

**EASTMONT SCHOOL DISTRICT***Every Student: Competent, Confident, and Compassionate*

509.884.7169 • WWW.EASTMONT206.ORG

800 EASTMONT AVE. • EAST WENATCHEE, WA 98802

To: Mick Hoffman and the WIAA Board of Directors
From: Eastmont School District Board of Directors and Dr. Becky Berg, Superintendent
Date: October 1, 2024
Re: Proposed Amendment Form Submission

Hello and we hope that this finds you well. As you know, in mid-September the Eastmont School District submitted a proposed amendment form regarding Gender Identity Participation in athletics. We are proud to say that we now have five supporting districts who have signed on as well. This letter, however, represents the beliefs of the Eastmont School Board.

We believe that at every policy making level: school board, WIAA board, state legislature and even in Congress, people want to use their influence to better the lives of children. Simultaneously, we want to ensure wide participation by student athletes, ensure fairness and safety, stay true to the intent of Title IX, and to follow the intent of the Washington Law Against Discrimination, (WLAD). We also want to protect all of our students from bullying and harassment from others, including adults.

We strongly believe that what we have right now is not working for our students. Students should compete and be teammates with the gender with which they identify. We also believe that in most cases, a child born male at birth has physical advantages over cis-females that cannot be overcome.

We would argue that the WIAA already discriminates amongst students by a variety of its policies. For instance we have a binary gender system that sorts based on boys versus girls sports, we have weight classes in wrestling, and we cut students from sports when they are not as skilled as other students. Is this discrimination? Or, is it a way to ensure fairness and safety in sports?

This is a time for courage. We are under the watchful witness of our children, and we cannot stand by and do nothing. We stand with our policy makers who want to engage in courageous conversations about difficult topics, and to find solutions that work for all kids.



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To: WIAA Board of Directors
From: Eastmont School District Board of Directors
Date: September 12, 2024
Re: Rationale for our Proposed Amendment Form Submission

Please consider the following rationale for the Proposed Amendment Form that we have submitted.

18.16.0 GENDER IDENTITY PARTICIPATION -

All students have the opportunity to participate in WIAA athletics and/or activities in a manner that is equitable, and fair, while preventing harm to student athletes in the form of diminishing achievements and discrimination on the basis of sex, gender identity, or expression. Athletic programs shall be offered separately for boys, girls, and open as outlined in Appendix 1. Athletes will participate in programs consistent with their sex assigned at birth (Assigned Sex as defined in Appendix 6) with exceptions as follows. Athletes wishing to compete according to their gender identity, if differing from their Assigned Sex, shall compete in the open division. Further, athletes in the process of Transition that have undertaken medical changes (Appendix 6) are eligible to participate in the open division. School personnel responsible for student eligibility will work collaboratively with the student-athlete to determine eligibility for the boys, girls, and open divisions. Once the student has been granted eligibility to participate in the open division consistent with their gender identity and/or Transition status, the eligibility is granted for the duration of the student's participation and does not need to be renewed every sports season or school year. The WIAA staff is willing to collaborate with any member school seeking assistance regarding gender equity. For additional information on Gender Identity, refer to Appendix 6.

Pros and Cons of Proposed Amendment:

Pros

By designating an open division category for sports, this amendment will preserve the equal opportunity to participate in athletics while simultaneously creating a delineating category for different genders: boys vs boys; girls vs girls; and transgender vs transgender or transgender vs nonbinary. The arguments in favor of this amendment are the same as those that would be used to separate boys and girls sports - See Appendix 2.

The legislature finds that the mission of the WIAA is to assist member schools in operating student programs that foster achievement, respect, equity, enthusiasm, and excellence in a safe and organized environment per RCW 28A.600.200 Finding- Intent- 2012 c 155. Further, the legislature intends to ensure that this mission is successfully carried out so that arbitrary sanctions that result in students unfairly being denied participation, or cause students' achievements to be diminished do not occur.

Science and medical experts have shown that Assigned Sex (see Appendix 6) is a key determinant of athletic performance, with males outperforming females in sports that are primarily determined by neuromuscular, cardiovascular, and respiratory function, and anthropometrics including body and limb size. Many sports organizations, including the International Swimming Federation (FINA), World Athletics, National Collegiate Athletics Association (NCAA), and the National Association of Intercollegiate Athletics (NAIA) have all changed their policies in response to the substantial sex difference in sports performance and the need to prevent unfair competition.

Legal and Human Rights experts for FINA recognize the necessity that female athletes are not discriminated against by allowing biological males to unfairly compete against them. It is also understood that, as with any form of affirmative action, an effort not to discriminate against biological female athletes and thus to ensure a sex-based female category itself has exclusionary effects.

This amendment seeks to designate a third open division for sports that maintains a truly equitable playing field, allowing safe, fair, inclusive and non-discriminatory opportunities for all students wishing to participate in athletics and activities. It ensures fairness in competition while preventing harm to student athletes in the form of diminishing achievements and discrimination on the basis of sex, gender identity, or expression. It prevents further deviance from the legislature's intent of RCW 28A.600.200 such as that which occurred at the 2024 WIAA Washington State Track and Field Championship while following the WIAA Gender Identity policy. The winning athlete in the race had competed as a boy in previous seasons, and the WIAA policy resulted in diminished achievements for girls in the race and those that failed to qualify. The first biological girl in the State Championship race finished in second place, behind the biological male athlete recognized as the State Champion girl.

Cons

The cons of this Amendment include, competitions may be extended in length and inviting athletes from across states lines to mitigate player counts is encouraged to accommodate participation of athletes in the open division.



2024-25 PROPOSED AMENDMENT FORM

COMPLETED AMENDMENT FORMS MUST BE DELIVERED TO THE WIAA OFFICE BY FRIDAY, OCTOBER 11, 2024

Amend Article: 18

Item: 16

Page: 36

The amended/new article is to read as follows (attach additional pages if necessary):

18.16.0 GENDER IDENTITY PARTICIPATION - All students have the opportunity to participate in WIAA athletics and/or activities in a manner that is consistent with their gender identity. Athletic programs are offered separately for boys, girls and transgender as outlined in Appendix 1 (Update to reflect three gender specific categories: Boys, Girls and Transgender).

Note attachment

Effective date if other than the first day of the following fall sports season: ASAP

Pros and Cons of Proposed Amendment (must be listed – attach additional pages if necessary):

By designating a third gender specific category for sports, this amendment will preserve the equality of opportunity to participate in athletics while simultaneously creating an additional delineating category for differing genders: boys compete vs boys; girls compete vs girls; and transgender vs transgender. The arguments in favor of this amendment are the same as those that would be used to separate boys and girls sports - boys, girls, and transgender athletes are inherently different in their biological makeup and physiological attributes and therefore should have separate and distinct categories for athletic competition to better promote fairness, equity and inclusion.

Table with 2 columns: Sponsoring Member Schools and Signatures of Principals of Sponsoring Schools. Includes handwritten signatures and school names like Eastmont School District and Cashmere School District.

Signature of Originating School Superintendent of Sponsoring School: [Signature] Date: 9/10/2024

Note: Superintendent/designee is expected to provide testimony on behalf of the amendment.

Table with 3 columns: Representative League(s), Signature(s) of League Representative(s) of Sponsoring Schools, and Date.



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Sponsoring Member Schools:	Signatures of Principals of Sponsoring Schools:
<u>Eastmont School District</u> ORIGINATING SCHOOL	 ORIGINATING SCHOOL PRINCIPAL/DESIGNEE
<u>Thorp School District</u> SUPPORTING SCHOOL	 SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
_____ SUPPORTING SCHOOL	_____ SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
_____ SUPPORTING SCHOOL	_____ SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
_____ SUPPORTING SCHOOL	_____ SUPPORTING SCHOOL PRINCIPAL/DESIGNEE

Signature of Originating School Superintendent of Sponsoring School:	Date:
	<u>9/10/2024</u>

Note: Superintendent/designee is expected to provide testimony on behalf of the amendment.

Representative League(s):	Signature(s) of League Representative(s) of Sponsoring Schools:	Date:
_____	_____	_____
_____	_____	_____



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Sponsoring Member Schools:	Signatures of Principals of Sponsoring Schools:
<u>Eastmont School District</u> ORIGINATING SCHOOL	<u>Berkey Berg</u> ORIGINATING SCHOOL PRINCIPAL/DESIGNEE
<u>Misses Lake School District</u> SUPPORTING SCHOOL	<u>[Signature]</u> SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
_____ SUPPORTING SCHOOL	_____ SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
_____ SUPPORTING SCHOOL	_____ SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
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Signature of Originating School Superintendent of Sponsoring School:	Date:
<u>Berkey Berg</u>	<u>9/10/2024</u>

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Representative League(s):	Signature(s) of League Representative(s) of Sponsoring Schools:	Date:
_____	_____	_____
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Sponsoring Member Schools: Signatures of Principals of Sponsoring Schools:

Eastmont School District
ORIGINATING SCHOOL
Calville School District
SUPPORTING SCHOOL
SUPPORTING SCHOOL
SUPPORTING SCHOOL
SUPPORTING SCHOOL

ORIGINATING SCHOOL PRINCIPAL/DESIGNEE
Superintendent
SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
SUPPORTING SCHOOL PRINCIPAL/DESIGNEE
SUPPORTING SCHOOL PRINCIPAL/DESIGNEE

Signature of Originating School Superintendent of Sponsoring School: Date:

Note: Superintendent/designee is expected to provide testimony on behalf of the amendment.

Representative League(s): Signature(s) of League Representative(s) of Sponsoring Schools: Date:

Blank lines for league representative information.



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Sponsoring Member Schools:

Signatures of Principals of Sponsoring Schools:

Eastmont School District
ORIGINATING SCHOOL

ORIGINATING SCHOOL PRINCIPAL/DESIGNEE

Colville School District
SUPPORTING SCHOOL

[Signature] Superintendent
SUPPORTING SCHOOL PRINCIPAL/DESIGNEE

Lynden School District
SUPPORTING SCHOOL

[Signature] Superintendent
SUPPORTING SCHOOL PRINCIPAL/DESIGNEE

SUPPORTING SCHOOL

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Signature of Originating School Superintendent of Sponsoring School:

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Date: