

**February 13, 2023; 1:30 pm**  
House Committee on Education  
Rep. Adam Thomas, Chair

Jennifer Day  
Kansas Resident

**HB2238** – Creating the "fairness in women's sports" act to require that female student athletic teams only include members who are biologically female.

**Opponent, Written Only**

Chair Thomas and Members of the Committee,

Thank you for the opportunity to provide Opponent testimony on HB2238.

I'm so disappointed that some of our lawmakers in Topeka continue to focus on legislation like HB 2238 that singles a certain set of school children out for bullying based on fear, misunderstanding, and misinformation. I fervently agree with my fellow former Kansas House legislator, Stephanie Byers, when she said there isn't proof of a biological advantage for girls playing in various sports across the U.S. at this time. She gave the example of how a person who's taller than average isn't told they can't play basketball just to try to maintain fairness in the sport. We can't deny the truth behind that statement.

Additionally, I have big concerns about how it would be determined whether a person is a biological female if laws like this were to be put in place. As an ally for the LGBTQ community, I also have concerns about the affect a law like this would have on the mental health of those impacted by it. Trans children deserve the same opportunities as their fellow school mates. And for those that believe that no one is telling trans girls/women that they can't play sports, you are. You are telling them they cannot play with their fellow female students. Trans girls are girls. Trans women are women. Listen to their voices, and try to understand their perspective. They are so hopeful for acceptance and understanding in their lives. We all are. If we can't try to connect with our fellow human beings with basic understanding and compassion, then I fear all is lost.

Please vote no on HB 2238 should it come up for a vote. Thank you for your consideration of my testimony, and I wish you all well.