

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Molly Baumgardner at 1:30 pm on Monday, March 07, 2022, in room 144-S of the Capitol.

All members were present

Committee staff present:

Cyndie Rexer, Committee Assistant
J.G. Scott, Legislative Research Department
Matthew Willis, Legislative Research Department
Tamera Lawrence, Office of Revisor of Statutes
Jason Long, Revisor, Office of the Revisor of Statutes

Conferees appearing before the Committee:

Senator Mark Steffen
Senator Renee Erickson
Brittany Jones, Director of Policy and Engagement for Kansas Family Voice
Idaho Representative Barbara Ehart
Matt Sharp, Senior Counsel, Alliance Defending Freedom
Natasha, Chart, President, Chart Consulting
Matt Lindsey, President, Kansas Independent College Association
Berquist, Aileen, Community Engagement Manager for the American Civil Liberties Union of Kansas
Representative Stephanie Byers
Representative Heather Meyer
Representative Susan Ruiz
Representative Brandon Woodard
Rev. Andrew Patty
Susanne Wheeler, Colonel (r) U.S. Army, Executive Director Mid-America LGBT Chamber of Commerce
Mark Tallman, Associate Executive Director, Kansas Association of School Boards
Holly Terrill
Tom Witt, Executive Director, Equality Kansas
Dr. Rachel Locks
Rev. Caela Simmons Wood
Davis Hammet
Paige Olson, Southeast Kansas Thriving Advocate, Kansas Appleseed Center for Law and Justice
Amanda Mogoi
Kyle Velte

CONTINUATION SHEET

MINUTES of the Committee on Education at 1:30 pm on Monday, March 07, 2022, in room 144-S of the Capitol.

Others in attendance:

No list available

Hearing on:

SB484 - Enacting the fairness in women's sports act to require that student athletic teams only include members who are of the same biological sex unless designated as coed.

Chairperson Baumgardner opened the hearing.

Jason Long, Revisor, gave an overview of the bill. ([Attachment 1](#))

Proponents:

Barbara Ehardt, Idaho State Representative, who authored and sponsored the first of its kind legislation that protected opportunities for girls and women in sports, spoke in favor of this bill. ([Attachment 2](#))

Matt Sharp, Senior Counsel, Alliance Defending Freedom, said women deserve to compete on a level playing field. Allowing non-biological females to compete in women's sports destroys fair competition and women's athletic opportunities. ([Attachment 3](#))

Natasha Chart, President, Chart Consulting, supports this bill because it requires female student athletic teams only include members who are biologically female because of the positive impact it will have on maintaining social and educational gains for women and girls in Kansas through sports. ([Attachment 4](#))

Dr. Mark Steffen, Kansas State Senator, stated the athletic differences between males and females are obvious to each and everyone of us on visual inspection and to the scientific community on a scientific and cellular level. ([Attachment 5](#)) ([Attachment 6](#))

Renee Erickson, Kansas State Senator, explained this bill is simple for it's purpose is to ensure only biological females compete in girls' sports. There are indisputable, scientifically proven hormonal, chromosomal and physiological advantages that males have over females which creates an unequal playing field. ([Attachment 7](#))

Brittany Jones, Director of Policy and Engagement, Kansas Family Voice reported that the Fairness in Women's Sports Act, that has passed in 11 states, ensures the intent of Title IX is honored and the amazing benefits it has provided to women across our state and country continue to be available for the next generation of women. ([Attachment 8](#))

Proponents Written Only:

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Reighan Childers, former University of Missouri-Kansas City Athlete ([Attachment 9](#))

Callie Hicks, former University of Kansas Track athlete ([Attachment 10](#))

Caroline Bruce McAndrew, a member of the 2004 US Olympic swim team ([Attachment 11](#))

Jessica Steffen, former member of the NCAA Division 1 women's basketball team ([Attachment 12](#))

City of Shawnee Governing Body ([Attachment 13](#))

Neutral:

Matt Lindsey, President, Kansas Independent College Association(KICA), is highly concerned that the language in this bill creates a new private course of action for private colleges in Kansas. ([Attachment 14](#))

Neutral Written Only:

Blake Flanders, Ph.D., President and CEO, Kansas Board of Regents (KBOR), stated KBOR recognizes the goal of creating a level playing field for women athletes, KBOR wants to bring to attention to some possible unintended consequences. ([Attachment 15](#))

Opponents:

Stephanie Byers, Kansas State Representative, considers this bill to be bullying. ([Attachment 16](#))

Heather Meyer, Kansas State Representative, testified that she believes this bill proposes to set up a system which is not only discriminatory, but also invasive and violates the privacy of our children and our families. ([Attachment 17](#))

Susan Ruiz, Kansas State Representative, testified that no one should have to go to a legislative committee and ask that transgender kids, ages 4-18, be allowed to live their lives just like all other kids. ([Attachment 18](#))

Brandon Woodward, Kansas State Representative, stated beyond the moral reasons to oppose this bill, this legislation is dangerous, puts a target on the backs of already vulnerable students, and will negatively impact the image of Kansas thought the country. ([Attachment 19](#))

Aileen Berquist, Community Engagement Manager, American Civil Liberties Union of Kansas, states this bill is based on a series of falsehoods leading to erroneous conclusions. ([Attachment 20](#))

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Rev. Andrew C. Patty, Pastor, Trinity Lutheran Church, asked for this bill to be rejected, save our state public fund against court fees, and then use that money toward positive educational initiatives for our children. ([Attachment 21](#))

Suzanne Wheeler, Executive Director, Mid-America LGBT Chamber of Commerce, is opposed to the attack on transgender children in our state shrouded in the guise of protecting Kansas daughters in sports. ([Attachment 22](#))

Tom Witt, Executive Director, Equality Kansas, stated this bill absolutely targets children as young as five. ([Attachment 23](#))

Holly Terrill, mother of a transgender child, testified that she believes this bill was designed to penalize children for simply participating in a sport along with other children. ([Attachment 24](#))

Rachel Locks, MD, laid out the significant mental health implications of passing this bill. ([Attachment 25](#))

Amanda L. Mogoi, APRN, said this bill speaks to "biological males", however, there is no indication in this bill as to how this "biological" identification will be made. ([Attachment 26](#))

Rev. Caela Simmons Wood, Pastor, First Congregational United Church of Christ, stated this bill would not only create unnecessary barriers for transgender youth who have every right to participate in sports, but it calls into question the very existence of transgender and nonbinary youth. ([Attachment 27](#))

Davis Hammet, stated this bill is part of an effort to undo inclusive progress and drive more vulnerable and scared children into darkness and despair. ([Attachment 28](#))

Paige Olson, Southeast Kansas Thriving Advocate, Kansas Appleseed Center for Law and Justice, testified that this bill does not promote fairness, but instead promotes an environment of exclusion, ignorance, and hate. ([Attachment 29](#))

Kyle C. Velte, Associate Professor, University of Kansas School of Law, testified that Transgender and cisgender youth participate in sports for the same reasons as other children. ([Attachment 30](#))

Opponent Written Only:

Iman Alsaden, MD, Fellow, Physicians for Reproductive Health, ([Attachment 31](#))

Birdie Alt, ([Attachment 32](#))

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Jaclyn Anderson, ([Attachment 33](#))

Aonya Barnett, ([Attachment 34](#))

Edward Bartelli, ([Attachment 35](#))

Rev. Bev Baumgartner, ([Attachment 36](#))

Ellie Beck, ([Attachment 37](#))

Mattie Bell, ([Attachment 38](#))

Ellen Bertels, Attorney, Kansas Legal Services, Inc., ([Attachment 39](#))

Sierra Bonn, ([Attachment 40](#))

Jerry Bonner, ([Attachment 41](#))

Britta Bustamante, ([Attachment 42](#))

Logan Byrd, ([Attachment 43](#))

Amy Carter, ([Attachment 44](#))

Chloe Chaffin, ([Attachment 45](#))

Chad Childs, ([Attachment 46](#))

Kevin Coronado, ([Attachment 47](#))

Colleen Cunningham, ([Attachment 48](#))

Kaitlyn Daise, ([Attachment 49](#))

Ardie and Gretchen Davis, ([Attachment 50](#))

Evelyn L. Davis, ([Attachment 51](#))

Jennifer Day, ([Attachment 52](#))

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Jennifer Delgado, ([Attachment 53](#))

Nick Diegel, ([Attachment 54](#))

Donnavan Dillon, ([Attachment 55](#))

Ethel A. Edwards, ([Attachment 56](#))

Catherine Ellsworth, ([Attachment 57](#))

Daniel English, LMSW, ([Attachment 58](#))

Leah Fliter, Director of Governmental Relations, Kansas Association of School Boards ([Attachment 59](#))

Val French, ([Attachment 60](#))

Melissa Gard, ([Attachment 61](#))

Dana Gillis, ([Attachment 62](#))

Joan T. Gilson, ([Attachment 63](#))

Jeri Graham, ([Attachment 64](#))

Timothy Graham, ([Attachment 65](#))

Janice Grebe, PhD Retired Anatomist, ([Attachment 66](#))

Liz Hamor, CEO, Center of Daring, ([Attachment 67](#))

Bill Heatherman, ([Attachment 68](#))

Elize Higgins, M.A. PhD Candidate, University of Kansas, ([Attachment 69](#))

Brett Hoedl, ([Attachment 70](#))

Grace Hoge, ([Attachment 71](#))

Lex Hooper, ([Attachment 72](#))

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Deena Horst and Ben Jones, Legislative Liaisons, Kansas State School Board, ([Attachment 73](#))

Dena Hubbard, MD, FAAP, Chair, Public Policy Committee, Kansas Chapter, American Academy of Pediatrics, ([Attachment 74](#))

Christine Huntsman, ([Attachment 75](#))

Debi Jackson, ([Attachment 76](#))

Dr. Quinn Jackson, Physician, Physicians for Reproductive Health, ([Attachment 77](#))

Delaney Jones, Health and Wellness Chair of F.O.C.U. S. at Wichita State University, ([Attachment 78](#))

Lisa Kilmer, ([Attachment 79](#))

Sara Kircher, Retired Human Resources Officer, ([Attachment 80](#))

Monica Kurz, Vice President for External Programming, KSPHQ, ([Attachment 81](#))

Megan Langford, ([Attachment 82](#))

Breanna LeDoux, Engineer/Spirit Aerosystems, ([Attachment 83](#))

Rachel Levitt, Co-Chair, Flint Hills Human Rights Project, ([Attachment 84](#))

Ann Lintecum and Steve McLane, ([Attachment 85](#))

Kansas Caudillo Lovelace, ([Attachment 86](#))

Erin Lynch, ([Attachment 87](#))

Jennifer Bacani McKenney, MD, FAAFP, Family Physician at Bacani/McKenney Clinic, ([Attachment 88](#))

Gretchen Meyer, Chair of the Open and Affirming Committee of Plymouth Congregational Church, ([Attachment 89](#))

Sarah Myose, Kansas State Organizer at URGE: Unite for Reproductive & Gender Equity, ([Attachment 90](#))

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Ericka Nicholson, ([Attachment 91](#))

Lucrecia Nold, Public Policy Specialist, Kansas Catholic Conference, ([Attachment 92](#))

D. Ojeda, PhD, Senior National Organizer, National Center for Transgender Equality, ([Attachment 93](#))

Dawn Olney, ([Attachment 94](#))

Susan K. Osborne, ([Attachment 95](#))

Megan S. Pacey, PhD, MSW, Associate Professor at the University of Kansas School of Social Welfare, ([Attachment 96](#))

Stephen Pantos, ([Attachment 97](#))

Jennifer Parson, ([Attachment 98](#))

Jennifer Pearson, Professor of Sociology, Wichita State University, ([Attachment 99](#))

Becca Peck, ([Attachment 100](#))

Cat Poland, ([Attachment 101](#))

Michael Poppa, Executive Director, Mainstream Coalition ([Attachment 102](#))

Jessica Porter, ([Attachment 103](#))

Angie Powers, ([Attachment 104](#))

Dawna Raehpour, ([Attachment 105](#))

Paris Raite, ([Attachment 106](#))

Rev. Aaron Roberts, Colonial Church in Prairie Village, ([Attachment 107](#))

Jackson Sabol, ([Attachment 108](#))

Amanda Salamanca, ([Attachment 109](#))

Bobette Sawka, ([Attachment 110](#))

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Andrew Schafer, ([Attachment 111](#))

Tiffany Scheffler, ([Attachment 112](#))

John Shively, Lead Coordinator, Sisters of Charity of Leavenworth, ([Attachment 113](#))

Caitlin Smith, ([Attachment 114](#))

Troy Spain, Executive Director, Kansas Civic Engagement Table, ([Attachment 115](#))

Dianne Stevens, ([Attachment 116](#))

Melissa Stiehler, ([Attachment 117](#))

Danielle Twemlow, ([Attachment 118](#))

Keaton Vaughn, ([Attachment 119](#))

Amy Voelker, MD, FAAP, ([Attachment 120](#))

Gloria Walker, ([Attachment 121](#))

Ashley Watkins, ELA Teacher at Halstead High School, ([Attachment 122](#))

Asher J. Wickell, Clinically Licensed Marriage and Family Therapist, ([Attachment 123](#))

John Wilson, President & CEO, Kansas Action for Children, ([Attachment 124](#))

Erin Woods, ([Attachment 125](#))

Committee members were directed to submit questions to the Committee Assistant to forward on to conferees by Wednesday, March 9, 2022.

The Chair closed the hearing on **SB484**.

The meeting was adjourned at 2:33 pm.

The next meeting will be March 8, 2022 at 1:30 pm in room 144-S.