

Chairperson, Senator Judy Lee, members of the Senate Human Services committee, I am Barry Nelson, here on behalf of the Fargo Human Rights Commission to testify regarding HB 1522, and I urge you to vote do not pass on this bill.

The Fargo Human Rights Commission consists of [eleven volunteer members](#) who are nominated by the Mayor and appointed by the City Commission. Each serves a three-year term. The Human Rights Commissioners represent a broad range of racial, religious, ethnic, social, economic, political and professional groups.

**Our mission is:** The Fargo Human Rights Commission provides leadership and education in areas of civil rights, to eliminate discrimination against persons because of color, creed, religion, national origin, age, sex, sexual orientation, gender identity, disability, or marital status. It encourages adherence to civil rights through education, conciliation, and mediation. It identifies human and civil rights-related concerns of the public and recommends policies to the board of city commissioners that protect and preserve individual rights.

At its February, 2023 commission meeting, the assembled commission members voted unanimously on a resolution standing in opposition to the numerous bills targeting our Transgender community.

Our opposition to these bills is based on two principles: 1) it is harming our kids, and 2) it is restricting our freedoms.

In support of principle number one, I cite the following: National research tells us that 75% of transgender youth feel unsafe at school and are more likely to miss school out of concern for their safety. The North Dakota Youth Risk Behavior Surveillance (YRBS) data from 2021 indicates that suicide ideation and attempts are disproportionately higher for LGBTQ. Evidence is as follows: middle school students who ever seriously considered suicide: straight – 22%; LGB – 65%; Transgender – 74.7%. Middle school students who have ever attempted suicide: straight – 7.5%; LGB – 29.3%; Transgender – 46.3%.

Passing bills that directly or indirectly target LGB and specifically Transgender students only enhance this environment by further targeting them within schools and community.

It is within the overall context of the numbers and breadth of bills being presented in this legislative body, that we stand in opposition to HB 1522.

The first question that comes to mind is: why? Why is this bill necessary? Does this not represent government overreach? Does not each individual school district within its own jurisdiction not have the means and best interests of their students and community at heart in developing these policies? Does not a school district not already have the resources and best practices to develop these policies as it pertains to use of a student's preferred pronoun?

Let's point out this bill's major flaws. Point number 2 states: A board of a school district shall establish, in consultation with the parent or legal guardian, a policy for the use of a separate restroom accommodation for a transgender student. And, Point number 3 states: A board of a school district or a school shall prohibit a student from using a restroom that does not coincide with the student's biological sex. This bill is a blatant form of discrimination and directly violates the executive order referred to as "Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation" signed by Joseph R. Biden on

January 20th, 2021. The first two lines of this bill state: "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." This includes transgender individuals.

This bill is inhumane in all aspects. There is ample literature and anecdotal stories of the consequences of current bathroom/locker room gender segregation:

- Kids don't drink fluids all day long resulting in dehydration.
- I visited with a number of young adults who shared their strategies so that they would avoid having to use the restroom for the entire day, including no fluid intake or "holding it in" until they got home at the close of day.

These obviously had immense impact on the quality of their school day and ultimately on their health.

To purposely and intentionally target this small, vulnerable population is misdirected at best, is cruel if not evil in its intent to inflict harm and pain on our children at its worst.

We take pride in our local schools in Fargo that seek to accommodate and educate all students, to create a safe and affirming learning environment for all its students and strongly urge you to vote no on this solution in search of a problem and the worst kind of government overreach.