

26100800D

**SENATE BILL NO. 560**

Offered January 14, 2026

Prefiled January 14, 2026

*A BILL to amend and reenact § 22.1-271.7 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-271.7:1 and 23.1-408.2, relating to public elementary and secondary schools and institutions of higher education; designation of interscholastic, intercollegiate, intramural, and club athletic teams and sports based on biological sex; identification of biological sex on Preparticipation Physical Evaluation and athletics eligibility forms required; civil cause of action.*

Patron—Reeves

Referred to Committee on Education and Health

**Be it enacted by the General Assembly of Virginia:**

**1. That § 22.1-271.7 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 22.1-271.7:1 and 23.1-408.2 as follows:**

**§ 22.1-271.7. Public middle and high school student-athletes; preparticipation physical examination.**

A. As used in this section, "Preparticipation Physical Evaluation form" means the most recent Preparticipation Physical Evaluation form developed jointly by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Sports Medicine, American Medical Society for Sports Medicine, American Orthopaedic Society for Sports Medicine, and American Osteopathic Academy of Sports Medicine.

B. No public ~~middle elementary~~ or ~~high secondary~~ school student shall be a participant on or try out for any interscholastic, intramural, or club athletic team or ~~squad sport~~ sponsored by a school division or a public school therein unless such student has submitted to the school principal a ~~signed~~ Preparticipation Physical Evaluation form ~~from signed~~ by a licensed physician, a licensed advanced practice registered nurse practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician (i) attesting that such student received a physical examination and was found to be physically fit for athletic competition no more than 14 calendar months prior to the date on which such report was signed and (ii) identifying and attesting to such student's biological sex.

C. No public ~~middle elementary~~ or ~~high secondary~~ school shall become a member of any organization or entity whose purpose it is to regulate or govern interscholastic programs that does not deem eligible for participation a student who has, pursuant to subsection B, submitted a signed Preparticipation Physical Evaluation form to the school principal ~~attesting that such student received a physical examination and was found to be physically fit for athletic competition no more than 14 calendar months prior to the date on which such report was signed~~ that satisfies the criteria set forth in clauses (i) and (ii) of subsection B.

**§ 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 school division or a public school therein shall be expressly designated as one of the following based on biological sex:

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 school division or a public school therein that is expressly designated for "females," "women," or "girls" pursuant to subsection A shall not be open to any student whose biological sex is male.

C. Nothing in this section shall be construed to restrict the eligibility of any student to participate in any interscholastic, intramural, or club athletic team or sport that is expressly designated (i) for "males," "men," or "boys" or (ii) as "coed" or "mixed."

D. The eligibility of a public school student to participate on any interscholastic, intramural, or club athletic team or sport that is expressly designated for (i) "males," "men," or "boys" or (ii) "females," "women," or "girls" shall be based on the student's biological sex as identified on such student's signed Preparticipation Physical Evaluation form required pursuant to § 22.1-271.7.

E. 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 subsections A, B, and D. Any public 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

INTRODUCED

SB560

relief, damages, and any other relief available under law against such government entity, licensing or accrediting organization, or athletic association or organization.

F. Any student who is (i) deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a knowing violation of this section by a public school or (ii) subject to retaliation or other adverse action by a public 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 schools 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.

G. All civil actions brought pursuant to subsection E or F shall be initiated within two years after the harm occurred.

H. The provisions of this section shall be construed liberally so as to effectuate its purposes to the fullest extent permitted by law. If any one or more provisions, subsections, sentences, clauses, phrases, or words of this section or the application thereof to any individual, entity, or circumstance is found to be unconstitutional, it shall be deemed severable and the remainder of this section and its applicability to other individuals, entities, or circumstances not similarly situated shall remain effective.

**§ 23.1-408.2. Intercollegiate, intramural, and club athletic teams and sports; designation of teams; student participation.**

A. Each intercollegiate, intramural, or club athletic team or sport that is sponsored by a public institution of higher education shall be expressly designated as one of the following based on biological sex:

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

B. Each intercollegiate, intramural, or club athletic team or sport that is sponsored by a public institution of higher education and that is expressly designated for "females," "women," or "girls" pursuant to subsection A shall not be open to any student whose biological sex is male. This section shall not be construed to restrict the eligibility of any student to try out for or compete in any intercollegiate, intramural, or club athletic team or sport sponsored by such institution of higher education that is expressly designated (i) for "males," "men," or "boys" or (ii) as "coed" or "mixed."

C. No student enrolled at a public institution of higher education shall be a participant on or try out for any intercollegiate, intramural, or club athletic team or sport sponsored by a public institution of higher education unless such student, by the start of his first year of participation on such athletic team or sport, submits to the appropriate department faculty or staff of the institution an athletics eligibility form signed by a licensed physician, a licensed nurse practitioner practicing in accordance with the provisions of § 54.1-2957, or a licensed physician assistant acting under the supervision of a licensed physician verifying (i) that such student has received a physical examination and was found physically fit for athletic competition within (a) the 12 months immediately preceding the date of the first day of such student's participation on such athletic team or sport or (b) such shorter time period as may be established by the applicable institution, athletic association, athletic conference, or other organization with authority over intercollegiate athletics and (ii) such student's biological sex.

D. No government entity, licensing or accrediting organization, athletic association, or athletic organization shall entertain a complaint, open an investigation, or take any other adverse action against a public institution of higher education for explicitly designating or maintaining separate intercollegiate, intramural, or club athletic teams or sports for "females," "women," or "girls" pursuant to subsections A and B. Any public institution of higher education 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, athletic association, or athletic organization.

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

F. All civil actions brought pursuant to subsection E or F shall be initiated within two years after the harm occurred.

G. The provisions of this section shall be construed liberally so as to effectuate its purposes to the fullest extent permitted by law. If any one or more provisions, subsections, sentences, clauses, phrases, or words of this section or the application thereof to any individual, entity, or circumstance is found to be

121 *unconstitutional, it shall be deemed severable, and the remainder of this section and its applicability to other*  
122 *individuals, entities, or circumstances not similarly situated shall remain effective.*  
123 **2. That the provisions of this act shall be effective beginning with the 2026–2027 school year.**

INTRODUCED

SB560