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Testimony in Opposition of SB208  
Senate Education Committee  
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The following opinion column, "Let the Kids Play," published in the Feb. 13, 2021 edition of The Emporia Gazette, was written in response to a previous column which used harmful stereotypes to justify why transgender student-athletes should be barred from gender-appropriate team sports.

As the mother of a transgender child, this is an issue near and dear to my heart. My daughter is an incredible human. She's smart, funny, artistic and she knew before she could vocally express to us what she was feeling that her physical body didn't match her gender.

I hope this piece answers questions and eases concerns.

Trans athletes just want to play sports. They aren't threats to their cisgender teammates.

Let them play. You have actual issues to worry about.

Sincerely,

Ryann Brooks

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*EDITOR'S NOTE: Ashley Walker's column, "Sports, Science, and Common Sense," published in the Feb. 6 edition of The Emporia Gazette, elicited a strong response from the community. Many readers, including some Gazette employees, felt the language in the column was harmful to the transgender community.*

*The Gazette editorial team felt it was important to offer an opposing view.*

I used to think in the binary. Male and female. XX or XY chromosomes. His and hers.

Fast forward a few decades, a lot of learning — and my daughter coming out as transgender — I know that's not the case.

That's why I have been celebrating President Joe Biden's "Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation," which requires federally funded schools to allow transgender boys and girls to compete on gender-appropriate teams.

Walker was concerned that allowing "biological boys who identify as girls" would take away from girls sports, and that the order was tossing science out the window.

I disagree.

The NCAA began allowing transgender student-athletes to compete and participate openly on their gender appropriate teams in 2011. The NCAA's Inclusion of Transgender Student-Athletes Handbook was adopted in 2010 and addresses the concerns about "creating an 'unfair competitive advantage' on sex-separated teams."

These concerns, they state, are based on three assumptions: That transgender women are not "real" women; that being born with a male body gives transgender women an "unfair advantage when competing" against cisgender women; and "men might be tempted to pretend to be transgender in order to compete in competition with women."

I've seen some of these arguments myself in recent weeks as our state and federal representatives attempt to buck against Biden's executive orders.

I'll start with the easy one first.

### **Transitioning isn't easy.**

Transitioning isn't something you do for fun. It's a hard, emotionally brutal process.

According to the American Civil Liberties Union, "women and girls who are trans face discrimination and violence that makes it difficult to even stay in school. According to the U.S. Trans Survey, 22% of trans women who were perceived as trans in school were harassed so badly they had to leave school because of it. Another 10% were kicked out of school. The idea that women and girls have an advantage because they are trans ignores the actual conditions of their lives."

That, to me, doesn't sound like something one would choose to go through just to win some medals.

I've watched my child struggle through gender dysphoria for the better part of two years. At first, I didn't know what was happening other than anxiety and depression. But when your physical body doesn't match your gender?

It's hard.

As my daughter has been able to voice what was going on in her head, she has started to find herself. It's been a wonderful thing to witness.

### **Unfair advantages exist across a spectrum.**

Trans athletes vary in athletic ability just like cisgender athletes. Transgender girls who medically transition early on — before male puberty — would not have an edge.

To put this in context, let's look at a cisgender man and beast of an Olympic swimmer: Michael Phelps. Phelps naturally produces less lactic acid than the average human. Lactic acid is what our bodies produce when they break down carbohydrates to use for energy when oxygen levels are low.

Because he produces less lactic acid than the average human, it takes him less time to recover. That, combined with his famed physique helps Phelps swim like a dolphin. Is this an unfair advantage?

Let's go back to what this has to do with transgender individuals.

The Boston University School of Medicine explains the goal for hormone therapy for transgender individuals is to bring the hormone levels to normal physiological ranges for male or female bodies.

So, transgender women taking hormones will have “testosterone levels to the normal female range (30–100 ng/dl) without supra-physiological levels of estradiol.

Transgender men will increase testosterone levels to the normal male physiological range (300–1000 ng/dl) by administering testosterone.

Transgender adolescents usually have stable gender identities and can be given GnRH analogs (hormone blockers) to suppress puberty until they can proceed with hormone therapy as early as age 16.

Walker, quoting ESU professor Erin Blocker, mentioned a trans woman who won an NCAA championship in 2019 — claiming she had taken a chance away from a cisgender woman.

The athlete — CeCe Telfer — had been on hormone therapy for 12 consecutive months, as required by the NCAA. Telfer qualified for the NCAA Women's Division II Outdoor Track and Field Championships in 2019, ranking third in 60-meter hurdles and seventh in the 200-meter dash nationally in the women's division. She finished sixth in the 60-meter hurdles finals, and first in the 400-meter hurdles finals at the 30-inch women's division height.

This was the only time Telfer won a championship in her college career.

A trans athlete has never medaled in the Olympics.

### **Sex and gender exist on a spectrum.**

The University of South Dakota defines sex as a “medical term designating a certain combination of physiological characteristics related to the human reproductive system. These include chromosomes, gonads, hormones, genitalia and secondary sex characteristics (like breast tissue or facial hair). Bodies are generally expected to be easily categorized as one of two sexes, male or female.”

For females, that assumes XX chromosomes, ovaries, estrogen/progestogen, a uterus, vagina, vulva, breasts, etc. For males, it assumes XY chromosomes, testes, testosterone, a penis, scrotum, more facial and body hair, and so on.

But sex isn't really that simple. As it turns out, sex doesn't truly exist in the binary and biologists are learning more about this sex spectrum every day.

Take Olympic gold medalist Caster Semenya, who in 2009 was humiliatingly subjected to sex testing following the World Championships. Semenya is an intersex cisgender woman. Intersex people are born with sex characteristics, including genitals, gonads and chromosome patterns, that do not fit typical binary notions of male or female bodies.

But Semenya was assigned female at birth, raised female and identifies as female. Her body naturally produces elevated testosterone levels due to 5 alpha Reductase deficiency (an autosomal intersex condition).

She was withdrawn from international competition until July 6, 2010 when the International Association of Athletics Federations cleared her to return.

In 2019, the IAAF adopted new rules to now prevent women like Semenya from participating in 400m, 800m, and 1500m events unless they take medication to lower their testosterone levels. Remember, Semenya naturally produces higher testosterone levels.

Walker noted the “physical differences” in boys and girls — larger skeletal structures for boys, “which provide a clear mechanical advantage over girls.”

But, this may not always be the case. In 1972, Kevin Weiss, a professor emeritus of anthropology and genetics at Pennsylvania State University, challenged that notion after noticing there were about 12% more male skeletons than female skeletons reported at archaeological dig sites. Weiss noted that the ratio should have been more equal, and concluded that when a skeleton was more “ambiguous” the bias would skew to a male identification.

And, we know that cisgender men and women come in all shapes and sizes. Some people are stronger than others, faster than others — cisgender, transgender or intersex. It’s just how it is.

This doesn’t mean someone has an unfair advantage.

### **Trans kids need sports, too.**

The Kansas State High School Activities Association has had a policy in place regarding transgender student-athletes for almost six years, which requires schools to notify KSHSAA of their participation. There are currently five transgender students who are active in middle or high school activities in the state.

Five. In the whole state.

That’s certainly not enough to warrant a separate league. And it would be a huge disservice to tell those kids, who have made an incredibly brave choice to live openly and proudly, that they have to play on the team of the opposite sex.

According to the Associated Press, KSHSAA Executive Director said Bill Faflick does not track the individual students’ performance, and there’s no record of a transgender athlete winning a championship. The truth is, there’s no threat to cisgender girls or boys when it comes to transgender athletes.

No one is out to destroy women’s sports or men’s sports.

So, the next time someone mentions transgender student-athletes, I encourage you to join me in celebrating their accomplishments on and off the field just as you would their cisgender teammates.

The kids just want to play, and we should let them do it.