



Anti-trans sports bills | Background & talking points

Background

After years of focusing on restrooms and locker rooms as an entry point for excluding trans people from public life, opponents of LGBTQ equality have shifted strategy to focus on excluding trans people, particularly students, from participating in athletics consistent with their gender identity. We saw this arise in the context of the Equality Act hearings before Congress in May 2019, where the so-called threat to women's sports emerged as the core reason to oppose LGBTQ nondiscrimination protections in the workplace, housing and public accommodations.

These arguments rest on the assumption that trans girls and women are not real girls or women, and that they have an unfair advantage over cisgender girls and women. These arguments are a blatant attempt to pit cisgender women against transgender women, and to create a supposed harm of trans-inclusive policies.

People approach this issue with pre-existing assumptions about "biological differences" between boys and girls and about the role of hormones like testosterone in athletic achievement. When challenging people's assumptions it is important to first reinforce that trans women and girls are women and girls so it is not appropriate to talk about "biological males" and boys in girls' sports when we are talking about trans-inclusive policies.

It can also be helpful to name people's fears about competitive advantage and provide information that creates a more accurate picture of the role of testosterone on athleticism and other oversimplified assumptions at work here. Trans girls sometimes do win, so it isn't helpful to say that they never do, nor would we want that to be the test. But it can be helpful to point out that despite decades of participation by trans athletes at all levels of competition, there is simply no categorical dominance by trans athletes.

Trans people, like all people, have varying athletic abilities and shutting them out of sports does nothing but send exclusionary and discriminatory messages about trans people not being "real" men and women and suggesting that cis people need to be protected from their trans peers and colleagues.

In challenging these bills and the narratives that drive them, we also believe that lifting up the stories of trans athletes—who are supported by their families, their teammates and their communities—will help counter some of the worst messaging from the other side and remind people that we are talking about kids who just want to participate in the activities they love.

Suggested talking points

- Having the opportunity to participate in sports results in positive outcomes for students—better grades, greater homework completion, higher educational and occupational aspirations, and improved self-esteem.
- Trans students participate in sports for the same reasons other young people do: to challenge themselves, improve fitness, and be part of a team. Excluding trans students from participation just deprives them of opportunities available to their peers and sends the message they are not worthy of a full and social life.
- Inclusion of girls and women who are transgender in athletics supports the ongoing investment in all girls through access to sports and other athletic activities.
- Despite the fact that trans people of all ages have been participating in sports consistent with their gender at all levels for years, we simply have not seen any dominance by trans athletes. Athletic success is based on many disparate factors that vary sport to sport, and being transgender does not give girls who are trans an inherent advantage over girls who are not.
- When one trans athlete succeeds, her success is often highly publicized and politicized to the point of suggesting that the only reason for the athlete's success is the fact that the person is trans, and that all trans people are inherently better athletes than all cis people. Neither is true. The fact that an occasional trans person succeeds in sport should not be used to exclude all trans athletes.
- Because allowing trans girls to compete in girls' sports doesn't hurt anyone, advocates for women and girls in sports such as the National Women's Law Center, the Women's Sports Foundation, Women Leaders in College Sports, and others support trans-inclusive policies and oppose efforts to exclude transgender students from participating in sports.
- Efforts to ban trans girls from participating in girls' sports jeopardize their mental health, physical well-being and ability to access education opportunities comparable to their peers.
- Requiring girls who are trans to compete on boys' teams, or boys who are trans to compete on girls' teams, may effectively exclude them from participating at all.
- There are real issues with gender parity in sports when it comes to funding, resources, pay equity, and more. Promoting baseless fears about trans athletes does nothing to address those real problems.
- Proposals that single out students who are transgender for discrimination violate state and federal constitutional guarantees of equal protection.
- Sweeping proposals that purport to determine a person's sex by documenting the person's chromosomes and reproductive anatomy raise serious privacy and administrability concerns.

Additional tips

- DO: Talk about participation as a value. “Students who play sports want to be a part of a team and have a sense of belonging.”
- DO: Talk about the mental health benefits of participation. “Young people who participate in sports often experience a lot of mental health benefits. For young trans people — who often consider suicide at high rates when they don’t have support from friends, family and schools — being able to be a part of a team can be lifesaving.”
- DO: Talk about women in sports in a broader historical context. “As long as there have been women’s sports there have been conversations about who counts as a woman. Black women have repeatedly been pushed out of sports — and still are — at many levels when they are told they are too tall, too muscular, not feminine enough.”
- DON’T: Focus on competition. If the reporter continues to ask about “fairness” or “competition,” go back to values of participation. “We are talking about school sports and students, were participation of as many students as possible should be the goal.”
- DON’T: Focus on science/biology. Pivot to support from women athletes/women’s orgs. “I can refer you to some experts who can better answer those questions, but what I think is more important is that the National Women’s Law Center, the Women’s Sports Foundation, Billie Jean King, Megan Rapinoe and over 300 swimmers including women who competed with Lia are supporting her and other transgender athletes.”

Resources

- [GLSEN Policy Brief](#): Transgender Inclusion in High School Athletics (includes a very good discussion about common claims about competitive advantage).
- [Sign on letter](#) from major women’s advocacy groups supporting trans inclusion.
- [Blog - The Coordinated Attack on Trans Student Athletes](#)