

May 10, 2021

The Honorable Anne Carney  
Maine State Senate  
3 State House Station  
Augusta ME 04333-0003

The Honorable Thom Harnett  
House of Representatives  
2 State House Station  
Augusta ME 04333-0002

The Joint Standing Committee on Judiciary  
c/o Legislative Information Office  
100 State House Station  
Augusta ME 04333

RE: LD 926 and LD 1401

Dear Senator Carney, Representative Harnett, and Honorable Members of the Joint Standing Committee on Judiciary:

We are writing to you as leaders of three private Maine colleges to express our strong opposition to LD 926 and LD 1401, both of which would ban transgender girls from participating in elementary, secondary, and postsecondary school sports.

We care deeply about fairness for girls and women in school and in school sports, and these bills use the facade of fairness to exclude for no valid reason and to disparage an already vulnerable group of young people from opportunities other students enjoy.

School sports programs teach valuable skills that all young people can use to succeed and contribute to their communities throughout their lives. All girls, including transgender girls, deserve the chance to develop skills like teamwork, sportsmanship, leadership and self-discipline, and to build a sense of belonging with their peers. When our laws prevent transgender girls from playing girls' sports, they miss out on these important lessons. Instead, what they hear is the devastating message that there is something wrong with them and that they do not belong. The fact is that transgender youth have a higher rate of suicide, so this sense of belonging really does matter.

Transgender students, like all students, thrive when they are treated with dignity and respect. Transgender students have been openly part of our school communities for many years in Maine, and schools have managed well in everything from gym class to school sports programs and activities. In addition, a nearly ten-year-old policy of the Maine Principals Association (MPA) for high school interscholastic sports presumes a child should participate in accord with their gender identity and has a process for assessing any issues about unfair competition or safety. There is no evidence in our state that including transgender girls on girls' teams causes any problems. Yet these proposed bills would reach into school affairs and create a blanket ban that would disrupt school sports programs and activities from the earliest grades and attempt to override the considered policies of sports governing bodies like the MPA and the NCAA, both of which have longstanding, experience-based guidelines supporting inclusion of transgender students. We have a history of welcoming transgendered athletes to our colleges and to our athletic teams. They have competed in compliance with NCAA rules and have been important and valuable teammates both on and off the field.

Additionally, these bills would challenge the protections enacted by the Maine Legislature and signed into law by Governor Baldacci in June 2005 that added sexual orientation—including “gender identity or expression”—to the list of protected categories under the Maine Human Rights Act. They also complicate institutional compliance with Title IX, which is increasingly understood to apply to gender identity and expression. In order to ensure that all girls have equal opportunity under the law, the legislature should be expanding participation opportunities, not restricting them.

Like other young people, transgender students play sports for fun, for love of the game, to build critical skills, and to share important school and social experiences with friends and classmates. We should not exclude transgender girls from these important experiences, force them to choose between being themselves and participating in sports, or be stigmatized in this way. These bills are searching for a problem that does not exist.

We would be pleased to discuss this further with you, and we appreciate your consideration of our strong opposition to this bill.

All the best,



Clayton Spencer  
President, Bates College



Clayton Rose  
President, Bowdoin College



David Greene  
President, Colby College