

Fairness in Women's Sports Act

HB 2238

Spring 2023

In compliance with legislation to be implemented July 1, 2023, the following KSHSAA Policy is adopted by the Executive Board.

Kansas interscholastic activities under the jurisdiction of the KSHSAA shall be expressly designated as one of the following based on biological sex:

- 1. Males, men, or boys,***
- 2. females, women, or girls; or***
- 3. coed or mixed.***

Athletic teams or sports designated for females, women or girls shall not be open to students of the male sex.

Biological sex means the biological indication of the male and female in the context of reproductive potential or capacity such as sex chromosomes, gonads and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen or subjective experience of gender.

Schools shall utilize information collected on the Preparticipation Physical Exam reflecting the sex identified at birth to determine which gender team is appropriate for respective students. Should a dispute arise from a member school, the school shall refer to the original birth or adoption certificate completed at or near the time of birth. If clarity is not achieved or if the original birth or adoption certificate is not available, the student's parent/guardian shall produce documentation provided by a licensed physician indicating the biological sex of the student based upon an evaluation using current standard assessment protocols. If biological sex is unable to be determined by any of the above means, the student shall be eligible to participate in male, men's, boys, co-ed, or mixed athletic activities only.

Approved by the KSHSAA Executive Board, 4/26/23

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