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Oppose

House Bill 757 – Education – Interscholastic and Intramural Teams and Sports – Designation Based on Biological Sex (Save Women’s Sports Act)

Ways and Means Committee

February 17, 2022

The Maryland Assembly on School-Based Health Care (MASBHC) strongly opposes House Bill 757 – Education – Interscholastic and Intramural Teams and Sports – Designation Based on Biological Sex (Save Women’s Sports Act). This bill is based on an incorrect understanding of the biology of sex and will result in discrimination against transgender and intersex students.

This bill discusses children whose “biological sex is female” or whose “biological sex is male,” but it provides no definitions of these phrases. The bill seems to assume that these categories have objective definitions, but our modern understanding of sex and gender demonstrates this is an incorrect assumption. For example, it is unclear how schools are to categorize students with Klinefelter or Turner Syndromes, or students born with ambiguous genital anatomy. Even if the bill was amended to make the included sex categories clearer, science tells us there is no objective way to clearly divide the entire population into two sexes. Any attempt to treat students differently based on sex will ultimately result in discrimination against transgender and intersex students. Passing this bill risks harming students.

Thank you for your consideration of our testimony, and we urge an unfavorable report. If we can provide any further information, please contact Scott Tiffin at stiffin@policypartners.net or (443) 350-1325.