



**State Senator Andrew O. Brenner – 19<sup>th</sup> District**  
**Senate Education Committee**  
**June 11<sup>st</sup>, 2024**  
**Senate Concurrent Resolution 11 – Sponsor Testimony**

Vice-Chair O’Brien, Ranking Member Ingram and members of the Senate Education Committee, thank you for allowing me the opportunity to speak on Senate Concurrent Resolution 11 today. In 1972, The US Department of Education implemented Title IX to protect women in education spaces. This law was necessary as women were denied entry to colleges and universities based solely on their sex. Title IX reads, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The definition of sex was simple and clear; sex meant one’s biological sex at birth. In April, the Biden administration expanded the definition of sex under Title IX to include an individual’s sexual orientation and gender identity. This change flies in the face of the intention of Title IX. That is why I have sponsored Senate Concurrent Resolution 11 to urge Congress, President Biden, and the federal Department of Education to reject this expansion of the definition of sex.

When Title IX speaks to educational programs and activities, sports are included in these terms. For decades, men and women have competed separately due to the biological differences between the sexes. The need for separate competition is evident. Between the years on 2003 and 2018, there have been 578 male victories in women’s sports. Included in these 578 victories were 28 national girls and women’s sports titles. It is clear that the inclusion of men in women’s sports only creates an uneven playing field, harming women, and rendering null their hard work and efforts in their craft.

Testimonials from women who were made to compete against transgender athletes demonstrate the first hand damage that trans athletes in women’s sports brings. Hannah Arensman, a US cycling champion is quoted as saying “I’ve left cycling. Losing to a trans rider hurt on a million different levels.” Heather, a 66 year old on women’s shore angler team said that “transgender competitors are ruining our sports.” Skateboarder Taylor Silverman said she is “tired of being bullied into silence.”

The Biden administration has indicated intent to make more changes to Title IX following the November election. These changes involve mandating schools allow trans athletes to compete in school activities and athletics with consideration to sport, level of competition, and level of education of the student. I turn to the recent statement of the American College of Pediatrics who, late last week, spoke urging other major medical associations to immediately stop the promotion of social affirmation, puberty blockers, cross-sex hormones, and surgeries for children and adolescents who experience distress with their biological sex<sup>1</sup>. The ACP continues by urging these associations to listen to their European colleagues who have begun to substantially limit gender affirming care due to the lack of evidence in its favor and a concern for the long term health effects it may cause. This is another reason I want to urge the federal government to reject these egregious Title IX expansions.

Title IX was created to protect individuals on the basis of their biological sex to ensure fair competition in education related spaces. The inclusion of sexual orientation and gender ideology only serves to undermine the very idea of Title IX. If biological men are permitted to infiltrate women's spaces, the meaning of Title IX has been lost. The classical novel *1984* posits the concept of doublethink, the power of holding two contradictory beliefs in one's mind simultaneously, and accepting both. If Title IX was necessary to protect women, how can we remove the protections provided by the statute and claim women are safe?

Vice-Chair O'Brien, ranking member Ingram, and members of the Senate Education Committee, thank you again for allowing me the opportunity to testify. I welcome any questions.

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<sup>1</sup> Note. From "Doctors Protecting Children Declaration," 2014, *Doctors Protecting Children*. This article contains the full declaration signed by the American College of Pediatricians and contains a list of several peer reviewed journal articles and medical and health policy organizations in support of the declaration.