

House Bill 1298 - In Opposition
Human Services Committee
67th Legislative Assembly in North Dakota
January 25, 2021

Good Morning Chairman Weisz, Vice Chair Rohr, and Human Services Committee Members,

My name is Kathy Anderson. I am President of the North Dakota American Academy of Pediatrics. I have been a general pediatrician in Bismarck for over 10 years, having served as chair of pediatrics at both CHI and Mid Dakota Clinic during that time. I am speaking in opposition to House Bill 1298.

As a woman of color, first generation American, female physician, I have been grouped as an "other", an outlier, for much of my life. As a multiracial individual raised in a multi-faith home, I have never fit neatly into anyone's box. I can remember in grade school sitting down to take standardized tests, and really being confused, conflicted, or troubled by how to answer those questions about race correctly, because I was really trying to do my best on those tests, and the fact that the questions were being asked, must have meant that it was important to answer them correctly. But I have learned that it is not my job to make anyone else feel more comfortable with me based on their ability to know "where to place me". Now, it is my job, as a pediatrician, as the president of North Dakota American Academy of Pediatrics, and as the District Diversity, Inclusion, and Equity Champion for AAP to advocate strongly in support of inclusive environments, and for inclusive policies for all of our children. Policies like this are no different from policies that excluded groups or treated groups differently based on race - they are rooted in discrimination, have no scientific basis, and will ultimately negatively effect the health, development, and safety of children within our state. I stand in strong opposition to any bill like this that unfairly, illegally, and inhumanely supports the differential treatment of any group.

American Academy of Pediatrics



North Dakota Chapter

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Dear Chairman Weisz and Members of the Human Services Committee:

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We oppose House Bill 1298, which seeks to block transgender youth from participating in athletics. House Bill 1298 is discriminatory, contrary to federal law and athletic policies, in opposition to positive social development, and inconsistent with science.

House Bill 1298 puts North Dakota at odds with federal law. On January 20, 2021, President Biden signed an Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation. This Order states, "Every person should be treated with respect and dignity and should be able to live without fear, no matter who they are or whom they love. Children should be able to learn without worrying about whether they will be denied access to the restroom, the locker room, or **school sports**." States that fail to comply with this law risk federal legal action and the loss of federal education funding.

House Bill 1298 further ignores established policies created by the National Collegiate Athletic Association (NCAA) in 2011 and the North Dakota High School Athletic Association in 2015, which specifically addresses and supports the participation of transgender athletes. The NCAA has removed postseason and championship events in states with laws that violate their policy.

The ability to participate in sports has been well documented to have a positive effect on mental health in kids of all ages. Involvement in sports, particularly as a member of a sports team, is an important way for youth to develop psychosocially and help form their social identity. Sports participation helps athletes develop self-esteem, correlates positively with overall mental health, and appears to have a protective effect against suicide. This is of particular importance due to the fact that risk factors for suicide are already dramatically higher in transgendered children with studies showing 56% of youth who identified as transgender reporting previous suicidal ideation, and 31% reporting a previous suicide attempt. Keeping transgender students connected with fellow peers and participating in activities is vital for their development and mental health.

In 2017, a systemic review of medical literature found, "There is no direct or consistent research suggesting transgender female individuals (or male individuals) have an athletic advantage at any stage of their transition (e.g. cross-sex hormones, gender-confirming surgery)." Any disingenuous attempts to defend this law by suggesting otherwise is flatly contradicted by research.

There is simply no place in North Dakota for the discriminatory policies proposed in Bill 1298 and we urge you to vote no.

Sincerely,

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