

Testimony of Vince Munoz

Senate Education Committee Committee Testimony in Opposition of HB 2238 March 3, 2023

Dear Senators Erickson, Sykes, and other members of the Committee,

I'm writing in opposition to HB 2238, the so-called "Fairness in Women's Sports Act," and all other stigmatizing anti-trans legislation this chamber is considering. There are three primary reasons to vote against this bill.

First, this bill harms trans, intersex, and cisgender students alike. To enforce any HB 2238-style regulations against K-12 students requires invasive physical examinations that harm all athletes. Imagine the humiliation your child would experience if they are accused by a competitor of competing in the "wrong" division based on stereotypes of what men and women should look like. The only way for the Kansas High School Athletic Association or any other entity to determine whether a student was in compliance with HB 2238 would be an intrusive inspection of intimate areas. Do you really want to subject your own child to that possibility? Harming one group often harms us all, and this bill is no different.

Secondly, this bill deprives cisgender student athletes of the ability to learn and grow from sports. One of the main purposes of sports in K-12 education is to teach students how to work with those who come from a different background than them. Whether it's literally working alongside teammates or learning good sportsmanship in individual competitions, sports tries to instill principles of fairness and resilience in young people. This bill undermines those principles. Instead of coddling the minds of those offended by the existence of others, we should challenge students to grow and learn tolerance, acceptance, and respect. Forcing trans athletes out of sports will lead to more hyper-sensitive cisgender young people who remain ill-prepared for adulthood.

Finally, if you actually want to control for biological differences between athletes, the solution is to replace gendered divisions all together with height and weight divisions in individual sports. Team sports already account for differences between athletes by allowing many athletes to compete alongside each other, so only individual sports are of concern. Fortunately there are already examples of non-gendered sports divisions. Take wrestling and boxing for example. Typically both male and female K-12 boxers and wrestlers compete against each other. Their divisions are determined by weigh-ins near the date of the competition. One could easily apply similar weight or height divisions to a whole plethora of solo sports such as swimming, track & field, or cross country. As someone who did all five of those sports throughout different points in my K-12 career in this state, and as someone who often practiced alongside both male and female classmates, I can attest that these would be fair, inclusive rules.

This committee must stop this and all other stigmatizing anti-trans bills. They not only harm trans children, they harm us all.

Thank you,

Vince Munoz

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