

**February 13, 2023; 1:30 pm**  
House Committee on Education  
Rep. Adam Thomas, Chair

Cat Poland  
Community Advisor, GSA at Prairie Hills Middle School

**HB2238** – Creating the "fairness in women's sports" act to require that female student athletic teams only include members who are biologically female.

**Opponent, Written Only**

Chair Thomas and Members of the Committee,

Thank you for the opportunity to provide Opponent testimony on HB2238.

My name is Cat Poland, a mother of three school age children in the Buhler school district (USD 313) in Hutchinson, Kansas. I'm also the Community Advisor for the GSA (gay-straight alliance) at Prairie Hills Middle School. I appreciate you taking the time to listen to my input on this matter.

A few years ago, if I had been asked to testify about a bill of this nature, I would have been uninformed and unsure of how I felt about this issue. I didn't really know anyone who was transgender, and certainly didn't understand why wanting to play sports with the gender you identified with was such a big deal.

Now, I get it. I've been blessed to not only become friends with people who are transgender, but to love and support them as well. I've seen firsthand the struggles and barriers they face, and have also seen the joy and flourishing they can experience when they are affirmed and able to live as authentically as possible. I've seen it save lives, quite literally. I've witnessed a child I love go from attempted suicide to living a full, meaningful life, regularly attending school and church youth group, while maintaining an active social life. Affirmation is life saving.

That's why I'm so adamantly opposed to HB2238, which lives under the veil of "protecting fairness in women's sports." While I understand why some may think allowing transgender athletes to play on the sports team that aligns with their gender identity, I think we have forgotten the original intention of the Title IX legislation. It gave girls and women "equal opportunity to aspire, achieve, participate in and contribute to society based on their individual talents and capacities." At the time, it meant so much because girls and women had less rights and resources than their male counterparts. It served to lift up the marginalized and open doors that were previously closed. And though it wasn't perfect, it served its purpose when it came to athletics. Female participation in sports rose dramatically.

When a similar bill was brought forward a few years ago, Republican Senator Ty Masterson had this to say after the NCAA issued a statement in support of trans athletes, "We will not sell out decades of progress by women for a few days of a basketball tournament." I see it differently. To sell out means a "betrayal of one's principles." And the principles of Title IX were clear. More equitable access to the marginalized.

The passing of HB2238 would actually give LESS children "equal opportunity to aspire, achieve, participate in and contribute to society based on their individual talents and capacities." The progress Senator Masterson so proudly boasts of would be halted, in favor of creating an enemy of transgender children who are not the boogey man they're made out to be. Instead of swinging the doors open further, they would be held closed with clenched fists, meaning gender diverse youth won't get to experience many benefits that athletic participation brings.

And while some have suggested that sports teams just for transgender athletes should be formed, this is not a viable option. For one, transgender students represent around 1.4 percent of the student population. There wouldn't be enough players to make it possible. And as we learned during the civil rights movement in this country, "separate but equal" is never truly equal.

If women's sports were so important to those who claim to want to protect them, we wouldn't see the vast disparities in income for professional players. In 2019, "The top WNBA salary was \$117,500, compared with \$37.4 million in the NBA." Women's sports do need protected and uplifted, but it's not trans athletes who have belittled and underfunded women's sports for 50 years since Title IX's passing.

In conclusion, I would like to reiterate that I'm opposed to HB2238 for two reasons:

1. Denying transgender children and teens the opportunity to live in authentic alignment with their gender identity is harmful and damaging to their mental health. They deserve to live with dignity and safety, and are not the threat that they've been portrayed as. Their safety is at risk. Not the other way around.
2. I believe "protecting women's sports" is a red herring. Transgender participation is not the real issue here. Women's sports have been devalued for decades, and it's time we ask why that really is, and stop placing the blame on transgender athletes who just want to have fun with their friends, be physically active, and benefit from being on a team of supportive peers.

Thank you for your time, and I ask that you open your hearts and minds to transgender Kansas youth who need affirmation, protection, peace and the opportunity to flourish without unnecessary barriers in their way.