

Testimony on House Bill HB63 – Unfavorable

HB63 – Education - Interscholastic and Intramural Junior Varsity and Varsity Teams and Locker Rooms - Designation Based on Sex (Fairness in Girls' Sports Act)

House - Ways and Means Committee

February 3, 2026

Dear Members of the House Ways and Means Committee,

My name is Michelle Koul, and I am a constituent of District 31. I am writing **to oppose HB63 – Education - Interscholastic and Intramural Junior Varsity and Varsity Teams and Locker Rooms - Designation Based on Sex (Fairness in Girls' Sports Act).**

BLUF: Discrimination against students because of transgender status or sex characteristics is sex discrimination and violates Title IX. I also would like to make you aware of the following information from the National Women’s Law Center¹ that shows that this bill is unnecessary, and in fact, results in harm.

(1) As for trans women participating in women’s sports: years of data negate the dominance argument. The small number of trans and intersex women athletes have not demonstrated any categorical “dominance” or overwhelming advantage in any sport. This notion ignores the fact that class and money are far more responsible for competitive advantages in sports (i.e., access to private coaching, better facilities, better sports equipment, and specialized training). Why focus on trans women if you are worried about fairness?

(2) Trans women do not take opportunities away from cis women. There are actually very few trans people in competitive sports—and the success of those trans people has, for the most part, been exaggerated to perpetuate transphobia. Initial research shows “participation among high school girls remained static from 2011 to 2019 in states with fully transgender-inclusive sports policies, whereas participation among girls in states with outright bans or trans-exclusive policies (combined) has *decreased*.” In other words, where states enacted hostile policies to bully trans students, we see fewer girls total playing school sports overall. In fact, trans girls can actually create more opportunities for cis girls to play: Fischer Wells, a 13-year-old trans girl helped recruit for her school’s field hockey team and opened up new team spots for herself and cisgender girls. Despite creating this opportunity, Fischer was heartbreakingly kicked off her team as the lone middle-schooler targeted by Kentucky’s anti-trans sports ban.

(3) Excluding trans athletes does not protect women and girls. Nondiscrimination laws protecting trans people in locker rooms or bathrooms facilities have been around for a long time, with *no increase in safety risks* in public restrooms and other gender-segregated facilities, according to a UCLA study. The transphobia created by policies that exclude trans women and girls from women’s locker rooms don’t just make trans women and girls more vulnerable to harassment, they also endanger cis women. There are already accounts of cisgender women being attacked in public spaces because people mistook them for trans women. That is, in part, why dozens of anti-sexual assault and domestic violence organizations have come out in support of inclusive restroom policies.

¹ <https://nwlc.org/once-and-for-all-this-is-why-we-support-trans-women-and-girls-in-sports/>

Anti-trans sports bans subject *all* women and girls to accusations of being too masculine or too good at their sport to be a “real” woman or girl. Some require women and girls to verify their gender through sex testing, even proposing invasive and traumatic medical examinations. These tests cause great psychological harm to women who fall outside stereotypical notions of womanhood, because they don’t conform to cisgender standards of femininity.

Bill sponsors: did you know that approximately 1 in 5 adult women in Maryland (about 466,000) have experienced forcible rape in their lifetime?² I respectfully ask that you work on solving this problem, rather than writing discriminatory anti-trans bills under the guise of protecting women. Please submit an **unfavorable** report on **HB63 – Education - Interscholastic and Intramural Junior Varsity and Varsity Teams and Locker Rooms - Designation Based on Sex (Fairness in Girls' Sports Act)**.

Thank you for your time and consideration,
Dr. Michelle Koul (she/her)
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² https://mcasa.org/assets/files/Reported_rapes_by_MD_County_2023-2022_12.2024.pdf