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SB 76: Affirming and Respecting Transgender and Nonbinary Students and Staff
Opponent
In-Person Oral Testimony

March 4th, 2025:

Members of the Committee, thank you for the opportunity to provide testimony in opposition to Senate Bill 76.

I urge the House Committee on Education to listen to medical professionals and queer/transgender resource organizations. There is a lot of misinformation that has been shared with and by the legislature historically. I've shared information and sources to the legislature previously. Before pushing legislation that will negatively impact transgender youth and their families it is imperative that this committee review the science and listen to experts in this field-not out of state hate groups. I have a couple of constitutional questions that I believe this committee needs to highly consider:

The first question I have is this. What if a child moves to Kansas from out of state, already socially transitioned, including an amended birth certificate from their birth state, will the state of Kansas recognize them as they identify or will the state of Kansas violate the US Constitution Article IV, Section 1 which requires each state to give full faith and credit to what other states have done?

The US Constitution Article IV, Section 1 reads "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such Acts, Records, and Proceedings shall be proved, and the Effect thereof".

An additional consideration- should the bill be amended to follow the US Constitution and carve out exceptions for people coming from out of state: That would make the state of Kansas liable to be sued under the 14th Amendment regarding equal protection under the law.

The question is- does the state of Kansas really want to put itself up for such a legal battle?

This bill would ban me from working and affirming trans and nonbinary students' names and pronouns in a higher education setting.

Yes, you are reading that correctly. The school that students pay to go to-would be forced to misgender and deadname them.

Page 2 lines 2-5 read, " No student shall be subject to any disciplinary action for declining to address an individual using a name other than the name listed on the individual's birth certificate or a pronoun or title that is inconsistent with the individual's biological sex."

That means teachers or staff wouldn't be allowed to intervene when trans or nonbinary kids are being bullied by being misgendered or deadnamed. This is sanctioned bullying.

I used to be a teacher. What if I had a trans kid who went to the same school that I taught? What would that mean? Would I be forced at work to misgender my own child? What party was it that shouts about parental rights? What mental anguish would this cause my child?

This affects kids as much as it affects our abilities to do our jobs. This is a step in erasure.

And lastly, I ask you to remember love, kindness, and remember that we must teach our kids the same.