

HIGHER EDUCATION INFORMATION MEMO

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President Trump Signs Executive Order, “Keeping Men Out of Women’s Sports”

On Feb. 5, 2025, President Trump signed an Executive Order, “[Keeping Men Out of Women’s Sports](#).” The Executive Order states that “[i]n recent years, many educational institutions and athletic associations have allowed men to compete in women’s sports,” a situation that the Order states has denied women and girls equal athletic opportunity.

The Executive Order states:

“Therefore, it is the policy of the United States to rescind all funds from educational programs that deprive women and girls of fair athletic opportunities, which results in the endangerment, humiliation, and silencing of women and girls and deprives them of privacy. It shall also be the policy of the United States to oppose male competitive participation in women’s sports more broadly, as a matter of safety, fairness, dignity, and truth.”

This Executive Order follows another order signed by the President on Jan. 20, 2025, “[Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government](#),” which sets more broadly the federal government’s position that there are two immutable biological binary sexes, male and female, and that the Executive Branch will enforce all sex-protective laws accordingly.

Effective Feb. 5, 2025, the Executive Order directs the Secretary of Education to:

- Enforce Title IX of the Education Amendments of 1972 to “affirmatively protect all-female athletic opportunities and all-female locker rooms,” including through regulations and policy guidance; and
- Prioritize Title IX enforcement actions against educational institutions and athletic institutions composed of or governed by educational institutions that deny women an equal opportunity to participate in athletics by “requiring them, in the women’s category, to compete with or against or to appear unclothed before males.”

The Executive Order also directs all executive departments and agencies to review grants and educational programs and “where appropriate” to “rescind funding to programs that fail to comply with the policy established in this order.”

The Executive Order may be challenging for educational institutions, particularly those with transgender female students currently participating on girls and women’s teams. Additionally, in jurisdictions with state or local laws, including the State of New York, that extend rights based on gender identity, the Executive Order conditions federal funding on actions that may be inconsistent with state and local laws. College and university leadership should consult with legal counsel about

the impact of this Executive Order on their athletic programs.

Bond attorneys are following these, and related legal developments, closely. If your institution would like further guidance, please reach out to an attorney in our [higher education practice](#) or the Bond attorney with whom you are regularly in contact.

