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## Alaska education board to consider controversial policy change for transgender athletes



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By [Lex Yelverton](#)

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ANCHORAGE, Alaska (KTUU) - The Alaska education board is holding a special meeting on Thursday where the board will likely be taking action on the policy change that would limit the participation of transgender girls in girls sports.

The Alaska State Board of Education and Early Development adopted [a resolution in March](#) urging the Alaska Department of Education and Early Development to ban transgender girls from participating in girls sports. Shortly after, the Alaska education department developed a proposed regulation that has received heat from critics and praise from advocates ever since.

The proposed regulation states “if a separate high school athletics team is established for female students, participation shall be limited to female students who were assigned female at birth.”

If the Alaska Department of Education and Early Development chooses to pass the policy changes, it would have the practical effect of compelling the Alaska School Activities Association to make a change to its bylaws and therefore having them fall in line with DEEDs. ASAA governs high school sports in the state but will leave it up to the school to enforce the policy, if changed.

"We're recommending that if we have to meet this requirement, we would change to where we have a division now, as required, that would only be available to biological females," ASAA Executive Director Billy Strickland said.

In other words, there would be a division dedicated only to biological females as well as a division for any student — no matter how they identify. A transgender male could also still participate in the division for biological females.

"I'm happy that we're still going to have a system to where every kid has a place they can participate as they view themselves, but maybe not necessarily on the team they want to be on," Strickland said. "But if we can keep it to a girls division and an open division then even a transgender female, she may not be able to play on the exact team she wants to, but she can still play as she identifies." He believes at the totality of it all it can be a fair system.

Strickland pointed to the results of the NCAA women's swimming championships that triggered DEED's proposed changes, where a transgender woman dominated the sport and showed many of the unfair possibilities spanning from allowing transgender females to compete with biological females.

A public comment period was opened by DEED this summer that garnered over a thousand responses related to the policy changes for transgender athletes. The board has heard and received hundreds of written comments for and against the changes.

One advocate is Gov. Mike Dunleavy, who wrote a [letter on July 12](#) to DEED, publicly stating his support for the policy changes.

"I write in support of the proposed amendments to regulations ensuring the fairness, safety and equal opportunity for biological female students participating in interscholastic activities," Dunleavy wrote. "It is important that the State Board adopts such regulations to ensure that the boundaries of fair competition are applied consistently across ... Alaska."

On the other hand, the American Civil Liberties Union of Alaska disagrees with the proposed changes.

"Alaskans have repeatedly rejected unconstitutional attempts by the State to ban trans youth from participating in sports. 71% of Alaskans who testified at the Board of Education's hearing last month opposed this proposal," said Michael Garvey, the advocacy director for the ACLU of Alaska.

Some in opposition to the changes emphasized the changes would violate the state constitution's privacy clause and therefore be challenged legally, if passed.

"The government has no business investigating and collecting personal and private health information needed to carry out this policy, which additionally raises significant concerns about due process and equal protection under the law," Garvey said. "This is a transparently political proposal that threatens the health and well-being of trans girls who want to challenge themselves, improve fitness, and be part of a team, just like every other student-athlete. The ACLU of Alaska is committed to ensuring the rights of trans people in our state are respected and upheld."

After the Alaska education board makes a decision on Thursday, the ACLU will issue a public statement. No legal action by the ACLU of Alaska has been taken at this time.

Strickland wants to remind people that a big part of these interscholastic activities falls under character education, like learning how to persevere, how to be a good teammate and learning how to deal with success and failure. He hopes those components are what students take away from sports.

"The big picture is trying to make sure every student has the opportunity to try to find something that they can belong to," Strickland said.

The special meeting for the state board of education and early development will span 30 minutes and will not be open for public comment. The public is invited to join through [Zoom or by phone](#). Deena Bishop, the commissioner, and Susan Sonneborn, the assistant attorney general will also be in attendance to brief the board.

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