

July 22, 2025

The Honorable Charlie Baker President National Collegiate Athletic Association 700 W. Washington Street Indianapolis, Indiana 46202

Re: Restoration of Athletic Records, Titles, Awards, and Recognitions in NCAA Women's Sports

Dear Mr. Baker:

We, the undersigned Attorneys General, write today to urge the NCAA to restore to female athletes all championships, titles, wins, awards, records, and other recognitions that were wrongfully awarded to male athletes competing in NCAA women's category events, as the U.S. Department of Education urged in its February 11, 2025 letter to the NCAA.

The policies that were created, promoted, and encouraged by the Biden Administration and the NCAA not only enabled biological men to compete against women in sporting events across the country, but denied deserving women the recognitions they had earned in events that you managed. Since taking office in January, President Trump has made restoring fairness to women athletes a priority. While we appreciate the steps the NCAA has taken since then, there is far more the NCAA can do for the women athletes that have competed and continue to compete in your events.

President Trump's January 20, 2025 Executive Order, "Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," stated, "It is the policy of the United States to recognize two sexes, male and female." The order further stated, "These sexes are not changeable and are grounded in fundamental and incontrovertible reality." Further, President Trump's February 5, 2025 Executive Order, "Keeping Men Out of Women's Sports," directed the Secretary of Education to "prioritize Title IX enforcement actions against educational institutions (including athletic associations composed of or governed by such institutions) that deny female students an equal opportunity to participate in sports and

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 $^{^{1}\,\}underline{https://www.ed.gov/media/document/national-collegiate-athletic-association-letter-ocr-109500.pdf}$

² <u>Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government – The White House</u>

athletics events by requiring them, in the women's category, to compete with or against or to appear unclothed before males."3

With more than 500,000 college athletes and approximately 1,100 member schools in all 50 states, the NCAA has the opportunity and privilege to impact the lives of so many student athletes in a positive or negative way. There is no doubt that the women forced to compete against biological males in female events were impacted negatively and unfairly disadvantaged. One of the official "Priorities" of the NCAA is to "coordinate and deliver safe, fair, and inclusive competition directly and by Association members."4 There is absolutely nothing fair or safe about a male competing against a female in a NCAA women's category event.

We appreciate the NCAA's February 6, 2025 updated "Participation Policy for Transgender Student Athletes," which limits competition in women's sports to studentathletes "assigned female at birth only." 5 We encourage you to extend this policy to practice as well. Athletics is not only about what happens during competition. The opportunities to train, hone your skills, and develop the bonds of a team occur on the practice field as well. Further, injuries from unfair biological advantages are just as real in practice. Your policy stops short of full fairness for women athletes.

The University of Pennsylvania took an important public step recently, affirming that it will comply with Title IX and President Trump's Executive Orders to prevent biological men from competing in women's sports and to review and update the winning records of Lia Thomas.⁶ All colleges and universities should follow suit, as should the NCAA, as the Department of Education's February 11, 2025 letter urged you to do.7

Title IX has afforded protections for female athletes across the country for more than 50 years. It has given females an opportunity to compete on a level playing field and offered a fair chance for women to excel. As Attorneys General, we have vigorously defended fairness in women's sports and have stood up for the protections of Title IX. The NCAA should take this step for former athletes to preserve the integrity of Title IX and show your support for the women harmed by years of bad policy. As your website states, "Regardless of where they start, student-athletes strive to end each season at one of the NCAA's 90 championships in 24 sports."8 Women athletes strived, succeeded, and were cheated of what they earned.

³ Keeping Men Out of Women's Sports – The White House

⁴ Mission and Priorities - NCAA.org

⁵ NCAA announces transgender student-athlete participation policy change - NCAA.org

⁶ Penn's Title IX Resolution with the U.S. Department of Education Office for Civil Rights | Penn Today

⁷ U.S. Department of Education Urges the NCAA, NFHS to Restore Female Athletics Records Wrongfully Erased by Male Competitors | U.S. Department of Education

⁸ Overview - NCAA.org

We urge the NCAA to develop a plan to restore all appropriate recognitions to the women athletes who were wrongfully denied all that they earned. We appreciate your prompt attention to this matter and look forward to hearing from you.

Sincerely,

Lynn Fitch

Mississippi Attorney General

Steve Marshall

Alabama Attorney General

Steve Markell

James Uthmeier

Florida Attorney General

Andrew Bailey

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