

Testimony in Support of HB 1522

Karen Hanson- District 35 3/21/23

Thank you, Madam Chair and Honorable Members of the Committee. My name is Karen Hanson and I live in District 35. I am in support of House Bill 1522. I agree wholeheartedly that the focus of this bill is to protect the private space boundaries of our K-12 school bathrooms. This gives us the opportunity to provide for everyone's physical needs of providing a safe school bathroom, along with remedies of a civil cause of action if a student has suffered damages because of a violation. This part of the bill is also very important.

Before I continue with my own personal thoughts, I will read this article of a situation that is becoming far too common. Testimonies like this are not isolated incidents, unfortunately. (See attached article from Alliance Defending Freedom: "My High School Punished Me for Saying a Male Shouldn't Be Allowed to Watch Me Undress")

The issue at hand in this bill is really all about protective boundaries. It provides protection in boundaries for everyone in that "...a school shall prohibit a student from using a restroom that does not coincide with the student's biological sex." It also offers a remedy for the school and parents of transgender students to work something out so that student can have a safe bathroom of their own, if need be.

What it comes down to is protecting our children in the bathrooms and locker rooms, which are the most vulnerable places in schools, because they are the most private spaces. The rights of our children to have safe bathrooms MUST NOT be overridden in favor of someone of a chromosomally different sex who says they have a right to be in the opposite sex's bathroom just to feel affirmed, accepted or not have their feelings hurt.

When children are little, we teach them all about safety. It should not change as they are growing into their teen years through high school under our care as parents. And that includes the care we pay for and entrust to the school, teachers, and administrators. Safety is the real issue. It's not about feelings or being affirmed. It's truly about providing the safest place to use the bathroom without having the daily fear that someone from the opposite gender has the freedom to walk right in because there's no fear of penalty, because no clear boundaries exist or are enforced with penalties.

I was recently reading research on brain development. It said that all behaviors and experiences you endure until age 25 have potential to impact your developing brain, which tends to finish developing right around the age of 25. Adults over the age of 25 tend to feel less sensitive to peer pressure. The reason I mention this is that children are not equipped to set proper boundaries of safety for themselves, much less in a bathroom with the opposite gender. WE are the adults and are dealing with this right now on their behalf so they can be kids, go to school, and be protected in the most private spaces of those schools. Last week a friend of mine

encountered a mom and her two daughters selling Girls Scout Cookies. In conversation, this HB 1522 came up. The mom, in reference to this bill, said that her daughters are afraid to go to the bathroom in their elementary school here in Bismarck. She indicated that they will try to not go to the bathroom all day long in order to avoid that room. She didn't expound on that point.

So, boundaries are what make everyone safe, even if they don't like those boundaries. Case in point, when our children were young, they had to learn our safety boundaries. They didn't always like those boundaries, so they pushed back. When we as parents did not enforce those boundaries that we had set in place, they would keep pushing to see what the limit was. But when we followed THROUGH with enforcing those safe and secure boundary lines, guess what happened. They knew they were safe then. And that did not mean they "liked" the boundaries, but why is it that we feel the need to coddle our kids and think they have to "like" everything? It's not about coddling and affirmations, it's truly about safety.

The pushing against the boundaries of everything decent and good and wholesome has been accelerating all over this nation. Where does it end and how far does it go? We have an opportunity to come together and put these real protective measures in place, and this bill will literally protect thousands upon thousands of North Dakota children for decades to come by keeping them safe in their own bathrooms. And who knows, one of those children could be yours or someone you love!

Thank you for hearing my testimony. I encourage you to vote YES and recommend a DO PASS on HB 1522.



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MORE

Representative
Scott Dyk
HB 1522

My High School Punished Me for Saying a Male Shouldn't Be Allowed to Watch Me Undress

I was taught girls should speak up when something makes them feel uncomfortable, but the school didn't care.



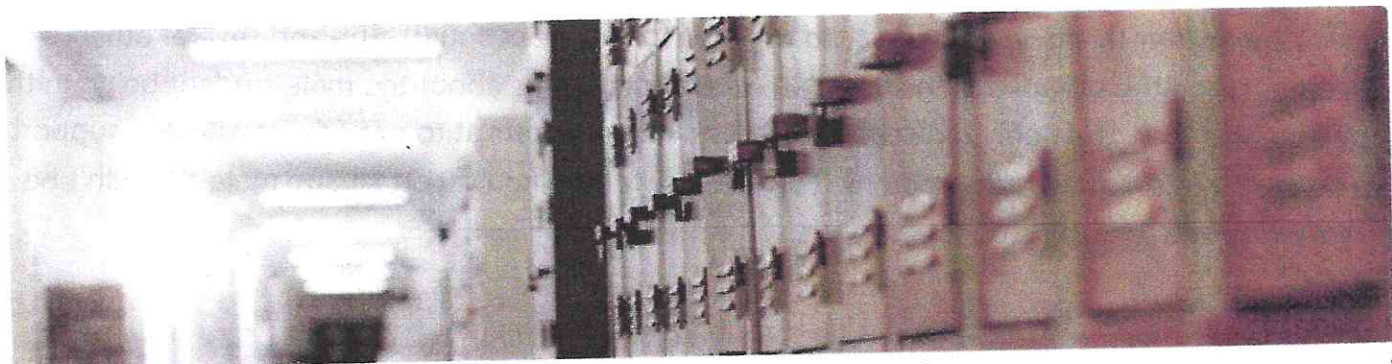
Written by *Alliance Defending Freedom*

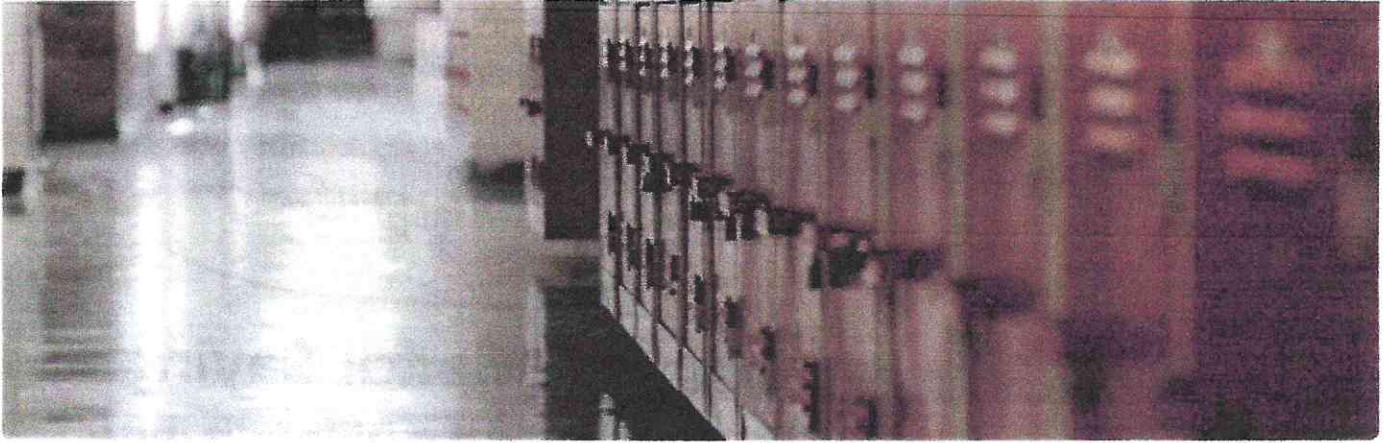
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Editor's note: The following piece, written by Alliance Defending Freedom client Blake Allen, originally appeared at Fox News.





As a girl, I was taught to respect the privacy of my body, and to speak up if I felt unsafe or if something made me feel uncomfortable. Now I'm 14 and shocked to learn not all adults take you seriously when you say you don't feel safe or comfortable. In fact, they may even punish you for speaking out.

That's what happened to me when I said I didn't think a teenage male should be allowed in the girls' locker room where my teammates and I undress and change. I'm a private person when it comes to my body, even in the safety and comfort of home. But at school, apparently there's no problem with a male student freely watching us girls change our clothes.

It was a conversation I had with some peers in French class that landed me in trouble with the officials at Randolph Union High School in Vermont. Someone overheard me telling my friends that a dude doesn't belong in the girls' locker room, and they reported me to the co-principals, even though the male student didn't hear me and wasn't in the class.

The controversy didn't start in French class, though; it started when the school allowed a male who identifies as a girl to compete on our girls' volleyball team. When the male student entered our locker room, we were changing. Some of us didn't have a shirt on; others of us were only in our underwear. Naturally, some of us were uncomfortable and asked the student to leave, but we were ignored.

I was upset after the incident and called my mom to tell her about it. She and several other parents called the school administrators to express concerns about the male student being in the girls' locker room. Not only did school officials make no attempt to provide us with any support or a workable solution, they made *me* the bad guy for saying that a teenage male shouldn't be allowed to watch us girls undress.

Shouldn't every girl be taught to speak out to protect herself from situations where she hasn't given consent — and be listened to by those in a position to help? If something feels off, trust your gut? Not at my high school. If you don't comply with the school's preferred gender identity policy, *you're* the bad guy. For expressing true, commonsense, biological facts — boys and girls are different and must respect each other's bodily privacy — I was punished.

The school began an investigation into the comments I made in class and banned our entire girls' volleyball team from using the girls' locker room. The co-principals notified me that I was found guilty of harassment and bullying of "a student on the basis of the targeted student's gender identity." As punishment, school officials told me I must take part in a "restorative justice circle" with the equity coordinator, submit a "reflective essay," and serve out-of-school suspension.

So, with the legal assistance of Alliance Defending Freedom, I sued the co-principals and Orange Southwest School District officials. On the same day that we filed suit, the superintendent rescinded the disciplinary actions against me.

But I wasn't the only one to experience retaliation for stating a simple truth and wanting to be safe. My dad, Travis, was suspended from his coaching job for standing up for me. He expressed his views on a Facebook post, calling out the injustice of the male student being allowed to use our locker room and watch my teammates and I undress: "He got a free show, they got violated," my dad wrote. And he was suspended from his position as the middle school girls' soccer coach. So, my dad joined the lawsuit challenging the school's unjust retaliation against us for speaking freely — for speaking truth.

Instead of sticking up for the safety and privacy of girls, the school administrators are sticking to their preferred view of gender identity and will unfairly target anyone who dares to think differently. The school must respect my dad's and my free speech rights to express a commonsense view that this student is male and shouldn't be allowed in the girls' locker room.

It's school officials' job to ensure every student feels safe at school. And it's their job to listen to and respect our views, not silence us for speaking out to defend ourselves.

