
TESTIMONY IN OPPOSITION OF HOUSE BILL 156
Education – Interscholastic and Intramural Junior Varsity and Varsity Teams –
Designation Based on Sex (Fairness in Girls’ Sports Act)
Ways and Means Committee
January 29, 2025

Social Work Advocates for Social Change strongly opposes HB156, which would prohibit gender non-conforming youth from participating in the sport that corresponds with their gender identity requiring high school teams and sports to be designated based on biological sex. HB 156 ultimately subjects gender non-conforming students to discrimination in schools and undermines the expertise and authority of relevant agencies such as the Maryland State Department of Education (MSDE) and Maryland Public Secondary Schools Athletic Association.

HB 156 contradicts guidance from the Maryland State Department of Education, which stipulates students’ medical information, including their sex assigned at birth, should not be disclosed to staff without the student’s express consent.¹ MSDE directs scholastic athletic programs to abide by the Maryland Public Secondary Schools Athletic Association (MPSSAA) regulations which, in part, state that exclusion from scholastic sports on the basis of sex constitutes a violation of students’ rights to equal opportunity.² MPSSAA issues guidance on the principles that should inform policy around transgender student-athletes in Maryland public schools, including guidance that states, “Policies governing sports should be based on sound medical knowledge and scientific validity.”³ Despite this expert guidance, HB 156 defines students of the male or female sex in relation to “biological sex” but then fails to define the medical and/or scientific criteria that would demonstrate biological sex. This is not in alignment with the MPSSAA guidance about medical knowledge and scientific validity; it is not specified whether the bill intends biological sex to refer to a person’s sex assigned by a physician at birth, sex as determined by hormone levels, sex as determined by genetic karyotyping, or sex as determined by external genital presentation.

¹Division of Student Support and Federal Programs. n.d. “Maryland State Department of Education | Safe and Supportive Schools for All Students: Creating Inclusive Spaces for LGBTQIA+ Youth.” <https://marylandpublicschools.org/about/Documents/DSFSS/SSSP/SafeSpaces/LGTBQ-Guidelines-for-Gender-Identity.pdf>.

² Warner, R Andrew. 2021. “Handbook of the Maryland Public Secondary Schools Athletic Association.” Maryland Public Secondary Schools Athletic Association.

³ R. Andrew Warner. 2016. “MPSSAA Guidance for Participation of Transgender Youth in Interscholastic Athletics.” https://www.mpssaa.org/assets/1/6/Handbook_2021_4.23.21.pdf.

HB 156 fails to consider that some individuals are born with Differences in Sex Development (DSD)⁴, which means that they have some biological characteristics that are considered male and some that are considered female. Considering the understood rate of prevalence of DSDs,⁵ it can be determined that hundreds of children in Maryland public schools could be negatively impacted by this bill due to their DSDs.⁶

Additionally, our coalition is concerned that **this legislation could exacerbate sexual abuse and misconduct perpetrated by coaches and sports physicians**, which is already an issue in the world of amateur sports, according to the US Center for Safe Sports Centralized Disciplinary Database.⁷ Considering that the bill does not outline the procedure for officially determining a student athlete's biological sex, we worry that inappropriate genital examination of student-athletes could occur and potentially increase this risk.

Ultimately, HB 156 fails to recognize that *involvement in school sports is more important than winning or losing.* Regardless of a student's gender identity or medical history, the purpose of school sports is to teach young people fundamental social skills, responsibility, physical fitness, and to build their individual confidence. While this bill claims to be in the interest of competitive fairness, it seeks this ideal at the expense of these crucial elements of sports participation. HB 156 would undermine these goals of school sports, putting the mental health of gender nonconforming students on the line. Alternatively, transgender youths who find their schools affirming and inclusive are significantly less likely to attempt suicide.⁸

Social Work Advocates for Social Change urges an unfavorable report on HB 156.

Respectfully,

Jamie Delaney Baggett
Social Work Advocates for Social Change
umswasc@gmail.com

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy and to engage the communities impacted by public policy in the policymaking process.

⁴Mehmood, Khawar T., and Rebecca M. Rentea. 2025. "Ambiguous Genitalia and Disorders of Sexual Differentiation." In StatPearls. Treasure Island (FL): StatPearls Publishing.
<http://www.ncbi.nlm.nih.gov/books/NBK557435/>.

⁵ Ibid.

⁶ jmccraw. 2022. "Maryland at a Glance." Strategic Plan (blog). October 20, 2022.
<https://strategicplan.marylandpublicschools.org/maryland-at-a-glance/>.

⁷ "U.S Center for SafeSport - Centralized Disciplinary Database." n.d.
<https://cdd.uscenterforsafesport.org/>.

⁸ "2024 U.S. National Survey on the Mental Health of LGBTQ+ Young People." n.d. 2024 National Survey on LGBTQ+ Youth Mental Health. <https://www.thetrevorproject.org/survey-2024/#suicide-by-gender>.