



COMMONWEALTH of VIRGINIA

Executive Department

EXECUTIVE DIRECTIVE FOURTEEN (2025)

DIRECTING THE PROMULGATION OF REGULATIONS TO SECURE HEALTH, SAFETY, PRIVACY, DIGNITY, AND RESPECT FOR ALL VIRGINIANS IN SEX SEPARATED SPACES

By virtue of the authority vested in me as Governor of the Commonwealth of Virginia, I hereby issue this Executive Directive to direct the Virginia Board of Health to heed the call of common sense and immediately take all necessary steps to promulgate regulations to ensure the health, safety, privacy, dignity, and respect of all individuals, especially women and girls, within legally permissible sex separated and sex specific spaces and activities, overriding irresponsible, unsafe, and unhealthy local policies.

Importance of the Initiative

Article I, Section I of the Constitution of Virginia guarantees certain inherent rights, namely the enjoyment of life and liberty, and in our Commonwealth those rights ensure the health and safety of all individuals. Virginia law also states clearly that parents have a fundamental right to make decisions concerning the upbringing, education, and care of their children. Further, the United States Constitution enshrines certain civil rights, including protection against discrimination on the basis of sex.

Since day one, this administration has worked to protect the fundamental rights of all Virginians. These fundamental rights intrinsically require the assurance of health and safety for all individuals. Through collaboration with our federal partners, this administration is fighting tirelessly to prevent discrimination on the basis of sex and to protect the civil rights of our citizens under the Constitutions of our Commonwealth and nation and under federal and state law. This protection from incursions on the health and safety of Virginians is necessary in legally permissible sex separated and sex specific spaces and activities.

The issue is even more acute in our public schools. Students of both sexes have made high-profile complaints about both harassment from students of the opposite sex within intimate spaces such as locker rooms, which threatens the health and safety of students, and the inclusion of biological males in girls' athletic competitions, which is a clear violation of Title IX.

On July 25, 2025, the United States Department of Education's (USED) Office for Civil Rights concluded its investigation of five Northern Virginia school divisions: Alexandria City, Arlington County, Fairfax County, Loudoun County, and Prince William County Public Schools. As a result of this investigation, these schools were found in violation of the sex based discrimination protections of Title IX. Following the investigation, these five school divisions

refused to voluntarily resolve their Title IX violations, instead choosing to continue to violate Title IX while the irreversible consequences of their reckless decisions continue to threaten the health and safety of Virginians.

On August 15, 2025, two Stone Bridge High School boys were notified of 10-day suspensions following a Loudoun County Public Schools (LCPS) Title IX investigation into a boys' locker room exchange. The incident stemmed from a March 2025 recording made inside the locker room, which showed the boys questioning why a student who appeared to be female was present. On September 16, 2025, USED concluded LCPS violated Title IX and that the division retaliated against the boys, giving the district 10 days to enter into a resolution agreement that includes rescinding the suspensions. A federal judge temporarily has halted at least one suspension while the case proceeds.

Most recently, a complaint sent to USED alleges that on September 2, 2025, a biological male was watching girls change in a Fairfax County Public Schools girls' locker room. The complaint further alleges that when one of the girls involved confided in a teacher at the school, the teacher's response was that there was nothing the school could do.

Additionally, more than a dozen witnesses have testified in a case involving a male Tier III sex offender who exposed and sexually gratified himself in front of female children in female locker rooms within schools and fitness centers in Northern Virginia. It has been reported that this individual monitored children's swim class schedules on his phone, so he knew female children would be present while he carried out dangerous and harmful actions in a space that must be and, historically, has been, protected from such radical intrusions throughout the Commonwealth.

It is an embarrassment and a tragedy that certain individuals continue to turn a blind eye to these clear violations of the law and of the health, safety, privacy, dignity, and respect of these students. This must stop.

Women deserve an equal opportunity to participate in competitive sports, and those opportunities must be safe, fair, and in compliance with federal law. In recent years, men and boys had been allowed to compete in women's and girls' sports, both endangering the physical safety of women and girls and denying those fair opportunities to female athletes. Thankfully, in recent months, we have seen policy shifts from organizations such as the Virginia High School League and collegiate and professional organizations to ensure the integrity and fairness of women's and girls' sports. Virginia athletes have been subject to these unlawful policies in the past, and there are numerous examples across both high school and collegiate athletics of physical harm to girls by physically superior male athletes and opportunities being taken from these hard-working female competitors. With this Directive, Virginians can once again have confidence in the fairness and integrity of women's and girls' sports.

These ongoing failures have resulted in direct and significant harm to our friends, family members, neighbors, and fellow Virginians. To combat these harms, in August 2025, the Board of Health accepted a petition under § 2.2-4007 of the *Code of Virginia*, from three female athletes in Virginia. The petition "formally request[ed] that the Virginia Board of Health add and/or amend regulations within 12-VAC-5 to prevent biological males from participating in organized female-only athletic teams and competitions in Virginia, and to prevent biological males from using designated female spaces where females are likely to be in any state of undress." On

October 2, 2025, the Board will consider publishing the Notice of Intended Regulatory Action (NOIRA) for this regulation, the next step under the Virginia Administrative Process Act.

The physical and emotional health of Virginians is of the utmost concern to the Board of Health, and by promulgating these necessary regulations, the Board of Health will be protecting the rights given to Virginians by their Creator and guaranteed by the Virginia and U.S. Constitutions, as well as federal and state law.

Directive

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth of Virginia, pursuant to the power vested in me by Article V of the Constitution, and consistent with § 1-240.1 of the *Code of Virginia*, I hereby direct the Board to adopt regulations under the Administrative Process Act, in accordance with federal and state law, that:

1. Prevent biological males from participating in organized female-only athletic teams and competitions in Virginia; and
2. Prevent biological males from using designated female spaces where females are likely to be in a state of undress.

Effective Date

This Executive Directive shall be effective upon its signing and shall remain in full force and effect unless amended or rescinded by further executive order or directive. Given under my hand and under the Seal of the Commonwealth of Virginia, this 2nd day of October 2025.




Glenn Youngkin, Governor

Attest:


Kelly Gee, Secretary of the Commonwealth