

From: (b)(6)
Sent: Fri, 11 Jun 2021 20:58:26 +0000
To: T9PublicHearing
Subject: Written Comment: Title IX Public Hearing (Personal experience on same-sex sports and spaces)

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To whom it may concern:

I am a female student-athlete currently enrolled in a Texas public university, and I strongly believe that Title IX must maintain its protection of women's spaces – specifically, sex-based access to sports, changing rooms, and bathrooms – in order to minimize sex-based discrimination and allow women and girls full participation in educational programs and activities.

Basing bathrooms and changing rooms on gender identity may make the 0.7% of students who identify as transgender or gender non-conforming² feel safer, but it will do much greater damage to the 50% of the population born female. In schools that have implemented gender-neutral toilets, girls have coped by choosing not to urinate at school and skipping classes when they menstruate³. (I personally have female family members who have been assaulted in public bathrooms, both mixed-gender and single-gender, and chose not to report it because of fear of backlash, and I believe this issue is underreported.) Moreover, UK research has shown that the majority (slightly under 90%) of sexual assaults occurred in unisex changing rooms¹. While it is important to ensure that people of all identities feel included, physical safety takes precedence over inclusivity, and bathroom issues such as bullying, up-skirting, and inappropriate use of recording devices are difficult to police without invasive security measures. In my opinion, the best solution would be to implement single-stall bathrooms open to any sex or identity in addition to the sex-segregated bathrooms currently in place. One or two bathrooms would be sufficient to accommodate the low number of transgender/gender non-conforming students, and they would be safe from harassment from either sex there. Female students would then also feel safe using the same designated facilities as they currently use. Furthermore, the low number of single-stall gender-neutral bathrooms would keep costs low for cash-strapped school budgets.

Maintaining sex-based segregation in sports is important as well. I've competed in both co-ed and women's-only soccer leagues, and the women's leagues consistently afforded a better, fairer level of competition – women could train more freely, without shying away from tackles or contact, and players were on more even footing. When male-born players competed, they controlled possession and easily won tackles and challenges due to their speed and height, and the women's development was hampered, even when they had been training for far less time or less intensely than the female players.

I have seen a lot of newspapers and Internet forums claiming that lowering a male body's testosterone levels via hormone replacement therapy eliminates the advantages that body would

have in women's sports; this is completely untrue. No amount of hormone therapy can change preexisting bone structure, and that alone provides a great deal of advantage. For instance, the Q-angle, or the angle between the pelvis and knees, is far greater in women due to their wider hips, and hampers an athlete's top speed and ability to change direction rapidly (as is needed for sports such as soccer and basketball). Height is critical in many sports as well: longer legs run faster, longer arms reach farther. In soccer, a tall attacker's height enables them to head the ball before a defender has any chance to touch it, which is critical in winning possession and finishing attacks.

Many argue that sex-based differences are, like any other natural variation in physique, something that athletes must simply learn to work with. However, leagues and players have long agreed that there are some physical advantages too great, and that warrant segregating leagues based on it. Boxers have weight classes. The men's casual basketball teams at my university are separated by height. A male skeleton is, on average, 6" taller than a female one, 26-46% more dense than a female one in the neck, lower back, and forearm⁴ – all spots crucial in tackles and contact sports in general – and has greater bone volume in general. Though it may seem superficially discriminatory against transgender female athletes, there is ample scientific reason (and precedence in sports) to restrict women's leagues to natal females, even merely looking at the difference in skeletal structure and ignoring all other effects of having a naturally male body.

I understand the nuance and sensitivity needed on this issue, and I hope you'll take these points into account.

1: "Unisex changing rooms put women in danger," Andrew Gilligan for The Sunday Times, Sept 2018: <https://www.thetimes.co.uk/article/unisex-changing-rooms-put-women-in-danger-8lwbp8kgk?region=global>

2: "LGBT Youth Population in the United States", Kerith Conron for the UCLA Williams Institute, Sept 2020: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Youth-US-Pop-Sep-2020.pdf>

3: "Gender-neutral toilets are forcing girls to skip school during periods because they feel unsafe, teachers say," Rachel Windsor for MEAWW News, Mar 2020: <https://meaww.com/girls-skipping-school-gender-neutral-toilet-washrooms-same-sex-unisex-uti-infections-feminist>

4: "Gender differences in volumetric bone density," Naganathan and Sambrook, Jun 2003: <https://pubmed.ncbi.nlm.nih.gov/12830370/>

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