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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 25-H 5842, AM ACT RELATING TO EDUCATION – FAIRNESS IN WOMEN’S SPORTS ACT April 23, 2025

The ACLU of Rhode Island strongly opposes this legislation which seeks to exclude transgender students from participating in organized sports in accordance with their gender identity. This bill is stigmatizing, could subject students to extremely inappropriate voyeuristic scrutiny, and perpetuates dangerous and incorrect notions about the LGBTQ+ community.

The overwhelming message in opposition to this bill is that transgender kids deserve to play sports in accordance with their gender identity and should not be precluded from the benefits of teamwork, friendship, and athletic activities based on this protected aspect of their being. To establish a contrary policy in legislation is cruel and should be rejected.

In addition, this legislation implies that the sex of a student may be “disputed,” which could subject minors to inappropriate questioning merely for wishing to play sports, and force them to undergo invasive medical assessments to establish that they are joining the “right” sports team.

This bill would harm an entire population of LGBTQ+ children on the inappropriate and incorrect assumption that separating athletes by biological sex somehow ensures fairness in sports. Addressing true fairness in sports would instead involve focusing on legislation that would promote, to give one obvious example, equitable funding for athletic endeavors, not discriminatory exclusions from sports.

Transgender students and athletes deserve autonomy and dignity. They deserve meaningful participation in teambuilding activities in the same manner as their peers. And no student should be subjected to the speculation that this bill is sure to promote for engaging in extracurricular activities. For these reasons, we urge rejection of this legislation.