

**TO:** House Higher Education Committee  
**FROM:** Micah Mitchell, Policy Fellow, ACLU of Ohio  
**DATE:** April 19, 2023  
**RE:** House Bill 6 Opponent Testimony

Chair Young, Ranking Member Miller, and members of the House Higher Education Committee, thank you for the opportunity to provide opponent testimony on House Bill 6. My name is Micah Mitchell, and I serve as a Policy Fellow at the ACLU of Ohio.

House Bill 6 promises to solve a problem that does not exist in Ohio. This bill, reintroduced for three sessions in a row, did not come from a leading organization fighting for women in sports. It did not come from Ohio sports players, their parents, or otherwise concerned constituents. Anti-trans sports bans like House Bill 6 stem from national groups with fundamental opposition to civil liberties and freedom for the transgender community. Groups that deny the very existence of transgender people.

Last session this legislation was slipped into House Bill 151 and passed to the senate with zero opportunity for House opponent testimony. Thankfully that is not the case today, and based on the depth of opponents in the room, it is clear this this bill raises deep concerns for many Ohioans.

It's important to note that [out of 400,000](#) Ohio high school athletes in 2021, only five transgender girls competed in women's sports. The Ohio High School Athletic Association created a policy alongside Nationwide Children's Hospital experts in 2018 addressing transgender participation in sports. 14 years prior, in 2004, the Olympics implemented its first transgender athlete policy. Transgender sports participation is nothing new.

Sports governing bodies created existing transgender sports policies for a population that is exceedingly small, and one that already lacks representation in sports due to exorbitant social and socioeconomic disadvantage. Testosterone is one factor of many influencing athletic ability. For youth, advantage comes largely from [proximity to privilege](#). [The average parent](#) of a child in youth sports spends \$883 per single season of participation. Meanwhile, disparities faced by the transgender community begin at a young age and impact all facets of life including sports access. Transgender youth are [9 times more likely](#) to experience homelessness and



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associated poverty. [68% experience bullying](#) in middle school and high school. In 2015, [22% of transgender women](#) surveyed stated they were bullied so badly in school that they dropped out.

Without supportive services to help transgender students navigate these additional challenges, it's tougher for them than their peers to make it through class, let alone onto a soccer field. Efforts to ban transgender girls from participating in girls' sports jeopardize their mental health, physical well-being and ability to access education opportunities comparable to their peers. Having the opportunity to participate in sports results in positive outcomes for students—better grades, greater homework completion, higher educational and occupational aspirations, and improved self-esteem. We should want that for all Ohio students.



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House Bill 6 not only harms transgender women; it harms all women. Sweeping bills that purport to determine a person's sex by documenting the person's chromosomes and reproductive anatomy raise serious privacy and administrability concerns. It leaves all women athletes up to additional scrutiny by their peers. Those perceived as more "masculine" are vulnerable to accusations and discrimination.

Transgender students participate in sports for the same reasons other young people do: to challenge themselves, improve fitness, and be part of a team. Excluding transgender students from participation just deprives them of opportunities available to their peers and sends the message they are not worthy of a full life. As a transgender person, I know the devastation that House Bill 6 holds for my community. Effective solutions to promote sporting fairness and equity do exist, like ensuring equal pay and opportunity for women's leagues and providing equal funding for athletic programs at less wealthy public schools. Targeting transgender women is not one of them.

House Bill 6 vilifies an entire community while purporting to solve a problem that simply does not exist. Transgender Ohioans deserve equal access to sports, to liberty, and to life.

Thank you again for the opportunity to provide testimony today. I am happy to answer any questions committee members may have.