

**MAINE  
PRINCIPALS'  
ASSOCIATION**



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*MPA is an Equal  
Opportunity Organization*

**TO: Committee on Judiciary**  
**FROM: Maine Principals' Association Legislative Committee**  
**RE: In Opposition of LD 1401: An Act to Prohibit  
Biological Males from Participating in School  
Athletic Programs and Activities Designated for  
Females at Schools That Receive Federal Funding**  
**DATE: May 4, 2021**

Senator Carney, Representative Hartnett, and distinguished members of the Committee on Judiciary. My name is Michael Burnham, and I am the Executive Director of the Interscholastic Division of the Maine Principals' Association, representing 151 public and private high schools that are members of the Interscholastic Activities Division.

The MPA Legislative Committee unanimously opposes LD 1401. It is the belief of our committee that the Transgender Participation Policy that has been in place since 2013 allows for oversight of participation by transgender athletes in interscholastic activities. Our policy states, "Consistent with its principles, the MPA believes that all students should have the opportunity to participate in MPA activities in a manner that is consistent with their gender identity, unless such participation would result in an unfair athletic advantage or would present an unacceptable risk of injury to other student athletes".

The lawyer that represents the MPA states, "LD 1401 would force schools to violate the Maine Human Rights Act and Title IX by requiring that they discriminate against student athletes based on gender identity. Even if the legislature wanted to amend the Maine Human Rights Act to preclude trans girls from competing on single sex girls' teams, federal law would still stand in the way". We respectfully ask the committee to consider whether this is an area in which legislation would be needed.

The MPA strongly urges the Committee to vote Ought Not to Pass on LD 1401.