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Sent: Thu, 10 Jun 2021 07:49:15 -0600
To: T9PublicHearing
Subject: Written Comment: Title IX hearing

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I am writing in opposition to the proposed changes in Title IX policies that would elevate gender identity over sex-based legal protections, therefore giving natal males access to female only spaces (restrooms/changing rooms), or the creation of unisex/shared restroom/changing spaces, upon statement of a "gender identity" differing from one's biological sex.

Girls' sports should remain available to biological females only, in the interest of safety and fairness. Males that have gone through male puberty have an unfair advantage over biological females, regardless of testosterone levels.

The review article Transgender Women in the Female Category of Sport: Perspectives on Testosterone Suppression and Performance Advantage, published last month, gives this information: "[T]he performance gap between males and females becomes significant at puberty and often amounts to 10–50% depending on sport." They show that testosterone suppression reduces this advantage very minimally (~ 5%), and that transgender women retain a definite male pubertal advantage. Inclusivity is not admirable when the methods for gaining it are fundamentally unfair to athletes because they were born female.

Likewise, the end goal of inclusivity does not justify the means, if in doing so girls/women are denied access to private restrooms/changing areas separate from people born in male bodies. We teach our daughters to trust their instincts if something makes them uncomfortable, because it is a skill women learn as a means of survival, yet here we are teaching them to subvert their need for fairness, safety, and dignity, for the comfort of others. If girls are from faith traditions where it is not acceptable for females to share private spaces with male-bodied people outside of their families, is it not a violation of their freedom to exercise their religion without government interference?

The paucity of examples showing concern about the inclusion of transmen in male sports, or in male restrooms/changing rooms, speaks volumes on the undeniable need to uphold same-sex protections as they are observed in Title IX.

I strongly urge the Department of Education to respect the rights of girls/women to fair sporting, and private spaces for females; while seeking ways to end discrimination against individuals who not conform to sex-based stereotypes.

Thank you.

-L