

Thank you, Mr. Chairman, vice chair, and members of this committee.

My name is Scott Dyk, representative from district 23.

I am here today to represent ~~Hospital~~ 1522 and to testify on its content.  
HB.

I am speaking today, on behalf of all the children and students in K-12 schools across this legendary state. I will be echoing sentiments of mothers and fathers, grandparents, and a host of constituents from my district. Including the citizens, all over this state, evidenced by the many emails, received in response to this bill.

As a father of 3 married children and grandfather of 12, my primary responsibility is to protect them!

As a legislator, my primary responsibility is to protect the children of this state. All children. Ronald Reagan said "governments, first duty is to protect the people not to run their lives"

Who are we protecting?

All children in K-12 public and private schools.

And here are the reasons why we are protecting.

Example #1

A report filed on October 26, 2022 tells of a transgender

student who entered a girls restroom in Oklahoma. And the student victim labeled as V on the redacted report told Police she was speaking with friends in the girls bathroom when student A approached.

The student victim labeled as V on the redacted report told Police she was speaking with friends in the girls bathroom when student A approached her with a question. After telling student A, she didn't want to speak with her, and why, student A became angry, and asked her if she wanted to fight before hitting her in the face. The alleged assailant continued to hit kick and pull student V's hair. Student the told the police, the strength of student A's punch left her unable to fight back. One friend reported they tried to help, but they were also struck in the face twice. A witness said they were worried about their friend, because the assailant was a man. Police observed, one victim, had injuries to her eye, face and head with a possible concussion. The student was charged with single counts of disorderly conduct and assault and battery.

## Example #2

2) The Loudon county public school board has fired their superintendent. After a Virginia grand jury released a report, criticizing the district for how it handled two sexual assaults committed by the same student. The Northern Virginia school district came to the national spotlight after a father accused the school board of covering up his daughters sexual assault. Scott Smith testified before the board that a biological boy, wearing a

skirt, raped his daughter in the girls bathroom.

After that incident, the boy was able to transfer to another school in the district where he then assaulted another girl. He was convicted in juvenile court of both assaults.

At the time Smith claimed the district tried to cover up his daughters assault to push a policy that supported transgender students using bathrooms of their choice. In a 91 page report released, the grand jury found that the school district was looking out for their own interests, instead of the best interests of the students.

The fall out of this tragedy involved a parent commenting that “this is not over, it is not over for those two girls and their families, and it’s not over for all of us. We have to send our children into those buildings every day with a lack of trust. And so that really really concerns me. And I think there should be repercussions“!

Example # 3) Closer to home in Williston , North Dakota, a trans individual went into the girls bathroom on more than one occasion, and when the football team found out, they beat the him up! We cannot allow this kind of behavior toward any student.

This is why there is provision for protection, for a student who

has had gender, affirming surgery prior to when This bill goes into effect!

Everyone needs to be treated with dignity, civility, and respect. For those who have been bullied and scorned, I'm sorry. For those parents and relatives who have lost a loved one to suicide, I'm sorry. I can't begin to imagine the pain, loss, and devastation you feel.

When are we going to do something about this? It has to be now.

We need to act now, to protect our kids!!

Are you all aware that we have political leaders who sanction half nude perverts dancing for kindergartners while rubbing their crotch?

Are you all aware that our government is telling parents they have no right to know what the state is teaching their children, but that day is here. This ideology has created an environment where educators are grooming, our impressionable children to consider sterilization and mutilation.

Ronald Reagan said this," we must reject the idea that every time a law is broken, society is guilty rather than the lawbreaker. It is time to restore the American precept that each

individual is accountable for his actions.”

Now, just in case, there are those here who are experiencing a bendable backbone like a recent senator from South Dakota. He reasoned this issue should be a school board issue.

This is not a school board issue as you could tell by the way the Virginia school board handled their situation. This is our issue. This is our legislative issue for today.

Now, for the strengthening of our back bones, we do have precedent on our side.

Title IX. Title IX of the education amendments was acted by Congress in 1972 to illuminate discrimination in education based upon sex against girls and women in particular. It states, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal, financial assistance. When this was past girls and women faced high barriers to pursue educational opportunities, particularly in higher education, title IX was designed to remove those barriers, and now represents 50 years of progress in education made by girls and women title IX regulates every public K-12 school, college and university of the nation, as well as every private school that takes federal funding. As a result it has wide, reaching implication for tens of

millions of children and parents across the country. the regulations implemented in title IX were binary based on two sexes, male and female. Recognizing biological distinctions where they matter and prohibiting discrimination based on sex as Congress intended.

This was recently challenged by President Biden, and was struck down in a federal appellate court.

This ruling came out January 5, 2023. A federal court of appeals has held that title IX's prohibition on discrimination on the basis of sex refers to biological sex and not gender identity. The year and ruling by the United States Court of Appeals for the 11th circuit calls into question the legality of Biden administration's proposed title nine rules, which equate gender identity with sex and would require schools to open up women's sports and other spaces to males who identify as women.

The 11th circuit ruled 7 to 4 on December 30, that the bathroom policy violates neither title IX of the education amendments of 1972 nor the US Constitution the court rejected the claim that the school boards actions discriminated against trans identifying students.

This is great basis for this bill. Also keep in mind smokers are required to smoke outside the building. Sometimes it can be 20 below zero. We are trying to protect all people from

secondhand smoke. You can see the theme.

Now I get it if you're still a little bit nervous about doing the right thing here. Someone very close to me said to count the cost before you venture into your next career. The chairs you and I sit in the house chamber come with a great amount of responsibility and accountability.

You will find encouragement in this statement by Patrick Henry

“should I keep back my opinions at such a time, through fear of giving offense?” I echo that exact thought.

And finally, we have president, Teddy Roosevelt, who has his roots here in North Dakota. Who gave his most famous speech in April 23, 1910. He said “it is not the critic who counts. Not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. the credit belongs to the man who is actually in the arena. Whose face is marred by dust and sweat and blood. Whose strives valiantly, who errs, who come short again and again. Because there is no effort without error and short coming, but who does actually strive to do the deeds , who knows great enthusiasms, the great devotions, who spends himself in a worthy cause, who at the best knows, in the end, the triumph of high achievement, and who, at the worst, if he fails, at least, fails well, daring greatly, so that his place shall never be with those

cold and timid souls, who neither no victory nor defeat .

Protecting all our children is a worthy cause. We all must dare greatly in this worthy cause!

Puritan leader John Winthrop said that we are a city on a hill.

In order for North Dakota to be a city set on a hill, and to continue to be legendary, we must protect all of our children. If we don't, we will become infamous.

I'll end with this. For me personally there is truth that is transcendent. It exists far above the universe and material existence. I implore us as a whole to discover the solutions and healing found therein.

Honorable members of this committee, as strongly as I can, I urge a Do Pass vote on HB 1522. I am open to amend the penalty capped at 500,000 to be less or more.

Thank you, Mr. Chairman I will now stand for questions.