

Opponent Testimony of HB2238  
For the Senate Education Committee  
March 6, 2023  
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Kansas Teacher

Chair Baumgardner and Members of the Committee, thank you for the opportunity to provide opponent written testimony on House Bill 2238.

I am a queer, nonbinary, teacher here in Kansas. Opposing this bill is important to me because children should be able to play their respective sports regardless of what genitalia they have.

There is no sure fire way of determining a girl to being "biologically" female. Girls who were declared as such at birth were done so by observations which even then girls who were born intersex don't always fall under. Deciding if a girl is "biologically female" by chromosomes is also unreliable because of how intersex chromosomes appear. Some girls who's bodies match those of a girl could very well have XY chromosomes. What this bill is doing is creating a way to target and open all girls up to possibly being sexually assaulted at the hands of whoever is checking for them to be "biologically female". These are children we're talking about, you are assuming every girl has the same amount of skill level, experience, and abilities, even school or district funding plays into it. There is always some kind of unfairness between cis people already. A trans girl isn't going to be exponentially better just because she was born in the wrong body.

These are children. Not the olympics. The goals of sports at their age is to build team working skills and to have fun. Let them live. If you were concerned about fairness you'd implement bills about testing athletes for performance enhancing drugs. About paying women who are athletes the same as male athletes. About giving girls and women's sports the same amount of attention as mens'.

The reality of this bill is one that opens girls up to sexual abuse at the hands of adults who are the ones checking girls in sports. This idea of protecting girls and making their sports fair is not going to stop anything. Girls sports has never been completely fair regardless of biological sex.