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This week the Arkansas Attorney General Tim Griffin submitted an Opinion (2023-059) to clarify the laws concerning Arkansas School Board Association's policies concerning previous legislation I had written.

The laws the legislature created were very clear in their purpose and intent. It was brought to my attention that a school board had a policy mirroring a federal model that would violate those laws. Therefore, I sought the Attorney General's opinion.

There was a question regarding the legality of the language in the federal policy. That language would have violated ACT 137 of 2015 and would not comply with Acts 461 and 953 of 2021.

Act 137 of 2015 prohibits school districts from adopting policies that prohibit discrimination on the basis of sexual orientation or gender identity.

Acts 461 and 953 of 2021 regulates participation in school sports. The acts apply to public schools at all educational levels. The acts together provide that participating in school sports shall be segregated based on biological sex. Sports teams must be designated as male, female, or co-ed. Both acts explicitly prohibit males from sports teams that are designated for females.

I would like to thank the Attorney General Tim Griffin and reemphasize the importance of the laws I passed that protect women's sports and opportunities. Also, I would like to thank the Arkansas School Board for their swift action in adopting the AG's opinion and changing their policies to reflect this new language.

The State of Arkansas through the Legislature has been very clear on this issue through the passage of my law, signed by Governor Hutchinson. We will always stand on the side of protecting young girls' ability to compete fairly in sports and activities. This AG opinion makes it very clear how school boards should respect the state law and act accordingly to change the federal model.