



**Testimony in OPPOSITION of
Senate Bill 381: Interscholastic and Intramural Junior Varsity and Varsity Teams -
Designation Based on Sex (Fairness In Girls' Sports Act)**

Education, Energy, and the Environment Committee

Position: Unfavorable

February 7, 2024

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 Senate Bill 381**, 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.

Senate Bill 381:

- Fails to define the problem that it aims to solve as there is no substantial evidence to suggest that current policies of gender inclusion in sports are causing problems;
- 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 gender-nonconforming Marylanders, especially to the physical and emotional safety of children. The American Medical Association specializing in pediatrics published an article in 2022 stating that **anti-transgender legislation is a public health concern for youth**; transgender youth are more likely to feel unsafe, experience bullying, and be injured by a weapon in schools.¹ 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.² 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. Senate Bill 381 will only hold us back as we continue this future-focused work of creating World-Class schools for all students.

For these reasons, we strongly urge an unfavorable report on Senate Bill 381.

For more information, contact Riya Gupta at riya@strongschoolsmaryland.org

¹Barbee H, Deal C, Gonzales G. Anti-Transgender Legislation—A Public Health Concern for Transgender Youth. JAMA Pediatr. 2022 Feb 1;176(2):125–126. doi: 10.1001/jamapediatrics.2021.4483. PMID: 34747979; PMCID: PMC10204642.

²[The Importance of Sports Participation for Transgender Youth](#)