The logo consists of the letters 'HPF' in a white, serif font, enclosed within a white rectangular border that has a slightly distressed or hand-drawn appearance.

CHALK TALKS BULLETIN

JULY 7, 2026
CHALK TALKS BULLETIN



U.S. SUPREME COURT: STATES MAY LIMIT GIRLS' SPORTS TEAMS TO BIOLOGICAL FEMALES

On June 30, 2026, the United States Supreme Court decided *West Virginia v. B.P. J. by Jackson* and ruled that the states of West Virginia and Idaho did not violate Title IX by prohibiting biological males who identify as females, from participating on female sports teams. Student B.P.J.'s sex assigned at birth was male, but B.P. J. identified as female from a young age and took hormone blockers to suppress male puberty. B.P.J. began participating in sports in middle school.

B.P.J. argued that hormone therapy suppresses testosterone and mitigates physical advantages inherent to males in sports. However, consistent with the International Olympic Committee's findings, West Virginia argued that athletes retain a male performance advantage over females that is not eliminated by gender affirming hormone treatment. B.P.J. won the West Virginia Class AAA high school state championship in girls' shot put and the high school Regional championship in both shot put and discus.

The Court explained that the historical purpose of Title IX was to expand athletic opportunities for females and that the 1975 regulations required schools to provide "equal athletic opportunity for members of both sexes." Title IX regulations allow separate sports teams due to the inherent physical difference between biological males and females. The Court held that Title IX does not require states to allow biological males to participate in female sports and does not require states to provide an exception for a biological male who can show that the athlete possessed no unfair competitive advantage or safety risk. Likewise, there was no violation of Equal Protection because safety and competitive fairness are important state interests and limiting female sports to biological females is substantially related to these two important interests. The Equal Protection Clause does not require a state to make exceptions for transgender athletes. Although the Court ruled that states may ban transgender athletes from participating on sports teams consistent with the athlete's gender identity, it did not rule that a state *must* prohibit biological males from participating on female sports teams.

The Illinois High School Association's (IHSA) policy requires that a transgender athlete apply to participate in a competition based on the athlete's gender identity. The IHSA requires documentation that the student has historically acted consistent with the athlete's current gender identity to determine whether the gender identity is genuine or asserted for purposes of competitive advantage. The IHSA makes a final ruling on the

athlete's participation after considering competitive fairness and the risk of injury to female athletes. Nonregulatory Guidance of the Illinois State Board of Education and the Illinois Human Rights Commission support students participating in teams consistent with the student's gender identity without consideration of fairness and risk of injury.

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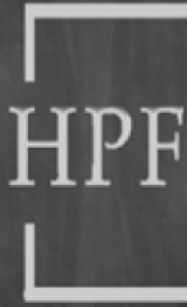
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CHALK TALKS BULLETIN

JUNE 16, 2026
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EXCUSING ABSENT IEP TEAM MEMBERS

A recent case highlights the requirement to obtain and document a parent's consent to excuse a required IEP team member. In *Yorktown Community Schools, 126 LRP 5156 (SEA IN 2026)*, the general education teacher was unexpectedly unavailable for a student's IEP meeting and the hearing officer found that the school's failure to document the parent's consent to excuse the teacher violated state and federal law.

A mandatory team member is not required to attend an IEP meeting when the parent and district agree in writing that the member's attendance is not necessary because that member's area of curriculum or related service is not being modified or discussed at the meeting. A team member whose area is being discussed or modified may be excused from attending the meeting if the district and parent consent in writing to the excusal and the team member submits in writing input into the development of the IEP to the parent and team before the meeting. This input could be, for example, providing present levels in a draft document before the meeting. Failure to properly excuse an IEP team member is a procedural violation that may deny FAPE if the parent is unable to meaningfully participate in the meeting due to the team member's absence. If a parent does not want to excuse a team member, the meeting should be rescheduled.

The U.S. Department of Education cautions against routinely excusing IEP team members and notes that the district should notify the parent as soon as possible of a request to excuse a team member. The IDEA does not restrict the number of excusals per meeting or prohibit any certain team members from being excused.

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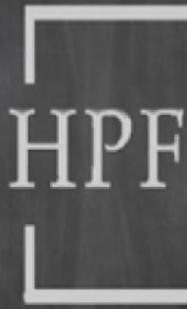
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CHALK TALKS BULLETIN

JUNE 9, 2026
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WHEN IT'S OK TO REPEAT IEP GOALS

In *Endrew F. v. Douglas County Sch. Dist. RE-1*, 60 IDELR 174 (U.S. 2017), the student's parents successfully argued that repeated IEP goals over time showed that the student had not made progress and that he had been denied a Free Appropriate Public Education (FAPE). The U.S. Supreme Court held that a student's IEP must be reasonably calculated to enable the child to make progress and that the student's educational program must be "appropriately ambitious" in light of his or her circumstances. Students with disabilities should have the opportunity to meet challenging objectives.

A recent Court of Appeals case illustrates when it is appropriate to repeat goals. In *Edward M.R. v. District of Columbia*, 125 LRP 4880 (D.C. Cir. 2025), a middle school student with autism and ADHD had difficulty with memory and concentration. When Edward's IEP repeated some goals from the previous year, his parents argued that his IEPs were flawed because the repeated goals showed that he failed to make progress or regressed. However both the district court and the Court of Appeals ruled that the IEPs provided the student FAPE. Repeating goals was reasonable because the student had not achieved them due to his memory issues and individual circumstances. Additionally, the district had included new goals that were appropriately ambitious.

This case demonstrates that if an IEP team needs to repeat goals from one IEP to the next, the team should tie the repetition to the student's needs and also include new goals.

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