



June 10th, 2020

Dear NCAA Bid Selection Committees,

We are writing to request you relocate all NCAA events, including the 2021 NCAA Men's Basketball Championship games,<sup>1</sup> from Idaho due to the state's recent passage of dangerous anti-transgender legislation that prohibits certain groups of student athletes from participating in school sports.

Given Idaho's adoption of a discriminatory law that directly impacts college athletics, violates NCAA values, and undermines the dignity and well-being of NCAA athletes, Idaho schools no longer qualify to host NCAA events.

On March 30, 2020, Idaho enacted House Bill 500 (HB500), a law that bans transgender girls from competing on college teams, including at Idaho's NCAA member schools. This law also forces women and girls to be subject to invasive medical procedures simply because they are, or are suspected to be, transgender.<sup>2</sup> Idaho is the only state in the country with such an extreme, harmful, and discriminatory blanket ban on the participation of transgender women and girls in sports.<sup>3</sup> This law is in direct conflict with NCAA Championship policies.<sup>4</sup> In fact, Idaho's law is so extreme that it prompted the NCAA to speak out against its passage.<sup>5</sup>

Idaho's law blatantly targets an already-marginalized community in athletics and decreases their participation in sports. Transgender students already participate at significantly lower rates and feel unsafe in athletic spaces.<sup>6</sup> Further, while the harm of this law explicitly falls on transgender girls, the impact extends even further. Idaho's new law is the first in the country to categorically ban transgender girls from sports statewide, but past research has found that when states adopt policies that create new barriers for transgender athletes to participate in sports, the number of participants in sports among *all* LGBTQ youth drops.<sup>7</sup> This harms the NCAA's goals of protecting athlete wellbeing and promoting diversity and inclusion in athletics.

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<sup>1</sup>Boise State is slated to host the First and Second round of the 2021 NCAA Men's Basketball Tournament. Under HB500, Boise State is required to ban transgender women from women's athletics.

<sup>2</sup>This law might also permit athletes and schools in Idaho to sue the NCAA and member schools for simply allowing transgender girls to play on their team consistent with the NCAA policy.

<sup>3</sup> HB500 would also ban many intersex women and girls from participating on women's teams due to their variations in sex characteristics.

<sup>4</sup>To promote fairness and inclusion, the NCAA permits transgender women to participate in sports after a specific set of requirements are met.

<sup>5</sup>NCAA Statement on HB500: "HB500 is harmful to transgender student-athletes and conflicts with the NCAA's core value of fair treatment of all individuals. The membership believes that transgender student-athletes should have nondiscriminatory and respectful participation opportunities on college sports teams, and we are working to understand how this law will impact college athletes in Idaho. It is our hope that all individuals will be treated with fairness and respect in athletics."

<sup>6</sup> Play to Win, Human Rights Campaign, <https://www.hrc.org/resources/play-to-win-improving-the-lives-of-lgbtq-youth-in-sports>.

<sup>7</sup>Ibid



As a law that expressly violates the NCAA's values, HB500 disqualifies Idaho schools from hosting the seminal NCAA event. According to the NCAA's anti-discrimination policy, the NCAA "must and shall operate [their] championships and events in alignment with [their] values as [they] strive to promote an inclusive atmosphere in which student-athletes participate..."<sup>8</sup> This includes NCAA Championship sessions, series, and final events. When North Carolina passed HB2 in 2016, the most extreme anti-LGBTQ law in the country at the time, the NCAA recognized that a law targeting transgender people's access to restrooms went against their values, and subsequently relocated championship games from North Carolina. Like HB2, HB500 strikes directly at the core of the NCAA's values, going even further in excluding students from college athletics. All NCAA sponsored events therefore should be removed from Idaho immediately.

Further, Idaho should not be permitted to host an NCAA event while HB500 is in effect. With this sweeping discriminatory law in place, they simply cannot reflect NCAA values and treat all athletes with the dignity and respect expected of NCAA membership schools.

We appreciate the NCAA's commitment to inclusion and anti-discrimination. In keeping with these values, we encourage you to take immediate action to ensure the integrity of NCAA events and the wellbeing of all athletes.

Sincerely,

National Center for Transgender Equality  
American Civil Liberties Union  
Leadership Conference on Civil and Human Rights  
National Women's Law Center  
American Association of University Women  
Athlete Ally  
Atlanta Pride Committee  
Billie Jean King Leadership Initiative  
Center for American Progress  
Center for Disability Rights  
CenterLink: The Community of LGBT Centers  
Clearinghouse on Women's Issues  
Disability Rights Education & Defense Fund  
Equality California  
Equality Federation  
Equality North Carolina  
Equality Texas  
Family Equality

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<sup>8</sup> NCAA Championships Anti-Discrimination Policy, [https://www.ncaa.org/sites/default/files/NON-DISCRIMINATION\\_QUESTIONNAIRE\\_20160722.pdf](https://www.ncaa.org/sites/default/files/NON-DISCRIMINATION_QUESTIONNAIRE_20160722.pdf).



Feminist Majority Foundation  
Fenway Health  
FORGE, Inc.  
Freedom for All Americans  
GLBTQ Legal Advocates & Defenders (GLAD)  
GLMA: Health Professionals Advancing LGBTQ Equality  
GLSEN  
Human Rights Campaign  
Inclusion Playbook  
Japanese American Citizens League  
JustUs Health  
Lambda Legal  
Legal Voice  
LGBTQ Allyship  
Lou Weaver Consulting  
Mazzoni Center  
Minority Veterans of America  
Modern Military Association of America  
National Black Justice Coalition  
National Center for Lesbian Rights  
National Coalition for LGBT Health  
National Education Association  
National Equality Action Team  
National LGBTQ Task Force  
National Partnership for Women & Families  
NMAC  
Oasis Legal Services  
OCA-Asian Pacific American Advocates  
One Colorado  
OutNebraska  
PFLAG National  
Planned Parenthood Federation of America  
SAGE: Advocacy and Services for LGBT Elders  
Silver State Equality-Nevada  
SPLC Action Fund  
The Trevor Project  
The Volunteer Lawyers Project of Onondaga County, Inc.  
Transgender Legal Defense and Education Fund  
Transgender Resource Center of New Mexico  
True Colors United  
Whitman-Walker Health and Whitman-Walker Institute  
Women's Sports Foundation