

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

Bethany Bailey
Kansas Resident

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.

I am a lifelong Kansas resident, a former KSHSAA athlete, and a member of the LGBT+ community. I write to you today as one of the many people who benefited from sports and academic activities during my education in Kansas and urge my lawmakers to consider the damage they will be doing by passing a bill that exclusively targets students most in need of a community. My opposition comes from a place of concern for all our students; students who should be treated with respect and dignity regardless of their gender identity. To other these students is to show a callous disregard for the betterment of our communities.

As a volunteer in Speech, Debate, Forensics, as well as Lady's Golf, I have seen the joy that stems from students being able to come together in these activities. I have seen and mentored many Kansas students in the years since I graduated in 2010. Something that continues to amaze me is how a student can thrive when given the chance to do what they love with their peers. In my years of volunteering and mentoring, I have seen students blossom into well-rounded young adults with hope and a sense of duty regardless of their gender identity. But also must state that I have never once asked a student if they were transgender. I have never once assumed a student did not belong on a team among their peers. I have never made the assumption that any girl on a sports team doing exceptionally well was secretly transgender. If a student said they were on the girl's team, I simply accepted that wholeheartedly. Never once did it cross my mind that anyone else would assume differently. For the most part, it was a complete non-issue until it was determined that state sponsored discrimination of transgender students was acceptable. And now here we are.

It infuriates me that we have turned our students into punching bags. We have seen what sports and activities can do for students, their mental health, and their success in and after school. By passing this bill and attempting to force out any transgender or gender nonconforming students, it feels as though our lawmakers have decided to make themselves a new policing body in a field that has no need of it. This bill wants to bully our children and encourage others to do the same for clout while ignoring genuine concerns parents, students, and teachers have about the

future of Kansas schools. Our students should feel safe enough to be themselves, openly and authentically. KSHSAA policy already states that transgender students can participate on their identified gender's team. I fail to see why this bill is necessary other than an attempt to override the decisions already made by the appropriate boards. In the same way that a left handed student would not be barred from competing, our transgender students of all ages should have the opportunity to compete with their gender. It is our duty to give them that, whether they choose to participate or not. We cannot treat any student as lesser and expect them to grow. We cannot broadcast to the nation that we do not value ALL of our students and expect Kansas to grow. We as a community must encourage and nurture our students into becoming the best and most authentic versions of themselves.

We are the ones responsible for ensuring that our children grow up with the values of teamwork and dedication; values that Kansans have in our blood. There is no place for discrimination and fear. I am writing to you today as an adult, knowing that I would have been one of the gender nonconforming students you seek to terrorize. My feelings regarding my gender and identity as a 16 year old have stayed true as I turn 32 this year. I was blessed to have the opportunities I had as an athlete in school and continue to use the values instilled in me through both cooperation and competition as an adult. I only wish to see every other Kansas student have those same opportunities to thrive both now and in their futures. I thank you for your time.