the federal administration's interpretation of the law with competing interpretations of Pennsylvania law.**

Contact your Knox Law attorney, or call us at 814-459-2800 if you have further questions.



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