

HB 1298

Senate Judiciary Committee Testimony of Mary Jo Dunne, Opposed 3/16/21

Ms. Chairman and Members of the Committee,

I am here today to offer testimony in opposition to HB #1298, which would mandate participation in athletic events to be exclusively for males or females. I am testifying as a student in social work, concerned about how the policies made today will impact my future clients tomorrow. I also testify as a member of the LGBTQ+ community, worried about how HB #1298 would effectively ban non-cisgender students from participating in sports. There are many scientific studies that show that sports has invaluable benefits for young people. It helps them to maintain a healthy body and mind, build self-confidence, and gain social skills and leadership that come from being part of a team. Students who are active in sports are also more likely to graduate from high school, achieve high grades, and attend college. They are significantly less likely to become parents before age 18, drop out of school, or struggle with mental health.

According to a report from the Williams Institute, about 0.3% of people in North Dakota identify as transgender. This number does not include the people who would come out if they had the resources and support to do so, or who fall under other non-binary identities. However, if we go by this statistic anyway, it would mean that 0.3% of the 100,000 youth in North Dakota's public schools are transgender- which is around 300 students. These young people deserve our protection, as people who are transgender are at risk in many ways. 27% of transgender students report feeling unsafe at school, and 35% report being bullied. Transgender youth are alarmingly at risk for homelessness, drug use, and depression. Over half have engaged in self-harm. Over one third have attempted suicide. Since participation in sports can be a protective factor against

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so many of these risks, it is important that we encourage transgender students to get involved- not discourage them. Allowing them to play on a team that matches their gender identity sends the message that they belong; that they are supported. It helps them to build positive social connections, gain leadership skills, and succeed in school as a whole.

Some may worry that allowing non-cisgender students to play on their preferred teams could compromise safety and fairness for other student athletes. These are valid concerns. There can be significant biological differences between males and females, and I agree that these may be relevant when it comes to professional sports. However, professional sports and school sports are very different. Most biological differences do not emerge until puberty. And even so, North Dakota's High School Sports Association already mandates that transgender students complete a significant amount of hormone therapy before being allowed to play on a team that does not match their sex assigned at birth. This minimizes biological differences, creating an even playing field for all. In addition to this, many sports are already divided by weight class or skill level- both of which are far more relevant factors than gender when it comes to fairness and safety. The most important thing I would like to emphasize, though, is that youth sports should not be just about the competition. The focus should be less about who wins, and more about giving students the skills to succeed in life. Transgender students, just like anyone else, deserve the chance for teamwork, health, friendship, and leadership that comes from being on a sports team. I want to see my future clients who are transgender have this opportunity. I want to see them succeed.

I thank you for your time this morning and urge a "do not pass" recommendation on HB #1298. I now stand for questions.