



WISCONSIN FAMILY ACTION
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**TESTIMONY IN SUPPORT OF SENATE BILL 322 AND SENATE BILL 323
SENATE COMMITTEE ON HUMAN SERVICES, CHILDREN AND FAMILIES
WEDNESDAY, MAY 26, 2021
JULIAINE K. APPLING, PRESIDENT**

Thank you, Chairman Jacque and committee members, for the opportunity to testify on Senate Bill 322 and Senate Bill 323. Wisconsin Family Action supports these bills.

The Protecting Women's Sports bills would protect girls' athletic opportunities by ensuring that only biological females can compete in female sports contests in our state's K-12 public schools and private schools participating in a Parental Choice Program as well as in our institutions of higher learning. Without these bills, biological males, who have physiological advantages over girls, can unfairly compete for girls' athletic titles and opportunities—causing girls to lose out on opportunities meant for them.

Protect Women's Sports is based on the idea that sports should happen on a level playing field. Letting biological boys play in girls' sports is decidedly *unfair*.

Males have numerous physiological advantages that make it hard or impossible for even the top female athletes to compete against. That's why this bill ensures that only girls play in girls' sports.

Biological males have greater bone density, muscle mass, and cardiovascular capacity than girls. This remains true even after males have undergone hormone treatment. Often, their physiological advantages remain unchanged or decrease only slightly. Even when their advantages like muscle mass decrease slightly, this may be overcome through proper training.

The bills' concept is supported by field experts. A similar bill (now law) in Idaho was sponsored by a former NCAA basketball player and Division I coach. As a coach and athlete, she brought this bill forward because she knew from experience that female athletes deserve fair competition—and that female athletes compete in their own divisions for a reason.

Female athletes deserve fair competition – and that means the chance to maintain women's categories distinct from co-ed or boy's/men's categories. As proof, consider that the world record for the men's 100-meter dash, set by Usain Bolt, is 9.58 seconds. The world record for women, set by Florence Griffith-Joyner, is 10.49 seconds. Females have never broken what's referred to as the 10 second barrier, while Olympic male finalists consistently break the barrier.

Further, In Connecticut, three female track stars are embroiled in a federal lawsuit over a policy that allowed biological boys to compete in girls' sports. While the girls were formerly top high school runners, two biological males entered as girls and took their athletic titles and opportunities to compete at a higher level. As a side note, in an action related to this case, the Department of Education clarified that the problematic policy was a violation of Title IX.

Allowing biological males to compete in girls'/women's sports enables them to take elite opportunities meant specifically for biological girls/women.

Eligibility rules are a part of sports. Athletes must wear legal equipment, in-state competitors need to attend a school in that state, and there may be age or grade requirements. These rules make sure that athletes play in the right category, and that they're not playing with an unfair advantage over their opponents. Likewise, it's only fair that to play in girls'/women's sports, you should be a biological female.

One of the world's top marathon runners, Paula Radcliffe, shared these sentiments when the Boston Marathon changed its rules to open qualifying times to biological men who identified as women. Radcliffe, who for several years held the female world record time for a marathon, noted that the Boston tournament is exceptionally difficult to get into as it is, and allowing biological men to take women's slots would make it even harder for women to enter.

Allowing males in female sports defeats the very purpose of Title IX: equal opportunity for biological women – and not letting biological boys steal girls' opportunities.

Women's sports is a hallmark achievement of Title IX. When males compete in women's sports, that threatens achievement opportunities for Wisconsin women.

Title IX ensures that no one can be denied equal access educational opportunities on the basis of sex. Imagine a world where Simone Biles or Katie Ledecky were relegated to a recreation-only team, or a competitive team with far less opportunity than the comparable men's team.

Before the creation of Title IX, that was the world in which many women lived. Even for talented athletes, as women they wouldn't have the same opportunities. Their teams might lack funding, they might be relegated to a recreation-only team, or sometimes they might not even have a girls' team on which to play. According to the [Women's Sports Foundation](#): "Before Title IX, one in 27 girls played sports. Today that number is two in five." With the dawn of Title IX, women could finally compete on a level playing field against other women, with similar opportunities as men. Historically, Title IX has been used to advance women's opportunities. Now, some want to use Title IX as a justification to let biological men steal those very opportunities.

The concept of the bill is widely supported and is commonsense.

Protect Women's Sports aligns with public opinion. Recent [polling](#) shows that most Americans – including majorities of Republicans, Democrats, and independents – agree that female athletes should not be forced to compete against biological men. Thousands of Americans from around the nation sent letters to Idaho Governor Brad Little expressing their support for that state's law. Similar legislation is being considered in over 30 states with over 60 bills—showing real Americans very much care about this issue and want to preserve girls' sports for their daughters and granddaughters.

Wisconsin has the opportunity to do the right thing and protect girls' and women's sports. Now is the time to be fair to the girls and women who work hard to hone their athletic talents so they can excel in the sport or sports of their choice.

Thank you for your attention and thoughtful consideration of our position on this proposal. Wisconsin Family Action urges you to support this bill and recommend it for passage by the full Senate.