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Education, Energy, and
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Executive Nominations Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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The Senate Education, Energy, and Environment Committee
SB 588 – Education – Interscholastic and Intramural Junior Varsity and
Varsity Teams – Designation (Fairness in Girls' Sports Act)
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Feldman, Vice Chair Kagan, and my distinguished colleagues on the Senate Education, Energy, and Environment Committee for this opportunity to present Senate Bill 588, the Fairness in Girls' Sports Act. I want to thank Chair Feldman and his staff for all their efforts to ensure we have an informative, productive hearing.

SB 588 would simply ensure a level playing field for girls' sports by only allowing biological girls (born female) to play on high school interscholastic and intramural junior varsity and varsity teams designated as a girls', female, or women's team or sport. I wholeheartedly believe this legislation is needed so female high school student athletes in Maryland can compete on a safe, level-playing field with opportunities to earn scholarships, medals, and records.

This bill protects the hard-earned opportunities for girls to compete in organized high school sports fairly and safely, and to earn athletic awards and scholarships, just as I did as a student athlete. I played varsity high school tennis for four years at Stephen Decatur High School in the number one girls' single position for four years.

By holding that position at the high school level, I then had opportunities to compete in regional and state tournaments that put me in the strongest position to be considered for a college athletic scholarship. As a result, I was offered and accepted a tennis scholarship to play for The Catholic University of America, a scholarship that was a lifeline for helping my family to pay for the cost of my college, where I played in the number three girls' single position and number one girls' doubles position for all four years.

Had one of the top-ranking biological boys from the boys' tennis team at my high school decided to play for my girls' high school tennis team, I would have been displaced from the number one position on the girls' tennis team and would have been denied opportunities to compete in state and regional tournaments, which are competitions that colleges follow when they are interested in recruiting student athletes and offering scholarships.

Simply put, being displaced from my number one girls' tennis singles position would have denied my opportunity to earn a college tennis scholarship, after spending years of practice, hours on end in the summer playing on the hard courts, running for miles, doing wind sprints,

competing in local, state, and regional tournaments, along with years of sacrifices made by my family, mainly my Mom, to support my dream of playing collegiate tennis.

My story and the story of thousands of Maryland women who played competitive sports in high school and earned a college athletic scholarship underscore the need for this legislation.

Women fought too long and too hard to earn equal athletic opportunities. In the early 20th century, women began fighting for their own space in sports, and through tremendous effort and hard-won accomplishments, we were able to enact Title IX on June 23, 1972, which was designed to eliminate discrimination against girls and women in education and athletics.

Before Title IX, only 294,000 girls played high school sports compared to 3.7 million boys. In 2019, 3.4 million girls participated in high school sports compared to 4.5 million boys. We have made immense progress, and we should not undermine that progress by allowing boys to take away the opportunities of girls by playing on girls' high school teams.

I do think it's important for this Committee to know that the participation of girls playing sports is not keeping up with the number of boys playing high school sports. In 2023, the number of girls participating in high school sports remained steady at 3.4 million, but the number of boys participating in high school sports increased to 4.6 million. Having comparatively 100,000 fewer girls participating in sports at the high school level is troubling.

The lack of fairness on the field of play inherently impacts performance and safety on the field of play. Several female athletes have been severely injured since biological males have been allowed to play in girls' sports with girls' regulations. For example in 2022, 17-year-old Payton McNabb, playing high school volleyball in North Carolina, was struck by a spiked ball during a volleyball game by a biological male on the opposing team. As a result, she suffered a concussion and neck injury. Like all student athletes, Payton was aware of the possibility of injury in contact sports, but she describes her experience on the volleyball court that day as violent. She was knocked unconscious and lay in a fencing position – an involuntary posture that occurs with head impacts – for over 30 seconds. Payton still suffers from partial paralysis, vision and cognitive issues, and constant headaches.

We want to prevent stories like Payton's in Maryland. As more incidences occur and spread, girls are becoming more cautious on the field of play to prevent long-term injuries. When a girl plays against a biological male, they are not simply playing against another player. They are playing against someone who is generally stronger, faster, and could really hurt them.

In response to the concerns raised during the hearing last year, I made two changes to SB 588 to address some of the opposition's concerns. First, we clarified that this bill only impacts girls' teams. Teams or sports that are designated as mixed or boys' teams would remain open categories for anyone regardless of biological sex or gender identity to try out, practice, and play. Second, SB 588 no longer includes the language from last year's bill that schools may bring a civil suit against another school and could recover monetary damages, attorney's fees, and any other relief. That section from last year's bill has been eliminated.

We have always acknowledged that there are differences between boys and girls, especially on the field of play. It's why we have girls' teams in the first place. Boys have enjoyed the many benefits that come with participating in sports, from leadership, confidence, cooperation, conflict resolution and so much more. We cannot deny these same benefits to girls, especially when girls who participate in sports are also less likely to suffer from breast cancer, experience depression, remain in a violent relationship, do drugs, become pregnant, and are more likely to graduate than girls who do not play sports.

In 2020, we celebrated the 100th Anniversary of the ratification of the 19th Amendment, voting rights for women. Here we are today considering legislation to ensure that women have a fair playing field in sports. We should be allowed to preserve our history, keep our opportunities in girls' sports, and enjoy the many benefits that come from participating in sports.

The other side contends that this Fairness in Girls Sports bill discriminates against trans athletes. That could not be further from the truth. Trans athletes can play boys, coed, and intramural sports.

Allowing biological boys to play girls sports discriminates against biological girls. Maryland's girls deserve to play girls sports on an even playing field. That's why this bill is called the Fairness in Girls' Sports Act.

I truly am grateful for this opportunity to present SB 588, and I look forward to working with this Committee to ensure that we keep fairness in girls' sports now and in the future for our Maryland daughters, nieces, granddaughters and great granddaughters. I urge a favorable report on SB 588.