

# **Idaho Representative Barbara Ehardt Testimony on Girl's & Women in Sports**

Chairman and good committee, thank you for hearing me today. My name is Barbara Ehardt and I am the Idaho Representative who authored & sponsored the first of its kind legislation that protected opportunities for girls and women in sports. This legislation was titled the "Fairness for Women in Sports" act.

We deserve our opportunity to pursue our dreams and excel in athletic opportunities, just as our counter parts, boys & men, have always been able to do. Forcing us to compete against biological boys & men will continue to remove our opportunities to compete, learn and grow – again, just as boys & men continue to be able to do.

Women fought too long and too hard to earn equal athletic opportunities. I should know. I was the benefactor of those who have gone before me and I feel an incredible obligation to protect those who will follow me. This bill does just that. My story is about the opportunities provided through sports.

When I was growing up there were few opportunities existed for women to play sports. These were very few for women... we could be secretaries, airline stewardess, teacher. I just wanted to play sports but I was told, **"girls don't do that."**

But then Title IX happened on June 23, 1972. Opportunities in sports began to occur for girls and women. But this has been a process. I had the chance to play junior high basketball, like my counterparts. However, I walked to practice at 5:45am, through the cold, every day, while the boys practiced after school – every day. Then I was able to play high school basketball and our games were well attended. We were making progress.

As fate would have it, I was able to play college ball, first at North Idaho College and then at Idaho State, on a scholarship. This led to a 15-year collegiate coaching career at four fantastic institutions including: UC Santa Barbara, BYU, Washington State and Cal State Fullerton, as the head coach. As that young 8-year old girl wanting so badly to pursue her dreams, this was an amazing journey.

Women in the 70's and earlier, paved the way for me to have opportunities that have taught me so much and helped to shape who I am. They have helped me, and I have worked hard to help those who followed me. This bill is really about opportunities to preserve those dreams that like me, so many young girls and women have.

We have fought hard to get where we are with opportunities – and we still aren't where we need to be. But let's make sure that we don't go backwards. We need to preserve these hard fought for opportunities in girls and women's sports. Which is the point of this legislation.

**Title IX was designed to eliminate discrimination against girls & women in education and athletics, while creating equal opportunities for girls & women.** When boys compete in girls' sports, equal opportunity is destroyed. Allowing boys & men to compete against girls & women shatters dreams and steals opportunities. **Allowing boys & men to compete in girls' & women sports reverses nearly 50 years of advances for women.**

We have always acknowledged that there are differences between males & females. Our counterparts have enjoyed the many benefits that come from participating in sports, everything from leadership, confidence, cooperation, conflict resolution and so much more. We deserve this too. How do you quantify feelings? Who is to say that a biological males' feelings are more important than that of a girls'? **This bill doesn't deal with feelings or identity. You can identify as anyone you want to, but that shouldn't dictate what is fair for women.**

## **Story**

When I testified in Montana for their version of "Fairness in Women's Sports Act," I addressed the very real possibility of having an all biological male team taking the spots of girls & women. If we allow a transgender woman to compete on a collegiate women's sports team, that will force teams at other schools to change their recruiting practices and seek transgender players of their own in order to remain competitive.

Sports is one of the best examples at the college level of Pete and Repeat. We copy each other all the time in order to attain success and recruiting is a perfect example of that. The University of Montana runner John Eastwood ran on the men's team for 3 years and then his senior year he decided to run as June Eastwood. June annihilated our women at the Big Sky Championships in Pocatello, Idaho. It wasn't even close. But, if John had decided to run as June his freshman year, it would have forced every single school in that conference to change their recruiting tactics in order to remain competitive.

Currently we are all looking at this situation myopically. We are being told that it's just one biological boy wanting to play on the team; what could that hurt? Certainly that boy would most likely be replacing the worst girl on the team, though I disagree that she should be replaced because she loses out on her opportunities to learn and grow. But it goes well beyond the young lady that is replaced. This biological boy now displaces who the leading scorer, rebounder or MVP might have been. But it doesn't stop there. Every team against who they play are also now displaced as how they might have competed is changed. How is that fair? But even this isn't where it ends.

We have to entertain the very real possibility that girls will be displaced all together. If you are willing to allow one biological male on the team, then you have to be willing to allow 12 biological males to make the team if 12 biological males tried out for the team. You may say, well, that's not going to happen, but that's not the point; it could, and you have to be willing to let it. And the funny thing is the ACLU can't address this issue. The

ACLU used to stand up for girls and women. Now they don't. But when all of our spots and opportunities are taken, I ask, where will the girls and women go???

If there was any question about whether or not we would be experiencing a problem with boys & men taking the place of girls & men in sports, what is happening across the country and what is actually happening in Kansas should be proof enough. Yes, having boys & men compete and take the places of girls & women is very much desired and based on testimony, we are not far off.

Is this really the road Kansas wants to venture down? Because as mentioned, there will be lawsuit, but it will be parents and girls, just like in Connecticut, that will be suing when boys & men take their daughters' spots. This is not conjecture, this is simply reality. Look at what is occurring in Connecticut. Three girls, Selina Soule, Chelsea Mitchell and Alanna Smith all want to be able to compete and have the same opportunities for fairness in sports. Their dreams were shattered in the course of just over a year. Two males now hold 15 state championship titles that had previously been held by 9 different girls. This is not fair. This is sad. This is discriminatory. This is what Title IX was designed to protect.

Connecticut's high school athletic association is being sued and this is just the first of many more to come because of not protecting biological girls & women in sports. Biological boys and men are not being prevented from participating in sports. They can still compete – it just needs to be with other biological boys & men. Free to make choices, not free to choose the consequences for women. Just talk to the girls have been prevented from competing, starting with the three girls in Connecticut, Selena Soule, Chelsea Mitchell, Alanna Smith.

The irony is not lost on me that here we are, 100 years later, celebrating Women's suffrage. I believe that women should have a fair playing field and that we should be allowed to preserve our history and to enjoy the many benefits that come from participating in sports. Please, support the future dreams and aspirations of young girls everywhere who just want to play sports. If you just let us play.... Please, let us play.

**NIKE 1995 ad: If You Let Me Play Sports – was ground-breaking!**

**The benefits for girls playing sports, as NIKE said in 1995, are inherent to biological girls, NOT boys.**

**If you let me play, if you let me play sports.**

**I will like myself more;**

**I will have more self-confidence.**

**If you let me play sports. If you let me play,**

**I will be 60 percent less likely to get breast cancer;**

**I will suffer less depression.**

**If you let me play sports,**

**I will be more likely to leave a man who beats me.**

**If you let me play;  
I will be less likely to get pregnant before I want to.  
I will learn what it means to be strong,  
if you let me play...**

**We have been celebrating women & how far we have come. Have we really come that far?**

The ad was based on a compilation of research assembled by the **Women's Sports Foundation** (*updated July 20, 1995*). It also found that **girls who participate in sports are less likely to get involved with drugs, less likely to get pregnant and more likely to graduate from high school than those who do not play sports. They would feel greater confidence, self-esteem and pride in their physical and social selves than those who were sedentary as kids.**

#### **NCAA Policy on Transgender Student-Athlete Participation**

The following policies clarify participation of transgender student-athletes undergoing hormonal treatment for gender transition:

1. A trans male (FTM) student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Identity Disorder or gender dysphoria and/or Transsexualism, for purposes of NCAA competition may compete on a men's team, but is no longer eligible to compete on a women's team without changing that team status to a mixed team.
2. A trans female (MTF) student-athlete being treated with testosterone suppression medication for Gender Identity Disorder or gender dysphoria and/or Transsexualism, for the purposes of NCAA competition may continue to compete on a men's team **but may not compete on a women's team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.**

Any transgender student-athlete who is not taking hormone treatment related to gender transition may participate in sex-separated sports activities in accordance with his or her assigned birth gender.

- A trans male (FTM) student-athlete who is not taking testosterone related to gender transition may participate on a men's or women's team.
- **A trans female (MTF) transgender student-athlete who is not taking hormone treatments related to gender transition may not compete on a women's team.**

**The NCAA is taking a permissive approach to schools allowing guys to play; but it is not mandated.**