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16 UNITED STATES OF AMERICA

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19

20 UNITED STATES OF AMERICA,
21 Plaintiff,
22 v.

23 CALIFORNIA INTERSCHOLASTIC
FEDERATION; and
24 CALIFORNIA DEPARTMENT OF
EDUCATION,
25 Defendants.
26

Case No. 8:25-cv-1485
COMPLAINT

27
28

1 The United States of America brings this civil action pursuant to Title IX,
2 20 U.S.C. § 1681 *et seq.*, for declaratory, injunctive, and damages relief. The United
3 States alleges on information and belief as follows:

4 **INTRODUCTION**

5 1. Across the State of California, girls must compete against boys in various
6 sports pursuant to policies enforced by the California Department of Education (“CDE”)
7 and the California Interscholastic Federation (“CIF”). These discriminatory policies and
8 practices ignore undeniable biological differences between boys and girls, in favor of an
9 amorphous “gender identity.” The results of these illegal policies are stark: girls are
10 displaced from podiums, denied awards, and miss out on critical visibility for college
11 scholarships and recognition. In the words of the Governor of California, it is “deeply
12 unfair” for girls to compete against boys.¹

13 2. This discrimination is not only illegal and unfair but also demeaning,
14 signaling to girls that their opportunities and achievements are secondary to
15 accommodating boys. It erodes the integrity of girls’ sports, diminishes their
16 competitive experience, and undermines the very purpose of Title IX: to provide equal
17 access to educational benefits, including interscholastic athletics. Despite warnings from
18 the United States Department of Education, Defendants continue to require California
19 schools to allow boys to compete against girls. The United States accordingly files this
20 action to stop Defendants’ illegal sex discrimination against female student athletes.

21 **NATURE OF THE ALLEGATIONS**

22 3. The United States brings this action to enforce Title IX of the Education
23 Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and the implementing regulations of the
24 United States Department of Education, 34 C.F.R. Part 106.

25
26
27 ¹ *Gavin Newsom calls trans sports participation ‘deeply unfair,’ breaking with*
28 *Democrats*, NBC News, <https://www.nbcnews.com/nbc-out/out-politics-and-policy/california-gov-gavin-newsom-breaks-democrats-trans-sports-participation-rcna195165>.

1 4. Defendants' policies and actions are harming girls by denying girls the
2 opportunity to compete in student sports on a level playing field in which they have the
3 same opportunities as boys. Defendants' athletics policies and practices unfairly force
4 girls to compete against boys in competitions designated for girls. These policies and
5 actions discriminate based on sex and harm female student athletes under Defendants'
6 educational charge.

7 5. Not only do Defendants' policies and actions eviscerate equal athletic
8 opportunities for girls but they also require girls to share intimate spaces, such as locker
9 rooms, with boys, causing a hostile educational environment that denies girls educational
10 opportunities.

11 6. Title IX's core purpose is to ensure that both boys and girls have equal
12 educational opportunities. This includes ensuring both sexes have an "equal athletic
13 opportunity" to participate in school athletic programs. *See* 34 C.F.R. § 106.41(c).

14 7. The inherent physiological differences between the two sexes generally
15 make them not similarly situated in athletics. These physiological differences exist
16 regardless of a person's subjective "gender identity."

17 8. Because of these physiological differences, providing athletic teams,
18 competitions, events, and intimate spaces for girls has long ensured that female student
19 athletes are afforded an equal, and equally safe, opportunity to participate and effectively
20 compete, and thereby to enjoy the same educational benefits from sports as boys.

21 9. Defendants continue to violate federal law. Despite Title IX's equal-
22 opportunity mandate, Defendants have adopted and implemented policies that force girls
23 to compete against boys—despite the real physiological differences between the sexes—
24 if the boy asserts that he is a girl. And despite Title IX's mandate, Defendants have
25 adopted and implemented policies that allow boys to invade sensitive female-only
26 spaces, endangering girls' privacy, dignity, and safety and causing a hostile educational
27 environment that denies girls educational opportunities.

10. Defendants' adopted and implemented policies intentionally deny and have the effect of denying girls equal educational opportunities, including athletics.

11. The United States accordingly seeks a judgment granting declaratory, injunctive, and damages relief for Defendants' violations of Title IX and the federal funding contracts Defendants entered into promising to comply with Title IX and its implementing regulations.

PARTIES

12. Plaintiff is the United States of America.

13. Defendant California Interscholastic Federation (“CIF”) is a statewide, voluntary non-profit association, made up of 1,615 public, public charter, and private high schools that are aligned into 10 geographical sections for the purpose of governing education-based athletics in Grades 9 through 12. CIF oversees 1.8 million students and over 750,000 student-athletes.

14. CIF is governed by a Federated Council, which consists of school and district representatives elected from the 10 geographic sections and representatives from various California associations, including the California School Boards Association; Association of California School Administrators; California Association for Health, Physical Education, Recreation and Dance; California Coaches Association; California Association of Private School Organizations; and the California Association of Directors of Activities.

15. Defendant California Department of Education (“CDE”) is a current and past recipient of federal funding. CDE distributes that federal funding to public and private local schools, including to schools participating in interscholastic athletics within the Central District of California.

16. Defendant CDE, under the California Education Code, has authority over the interscholastic athletic policies of Defendant CIF and local school districts. Cal. Educ. Code § 33354(a)(1).

17. California law sets goals and expectations for Defendant CIF, including implementation of policies in consultation with Defendant CDE, and requires CIF to report to the state legislature and governor on CIF's evaluation and accountability activities and goals and objectives. Cal. Educ. Code § 33353.

JURISDICTION AND VENUE

18. The United States brings this action to enforce Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*

19. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1345, because this action arises under federal law and the United States is the Plaintiff.

20. The United States is authorized to initiate this action under Title IX, 20 U.S.C. § 1682.

21. Declaratory and injunctive relief is sought as authorized by 28 U.S.C. §§ 2201 and 2202.

22. Venue is proper in the Central District of California pursuant to 28 U.S.C. § 1391(b) because Defendant CIF resides in the Central District of California, and a substantial part of the events or omissions giving rise to the United States' claims occurred in this judicial district. Moreover, venue is also proper in the Southern Division of this judicial district because Defendant CIF's Southern Section Office is located in Orange County in Los Alamitos, California, and Student 2 (*see* ¶¶ 72-76 *infra*) participated in and won multiple events at competitions taking place in Orange County.

FACTUAL ALLEGATIONS

I. Title IX Implementing Regulations

23. Title IX provides that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681.

1 24. The regulations of the United States Department of Education (“USDOE”)
2 implementing Title IX (“Implementing Regulations”) are codified at 34 C.F.R. §§ 106.1-
3 106.82.

4 25. The Implementing Regulations provide that “no person shall, on the basis of
5 sex, be excluded from participation in, be denied the benefits of, or be subjected to
6 discrimination under any academic, extracurricular, research, occupational training, or
7 other education program or activity operated by a recipient which receives Federal
8 financial assistance.” 34 C.F.R. § 106.31(a).

9 26. Title IX and the Implementing Regulations use the term “sex” to mean
10 biological sex; the term “sex” thus does not mean “gender identity.”

11 27. Consistent with “sex” meaning biological sex in Title IX, the President of
12 the United States issued on January 20, 2025, Executive Order 14168, “Defending
13 Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal
14 Government,” and issued on February 5, 2025, Executive Order 14201, “Keeping Men
15 Out of Women’s Sports,” both of which reaffirm the ordinary meaning of the term “sex”
16 in Title IX:

17 (a) “Sex” shall refer to an individual’s immutable
18 biological classification as either male or female. “Sex”
19 is not a synonym for and does not include the concept of
20 “gender identity.”

21 (b) “Women” or “woman” and “girls” or “girl” shall
22 mean adult and juvenile human females, respectively.

23 (c) “Men” or “man” and “boys” or “boy” shall mean
24 adult and juvenile human males, respectively.

25 (d) “Female” means a person belonging, at conception,
26 to the sex that produces the large reproductive cell.

27 (e) “Male” means a person belonging, at conception,
28 to the sex that produces the small reproductive cell.

...

 (g) “Gender identity” reflects a fully internal and
subjective sense of self, disconnected from biological
reality and sex and existing on an infinite continuum, that
does not provide a meaningful basis for identification and
cannot be recognized as a replacement for sex.

1 28. The Implementing Regulations include a regulation specifically explaining
2 Title IX's application to athletics ("Athletics Regulation"). 34 C.F.R. § 106.41.

3 29. The Athletics Regulation first declares a general prohibition on the use of
4 sex in athletics, providing that "[n]o person shall, on the basis of sex, be excluded from
5 participation in, be denied the benefits of, be treated differently from another person or
6 otherwise be discriminated against in any interscholastic, intercollegiate, club or
7 intramural athletics offered by a recipient, and no recipient shall provide any such
8 athletics separately on such basis." 34 C.F.R. § 106.41(a).

9 30. However, due to the physical advantages males generally have over
10 females, the Athletics Regulation permits recipients to separate athletic teams by sex:
11 "[A] recipient may operate or sponsor separate teams for members of each sex where
12 selection for such teams is based upon competitive skill or the activity involved is a
13 contact sport." 34 C.F.R. § 106.41(b).

14 31. Because such separation cannot disadvantage either sex, the Athletics
15 Regulation requires that if an educational program separates teams by sex, the teams that
16 the program designates as female teams must be completely separated by sex. *See* 34
17 C.F.R. § 106.41(b).

18 32. According to the Athletics Regulation, when a recipient provides sex-
19 separated athletic teams, the teams must remain separated by sex with only one clearly
20 defined limited exception: "[W]here a recipient operates or sponsors a team in a
21 particular sport for members of one sex but operates or sponsors no such team for
22 members of the other sex, and athletic opportunities for members of that sex have
23 previously been limited, members of the excluded sex must be allowed to try-out for the
24 team offered unless the sport involved is a contact sport." 34 C.F.R. § 106.41(b).

25 33. The Athletics Regulation also provides that "[a] recipient which operates or
26 sponsors interscholastic, intercollegiate, club or intramural athletics shall provide equal
27 athletic opportunity for members of both sexes." 34 C.F.R. § 106.41(c).

34. The Implementing Regulations provide that funding recipients must comply with the Implementing Regulations regardless of “any State or local law . . . rule or regulation of any organization, club, athletic or other league, or association which would render . . . student ineligible to participate or limit the eligibility or participation of any . . . student, on the basis of sex, in any education program or activity operated by a recipient and which receives Federal financial assistance.” 34 C.F.R. § 106.6(b)-(c).

II. CDE’s Control Over CIF and High School Sports

35. CDE has control over and is responsible for CIF and its administration of high school sports.

36. CDE is currently, and has been for many years, a recipient of federal financial assistance from various federal agencies, including the USDOE.

37. USDOE’s current allocation of funds to CDE for fiscal year 2025 totals approximately \$44.3 billion, of which approximately \$3.8 billion remains available for drawdown by CDE, including both discretionary grants and formula grants.

38. As a condition of receiving USDOE funding, CDE has submitted to the USDOE a Grant Certification dated November 20, 2024, applicable to all federal funding. That Certification states in part: “As the duly authorized representative of the Department of Education California, I certify that Department of Education California: Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and public policies governing financial assistance awards and any Federal financial assistance project covered by this certification document, including but not limited to: . . . Title IX of the Education Amendments of 1972, as amended 20 U.S.C. § 1681 *et seq.*”

39. The CDE is administered through the State Board of Education (“CBOE”), which is the governing and policy-determining body of the CDE and operates under the direction of the Superintendent of Public Instruction. Cal. Educ. Code §§ 33300-33303.

1 40. Under the California Education Code, Defendant CDE has authority over
2 interscholastic athletic policies of Defendant CIF and local school districts. Cal. Educ.
3 Code § 33354(a)(1).

4 41. If CDE determines that a school district or CIF is not in compliance with
5 federal law, CDE can require the school district or CIF to adjust its policies to bring
6 them into compliance. Cal. Educ. Code §§ 33354(a)(2)(A) and (a)(3).

7 42. CDE also has the authority to investigate discrimination complaints made
8 against CIF and to commence legal proceedings against CIF to enforce compliance with
9 the law. Cal. Educ. Code § 33354(a)(3).

10 43. CDE issues guidance to CIF on its obligations, and CIF has actively sought
11 guidance and clarification from CDE.

12 44. Under the Implementing Regulations, CDE is required to comply with Title
13 IX, the Implementing Regulations, and ensure equal athletic opportunities regardless of
14 “any State or local law . . . rule or regulation of any organization, club, athletic or other
15 league, or association.” 34 C.F.R. § 106.6(b)-(c).

16 **III. Defendants’ Discrimination Against Girls In Interscholastic Athletics**

17 **A. CDE and CIF’s Discriminatory Policies**

18 45. CDE and CIF currently have policies that violate Title IX. These policies
19 discriminate against girls in interscholastic athletics by mandating that schools allow
20 some boys to compete in girls’ sports, which denies girls equal educational
21 opportunities. These policies also force girls to share intimate spaces, such as locker
22 rooms, with boys, causing a hostile and unsafe educational environment that denies girls
23 educational opportunities.

24 46. CDE currently has posted on its website guidance entitled “Gender
25 Equity/Title IX,” which states in part: “The laws found in the California Education Code
26 221.5-231.5 are collectively known as the Sex Equity in Education Act. These laws
27 expand upon gender equity and Title IX laws which provide guidance to California’s
28

1 education system. Each Local Educational Agency (LEA) will be responsible for
2 following the laws in addition to Title IX requirements.”²

3 47. The California Sex Equity in Education Act, Cal. Educ. Code § 221.5(f),
4 referenced in the CDE’s “Gender Equity/Title IX” guidance, states in part: “A pupil
5 shall be permitted to participate in sex-segregated school programs and activities,
6 including athletic teams and competitions, and use facilities consistent with his or her
7 gender identity, irrespective of the gender listed on the pupil’s records.” Cal. Educ.
8 Code § 221.5.

9 48. The California Education Code defines “interscholastic activities” as “those
10 policies, programs, and activities that are formulated or executed in conjunction with, or
11 in contemplation of, athletic contests between two or more schools.” Cal. Educ. Code.
12 § 35179.

13 49. On August 5, 2024, CDE published and circulated guidance to County and
14 District Superintendents and Charter School Administrators titled, “Ensuring That
15 Students Are Protected from Discrimination Based on Gender Identity, Gender
16 Expression, and Sexual Orientation.”³ The guidance states, in part: “Under California
17 law, ‘gender’ means sex, and includes a person’s gender identity and gender expression;
18 ‘gender expression’ means a person’s gender-related appearance and behavior whether
19 or not it is stereotypically associated with the person’s assigned sex at birth . . .
20 California state law specifically provides that students shall be permitted to participate in
21 programs and activities and use facilities that are consistent with their gender identity.”

22 50. On March 11, 2025, Dr. Ronald W. Nocetti, Executive Director of CIF, sent
23 a letter addressed to the Honorable Tony Thurmond, State Superintendent of Public
24

25
26 ² CDE, *Gender Equity/Title IX*, <https://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>

27 ³ *Ensuring That Students Are Protected from Discrimination Based on Gender*
28 *Identity, Gender Expression, and Sexual Orientation*, August 5, 2024,
<https://www.cde.ca.gov/ci/pl/ensurestudentsprotected.asp>

1 Instruction, CDE, which requested clarification and direction on CIF's policy on "gender
2 identity" in interscholastic athletics. The letter reads, in part, as follows:

3 The California Interscholastic Federation ("CIF") and its
4 member schools are in need of immediate clarification
5 and direction from the Office of the Superintendent of
6 Public Instruction regarding the obligation of the CIF and
7 its members schools under California's anti-
8 discrimination laws to continue permitting transgender
9 students to compete on interscholastic athletic teams
consistent with their gender identity given the issuance of
President Donald Trump's Executive Order 14201,
"Keeping Men Out Of Women's Sports" ("Executive
Order 14201") issued on February 5, 2025, which bars
female transgender students from competing on athletic
teams that correspond with their gender identity. . .

10 . . . the CIF appreciates your January 31, 2025 prompt
11 response to the issuance of Executive Order 14168
12 affirming the California Department of Education's
13 ("CDE") commitment to continue to provide safeguards
against discrimination and harassment based on gender,
gender expression, gender identity, and sexual orientation
for California's students.

14 . . .

15 The urgency for clarification and guidance from the
16 Office of the Superintendent of Public Instruction has
17 been exacerbated due to public comments made by
18 Governor Gavin Newsom on March 6, 2025, related to the
participation of transgender student athletes on
interscholastic teams that correspond to their gender
identity. . .

19 Governor Newsom's comments have increased the level
20 of confusion and concern of the CIF and our member
21 schools with respect to high school student athletes'
ability to compete on interscholastic athletic teams that
correspond to their gender identity. . .

22 Since 2014, in compliance with state law, the CIF has
23 allowed transgender students to compete on
24 interscholastic athletic teams corresponding to their
25 gender identity. The CIF has not wavered in its
26 commitment to foster an inclusive athletic environment
by complying with California's antidiscrimination laws
which protect transgender students. But, at this moment
in time, the CIF finds that it is imperative that it receive
immediate and clear direction from your office.

27 To ensure that the CIF and its member schools continue
28 to comply with California law, we respectfully request
immediate clarification and direction from the office of

the Superintendent of Public Instruction as to whether the CIF and its member schools are bound by California's ant- [sic] California's laws permitting transgender students to participate on interscholastic athletics teams consistent with their gender identity.

51. On March 17, 2025, the CDE responded to CIF and wrote that CIF should continue to comply with California Education Code § 221.5(f). More specifically, CDE Superintendent Thurmond advised CIF Executive Director Nocetti as follows:

I am responding to your letter sent on March 11, 2025, that sought guidance. We appreciate the California Interscholastic Federation's (CIF) ongoing compliance with California Education Code Section 221.5(f), which states that "a pupil shall be permitted to participate in sex-segregated school programs . . . including athletic teams and competitions . . . consistent with his or her gender identity, irrespective of the gender listed on the pupil's records." CIF should continue to comply. Going forward, we appreciate your continuing efforts to protect transgender student-athletes from discrimination and harassment.

52. CIF Bylaw 300.D specifically requires that California public high schools participating in interscholastic athletic activities must allow males to participate in girls' interscholastic athletics: "All students should have the opportunity to participate in CIF activities in a manner that is consistent with their gender identity, irrespective of the gender listed on a student's records."⁴

53. CIF currently posts on its website "Guidelines for Gender Identity Participation," which were initially adopted in 2013.⁵ The CIF "Guidelines for Gender Identity Participation" state:

All students should have the opportunity to participate in CIF activities in a manner that is consistent with their gender identity, irrespective of the gender listed on a student's records. The student and/or the student's school may seek review of the student's eligibility for participation in interscholastic athletics in a gender that

⁴ CIF Constitution and Bylaws and State Championship Regulations 2024-25, https://www.cifstate.org/governance/constitution/300_Series.pdf

⁵ Guidelines for Gender Identity Participation, https://www.cifstate.org/governance/constitution/Guidelines_for_Gender_Identity_Participation.pdf

1 does not match the gender assigned to him or her at birth,
 2 via the following procedure below should either the
 3 student or the school have questions or need guidance in
 4 making the determination. Once the student has been
 5 granted eligibility to participate in interscholastic
 6 athletics consistent with his/her gender identity, the
 7 eligibility is granted for the duration of the student's
 8 participation and does not need to be renewed every
 9 sports season or school year. All discussion and
 10 documentation will be kept confidential, and the
 11 proceedings will be sealed unless the student and family
 12 make a specific request.

13 NOTICE TO THE SCHOOL: The student and/or parents
 14 shall contact the school administrator or athletic director
 15 indicating that the student has a consistent gender identity
 16 different than the gender listed on the student's school
 17 registration records, and that the student desires to
 18 participate in activities in a manner consistent with his/her
 19 gender identity.

20 54. CDE's and CIF's policies also require girls to share intimate spaces, such as
 21 locker rooms, with boys, causing a hostile and unsafe educational environment that
 22 denies girls equal educational opportunities.

23 55. CIF published a "Gender Diverse Youth Sport Inclusivity Toolkit."⁶ CIF
 24 describes this document as a "resource guide for inclusive transgender and nonbinary
 25 youth sport best practices." Among definitions and other guidance, the "Toolkit"
 26 describes how "trans" or "other gender" students should be treated with respect to
 27 restrooms and locker rooms:

28 Transgender athletes, as a general rule, will opt for either
 the boys' room (for trans boys) or the girls' room (for
 trans girls). Nonbinary-identified and other gender
 diverse youth are also in the position of selecting the
 specific gender-separated facility that works best for
 them. There are different considerations that may be
 present that will influence any student's choice. Safety
 and privacy needs top the list. Some athletes may
 request an all-gender facility, some may use a particular
 gender separated room but request a slightly different
 changing schedule to accommodate their desire for
 greater privacy. Some may seek a private changing area

⁶ Gender Diverse Youth Sport Inclusivity Toolkit,
https://www.cifstate.org/coaches-admin/CA_Gender_Diversity_Toolkit.pdf.

1 within a particular locker room. These requests can
2 easily be accommodated.

3 **B. Defendants' Acknowledge Their Discriminatory Policies at the 2025**
4 **Track and Field Championships**

5 56. In May 2025, Defendants acknowledged the harmful effects of their
6 discriminatory policies on girls' athletic educational opportunities at the 2025 Track and
7 Field Championships.

8 57. To qualify for the CIF State Track and Field Championships, an athlete
9 must either be one of their CIF Section limited entries or qualify under the "At-Large"
10 standard for their event. The "At-Large" standards are different for boys and girls, with
11 the boys' standards being higher.⁷ At the May 2025 CIF State Track and Field
12 Championships, a male competed against girls in the girls' high jump, triple jump, and
13 long jump.

14 58. A few days before the championship meet, on May 27 and 28, 2025, CIF
15 implemented a pilot entry process, by which "a biological female student-athlete who
16 would have earned the next qualifying mark will also be advanced to the finals."

17 59. The CIF also announced that "if necessary, in the high jump, triple jump
18 and long jump events at the 2025 CIF State Track and Field Championships, a biological
19 female student-athlete who would have earned a specific placement on the podium will
20 also be awarded the medal for that place and the results will be reflected in the recording
21 of the event."

22 60. CIF, through the pilot entry process and its references to "biological
23 female," has acknowledged the inherent athletic advantage males have over "biological
24 female[s]" and that allowing males to compete in female athletic competitions displaces
25 girls and denies girls equal athletic opportunities.

26
27 ⁷ 2025 State Track and Field Handbook.
28 https://www.cifstate.org/sports/track_and_field/2025_State_Track_and_Field_Handbook.pdf.

61. As detailed below, on Saturday, May 31, 2025, Student 1, a boy, competed in the girls' 2025 CIF State Track and Field Championships and placed first in the girls' triple jump, first in the girls' high jump, and second in the girls' long jump.

62. Currently, on the CIF website, the results page for the 2025 Track and Field Championship lists Student 1 in first place in the girls' high jump, first place in the girls' triple jump, and second place in the girls' long jump.⁸

63. The pilot entry process fails to remedy Defendants' past discrimination and fails to prevent Defendants' future discrimination against female athletes and their equal educational opportunities.

64. More generally, Defendants acknowledge the inherent physical advantages that males have over female athletes by using different equipment (*e.g.*, hurdle heights), and standards (*e.g.*, race distance) in sports designated for males.

C. Examples of Defendants' Discrimination and its Harmful Effects

1. Student 1's Displacement of Girl Athletes

65. Student 1 is a male student athlete who is and has been competing against female athletes in numerous CIF girls' track and field events from 2022 to the present with the Jurupa Unified School District. In all track & field events, Student 1 competed against all girls on the school's girls track & field team, even though there was a boys' track & field team in which Student 1 could have competed.

66. On February 8, 2025, Student 1 competed in the girls' California Winter State Track & Field Championships outdoor triple jump, finishing in first place and displacing the girls who competed. Student 1's distance would have placed 23rd had he competed against male athletes at that event. Student 1 also competed against the girls in the long jump at that same meet and placed third. Student 1's long jump distance was 6.25 inches shorter than the 28th place finisher in the boys' long jump finals at that event.

⁸ 2025 CIF Track and Field Championship Results, https://www.cifstate.org/sports/track_and_field/past_results_records/2025_Results.pdf.

1 67. On February 22, 2025, Student 1 competed against the girls at the Ontario
2 relays and set the Division 3 girls' triple jump meet record with a 40-foot triple jump,
3 which was more than 8 feet longer than the second-place finisher, who was female.
4 Student 1 also won the girls' long jump and high jump events at that meet.

5 68. On May 17, 2025, Student 1 competed against the girls in the outdoor triple
6 jump and outdoor long jump in the CIF-SS Finals, placing first in both events and
7 displacing girls who he competed against. Had Student 1 competed against the boys at
8 that meet, his distances would have placed 9th in the triple jump, and he would have
9 failed to make a recognized placement in the long jump. These wins qualified him for
10 the CIF-SS Masters Meet on May 24, 2025.

11 69. Student 1 competed against the girls in the CIF-SS Masters Meet on May
12 24, 2025, where he won the outdoor triple jump and outdoor long jump, and he tied for
13 fourth in the high jump. Had Student 1 competed against the boys at that meet, his
14 distances would have placed him behind all other competitors in all three events. His
15 triple jump distance was nearly three feet shorter than the last-place boys' competitor,
16 his long jump distance was almost two feet shorter than the last-place boys' competitor,
17 and his high jump level was 10 inches lower than the last-place boys' competitor.

18 70. On May 31, 2025, Student 1 competed against the girls in the 105th
19 California State Track & Field Championships. Student 1 placed first in the triple jump,
20 tied for first in the high jump, and took second in the long jump. Had Student 1
21 competed in the boys' competition at that meet, his distances would have finished last in
22 all three events, and he would not have even qualified to compete in the finals had he
23 competed against the boys in the May 31, 2025, preliminaries.

24 71. Of the approximately 16 CIF meets in which Student 1 competed against
25 girls during the 2024-2025 outdoor track and field season, he took home at least 36 first-
26 place victories or gold medals.

1 **2. Student 2's Displacement of Girl Athletes**

2 72. Student 2 is a male student athlete competing against female athletes in
3 numerous CIF track and field and cross-country events in California from 2023 to the
4 present with the Riverside Unified School District. In all track & field events, Student 2
5 competed against all girls on the school's girls track & field and cross-country teams,
6 even though there were boys' track & field and cross-country teams Student 2 could
7 have competed on.

8 73. In September 2023, Student 2 ran in the 2023 Cool Breeze Invitational and
9 competed against the girls in the large-school sophomore girls' three-mile-run finals and
10 finished first. Had he competed against the boys in that event, his time would have put
11 him in 115th place.

12 74. On August 3, 2024, Student 2 competed at the Lion's Den Classic against
13 the girls in the 5,000-meter varsity run and finished first with a time of 18:32. Student
14 2's time was almost two minutes faster than the second-place finisher, who was a girl.
15 Had Student 2 competed against the boys in that event, his time would have put him in
16 13th place.

17 75. On April 9, 2024, Student 2 competed in the ML King vs. Norco 2025 meet
18 against the girls in the 100-meter hurdles and the 300-meter hurdles. Student 2 finished
19 in first place in the finals in both events. Had Student 2 competed against the boys in
20 similar events (note the girls' hurdles were 33 inches and the distance was 100 meters,
21 whereas the boys hurdles were 39 inches and the distance was 110 meters), Student 2's
22 time would have finished almost three seconds slower than the last-place boys' finisher
23 in the 110-meter hurdles and more than 4.5 seconds slower than the second-place boys'
24 finisher in the 300-meter hurdles.

25 76. On April 29, 2025, Student 2 competed in the BIG VIII League
26 Championships. Student 2 competed against the girls in the 100-meter hurdles and
27 placed first. Student 2 also competed against the girls in the 300-meter hurdles and
28 placed second. Had Student 2 competed against the boys in similar events (note the

1 girls' hurdles were 33 inches high and the distance was 100 meters, whereas the boys'
2 hurdles were 39 inches high and the distance was 110 meters), his time in the 100-meter
3 hurdles would have placed him in fifth place in the boys' 110-meter hurdles and last in
4 the boys' 300-meter hurdles.

5 **3. Student 3's Displacement of Girl Athletes**

6 77. Student 3 is a male student athlete competing against female athletes in
7 numerous track and field events in California from 2023 to the present with the Lucia
8 Mar Unified School District. In all track & field events, Student 3 competed against all
9 girls on the school's girls' track & field team, even though there was a boys' track &
10 field team competing in boys' track and field.

11 78. Student 3 recently competed in the Division 1 CIF Central Section in the
12 girls' 100-meter, 200-meter, 400-meter, long jump, and relays.

13 79. On April 9, 2025, Student 3 competed at the Central Coast Athletic
14 Association (CCAA) Mountain Tri-Meet between San Luis Obispo, Arroyo Grande, and
15 Nipomo. Student 3 competed against the girls in the junior varsity 400 meter, placing
16 second, and competed against the girls in the varsity long jump placing fourth.

17 80. On May 2, 2025, Student 3 competed at the CCAA Mountain League
18 Championships against the girls in the junior varsity long jump and placed fourth.

19 **4. Student 4's Displacement of Girl Athletes**

20 81. Student 4 is a male student athlete competing against all female athletes in
21 volleyball, basketball, and soccer in California since 2021. Student 4 is enrolled in a
22 private school and has been competing in the Division 6 CIF North Coast Section
23 (NCS). In all events Student 4 competed against girls, there was a boys team on which
24 Student 4 could have competed.

25 82. Student 4 helped his team win the NCS Division 6 girls' volleyball
26 championship in 2022 and 2024. Student 4 also helped his team win runner-up at the
27 2024 CIF State Girls volleyball championships.
28

83. In basketball, Student 4 competed against the girls and was ranked fifth in total scoring in the NCS during the 2024-2025 season. On two occasions, Student 4 scored more points in a single game than the entire opposing team. On January 16, 2025, Student 4 scored 28 points, 8 more than the opposing team's final score of 20. On January 28, 2025, Student 4 scored 28 points again, which was 3 more points than the opposing team's final score.

84. During the 2023-2024 basketball season, Student 4 helped the girls' basketball team win the NCS Division 6 Basketball championship and helped the girls' team earn a four-seed in the state CIF tournament.

5. Student 5's Displacement of Girl Athletes

85. Student 5 is a male student athlete competing against female athletes in California from 2022 to the present with the Cabrillo Unified School District. Student 5 competes against all girls in volleyball in the Division 4 CIF Central Coast Section. Student 5 helped his team win the Peninsula Athletic League volleyball championship in 2024.

D. Defendants' Hostile and Unsafe Athletic Environments

86. CDE's and CIF's policies also require girls to share intimate spaces, such as locker rooms, with boys, causing a hostile and unsafe educational environment that denies girls' educational access and opportunities.

87. Because of the privacy interests that arise from the physical differences between the sexes, throughout history it has been universally accepted that open public restrooms, locker rooms, and shower facilities that are designed to be used by multiple people at a time should be separated on the basis of sex. *Cf. United States v. Virginia*, 518 U.S. 515, 550 n.19 (1996) ("Admitting women to VMI would undoubtedly require alterations necessary to afford members of each sex privacy from the other sex in living arrangements, and to adjust aspects of the physical training programs.").

1 88. By denying female student athletes sex-separated intimate facilities,
2 Defendants substantially increase the risk of sexual harassment, assault, and voyeurism
3 in girls' locker rooms and bathrooms.

4 89. For example, on April 15, 2025, a high school track student athlete spoke
5 during public comment at a meeting of the Lucia Mar School District Board of
6 Education in Arroyo Grande, California. The student recounted how she had recently
7 gone into the girls' locker room at school to dress for track practice. While she was
8 changing her clothes, a male student was sitting in the locker room watching her and the
9 other female students undress. The student said the experience was traumatizing. The
10 student stated the male student had already dressed for track practice at the beginning of
11 the day. The male student had no reason to be in a locker room other than to watch the
12 girls undress.

13 **E. Defendants' Failure to Accommodate Girls' Interests and Retaliation**
14 **Against Girls Expressing Opposition to Defendants' Policies**

15 90. Defendants have failed to accommodate girl student athletes' interests in
16 equal educational opportunities.

17 91. Girl athletes and their families have an interest, and have expressed this
18 interest to Defendants and to schools, in female-only sports teams and competitions that
19 fairly accommodate their interests and abilities.

20 92. Girl athletes and their families have an interest, and have expressed this
21 interest to Defendants and to schools, in revoking or ending enforcement of Defendants'
22 discriminatory policies, which decrease the quality of their competitive opportunities.

23 93. Defendants' discriminatory policies, practices, and failure to listen to
24 student athletes' interests make it impossible for girls' educational athletic interests and
25 abilities to be fully and effectively accommodated.

26 94. Defendants' discriminatory policies and practices deny girls the equal
27 athletic benefit of public visibility and recognition of athletic competition and
28

1 accomplishment and the increased opportunity for college athletic recruiting and
2 scholarships.

3 95. Defendants' discriminatory policies and practices cause girls to have
4 materially fewer athletic opportunities than they previously enjoyed because they no
5 longer can compete in fair, exclusively female competition.

6 96. Defendants have also engaged in retaliation against girl student athletes
7 who objected to the inclusion of males in their spaces.

8 97. For example, in November 2024, two athletes at Martin Luther King High
9 School in Riverside California wore T-shirts with the messages: "Save Girls' Sports"
10 and "It's Common Sense. XX \neq XY." The shirts were a reaction to the school displacing
11 a girl from the girls' cross-country team for a boy. School officials required the girls to
12 remove or cover their shirts and told them that wearing the shirts was like "wearing a
13 swastika in front of Jewish students." The female student was removed from her
14 position on the girls' varsity cross-country team to make room for a male athlete who did
15 not consistently attend practices and failed to satisfy many of the team's varsity
16 eligibility requirements.

17 **IV. U.S. Department of Education Investigation**

18 98. On February 12, 2025, the USDOE notified CIF that it was commencing a
19 Title IX investigation into its provision of student athletics.

20 99. On April 4, 2025, the USDOE notified CDE that it was commencing a Title
21 IX investigation into its provision of student athletics.

22 100. On June 25, 2025, the USDOE informed Defendants of the outcome of its
23 investigation and notified them of its conclusion that Defendants are noncompliant with
24 Title IX and its implementing regulations. As part of this notice, the USDOE attached a
25 voluntary resolution agreement that put forth the corrective measures necessary for
26 Defendants to come into voluntary compliance with Title IX.

27 101. The June 25, 2025, USDOE Letter informed Defendants that they had
28 "10 calendar days to sign a resolution agreement" or the USDOE may initiate an

1 enforcement action, “including the initiation of administrative action suspending,
2 terminating, or refusing to grant or continue financial assistance, and other means
3 authorized by law, such as referral to the U.S. Department of Justice.”

4 102. On July 7, 2025, Defendants notified the USDOE that Defendants would
5 not enter into a resolution agreement to voluntarily comply with Title IX.

6 103. The USDOE made concerted efforts to bring Defendants into compliance
7 with Title IX. The USDOE subsequently determined that Defendants’ compliance could
8 not be achieved by voluntary means.

9 104. On July 7, 2025, after Defendants confirmed they would not voluntarily
10 comply with Title IX, the USDOE referred its findings of Defendants’ Title IX
11 violations to the United States Department of Justice for enforcement.

12 105. The United States has satisfied all prerequisites to filing this lawsuit.

13 **COUNT I**

14 **(Violation of Title IX, 20 U.S.C. § 1681 *et seq.*)**

15 106. The United States realleges and incorporates by reference the allegations set
16 forth in all the above paragraphs numbered 1-105.

17 107. Title IX provides that “[n]o person in the United States shall, on the basis of
18 sex, be excluded from participation in, be denied the benefits of, or be subjected to
19 discrimination under any education program or activity receiving Federal financial
20 assistance.” 20 U.S.C. § 1681.

21 108. Defendants are required to comply with Title IX and its Implementing
22 Regulations.

23 109. Based on all the foregoing, Defendants have violated Title IX of the
24 Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and its Implementing
25 Regulations.

26 110. Defendants’ Title IX violations harm, and continue to harm, student
27 athletes.

28 111. Unless enjoined by this Court, Defendants will continue to violate Title IX.

COUNT II

(Violation of Title IX Contractual Assurances)

112. The United States realleges and incorporates by reference the allegations set forth in all the above paragraphs numbered 1-111.

113. Defendant CDE has expressly agreed to comply with Title IX and its Implementing Regulations and to ensure all parties with whom it arranges to provide services or benefits also comply, as a condition of receiving federal financial assistance by entering into contractual assurance agreements with the United States.

114. Defendant CDE's Title IX violations are material breaches of its contractual assurance agreements.

115. The United States has suffered damages from Defendant CDE's breach of its contractual assurance agreements.

116. Unless enjoined by this Court, Defendant CDE will continue to materially breach its contractual assurance agreements with the United States.

PRAYER FOR RELIEF

117. WHEREFORE, the United States hereby prays that the Court grant the following relief:

a. A declaratory judgment that Defendants' policies, practices, and actions violate Title IX and Defendant CDE's Title IX contractual assurances;

b. A permanent injunction prohibiting Defendants, and their officers, agents, servants, employees, and attorneys, and other persons who are in active concert or participation with Defendants, from further violating Title IX and Defendant CDE's Title IX contractual assurances;

c. A permanent injunction ordering Defendants to:

- (1) Issue directives to all California CIF member schools prohibiting the participation of males in athletic competitions designated for females;

- (2) Implement a monitoring and enforcement system to ensure compliance with Title IX's requirement of equal athletic opportunity;
- (3) Establish a process to compensate female athletes who have been denied equal athletic opportunities due to Defendants' violations, including correcting past athletics records; and
- (4) Submit regular compliance reports to the Court and the United States for a period of no less than five years;
- d. An award of damages to the United States;
- e. An award of any applicable costs and fees; and
- f. An award of all such additional relief as the interests of justice may require.

JURY DEMAND

The United States hereby requests trial by jury on all eligible claims.

DATED: July 9, 2025.

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/s/ Richard M. Park

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