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March 17, 2021

The Honorable Kaylee Tuck
1401 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

RE: Support for Sex-specific Student Athletic Teams or Sports (HB 1475)

Dear Representative Tuck:

Thank you for filing HB 1475. This important bill protects the rights of female athletes and promotes fairness in women's sports by requiring designation of separate sex-specific athletic teams or sports.

Recognition of the Physical Body as Determinative of Sex

Laws and policies that affirm gender identities misaligned with biological sex fail to recognize the biological and ontological reality of the physical body and the material world. Such laws fail to respect the embodied nature of human beings and overlook the potential for serious, and often irreversible, physical harm to gender dysphoric individuals. The recognition of the physical body as determinative of sex as male or female matters for our societal understanding of the human person and the family. This bill recognizes and assents to the fact that our physical bodies reveal to us an objective reality about ourselves and about the world.

Fundamental Fairness in Women's Sports

From puberty on, male testosterone levels begin to rise as testosterone production increases by 30 times, resulting in 15 to 20 times greater testosterone levels than children or women at any age.¹ As a result of these higher testosterone levels men are able to generate greater speed and power during physical activity compared to women.² In 2017, men and boys around the world beat Olympic Track Champion Allyson Felix's 400-meter personal best more than 15,000 times.³ This bill promotes equality in women's sports by recognizing important biological differences between men and women and protects women's rights to participate in sport, showcase athletic ability, and achieve athletic scholarships and other accolades.

¹ D. Handelsman, A. Hirschberg, and S. Bermon, "Circulating Testosterone as the Hormonal Basis of Sex Differences in Athletic Performance," *Endocrine Reviews*, 2018 Oct; 39(5):803-829.

² See Fla. H.R. Subcomm. on Secondary Ed., HB 1475 (2021) Staff Analysis p.4 (*citing* Doriane Lambelet Coleman, *Sex in Sport*, 80 *Law and Contemporary Problems* 63, 74 (2017)).

³ Doriane Lambelet Coleman and Wickliffe Shreve, *Comparing Athletic Performances: The Best Elite Women to Boys and Men*, *Duke Law Center for Sports Law and Policy*, p. 1.

Respect for the Primary Purpose of Title IX

One of the most crucial purposes for enacting Title IX was protection of women's athletic competition and opportunities. Title IX prohibits discrimination on the basis of sex. The term "sex" in Title IX means biological sex, male and female. As noted above, physiological differences between men and women matter profoundly for athletic competition and schools must take these differences into account. Therefore, creating separate athletic teams based on biological sex is not discriminatory. Rather, this separation promotes equality and protects female athletic competition.

Fairness among Schools

Some schools are religiously exempt from the FHSAA requirement to allow students to participate in a sport that aligns with their gender identity even if their gender identity does not align with their biological sex. These schools are potentially at a serious disadvantage. If biological males compete on female sports teams, those teams will have a significant competitive advantage over schools that do not allow biological males to compete on female sports teams. Therefore, this bill promotes fairness of competition amongst different types of schools.

We appreciate your work and your courage in filing this good bill, and strongly urge the members of the Secondary Education and Career Development Subcommittee to support it.
Sincerely,



Michael Barrett
Associate for Education

cc: Most Rev. Enrique Delgado, FCCB Moderator for Health
Most Rev. Gerald M. Barbarito, Bishop of Palm Beach and FCCB Education Moderator
Michael B. Sheedy, Executive Director
Ken Kniepmann, Associate for Health