

Dear Chairwoman Larson, Vice Chairman Dwyer and Members of the Senate Judiciary Committee:

My name is Dr. Kathy Anderson, and I am a General Pediatrician and the President of North Dakota American Academy of Pediatrics (NDAAP). I am speaking on behalf of NDAAP and the National Organization that we fall under, The American Academy of Pediatrics, recognized to be the national and global experts on child and adolescent health. We oppose House Bill 1298, which seeks to block transgender youth from participating in athletics. House Bill 1298 is discriminatory, contrary to federal law and athletic policies, in opposition to positive social development, and inconsistent with science.

House Bill 1298 puts North Dakota at odds with federal law. On January 20, 2021, President Biden signed an Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation. This Order states, “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.**”

House Bill 1298 further ignores established policies created by the National Collegiate Athletic Association (NCAA) in 2011 and the North Dakota High School Athletic Association in 2015, which specifically addresses and supports the participation of transgender athletes. The NCAA has removed postseason and championship events in states with laws that violate their policy. I understand that there have been amendments made to this bill since I spoke against it in the house, that have now isolated all of the policies of exclusion discussed within it to solely effect children 18yo and under (or at least, not have an effect on college sports).

The ability to participate in sports has been well documented to have a positive effect on mental health in kids of all ages. Involvement in sports, particularly as a member of a sports team, is an important way for youth to develop psychosocially and help form their social identity. Sports participation helps athletes develop self-esteem, correlates positively with overall mental health, and appears to have a protective effect against suicide. This is of particular importance due to the fact that risk factors for suicide are already dramatically higher in transgendered children with studies showing 56% of youth who identified as transgender reporting previous suicidal ideation, and 31% reporting a previous suicide attempt. Keeping transgender students connected with fellow peers and participating in activities is vital for their development and mental health.

In 2017, a systemic review of medical literature found, “There is no direct or consistent research suggesting transgender female individuals (or male individuals) have an athletic advantage at any stage of their transition (e.g. cross-sex hormones, gender-confirming surgery).” Any disingenuous attempts to defend this law by suggesting otherwise is flatly contradicted by research.

We need to consider how supporting the passing of this law or any law like it, means that we, as adults, are comfortable with creating an environment that excludes for our children, and this is very dangerous. There are many things that make our children different from each other, and it is troubling to think of the

behaviors that we are modeling, by policing these differences, rather than teaching acceptance with a goal of understanding. Think about your child that is made fun of because of their size, or the way they talk, or because they have a physical or mental disability. Or the color of their skin, religion, country of origin, or their gender. Is this OK? NO. We cannot discriminate against and penalize CHILDREN for the things listed above that they have no control over. We need to join together to create an environment that nurtures the development of all our children, not the fears of some of the adults.

There is simply no place in North Dakota for the discriminatory policies proposed in Bill 1298 and we urge you to vote no.

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