

HB 359 Save Women's Sports Written Testimony 15 Fe

Uploaded by: Amy Waychoff

Position: FAV

HB 359
House Ways and Means Committee
Support
Amy Waychoff
Montgomery County, LD 18
February 15, 2023

My name is Amy Waychoff and I have lived in Montgomery County for over 35 years. Thank you for this opportunity to testify in support of HB 359, the Save Women's Sports Act.

As a competitor in volleyball, softball and tennis when I was a teenager, I have fond memories about how those activities improved my self esteem, and in particular, my body image. Being with a group of other teens of the same sex all working toward a common goal was empowering.

Today, we have decided that Title IX is not meant to empower women, but to empower men with gender dysphoria who think they are women and therefore believe they are entitled to play girls and women's sports. This movement is taking Title IX and twisting it like a pretzel into something unrecognizable.

Women deserve to have their dressing rooms, and the opportunities for sports scholarships, reserved for their own sex. I therefore strongly support the Save Women's Sports Act.

Thank you for this opportunity to testify.

HB0359-2023 Save Women's Sports Act - Final.pdf

Uploaded by: Ella Ennis

Position: FAV



Ella Ennis, Legislative Chairman
Maryland Federation of Republican Women
PO Box 6040, Annapolis MD 21401
Email: eee437@comcast.net

Delegate Vanessa Atterbeary, Chairman
and Members of the Ways and Means Committee
Maryland House of Delegates
Annapolis, Maryland

RE: **HB 0359** – Interscholastic & Intramural Junior Varsity & Varsity Teams & Sports-Designation Based on Sex – **SUPPORT**

Dear Chairman Atterbeary and Committee Members,

The Maryland Federation of Republican Women strongly supports HB 0359 – Interscholastic and Intramural Teams and Sports in public and non-public schools where the designation is based on biological sex.

Girls and boys are biologically different from birth. Separate sports categories for male and female athletes were established because post-pubescent males are larger, stronger, have longer and more dense bones, larger hearts, greater lung capacity, and other differences. There is a huge physiological difference between the post-pubescent males and females.

Normal post-pubescent testosterone levels (nanomoles per liter)

Males	7.7 to 29.4 nmol/L
Females	0.12 to 1.76 nmol/L

Competitive sports have been binary for a reason. Males and females are different. It is not a fair or level playing field if biological males, even if they identify as female, are allowed to compete against biological females. A specific case in point is the University of Pennsylvania swimmer who competed for 3 years on the men's second team and then switched to "identifying as female", joined the women's team, and set records in the women's swim events. Sports "greats" including Chris Evert and Martina Navratilova have stated that this is unfair and unjust.

Title IX's purpose was to remove barriers that girls and women faced for equal opportunity to participate in educational and athletic programs and employment opportunities. Senator Birch Bayh, sponsor of Title IX, said "discrimination in postsecondary education was driven by the widespread, but false, perception that the duty or desire of women to get married and bear children made them disinterested in pursuing education or professional achievement." He went on to say that sex discrimination in "admissions, scholarship programs, faculty hiring and promotion, professional staffing, and pay scales" was "one of the great failings of the American educational system."



Ella Ennis, Legislative Chairman
Maryland Federation of Republican Women
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Clearly, the purpose of Title IX was for girls and women to have access equal to those of boys and men to participate in high school and college educational classes, intercollegiate athletic programs, and scholarships, and to pursue degrees leading to employment, including professional sports. Requiring that biological males declaring as females be allowed to compete in athletic programs and scholarship opportunities reserved for girls and women diminishes the rights and opportunities of biological girls and women.

Establishing a separate category of competitive sports for trans-women and trans-men is the only way to ensure a science-based fair and level playing field for all.

Women have struggled long and hard for equal opportunities in scholarships, educational degrees and job opportunities. The Federal Fair Equality Act and other efforts that declare there are no differences between men and women are making women invisible. The protections in HB 0359 will ensure girls and women can compete on a level playing field and rightfully celebrate the achievements of their biological sex.

Please give **HB0359** a **FAVORABLE** report.

Sincerely,
Ella Ennis
Legislative Chairman

Testimony359.pdf

Uploaded by: Janet Greenhawk

Position: FAV

Dear Members of the Ways and Means Committee;

As a teacher and coach of female athletes for over thirty years AND a parent of a former Division 1 female athlete, I am writing to support HB 0359, the Save Women's Sports Act. I was a teenager in 1972 when Title IX was passed. It gave so many women who wanted to play organized sports the right and opportunity to participate and compete in sports against other female athletes in college and up to the professional level. Now, forces in the trans and LGBTQ+ community are working to take those rights away and give them to biological men who have an unfair physical and competitive advantage over biological females.

We don't need to go backward just to placate a minute population who want to defy nature, utilize an unfair advantage, and assuage their fragile egos and desire to be winners, regardless of how unfair the competition is.

Recently, testimony from Riley Gaines, a world class NCAA swimmer, explained what it is like when women are shut out of fair athletic competition to appease and gratify the whim of a "trans" female who wants to use an unfair advantage to feed their ego. The trans person is "Lia" Thomas, who unsuccessfully competed as an NCAA male swimmer for three years in college. Lia was ranked #400 against other biological males. In Lia's fourth year, Lia decided to become a female and compete against biological women. Lia soundly defeated world class swimmers like Riley Gaines in the NCAA swimming championships. Lia claimed to be a female but had intact male genitalia and the body of a male in every way. Not only did Lia defeat women in the pool, but Lia pranced around in the women's locker room with male genitals fully exposed, much to the dismay of females in the locker room.

This bill, HB 0359, protects women's sports from opportunistic males like Lia who display true misogyny by not only using unfair advantage to defeat women athletically but also by throwing their male genitalia in women's faces and traumatizing them.

The same people who wanted pay equality for women and so-called reproductive rights are now ready to sell out the rights of over fifty percent of the U.S. population to appease 0.39%. (Data from: American Journal of Public Health, "Transgender Population Size in the United States: a Meta-Regression of Population-Based Probability Samples," Esther L. Meerwijk, PhD and Jae M. Sevelius, PhD) They tell women to "work harder" and "just get over it." Funny, they don't do the same thing when males competing against other males gain unfair advantage through performance enhancing drugs. They prosecute and ban those athletes.

And, let's not disregard the fact that we do not see biological females who are transgender males compete against males in sports that rely on athletic strength, speed and agility. Why? Because there is no competitive advantage to do so.

Some say that this unfair competition is rare. According to Riley Gaines, the NCAA Swimmer mentioned earlier, incidents of males competing as females is under reported at all levels of sport and occurs quite frequently. More incidents occur each year. This is not what Title IX was about.

Monica Wright, retired NBA player in an article in THE PLAYERS' TRIBUNE in 2017 ([Why We Need Title IX Now More Than Ever \(theplayerstribune.com\)](http://theplayerstribune.com)) quotes her basketball coach at the University of Virginia, Debbie Ryan, regarding the impact Title IX had on women's sports:

"You guys are blessed," she used to tell us. "The fancy locker room, the chartered planes ... we didn't have that when I was playing. We used to share a locker room with the softball team. We used to have to ride a bus when the men's team would fly. We used to wash our own jerseys."

And then the author adds:

I know there are those who think that Title IX isn't important. Or that it hasn't had that much of an impact. Well, for those people, here are a few numbers to consider. Since 1972, participation in women's sports in high schools has increased 900%. That's not a typo. Before Title IX, there were fewer than 30,000 NCAA female athletes. In 2012, that number was nearly [200,000](#). Just to top it off, in 2012, the United States sent more female than male athletes to the Olympics.

Title IX has allowed women's sports to grow and thrive. Allowing men to compete as women will kill this growth and make participation dwindle. It will ultimately erase not only the records women have achieved in each sport, but the opportunities in and existence of sports for biological women as well.

If biological males who are transgender females wish to compete on a level playing field in sports, create a venue for them to do that against other biological males who are transgender females. Do not put them in against biological women where the biological male who is transgender will have an unfair advantage.

Female athletes have made great strides in sports since 1972. As a former female athlete and teacher, coach of young women, and parent of a female athlete, I ask you to pass HB 0359 so women can continue to have opportunities in sports for fair competition at all levels.

Thank You,

Jan Greenhawk

Oxford, Maryland

Chapter Chair, Moms for Liberty

WoLF Kacie Moon MD HB0359 Save Womens Sports WRITT

Uploaded by: Kacie Moon

Position: FAV

MD HB. 0359

Written Testimony from [Women's Liberation Front](#)

Submitted February 13, 2023

MD HB. 0359 – Save Women's Sports Act

SUPPORT

Thank you for the opportunity to testify in support of House Bill 0359. My name is Kacie Moon. I am a Maryland resident and the Board President of Women's Liberation Front (WoLF). WoLF is our nation's largest radical feminist, non-partisan, non-profit agency fighting against gender ideology. WoLF represents women of every political affiliation and belief system. We urge you to support HB. 0359.

HB. 0359 is an excellent bill and provides a sufficient amount of detail to ensure that the integrity and fairness of women and girls' sports will not be undermined by men and boys.

Female-only sports are incredibly important because they ensure that women and girls will continue to have opportunities related not just to winning sporting events, but opportunities to advance their educational opportunities and careers.

In highschool, I ran varsity track and went to a state championship. Those formative experiences instilled an enduring sense of self-esteem, body-confidence, and determination that has propelled me through my life and career. If I had faced off against boys in those races, I know my successes and camaraderie with my female teammates would have been deeply diminished.

Although studies have found that women are more resistant than men to fatigue and more suited to endurance, on average, female human beings are physically smaller and slower than male human beings. This statement is not meant to diminish the amazing capabilities of the female sex, or the extremely high standards of sportsmanship often found only in female athletics. This statement is merely a fact based on biological reality.

Overall, physiological sex differences are so large that the US Women's National Team was beaten in a soccer scrimmage by the FC Dallas under-15 boys' team in 2017.

These differences are not even close to being reversed with the lowering of

testosterone levels or other forms of medical transition, though this is ***not*** usually required anyway.

Sex-separated sports exist because of biological and physiological sex differences that are highly relevant to athletics. We do not separate sports by race or ethnicity, by sexual orientation, by religion, and we should not separate by an athlete's personal feelings about their sex. A female athlete's place on a girl's soccer team is not contingent on expressing femininity, just as a male athlete's place on a boy's soccer team is not contingent on expressing masculinity.

It is both incredibly unfair and a mockery of our intelligence to force women and girls to compete against males who make the sexist claim of having "the soul of a girl."

When female athletes are forced to compete in de facto coed teams, they are deprived of titles, records, medals, scholarships, and opportunities to win, or participate, fairly and safely. In just one example, in 2019, two male track runners blew away female competitors in Connecticut's state track championship and smashed 15 state records previously held by female competitors.

The most recent and glaring example, that of collegiate swimmer Lia Thomas, is making headlines at this very moment, and the Committee should view this situation as a guaranteed consequence if Pennsylvania does not pass this bill into law. Thomas has provided the wider public with an eye-opening view of the sheer number of female athletes whose success can be displaced by just a single, otherwise mediocre male athlete when he is allowed to compete at an elite level on a female-only team.

Even more concerningly, women are at an increased risk of injury when playing contact sports with men. Fallon Fox, a male MMA fighter, ***fractured a woman's skull*** during a competition in which he did not disclose he was a man until shortly before the fight. The woman said it was the most overpowered she had ever felt.

Other states have already passed similar laws — with bipartisan support in their legislatures — protecting women's and girls' sports. National polling suggests that such policies are supported by ***a vast majority of voters*** across the political spectrum, including Democratic voters. The public knows that having only coed sports wouldn't be fair.

I urge Maryland's leaders to support HB. 0359 because this bill will ensure a fair playing field for women and girls throughout the state.

By protecting the integrity of women's sports, we ensure that girls can access essential scholarships and opportunities, which creates strong leaders and drives the next generation of capable women in our great state.

Thank you for reviewing our testimony. WoLF is available to serve as a resource for you if you have questions or would like more information about the importance of single-sex sports, or any topic related to gender ideology and sex-based inequalities.

Written testimony prepared by:

Kacie Moon
Board President
Women's Liberation Front
womensliberationfront.org
boardpresident@womensliberationfront.org



MCFRW Testimony HB359 Women in Sports.pdf

Uploaded by: Laurie Halverson

Position: FAV

February 15, 2023

The Honorable Delegate Vanessa Atterbeary, Chairman
And Members of the Ways & Means Committee
Maryland House of Delegates
Annapolis, Maryland

RE: **HB359** – Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women's Sports Act) -- **SUPPORT**

Dear Chairman Atterbeary and Members,

I am representing 400 Montgomery County Federation of Republican Women and we are in support of **HB359** and thank Delegate Szeliga for sponsoring this important bill.

It doesn't seem as though we would need to write a testimony to a body with a supermajority of Democrats, to support women's rights. However, just as Republican women supported the right of women to vote over 100 years ago, we stand again in supporting our gender today, along with the federal law that protects women under Title IX.

In the fiscal notes, it appears there is a perception that there is a conflict between Title IX and how to categorize transgender students because the Maryland Public Secondary Schools Athletic Association (MPSSAA) gives transgender guidance requiring that local school systems, on a case-by-case basis, should ensure that all students are eligible to participate in sports, irrespective of the gender listed on a student's record.

Doesn't federal law supersede any laws or guidelines of any state entity? Why isn't it clear to the supermajority that boys participate in boys sports, and girls participate in girls sports?

We empathize with transgender students and agree that they should be able to participate in sports, so isn't it your job to make sure that they participate either in their biological category or in a new category of transgenders?

We expect that you will uphold your oath of office to abide by the US Constitution and laws thereof by voting in favor of this bill. There are thousands of young women, some of whom are hoping to earn college scholarships and shatter records, who are counting on you to support their ability to compete fairly among biological females.

For these reasons, we ask that you file a **favorable** report.

Sincerely,

Laurie Halverson, President
Montgomery County Federation of Republican Women
lsh2727@verizon.net

Rachel's Testimony for HB359 .pdf

Uploaded by: Rachel Ullmann

Position: FAV

Committee: House Ways and Means Committee

Bill: HB359 - Education - Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports - Designation Based on Sex (Save Women's Sports Act)

Position: **FAVORABLE**

Dear Delegate Atterbeary and fellow members of the Committee,

Competitive sports have been binary for a reason. Allowing biological men to compete against biological women is simply cruel and discriminatory. Competitive sports are based on Sex, not Gender.

The United States has made great strides in promoting women's sports since Title IX revolutionized our country over 50 years ago. Ignoring this would set us back for women's rights for almost half a century. We would be discouraging females to participate in sports because of having to compete against biological men and strip them of their pride.

Female athletes have fought too long and too hard for equal athletic opportunity to let that happen. The average male is bigger, faster, and stronger than the average female. In fact, males who suppress testosterone and use feminizing hormones do not mitigate male biological advantage.

Dr. Emma Hilton PhD recently published [a study](#) in 2021 that shows that males retain significant strength and cardio-pulmonary benefits even 14 years after transition treatments (on average a 20% advantage over females).

In October 2022, Dr. Carole Hooven PhD from Harvard was featured on [Dr. Phil](#) sharing her research that "There is NO scientific evidence to support males competing in the women's category, regardless of suppression and intervention."

But it is not just the top male athletes who can beat the world's best females: Tennis player Serena Williams is widely regarded as one of the greatest athletes of all time. Yet, in 1998, the 203rd-ranked men's player, Karsten Braasch, beat both Serena and her sister Venus.

18 states across the country have already passed similar legislation. Please vote favorable on HB359 for the sake of young women in Maryland.

Respectfully submitted by Rachel Ullmann of District 7A in Kingsville, Maryland.

2023 HB359 Support Letter - Hamilton.pdf

Uploaded by: Rebecca Hamilton

Position: FAV

Dear Ways and Means Committee members,

I am writing in **SUPPORT** of HB359.

As a woman, I know what it feels like to be a teenage girl. Simply, it was awkward. I grew up participating in sports, though not particularly good at any, and learned about the power of hard work and teamwork. I was first signed up for the local baseball league, that lasted a year – even at 8 there was a difference between the abilities of boys and girls. I was signed up for girls softball my 2nd year where I was able to learn to play to my strengths as a female.

There are biological, hormonal, physiological, and psychological differences in males and females. This needs to be accepted now, as has been accepted from the beginning of creation. This goes beyond losses and missed scholarship opportunities for teenage girls. Girls sports staying girls sports, based on biological sex, is important to the confidence and character of girls as they become women.

I appreciate the delegates who have introduced and sponsored this important bill and pray, that for the sanctity of women's rights this bill receives a favorable decision.

Regards,

A handwritten signature in black ink, appearing to read 'Rebecca Hamilton', with a stylized, cursive script.

Rebecca Hamilton
Cecil County Council, District 2

HB0359-SUPPORT.pdf

Uploaded by: Sarah Reichert-Price

Position: FAV

Delegate Vanessa E. Atterbeary, chair
And Members of The Ways And Means Committee
Maryland House of Delegates
Annapolis, MD

RE: HB 0359- Save Women's Sports Act- **SUPPORT**

Dear Chair, Atterbeary and Members of the House Ways and Means Committee,

I urge your support for HB 0359, which will continue to make sports fair for all participants, especially biological women.

HB 0359 will further the principles of diversity, equity, and inclusion that our government and many organizations are striving to incorporate as part of their mission. By passing a law mandating public schools to designate athletic teams based on biological sex:

- The **diversity** of sports is maintained, encouraging opportunities for both males and females to compete on their own teams, or on expressly defined coeducational or mixed gender teams.
- **Inclusion** will be increased; most women know that competing against biological males is not fair, and biological women will continue to be involved in sports given these individual categories. Many women, and men, understand the fairness of this structure.
- **Equity** is likely the most critical element in this bill. Biological males generally have larger lung capacity, larger muscles, denser bones, more lean body mass, and other attributes that give them a physical advantage over biological females in many sports.

Laws passed decades ago, under Title IX, have given women fair, equitable access to sports, including very valuable and life-changing college scholarships. Allowing biological males, who identify as female, to compete with/against biological females, all progress stemming from Title IX is negated.

Please give **HB 0359** a **FAVORABLE** report.

Thank you for your attention to this important matter.

Sarah Price (ACRWC)
Westernport, MD

HB359_TaraThompson.pdf

Uploaded by: Tara Thompson

Position: FAV

February 15, 2023
House Bill 359

Good afternoon, Madam Chair, Vice Chair, and members of the Committee,

I am writing to request full Support of the needed HB359 Bill that is on the table. For the purpose of requiring certain interscholastic and intramural junior varsity and varsity athletic teams or sports sponsored by certain schools to be expressly designated based on biological sex; prohibiting certain entities from taking certain adverse actions against a school or county board of education for maintaining separate interscholastic and intramural junior varsity and varsity athletic teams and sports for students of the female sex; providing that certain individuals have the right to bring a civil action under certain circumstances; and generally relating to interscholastic and intramural junior varsity and varsity teams and sports of public and nonpublic schools.

The bill precisely outlines the reasons why this bill is needed. The designation of separate sex-specific athletic teams or sports is necessary to promote equality of athletic opportunities. This bill maintains opportunities for female athletes to demonstrate their strength, skills, and athletic abilities and to provide them with opportunities to obtain recognition and accolades, college scholarships, and numerous other long-term benefits that result from participating and competing in athletic endeavors.

As a representative of parents across the Baltimore County area who are in STRONG support for this bill, I request full support for this bill from the committee in supporting and protecting our children in sports and ultimately the locker rooms across Maryland.

Warm Regards,

Tara Thompson
Chair
Moms For Liberty - Baltimore County

HB0359-Trans Discrimination Act.pdf

Uploaded by: Adiena Britt

Position: UNF

HB0359-Education(Save Women's Sports Act)

Stance: Unfavorable

Testimony: My name is Adiena Britt and I reside within the 45th Legislative District. I am writing against this atrocious Bill. This is discrimination at it's finest. It also feeds into a false narrative and conspiracy theory circulated by a certain sector of our politics, and the State of MD is better than this. You all clearly have NO understanding of this issue and are attempting to legislate based on fear and bias. It's actually quite disgusting that Bills like this can get beyond a first hearing. There's no place in our society for your discrimination, bias, and fear mongering. This Bill should be thrown out. The title of my document, "Trans Discrimination Act" would have been more apt.

Thanks.

HB 359_ Education – Interscholastic and Intramural

Uploaded by: Alexa Thomas

Position: UNF



Mary Pat Fannon, Executive Director
1217 S. Potomac Street
Baltimore, MD 21224
410-935-7281
marypat.fannon@pssam.org

BILL: HB 359

TITLE: Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women’s Sports Act)

DATE: February 15, 2023

POSITION: Oppose

COMMITTEE: Ways and Means

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents’ Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents, **opposes** House Bill 359.

House Bill 359 would require certain interscholastic and intramural junior varsity and varsity athletic teams to be expressly designated based on biological sex. Additionally, this bill would prohibit certain entities from taking certain adverse actions against a school or county board of education for maintaining separate interscholastic and intramural junior varsity and varsity athletic teams and sports for students of the female sex. The bill also stipulates that certain individuals have the right to bring a civil action under certain circumstances.

Maryland’s superintendents raise serious concerns about the mandated, statewide approach to participation in interscholastic sports taken by this bill. Instead, PSSAM favors the maintenance of locally controlled systems of interscholastic athletics governed by the guidance of Maryland Public Secondary Schools Athletic Association (MPSSAA) and regulations adopted by the Maryland State Department of Education (MSDE). Since 1991, interscholastic sports in Maryland have operated in accordance with the “Master Agreement Outlining the Interscholastic Structure for Public Schools in Maryland,” which establishes the responsibilities of MPSSAA, MSDE, and local school systems. Local superintendents believe that this system of regulation and oversight is working well.

The MPSSAA Guidance for Participation of Transgender Youth in Interscholastic Athletics states that its purpose is to “designate a set of criteria in which student-athletes are able to compete on a level playing field in a safe, competitive and friendly environment, free of

discrimination. At the center of educational programming is the value placed in providing equal opportunity for all students.” The Guidance further provides that “each school system should develop and apply criteria for students to participate in interscholastic athletic teams consistent with their gender identity.”

This guidance includes several principles and criteria for local school systems to use in determining eligibility of transgender students in interscholastic sports. These include attention to preserving the integrity of women's sports, as well as policies that are fair in light of the variation among individuals in strength, size, musculature, and ability. Through these means, the guidance reflects Maryland’s high priority on establishing and maintaining an interscholastic athletic system that assures that sports activities contribute to the entire educational program for all students choosing to participate.

Additionally, PSSAM would like to highlight the potential of this legislation to create liability for discriminatory practices under a new statewide system of criteria for student participation in women’s sports based solely on sex assigned at birth. Other state legislatures have established that enforcing the standard of biological sex would likely require subjecting youth to invasive mandates in order to ensure eligibility, which could be considered sex discrimination as defined by the Supreme Court case of *Bostock v. Clayton County*, in which the Court asserted that anti-transgender discrimination violated Title VII’s prohibition against sex discrimination.

For these reasons, PSSAM **opposes** House Bill 359 and kindly requests an unfavorable report.

HB359_AnyaKylie_unfav.pdf

Uploaded by: Anya Kylie

Position: UNF

My name is Anya Kylie. I am an At Female At Birth intersex person. Yet my family decided when I was born that my traits meant to them they should raise me as a male and lie to me about the nature of my condition. When I started having a period in adolescence, it was confusing to say the least. In high school, the school was going to force me into girls' gym and to be designated as female, so my family decided to actually put me in an all-boys Catholic school instead, because they felt they knew what was best for me and my body. The fact my intersex condition made it so my body couldn't masculinize at all led to me being sexually assaulted by males at the Catholic school who wanted to see the female-to-male's naked body out of curiosity. Had my family and society been more understanding, an event that still to this day carries deep emotional significance would never have happened. Catholic school didn't even last one year before I was pulled out.

Even back in public high school where I could then join girls sports, I felt ashamed, confused, and hurt because of everything that happened to me, and I actually refused to do gym at all. Instead, I was given replacement credit from the school for my independent study of martial arts.

Yet this sort of situation still lingered in my life. I attended University of North Carolina at Chapel Hill, in 2015 earning a double degree with distinction. I was extremely athletic, yet even though I was invited/encouraged by the school and many of my female friends to join sports programs, I felt I couldn't – the pain of issues that happened in my youth still played out in my mind. That made me feel too traumatized to participate in the typical activities of athletes of my sex.

I wish I was in a more loving, supportive world where my natural body could not feel like a political football. My condition, Complete Androgen Insensitivity Syndrome, happens roughly between 1 in 45,000 and 1 in 90,000 times per male birth. This means the state of Maryland can have anywhere between 60-120 estimated women like me at any given time. Should we be denied full rights, even though we have bodies the same as any other woman? Should we be subjected to being forced into male sports and schools, like my conservative parents tried to do, leading to me being assaulted for my body? Is this the answer? Believe me, I know if my body and life experiences had been treated with dignity, it would have made a difference in my life currently.

This is why I felt the need to write today. Bigotry and misunderstanding of intersex conditions might have given me PTSD and nightmares until this day, but it was because of ignorant, abusive parents. Think of how much worse it would be if we turn that situation into the law, where the very state I reside in views my body as a crime for existing. I was literally born with this condition, a mutation – like so many others in the human experience. So why does the fact I am XY with a natural female body and sex have to be such a terrible thing, whereas my recessive mutations, such as blue eyes and blond hair, are looked at as favorable?

You're not protecting girls with these sorts of bills; you're merely terrorizing the most vulnerable girls in the population, including ones like me who, due to an inability to respond to androgens, when not supported and welcomed in society as a female-bodied individual, would have nowhere they are safe, since nothing could ever masculinize me or make my body any other way than it was meant to be.

HB359_ChloeKastner_unfav.pdf

Uploaded by: Chloe Kastner

Position: UNF

Testimony in Opposition of HB 0359

Education – Interscholastic and Intramural Teams and Sports – Designation Based on Biological Sex (Save Women's Sports Act)

Ways and Means Committee

02/13/2023

Chloe Kastner

Abingdon, Maryland/District 34B

Chair Vanessa E. Atterbeary and Members of the Committee,

Thank you for the opportunity to testify in opposition of House Bill 0359.

People who care about protecting children do not support legislation that causes them to be more likely to kill themselves. HB0359 and similar anti-trans legislation serves no purpose and has no scientific backing other than to fuel outrage politics prevalent in the current culture of America. The fact of the matter is that trans girls and trans women are simply not dominating any sports, from youth athletics to the Olympics. The IOC has allowed transgender athletes to compete in the Olympics since 2004. It was not until 2021 that Laurel Hubbard became the first trans woman to compete in the Olympics. She competed in power lifting and did not win a medal in competition. Furthermore, the often-cited lawsuit from Connecticut alleging that two trans girls were “dominating” their track and field competitions failed to mention that two days after the lawsuit was filed one of the girls lost to the cisgender girl who filed the lawsuit. The fact of the matter is that there is no scientific evidence to support the idea that transgender athletes have a competitive advantage. This legislation and all anti-trans legislation do not serve to “protect children” or “save women’s sports” because those institutions are not under attack. Studies by The Trevor Project revealed that 52% of transgender youth contemplated suicide in 2020. Bills like HB0359 contribute to the alienation of these children. Evidence shows that support and inclusion mitigate suicidality in transgender youth. What our children need is inclusivity and community, two things that youth athletics specifically provide. I urge you to reject HB0359 as it is particularly harmful to the transgender community. It stems from anti-trans sentiment and fear and disregards real evidence and individual health.

Please do what you can to support all Marylanders. I strongly urge you to oppose HB0359.

Thank you for your consideration,

Chloe Kastner

Abingdon, MD 21009

HB0359_DouglasHill_unfav.pdf

Uploaded by: Douglas Hill

Position: UNF

Testimony against HB 0359 – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women's Sports Act)

February 15, 2023

As the parent of a transgender individual I'm always amazed at the lengths people will go to discriminate against the transgender community. This bill is indicative of the type of prejudice that is promoted by groups who are pandered to by politicians who will look for any negative base to inflame for votes.

Is there any actual evidence that anyone in the county has competed in athletics and received a scholarship who was transgender, no. There is of course evidence that young people are getting fentanyl and overdosing and dying. I think that would be a much better use of your time than this bill.

This bill includes intramural sports, since when do intramural sports get people scholarships? Also aren't most intramural sports, team sports; do we believe that one transgender individual on a team sport will dominate the league? I think not, also, what sports are transgender individuals allowed to play? According to this bill none. Like most acts of prejudice they just want them to disappear in the sports world.

Also, the studies cited don't seem to feel there are any differences between the individuals who competed, i.e. that all females have the same abilities, all males have the same abilities, I know several offensive lineman that would testify that my ability to get around them was not based on my size, my height, or my speed, but merely on my ability to overcome their technique. The unfounded fear is that somehow Michael Jordan would decide he could get a better scholarship by competing as a female, balderdash.

This bill is about providing protection to schools and sports organizations from being liable for discrimination, period. Which of course gives them license to discriminate, and they will.
Vote NO on HB359!

HB 359 written testimony final.pdf

Uploaded by: Isabella Shycoff

Position: UNF

HB 359

Education – Interscholastic & Intramural Junior Varsity & Varsity Teams and Sports – Designation Based on Sex

Position: Unfavorable

Testimony by Isabella Shycoff

HB 359 proposes to prohibit transgender girls from participating in girls JV, Varsity and intramural sports. Although transgender girls identify as girls, **(THEY ARE GIRLS)** this bill will expressly prohibit them from competing on girl's teams. The bill also protects schools from government agencies, athletic associations, and other organizing entities that object to a school from instituting such a discriminatory policy. Finally, the bill provides for cause of action for students harmed by schools that violate this proposed law.

HB 359 is pure, out-in-the-open, in your face discrimination and should be rejected!

Maryland's transgender girls deserve every opportunity to fully pursue all that women's athletics has to offer. There is significant research affirming the social, physical, and mental health benefits of participating in sports.

HB 359 raises questions about how it can possibly be enforced fairly and without trauma. Who is in charge of determining which girls are transgender and how will they determine that? If the concern is about unfair advantage, there are plenty of ways that athletes and teams cheat that are far more popular and widely used. Why aren't schools testing for performance enhancing drugs? Are we confident that students aren't being recruited from outside districts for some teams? Is it possible we have coaches or referees who manipulate scores or throw games?

If you believe that transgender girls have an unfair advantage, do you have the same concerns about height differences, hand size, physical emotional maturity, and opportunities (economic and otherwise) for specialized training? Life is inherently unfair, but to single out transgender girls for discrimination is cruel and unnecessary.

Maryland's trans youth need our support and our acceptance, not barriers and intolerance. Reject HB 359.

I urge an unfavorable report by the Committee.

HB359_IvyArbaugh_unfav..pdf

Uploaded by: Ivy Arbaugh

Position: UNF

Testimony of Ivy Arbaugh

Against HB0359

Hello. My name is Ivy Arbaugh. Thank you for the opportunity to address everyone here.

I oppose HB0359 because it is bigoted and misguided legislation that will not only harm transgender and intersex youth, but also young cisgender women. Note: I will use the terms trans and cis.

Sports are an inherently social activity. When you ban trans girls from participating, you are saying that they are not real girls; that they cannot socialize with cis girls. This leads to the policing of gender and who gets to be a real girl. This bill is hostile towards trans people in broader society because it argues that trans people are not the real versions of their gender.

Such policing also harms young cis women because it could induce invasive tests or accusations. Women come in many different forms and varying genetics. Some women have more testosterone than others, be they trans or cis. There are women without ovaries. There are intersex women. There are women with disabilities. I could go on. Hostility towards trans and intersex youth distracts from the team experience, as well as the shared experiences of womanhood.

Those for this bill speak of cisgender women being deprived of athletic opportunities. As I said above, there is genetic variation among cis women. And outside of genetics, a woman athlete could have all sorts of other advantages over her peers: such as income, practice time, familial wealth to afford training, and much more. Instead, let us consider the opportunities that would be denied trans and intersex people. As I have written, trans and intersex youth would not only lose their chance to compete, but also be barred from social spaces and told they are not their gender.

This bill would do irrefutable harm against trans and intersex youth that are already struggling with so much more. Trans youth are often harassed in school and struggle to form friendships. This would make things even harder. Please oppose HB0359.

Thank you very much for your time and consideration.

Sincerely,
Ivy Arbaugh

HB0359 Testimony Annapolis Pride (1).pdf

Uploaded by: Jaden Farris

Position: UNF



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(he/him)

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Joshua Seefried
(he/him)

February 15, 2023

HB 0359 - Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women's Sports Act)

Position: UNFAVORABLE

The Board of Directors of Annapolis Pride vehemently opposes HB 0359. The bill, which fails in its stated purpose on scientific grounds, only serves to exclude transgender and gender non-conforming individuals from participating in team sports. Transgender youth are much more likely to experience discrimination and assault in school¹ compared to their cis-gendered peers. Trans youth have the same right to play sports as anybody else.

The sponsors of this ill-informed legislation have proffered the notion that biological sex is predetermined at birth in a dichotomous fashion and remains unchanged for the entirety of an individual's lifespan. This is categorically false². Further, the reasoning behind sex categories in sports is in no way supported by this bill's definition of sex as binary. The gender binary and its associated norms can influence the success of female athletes, as well as their ability to even participate in athletics in the first place. Therefore, biology is not the only factor that should be taken into consideration when discussing the male-female athletic differential. The reasoning behind sex categories in sports is in no way supported by this bill's definition of sex as binary, because hormonal differences³ determine the male-female athletic differential.

For these reasons, Annapolis Pride respectfully requests an unfavorable report on HB 0359.

Respectfully submitted,

Jaden T. Farris
Board Member
Annapolis Pride

LSPC OPPOSES ANTI TRANS SPORTS BILL.docx.pdf

Uploaded by: Jared Schablein

Position: UNF

HB359 Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports Designation Save Women's Sports

Bill Sponsor: Delegates Szeliga, Adams, Arentz, Arikan, Baker, Bouchat, Buckel, Chisholm, Ciliberti, Fisher, Ghrist, Grammer, Griffith, Hartman, Hinebaugh, Hornberger, Jacobs, Kipke, R. Long, Mangione, McComas, Metzgar, Miller, M. Morgan, T. Morgan, Nawrocki, Otto, Reilly, Rose, Schmidt, Tomlinson, Valentine, and Wivell

Committee: House Ways and Means Committee

Organization Submitting: Lower Shore Progressive Caucus

Person Submitting: Dr. Nicole Hollywood, LSPC

Position: UNFAVORABLE

I am submitting this testimony in strong opposition to HB359 on behalf of the Lower Shore Progressive Caucus. The Caucus is a political and activist organization on the Eastern Shore, unaffiliated with any political party, committed to empowering working people by building a Progressive movement on the Lower Eastern Shore.

There is no scientific rationale for HB 359. Transgender children, like all children, vary in athletic ability. There is no evidence that transgender student-athletes affect the fairness or competition of sports.

Gender is also central to how children see themselves and banning transgender and gender non-conforming youth from participating in sports is psychologically harmful and will have a rippling effect that further marginalizes a group of students and opens up all students who don't fit culturally-accepted gender norms to bullying and humiliating scrutiny.

The American Academy of Pediatrics, the American Psychological Association, American Academy of Physical Medicine and Rehabilitation, American Academy of Child and Adolescent Psychiatry, ADL (the Anti-Defamation League), American Psychiatric Association, ACLU, American Association of University Women, Girls on the Run International, National Black Justice Coalition, Pediatric Endocrine Society, Union for Reform Judaism, Women's Sports Foundation, and many more stand against misguided legislation designed to further isolate and marginalize trans kids.

The Lower Shore Progressive Caucus recognizes opposes this bill and recommends an **UNFAVORABLE** report in committee.

HB359_Unfavorable_MCC1.pdf

Uploaded by: Kristin Mink

Position: UNF



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

House Bill 359, Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports
– Designation Based on Sex (Save Women’s Sports Act) - Unfavorable

Maryland House of Delegates Ways & Means Committee, 2/15/2023

The undersigned members of the Montgomery County Council urge the committee to deliver an unfavorable report on HB 359. We additionally express our support to the transgender and nonbinary children whom this bill seeks to harm and ultimately erase.

This bill is anti-science, anti-trans, and harmful to all youth athletes: transgender, cisgender, and intersex.

Women’s sports are not and have never been at risk of being dominated by trans women. Transgender people are a small percentage of the general population, and just like cisgender people, a very small percentage of them will dedicate their lives to reaching the pinnacle of a sport. Perhaps that’s why transgender athletes have been allowed in the Olympics since 2004 and only one has won an Olympic medal.

HB 359 is a transparent effort to harm trans people rather than to “save” women’s sports. It would, in fact, harm cisgender girls as well as trans people. Girls’ bodies, already historically heavily policed, would suddenly come under additional scrutiny, subject to the whims of any competitor or community member who decides to challenge them based on perceived femininity.

The rights of transgender, nonbinary, and intersex athletes across Maryland to find joy, friendship, stability, health, and consistency in sports are equally important as those of cisgender athletes. To bar trans athletes from competing as the gender they know themselves to be — forcing them to either give up their sport or face the humiliation of competing amongst the gender group from which they’ve striven to separate themselves — undermines their identity and their very humanity. It is cruel and ugly, and benefits no one.

We thank our colleagues in advance for ensuring this bill receives an unfavorable report.

Councilmember Kristin Mink

Councilmember Kate Stewart

Council President Evan Glass

Councilmember Dawn Luedtke

Council Vice President Andrew Friedson

Councilmember Sidney Katz

Councilmember Marilyn Balcombe

Councilmember Will Jawando

Councilmember Gabe Albornoz

Councilmember Laurie-Ann Sayles

HB359_Lamb_MSEA_UNF.pdf

Uploaded by: Lauren Lamb

Position: UNF

**Testimony in Opposition to House Bill 359
Education – Interscholastic and Intramural Teams and Sports – Designation
Based on Biological Sex**

**House Ways and Means Committee
February 15, 2023**

**Lauren Lamb
Government Relations**

The Maryland State Education Association opposes House Bill 359, which would, in practice, require certain school interscholastic and intramural athletic teams or sports to exclude some transgender students, prohibit adverse actions against a school or county board of education for maintaining separate interscholastic and intramural athletic teams and sports, and allow certain parties to bring civil action against schools, government entities, or athletic organizations based on noncompliance with provisions of this bill.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students for the careers and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3-million-member National Education Association (NEA).

This bill would restrict students' eligibility to participate on certain school athletics teams based on biological sex. This would bar many transgender and gender non-conforming students, whose gender identity does not align with their sex, from participating on the athletic teams that align with their gender identity, and thus would effectively exclude some students from school athletics altogether. Policies that function to exclude transgender students from school sports are plainly discriminatory and harmful to students. Transgender, non-binary, and gender non-conforming students are important members of our school communities and, like all students, deserve to be embraced, included, and treated with dignity.

It is well-documented that transgender and gender non-conforming youth face increased rates of depression and suicidal ideation compared to their cisgender peers,¹ and that they are more likely to experience harassment and social alienation at school.² The American Academy of Pediatrics firmly opposes legislation that would prevent transgender students' participation on athletic teams that align with their gender identity, calling such bills "dangerous" and advising that "playing on sports teams helps youth develop self-esteem, correlates positively with overall mental health, and appears to have a protective effect against suicide."³ We echo their condemnation of such laws and policies. School policies play an undeniable role in students' wellbeing, and it is incumbent upon educators to develop and uphold research-based policies that affirm the dignity of all students.⁴

Further, barring transgender and gender non-conforming students from the school athletic teams that align with their gender identity is degrees more exclusionary than the policies of the premiere athletic associations to which many young athletes aspire. The National Collegiate Athletic Association (NCAA) requires that "transgender student-athletes...document sport-specific testosterone levels beginning four weeks before their sport's championship selections,"⁵ and 2021 regional guidance from the International Olympic Committee (IOC) indicates that they are "moving away from a focus on individual testosterone levels in transgender

¹ American Academy of Pediatrics (2018). *Mental Health of Transgender and Gender Nonconforming Youth Compared With Their Peers*. Retrieved January 2023, from <https://publications.aap.org/pediatrics/article/141/5/e20173845/37843/Mental-Health-of-Transgender-and-Gender>

² Morbidity and Mortality Weekly (2019). *Transgender Identity and Experiences of Violence Victimization, Substance Use, Suicide Risk, and Sexual Risk Behaviors Among High School Students — 19 States and Large Urban School Districts*. Retrieved January 2023, from <https://pubmed.ncbi.nlm.nih.gov/30677012/>

³ American Academy of Pediatrics (2021). *American Academy of Pediatrics Speaks Out Against Bills Harming Transgender Youth*. Retrieved January 2023, from <https://www.aap.org/en/news-room/news-releases/aap/2021/american-academy-of-pediatrics-speaks-out-against-bills-harming-transgender-youth/>

⁴ National Association of School Psychologists (2016). *Gender Inclusive Schools: Policy, Law, and Practice*. Retrieved on January 2023, from <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/diversity-and-social-justice/lgbtq-youth/gender-inclusive-schools-faqs/gender-inclusive-schools-policy-law-and-practice>

⁵ NCAA (2022). *Board of Governors updates transgender participation policy*. Retrieved on January 2023, from <https://www.ncaa.org/news/2022/1/19/media-center-board-of-governors-updates-transgender-participation-policy.aspx>

and intersex athletes as a way of determining those athletes' eligibility for competition.”⁶ School sports teams aim to foster students' personal, social, and athletic achievement and development, and should thus be more, not less, open than professional athletic organizations.

It is also important to note that, as other state legislatures have established, enforcing the standard of biological sex would likely require subjecting youth to invasive mandates.⁷ The authors of this bill state that it intends to advance sex equality,⁸ but based on the Supreme Court decision in *Bostock v. Clayton County*, which asserted that anti-transgender discrimination is sex discrimination, it would do the opposite.⁹

Like all Maryland students, transgender and gender non-conforming students deserve dignity, opportunity, and access at school, including in athletics. **We urge the committee to issue an Unfavorable Report on House Bill 359.**

⁶ The Washington Post (2021). *IOC no longer will determine transgender athlete eligibility by testosterone levels*. Retrieved January 2023, from <https://www.washingtonpost.com/sports/olympics/2021/11/16/ioc-transgender-athlete-policy-changes/>

⁷ Florida House of Representatives (2021). *Bill Text CS/HB 1475*. Retrieved January 2023, from <https://www.flsenate.gov/Session/Bill/2021/1475/BillText/c1/PDF>

⁸ Maryland General Assembly (2023). *Bill Text HB 359*. Retrieved January 2023, from https://mgaleg.maryland.gov/2023rs/bills_noln/hb/fhb0359.pdf

⁹ National Archives Federal Register (2021). *Enforcement of Title IX of the Education Amendments of 1972 With Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County*. Retrieved January 2023, from <https://www.federalregister.gov/documents/2021/06/22/2021-13058/enforcement-of-title-ix-of-the-education-amendments-of-1972-with-respect-to-discrimination-based-on>

HB359 Testimony to Ways and Means.pdf

Uploaded by: Lauren Pruitt

Position: UNF



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Lauren Pruitt
Legal Director
Lpruitt@freestate-justice.org

The Honorable Chair Vanessa Atterbeary
Ways & Means Committee
Room 131
House Office Building
Annapolis, Maryland 21401
February 14th, 2023

Testimony of FreeState Justice
IN OPPOSITION TO
House Bill 359: Education – Interscholastic and Intramural
Teams and Sports – Designation Based on Biological Sex

To the Honorable Chair Vanessa Atterbeary, Vice Chair Alonzo Washington, and
esteemed members of the House Ways and Means Committee:

FreeState Justice is Maryland's lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA+) civil rights advocacy organization. Each year, we provide free legal services to hundreds of LGBTQIA+ Marylanders who would not otherwise be able to afford an attorney, as well as advocate more broadly on behalf of the LGBTQIA+ community. As part of this work, we routinely represent and advocate on behalf of transgender youth in Maryland, who continue to face intense discrimination in and out of school.

We write today in opposition to House Bill 359 because it unfairly targets transgender girls, depriving them of the opportunity to participate in one of the most popular outlets for social support available to our youth. Despite claims of its proponents to the contrary, HB 359 is not based on legitimate research or credible scientific studies. Indeed, HB 359 is not designed to establish a level playing field for student athletes, but to bar transgender girls from participating at all.

*FreeState Justice, Inc. (formerly FreeState Legal Project, Inc., merging with Equality Maryland)
is a social justice organization that works through direct legal services, legislative and policy advocacy, and community
engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free
to live authentically, with safety and dignity, in all communities throughout our state.*

This bill is drafted from Idaho's Fairness in Women's Sports Act which had an injunction put against it for causing irreparable harm to both cis & trans women athletes. Kayden Hulquist, a cisgender soccer player worried she'd have to undergo invasive medical exams to verify her sex when she played for Boise High School. Lindsay Hecox, a transgender woman, withdrew from Boise State University a week after unsuccessfully trying out for the women's cross-country team, she was disqualified by this law.

These are the outcomes we can come to expect if this transphobic law is passed.

The science of this bill is unsupported, A person's sex has less to do with their performance in sports than other biological factors even by this bill's own logic! HB359 cites a paper (*Hilton and Lundberg*) to show that trans women retain muscular advantages after transition; however, the same paper goes on to demonstrate that muscle mass and oxygen is impacted by hormone replacement therapy. The paper is also flawed because the cis women's heights were not controlled for; "tall people regardless of sex require more muscle on their frame to meet the same standards of fitness."

Should Marylanders be discriminated against for these other biological factors that they cannot control, like height, wingspan & eyesight?

Currently, there is no single policy in Maryland governing when and where transgender athletes may compete according to their gender identity. While this may sound like a problem to be solved, that is far from the case: instead, most schools follow the practice of major sporting organizations, which have adopted a sport-by-sport approach "that preserves opportunity for transgender student-athletes, while balancing fairness, inclusion and safety for all who compete."

These sport's governing bodies recognize that a one-size-fits-all ban on transgender athletes is inherently unfair and discriminatory, and they have instead worked to find a solution that is fair to everyone. HB 359 would ignore all the work they have done over the past decades and instead impose precisely the sort of discriminatory ban these organizations have worked so hard to avoid.

While the individual rules of sports governing bodies vary, many look to factors such as the length of time that an athlete has been prescribed hormone replacement therapy or the level of sex hormones such as testosterone in their bodies. Variations of these policies have been in place in elite sports for almost 20 years. The participation of transgender girls has simply had no impact on elite sports, but prohibiting their participation will have a significant effect on the girls themselves.

HB 359 is not only manifestly unfair and in contravention of the current procedure

among sports regulatory bodies; it also violates federal and state non-discrimination laws. Following the Supreme Court's decision in *Bostock v. Clayton County*, the United States Department of Education clarified that it interprets Title IX of the Educational Amendments Act of 1972 to prohibit discrimination on the basis of gender identity. There are also Maryland specific laws preventing this form of discrimination due to the Fairness for All Marylanders act of 2014. Enacting HB 359 would be an invitation for a lawsuit.

I ask this committee to consider just how crucial sports are to the lives of many youths, regardless of whether they are transgender or cisgender. School sports can be a crucial part of a student's feeling of belonging and social support during their adolescence. Sports foster values of inclusivity, teamwork, and nondiscrimination. They help youth find joy and pride in a safe environment where they know they will be supported by their teammates, coaches, and peers. By preventing transgender girls from competing in alignment with their gender identity, HB 359 directly prevents these positive benefits of sports participation.

For these reasons, FreeState Justice urges an unfavorable report on House Bill 359.

Lauren Pruitt,
Legal Director, Freestate Justice

Oppose HB 359 - Trans Maryland.pdf

Uploaded by: Lee Blinder

Position: UNF



Trans Maryland
1800 E Northern Parkway #66332
Baltimore MD 21239



GLSEN Inc.
110 William Street, 30th Floor,
New York, NY 10038

**House Bill # 359 Education – Interscholastic and Intramural Junior Varsity and Varsity
Teams and Sports – Designation Based on Sex (Save Women's Sports Act)**

House Ways and Means Committee

February 15, 2023

Position: Oppose

Trans Maryland is a multi-racial, multi-gender community power building organization for Maryland's trans community. We are deeply embarrassed to see elected Maryland legislators targeting young trans girls with this legislation. We'd first like to address comments to any young trans girls here to testify on this bill or who are watching these proceedings at home. The actions of the adult legislators who have brought this bill to the legislature are heinous and display their bigotry. As a proud transgender Marylander myself, I want to let you know that transgender and cisgender adults alike find this legislation targeting you to be in bad faith, a misunderstanding of science and biology, and an openly bigoted act against young trans girls and women like yourself who just want to have fun by enjoying the many health and wellness benefits of playing youth sports.

To the Chair, Vice Chair, and Ways and Means Committee, gender identity is a protected class, and has been since the passing of the Fairness for All Marylanders Act of 2014. This legislation HB 359, in addition to being out of compliance with the policies of the [MPSSA Transgender Person Guidance for Participation in Interscholastic Athletics](#) and the MSDE Non-Discrimination Guidelines for Student Transitions, is fundamentally misunderstanding the concept of biological sex as a binary.

Biological sex is as a binary is a myth. The argument brought forth by the legislators is that biological sex is determined at birth (by a visual inspection of the baby's external genitals by the medical provider in the room at the time), is a binary, and is static from birth till death. That is completely untrue.

A person who is intersex is "born with any manner of person born with any manner of supposed "ambiguity" in terms of gendered physical characteristics. This can include reproductive organs, genitals, hormones, chromosomes, or any combination thereof...." ([Trans Language Primer, 2022](#)). About 2% of the population is born intersex. Endosex refers to people who are not intersex. About 0.5% of Maryland's population is transgender. The expectation that people fit into binary categories that do not align with longtime understandings of biology creates the fallacies that: 1. We all know our biological sex from birth and 2. That biological sex imparts a permanent benefit to participation in sports that is unique and distinct from the ways in which cisgender endosex elite athletes benefit from biological benefits.

Taking the example of Michael Phelps, a cisgender endosex male athlete and 23 time gold medalist, who was born with the ability for his body to produce half the lactic acid than the bodies of his competitors in addition to that of a typical athlete. Less lactic acid aids in much faster recovery time, and is a key factor in his dominance of his sport. And yet no legislators are

For more information, contact Lee Blinder, Executive Director of Trans Maryland at lee@transmaryland.org



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1800 E Northern Parkway #66332
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GLSEN Inc.
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here demonizing him or others who produce less lactic acid than their competitors, despite the way he was born that unfairly benefits his athletic prowess and dominance of his sport. We do not care about the biological fairness of men's sports. The lens of biological fairness is only applied towards girls' and women's sports by those who fundamentally do not understand biology.

Targeting transgender girls in sports is done with a misunderstanding of science via documented colonialist policing of the gender binary through white supremacist ideals rooted in eugenics. Via the scholarship of Dr. Kyla Schuller, we understand the 19th century focus on the discernable differences between a binary set of sexes was focused around the concept that there were large differences between white men and women, and that People of Color had less of a difference between the binary sexes due to a "lack of civilization". [The white colonial theories of the time supposed that high distinctions between the sexes was endemic to white people only and People of Color were less separate sexes that could become more civilized through adherence to white colonization and homemaking/hyper masculinity.](#) The eugenicist movement in the early 20th century sought to eliminate "undesirables," which included People of Color, Jews, neurodivergent people, and more.

That foundation of racist eugenics policies establishes a baseline trajectory towards the creation of legislation such as HB 359 that seeks to criminalize the involvement of transgender and intersex girls in sports. The reality is that transgender and intersex people have always existed in cultures all over the world. The focus of this bill in defining girl and womanhood is done like all efforts to define girl and womanhood: through racialized gender policing of Black and Brown women out of womanhood. This bill is functionally not only targeting young trans girls, but specifically also Black and Brown trans and intersex girls.

There is no need to open up our school systems to the malicious intent of this bill to hamper the ability of trans and intersex girls to participate fully in school life through threats of never-ending lawsuits seeking to criminalize their involvement in sports. The benefits of sports and participation in team sports is one that should not be unequally conferred to only cisgender endosex young people. The beauty of competition and participation in that competition has a long history of being limited by those requesting to ensconce their own biases, and codify their bigotry. It is particularly shameful when adults attempt to perpetrate this on our youth.

This legislation would open the door to requiring all young girls to submit to invasive, dehumanizing, and traumatic medical examinations that people like those backing this bill intend to create a standard for. The reality is that such exams would also open up the ability for the gender police to accuse cisgender girls of not being a girl either, and thus creating a situation where gender policing can pit students and families against one another, rather than uplifting the ability for all students who are girls to participate, and for transgender and intersex girls to enjoy the ability to play sports alongside their cisgender and endosex fellow students.

For these reasons **we urge an unfavorable report on this Bill #0359.**

For more information, contact Lee Blinder, Executive Director of Trans Maryland at lee@transmaryland.org

Legislative Testimony HB0359- on letterhead.docx (

Uploaded by: Michele Copper

Position: UNF

Bill: HB0359 Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women’s Sports Act)

Organization: GLSEN Maryland, chapter@md.glsen.org

Submitted by: Michele Schlehofer, Board Member

Position: **OPPOSE**

I am submitting this testimony **OPPOSING HB0359** (the “Save Women’s Sports Act”) on behalf of GLSEN Maryland, the statewide chapter of GLSEN National, a nonprofit organization centered on creating and sustaining inclusive K-12 education for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) students.

GLSEN Maryland opposes HB0359 on the basis that it is discriminatory, based on sexist stereotypes, not rooted in science, runs contrary to the purpose of youth sports, and is publicly opposed by professional organizations with expertise in child development.

There is no scientific rationale for excluding trans children from sports. This bill is a solution in search of a problem. Transgender children, like all children, vary in physical characteristics and athletic ability. There is *no evidence* that transgender student athletes affect the fairness or competition of sports (ACLU, 2020). Thirty-two states, five territories, and Washington, D.C. permit trans youth to play sports, and years of open participation by transgender students in those places have produced no evidence of advantage or harm to other athletes. Both the International Olympic Committee and the National Collegiate Athletic Association, as well as several other professional athletic associations, have allowed trans athletes to play sports since as early as 2004; these associations have found that including trans athletes has not impacted the sport. **There is simply no empirical evidence for nor significant anecdotal data supporting the bill.**

Data from the CDC finds that states which pass trans sports bans such as HB0359 see a drop in girls’ participation in sports. Alternatively, as reported by the Center for American Progress (2022), creating policies which are inclusive of trans girls playing sports subsequently leads to an increase in girls’ sports participation..

This bill is rooted in sexist stereotypes. The bill specifically targets women’s sports, presumably because it incorrectly assumes that trans girls have an advantage in sports. There is no concern for trans boys who play sports, presumably as it is assumed they are not going to be competitive—this is a sexist assumption.

Excluding trans children from sports is discriminatory and psychologically harmful to them. Gender is central to how children see themselves (American Psychological Association, 2015). Research finds that there are no differences in how trans children and cisgender children (that is, children who are not transgender) understand their gender. Therefore, major mental health associations agree that transgender girls are girls. They are not boys and do not belong on boys’ teams. Requiring

transgender youth to athletically compete on teams based on their sex assigned at birth is the same as banning them from athletic competition entirely (ACLU, 2020).

Science finds participation in sports results in positive outcomes, such as better grades, greater homework completion, higher educational and occupational aspirations, and improved self-esteem (Darling et al., 2005; Fredericks & Eccles, 2006; Marsh & Kleitman, 2003; Nelson, & Gordon-Larsen, 2006; Ortega et al., 2008; U.S. Department of Health and Human Services, 2008). All youth should have access to these benefits. **Denying transgender youth access to these benefits is discrimination.**

Excluding just some girls from sports runs contrary to the goals of sport. Excluding any subset of girls from sports encourages divisiveness and compromises group cohesion, undermining the benefits all youth deserve from team sports (ACLU, 2020).

Professional organizations publicly support transgender and nonbinary students' full and equal participation in sports, including the National Coalition for Women & Girls in Education and the American Psychological Association.

HB0359 is discriminatory, based on sexist stereotypes, not rooted in science, runs contrary to the purpose of youth sports, and is discriminatory and harmful. Bans such as that proposed by HB0359 are publicly opposed by professional organizations with expertise in child development. GLSEN Maryland opposes HB0359 and requests an **UNFAVORABLE** vote in committee.

HB 359.pdf

Uploaded by: Miriam Snare

Position: UNF

February 13, 2023

Honorable Chair Atterbeary, Vice Chair Washington, and members of the Ways and Means Committee:

I strongly urge you to oppose HB 359. The very first sentence of the preamble of the bill is inaccurate. In everyday medical practice, a person's sex is determined by a doctor or midwife at time of birth by visual inspection of the external genitalia. However, in cases of intersex individuals or other genital abnormalities, that determination is definitely not objective. Newborns are not routinely subjected to genetic testing to determine whether they have XX or XY chromosomes (or possibly some other combination). I have two children who were born in the state of Maryland and their sex has never been "objectively determined by genetics", not prenatally, not at birth, nor any other times in their lives. Does that mean that if this "Save Women's Sports Act" becomes law, my daughter will be prohibited from playing sports when she is in high school because she cannot provide objective proof of her gender?

Without the common practice of definitive genetic determination of a child's chromosomes, how will eligibility for girls' sports be determined? Will every potential student athlete have to be subjected to chromosomal testing for their annual physical? Or will only girls who don't fit stereotypical beauty standards be singled-out to prove that they are biologically female?

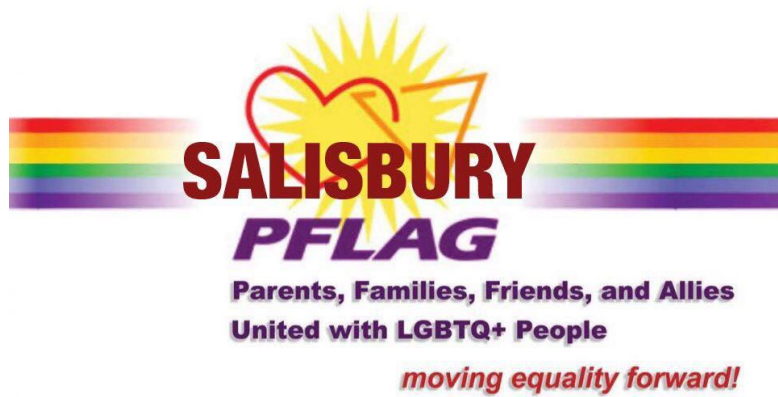
I ask that legislators familiarize themselves with the current routine medical tests performed both for newborns and for sports physicals and what the cost of additional genetic screening would be. Since this bill only addresses women's/girls' sports, this financial burden would then only fall on families with daughters. Surely, with the title "Save Women's Sports", the intent of this proposed act cannot be to prevent young women from participating in sports due to the cost of medical testing.

Sincerely,
Miriam Snare
8502 Wirsing Way
Nottingham, MD 21236

PFLAG OPPOSES ANTI TRANS DISCRIMINATION IN SPORTS.

Uploaded by: Nicole Hollywood

Position: UNF



LEGISLATIVE TESTIMONY

Bill: **HB0359 Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports Designation Save Women's Sports**

Organization: PFLAG Salisbury Inc., PO Box 5107, Salisbury Maryland 21802

Submitted by: Nicole Hollywood, President of the Board

Position: **OPPOSE**

SALISBURY PFLAG STRONGLY OPPOSES DISCRIMINATION IN SPORTS

I am submitting this testimony **OPPOSING** HB 0359 on behalf of PFLAG Salisbury, the Salisbury, Maryland Chapter of PFLAG National.

HB 0359 is a misguided bill rooted in transphobia that is simply not backed by the scientific research. Creating the narrative that trans feminine athletes are stronger than cis women athletes pushes false information, neglects what medical science tell us, and ignores the standards that are set for athletes across the board. Bills such as HB 0359 are being used as a way to discriminate against transgender Americans opening the door to the humiliating treatment of any, and all, youth who don't fit culturally-accepted gender norms.

According to the ACLU, "there is no one way for women's bodies to be. Women, including women who are transgender, intersex, or disabled, have a range of different physical characteristics. A person's sex is made up of multiple biological characteristics and they may not all align as typically male or female in a given person. Further, many people who are not trans can have hormones levels outside of the range considered typical of a cis person of their assigned sex."

Gender is a spectrum and not all individuals identify or present as male or female. Transgender people are our beloved friends and family, co-workers, neighbors, students, community members, children, and parents. Being transgender is not the whole of anyone's identity because gender identity is just one small piece of who one is as an individual.

Transgender athletes participate in sports for the same reasons as everyone else—to get and stay healthy, be part of a team, and build a sense of belonging with their peers. Many who oppose the inclusion of trans athletes erroneously claim that allowing trans athletes to compete will harm cisgender women but excluding transgender and gender non-conforming students hurts all students.

Denying transgender youth access to athletic programs is discrimination. It is regressive and unjust and not in line with our moniker as the Free State. If this bill passes it will be a form of state-censored intolerance and all those legislators who support this bill will be on the wrong side of history.

HB359 is discriminatory, not rooted in science, runs contrary to the purpose of youth sports, and is publicly opposed by all our nation's most renowned medical, psychological, and child development professional organizations including the American Academy of Pediatrics and the American Psychological Association. PFLAG Salisbury Inc. strongly opposes this legislation and recommends an UNFAVORABLE report in committee.

HB359 - Paula Neira - Unfavorable.pdf

Uploaded by: Paula Neira

Position: UNF

TO: The Honorable Vanessa E. Atterbeary, Chair
House Ways and Means Committee

FROM: Errol L. Fields, M.D., Ph.D., M.P.H.
Director of Pediatric Education, Training and Advocacy
Associate Professor of Pediatrics
Johns Hopkins University School of Medicine

Sherita Hill Golden, MD, MHS
Hugh P. McCormick Family Professor of Endocrinology and Metabolism
Vice President, Chief Diversity Officer
Johns Hopkins Medicine Office of Diversity, Inclusion and Health Equity
Johns Hopkins Medicine

Helene Frances Hedian, M.D.
Director of Clinical Education, Center for Transgender Health
Assistant Professor of Medicine
Johns Hopkins University School of Medicine

Paula M. Neira J.D., M.S.N., R.N., C.E.N., F.A.A.N.
Program Director of LGBTQ+ Equity and Education
Johns Hopkins Medicine Office of Diversity, Inclusion and Health Equity
Assistant Professor of Plastic & Reconstructive Surgery
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Renata Arrington Sanders, M.D., M.P.H., Sc.M.
Director of Pediatric and Adolescent Services
Associate Professor of Pediatrics
Johns Hopkins University School of Medicine

Cheri Wilson, MA, MHS, CPHQ
Program Director, Diversity, Inclusion and Health Equity
Johns Hopkins Medicine Office of Diversity, Inclusion and Health Equity
Johns Hopkins Medicine

DATE: February 15, 2023

We urge an unfavorable report on **HB 359– Education - Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women’s Sports Act)**. Although each of us is on faculty with the Johns Hopkins University School of

Medicine, the views expressed here are our own and do not necessarily reflect the policies or positions of Johns Hopkins University & Medicine.

This bill would prohibit transgender youth from participating in scholastic and intramural athletic programs aligned with their gender identity by requiring that participation in sports be determined on the basis of “biological sex” existing at the time of birth. Further, the bill would provide individuals with the ability to bring a civil action against the school they attend if they are “deprived of an athletic opportunity” or “suffer any direct or indirect harm” should a school violate the law by allowing a transgender youth to participate in sports aligned with their gender identity. A student would also be able to bring a civil action should they suffer retaliation for reporting a violation of the act.

Since 2017, the Johns Hopkins Center for Transgender and Gender Expansive Health (JHCTH), a multidisciplinary service line within Johns Hopkins Medicine, has offered comprehensive evidence-based, gender-affirming providing care across the lifespan to include pediatric, adolescent and young adult transgender and gender-expansive (TGD) people. Evidence-based science and best practices are the foundation of our work. Our missions of providing gender-affirming care and reducing the health inequities faced by TGD people embody our core values of diversity, inclusion, leadership, excellence and integrity.

The National Youth Sports Strategy has a vision for youth sports wherein all youth have the opportunity and access to play sports without discrimination. In 2020, The Presidential Council on Sports, Fitness & Nutrition Science Board reported that there are numerous benefits to youth from being able to participate in sports. Mental, emotional, and social health benefits such as lower rates of anxiety and depression, reduced suicidality, reduced rates of substance abuse and risky behaviors, and increased life satisfaction are seen among youth who play sports. The physical health benefits from sports participation include increased fitness, improved weight status, increased quality of life, and lifelong physical activity. Participating in sports is associated with improved life skills, improved educational and occupational skills, higher levels of academic achievement and educational achievement (college attendance and graduation).

However, bills such as this would preclude transgender youth from these benefits by perpetuating stigma and exclusion and fostering discrimination. In Healthy People 2020, the U. S. Office of Disease Prevention and Health Promotion stated that the social determinants negatively impacting LGBT health are largely related to oppression and discrimination. The lack of social programs appropriate for LGBT youth and the inability to access recreational facilities and activities contribute to health disparities. GLSEN research has shown that LGBTQ students, including TGD ones, regularly experience hostile school climates that inhibit participation in sports. Transgender students were markedly less likely to participate in either interscholastic or intramural sports than cisgender students. The Center for American Progress (CAP) reports that multiple surveys show that transgender youth report worse mental health, including increased depression and suicidality than cisgender peers; transgender youth experience bullying, harassment and rejection by peers within an environment of transgender sports bans that legitimize and enhance the discrimination; and that where there are accepting and inclusive sports policies, the risk of poor mental health and suicidality decreases. Transgender athletes who were able to play sports reported higher levels of psychological well-being and lesser psychological distress or suicidality than transgender youth who did not play sports.

While there is clear, consistent evidence of the harm being done to transgender youth from societal stigma, discrimination, exclusion, and lack of support/affirmation of gender identity, there is no evidence to support the rationales used to justify enacting bans on transgender youth from playing sports. According to the Centers for Disease Control and Prevention, fifteen states and Washington, D.C., currently have trans-inclusive state athletic association guidance, and years of open participation by transgender students in those places have produced no evidence of purported harms to cisgender youth. Furthermore, in states with inclusive policies, high school girls' participation in sports remained unchanged from 2011 to 2019 or increased in California and Connecticut by almost 14 percent. In states with exclusive policies, girls' participation has decreased.

The rationales used to justify these discriminatory policies relay on cisheteronormative bias, stereotypes, fear mongering, and unsupported claims of a blanket unfair competitive advantage based on physiology. The claim that allowing transgender girls to play sports deprives cisgender girls of opportunity or collegiate athletic scholarships has no basis in fact. The claim that, universally, transgender girls and young women have physiological differences that amount to unfair competitive advantage is not supported by the available scientific evidence and fails to account for the physiological differences within cisgender girls and young women.

We recognize the depth and breadth of evidence that documents the very real harms and risks to health and well-being that anti-TGD discriminatory policies foster. Our enterprise also recognizes the lack of evidence used to justify prohibiting transgender youth from participating in sports. In balancing real known harm being experienced by TGD girls and young women from discrimination against hypotheticals alleging factually-unsupported negative impact on cisgender girls and young women, we believe that public policy that impacts health and well-being should be guided by evidence and best practices.

For these reasons, we urge the Ways and Means Committee to issue an **unfavorable report on HB 359**.

2023 PPM HB 359 House Side OPP 2.14.23.pdf

Uploaded by: Robyn Elliott

Position: UNF

Planned Parenthood of Maryland

Committee: House Ways & Means Committee

Bill number: HB 359 - Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women’s Sports Act)

Hearing Date: February 15, 2023

Position: Oppose

Planned Parenthood of Maryland strongly opposes *HB 359 - Education – Interscholastic and Intramural Junior Varsity and Varsity Teams and Sports – Designation Based on Sex (Save Women’s Sports Act)*. The bill requires public and private high schools to maintain single-sex sports teams, defines sex as biological, and creates a private right of action for students “deprived of an athletic opportunity” because of a violation of the law.

This bill is not about fairness in sports. It is about perpetuating a history of discrimination against transgender and nonbinary students. If enacted, the bill would violate Title IX of the Education Amendments of 1972. The U.S. Department of Education recently affirmed that Title IX’s prohibits discrimination against transgender students in any educational program or activity offered by a school that receives federal financial assistance.ⁱ

Nearly 1 in 5 transgender or nonbinary student has contemplated suicide with the past year, according to a recent survey the Trevor Project.ⁱⁱ This figure shows that we must oppose measures such as HB 359 and continue to work towards more supportive environments in our schools for transgender and nonbinary youth.

As providers of gender-affirming care, we stand with our patients and ask for an unfavorable vote on HB 359. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.

ⁱ <https://www2.ed.gov/about/offices/list/ocr/docs/202106-titleix-noi.pdf>

ⁱⁱ https://www.thetrevorproject.org/survey-2022/assets/static/trevor01_2022survey_final.pdf

HB 359 Oppose.pdf

Uploaded by: Shamoyia Gardiner

Position: UNF



**Testimony in Opposition of
House Bill 359: Education – Interscholastic and Intramural Junior Varsity
and Varsity Teams and Sports – Designation Based on Sex (Save Women's
Sports Act)**

**Ways and Means Committee
Position: Oppose**

February 15, 2023

Strong Schools Maryland is a network of education advocates dedicated to ensuring the full funding and faithful implementation of the Blueprint for Maryland's Future so every student in our state is equipped to thrive upon graduation. **Strong Schools Maryland urges an unfavorable vote on House Bill 359**, which if enacted, would legitimize hateful, transphobic, sexist policies and practices in public schools by embedding sex-based discrimination in sports programs.

The Blueprint for Maryland's Future simply does not envision a transphobic system of public schools in the state. In fact, the oppressive hatred, bullying, and violence that would come about as a direct response to the passage of this bill would threaten any hope Marylanders have ever had about our schools being deemed "World-Class", in any sense of the word. The bill displays a dangerous obsession with the developing, pubescent bodies of children and should be rejected by the entire General Assembly.

House Bill 359:

- Includes a wholly inaccurate preamble that conflates pseudo-biology, gender with sex, demeans the inherent capacity of women, and speaks to "[i]nherent differences between men and women" taken out of

context of old legal rulings and articles from blogs like Psychology Today;

- Advances a tried and failed, “separate but equal” narrative around participation in and designation of school-based student extracurricular activities;
- Forces schools to develop student athletic teams on the basis of sex, then prohibits government entities from receiving complaints about discrimination arising from this requirement; seeks to force children into an either-or binary that is inconsistent with the experiences of ever-increasing numbers of students across the state; and
- Protects students and schools that discriminate against student participation on the athletic team of their choosing from retaliation or civil action; thereby codifying the legal ability to discriminate against anyone who violates this arbitrary, flawed rule about athletic participation.

There is no imminent threat to women’s sports, but the passage of this bill would contribute to active threats to the lives of transgender and gendernonconforming Marylanders, especially to the physical and emotional safety of children. Nationally, [80% transgender students](#) have said they avoided bathrooms at school, 70% avoid school locker rooms, and 60% avoid participating in physical education classes, all due to safety concerns. If we care about “saving sports” or “fair play,” Maryland ought to pursue athletic policies that are inclusive of trans students, which can have major benefits for transgender students and enrich the experiences of cisgender students.

Strong Schools Maryland works to build power with directly impacted Marylanders—including a diverse range of parents in every corner of the state—to ensure we can collectively shape the world-class system of education we’re stringing for. House Bill 359 will only hold us back as we set out to create World-Class schools for all students.

For these reasons, we strongly urge an unfavorable report on House Bill 359.

For more information, contact:

Shamoyia Gardiner

shamoyia@strongschoolsmaryland.org

HB0356_SharonBlinderHill_unfav.pdf

Uploaded by: Sharon Hill

Position: UNF

Hello Chairperson Vanessa Atterbeary and Vice Chairperson Jheanelle Wilkins, Committee members and guests. My name is Sharon Blinder Hill. I am here to oppose House Bill 359. I have 2 children: one identifies as female and one identifies as transgender. Both attended Montgomery County Public Schools.

Interscholastic and Intramural Sports need to be available to All students. Requiring athletic teams to be based on biological sex is blatantly discriminatory, damaging to children's mental health and incredibly demeaning to their self-esteem. Transgender children are Not a problem; they are simply children who want to be accepted; encouraged to do their best in life, academics & sports.

Transgender people have participated in sports for a long time! The NCAA and the International Olympic Committee have allowed transgender athletes to participate on sports teams aligned with how they identify since 2004.

The American Psychological Association states that there is No evidence to support claims that allowing transgender student athletes to play on the team that fits their gender identity would impact the fairness of the sport. They vary in their athletic ability just the same as all students. Note that in February 2021, the National Coalition for Women and Girls in Education issued a statement supporting transgender and nonbinary students' Full and Equal participation in all education programs & activities, including sports.

Evidence shows that adolescents who participate in sports have better grades, higher occupational aspirations and more self-esteem. All youth deserve to have complete access to sports. Banning transgender individuals from participating on teams based on their identity is the same as banning them from the sport entirely since their identity is how they exist in the world. Transgender youth suffer bullying, rejection and discrimination in all areas of their lives, including getting medical care. Sport participation helps to mitigate some of the harm that they experience from transphobic people.

Gender policing harms Everyone. It leads to invasive tests to "verify" biological sex, hormonal status, etc. Divisive policies undermine All teams. Let's promote inclusive, supportive policies which will improve students' well-being and team unity.

Vote NO to HB 359. Thank you.

House Ways and Means Testimony 2-15-2023.pdf

Uploaded by: Susan Gerb

Position: UNF

My name is Susan Gerb and I am testifying against HB0359

I am a teacher and a sponsor of the Sexuality and Gender Alliance at the school where I work. I have the good fortune to spend time with some of the wonderful children that this bill so heartlessly targets.

Imagine if *YOU* were told the only way to play the sport your friends enjoyed is on the team whose gender was not yours. That would effectively bar you from participating in that sport.

This bill would prevent trans kids from playing sports, kids who just want to be kids as a gender that belongs to them as much as yours belongs to you.

School sports are for giving experiences to grow from. Teamwork. Facing disappointment and adversity. Supporting one another. Dedication. And how to have fun. Deny them these opportunities, and you deny them their education.

School sports are NOT for crowning winners and losers. Therefore, it is unnecessary and harmful to try to remove all of the many advantages and disadvantages that students have. Many students do have natural advantages. They're taller, faster, more muscular, even from wealthier families who can afford equipment and training. Yet we're not moved to ban tall students or rich students or the more agile. Sports teach us that we will meet players with advantages we don't have. They teach us to use that challenge to feed our determination.

Yes, trans athletes will make some players uncomfortable. But we long ago decided that, in America at least, the mere fact that you make someone uncomfortable is not a justification for exclusion, legal or otherwise.

This bill is bigotry. The sooner this committee rids itself of this stain on your good name, the better.