

Discussion & Review Questions

1. Towards the beginning of the video, Ms. Soule shares with us that, “At state championships that year, two people passed me, passed all of us girls – literally. They finished first and second in our races, dominating the field. Were they more motivated? Did they train harder? I don’t think so. But they did have an edge- a big one we couldn’t match. They were biological boys who said they were transgender girls. Do you think that’s fair? Males competing against females?” Why do you think that biological males are allowed to compete against female athletes at all, in any form? How would you answer Ms. Soule’s question about biological males being allowed to compete with female athletes being ‘fair’ or not? Explain.
2. Later in the video, Ms. Soule explains that, “Some in the media have accused me of being a sore loser. They tell me to run harder. But the biological changes that males go through during puberty are so significant, they gain an insurmountable advantage in strength and in speed. That’s why boys always competed against boys and girls against girls. ...When biological boys are allowed to compete against girls in sports like track, where the differences in performance are so great, we are talking about girls getting shut out- never getting the chance to win, or even compete at all.” Why do you think that Ms. Soule’s media critics choose to feign ignorance and choose to chastise Ms. Soule in order to push the political agenda of the Left? Do you think that biological males and females should compete separately, no matter what gender they identify as? Why or why not?
3. Ms. Soule goes on to point out that, “Right now, biological boys are being allowed to set records on the girls’ team- deleting girls’ records, erasing the achievements of actual girls and setting a standard probably no girl can meet, no matter how much she trains or how hard she tries. The reason that we have girls’ sports in the first place is to give female athletes with talent, hard work, and dedication an equal opportunity to shine and be recognized. But girls will never have that opportunity if they are forced to compete with biological boys in sports like track and field, softball, volleyball, or basketball.” What do you think the short and long term damaging consequences are of blending and replacing the records and achievements of actual female athletes with the records and achievements of biological males competing with females, (rather than separating the two categories or rather than not allowing the biological males’ records and achievements to be recognized in women’s sports)? Why is it wrong to allow biological males to set standards in women’s sports that women will never be able to meet? Explain.
4. Towards the end of the video, Ms. Soule notes that, “... when girls try to object, when we point out the truth- that the biological differences in strength and speed between boys and girls are massive and real- we’re called bigots. Administrators, teachers, coaches, and other students tell us to just keep quiet and take it. We’re told a girl’s place is to be seen and not heard.” Why do you think that women who point out the scientifically demonstrable inequality and moral absurdity of allowing biological males to compete in women’s sports are belittled and disrespected, instead of taken seriously, by all of the other constituencies that comprise athletic departments at schools? In this case do you think that the Left can reconcile advocating for LGBTQ “progress” at the cost of oppressing women? If yes, how? If no, why not?
5. At the end of the video, Ms. Soule concludes that, “... we won’t be silenced. We’re fighting

back. With two other top female runners in Connecticut, I've filed a federal lawsuit under Title IX, to protect the rights of women and girls to a fair competition on a level playing field. Please don't turn your backs on us, America. This isn't about gender identity. It's about fair play." What, exactly, do you think Ms. Soule means when she asks us not to 'turn our backs' on her and the other female athletes? Explain. Do you agree with Ms. Soule that the rights of the female athletes to have genuinely equal opportunities in competition should outweigh the rights, if such rights exist, of the biological males to express their self-proclaimed gender identity through competing in women's sports? Why or why not?

Extend the Learning:

Case Study Title IX

INSTRUCTIONS: Read the article "US: Transgender sports inclusion violates others' rights," then answer the questions that follow.

1. What did the U.S. Education Department decide about Connecticut's transgender high school sports policy? What did the civil rights office of the U.S. Education Department say in its 45-page letter? What did the Connecticut Interscholastic Athletic Conference say in response? Who is Roger Brooks, and what did he have to say about the decision? What did the civil rights office say it will do to the Connecticut conference and school districts? Who is Chase Strangio, and what did he have to say about the decision? Who is Chelsea Mitchell, and what did she have to say about the decision and the pending federal lawsuit? What are the plaintiffs in the lawsuit seeking? What position do other states and the District of Columbia take on the issue of allowing transgender students to participate in women's sports? What is the ACLU's contention in their lawsuit against Title IX?
2. What are the merits of this case? Do you agree with the civil rights office's decision? Why or why not? The CIAC stated in the article that its policy to allow transgender males to compete in women's sports complies with a state law that bars schools from discriminating against transgender students. Thus, considering that no laws or policies exist that prohibit transgender athletes from competing against each other and that schools could create a third athletic department and program for transgender students, do you think that not allowing biological males to participate in female athletics should actually be considered discrimination? Why or why not? Do you agree with Ms. Mitchell that it is actually the female athletes who are being discriminated against? Why or why not?
3. Do you think that Ms. Mitchell and Ms. Soule will win their federal lawsuit case? Why or why not? In this case do you think that the Left can reconcile advocating for LGBTQ "progress" at the cost of oppressing women? If yes, how? If no, why not?

US: Transgender sports inclusion violates others' rights

The federal civil rights law guarantees equal education opportunities for women, including in athletics.



In this Feb. 7, 2019 file photo, Bloomfield High School transgender athlete Terry Miller, second from left, wins the final of the 55-meter dash over transgender athlete Andraya Yearwood, far left, and other runners in the Connecticut girls Class S indoor track meet at Hillhouse High School in New Haven, Conn. —AP Photo/Pat Eaton-Robb, File

By **PAT EATON-ROBB**, AP May 28, 2020

HARTFORD, Conn. (AP) — Connecticut's policy allowing transgender girls to compete as girls in high school sports violates the civil rights of athletes who have always identified as female, the U.S. Education Department has determined in a decision that could force the state to change course to keep federal funding and influence others to do the same.

A letter from the department's civil rights office, a copy of which was obtained Thursday by The Associated Press, came in response to a complaint filed last year by several cisgender female track athletes who argued that two transgender female runners had an unfair physical advantage.

The office said in the 45-page letter that it may seek to withhold federal funding over the policy, which allows athletes to participate under the gender with which they identify. The policy is a violation of Title IX, the federal civil rights law that guarantees equal education opportunities for women, including in athletics, the office said.

It has “denied female student-athletes athletic benefits and opportunities, including advancing to the finals in events, higher level competitions, awards, medals, recognition, and the possibility of greater visibility to colleges and other benefits,” according to the letter, which is dated May 15.

The Connecticut Interscholastic Athletic Conference says its policy complies with a state law barring schools from discriminating against transgender students.

“Connecticut law is clear and students who identify as female are to be recognized as female for all purposes — including high school sports,” the athletic conference said in a statement. “To do otherwise would not only be discriminatory but would deprive high school students of the meaningful opportunity to participate in educational activities, including inter-scholastic sports, based on sex-stereotyping and prejudice sought to be prevented by Title IX and Connecticut state law.”

The federal decision carries implications beyond Connecticut, said Roger Brooks, an attorney for the Alliance Defending Freedom, which represents the girls who brought the complaint.

“Around the nation, districts are going to want to be reading this, because it does have legal implications,” he said. “It is a first decision from the agency charged with enforcing Title IX addressing the question of whether males on the playing field or on the track are depriving girls of opportunities consistent with Title IX.”

The decision by the civil rights office names the conference, along with the school districts for which the transgender runners and those filing the complaint competed — Glastonbury, Bloomfield, Hartford, Cromwell, Canton and Danbury.

The office said it will “either initiate administrative proceedings to suspend, terminate, or refuse to grant or continue and defer financial assistance” to the conference and those districts or refer the cases to the U.S. Department of Justice.

In its letter, the civil rights office said that it notified the athletic conference and the school districts of its pending decision in February, but that later negotiations failed to result in an agreement.

“All that today’s finding represents is yet another attack from the Trump administration on transgender students,” said Chase Strangio, who leads transgender justice initiatives for the American Civil Liberties Union’s LGBT and HIV Project.

“Trans students belong in our schools, including on sports teams, and we aren’t backing down from this fight,” Strangio said.

The dispute, already the subject of a federal lawsuit, centers on two transgender sprinters, Terry Miller and Andraya Yearwood, who have frequently outperformed their competitors, winning a combined 15 girls state indoor or outdoor championship races since 2017, according to the lawsuit.

The ACLU's lawyers for the transgender athletes have argued both are undergoing hormone treatments that have put them on an equal footing with the girls they are competing against.

Brooks said he hopes the judge in the lawsuit will take the Education Department decision into consideration.

One of the plaintiffs, Chelsea Mitchell, won two state indoor title races over Miller this year.

Mitchell, a senior, said Thursday that she is both happy and relieved by the Department of Education's decision.

"It feels like we are finally headed in the right direction, and that we will be able to get justice for the countless girls along with myself that have faced discrimination for years," she said. "It is liberating to know that my voice, my story, my loss, has been heard; that those championships I lost mean something."

The plaintiffs sought to block the participation of Miller and Yearwood, both seniors, from spring track meets, which were later canceled because of the COVID-19 pandemic. They were also seeking to erase all records set by the transgender athletes.

Connecticut is one of 18 states, along with Washington, D.C., that allow transgender high school athletes to compete without restrictions, according to Transathlete.com.

Several other states have policies barring the participation of transgender athletes, and Idaho recently became the first to pass a law banning transgender women from competing in women's sports.

The ACLU and Legal Voice filed a federal lawsuit contending that law violates the U.S. Constitution because it is discriminatory and an invasion of privacy.



QUIZ

The End of Women's Sports

- 1. What did it take for Ms. Soule to become a top female sprinter?**
 - a. She had to train with her team every day for at least two hours
 - b. She couldn't go out after school or hang out with friends on weekends
 - c. She had to get up early every Saturday to compete at a meet
 - d. All of the above

- 2. The biological males competing as transgender females won ___ women's state championship titles.**
 - a. 5
 - b. 10
 - c. 15
 - d. 20

- 3. The biological changes that males go through during puberty are so significant, they gain an insurmountable advantage in strength and in speed compared to females.**
 - a. True
 - b. False

- 4. How many high school boys could beat the lifetime best record of the fastest female sprinter in the world?**
 - a. nearly one hundred
 - b. nearly two hundred
 - c. nearly three hundred
 - d. nearly four hundred

- 5. The reason that we have girls' sports in the first place is _____.**
 - a. to generate more money for schools through ticket sales and sponsorships
 - b. to give female athletes an equal opportunity to shine and be recognized
 - c. to demonstrate and to prove how much better male athletes are by comparison
 - d. to make sure that they have something to do instead of getting into trouble



QUIZ: ANSWER KEY

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