

January 25th, 2025

Chairman Ruby and members of the House Human Services Committee:

I am writing in support of HB 1144.

My testimony comes on behalf of concerned parents, students, and community members who are deeply troubled by recent developments in our local school district. Our district is in the process of building a 5th-grade addition to our existing 3rd and 4th grade school building, but they are using a loophole in the law by choosing unlabeled privately enclosed bathroom stalls. This decision would force elementary-aged children to share bathroom spaces between genders, which raises serious concerns about the privacy and safety of our students.

Despite numerous attempts to engage with school administration, presenting our concerns directly to the school board, and organizing a petition that has garnered almost 900 signatures—500 of which come from our district's own service area—the board and superintendent have remained silent. This silence speaks volumes, suggesting they have no intention of upholding the intent of Section 15.1-06-21 of the North Dakota Century Code, which was designed to protect the privacy and safety of students, particularly in shared restroom environments.

Revisions introduced to this bill, under section 4 of Penalty, will emphasize the message that privately enclosed bathrooms that don't separate boys and girls is still a shared space. Labeling bathrooms by gender helps maintain privacy and reinforces the idea that boys and girls have different biological needs. It will eliminate any risk of a child accidentally encountering the opposite gender if a door isn't properly locked. It ensures girls don't have to clean up after boys before using a toilet seat and eliminates a boy's exposure to both used and unused menstrual products. Additionally, no child will be expected to have to walk by or stand next to the opposite gender when washing bodily fluids from their hands. A simple distinction of gender supports children in understanding and respecting their bodily autonomy. These seemingly small issues are not trivial when it comes to the comfort, dignity, and privacy of children.

The proposed changes HB 1144 enacted within 15.1-06-21 of the North Dakota Century Code offers a structured layout that keeps at the forefront the needs and safety of all children, parental involvement and a clear policy for schools.

This bill is arriving at a critical moment for our community, with construction set to soon begin. I urge you to support HB 1144 and ensure that our children's right to safety remains a priority.

Respectfully,
Kristina Sogge