

OPINION

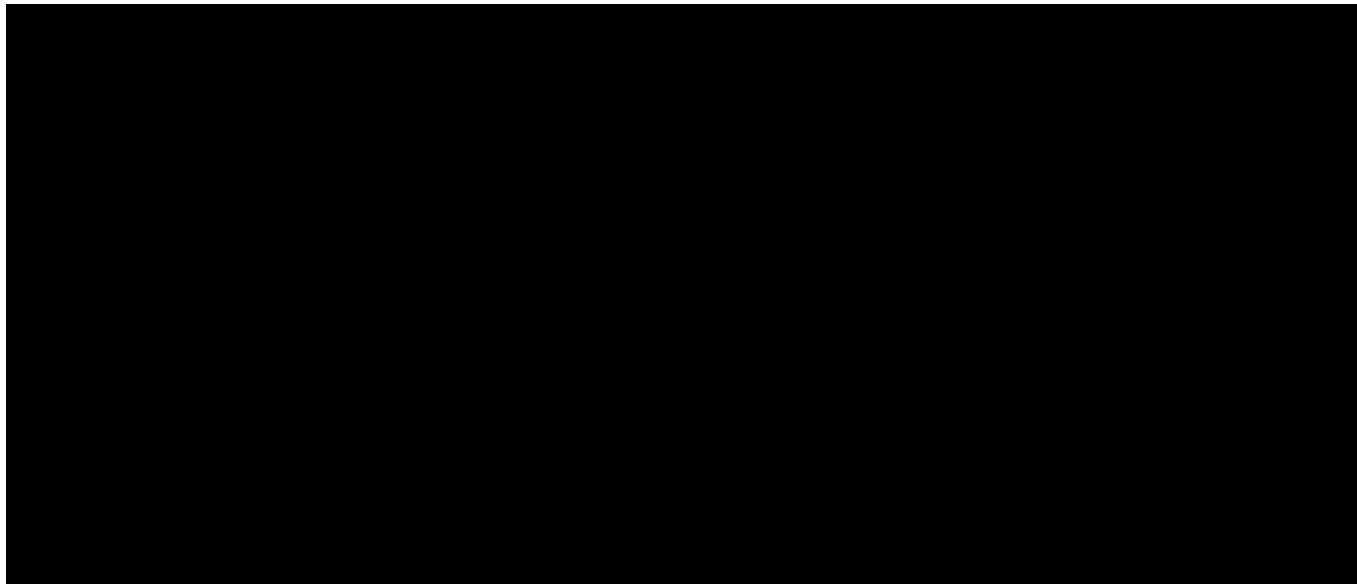
I was the fastest girl in Connecticut. But transgender athletes made it an unfair fight.

When I raced transgender athletes on the track, colleges didn't see the fastest female in Connecticut. They saw a second- or third-place runner.

CHELSEA MITCHELL | OPINION CONTRIBUTOR | 8:47 am EDT May 26, 2021



Editor's note: This column has been updated to reflect USA TODAY's standards and style guidelines. We regret that hurtful language was used.



It's February 2020. I'm crouched at the starting line of the high school girls' 55-meter indoor race. This should be one of the best days of my life. I'm running in the state championship, and I'm **ranked the fastest high school female** in the 55-meter dash in the state. I should be feeling confident. I should know that I have a strong shot at winning.

Instead, all I can think about is how all my training, everything I've done to maximize my performance, might not be enough, simply because there's a transgender runner on the line with an enormous physical advantage.

I won that race, and I'm grateful. But time after time, I have lost. **I've lost four women's state championship titles**, two all-New England awards, and numerous other spots on the podium to

transgender runners. I was bumped to third place in the 55-meter dash in 2019, behind two transgender runners. With every loss, it gets harder and harder to try again.



That's a devastating experience. It tells me that I'm not good enough; that my body isn't good enough; and that no matter how hard I work, I am unlikely to succeed, because I'm a woman.

Don't eliminate women's sports

That experience is why three of my fellow female athletes and I [filed a lawsuit last year](#) with Alliance Defending Freedom against the Connecticut Interscholastic Athletic Conference (CIAC): because girls and women shouldn't be stripped of their right to fair competition.

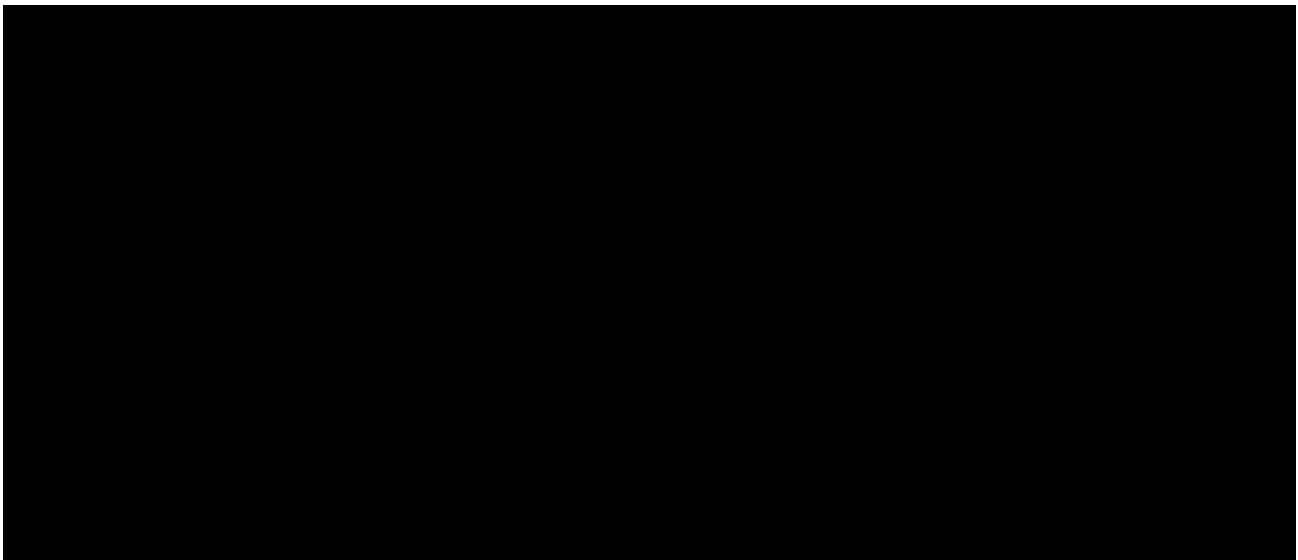


Registration closed

Unfortunately you cannot sign up for this event any longer.

The CIAC allows transgender athletes to compete in girls' and women's sports. As a result, two transgender athletes began racing in girls' track in 2017. In the 2017, 2018, and 2019 seasons alone, these runners took 15 women's state track championship titles (titles held in 2016 by nine different girls) and more than 85 opportunities to participate in higher level competitions that belonged to female track athletes.

Their bodies are simply bigger and stronger on average. It's obvious to other girls on the track.



Transgender people can't live like this: Every time I pull out my ID, I deadname myself.





Chelsea Mitchell in Connecticut in 2019.
ALLIANCE DEFENDING FREEDOM

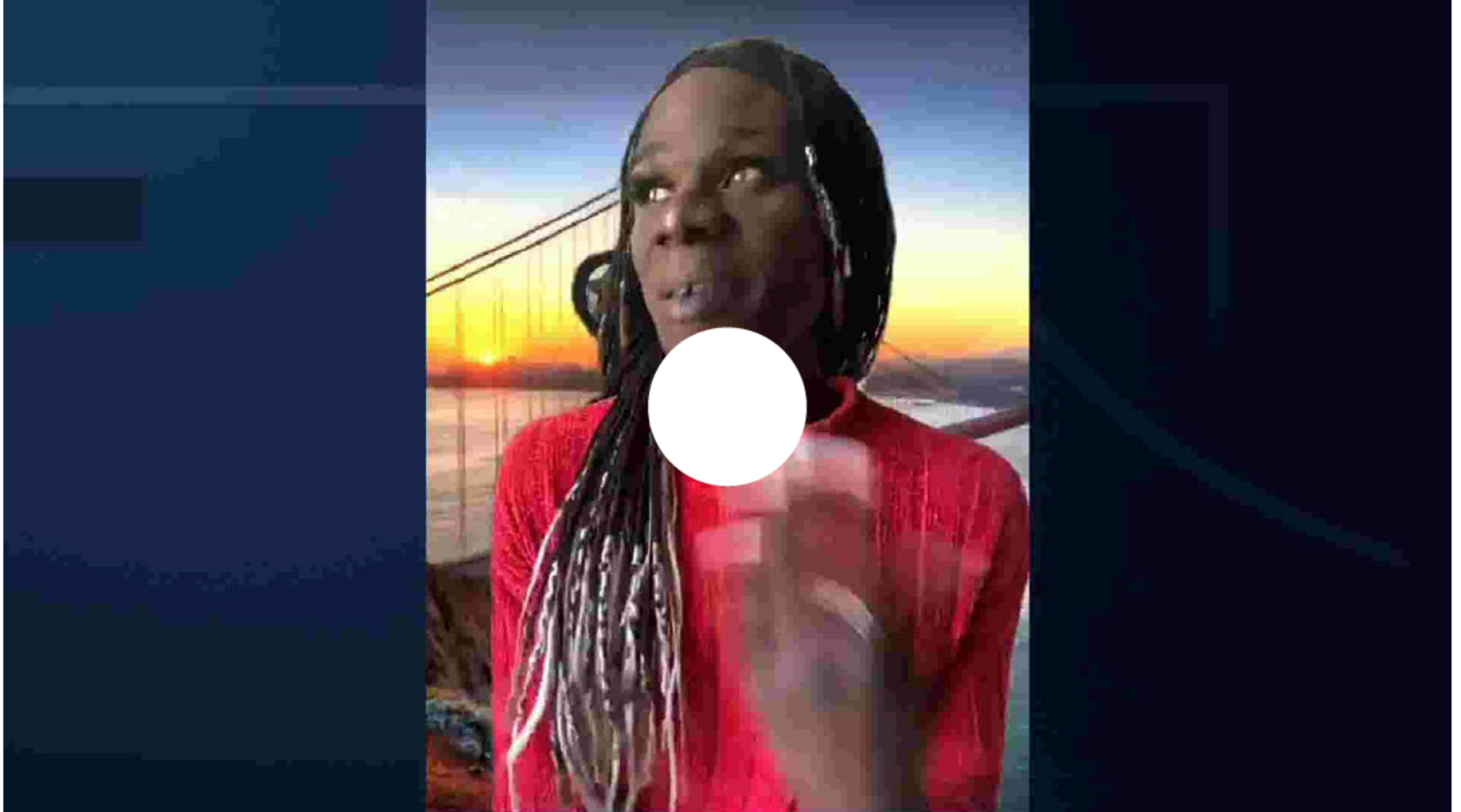
But Connecticut officials are determined to ignore the obvious. And unfortunately, a federal district court recently dismissed our case. The court's decision to do so tells women and girls that their feelings and opportunities don't matter, and that they can't expect anyone to stand up for their dignity and their rights.

That's wrong. And it chips away at women's confidence and our belief in our own abilities.

It's happened to me over and over. Every time I walk up to the starting line, I try to tell myself that I can overcome the unfair odds — I can win, even though the race is stacked against me.

Hurting female athletes' futures

But besides the psychological toll of experiencing unfair losses over and over, the CIAC's policy has more tangible harms for women. It robs girls of the chance to race in front of college scouts who show up for elite meets, and to compete for the scholarships and opportunities that come with college recruitment. I'll never know how my own college recruitment was impacted by losing those four state championship titles. When colleges looked at my record, they didn't see the fastest girl in Connecticut. They saw a second- or third-place runner.



A group of athletes, coaches and advocates are calling on the NCAA to take a more strident stand against states that adopt laws banning transgender athletes from competing in organized sports. (April 9)
AP

Retired high school coach: In real life, transgender girls in sports are a non-controversy

And it's not just happening to me. My friend and fellow plaintiff Selina Soule was bumped from qualifying for the state championship 55-meter final and an opportunity to qualify for the New England championship by a transgender runner in 2019. Meanwhile, Alanna Smith, an incredibly talented female athlete, was the second-place female runner in the 200-meter at the New England Regional Championships, but was dropped to third behind a transgender competitor.



Selina Soule (left) and Alanna Smith (right), who compete within the Connecticut Interscholastic Athletic Conference, in 2019.

ALLIANCE DEFENDING FREEDOM

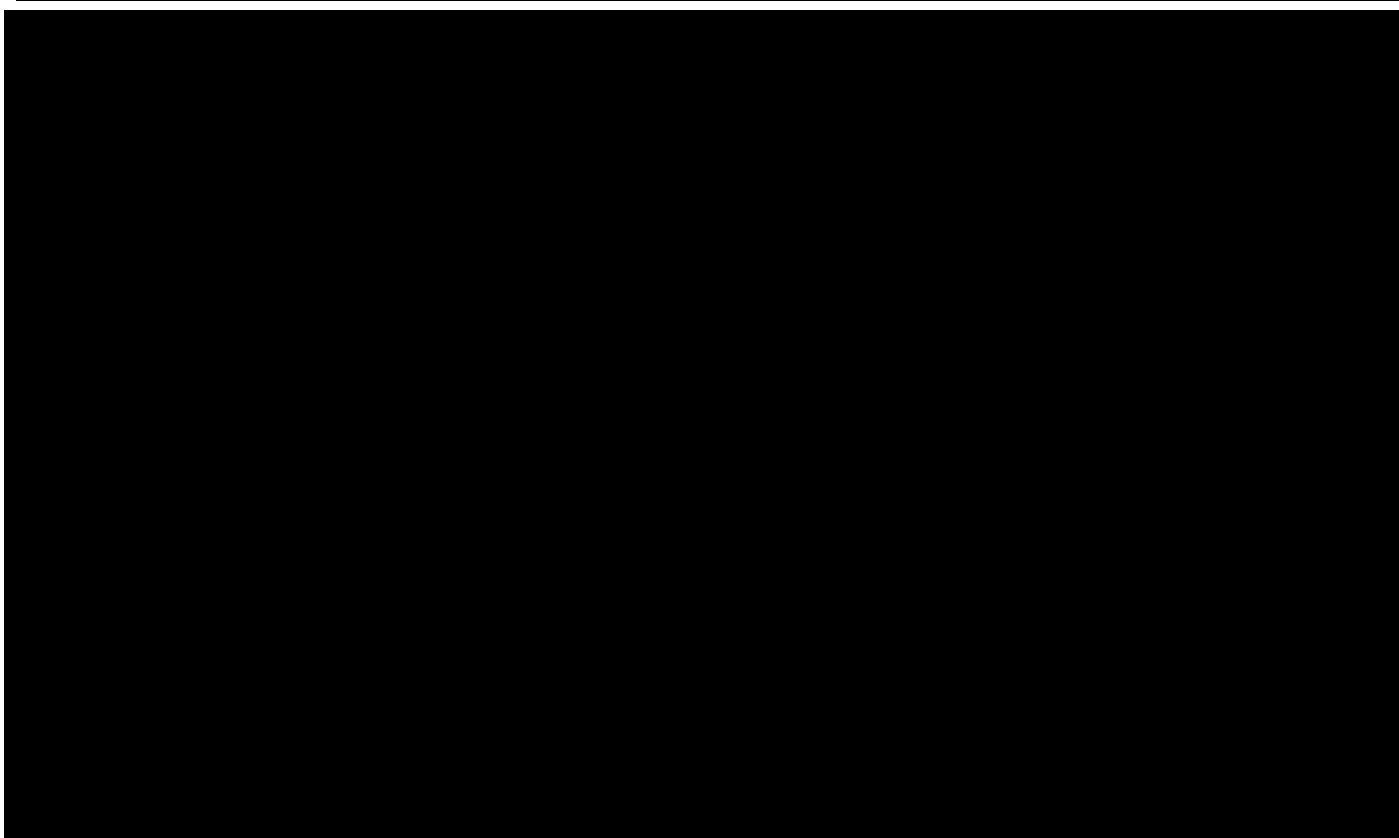
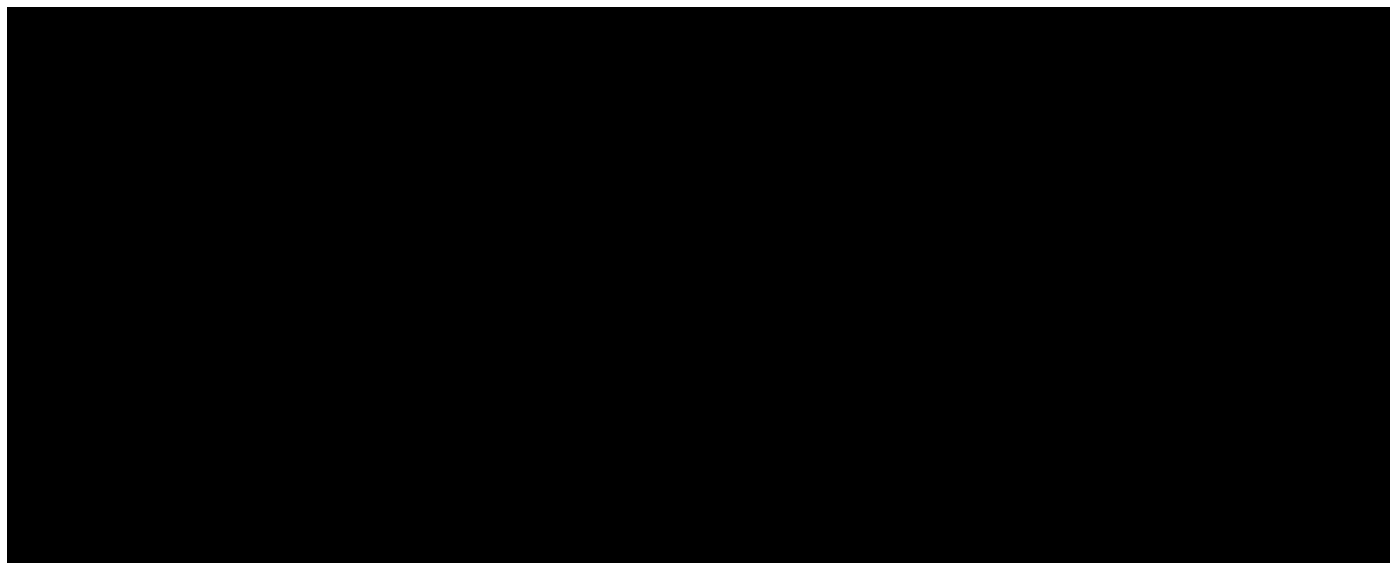
It's discouraging that the federal district court has decided that these experiences — these lost opportunities — simply don't matter.

But I'm not beaten yet. And neither are my fellow female athletes.

Through our ADF attorneys, my fellow athletes and I are appealing the federal district court's ruling. We're taking our case to the U.S. Court of Appeals for the 2nd Circuit, where we are going to ask once again for the court to recognize our right to fair competition — a right that Title IX has promised to girls and women for 50 years. And we're fighting not just for ourselves, but for all female athletes.

So as we prepare for this next step in the case, I'm settling into my starting blocks again, but for a different kind of race. And this time, I'm confident that we can win.

Chelsea Mitchell is an award-winning athlete from Canton High School in Connecticut. She is running track at the collegiate level.



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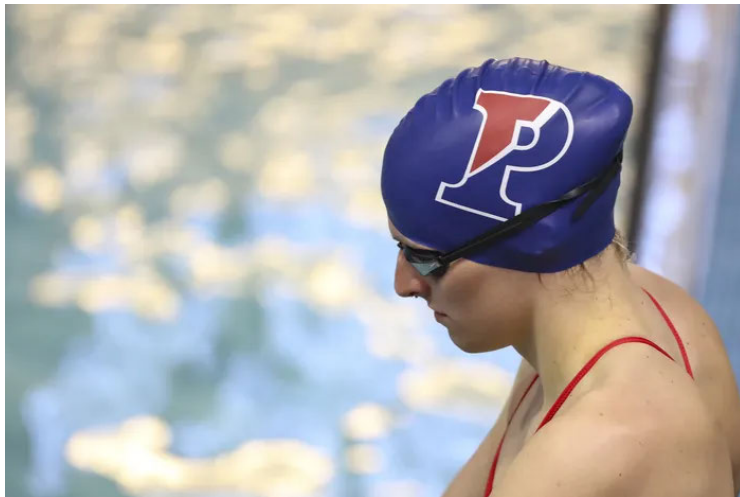
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Penn



16 Penn swimmers send letter saying teammate Lia Thomas has an unfair advantage

The players' names are not signed on the letter, but it appears to reveal a division in the team less than two weeks away from the Ivy League championship meet.

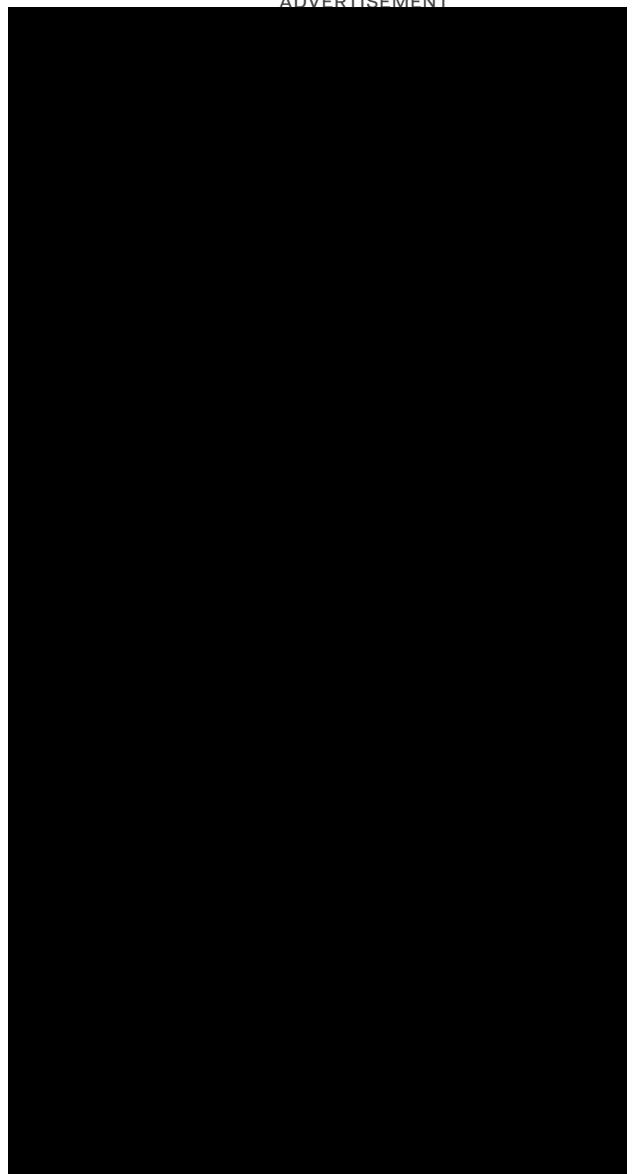


Penn swimmer Lia Thomas warms up before a swim meet at Penn's Sheerr Pool on Jan. 8. Thomas is a transgender...
HEATHER KHALIFA / Staff Photographer

by Ellie Rushing
Published Feb 4, 2022

Sixteen members of the University of Pennsylvania's women's swim team have sent a letter to school and Ivy League officials speaking out against transgender teammate Lia Thomas' participation in the upcoming championship meets. They also

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Makar, former Olympic swimmer and CEO of Champion Women, on behalf of 16 unnamed Penn swimmers and their families — appears to reveal a division in the team less than two weeks away from the Ivy League championship meet

The players question the fairness of Thomas' participation, and say that she is taking "competitive opportunities" away from other members of the team.

Thomas is a 22 year old transgender woman who holds the fastest times of any female college swimmer in two events this season. She has been on gender hormone therapy for more than two years and has followed all NCAA eligibility requirements Her times make her a favorite for the NCAA championship in March.

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conservative media outlets, and even some of her teammates and their parents claim her male-at-birth assignment gives her an unfair advantage

“We fully support Lia Thomas in her decision to affirm her gender identity and to transition from a man to a woman. Lia has every right to live her life authentically,” the letter reads

“However, we also recognize that when it comes to sports competition, that the biology of sex is a separate issue from someone’s gender identity. Biologically, Lia holds an unfair advantage over competition in the women’s category, as evidenced by her rankings that have bounced from #462 as a male to #1 as a female. If she were to be eligible to compete against us, she could now break Penn, Ivy, and NCAA Women’s Swimming records; feats she could never have done as a male athlete,” they wrote.

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that we would be removed from the team or
that we would never get a job offer.”

Penn officials did not immediately respond
for a request for comment.

Hogshead-Makar, a 1984 Olympic swimming
gold medalist, said she began helping the
swimmers and their parents write the letter
about a week and a half ago after they felt
silenced by the university.

“What’s most distressing to them is how the
leadership is so focused on Lia, and not the
40 other members of the team,” she said.

She said the swimmers and parents are
empathetic to the difficult situation Thomas
faces, but “the fact that she is taking a place
away from the other athletes is
problematic.”

Only 18 members of the team are chosen to

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The father of a freestyle Penn swimmer who signed the letter, and who asked not to be named for fear of retribution against his daughter, said “there is this great frustration because the girls would go and express their concerns and feelings to the school, and the school tells them to get over it.”

The father said the team atmosphere is “not nearly as divisive as the media makes it out to be,” and that girls support her transition but want an equal shot at winning.

“I think Penn and the athletic department handled this case terribly. They never spoke to the girls, never listened to them,” said the mother of another Penn swimmer who signed onto the letter.

Hogshead-Makar said she has not received a response from Penn or the Ivy League. Parents of swimmers on other Ivy League teams have reached out asking for help writing a similar letter, she said.

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On Monday, Penn Athletics released a statement on behalf of “several” members of the women’s team in support of Thomas. It did not name the athletes or specify how many signed it.

“We want to express our full support for Lia in her transition,” the statement said “We value her as a person, teammate, and friend.”

Penn has not made coaches or swimmers available for interviews

Earlier this week, [USA Swimming released a new policy](#) that, if adopted by the NCAA,

could disqualify Thomas from competing in the NCAA championship in March.

The policy will require trans women athletes

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The swimmer must also show that their testosterone levels have been less than 5 nanomoles per liter continuously for at least 36 months.

Thomas has been on gender hormone therapy for 33 months.

But USA Swimming's policy applies only to elite events and USA Swimming athlete members. NCAA events are not considered elite events and Thomas is not a member athlete.

The NCAA said a committee would review the change at a meeting later this month and make recommendations.

The Penn athletes' letter asks Penn and the Ivy League to "support us as biological women, and not engage in legal action with the NCAA" to challenge the new policy if it's

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Thomas will likely be allowed to compete regardless of that meeting's outcome because of the [NCAA's phased approach](#) to its own new policy. For 2022 winter sport championships, like swimming, trans athletes must submit documentation showing they've undergone one year of testosterone suppressant treatment, and prove their testosterone levels are below 10 nmol/L, four weeks before the championship.

Thomas swam on the Penn men's team for two years, before realizing she was trans in 2018, she [has said](#).

She began hormone therapy in May 2019, and came out to her teammates that fall. She continued competing on the men's team while taking the suppressants.

Thomas began submitting paperwork to the NCAA in summer of 2020, and was

approved for eligibility. She did not swim at all last year, as the Ivy League season was canceled by the coronavirus pandemic. This is her first season on the women's team.

Apr 24, 2019, 10:19am EDT 18,764 views

Why Gender Equity In College Sports Is Impossible (Unless Colleges Do Something Radical)

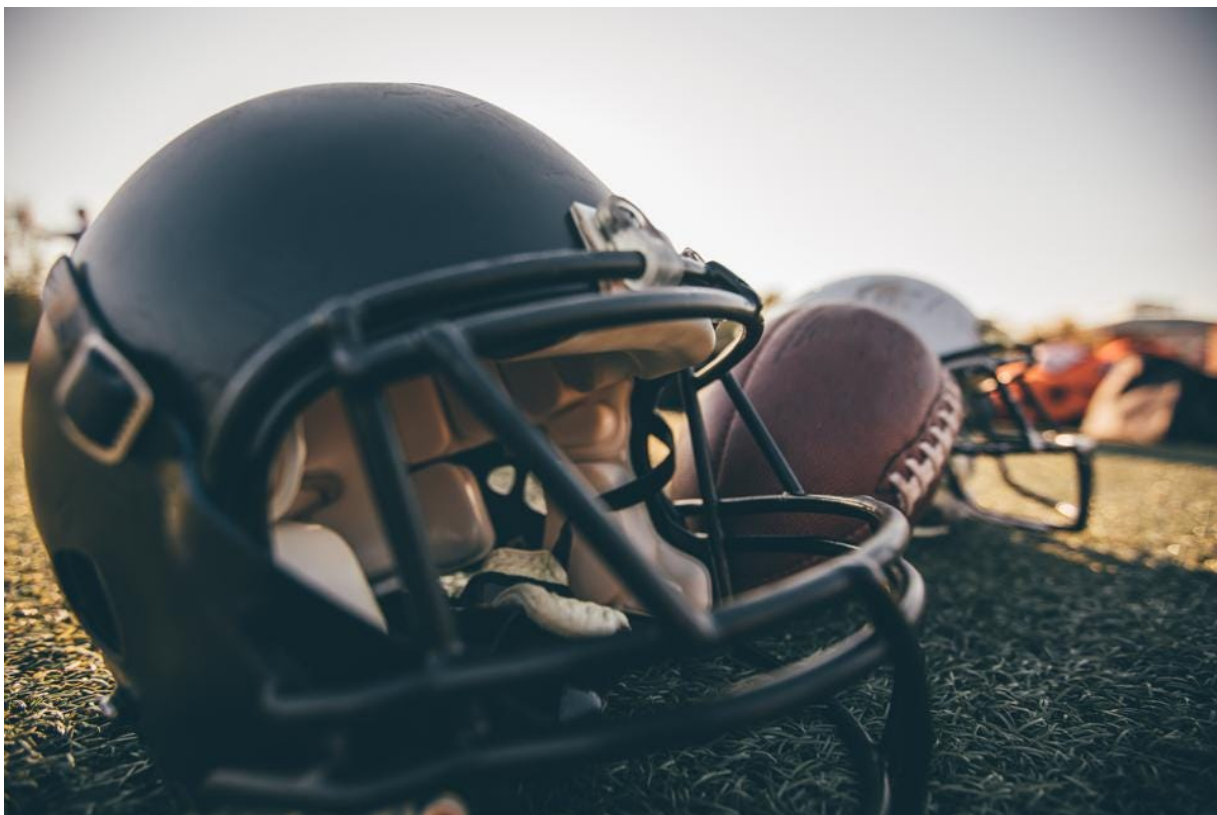


Evan Gerstmann Senior Contributor ⓘ

Education

I am a professor and publish on constitutional and educational issues.

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College football absorbs so many athletic scholarships for male athletes that, for virtually all +
GETTY

Most people know that one of the key goals of Title IX is to assure that there is gender equity in college sports. Given the high cost of college, one of the most important aspects of gender equity in sports is having equal numbers of athletic scholarships for male and female athletes. Unfortunately, that is just not possible. This is because there are two different ways to measure

equality of scholarships. Both of them are important and, absent radical change, it is impossible for college sports to be equal in both ways.

One way to understand gender equity in this area would be to require that the total number of scholarships at any given college be equal for men and women. That is the approach **required by Title IX**: athletic scholarships for males and females must be “substantially proportionate to their respective rates of enrollment of full-time undergraduate students.” So if a college is 55% female, then 55% of the athletic scholarship money must go to female athletes.

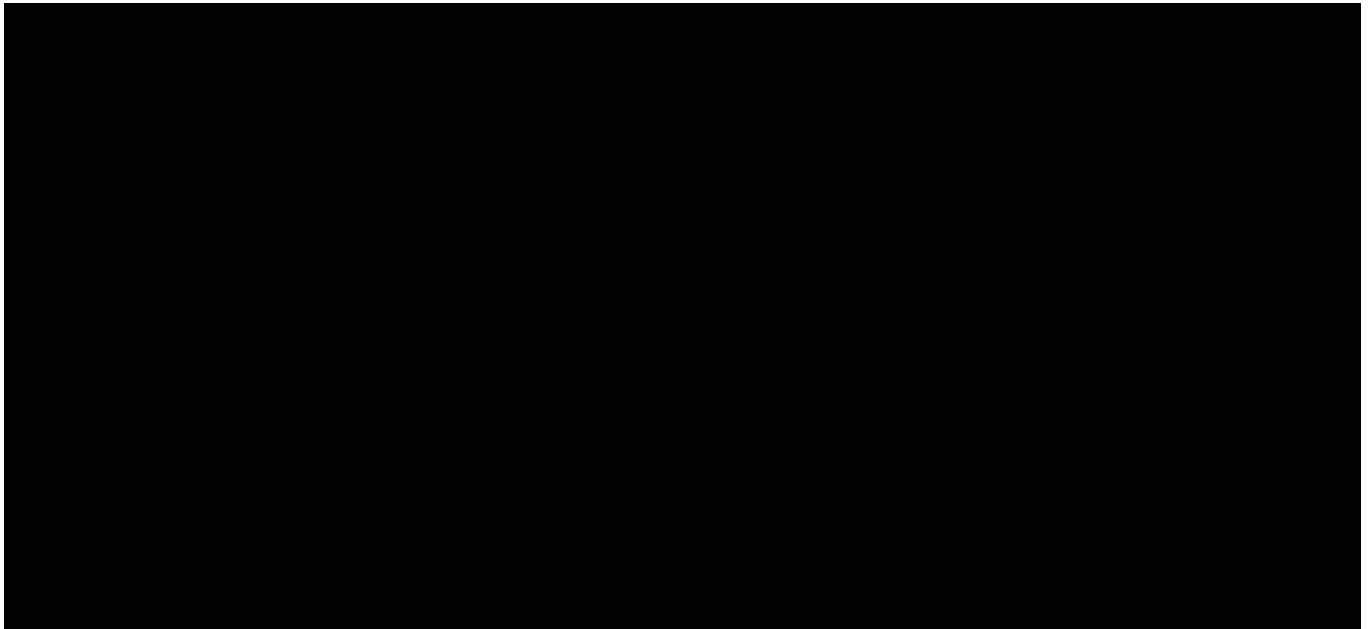
So far so good—everyone can easily see how this requirement serves the goal of gender equity. But a second understanding of gender equity is to look at it from an individual level rather than a collective level. By this understanding, equity means that any given athlete has the same opportunity to earn a scholarship in the sport in which they excel regardless of their gender. For example, a male student who plays soccer should have the same opportunity to win an athletic scholarship as an equally skilled woman. For those who object to the higher pay for professional male soccer players, it should be obvious that providing more scholarships for female soccer players is discriminatory.

It is mathematically impossible for colleges to meet both of these understandings of gender equity. This is because of college football, a brutally violent sport that, with extremely few exceptions, is only played by men. Football absorbs a large number of the athletic scholarships available for men. Division I and NAIA schools **give out 25,918 football scholarships every year. The next closest sport, women’s basketball, gives out 10,165 scholarships per year. Most sports have far fewer athletic scholarships than that to give out.**

The media doesn’t discuss this much, but that means that for almost every sport that is played by both men and women, there are many more athletic scholarships available to women than to men. For soccer, the ratio of female

high school players to available college scholarships is 40 to 1. For men, it is 68 to 1. For lacrosse, the numbers are 46 to 1 for women and 85 to 1 for men. These sorts of ratios hold true for sports ranging from basketball to track and field to volleyball.

This means that for almost all non-football athletes, and across nearly all sports, female athletes have many more athletic scholarships available to them than do men. This is supposedly made up for by the availability of football scholarships to men, but only a tiny proportion of men are big enough to play football, [which is largely a sport for giants](#). And even for those men who could snag a football scholarship, it should be considered a form of gender discrimination to funnel men, and only men, into an incredibly dangerous and violent sport. Giving more scholarships to women for track and soccer while telling men to play football virtually guarantees that male athletes are put at greater risk for extremely serious injuries, including [brain injuries with lifelong consequences](#).



So colleges are stuck with either giving more overall scholarships to men or giving more scholarships to women in almost every sport. This is why gender equity in sports is currently impossible. That is unless colleges make a radical change. There are at least three possibilities for such change:

Drop college football: There **is strong evidence** that football is doing frightening amounts of damage to young men's brains well before they reach the level of professional football: "There have been more and more cases confirming that repeated hits to the head have lifelong consequences for professional football players, but a new study by Orlando Health in collaboration with the Concussion Neuroimaging Consortium finds evidence of lasting effects from head injuries at a much younger age than expected. The study tested biomarkers in the blood called microRNA's and found that the college football players had elevated levels of these biomarkers that indicate concussions before the season even started."

There is a powerful argument that we should not be requiring young men to play this violent, dangerous game in order to qualify for a scholarship. There is certainly an argument that playing team sports has benefits, but there is no reason to believe football produces more of these benefits than other less violent and dangerous team sports. If the NFL wants a developmental league, there is no reason for that league to be affiliated with college.

While it is true that many college football programs generate revenue that subsidizes other college sports, colleges should ask themselves if it is moral to finance some sports by having unpaid young men subject their bodies and brains to the repeated ferocious collisions of that sport. And for many schools, college football is a "**money-losing drug these schools can't quit.**"

Eliminate College Athletic Scholarships Altogether: **Most college athletic programs lose money.** That's lost money that could have spent on improving academics. There is a strong argument that every scholarship that goes to a golfer or javelin thrower would have been better spent on a science fair winner or high school newspaper editor. Students can play club sports and thereby free up millions of dollars for financial aid, academics, career placement and so forth. One of the clear takeaway lessons of the recent college admissions scandals at elite universities is that big-time athletics has a way of distorting the central mission of college. The tail is wagging the dog.

Replacing athletic scholarships with scholarships that go to students who are strong competitors on mock trial, robotics, and Model United Nations teams will not only cut down on injuries but will promote gender equity. Unlike in most sports, young men and women participate in these teams together. Perhaps the best approach to gender equity is to eliminate the idea of separate male and female scholarships altogether. That will be a lot easier to do if we move away from athletic scholarships.

Gender Integrate College Sports: A third approach would be that colleges could keep the status quo with one very radical change. Men and women could play on the same teams. There would be no more men's and women's basketball and men's and women's volleyball teams. Just a basketball team and just a volleyball team. The army is gender integrated and [applies the same physical requirements to men and women](#). Gender-segregated sports teams are becoming increasingly anachronistic. One argument against this is that fewer women would make the teams due to men's physical advantages. Perhaps not. If women were required to play against men, perhaps they would rise to the level of their competition. There is evidence that, at least in some respects, [women have greater muscle endurance than men](#), and they have a lower center of gravity. Faced with male competition, training techniques might be developed to take advantage of these traits to offset male advantages in size, strength, and speed. Adding weight classes to some sports would help as well. And even if that doesn't work, perhaps the benefits of girls growing up seeing even a small number of women compete as true equals of men on the field would more than make up for the smaller number of female athletes on college teams.

Of course, these are all pretty radical ideas. But they are worth thinking about because the current system is far from fair. If you are a young man who is hoping to get a scholarship for basketball, soccer or almost any sport besides football, your odds are greatly lower because of your gender. As things stand now, that can't be fixed without giving substantially more

scholarships overall to male athletes, which would violate Title IX. Perhaps it is time to think radically.

Check out my [website](#).



Evan Gerstmann

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SPORTS

Sports leaders seek to protect women's sports while accommodating transgender girls and women

Christine Brennan USA TODAY

Published 4:24 p.m. ET Feb. 1, 2021

A group of high profile women athletes and women's sports advocates is taking on the contentious issue of transgender girls and women in sports by proposing federal legislation to exempt girls' and women's competitive sports from President Joe Biden's recent executive order that mandates blanket inclusion for all transgender female athletes.

In the Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, signed on Inauguration Day, the Biden administration said that any school that receives federal funding must allow biological boys who self identify as girls onto girls' sports teams or face action from the federal government.

But the group of women's sports leaders, including tennis legend Martina Navratilova, several Olympic gold medalists and five former presidents of the Women's Sports Foundation, is asking Congress and the Biden administration to limit the participation of transgender girls and women who "have experienced all or part of male puberty (which is the scientific justification for separate sex sport)," while accommodating and honoring their sports participation in other ways. Options could include separate heats, additional events or divisions and/or the handicapping of results.

"We fully support the Biden executive order, ending LGBT discrimination throughout society, including employment, banking, family law and public accommodations," Nancy Hogshead-Makar, a Title IX attorney and one of the leaders of the Women's Sports Policy Working Group, told USA TODAY Sports in an exclusive interview. "Competitive sports, however, are akin to pregnancy and medical testing; these areas require a science-based approach to trans inclusion. Our aim has been on protecting the girls' and women's competitive categories, while crafting accommodations for trans athletes into sport wherever possible.

“While the details of President Biden’s executive order remain fuzzy, asking women — no, requiring them — to give up their hard-won rights to compete and be recognized in elite sport, with equal opportunities, scholarships, prize money, publicity, honor and respect, does the cause of transgender inclusion no favors,” Hogshead-Makar said. “It engenders justifiable resentment, setting back the cause of equality throughout society. And either extreme position — full inclusion or full exclusion in sport — will make life much harder for transgender people. We must make sport a welcoming place for all.”

While the controversy over transgender girls and women in sports is not new, the issue bubbled to the surface in the United States a few years ago when two transgender girls were allowed to compete in state track and field meets in Connecticut, winning a combined 15 girls' state indoor and outdoor championship races from 2017-19 and highlighting the piecemeal nature of state laws governing the issue.

According to the working group, 10 states require males and females to participate in high school sports according to their birth sex, thereby prohibiting participation in girls’ sports by transgender girls, whether or not they have begun male puberty or have had hormone therapy.

Seventeen states and the District of Columbia require the inclusion of trans girls in girls' sports without regard to the extent to which they may retain the male-linked physical traits that otherwise justify excluding males from female sports on competitive fairness and safety grounds.

Another seventeen states have adopted a policy similar to that of the NCAA, which allows trans girls and women to compete after taking gender-affirming hormones for a year. And six states have no policy regarding gender identity and sports whatsoever.

“There have been so many different approaches to this issue, from all-inclusion no matter what to all exclusion no matter what,” Navratilova said in a phone interview Monday morning. “We just wanted to find a better way of moving forward. We know there’s going to be somebody that’s not happy but we’re trying to make it as fair as possible. Now with transgender athletes, the rules are not clear. We need some clarity, we need some unity. We want to stay civil in the conversation and move the ball forward.”

Added Olympic gold medalist and Title IX advocate Donna de Varona: “We’re interested in starting a dialogue and creating policies where we can find a solution. No one else is doing this. No one else is focusing on a solution. The extreme positions are keeping us from

focusing on a fair, science-based solution. All of us have benefited from sport and we're just trying to help.”

In addition to Navratilova, Hogshead-Makar and de Varona, who was the first president of the Women's Sports Foundation and now serves on the board of directors of the U.S. Olympic and Paralympic Committee, the working group includes Donna Lopiano, the former longtime CEO of the Women's Sports Foundation; Doriane Coleman, professor of law and co-director of the Center for Sports Law & Policy at Duke Law School; and Tracy Sundlun, an Olympic track and field coach and founding board member of the National Scholastic Athletics Foundation.

Supporters of their effort include transgender runner and researcher Joanna Harper, transgender tennis pioneer Renee Richards, tennis standout and broadcaster Pam Shriver, Olympic track and field gold medalists Benita Fitzgerald Mosley and Sanya Richards-Ross, long-distance swimmer Diana Nyad, Olympic diving gold medalist Micki King and pioneering race car driver Lyn St. James. Male supporters include Olympic standouts Edwin Moses, Greg Louganis and Willie Banks.

“We understand that this is a complicated issue and that one conversation won't do it,” Hogshead-Makar said. “Thus, proposing federal legislation to protect biological females and create a women's sports environment that is welcoming, respectful and celebratory for trans girls and women is only one small step.

“Right now, trans groups and those supporting protection of biological girls and women are not talking. They are in court trying to win on their respective extreme positions. We tried to formally arrange those conversations for over a year to no avail. This needs to change and we have to just keep at it.”