



KABOOM! is a national non-profit dedicated to ending playspace inequity by working with partners across the nation to create high-quality playspaces in communities that have been historically disinvested in. We do this because we believe that all children deserve easy access to safe and engaging play. Through play and outdoor recreation, children are able to experience a variety of benefits beyond the joy derived from physical activity; these include improved mental health, better physical health, stronger social connections, a feeling of belonging, an enhanced capacity to work in a team, and a higher degree of self-confidence.

Youth sports confer many of these same benefits and complement the life-lessons and personal growth children experience on the playground. Because of the cross-benefits between athletics and play, ensuring that all children have access to youth sports is a high priority for KABOOM! and is instrumental to our work of increasing play accessibility. KABOOM! therefore supports the Department's revised Title IX regulations which prohibit any blanket prohibition against transgender students who wish to play on a sports team that aligns with their gender identity.

The proposed regulations will require local educational agencies (LEAs) to consider a variety of factors before adopting any sex-related eligibility criteria while also prohibiting LEAs from issuing a blanket ban on transgender students from participating on a sports team that aligns with their gender identity. This recognizes the important role athletics and play perform in the development of a child's physical and mental health outlook. This is especially true for transgender children for whom participation on an athletic team that aligns with their gender identity may be a critically important step in their social acceptance process.

Concerns that this may confer a competitive edge to some transgender athletes over their cisgender peers is not a concern for children participating at the elementary, middle school, and even other higher levels of play. In many cases, gender is not even a consideration for participation and when it is, there are mitigating steps which can be taken to protect the nature of fair play. Additionally, for most young children, competition only represents a fraction of their motivation to participate in sports. Some of the other factors student athletes and their caregivers consider include fostering a sense of belonging, skills development, resiliency against nutritionally related disease, learning the importance of teamwork, and many other factors identified by the Department in its draft regulations.



States, local governments, athletic associations, and LEAs which have attempted to impose sex-related eligibility criteria on child athletes are taking a narrow view of sports participation which does more harm than good to children, their athletic programs, and the very nature of youth sports. It targets already vulnerable children, creates barriers to inter-personal connections, and breaks down the spirit of teamwork youth sports are meant to inculcate. These ill-effects, no matter the motivation or intent, are detrimental to Title IX's mission of increasing access to the benefits of sports participation, regardless of a person's gender identity. Taking steps to protect the spirit of Title IX, and the people it can help protect, is therefore necessary and proper. Thank you for your consideration of KABOOM!'s comments