

House Human Services Committee Members:

I am writing in opposition to HB 1473 pertaining to the use of restrooms, locker rooms and shower rooms in multiple locations as well as participation in school-sponsored athletic events. This is another example of a bill that is addressing a problem that does not exist and is a waste of legislators' time and taxpayers' dollars.

As I read through the sections relating to correctional facilities, youth correctional facilities and penitentiaries, I assumed that this issue was already addressed by other laws that regulate safety in these facilities. After speaking to a relative that has first-hand knowledge of this, I was assured that they do have policies that regulate the use of restrooms and shower rooms in these centers and have to follow PREA standards, so there is no need for this redundant bill. A domestic violence sexual assault facility also has policies in place that assure the safety, security and privacy of its clients so I am again wondering what the purpose of this bill is.

Section 5 concerns dormitory or living facilities that are under the control of the state board of higher education. I am not aware of any North Dakota schools that have co-ed bathrooms, but I can share that I went to a Minnesota college in the early 1970s and the floor I lived on voted unanimously to have our bathrooms be co-ed due to the locations of each of the gender assigned rooms. The stalls for the toilets, showers and bathtubs were private and there were never any issues of sexual assault happening in those areas. Instead, it created a situation where the boys on my floor were more like brothers to me. This law would make that decision that was made by consenting adults illegal. I am also wondering whether a co-ed house owned by a college would have to designate male and female bathrooms to comply with this bill.

Section 6 is the part that concerns me the most as it is discriminatory against males and transgender students and includes elementary as well as secondary school activities. This bill would mean that a 4th grade boy who wants to play volleyball would not be allowed to participate in that sport because there are no male volleyball teams. This is just one example that shows how ridiculous this bill is. It appears this is just one of many bills that are trying to ban transgender athletes from participating in a sport that corresponds to their gender identity. The NDHSAA has already written a policy regarding participation by transgender athletes and is approved by schools, coaches and athletes across the state.

I would ask that you send this bill out of committee with a Do Not Pass vote.

Thank you,

Jane Hirst
Minot, ND