



NATIONAL ASSOCIATION OF  
**School Psychologists**

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April 14, 2023

## **Oppose the Protection of Women and Girls in Sports Act of 2023 (H.R. 734)**

Dear Member of Congress,

On behalf of the National Association of School Psychologists (NASP), and our 25,000+ members, I urge you to vote against the *Protection of Women and Girls in Sports Act of 2023* (H.R. 734). NASP supports the civil, human, and educational rights of all students, including transgender and gender diverse (TGD) students. NASP fully supports the rights of students, including TGD students, to participate on sports teams and other sex segregated activities that correspond with their gender identity without being subjected to invasive medical examinations or being forced to disclose personal health information. Schools have an obligation to support the academic achievement and well-being of all students. As such, every school must be safe, secure, equitable, and inclusive for *all* students, including TGD youth. H.R. 734 would do the exact opposite by fostering a hostile and discriminatory environment for students who are already at greater risk for suicide and other mental health challenges due to the continued attacks against their very existence. This is in direct conflict with Title IX and its mandate of equal access.

This legislation does not protect women from discrimination in sports. Instead, it excludes transgender women from participation in sports. H.R. 734 is a thinly veiled attempt to further erase transgender people from public life. H.R. 734 does not promote equality in women's sports. What this legislation does is further stigmatize and marginalize transgender people, more specifically transgender women. It also fuels the false and harmful rhetoric that inappropriately characterizes transgender women as predatory and denies their dignity. This legislation is a "solution" in search of a problem that does not exist. Inclusive sports participation benefits all students and ensures equitable opportunities for collegiate sports attainment, collegiate scholarships, and opportunities to compete in professional sports. There is absolutely no evidence that cisgender athletes, or women's athletics in general, are disadvantaged or harmed by current inclusive sports participation policies. In fact, transgender athletes have participated in sports in the United States for the last two decades, including in the most elite national and international competitions as their authentic selves.

We are in the midst of a mental health crisis and remain appalled that a bill that will significantly harm the mental health of a specific group of young people will be given serious consideration on the House Floor. As such, we support Amendment 9 V2 (Bonamici, OR) which would direct a GAO study on the impact of these policies on mental health and suicide rates of TGD youth and direct the U.S. Department of Education to examine and report on the impact of similar state policies on high school graduation and college completion rates.

We appreciate the spirit of Amendment 4 (Balint, VT); Amendment 8 (Williams, GA); Amendment 12 (Ramirez, IL); however, NASP believes, and courts have affirmed, that the civil rights of transgender students are already protected as part of U.S. public schools' obligations under Title IX of the Education Amendments of 1972. These rights include honoring a person's right to express gender identity, the right to modify gender expression when necessary for individual well-being, the right to have their gender identity affirmed and acknowledged, the right to explore and question their gender identity, and the right to participate in sex segregated activities, including sports, that correspond with one's gender identity.

We urge you to reject H.R. 734. This legislation is harmful, divisive, and discriminatory. We would welcome the opportunity to work with you to advance inclusive policy that supports improved academic, social-emotional, and mental health outcomes of all children and youth. Please reach out to Dr. Kelly Vaillancourt Strobach, NASP

Director of Policy and Advocacy ([kvaillancourt@naspweb.org](mailto:kvaillancourt@naspweb.org)) with any questions, or opportunities to work together to advance our shared goals.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Minke". The signature is written in a cursive, flowing style.

Kathleen Minke, PhD, NCSP  
Executive Director