

§ 115C-407.59. Athletic eligibility.

(a) All teams participating in interscholastic or intramural athletic activities shall comply with the following:

- (1) Each team shall be expressly designated by the biological sex of the team participants as one of the following:
 - a. Males, men, or boys.
 - b. Females, women, or girls.
 - c. Coed or mixed.
- (2) Athletic teams designated for females, women, or girls shall not be open to students of the male sex.
- (3) For purposes of this sub-subdivision, a student's sex shall be recognized based solely on the student's reproductive biology and genetics at birth.

(b) A student who is deprived of an athletic opportunity or suffers or is likely to suffer from any direct or indirect harm as a result of a violation of subsection (a) of this section may assert that violation as a cause of action for remedies provided for in subsection (e) of this section.

(c) A student who is subjected to retaliation or other adverse action by a public school unit, administering organization, or other organization as a result of reporting a violation of subsection (a) of this section to an employee or representative of the public school unit, administering organization, or to any local, State, or federal agency with oversight of the public school unit shall have a cause of action for remedies provided for in subsection (e) of this section.

(d) Any public school unit or its representatives or employees who suffer any direct or indirect harm for complying with subsection (a) of this section shall have a cause of action for remedies provided for in subsection (e) of this section.

(e) Any person who brings a cause of action pursuant to subsection (b), (c), or (d) of this section within two years of the date the harm occurred, may obtain appropriate relief, including the following:

- (1) Injunctive relief, protective order, writ of mandamus or prohibition, or declaratory relief to prevent any violation of subsection (a) of this section.
- (2) Actual damages, including for psychological, emotional, or physical harm, reasonable attorney fees, and costs.

(f) The State Board of Education shall monitor middle and high schools for compliance with subsection (a) of this section. If the Board finds a school in violation, it shall report the identity of the school to the Joint Legislative Education Oversight Committee. (2023-133, s. 18(d).)