

House Human Services Committee Members:

I am writing as a concerned life-long resident of North Dakota to express my opposition to HB1522 which makes it illegal to provide public accommodations to transgender students in schools. I am so dismayed that the legislators this session have decided it is necessary to attack a group of young people who are already vulnerable and at a greater risk of depression, anxiety and self-harm. The entire basis of this bill is hurtful and unnecessary and there are items listed on the bill which show a lack of research on the part of the sponsors prior to writing the bill.

I see a lack of understanding of the difference between sex and gender as well as an incorrectly perceived idea that sex and gender are simple and straightforward. Evidence-based research on this topic shows that even biological sex is determined by a myriad of factors that includes genes and their expression, chromosomes, neurobiology and endocrinology, not just DNA.

In section c, there is mention of students' perception of being any animal species. There have been rumors flying around the past couple of years that students are identifying as Furrries and that there are litter boxes in schools here in North Dakota. This is ludicrous and has been shown to be untrue by the administrators of those schools. To even include this in a bill is an insult to our public-school administrators as well as the transgender students that this bill is attacking.

The suicide attempt rate among transgender individuals is 32 to 50%. Gender-based victimization, discrimination, bullying, violence and rejection by family, friends and/or community are just some of the factors that have caused this horribly high rate of depression and suicidal thinking. Studies have shown that youth who experience discrimination based on their gender identity were twice as likely to attempt suicide. Being misgendered, which this bill requires, leaves the person feeling disrespected, invalidated and dismissed, which negatively impacts their mental health. Using correct pronouns and names, however, has been shown to reduce depression and suicidal risk. This bill is an example of discrimination, victimization, bullying and rejection by community and is the opposite of what we should be doing to prevent suicides in our state. We should be supporting these people and should encourage culturally sensitive and transgender-inclusive programs to tackle this high rate of suicidality.

In section 3 of this bill, it does not allow a school to provide unisex bathroom accommodation for students unless they have had gender affirming surgery prior to the start of this law and have a written request from a parent or guardian. Since this bill appears to be targeting elementary through high school age students, there is obviously a lack of understanding of gender affirming care as gender affirming surgery is not done on minors. This means that there can never be restroom accommodations made for transgender students. We should instead be making a law that requires all schools to have gender neutral bathroom facilities. Studies have shown that allowing students to use gender-neutral bathrooms in schools can reduce bullying and victimization and can improve the mental and physical health of these students. This bill does the exact opposite.

The penalty aspect of this bill is not my area of expertise but I have a major concern when a parent can sue a school district if they feel that their child has suffered damages because of a violation to this bill. This could be costly to the school, even if the plaintiff does not prevail, and a waste of their time and taxpayers' dollars. I am not sure how a cis-gender student

could be harmed by a transgender student being treated with respect and dignity. This bill is obviously not concerned with the damages done to transgender students when they are bullied, discriminated against or victimized.

Public Schools should be providing a safe and supportive environment for all children. Schools in our state have already tackled the issue of accommodation for transgender students and we should trust that the policies that have been developed and are being implemented in those schools are providing that safe and supportive environment for **ALL** students. There has been considerable evidence-based research on this topic and there are many resources available if any of the legislators would like to do more research. When we can create school environments that respect and affirm gender diversity, it actually empowers all the students in the school and teaches them empathy and acceptance of those who are different from themselves.

Please do what is right and give this bill a Do Not Pass out of committee.

Thank you for your time,

Jane Hirst  
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