

2 Virginia School Districts Sue to Keep Males in Female Spaces

By Carrie Sheffield
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President Donald Trump, joined by women athletes, signs the “No Men in Women’s Sports” executive order in the East Room of the White House on Feb. 5, 2025.

As an Arlington, Virginia, taxpayer, it’s upsetting that my taxpayer money—along with that of neighboring Fairfax, Virginia, taxpayers—is being used to sue the Trump administration’s U.S. Department of Education.

Arlington and Fairfax schools want to block the civil rights of schoolgirls and boys and deny them their Title IX protections by allowing members of the opposite sex into locker rooms, bathrooms, and onto sports teams. Arlington Public Schools and Fairfax County Public Schools have decided to sue the Trump administration because they don’t believe that Title IX requirements apply to them. As a result of their intransigence, the school districts, along with the schools of Alexandria, Loudoun, and Prince William counties, received a “high-risk” designation, which would make it harder for the systems to receive future federal funds.

“States and school districts cannot openly violate federal law while simultaneously receiving federal funding with no additional scrutiny,” Secretary of Education Linda McMahon wrote in an Aug. 19 statement. Officials have reportedly claimed that the high-risk designation means they could lose access to up to \$167 million for Fairfax, the largest district in Virginia, and \$23 million for Arlington.

“This lawsuit is an important step in our effort to protect the health and safety of all our students in alignment with state and federal law—to ensure that hungry

children are fed and that student access to multilingual, special education, and other essential services is not compromised,” Michelle C. Reid, superintendent of Fairfax County Public Schools, said in a letter. “[Fairfax County Public Schools] remains dedicated to creating a safe, supportive, and inclusive school environment for all students and staff members, including our transgender and gender-expansive community.”

In addition to the unscientific claims of “gender-expansive” students, what’s also troubling about Reid’s statement is how she’s trying to claim it’s OK to violate the civil rights of some students in order to prevent other students from starving. Exploiting hungry children is using them as hostages for nonsensical policies that are unpopular and violate students’ and parents’ rights. My colleague at Independent Women’s Voice, Julie Gunlock, is an Alexandria parent who recently posted some disturbing news about her district.

“I too was sent handouts given to Alexandria City Public School students. @ACPSk12 teacher Daiga Cers gave this questionnaire to kids, asking for preferred name/pronoun then asking if she can use them with caregivers and if not, what to use. They’re socially transing kids & keeping secrets from parents!”

While in office, former President Joe Biden attempted to illegally rewrite Title IX, the landmark law signed by President Richard Nixon to ensure equal opportunities for women and girls in education and athletics. Biden and his allies threatened women and girls’ safety nationwide, but the Trump administration’s policies are not contentious; they are overwhelmingly popular. For example, CNN’s Andrew Kaczynski reported 79% of Americans oppose male athletes in female sports, including 67% of Democrats.

Case law under the Constitution’s 14th Amendment’s equal protection clause recognizes inherent differences between men and women. These legal precedents recognize that to ensure equal protection under the law, men and women (and boys and girls) sometimes must be treated distinctly. President Donald Trump preserved the Constitution through his executive orders and other policies.

Thankfully, McMahon (disclosure, I worked directly under her at America First Policy Institute) is fighting back against the Virginia lawsuits’ efforts to justify the unconstitutional violation of women and girls’ rights. “It’s disturbing that these Virginia school division leaders are fighting harder to keep boys in girls’ sports and bathrooms than they are to improve outcomes for students,” McMahon posted

on X. “The Trump Administration will proudly stand for common sense and protect our young girls. See you in Court.”

See you in court, indeed.

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