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SENATE BILL NO. 295

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend the Code of Virginia by adding a section numbered 22.1-271.7:1, relating to K-12 schools; student participation in women's sports; civil cause of action.

Patron—Peake

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-271.7:1 as follows:

§ 22.1-271.7:1. Interscholastic, intramural, and club athletic teams and sports; designation of teams; student participation.

A. Each interscholastic, intramural, or club athletic team or sport sponsored by a public school or any other school that is a member of the Virginia High School League shall be expressly designated as one of the following based on the biological sex of the students who participate on the team or in the sport:

1. For "males," "men," or "boys";
2. For "females," "women," or "girls"; or
3. For "coed" or "mixed" if participation on such team or in such sport is open to both (i) males, men, or boys and (ii) females, women, or girls.

B. Each interscholastic, intramural, or club athletic team or sport sponsored by a public school or any other school that is a member of the Virginia High School League that is expressly designated for "females," "women," or "girls," pursuant to subsection A shall not be open to any student of the male sex.

C. The biological sex of any student seeking to participate on such an expressly designated team shall be affirmed by a signed physician's statement.

D. No government entity, licensing or accrediting organization, or athletic association or organization shall entertain a complaint, open an investigation, or take any other adverse action against a school for explicitly designating or maintaining separate interscholastic, intramural, or club athletic teams or sports for "females," "women," or "girls" pursuant to this section. Any school that suffers any direct or indirect harm as a result of a violation of this subsection shall have a private cause of action for injunctive relief, damages, and any other relief available under law against such government entity, licensing or accrediting organization, or athletic association or organization.

E. Any student who is (i) deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a school knowingly violating this section or (ii) subject to retaliation or other adverse action by a school, athletic association, or organization as a result of reporting a violation of this section to an employee or representative of such school, athletic association, or organization, or to any state or federal agency with oversight of such school in the Commonwealth, shall have a private cause of action for injunctive relief, damages, and any other relief available under law against such school, athletic association, or organization.

F. The provisions of subsections D and E shall constitute a waiver of sovereign immunity.

G. All civil actions brought pursuant to subsection D or E shall be initiated within two years after the harm occurred. Any person who prevails on a claim brought pursuant to this section shall be entitled to monetary damages, including for any psychological, emotional, or physical harm suffered, reasonable attorney fees and costs, and any other appropriate relief.