

THE SENATE
STATE OF NEW YORK



SENATOR
PAMELA A. HELMING
54TH DISTRICT

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LEGISLATIVE WOMEN'S CAUCUS

July 19, 2024

Angelique Johnson-Dingle
Deputy Commissioner
NYS Education Department
Office of P-12 Education
55 Hanson Place
Brooklyn, NY 11217

Dear Deputy Commissioner Johnson-Dingle,

As State Senator for New York's 54th District, I am writing in response to the proposed amendments to Section 135.4 of the Regulations of the Commissioner of Education Relating to Mixed Competition and Extra Class Athletic Activities. I am deeply concerned that the proposed amendments will negatively impact New York's female student-athletes - their potential, their development and their opportunities.

Title IX has granted generations of girls and young women, including me and my daughter, the opportunity to participate in middle, high school and collegiate athletics. For many young women, these athletic experiences have allowed them to develop confidence, team-building and leadership skills, abilities that help them go on to succeed as women and professionals. For some, it has even opened the door to a college education that they may not have otherwise been able to pursue.

The proposed amendments forcing local school districts to allow male athletes to participate on female sports teams, in cases where there is not an equivalent boy's team, undermine both local control of our school districts, the voice of parents and school boards, and the tremendous progress made by female athletes. In SED's attempt to make things equal, this amendment will result in inequity for all female athletes. In short, inclusion will lead to exclusion; our daughters and granddaughters will lose opportunities.

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If these amendments are adopted, female athletes throughout New York State could find themselves competing for roster spots with males, many of whom are bigger, stronger or faster, giving them a measurable competitive advantage. This would undoubtedly lead to some female athletes being excluded from girls sports teams. In fact, under the proposed amendments, school districts could potentially field girls sports teams composed of majority male athletes. This is not only absurd, but patently unfair to girls and young women hoping to participate in school sports.

In addition to concerns about fairness and opportunity for female athletes, these amendments also raise serious safety concerns. Allowing males to participate in female sports, especially contact sports, could increase the risk of injury for female athletes as they compete against males who are physically larger, stronger or faster. We have already seen this happen in other states.

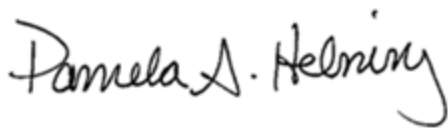
My daughter was an accomplished three-sport high school athlete in lacrosse, alpine skiing and cheerleading. She earned an academic-athletic scholarship to college for lacrosse. I can only imagine how different her high school and college experience would have been had these proposed rules been in place.

Female athletes at the top of their games have been an inspiration to young girls everywhere. We need only look to the latest example in women's basketball player Caitlin Clark. I fear these regulations would be a setback for young girls at a pivotal time in women's sports.

These proposed amendments, in seeking to level the playing field, are actually turning the playing field on its head.

Due to the threats to local control, student-athlete safety, and equitable participation for girls and young women in school sports, I strongly urge the Board of Regents to reject these proposed amendments.

Sincerely,

A handwritten signature in cursive script that reads "Pamela A. Helming". The signature is written in black ink and is positioned above the typed name.

Pamela A. Helming
Senator, 54th District