

Senator Diane Larson, Chair  
Senator Michael Dwyer, Vice Chair  
Judiciary Committee

Mackenzie Swenson  
Students Advocates of North Dakota

Tuesday, March 16, 2021

In Opposition to H.B. No. 1298, Relating to Participation in Athletic Events Exclusively for Males or Females

My first experience in team athletics as a middle school student was not marked by kindness. A teammate said that I looked like “a fat elephant” on the court, and upon seeing that it was acceptable to make fun of the ‘different’ kid, a few other members began making similar remarks. For reference, I weighed about 100 pounds at the time and was 5’6”. I would have left sports entirely if not for the support of my mother, who informed my coach about the incidents and asked him to reprimand the bullies. Fortunately, my team the following year was supportive and inclusive, allowing my self-confidence to blossom. I bring up this anecdote to demonstrate that athletes, especially those in younger leagues, take cues from the behaviors of those around them. I believe that House Bill 1298 normalizes discrimination against transgender athletes, demonstrating to young athletes that a subgroup of athletes are not welcome to be whom they want to be while participating in sports.

These are not individuals who want to unfairly skew competition in their favor. These are individuals who have been prescribed hormone therapy after medical consultation and want to experience the personal and physical benefits of being involved in high school athletics. The North Dakota High School Activities Association already has guidelines in place regarding the participation of transgender athletes - guidelines that account for hormone therapy and other transition measures. The National Collegiate Athletic Association has also been working with transgender athletes for years and has experienced no issues relating to their participation.

Denying transgender athletes the right to participate on an athletic team of their gender is harmful to their mental health - and ultimately, their physical health as well. Furthermore, it teaches budding athletes that discrimination in athletics is acceptable. For the sake of promoting inclusion in North Dakota sports and protecting all athletes, including those who are transgender, I urge you to vote ‘no’ on H.B. 1298. Thank you for this opportunity to testify.