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LD 2239

****Committee:**** Joint Standing Committee on Education and Cultural Affairs
****Bill:**** LD 2239 (An Act to Protect Female Sports and Privacy in Schools)
****Date:**** April 14, 2026
****Testifier:**** Joshua Needham, Maine Resident

****Statement of Position:**** I am testifying in strong opposition to LD 2239. This bill mandates a rigid, binary classification of students based solely on their birth certificates, effectively erasing the identities of transgender and non-binary students and stripping them of the fundamental right to participate in school life alongside their peers. While the bill claims to "protect" female athletes, it does so by creating a hostile, exclusionary environment that violates the dignity of vulnerable youth and imposes unnecessary administrative burdens on our schools.

****The Harm of Exclusion:**** Sports are not just about competition; they are a primary vehicle for social integration, mental health, and community building for young people. By mandating that athletic teams be sorted strictly by "biological sex recorded at birth," this bill forces schools to turn away students who identify as female but were assigned male at birth, and vice versa. This is not "fairness"; it is institutionalized discrimination.

Transgender students already face disproportionately high rates of bullying, depression, and suicide. Denying them access to the teams that align with their gender identity exacerbates these risks. We cannot claim to value "equal opportunity" while simultaneously building barriers that prevent specific groups of children from playing with their friends.

****The "Protection" Fallacy:**** Proponents argue this bill is necessary to protect women's sports. However, this relies on an appeal to tradition rather than evidence. There is no crisis in Maine women's sports that requires a state mandate to solve. Furthermore, the bill's definition of "sex" is reductive and ignores the reality of human biology, including intersex conditions. While the bill attempts to address Disorders of Sex Development (DSD) via the ADA, the blanket ban on self-identification creates a chilling effect where any student might fear scrutiny or forced "verification" to prove their eligibility.

****The Slippery Slope of Surveillance:**** The requirement to restrict facilities and teams based on birth certificates sets a dangerous precedent. If the state can mandate that a child's participation in a sport or use of a restroom be dictated by a piece of paper from however many years ago, what stops the next iteration of this logic from demanding physical examinations or invasive "proof" of biology? The bill's language invites a level of surveillance and policing of children's bodies that is inappropriate, creepy, and cruel. We should be raising children who respect each other's identities, not teaching them to police one another's biology.

****Impact on Schools and Families:**** This bill forces school administrators to become enforcers of a rigid biological ideology, putting them in the position of denying services to students and inviting litigation. The "private right of action" clause invites a flood of lawsuits, draining resources from education to fight legal battles over who gets to play soccer or use the locker room.

****Conclusion:**** Maine has long been a state that values privacy, individual liberty, and inclusion. LD 2239 betrays those values. It seeks to solve a problem that doesn't exist by creating new ones: isolation for transgender students, legal chaos for schools, and a culture of suspicion in our gyms and locker rooms.

I urge the committee to reject LD 2239. Let us allow schools to manage their teams with flexibility and compassion, ensuring that every student, regardless of their gender identity, has the opportunity to run, jump, and play with their peers.