

RE: Testimony in Opposition of HB 1298

Good afternoon, Chairwoman Larson and Members of the Committee.

My name is Olivia Data. I am a Junior at Century High School in Bismarck and I left school to be here today to tell you to vote NO on HB 1298.

I've lived in North Dakota my entire life, and growing up, I remember hearing all the jokes and sayings about how nice North Dakotans and midwesterners are, and it always made me so proud to live here. Recently, though, I've been learning more and more about the prejudice and discrimination that we struggle with, and I have been reflecting more on the challenges that I have faced in my life as a girl. The earliest example of this that I can remember is playing tag in elementary school, overhearing the boys in my class deliver this devastating insult to each other: *you run like a girl*. Growing up, I have noticed countless jokes, insults, stereotypes, and rules that enforce the sexist notion that girls are weak. That girls can't play sports, can't be assertive, can't be strong. HB 1298 is saying the same thing. I understand that there are often natural biological differences between cisgender boys and cisgender girls, but saying that transgender girls, even after hormone therapy, are automatically going to win any event in any sport because they were assigned male at birth portrays cis girls as inherently weak and feeble, and it depicts trans girls as inherently predatory. Both of those ideas are harmful, and neither of them are true.

If you are truly concerned about allowing boys to play on girl's sports teams, I am baffled as to why you consider supporting a bill that would force transgender boys to play on exclusively girl's teams. If a trans boy is taking testosterone and dressing and acting in a typically masculine

manner, I know that I would feel uncomfortable having him on an all-girls team.

Not only does this bill fail to protect girls like me, but it would actively harm us. Invalidating the gender of a trans girl because of something written on her birth certificate sets the stage for other forms of gender policing. If a girl is too masculine, if a girl performs too well in her sport, if a girl does not conform to traditional feminine expectations, the validity of her gender could be questioned as well. This isn't just a hypothetical, either. We've all heard the term "tom-boy." Just because a girl is strong, or has muscles, or is good at running, that does not make her a boy. Just because a girl has the word "male" written on her birth certificate, that does not make her a boy. It is 2021, surely we know by now that there is not one singular definition of femininity, that there is not one way to be a girl.

I am incredibly and increasingly concerned that this bill is not about protecting girls, but instead about hurting transgender students. Because the thing is, there *are* issues with girls being treated unfairly in sports. I have been taking ballet classes at Northern Plains Dance, here in Bismarck, since kindergarten, and I have been dancing en pointe since seventh grade. A few months ago, I was catcalled on my way into the studio. I brought up the incident to a few of the other dancers there, and it turned out that almost every single teenage girl there, even a girl as young as twelve, had been catcalled or harassed or even followed on their way to class.

Typically feminine athletics like cheerleading, gymnastics, and dance are looked down upon and discredited, and it hurts us. Multiple friends and classmates of mine have been injured in these athletics, and when we mention this to medical professionals, we are met with skepticism. As early as middle school, girl's sports uniforms are often sexualized. There are sexist coaches and

gym teachers known to make female students uncomfortable, and no one does anything! There is inequality between male and female sports in both media coverage and funding. The environment that our schools, and now, our legislation creates around sports for girls, whether it's the idea that strength and success are unfeminine or the idea that feminine sports are inherently different and lesser, has serious consequences. I realize that many of these issues may be difficult to tackle, but surely, there are many better ways to promote progress in gender equality than barring trans athletes from playing on the sports teams of their respective genders.

Furthermore, the idea that women are disadvantaged in every scenario and thus need protection has been used throughout history not as something to promote progression, but as something to harm minority groups. We've seen it used as an excuse to be homophobic, stereotyping lesbians as predatory, we've seen it used as an excuse to hurt black men and allow white women to be racist. We're seeing it now, with this bill. Myself and other girls like me have been trying to speak out to our schools and communities about the issues we face, and many times, we are met with condescension or even worse, silence. Our voices should be listened to, not misconstrued or spoken over.

HB 1298 ignores the real and prevalent struggles that female student athletes face in favor of pushing a harmful, discriminatory narrative. As a cisgender girl myself, I am sick and tired of the challenges that I face being used as a shield to deflect prejudice onto other vulnerable people. Transgender students, transgender *children* already face high levels of discrimination. We should be protecting them, not alienating them from our sports, our schools, our state.

Olivia Data  
Testimony on HB 1298  
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As a student, as an athlete, and as a girl in North Dakota, this issue is very important to me. HB 1298 bill hurts transgender students. It hurts cisgender girls. And we, as North Dakotans, can do so much better in terms of creating a safe, healthy, and positive environment for *all* of our athletes.

For these reasons, I URGE the committee to vote NO on HB 1298.

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