



March 15, 2022

Honorable Senator Paul Pinsky
Chair, Senate Committee on Education, Health & Environment
Senate Miller Office Building, 2 West
Annapolis, MD 21401

Re: Testimony in SUPPORT of SB951 Inclusive Athletic Attire Act

Dear Chair Pinsky and Education, Health & Environment Committee Members:

On behalf of the Council on American-Islamic Relations, I thank you for this opportunity to testify in strong support of SB951 entitled Inclusive Athletic Attire Act introduced by Senator Shelly Hettleman. CAIR is America's largest Muslim civil rights and advocacy organization.

In my time working as a social justice activist, I have personally spoken with many families of students across the state who either 1) faced obstacles in competing in school sports because they wear a religious headscarf and dress modestly, or 2) have chosen not to pursue their passion for sports out of fear that they would be singled out and humiliated because of their religious beliefs. Some of this fear unfortunately is rooted in the experiences of other Maryland student athletes including Je'Nan Hayes and Maheen Haq who are among the witnesses here today in support of this legislation.

Playing competitive sports is challenging without having to worry about uniform policies that risk compromising religious practices or values. But when regulations make it difficult to practice these beliefs, it creates a frustrating stalemate that no amount of skill or practice alone can resolve. This is the dilemma that athletes around the world have faced, including American athletes Bilqis Abdul-Qadir and Darsh Preet Singh.

Abdul-Qadir made history in 2010 as the National Collegiate Athletic Association's (NCAA) first female Muslim basketball player who wears an Islamic headscarf. Singh made history in 2004 as the NCAA's first Sikh basketball player to wear a turban in collegiate competitions. His jersey now hangs in the Smithsonian Museum.

But neither of these players had the option to continue their basketball careers beyond college. That's because, up until 2017, International Basketball Federation (FIBA), the overarching association of national organizations governing international basketball competition, had a policy banning any headgear—including religious garments—wider than 5 centimeters. This provision automatically disqualified Sikh and Muslim athletes who respectively wear turbans and hijabs as mandated by their faith.

Fortunately, over the last five years, there's been significant progress on the state, national and international level to make sports more inclusive for athletes of all religious backgrounds.

In 2017, after a massive interfaith public campaign, my organization welcomed FIBA's official ruling lifting its ban on religious headgear to allow players who wear articles of faith to participate in international competitions.¹ Also in 2017, we applauded the Maryland Public Secondary Schools Athletic Association (MPSSAA)'s policy change – prompted by Je'Nan's case – allowing student athletes to wear articles of faith including hijab.²

In a March 21, 2017 memo to local supervisors of athletics and member school athletic directors, MPSSAA stated in part:

“The Maryland Public Secondary Schools Athletic Association (MPSSAA) herein grants an exception to the NFHS uniform standards for religious purposes. Any participant may wear a head covering, wrap, or other required religious garment which is not abrasive, hard, or dangerous to any player/others, and is attached in such a way that it is unlikely to come off during play.”

In 2021, my organization welcomed the National Federation of State High School Associations' (NFHS) decision to permit religious headscarves and other religious headgear for volleyball players.³ SB951 is important because it takes the 2017 MPSSAA policy memo granting religious exceptions in Maryland and codifies it into law.

The bill builds on similar legislation enacted in other states including Illinois and Tennessee to create an extra layer of security to protect civil rights. It mandates that any uniform modifications for religious purposes should not pose a safety hazard. Many well-known retailers including Under Armour and Nike now manufacture sports hijabs and modest athletic attire that are widely endorsed by national and international athletes.

Religion should never be a factor in determining whether anyone is qualified or capable of competing in any sport. This historic bill will defend the constitutionally protected right to religious freedom, especially in these politically tumultuous times, and encourage student athletes of all backgrounds to pursue their passion for sports knowing that their state is committed to inclusivity and diversity both on and off the playing field.

We respectfully urge a favorable report on SB951.

Sincerely,

Zainab Chaudry, Pharm.D.
Director, CAIR Office in Maryland
Council on American-Islamic Relations
Email: zchaudry@cair.com

References:

1. https://www.cair.com/press_releases/cair-welcomes-implementation-of-new-fiba-policy-allowing-religious-headgear/
2. <https://www.cnn.com/2017/03/15/us/maryland-hijab-high-school-basketball-rule/index.html>
<https://www.facebook.com/CAIRNational/posts/10154656952792695:0>
<https://www.youtube.com/watch?v=sLqS4KcQwwY>
3. https://www.cair.com/press_releases/cair-welcomes-national-athletic-associations-decision-to-permit-hijabs-other-religious-headgear-for-volleyball-players/