

2025 HOUSE HUMAN SERVICES

HB 1181

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1181
1/21/2025

Relating to gender usage in the North Dakota Century Code.

9:00 a.m. Chairman M. Ruby opened the hearing.

Members Present: Chairman Ruby, Representatives Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Members Absent: Vice-Chairman Frelich

Discussion Topics:

- Definition of gender amendments
- Honesty
- Simplicity
- Culture
- Student bodies
- Rights for individuals
- Affordability of schooling

9:01 a.m. Representative S. Olson, District 8, introduced the bill and submitted testimony, #30438, #30232.

9:12 a.m. Jacob Thomsen, Policy Analyst, North Dakota Family Alliance Legislative Action, testified in favor and submitted testimony, #30439.

9:14 a.m. Lanny Kenner testified in favor.

9:15 a.m. Grace Reep, Delegate from the North Dakota Student Association, testified in opposition, and submitted testimony, #30178.

Additional written testimony:

Kara Geiger submitted testimony in opposition, #29790.

Ella Gilkerson, President of North Dakota State Campus Pride, submitted testimony in opposition, #29877.

Sareli Beltran submitted testimony in opposition, #29883.

Sarah Muscha, Student at Minot State University, submitted testimony in opposition, #29944.

Terri Hedman submitted testimony in opposition, #29977.

Brenda Weiler submitted testimony in opposition, #30144.

Kristen Nelson submitted testimony in opposition, #30151.

Alexandra Deufel submitted testimony in opposition, #30238.

Becky Craig submitted testimony in opposition, #30275.

Christina Feldmann submitted testimony in opposition, #30304.

Bridget Brooks submitted testimony in opposition, #30326.

Heidi Selzler-Echola, Medical Director at Canopy Medical Clinic, submitted testimony in opposition, #30328.

Laurie Johansen submitted testimony in favor, #30354.

Jacqui Skadberg submitted testimony in favor, #30355.

Debra Hoffarth submitted testimony in opposition #30364.

Asher Lutz submitted testimony in opposition #30373.

Ryn Kephart, Member of the Minot State University Campus Pride, submitted testimony in opposition, #30392.

Sage Diesen, Secretary of the Minot State University Campus Pride, submitted testimony in opposition #30394.

Faye Seidler, Suicide Prevention Advocate, submitted testimony in opposition, #30405.

Alida Arnegard, submitted testimony in favor, #30408.

Lovita Scrimshaw, Emergency Physician, North Dakota State Director American Academy of Medical Ethics, submitted testimony in favor, #30411.

Naomi Franaek submitted testimony in opposition, #30432.

Sylvia Bull submitted testimony in opposition, #30446.

9:20 a.m. Chairman M. Ruby closed the hearing.

Jackson Toman, Committee Clerk

25.0497.01001
Title.

Prepared by the Legislative Council
staff for Representative S. Olson
January 19, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1181

Introduced by

Representatives S. Olson, K. Anderson, Christianson, Henderson, Koppelman, Morton, Tveit
Senators Castaneda, Van Oosting

1 A BILL for an Act to amend and reenact section 1-01-34 of the North Dakota Century Code,
2 relating to gender usage in the North Dakota Century Code and state records.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 1-01-34 of the North Dakota Century Code is amended
5 and reenacted as follows:

6 **1-01-34. Gender - Definition.**

7 1. Words of one gender include the other genders.

8 2. Words used to reference an individual's sex, gender, gender identity, or gender
9 expression, mean the individual's determined sex at birth, male or female.

10 ~~1.a.~~ Words referring to an individual, person, employer, employee, contestant,
11 participant, member, student, or juvenile must be used in the context of that
12 person's sex as determined at birth.

13 ~~2.b.~~ If sex, gender, gender identity, or gender expression is contested, determination
14 is established by the individual's DNA.

15 ~~3.c.~~ This ~~section~~subsection applies to all policies, records, forms, rules, standards,
16 procedures, guides, materials, instruction, training, correspondence, advertising,
17 or marketing used by any entity receiving state funding, including a public school,
18 an institution under the control of the state board of higher education, and a state
19 agency or office.

HB 1181: The Importance of Defining Gender as Binary, Sex at Birth
House Human Services Committee
January 21, 2015
Presented by Rep. SuAnn Olson

Mr. Chairman and members of the committee, please note that I am presenting HB 1181 with an amendment. The language that had been stricken should have remained. HB 1181 as amended is a simple bill that seeks to define "gender." The "definition" currently in state law simply states that a reference to a single sex, or gender, can mean a reference to others. For example, "all men are created equal" refers to all of us, men and women.

The changes on lines **8 - 12** of the bill as amended define gender as an individual's determined sex at birth, being male or female and on lines **13 - 14** provides that if sex, gender, gender identity or gender expression are contested, the determination is established via the individual's DNA. Further, lines **15 - 19** require that this definition apply to all policies, forms, and various materials used by any entity receiving state funding, including public schools and institutions of higher education, and a state agency or office.

Why are these changes needed?

As of yesterday, this change is needed so that North Dakota is in alignment with the federal government. In the President's speech yesterday at the Capitol, he said, "As of today, it will henceforth be the official policy of the United States government that there are only two genders: male and female." The changes in this bill do just that.

Honesty, Clarity, and Equal Opportunity

One of the primary reasons for advocating a binary gender definition is that it is scientifically honest. In the study of biology, every cell in each individual reveals biological identity as being either male or female. No clothing, hair style, drugs, or mutilations change that fact. A binary definition of gender is fixed and reliable. For example, reproductive roles between males and females are clear distinctions between binary genders as are the differences in physical characteristics such as body size, muscle mass and voice pitch.

Being scientifically honest brings clarity to roles, responsibilities, and expectations. NDCC requires that bathrooms and shower rooms in schools, dormitories, and penitentiaries be available based on biological sex. Further, state law requires equal opportunity for girls and women by prohibiting boys and men from participating on female high school and college sports teams. Defining gender in any other way diminishes honesty, clarity and equal opportunity. Gender is not illusory. Wanting it to be does not make it so.

We have only to look at what has and is happening in women and girls' sports around the country to see the absurdity of what gender dishonesty has brought us. Payton

McNabb of North Carolina still struggles with partial paralysis after being hit in the face in 2022 by a volleyball launched by a male athlete during a high school game.

Simplicity and accuracy in data collection and statistical analysis

Government organizations and health services often rely on gender data to make policy decisions. A binary gender model makes the collection and interpretation of demographic data straightforward. For instance, categories for sex or gender in surveys or censuses can be easily defined as male or female, which yields statistical analysis that is more accurate. In addition, maintaining gender as binary ensures consistency in laws.

Cultural and Religious Considerations

As Americans, we are proud of our "melting pot" heritage. The vibrant customs of our people are important to all of us. A binary view of gender supports the cultures and religions that are our heritage, and which make us uniquely American. For example, major world religions (such as Christianity, Islam, and Judaism) have defined gender roles as an essential part of their moral and theological teachings. A binary understanding of gender is rooted in divine law or sacred texts, and any deviation conflicts rather than supports these principles. Cultural practices, rituals, and social norms are often rooted in the binary conception of gender. For instance, various rites of passage are frequently gender specific (quinceañeras, bar and bat mitzvahs for example). Here too, defining gender as binary supports our varied cultural traditions and heritage.

Mr. Chairman and members of the committee, I respectfully urge you to give HB 1181 as amended a DO PASS recommendation.

Thank you.



Testimony Supporting House Bill 1181

Jacob Thomsen, Policy Analyst
North Dakota Family Alliance Legislative Action
January 21, 2025

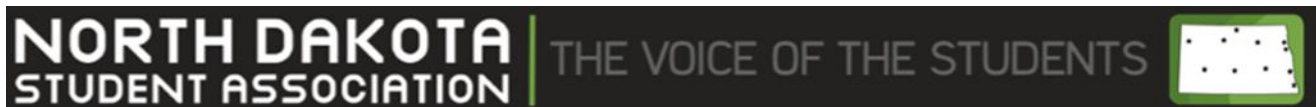
Good morning, Chairman Ruby and honorable members of the House Human Services Committee. My name is Jacob Thomsen, and I am a Policy Analyst with North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of House Bill 1181 and respectfully request that you render a "DO PASS" on this bill.

In the 68th Legislative Session, the North Dakota Legislature did plenty of work to ensure that as a state, we recognize two biological sexes, male and female. Many of those bills, now law, were heard in this committee. This bill further solidifies that in our Century Code, reference to male or female simply means the sex which is determined at birth.

Further, yesterday in President Trump's inaugural address, he is quoted as saying, "As of today, it will henceforth be the official policy of the United States Government that there are only two genders; male and female."¹ This bill aligns with that perfectly.

This bill supports consistency and clear language in our Century Code. For these reasons, North Dakota Family Alliance Legislative Action respectfully requests that you render a "DO PASS" on House Bill 1181. Thank you for giving me the opportunity to testify, I will stand for any questions.

¹ President Donald Trump, "The Inaugural Address," January 20, 2025, The White House, <https://www.whitehouse.gov/remarks/2025/01/the-inaugural-address/>.



HB 1181

January 21st, 2025

Grace Reep, North Dakota Student Association

307-254-8264 | grace.reep@ndus.edu

Chair Ruby and Members of the Committee: My name is Grace Reep and I am a North Dakota Student Association Delegate. I am here today in opposition to HB 1181.

The North Dakota Student Association is dedicated to ensuring that students have a voice at the table in policy that affects higher education. We consist of delegates from each of the 11 public North Dakota University System (NDUS) institutions, meeting monthly to engage students in discussions about North Dakota higher education policy. Since 1969, our mission has been to empower students, create collaboration between the student bodies of the North Dakota public universities, and to provide a student perspective on higher education policy.

The North Dakota Student Association has historically worked to represent all students within the NDUS. On October 26th, 2024, the NDSA General Assembly passed [NDSA-01-2425](#): A Resolution in Support of the NDSA's Legislative Priorities for the 25-27 Biennium. This resolution establishes support for the NDSA's legislative priorities, including – but not limited to – “Protecting the rights and safety of all NDUS students”. According to a report by the UCLA Williams Institute, 0.43% of the North Dakota adult population are Transgender individuals¹, that means approximately 2,500 adults living in the state of North Dakota are directly impacted by this bill. HB 1181 fails to recognize the almost 2% of the world's population that is biologically intersex², a term used to describe individuals who are born with genetic markers which do not fit into a male/female sex binary, providing no clear identification clarification or

¹ <https://williamsinstitute.law.ucla.edu/subpopulations/transgender-people/>

² <https://www.ohchr.org/en/sexual-orientation-and-gender-identity/intersex-people#:~:text=Intersex%20people%20are%20born%20with,are%20born%20with%20intersex%20traits.>

protections for those individuals. The NDSA recognizes the rights of all individuals to be addressed in a manner consistent with their gender identity and expression.

The NDSA has also historically passed resolutions specifically regarding the protection of Transgender students' rights. On January 21st, 2023, the NDSA General Assembly passed [NDSA-14-2223](#): A Resolution in Support of Transgender Students' Rights. This resolution stated that "the NDSA opposes any legislation that suggests, asserts, or assumes the invalidity of a transgender student's sexual identity," also discussing the opposition to the creation of unsafe learning environments. By fostering a non-inclusive environment for NDUS students, HB 1181 not only will have severe detrimental mental health effects on individuals referred to with improper pronouns, but it will also create the fear of an intolerant environment, discouraging in and out-of-state students from attending NDUS institutions. Neighboring a legally protected Transgender refuge state means that North Dakota must work to ensure that all NDUS students feel welcome in order to secure a strong educational and workforce development system within the state.

Along with students' need to learn in an inclusive and welcoming environment, the NDSA has also focused on ensuring free speech and academic freedoms are not infringed upon, as shown by another legislative priority chosen for the 25-27 biennium: "Preserving academic freedom at NDUS institutions." By restricting terminology usage at the higher education level, HB 1181 is in direct conflict with the NDSA's goal of supporting free speech and academic freedoms on NDUS campuses.

Beyond supporting free speech, gender inclusive policies, and students' rights, the NDSA has also historically advocated for affordability when attending NDUS institutions. HB 1181 raises fiscal concerns due to its incredibly vague and unclear language regarding DNA testing. By not specifying how students would provide DNA testing results or who would levy the cost, NDUS students and institutions will be faced with covering testing costs when a student's biological sex is, as HB 1181 states, contested.

On behalf of the NDSA, I urge the committee to give a DO NOT PASS recommendation to HB 1181.

Statement of Opposition to House Bill 1181

Dear Members of the House Human Services Committee,

I am writing to express my strong opposition to House Bill 1181, which proposes to amend the North Dakota Century Code to define gender strictly as an individual's biological sex at birth and require that all state-funded entities adhere to this definition. While the bill claims to offer clarity, it instead introduces discrimination, impracticality, and harmful consequences for individuals, state institutions, and the broader community.

1. Exclusion and Discrimination Against Transgender and Nonbinary Individuals

This bill effectively erases the identities of transgender, nonbinary, and gender-nonconforming individuals by disregarding their lived realities and denying recognition of their gender identity. Such exclusion contributes to stigma, marginalization, and mental health challenges for these populations, particularly for youth in schools and universities. By limiting gender definitions to binary biological sex, the bill denies basic dignity and equal treatment to a significant and vulnerable group of people.

2. Conflict with Federal Protections and Risk of Legal Challenges

House Bill 1181 contradicts established federal protections for transgender and nonbinary individuals, such as Title IX and recent Supreme Court rulings affirming that discrimination based on gender identity constitutes sex discrimination. This conflict exposes state institutions, including schools and public agencies, to potential lawsuits and jeopardizes federal funding. The administrative costs and legal battles resulting from enforcement of this bill could place a significant burden on North Dakota taxpayers.

3. Invasion of Privacy and Impracticality

The bill's provision requiring DNA testing to resolve contested cases of sex or gender is both invasive and impractical. It violates individuals' privacy and autonomy by introducing an unnecessary and intrusive method for defining gender. The requirement is logistically and financially burdensome for schools, employers, and other state-funded entities, while addressing a problem that does not exist in most real-world contexts.

4. Harm to Schools and Students

This bill restricts schools and state-funded institutions from fostering inclusive and supportive environments. Transgender and nonbinary students are already at increased risk for bullying, mental health challenges, and suicide. Policies like HB 1181 exacerbate these risks by denying recognition and support for their identities. Schools and educators would face undue burdens in revising policies, training materials, and procedures to align with an outdated and restrictive definition of gender.

5. Rejection of Scientific and Social Understanding

Modern medical, psychological, and social research recognizes that gender is distinct from biological sex and encompasses a spectrum of identities. The binary framework

imposed by this bill ignores the existence of intersex individuals and others who do not fit neatly into male or female categories. Denying this complexity dismisses decades of progress in understanding and supporting human diversity.

6. The Overreach of Government Control

This bill represents a significant overreach by the government into language and personal identity, mandating restrictive definitions that do not reflect the lived realities of many North Dakotans. Its broad application to policies, records, forms, and materials creates unnecessary administrative burdens for state-funded entities without addressing any pressing need.

Conclusion

House Bill 1181 imposes harmful, discriminatory, and impractical restrictions on how gender is defined and addressed in North Dakota. It undermines individual dignity, violates federal protections, creates unnecessary burdens for schools and state institutions, and risks significant economic and reputational harm to the state. I urge the House Human Services Committee to reject this bill and instead focus on policies that uphold the rights, dignity, and inclusion of all North Dakotans. Let us move forward as a state that values diversity, equity, and respect for all individuals.

Sincerely,

Kara L. Geiger
Mandan, ND
1/17/2025

Testimony in Opposition to HB 1181

18 January 2025

Ella Gilkerson, President of Minot State Campus Pride Club

When an average person looks at me, they see a woman. But they aren't looking at genitals, chromosomes, or anatomical markers. They are looking at the way I chose to style my hair, do my makeup, the clothes I chose, the name I use, the way I carry myself and the way I speak to others. That is gender. When a physiologist looks at me, they see a female. They are looking at physical characteristics associated with sex. That is the fundamental difference between gender and sex. Sex is everything given to us by our anatomy, while gender is the way we chose to walk through the world. Many people, including myself, are lucky to feel comfortable experiencing life the way someone with our anatomy is expected to. That is called being cisgender. Still many others have lived experiences, personalities, a spirit that leads them to a different truth about their authentic self. They know that they are their realest version of themselves when they can walk through the world without expectations based on anatomy they had no part in choosing. That is how transgender people understand themselves. They are not confused about who they are or how they should act.

For many of us, the idea is frightening. Most cisgender people have lived their lives with a basic understanding of how males should act like men and females should act like women. The ideals we associate with masculinity and femininity don't necessarily have any basis in the fundamental differences in anatomy. They come to us through years of social development and tradition; relics of an era where basic survival often necessitated certain types of work from certain types of people. In the year 2025, Americans are lucky to enjoy enough basic needs and comforts that we have the time, space, and opportunity to explore the way our society is structured. We have no reason to punish or inhibit anyone who wants to live in a way that doesn't conform to our traditional gender/sex binary. For those who believe man and woman are singular creations of God, remember that many of his greatest creations are the beautiful moments in between, sunset, sunrises, the waxing moon.

Whether or not transgender people make sense to you, whether you understand them or not, acknowledge that calling a person what they want to be called is a sign of respect for them and will cause no harm to you. As the president of a club whose purpose is to support these individuals, I have had the pleasure of knowing many non-gender-conforming people. All have been happy to share their lived experience with anyone who wants to understand them. Before you vote in favor of HB 1181, I hope you have the opportunity to have a conversation with a transgender person. Seek to understand what makes them who they are beyond their sex. You will be better for having known them and seeing the world through new eyes.

Contact:
sareli beltrán
sareli@sbino.com

Testimony in Opposition to HB1181

North Dakota House Human Services Committee
January 21, 2025

To Members of the Committee and their Chairperson,

My name, although not relevant, is sareli beltrán, and i am here today to strongly oppose HB1181. For me and many relatives existing on this land, this bill is not just about language—it is about the dignity, safety, and legal recognition of all North Dakotans, including **Two-Spirit**, transgender, and nonbinary neighbors, colleagues, and family members.

HB1181 proposal finds itself at **odds** with North Dakota's advertised values of freedom, community, and opportunity- sending a clear message that both the state's appeal to current and prospective residents is misconstrued and dishonest. Safety for all is not a priority to the leadership of this state if passed.

(Un) Welcoming Communities: Implementing HB1181 will foster an environment of exclusion, deterring potential residents and investors who seek accepting and diverse communities, contradicting the state's image of warmth and hospitality.

Attracting Top Talent: With workforce and labor challenges, goals to address workforce shortages by attracting diverse talent are going to be obstructed. HB1181 will discourage skilled professionals, particularly those who value inclusivity, from relocating and staying in North Dakota, thereby **hindering economic growth** and the state's talent acquisition objectives.

Unsafe: To current ND residents HB1181 sends a clear message that all of us do not belong, that our identities can be erased, and that our fundamental rights are debatable not protected. Bills like this embolden discrimination, increase barriers to healthcare, and worsen mental health outcomes, especially for communities who already face systemic inequities, increasing suicidal ideation and substance dependence rates.

North Dakota has a proud history of valuing hard work, community, and fairness. This bill does not reflect those values. Instead, it invites unnecessary **government** overreach into people's identities, creating legal ambiguities and potential conflicts with federal protections. More importantly, it threatens the well-being of North Dakotans who simply want to live their lives with dignity and respect.

i urge you to reject HB1181. Our communities deserve legislation that fosters inclusion, not exclusion. Your time is appreciated.

Ma Xipatinemi-may you be all well,

sareli beltrán

Dear North Dakota House of Human Services,

My name is Sarah Muscha, and I am here to give you my opposition to bill HB 1811. I believe in the freedom of choice and freedom of expression and this bill will harm that freedom to the LGBTQ+ community. I have friends and love ones apart of the community and seeing them being safe, healthy, and heard is the joy of my life and the reason why I fight for them for their rights to freedom of choice and expression. Not only will this limit their expression and choice, but this can increase harm to them by discrimination, assault, and death by not having the right to expression and the choice to use pronouns that best fits them. I hope my letter was received well and gives you a different viewpoint of the issue.

Thank you,

Sarah Muscha.

Terri Hedman, 5524 16 Street South, Fargo, ND 58104

Oppose HB 1181

Dear Committee and Chairperson:

As a North Dakota citizen, I am opposed to the amount of time and resources spent on legislation such as this. Concerns with sexual identity promote culture wars but do nothing to help support the health and welfare of the people of North Dakota, in fact, it does the opposite. According to the Trevor Project, young people “are not inherently prone to suicide risk because of their sexual orientation or gender identity but rather placed at higher risk because of how they are **mistreated and stigmatized in society.**”

This bill includes *“If sex, gender, gender identity, or gender expression is contested, determination is established by the individual's DNA.”* We can agree it would be government overreach to demand that a citizen undergo DNA testing. As a registered nurse and a believer in science, I can assure you, DNA alone will not provide a definitive answer to gender or sexual identity.

Please oppose HB 1181

Terri Hedman

5524 16 Street South

Fargo, ND 58104

I urge you to oppose HB1181. Our communities are stronger and more resilient when we focus on inclusion and acceptance, rather than exclusion and judgement. Our state and our citizens all deserve better than this bill.

Thank you for your time, dedication and service,
Brenda Weiler

Kristin Nelson

1/20/2025

5409 20th Street South

Fargo, District 46

DO NOT PASS HB 1181

Chairman Ruby and members of the Human Services Committee:

My name is Kristin Nelson and I am writing to urge a **DO NOT PASS on HB 1181**. This bill was created to erase the existence of queer people in our state. These folks are parents, students, tax payers, and citizens who contribute a lot of themselves to make this state great.

Erasing the references to queer people out of century code does not erase their existence. Queer people have always existed in our state, and they will go on to exist no matter the efforts to degrade and disenfranchise them.

I am truly curious about why legislators care so much about the existence of queer people in North Dakota. People thriving and living their lives should not impact anyone at all, so why does our state seek to overreach and legislate a problem that does not exist? What is the obsession with gender and gender identity? Who will track, test, and pay for these DNA screenings?

The obsession with a group of people existing is incredibly weird and takes away from important work the state could be doing, like housing first to get unhoused people into homes. Feeding children and finding ways to solve the childcare crisis.

If this body wants to be taken seriously, then stop with these culture war bills and vote to **do not pass** this bill.

Respectfully submitted:

Kristin Nelson (she/her)

Testimony in opposition to HB 1181

I am opposed to the enshrining overly simplistic definitions of gender in ND law.

As a PhD biologist who regularly teaches developmental biology at Minot State University, I am dismayed that some legislators feel the need to establish definitions of gender that do not comport with biological reality.

Reality is, that the development of sexual characteristics is a complex process and that chromosomal sex does not always match external and/or internal sexual characteristics. Sex assignment at birth is sometimes difficult or wrong. There are individuals with XX sex chromosomes that have male characteristics. There are XY individuals that have female characteristics. There are individuals with more or fewer sex chromosomes than the usual two. Checking their DNA will do nothing to help sort them into an artificially binary system (male – female).

I also can not understand what problem this bill is addressing. I further can not see how this should be implemented. Who is paying for these DNA tests? Taxpayers?

This bill is a solution looking for a problem.

Sincerely

Alex Deufel District 40

Testimony in opposition of HB 1181

Becky Craigo, LMSW

Dear Members of the House Human Services Committee:

I am a licensed Masters level social worker currently working in North Dakota schools and communities to support students and their families succeed. I am an advocate for all students & believe that they deserve the right to be themselves.

HB 1181 is unethical as it strives to take away transgender citizens right to be the person they are.

Not allowing people to use the gender identity that aligns with their true self serves no purpose.

Allowing transgender people the right to choose their gender harms no one but can be the difference in a transgender persons life or death.

Please vote a do not pass on HB 1181 and treat all citizens of North Dakota fairly.

Chairman Ruby and members of the Human Services Committee,

I am writing in opposition to HB 1181 and urge a vote of Do Not Pass. This bill, as outlined, is fundamentally flawed and raises serious ethical and human rights concerns.

To begin, this proposed definition of gender is not only scientifically flawed but also deeply harmful, as it seeks to erase the identities of transgender and non-binary individuals by reducing them solely to their sex assigned at birth. By enacting this definition, the bill enforces a rigid, outdated view of gender that invalidates the identities of those who are transgender, gender non-conforming, or who fall outside traditional gender norms. It creates an environment where diversity in gender expression is forced into hiding and actively suppressed by authorities.

Next, the language of the bill inherently enforces gender discrimination and disregards the identities and lived experiences of transgender and non-binary individuals. By mandating that words referring to an individual must align with their sex at birth, the policy invalidates the personal identities and requests of those whose gender identity differs from their assigned sex at birth. This not only disrespects their autonomy but also, and most importantly, subjects them to guaranteed ridicule and discrimination, thus legalizing bullying and harassment.

And finally, the bill's stipulation that gender disputes be resolved through DNA testing is both invasive and scientifically misguided. Gender identity is a deeply personal and complex aspect of an individual's identity that cannot be strictly defined by genetic markers. Requiring DNA testing to validate someone's gender identity is an invasion of privacy and undermines the dignity of the individual.

In the face of such discriminatory policies, it is crucial to stand firm in our resistance and I, for one, cannot imagine ever complying with a law that dictates I harm another human being "just because". We must collectively oppose any measures that seek to undermine the rights and identities of transgender and non-binary individuals. Our commitment to equality and justice demands that we reject policies that foster exclusion and discrimination.

In conclusion, I urge you to reconsider this bill in light of its discriminatory nature and the harm it would cause to vulnerable communities. Instead, I advocate for policies that promote dignity, respect, and the recognition of all individuals' rights to life, liberty, and the pursuit of happiness.

Thank you for your time and consideration,

Christina Feldmann

Beach, ND

January 20th, 2025

Dear Chairman Ruby and members of the House Human Services Committee,

I write to you as an incredibly proud alumna and benefactor of the University of North Dakota and a member of North Dakota United which represents Faculty and Staff at UND to express my personal opposition to House Bill 1181 and ask your committee to give it a “do NOT pass” recommendation and vote NO on this bill.

At the culmination of my doctoral studies at the University of North Dakota and during the pomp and circumstance of my graduation the University’s Land Acknowledgement was read at the start of the ceremony.

“Today, the University of North Dakota rests on the ancestral lands of the Pembina and Red Lake Bands of Ojibwe and the Dakota Oyate - presently existing as composite parts of the Red Lake, Turtle Mountain, White Earth Bands, and the Dakota Tribes of Minnesota and North Dakota.

We acknowledge the people who resided here for generations and recognize that the spirit of the Ojibwe and Oyate people permeates this land. As a university community, we will continue to build upon our relations with the First Nations of the State of North Dakota - the Mandan, Hidatsa, and Arikara Nation, Sisseton-Wahpeton Oyate Nation, Spirit Lake Nation, Standing Rock Sioux Tribe, and Turtle Mountain Band of Chippewa Indians.”

As I sat in my chair a few rows from the stage, this moment led me to reflect on the knowledge I had gained throughout the many years of my dissertation study. A greater understanding of the history of those First Nations and their sacred members, named Two Spirits. Two Spirits are individuals with both masculine and feminine presence who is either male-or female-bodied. Two Spirits can cross social gender roles, gender expression, and sexual orientation (Shotton et al., 2013). The name Two Spirit was embraced by Indigenous populations in the 1990s to split from the dehumanizing “berdache” identity that had been enforced by other ethnicities (“Two Spirited People of Manitoba” in Matthews-Hartwell, 20176). If we want to continue to build on relationships, we should look beyond what other ethnicities want and

not enforce laws such as this on the people of our First Nations, such as Two Spirits.

The reading of the land acknowledgment further connected me to my dissertation study, the one that allowed me to receive a terminal degree from a higher education institution in the state in which I was born and raised.

I struggled to find a topic to study and it was in teaching online at a local Tribal College that a student taught me what the firsthand experience was for someone who was prohibited from a simple name change and acknowledgment of how that student and their loved ones see them, for who they are.

I had students introduce themselves to each other, sharing their long and short term goals, talking about their educational goals, possibly moving away to complete their degrees so they could move back home and serve their community members. And I had one student who spent two paragraphs explaining why their name on their account didn't match the name they, their loved ones, and people closest to them referred to them as. Had that student been allowed to use their name and their pronouns, they would have had the same opportunity to share their excitement about the future with their classmates. It was out of compassion more so than understanding that I took on the task of creating my larger study.

I also serve as the chair for the LGBTQ Faculty and Staff Association at UND. This fall, I sent out a survey to members and I asked them to voluntarily respond to an impact survey. Fifteen members responded and those fifteen people have brought in approximately \$19,000,000 in outside funding to the University of North Dakota. Enacting laws that have a negative impact such as this one that makes North Dakota an unwelcoming state will make it very difficult to recruit, train, and retain the most gifted and talented individuals in their fields.

It is for these reasons, I respectfully ask your committee to give HB 1181 a "do NOT pass" recommendation and encourage committee members to vote NO on this legislation.

Sincerely,



Dr. Bridget Brooks

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info@canopymedicalclinic.com



Chairman Ruby and Members of the Human Services Committee,

My name is Heidi Selzler-Echola, and I am the Medical Director at Canopy Medical Clinic in Fargo, a clinic specializing in sexual and reproductive health. I am writing to express my strong opposition to HB 1181 and respectfully request that you give this bill a **Do Not Pass** recommendation. This bill seeks to define sex, gender, gender identity, and gender expression solely based on an individual's assigned sex at birth and to enforce the use of DNA testing for contested identities. Such measures perpetuate harmful stereotypes, contradict established scientific understanding, and undermine the lived experiences of transgender and non-binary individuals.

Scientific and Social Understanding of Gender and Sex

Gender identity is a deeply personal and intrinsic aspect of an individual's identity that extends beyond the biological determination made at birth. It is well established that sex and gender are distinct concepts. According to Merriam-Webster, gender is defined as "the behavioral, cultural, or psychological traits typically associated with one sex," indicating that anatomy alone does not determine one's gender. This bill's attempt to rigidly define gender fails to acknowledge its complexity as a spectrum shaped by individual experiences, societal influences, and evolving scientific understanding.

By mandating the use of sex assigned at birth as the sole reference for gender, HB 1181 effectively erases the existence of transgender, non-binary, and gender-fluid individuals from public recognition and institutional policies. This erasure would be both harmful and discriminatory, sending a clear message of exclusion to a significant portion of North Dakota's population.

Practical and Ethical Implications of DNA Testing

The proposal to use DNA as a determinant of gender identity raises serious practical and ethical concerns. DNA testing for gender is both invasive and impractical, imposing unnecessary burdens on public entities and raising profound privacy issues. Such measures would violate individual privacy rights, foster distrust, and likely face legal challenges. Additionally, the financial burden of widespread DNA testing is a critical concern—who will bear the cost? The financial and logistical implications of enforcing such a policy are immense and unsustainable.

Impact on Mental Health and Well-Being

The psychological and emotional harm caused by invalidating someone's gender identity cannot be overstated. Research consistently shows that affirming an individual's gender identity leads to significantly better mental health outcomes, including reductions in depression, anxiety, and suicidal ideation. Conversely, policies that invalidate and marginalize individuals contribute to

negative mental health outcomes, further straining community resources and healthcare systems. As leaders, we must prioritize policies that promote inclusivity and affirm the dignity of all individuals in North Dakota.

Implications for Healthcare and Privacy

This legislation's scope would extend to entities receiving state funding, including most medical facilities in North Dakota. Enforcement would require invasive oversight, such as reviewing medical records to ensure compliance with the bill's language. This would not only violate patient privacy but also conflict with the ethical and legal standards of medical practice. Such measures are impractical and would undermine trust between patients and healthcare providers.

Long-Term Social and Economic Consequences

Beyond its immediate harm to individuals, HB 1181 would have far-reaching consequences for our state. North Dakota must strive to create an environment where all individuals feel valued and supported. Policies like HB 1181 that foster exclusion and discrimination could deter professionals, businesses, and families from contributing to our communities. Inclusivity is not just a moral imperative but also an economic and social one.

In conclusion, I urge you to consider the long-term impact of HB 1181 on our state and its residents. I respectfully request that you reject this bill in favor of fostering a North Dakota that embraces diversity and allows all individuals to live authentically and without fear of discrimination.

Thank you for your time and attention to this critical issue.

Sincerely,
Heidi Selzler-Echola, MSN, WHNP-BC, APRN
Medical Director, Canopy Medical Clinic

Testimony in support of HB1181

As a mother of two sons and two daughters I am submitting testimony in support of HB1181. Gender is observed at birth and therefore an individual's sex at birth as male or female is a biological reality that cannot be ever truly changed. We must not allow language changes that create unclear documents and confusion as that will only become a problem in the future.

Today, January 20, 2025 our newly inaugurated President Donald J Trump said "as of today, it will henceforth be the official policy of the United States government that there are only two genders, male and female." Let us also follow this clear policy and support our great state of North Dakota by also supporting that there are only two genders male and female.

Thank You
Laurie Johansen

My name is Jacqui Skadberg and I am a resident of North Dakota. As a female and a mother of two daughters, I support HB 1181. By sticking with sex assigned at birth we protect girls from the slippery slope of gender identity issues. This keeps biological females safe in locker rooms, dorm rooms, sports, and public restrooms, etc. Plus, this bill protects people from being sued or charged with hate crimes if they address someone by the terms, pronouns, etc. associated with a person's biological sex. I urge you to pass HB 1181. Thank you for your attention on this matter.

WRITTEN TESTIMONY IN OPPOSITION TO HB 1181

House Human Services Committee on House Bill 1181

Date of Hearing: January 21, 2025

Debra L. Hoffarth, 1320 11th Street SW, Minot, ND 58701

This written testimony is presented in opposition to HB 1181, which discriminates against the transgender and nonbinary communities. It is an overreach of government authority into the private matters of its citizens.

North Dakota Century Code §1-01-34 is not controversial and was last revised by the Legislature in 1967.¹ This longstanding codification of legal terms should remain unchanged.


North Dakota Constitution Article I, Section 1 states: “All individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; ... pursuing and obtaining safety and happiness...”, which shall not be infringed.” This legislation violates North Dakota and federal law, including the prohibition of discrimination based upon sex and the 1st, 4th, and 5th Amendments.

Determining a dispute about someone’s gender identity invokes the United States’ Fourth Amendment and the North Dakota’s constitutional protections against unwarranted searches and seizures² and the Fifth Amendment right against self-incrimination. Transgender and nonbinary individuals’ medical information is private. Forcing a DNA test without a court order infringes on these rights and would compel individuals to undergo unwanted and unnecessary medical procedures. The proposed legislation fails to address under what type of circumstance constitutes “contested” requiring a DNA test, the process for said contest, and who is responsible to pay for this testing.

This proposal also violates the privileges and immunities clause of the North Dakota Constitution which prohibits “any citizen or class of citizens be granted privileges or immunities which upon the same terms shall not be granted to all citizens.”³ The proposed legislation grants privileges to straight and binary individuals that transgender and nonbinary individuals would be denied, including participation in state-funded facilities. It also infringes on the rights of children to a free and appropriate education by effectively making misgendering a condition of access to education. This is discriminatory and harmful.⁴

There is no clear purpose for this legislation, other than to intimidate and further marginalize the transgender and nonbinary community in North Dakota, which already suffers from higher rates of suicide and harassment. Affirming individual’s preferred pronouns lowers the risk of suicide and self-harming. Transgender and nonbinary individuals need compassion and inclusion, not hatred and exclusion. All people within the State of North Dakota deserve dignity and respect and the full protection of their constitutional rights.

Please oppose HB1181.



¹ January 11, 1967 Judiciary Committee Minutes – 1967 SB 72 Legislative History from North Dakota Legislative Council.

² Constitution of North Dakota, Article I Section 8.

³ Constitution of North Dakota, Article I, Section 21.

⁴ Constitution of North Dakota, Article VIII Section 1.

Testimony in Opposition to HB 1181

Asher Lutz, A lifelong ND citizen

Honestly, I am worn out and appalled that we are having this same fight yet again, the fight is for my basic human rights, to be myself and for my family to be unbothered. I was born and raised in Minot, North Dakota. I am not some stranger or someone to be feared. I am asking for one thing, my family to be unbothered and have the same rights as everyone else.

Just like every human being on this earth my life deserves to be respected, and I deserve to have rights just as anyone else. HB 1181 not only would require me to change my driver license from male to female but would expose me to a life full of fear. Fear of what's next for transgender rights bills to take my rights or what will my kids futures look like when they must explain they have two dads, but the world will only see them as having a mom and dad. This bill is full of ignorance and makes me frustrated to my core. My kids deserve to grow up knowing that their parents have the same rights as everyone else.

Transgender and gender non-conforming individuals deserve the same rights as everyone else. Just because you do not understand does not mean there is no point in acknowledging them. Everyone deserves human rights no matter their beliefs, sexual orientation, gender, or religion.

This bill not only creates an environment of biased nature but also publicly excludes people. This Bill fosters the practice of excluding others when everyone deserves to be included.

Please Vote No on HB 1181

Having basic human rights should be the bare minimum for every single person. There will be people who disagree with that. No one is better than anyone else in inherent worth. People, not monsters, choose to be violent toward our fellow brothers and sisters, friends, and loved ones just because they don't fit their ideals. Any version of family that makes you feel safe, loved, important and strong is a good family. We all pump blood to our hearts and brains. There is no difference between cis people which just means same, and trans people which means opposite. If you identify with the body you were given, that is great. If you don't that's okay, too. "We the people" is supposed to mean we are stronger together. People should be able to live in peace without being scared for their lives if the wrong person finds out who they really are. And

the beginning of that is respecting individuality.

You don't have to agree with anything to be a respectful human being. It does not matter what is in someone's pants unless you are planning to be intimate with them or you are their doctor. It's none of your business whether their preferred pronouns "match" your expectation of them. Your neighbors, coworkers, strangers on the street all have pronouns. For those who may not know, a pronoun is an identifier. It's a word that stands in for the proper name to reduce having to repeat the name over and over. For example, I, me, you, your, he, him, his, she, her, hers are all pronouns. There are some new ones that can vary from person to person. And language changes all the time. If you don't know a stranger's gender or name it's proper to call them by the pronoun 'they' singular. I go by

the pronouns they/them/theirs because it feels the most natural to me. Just like he or she or any other pronoun feels right to the individual.

Think about close relationships with your loved ones. If you switch places with someone and imagine your son or daughter, maybe your mom, dad, best friend, or grandpa comes out as trans or non-binary. Does that change who they are? Does your friend or loved one expressing what's in their heart change their value to you? Do you love them just as much as before they said these words? This is a moment of vulnerability that not everyone will understand. Whoever is coming out and asking for your consideration to respect their pronouns has shown you they care enough to make sure you know the authentic person inside.

They risk losing friends, family, even housing just to live as their true self.

Now let's go a little deeper. Imagine yourself waking up tomorrow. Instead of the body you remember, it's a different shape. Parts of you are the opposite of what you feel they should be. You lived your whole life up to this point believing that was your true identity and you never questioned it because it felt natural. Now you feel as if someone has vacuum sealed your skin, it's too tight, uncomfortable. You can deal with it but every once in a while it really weighs on you. You put on the clothes you wore yesterday but they fit differently. Nothing feels right. The idea of buying different clothes makes no sense because the ones you have are the ones you've always wanted to wear. But people judge you for wearing your clothes

because they assume the shape of your body dictates your life. You just wish you could show people on the outside who you are inside. You want them to see the real you.

It doesn't matter what shape, size, or color of skin someone occupies. It is only the outer shell. The person inside is what makes that body special. Each person has a different experience in life. Having respect for others experiences is part of living in society with many cultures and backgrounds. I want to see the realness of people. I want to know their struggle and understand them. I may not understand why someone makes the decisions they do but if I just listen maybe I will learn to acknowledge others experiences whether I agree with the action or not. They are a human with the choice to learn from

mistakes and understand each other
better or deny themselves that opportunity.

When it comes to human rights, the freedom of speech and expression have been a strong foundation in American history and belief. Without that right, our belief in our country collapses. These freedoms of speech and expression do not only reflect on opinions but as well as diversity of people. There is diversity within diversity. Not every person is the same as the last, and not everyone shares defined characteristics. When it comes to people expressing themselves there are thousands upon thousands of ways to do so. Gender and its association being one of them. There is evidence that follows along the path of human history that transgender and nonbinary individuals have existed for a majority of the time humans have existed. However, this expression of self is put into a minority. Those who perceive themselves as other than their birth gender will not stop perceiving themselves that way. They will always have feelings of displacement in their own bodies. When you take away their right to express their right to using their preferred pronouns, you are harming the individual's sense of self. Adding to this, you are not only putting the individual's mental health at stake but also their physical safety. There are many people who are prejudiced towards the LGBTQ+. When you take away this right for children and young adults in schools and universities you put them at risk of being hate-crimed and harmed by those around them. The places that should be considered safe are no longer safe for this minority and causes an increase in harmful speech and acts to those this bill will affect. Children and adults alike, across the united states have committed suicide or have been brutally murdered over having these rights stripped from them. Families have had to mourn those who should still be with us today because of those prejudices against them. Enacting this bill in North Dakota would continue this bloody and dangerous cycle.

**House Human Services Committee
Jan 21st, 2025 HB 1181
Testimony in Opposition**

Dear Chair Ruby and the members of the House Human Services Committee,

I urge a “Do Not Pass” on HB 1181.

1. This bill was tried in [2023 with 96 Testimony pieces against it](#). It was given a 0-7 Do Not Pass and failed chamber vote 4-43.
2. While very minor changes were made to HB 1181, including removing the penalty, the bill fails to prove merit to our state as the bill carrier can not identify a tangible problem from 2023 to 2025 that would have been solved had the previous bill passed.
3. This bill is in direct conflict with [2023's HB 1522](#) that says “Unless otherwise required by law, a government entity may not adopt a policy requiring or prohibiting: a. An employee's use of an individual's preferred pronoun when addressing or mentioning the individual in work-related communications; or b. The designation of an employee's preferred pronoun in work-related communications”
4. This bill compels speech in a way inconsistent with North Dakota Values. The heavy restrictions and government oversight clash with bills this session like [HB 1273](#), which prohibits any limitation of speech.

Chair Ruby, members of the House and Human Services Committee, I'm a suicide prevention advocate, a state researcher, and a life long North Dakotan who happens to find myself in Minnesota for just a short stay. My home will always be North Dakota, as I was born here and I will die here.

In these last two years I have taken a great deal of time to learn about everyone across our state, the many different beliefs we hold, and the value of conversation. I believe strongly that we are a live and let live state. I respect a person's right to believe what they do about religion, sex, or gender. But I feel this bill is a micromanaging of our culture that does not live and let live the trans people of our state.

This was not a problem I've ever seen in the news, confessed by a person, or brought up by an administrator in all of my work tracking data. It wasn't a problem in 2021, 2023, nor today or tomorrow. I recommend giving this a Do Not Pass.

Thank you for your time, consideration, and service to our state,
Faye Seidler

HB 1181

Good evening hard-working members of the House Committee!

Gods blessings over you and your families on this joyous inauguration day! I fully support House Bill 1181 so please represent me and countless ND mothers, daughters and grand-daughters! Please turn your full attention now wisely considering how you will vote on this urgent matter. I respectfully urge you to vote in support of this bill that will clarify the definition of gender & will protect women and girls for future generations in our home state.

It is such a beloved place to live & filled with remarkable land & prettiest pink sunrises, gloriously brilliant sunsets and absolutely unforgettable, billowy, golden prairies. I pray that these thoughts of ND prairies will blow truth gently into your heart like waves of the sea here in Gods beautiful country. Thank you for your thoughtful consideration. Vote Yes to HB 1181.

Sincerely,

Alida Arnegard
Wife, Mother, Grandmother
McKenzie County

Testimony in Support of HB 1181

Dr. Lovita Scrimshaw, DO, Emergency Medicine Physician

American Academy of Medical Ethics, North Dakota State Director

January 21, 2025

Good morning Chair Ruby and honorable members of the House Human Services Committee. My name is Lovita Scrimshaw and I am a physician in Dickinson, ND and also serve as the North Dakota State Director of the American Academy of Medical Ethics. I am testifying in regard to House Bill 1181 and I respectfully request that you render a “DO PASS” on this bill.

From a medical standpoint, the sex (and genetic reproductive organs) of the patient directly relates to the patient’s safety. The genetic sex of the patient should be clear to providers who will be taking care of this patient, because there are known differences in acute/emergent pathology encountered in male and female patients. For example, a female patient presenting with acute abdominal pain to the emergency department has different possible acute/life-threatening causes of that pain (such as ovarian torsion, ruptured ectopic pregnancy, preeclampsia, placental abruption, etc.) than a male patient presenting with the same abdominal pain (which could be testicular torsion, scrotal infections, etc). There is a case report of fetal death during labor because the medical record only conveyed the individual’s gender preference (male) and not their biological sex (female), leading to misdiagnosis and medical catastrophe in the setting of pregnancy.¹ There have been near-misses in many hospital systems due to patient’s listing their gender preference instead of their genetic sex.

Again, I request a “Do Pass” on this bill. Thank you for the opportunity to testify on this important matter.

¹ Stroumsa D, Roberts EFS, Kinnear H, Harris LH. The Power and Limits of Classification - A 32-Year-Old Man with Abdominal Pain. N Engl J Med. 2019;380(20):1885-1888. doi:10.1056/NEJMp1811491

Chair Ruby and Members of the Committee:

I strongly encourage you to vote against HB1181.

My husband and I have many transgender friends. This bill is one more attempt to delegitimize their lives. Bills like this continue to dissuade students from enrolling in North Dakota's schools. We know of families who left our state because of its hostile environment towards trans people.

Sit down and visit with a transgender person and you will gain a lot of insight into their challenges as well as joys.

Thank you for your service to North Dakota.

Naomi Franek
Fargo, ND

Sylvia Bull

Regarding House Bill No. 1181

21 January 2025

To the members of the House Health and Human Services Committee Committee,

I urge a strong NO vote on House Bill 1181 related to gender usage in the North Dakota Century Code. This bill makes a bizarre and misguided effort to control people's speech. Who will decide if someone uses a word that doesn't appear to match their determined sex at birth? Will the person be compelled to give a DNA sample? By whom? Who will pay for it?

By my reading, this bill is unenforceable and just another attempt to make people's lives (especially those who don't fit in) more difficult. The job of our legislature is to make people's lives better and safer here in ND. This bill does not do that.

Again, I urge you to vote NO on House Bill 1181. Please direct your efforts to legislation that serves and benefits the lives of all North Dakotans, irrespective of sexual orientation or gender identity.

Thank you,
Rev. Sylvia Bull
Bismarck - District 32

2025 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1181
2/17/2025

relating to gender usage in the North Dakota Century Code.

3:00 p.m. Chairman M. Ruby opened the meeting.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Discussion Topics:

- Committee action
- Proposed amendments to subsection 2

3:02 p.m. Representative K. Anderson moved to amend subsection 2 of the bill relating to state records.

3:02 p.m. Representative Rios seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Cleyton Fegley	Y
Representative Jared Hendrix	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Nico Rios	Y
Representative Karen Rohr	Y

3:05 p.m. Motion passed 13-0-0.

3:05 p.m. Representative K. Anderson moved a Do Pass as amended.

3:05 p.m. Representative Rios seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y

Representative Jayme Davis	N
Representative Gretchen Dobervich	N
Representative Cleyton Fegley	Y
Representative Jared Hendrix	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Nico Rios	Y
Representative Karen Rohr	Y

3:08 p.m. Motion passed 11-2-0.

Representative K. Anderson will carry the bill.

3:08 p.m. Chairman M. Ruby closed the meeting.

Jackson Toman, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1181

Introduced by

Representatives S. Olson, K. Anderson, Christianson, Henderson, Koppelman, Morton, Tveit
Senators Castaneda, Van Oosting

2-17-25
Jm 1 of 1

1 A BILL for an Act to amend and reenact section 1-01-34 of the North Dakota Century Code,
2 relating to gender usage in the North Dakota Century Code and state records.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 1-01-34 of the North Dakota Century Code is amended
5 and reenacted as follows:

6 **1-01-34. Gender - Definition.**

7 1. Words of one gender include the other genders.

8 2. Words used to reference an individual's sex, gender, gender identity, or gender
9 expression, mean the individual's determined sex at birth, male or female.

10 ~~1. Words referring to an individual, person, employer, employee, contestant, participant,~~
11 ~~member, student, or juvenile must be used in the context of that person's sex as~~
12 ~~determined at birth.~~

13 ~~2. If sex, gender, gender identity, or gender expression is contested, determination is~~
14 ~~established by the individual's DNA.~~

15 3. This section Subsection 2 applies to all policies, records, forms, rules, standards,
16 procedures, guides, materials, instruction, training, correspondence, advertising, or
17 marketing used by any entity receiving state funding, including a public school, an
18 institution under the control of the state board of higher education, and or a state
19 agency or office, unless otherwise required by federal law.

**REPORT OF STANDING COMMITTEE
HB 1181**

Human Services Committee (Rep. M. Ruby, Chairman) recommends **AMENDMENTS** ([25.0497.01002](#)) and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1181 was placed on the Sixth order on the calendar.

2025 SENATE EDUCATION

HB 1181

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1181
3/24/2025

Relating to gender usage in the North Dakota Century Code and state records.

9:00 a.m. Vice Chairman Lemm called the meeting to order.

Members Present: Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

Members Absent: Chairman Beard

Discussion Topics:

- Gender same as sex
- Male and female
- Scientifically honest
- Data collection and statistical analysis

9:00 a.m. Representative Olson, District #8, introduced the bill and submitted testimony #43570.

9:16 a.m. David Tamisiea, Executive Director ND Catholic Conference, testified in favor and submitted testimony #43580.

9:21 a.m. Jacob Thomsen, Policy Analyst ND Family Alliance Legislative Action, testified in favor and submitted testimony #43608.

9:22 a.m. Lanny Kenner, citizen, testified in favor and submitted testimony #43588.

9:24 a.m. Linda Thorson, State Director Concerned Women for America of ND, testified in favor and submitted testimony #43513.

9:28 a.m. Elizabeth Loos, mom, testified in opposition.

9:30 a.m. Faye Seidler, citizen, testified in opposition and submitted testimony #43566.

9:50 a.m. Alyssa Klossgaard, community member, testified in opposition to and submitted testimony #43619.

9:53 a.m. Carter Gill, Vice President of Governmental Affairs for the ND Student Association, testified in opposition and submitted testimony #43587.

Additional written testimony:

43509, 43519, 43476, 43163, 43335, 43353, 43374, 43420, 43474, 43475, 43481, 43483, 43485, 43490, 43518, 43521, 43524, 43531, 43534, 43538, 43545, 43548, 43549, 43571, 43573, 43585, 43589, 43590, 43593, 43602, 43609.

9:55 a.m. Vice Chairman Lemm closed the hearing.

Susan Helbling, Committee Clerk

March 19, 2025

Chairman and Committee Members,

I respectfully request that you consider a vote of NO on HB 1181. If you do not have first-hand experience with a transgender human in your life, the unknown can be hard to understand. I am a mother of a transgender young adult. It was only through opening my mind, educating myself about the science-based research on the how the brain and body can sometimes misalign in utero, and working thoroughly with trusted medical teams, school officials, our faith community, family and friends that my child has been able to not only survive, but thrive in life. When there is a community that is accepting, inclusive, and respectful it can literally save lives. No one that I know personally that is transgender is out to make others feel uncomfortable. They simply want to feel safe and respected just as anyone else does in life. HB 1181 puts the North Dakotan transgender population at risk to be harmed by others or by themselves if we allowed blatant disregard for their identity which matches their brain, allow alienation, prejudice, or stripping away of rights to be considered acceptable against this already highly marginalized group of people. If passed, it codifies the alienation of our fellow humans and puts lives at risk. Do not pass HB 1181.

Respectfully submitted,

Tara Jensen

District 44, Fargo, ND 58102

Dear Chairman Beard and members of the Senate Education Committee,

I strongly urge you to reject HB 1181. This bill attempts to strictly define gender as an individual's biological sex at birth, forcing all state-funded entities to adhere to this definition. As someone who identifies as Trans-Non Binary, I can confidently say that this bill would have devastating consequences for the LGBTQIA+ community.

My name is Chelsea, and until today, I've hesitated to publicly share my identity due to fear of backlash. However, I can no longer remain silent, not just for myself, but for the countless queer individuals I know and love, and those who don't know me but deserve to see they're not alone.

Being Trans-Non Binary means I don't identify solely with the female body I was born into; I'm a human being with a complex identity that can't be reduced to simple binaries. This isn't a choice I made one day; it's an inherent part of who I am. If I had a choice, I'd choose to be something that would get me less hate.

Sadly, I've struggled with my identity for a long time, and the past six months have been particularly challenging. The constant attempts to erase my existence by certain groups and organizations have taken a toll on my mental health.

I ask you, how does my gender identity or sexual orientation affect you or anyone else in this state? I simply want to live as myself without being questioned about my gender. Does it truly matter? The answer is no! I am a human being and my name is Chelsea, It's nice to meet you!

Please reject this bill, as it would create more division and pave the way for transphobic and homophobic hate. Trans people have existed for over 100 years, and we won't disappear just because some individuals believe we don't deserve to exist.

Thank you for your time.

Sincerely,
Chelsea Gagner
District 32

Chairman Beard and members of the Senate Education committee,

I respectfully request that you render a Do Not Pass recommendation on HB 1181. This bill is not scientifically accurate as claimed by the sponsor. This bill completely dismisses the existence of people who are born intersex. Often in cases of obvious intersex traits at birth, a doctor will assign a sex to put on official documents like the birth certificate. It is also less common than it was in the past to perform surgery on these children at birth. Instead parents and doctors can choose to wait until the child is older so the child can tell the doctor who they are. When a doctor assigns an intersex person a sex at birth, it does not mean that this will align with the child's gender identity. Intersex cases are not as rare as you may believe, and many don't even know that they are intersex until later into life. 1-2% of people are intersex, and they are not so rare that they should be left out of this conversation. It is simply not "common sense" to dictate that there are only 2 genders when it is not biologically true.

It is not the legislative body's place to tell adults that they must adhere to the sex they were born as. I know that transgender, intersex, and gender identity can be confusing, however I think this bill would be more confusing for out of state students in our universities. Out of state students may have their gender changed on their driver's license in their home state, but their gender in our university system would need to be the same as their sex assigned at birth. This seems like it would be more confusing for everyone involved. This bill is government overreach that will drive more families and students away from North Dakota and our universities.

LGBTQ+ people have every right to be who they are. They already live difficult lives. Please don't make it harder for them because you think this bill will make life easier for you. It won't. Please give a do not pass recommendation to HB 1181.

Respectfully,
Hanna Magnuson District 20

704 3rd Ave NE
Hillsboro, ND 58045

701-446-7581

My name is Cynthia Prescott, and I am a resident of Grand Forks, North Dakota. I also am a scholar of gender and author of two books on gender roles and identity. I oppose HB 1181, which falsely equates *sex* with *gender*.

Sex is defined biologically. Generations of scientists have recognized that biological sex is complicated and cannot be neatly divided into two distinct sexes, male and female.

Gender is a collection of cultural expectations or identifiers associated with someone's expected social roles. Cultural expectations surrounding gender expression vary across cultures and have changed over time. For example, a century ago, many Americans chose to dress their male babies and young children in the color pink because red was associated with masculinity. A pastel form of red was thus considered ideal for babies who would some day grow to be strong men. In contrast, today pink is closely associated for many Americans with femininity—as seen in the power of “Barbie” dolls and the recent *Barbie* movie. Should anyone be able to tell your son today that he needs to wear pink to be manly?

When schools or universities identify students by *gender*, they are indicating which set of gendered social expectations most closely align with that student's cultural identity. This is distinct from biological sex and should not be conflated. Not only is doing so imprecise and inaccurate, but it could cause significant emotional harm to an individual who does not align with that set of social norms.

I urge you to give a Do Not Pass recommendation for HB 1181.

Members of the ND Senate Education Committee and Senator Burckhard (D5):

I am writing to express my opposition to House Bill 1181.

This bill, particularly subsections 2 and 3, narrowly defines gender as solely an individual's "sex" and mandates this definition across all state entities including North Dakota University System campuses, state hospitals, and correctional facilities. This rigid classification creates significant legal and social problems.

Sex assigned at birth is not always accurate. While often determined based on external anatomy, this method does not account for the complexities of biological sex, including intersex variations, chromosomal differences, and hormonal influences. Medical research has documented cases where individuals are assigned a sex at birth that does not align with their genetic, hormonal, or later-identified gender identity. By relying solely on assigned sex at birth as a rigid legal definition, HB 1181 ignores these biological realities and further marginalizes individuals whose identities do not fit within this narrow framework.

This bill would deny legal recognition and protections to transgender and gender non-conforming individuals. By restricting the definition of gender to assigned sex at birth, the bill disregards the lived experiences and legal rights of transgender and gender non-conforming people. This can result in discrimination and denial of access to essential services and protections.

The bill's rigid definition could conflict with federal anti-discrimination protections, such as Title IX, exposing state agencies, schools, and employers to legal challenges while enabling discriminatory practices.

Modern medical and psychological research recognizes gender identity as distinct from assigned sex at birth. This bill disregards decades of research supporting gender-affirming policies.

Requiring state agencies to revise records, policies, and legal documents would impose unnecessary administrative burdens, redirecting limited resources from vital public services, including education and healthcare.

Restricting the ability of individuals to have their gender identity legally recognized infringes upon their rights to self-determination, privacy, and equal protection.

Enforcing a narrow definition of gender in schools creates a hostile environment for transgender and gender non-conforming students, negatively affecting their ability to learn and thrive.

This bill presents significant risks of widespread harm by eliminating legal protections, conflicting with federal law, and creating unnecessary financial burdens for state institutions. I urge you to reject this harmful legislation and instead support policies that ensure equal rights and protections for all individuals, regardless of gender identity.

Andy Bertsch
District 5 Resident

Dear Members of the House Human Services Committee,

I am writing to oppose HB 1181 that would “amend and reenact section 1-01-34 of the North Dakota Century Code,” to equate “gender” with “biological sex” for legal purposes.

I taught history at NDSU for 35 years, specializing, in among other things, the history of families in America and the history of women in America. We have a long history in which gender (how people express who they are) has changed over time and has not always matched their biological sex.

Let me give you four examples in our state where biological sex did not match how people presented themselves in terms of their gender.

The indigenous men who dressed and behaved as women, whom we now call Two-Spirit, were here long before Euro-Americans settlers. The prominent historian Francis Parkman on his Oregon Trail journey of 1846, encountered Two-Spirit people who were valued and respected among the indigenous people in this area: the Chippewa, the Hidatsa, the Lakota, and the Mandan. Their biological sex did not match their gender.

In pre-statehood days, we have a documented example of a transgender man (John Fubbister in the early 1800s) and a transgender woman (Mrs. Nash the favorite laundress of Libbie Custer at Fort Abraham Lincoln). Their gender did not match their biological sex.

In Cando in the 1950s, an unmarried woman had become “the boy” in her family during the Great Depression because her father needed her labor on the farm. She dressed as a man and drove the school bus and lived and worked as a man her whole life. Her biological sex did not match her gender.

In our own era, we have numerous examples of North Dakotans who were identified when they were born as members of one biological sex, but who because of hormonal and other factors, were, in fact, members of the opposite sex. Their gender does not match their biological sex.

Sincerely,

Larry R. Peterson, PhD
Professor Emeritus of History, NDSU

Chairman Ruby and honorable members of the House Human Services Committee. My name is Sister Lillian Long and I am writing in opposition to HB 1181

I don't understand why a bill like this has been introduced in our Legislature. This is not a problem I've seen in the news. Why do these representatives think a bill like this is necessary? It is mean spirited and an attempt to make people's lives more difficult. The job of the legislature is to make people's lives better and safer, not harder and more dangerous. It wasn't a problem in the past, it isn't a problem today, now will it be a problem tomorrow.

LGBTQ+ people live difficult lives. Please don't make it harder for them. No one that is transgender is out to make others feel uncomfortable. They simply want to feel safe and respected just as anyone else does in life.

Please give this a do not pass

Chairman and members of the Senate Education Committee

Greetings Chairman and people of the committee.

My name is Abigail Kraft of Bismarck and I'm here to respectfully request that you give a Do Not Pass recommendation for HB 1181.

I present my testimony with a brief backstory: I am a lifelong Republican voter, I am a parent, I am Catholic, and I have called North Dakota home my entire life. I had long hidden this side of myself, for fear of someone trying to harm me or my family because of perceptions people obtain from the media. Outlets such as Fox News routinely cherry pick stories to paint transgender people in a very negative light. Over the last few years I learned that I do not need to live in fear, at least in our home state. So many of our fellow citizens, especially in Bismarck and Fargo, have shown the upmost respect to me, whether they have served me at an establishment, conversed with me at an event or just passed by me. Today is the most public I have ever been about myself outside of social media, I chose to testify on behalf of our fellow citizens, to stick up for them and hopefully influence our state government to make the right decision. I do not believe the state should be legislating infringements upon our people, nor should we live in fear of laws that pacify some people in a party base at our expense, simply because their perceptions are influenced by places like Fox News' fantastical stories that make people fearful of us.

There are approximately 3000 transgender people in North Dakota based on a Williams Institute study, and I ask, should we be changing our laws to shun 3000 of our fellow citizens? What about these wonderful 3000 people in our state? Don't they get a voice? We can list our height and weight on our state IDs as we wish, nobody weighs us or measures our height before printing out IDs but when it comes to gender, suddenly people will need to comply with partisan law or pay for a DNA test, again just to satisfy the party base for culture war points. As Republicans, we say we are the party of personal freedom, I believe this is an issue where we as North Dakotans need to come together for all our people and lead by example for the other states. We can show the rest of the country that North Dakota will not infringe on our citizens' rights, that we love and respect everybody who calls this place home, and it all begins with rejecting this bill.

The law as currently written is sufficient the way it is. Representative Olson from Baldwin just wants to comply with President Trump's ridiculous culture war crusade against transgender people at the expense of our own citizens, purely for political purposes. What will happen the next time a Democrat president is in office? The issue will likely go back the other way, like a pendulum in a grandfather clock, and at that time our law will be out of compliance once again. Instead, we should be leading by example and leaving our law the way it is. This amendment does nothing but pacify a party base at the expense of 3000+ people in our home and sews significant division and hatred throughout Legendary North Dakota. The law, as it is currently written, is in line with our deeply held values of respecting all our fellow North Dakota citizens.

Governor Armstrong himself said there is a difference between gender identity and biology. He also said this in a debate with candidate Merrill Piepkorn. Quote; "Dress however you want. Be who you want to be. This country is a fantastic, weird place, and I think it is great." If this petty

bill passes, you are going to be putting it on the back of Governor Armstrong to take a stand for the people of this state. Would you be comfortable making him either go back on his word to pacify a fraction of one party or will he stand up for all citizens of North Dakota and veto the bill? I think the choice is clear, that this bill should rightfully die in the Senate to prevent this from happening and to protect the rights of every North Dakotan.

Regardless of what happens with this potential change to our law, I hope my testimony can provide a starting point with our fellow citizens so we can all come together and have conversations about people and our differences, to learn more about our neighbors and how there is no reason to fear someone unlike themselves.

Thank you for your time,

Abigail Kraft

Bismarck – District 32

Samantha K. Harrison

Regarding HB 1181

March 22nd, 2025

Chair Beard and Members of the Senate Education Committee,

My name is Samantha Harrison, a current resident of Mandan in District 34. I am writing to you to urge a “Do Not Pass” recommendation and a “No” vote on HB 1181.

I can’t believe this bill made it through the House. It’s silly, wildly unenforceable, and just speaks to a bizarre focus on how someone else identifies. How would this even be enforced? What would it even matter to enforce it? It’s an absolute waste of time.

The job of the legislature is to make people’s lives better in this state, and this bill simply wouldn’t do that. It’s another misguided culture-war bill that no one asked for.

This bill is ridiculous and a waste of time. I urge a “Do Not Pass” recommendation from the committee and a “No” vote on the floor on HB 1181.

Sincerely,

Samantha K. Harrison
District 34

House Bill No. 1181
Testimony in Opposition
Senate Education Committee
Submitted by: Anna Frissell, Youthworks
3/22/25

Chairman Beard and Members of the Senate Education Committee

Thank you for the opportunity to provide testimony. As an organization whose mission is to ensure all youth have a safe place to belong and be heard, Youthworks is in strong opposition to House Bill No. 1181 for the following reasons:

The Bill Harms Vulnerable Youth

HB 1181 mandates that words referring to a person's sex, gender, gender identity, or gender expression must align strictly with their sex assigned at birth—even when contested. This rigid language erases the lived realities of transgender, nonbinary, and gender-expansive youth. Research shows that youth who are denied the ability to express their gender identity are at significantly higher risk for depression, anxiety, suicidality, and disengagement from school and community life.

According to North Dakota's 2023 Youth Risk Behavior Survey (YRBS), transgender and nonbinary youth in North Dakota are four to five times more likely to attempt suicide than their peers. They are also 10 times more likely to experience sexual exploitation through the non-consensual sharing of images, and 9.5 times more likely to face housing instability or be at risk for homelessness compared to other high school students. Across disciplines, research supports the fact that affirming environments, including schools and public institutions that respect chosen names and pronouns, are directly correlated with reduced mental health risks.

The Bill Conflicts with Established Best Practices in Social Work and Education

Professional codes of ethics—including those from the National Association of Social Workers (NASW) and the American Psychological Association—stress the importance of cultural competence, respect for diversity, and the duty to affirm clients' identities. This bill would require professionals working in state-funded institutions to act in ways that contradict their training, ethical standards, and clinical judgment, placing them in impossible positions and further harming the youth they serve.

Thank you for the opportunity to testify. Please contact me if I can provide any further assistance regarding this bill or any other legislative matter.

Anna Frissell
Youthworks

March 22, 2025

Chairman Beard and members of the Education Committee:

I am writing on behalf of myself as an individual citizen of North Dakota, as a parent, and as a human to ask that you oppose HB 1181.

You will and have read (I hope) a lot of testimony and I'm sure you are getting tired as this session is past the mid-point and I'm going to be honest: I'm freaking tired too. I'm tired of writing to defend basic human rights and oppose bills that have absolutely ZERO benefit to the people of North Dakota.

HB 1181 is one of these bills. What difference does this make to you? How does the gender someone wants to be identified as impact you? Why is the ND legislature wasting our tax dollars continuing to discuss such unnecessary bills? Please stop this now, do not pass 1181 and get back to work that actually matters to your constituents.

Respectfully submitted,

Janet Anderson

Burlington, ND

Erin Price
Bismarck, ND

22 March 2025

Dear Chairman Ruby and Members of the House Human Services Committee,

I am writing to express my strong **opposition to HB 1181**. As the faculty advisor for my school's LGBT+ Club for over 15 years, I have had the honor of working with students who identify as transgender and nonbinary, and I've seen firsthand the importance of providing them with the recognition, respect, and support they need. The passage of this bill would threaten the dignity of these students by denying their identities and erasing their existence in our schools.

Transgender students are already vulnerable to higher rates of bullying, mental health challenges, and social isolation. HB 1181, by restricting how gender identity is addressed in our schools, would further marginalize these students, and contribute to a hostile environment where they are not allowed to fully express who they are. We must provide transgender students with spaces in which they feel seen, valued, and understood – spaces that reflect their identities and experiences.

For over 15 years, I've watched transgender students grow into confident, self-affirmed individuals when given the opportunity to have their gender identity recognized and respected. The sense of belonging and recognition they experience in the LGBT+ Club and other supportive spaces is vital for their emotional and mental well-being. Denying transgender students the right to be recognized for who they are only harms them and sends the message that they do not deserve the same dignity and respect as their cisgender peers.

I urge you to consider the profound impact this bill would have on the lives of transgender students. These young people need our support, not policies that make them feel invisible or invalid. It is our responsibility as educators and community members to ensure that all students, regardless of their gender identity, are given the recognition and respect they deserve.

Please do not allow HB 1181 to erase transgender students from the acknowledgment they need to thrive in our schools. I ask that you oppose this bill in order to protect the well-being, dignity, and rights of transgender students.

Thank you for your time and consideration of this matter.

Sincerely,
Erin Price

HB 1181

Senate Education

Chairman Beard and Committee Members

I urge a Do Pass on HB 1181. As I understand this bill it is to clarify gender and sex usage in state legal language and official documents. Conversely, supporters believe the bill aligns with definitions established at the federal level and provides clarity in state policies and records. I am a supporter of this bill and ask for a DO Pass on HB 1181.

Thank You, Gordon Greenstein

US Navy (Veteran)

US Army-NDNG (Retired)

CONCERNED
WOMEN *for* AMERICA
LEGISLATIVE ACTION COMMITTEE

March 24, 2025
Senate Education Committee
Testimony in Support of HB 1181

Chairman Todd Beard and members of the Senate Education Committee, I am Linda Thorson, State Director for Concerned Women for America, testifying for Concerned Women for America Legislative Action Committee. I am here today on behalf of our North Dakota members in support of [1181](#).

It is a biological reality that an individual's gender is the individual's sex; sex is binary, is scientifically accurate, and a person's claim of "gender identity" does not overrule their sex. Women see they are losing their rights because of vicious trans activism that shows little care for their concerns. The dignity of every woman is under assault in today's increasingly nonsensical culture wars.¹

Men and women are created uniquely and immutably by God. The status and dignity of women and girls should not be compromised in law or policy. Sex-based distinctions that protect women in every area, such as shelters, housing, healthcare, defense, prisons, education, and sports should be affirmed.

This legislation aligns our policy with the federal government policy stated in President Donald Trump's [Executive Order](#), *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, which said, "It is the policy of the United States to recognize two sexes, male and female. These sexes are not changeable and are grounded in fundamental and incontrovertible reality."²

Basing our state policies on the truth is key to public safety and the promotion of biological facts and trust in our government officials. As stated in the Presidential Executive Order given on January 20, 2025, "Invalidating the true and biological category of 'woman' improperly transforms laws and policies designed to protect sex-based opportunities into laws and

¹ CWALAC Presidential Promise to American Women, 2024, [CWALAC-Presidential-Promise-to-American-Women – Concerned Women for America](#)

² The White House, January 20, 2025, Presidential Order, *Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, [Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government – The White House](#)

policies that undermine them, replacing longstanding, cherished legal rights and values with an identity-based, inchoate social concept.”³

Defining an individual’s gender as the same as the individual’s sex, in all policies, forms, and materials of state agencies, institutions of higher education, and public schools that receive state funding upholds the truth and affirms the dignity of women.

Please vote “Do Pass” on HB 1181.

³ 2

Dear Members of the Senate Education Committee:

I am submitting this testimony in opposition to HB 1181.

This bill is discriminatory against members of the transgender communities. An individual's choice of pronouns is part of that person's identity. There is no advantage to forcing them to use terms that are not part of their personal life on public forms. This bill targets a group of people in the attempt to force conformity.

Please give this bill a Do Not Pass recommendation.

Thank you,
Paul Breiner

Senate Education Committee

I am in Favor of HB1181, there are two genders male and female. God the creator and designer created each one of us special, He doesn't make mistakes Psalms 139:14 says we are fearfully and wonderfully made. Life is about choices and if a woman believes she is a man or a man believes he is a woman that is their choice, and I don't condemn them. But it doesn't change the fact that we as a society need absolutes, so if we need a bill to define a man and a woman so be it. Please vote YES on HB1181.

Thankyou Doug Pearson

To: Chair Beard and the Education Committee
 From: The University Senate of the University of North Dakota
Subject: Opposition to House Bill 1181
 Date: March 24, 2025

Dear Chair Beard and members of the Education Committee,

I am Zarrina Azizova, an Associate Professor of Higher Education and Chair of the University Senate at the University of North Dakota. On behalf of the University Senate, I submit this testimony to express our **strong opposition to the House Bill 1181** that mandates the rigid application of sex-based definitions in all policies, records, instructional materials, and training within public schools and institutions under the control of the State Board of Higher Education. Please allow me to provide our concerns that inform our opposition:

- 1) **Humanity and Welcoming Learning Environment.** The most troubling consequence of this bill is its potentially cruel impact on human life. By enforcing restrictive definitions of gender, HB 1181 would explicitly delegitimize and marginalize individuals whose identities do not fit within its prescribed framework. This practice could lead to institutionalized discrimination and a hostile environment for transgender and nonbinary individuals, potentially violating their First Amendment constitutional rights and the Title IX protections against discrimination in education. Such an environment would stifle intellectual growth and wellbeing of our community. But simply citing current legal protections and rights to show potential legal risks that the bill, if passed into a law, would bring to university campuses is not what we want to do in our testimony. I am reading through parents' testimonies and individuals who have direct experience with transgender and non-binary people, and I encourage others to do the same because they provide a lot more insights into a human life and experience. Thinking about HB 1181 as a human being is already significant enough to realize that the bill has no place in our community that aspires for a greater good and wants the best of life and educational opportunities for all. We want to build a welcoming learning environment where every individual can pursue higher education, chase their career dreams, reach their fullest intellectual potential, and contribute to the growth of their community without any fear of being unwelcomed and censored.
- 2) **Academic Freedom/Free Speech in Teaching and Learning.** We must share another concern as we ask ourselves: What does this bill mean on the level of instruction/training or broadly defined learning? The restrictions imposed by HB 1181 would directly undermine the core principles of academic freedom by mandating language and definitions on faculty and students. Institutions of higher learning thrive on the free exchange of ideas, particularly in disciplines such as medicine, psychology, law, sociology, the humanities, and education, where gender identity is a critical area of study and professional practice. Beyond restricting language, HB 1181 would actively erase scholars and scholarship that explore gender identity, thereby limiting society's ability to understand and address complex questions about human development, identity, and rights. The fundamental purpose of education is to explore the "why" behind human experiences—to ask questions, challenge assumptions, and engage in rigorous intellectual inquiry. History has repeatedly shown that censorship and government suppression of knowledge do more harm than any good, hindering progress in science, culture, medicine, education.

Unfortunately, this bill outrightly aims to censor as it introduces unnecessary state control over terminology and instructional content, undermining the ability of faculty to teach and train students in a manner consistent with freedom of learning and best educational practices in their fields.

3) Compliance with Accreditation and Scientific Standards. There is more, concerning academic programs and curricular. Sections 2 and 3 of HB 1181 contradict the professional and scientific standards of leading academic and medical organizations, including the American Psychological Association, the American Medical Association, and the National Academy of Sciences. These organizations recognize, based on scientific evidence, that gender identity is complex and not strictly tied to biological sex. By forcing a narrow, government-imposed definition of gender, HB 1181 conflicts with established research and best practices in education and professional training. This bill would negatively affect accreditation status of many professional programs. For example, to maintain their accreditation status (CAA-ASHA), an effective Speech-Language Pathology program must provide evidence that students are given opportunities to identify and acknowledge:

- i. the impact of how their own set of cultural and linguistic variables affects clients/patients/students' care (these variables include, but are not limited to, age, disability, ethnicity, **gender expression, gender identity**, national origin, race, religion, sex, sexual orientation, or veteran status).
- ii. the impact cultural and linguistic variables of the individual served may have on delivery of effective care. These variables include, but are not limited to, age, disability, ethnicity, **gender expression, gender identity**, national origin, race, religion, sex, sexual orientation, or veteran status.
- iii. the interaction of cultural and linguistic variables between the caregivers and the individual served. These variables include, but are not limited to, age, disability, ethnicity, **gender expression, gender identity**, national origin, race, religion, sex, sexual orientation, or veteran status.

We assert that universities must be a place of inclusive learning where diverse identity expressions are welcome. Preserving the principles of welcoming community of learners, free speech, academic freedom, and academic standards and values of pursuits of knowledge is fundamental to the mission of higher education. **The University Senate urges the lawmakers to reject HB 1181.**

Respectfully submitted,

Zarrina Azizova, Ph.D.

2024-2025 Chair, University Senate of the University of North Dakota

Members of the ND Senate Education Committee.

I am writing in opposition to HB 1181.

Narrowly defining gender solely as an individual's sex does not reflect a wider societal understanding that gender identity and sex are defined differently. This bill will cause further hurt and harm to transgender and non-binary North Dakotans by seeking to erase their unique identity. Your role as legislators is to pass legislation that supports the health, wellbeing, and safety of North Dakotans. This bill does the opposite by targeting a specific population of people.

It is unclear why you are spending such a large amount of time and resources on such a small portion of the population when there are many other issues impacting the whole state.

I urge a do not pass.

Thank you,

Deacon Erin Power
Evangelical Lutheran Church in America
Fargo, ND District 10

Kristin Nelson

3/23/2025

5409 20th Street South

Fargo, District 46

DO NOT PASS HB 1181

Chairman Beard and members of the Senate Education Committee:

My name is Kristin Nelson, and I am writing to urge a **DO NOT PASS on HB 1181**. This bill was created to **erase the existence of queer people** in our state. These folks are parents, students, tax payers, and citizens who contribute a lot of themselves to make this state great.

This bill defines a person's gender as their sex assigned at birth, when in fact, **gender and sex are two different things**. Gender encompasses the social, cultural, and psychological aspects of being male, female, or non-binary. Includes factors such as gender identity, gender expression, and gender roles. It is a fluid and subjective concept that varies across individuals and cultures. Sex refers to the biological and physiological characteristics that define a person as male, female, or intersex. Includes factors such as chromosomes, hormones, reproductive organs, and genitalia. **Biological vs social, assigned vs self-identified, and fixed vs fluid**.

So, if **gender is fluid, and is self-identifying**, why does the state **have interest in assigning** these roles **for** people? Gender diverse people **have existed all around the world for thousands of years**. Here are just a few examples: (Hannah Renner, Queer History)

- Samoan people recognize male, female Fa'afafine and Fa'afatama as 4 genders with the last two being gender-fluid identities.
- Since the 1500's Naples Italy has recognized the "femminielli": people who were assigned male at birth who present as women and perform traditionally female tasks like sewing, cleaning, and caring for the elderly. Femminielli are considered good luck and have historically been present at births to hold the baby as a type of blessing.
- Two-Spirit is a term generally accepted by many indigenous American tribes who refer to people who are neither male nor female. For many tribes, gender is viewed as a spiritual entity, and this identity is honorable. Transcending the binary as a way to bring balance to their societies, helping with both traditional "female" and "male"

work and caring for the elderly and orphans. There are many variations of this and extend from tribe to tribe.

- South Asia including India, Pakistan and Bangladesh, Hijras are also ceremonial figures at weddings and births. This group could be assigned male at birth, intersex, transgender, or what we refer to as non-binary.
- Oaxaca, Mexico people who are assigned male at birth but fill female gender roles are referred to as “muxes.” They are respected for their work, bridging male and female social circles, and similar to Two-Spirit traditions, serve as religious and ceremonial figures. There’s even a festival every November in Oaxaca to honor their contributions to their community.

These are only a few examples of trans, queer, and non-binary people existing in different cultures around the world. I would like this committee to remember that by putting people in a binary box **does not erase their history or existence.**

Now the practicality of this bill. I wonder about the **fiscal impacts** to the state for a bill that seems to only serve a political purpose. What will this cost to create all these changes, and for state staff to approve them? **Is this the best use of state agency budgets?** Will this committee or the sponsors look to **appropriate extra dollars** to state agencies to make these **cosmetic changes**?

For those reasons I ask for a **DO NOT PASS** on **HB 1181.**

Respectfully submitted:

Kristin Nelson (she/her)



Adelyn Emter | School of Graduate Studies Senator
adelyn.emter@und.edu

House Bill 1181
Human Services Committee
Month Day, 2025

Chairman Beard and Members of the Senate Education Committee,

My name is Adelyn Emter, and I serve as School of Graduate Studies Senator at the University of North Dakota (UND). I am submitting testimony in opposition of HB 1181, relating to gender usage in the North Dakota Century Code.

HB 1181 indicates that words used to reference an individual's gender mean the individual's sex in all policies, records, forms, rules, standards, procedures, guides, materials, instruction, training, correspondence, advertising, or marketing used by any entity receiving state funding, including UND. Our Student Government advocates for the right of students and faculty to practice free speech, where HB 1181 infringes on student free speech and academic freedoms by restricting terminology used in correspondence, training, and instruction. It is not only unrealistic and impractical to monitor and restrict the use of gendered language in these instances, but, if enforced, this is a direct attack on our rights and freedoms of speech and expression within our university.

HB 1181 conflates sex and gender, assuming someone's gender is automatically determined by their sex assigned at birth. Sex refers to biological characteristics like chromosomes and anatomy, while gender refers to socially constructed roles, expectations, and identities. HB 1181 fails to acknowledge the existence of intersex individuals, who make up 1.7% of the population, whose biological markers are not consistent with the assumed markers of male and female. Further, native people represent 6.4% of the North Dakota population, and this bill blatantly ignores and disrespects the cultural existence of certain native individuals who identify as two-spirit. While North Dakota has the lowest percentage of transgender citizens in the nation at less than 0.5% of our citizens, it is unreasonable to legislate against such a small

subset of the state's population, especially when the impacts of HB 1181 will impact every individual involved in any entity receiving state funding.

All 11 public institutions of higher education in North Dakota, including UND, prohibit discrimination based on sexual orientation and gender identity. We believe that the state should be encouraging all types of people, no matter their gender or sex, to live, work, and receive education in the state, a value threatened by HB 1181. UND Student Government has a long history of advocating for the protection, right to equal access, and equal treatment of students. Every member of our campus community should be free from discrimination and harassment. Further, we recognize the right of all individuals to be addressed in a manner consistent with their gender, as requested or indicated by the individual, including, but not limited to, the ensured use of preferred names and pronouns, access to gender appropriate housing, and protection of educational and extracurricular opportunities. It is our responsibility and obligation to take any reasonable action that will ensure the health and safety of our students. We will continue to advocate for all our students, regardless of gender, to ensure our rights and freedom of speech and expression.

Chairman Beard and Members of the Senate Education Committee, I respectfully request a Do Not Pass recommendation on HB 1181. Thank you for your time, and I am available to answer any questions through email.

Respectfully submitted,

Adelyn Emter

Dear Chair Ruby and the members of the House Human Services Committee,

I urge a "Do Not Pass" on HB 1181.

As per the other bills hoping to make lives for trans kids more difficult, if not, dangerous, ND citizens do not have the time for this bill. I have seen firsthand what removing basic accommodations does to anyone from here or elsewhere. Our state's focus should be on helping these kids. Our education systems are still being crippled by not enough economic support. Our businesses are shutting down due to lack of help. Our farmers are losing lands due to lack of help. People are struggling.

But this bill focuses on adding fire to a culture war, in the hopes that it'll distract from the needs elsewhere. Please consider supporting our people & reducing the harm caused by bills like these. We have actual work needed elsewhere that doesn't rely on making trans kids lives more difficult.

I urge a "Do Not Pass."

Thank you for your time, consideration, and service to our state,
Bee Hayes

Chairman Beard and Members of the Senate Education Committee,

I am writing to express my strong opposition to HB 1181 and request that you give a Do Not Pass recommendation.

This bill seeks to define sex, gender, gender identity, and gender expression solely based on an individual's assigned sex at birth and to enforce DNA testing. Such measures contradict established scientific research and medical practice.

There are millions of people around the world who have sexual characteristics that do not fit typical binary notions of male or female bodies. Many, though not all, of these people identify as intersex. Intersex is an umbrella term used to describe a wide range of natural variations that affect genitals, gonads, hormones, chromosomes or reproductive organs. Sometimes these characteristics are visible at birth, sometimes they appear at puberty, and sometimes they are not physically apparent at all.

According to experts, around 1.7% of the population is born with intersex traits – comparable to the number of people born with red hair.

Enforcing this law would be invasive, such as reviewing medical records to ensure compliance with the bill's language. This violates patient privacy and conflicts with the ethical/legal standards of medical practice. Such measures would also undermine trust between patients and healthcare providers.

Policies like HB 1181 foster exclusion and discrimination.

I request that you reject this bill that will only harm North Dakota citizens. Thank you for your time and the work you've done this session.

Sincerely,

Mariah Ralston

In opposition to HB1181

This bill is nothing more than a silly way to police language that doesnt need to be policed. Its the flavor of the day to want to attack things like DEI and Gender Ideology but its just showing that those that say they want small government only want to use the power that government can provide to boss those they dont like around. Lets let North Dakota be a better example by allowing those who chose to live in our great state the autonomy to live as they choose, provided they dont harm others.

I still believe in the NAP and from what Ive seen, read, and study. Gender doesnt violate the NAP.

Please oppose HB 1181

This bill does nothing to improve the lives of North Dakotans, and in fact may cause harm to many. Gender and sex have different definitions; there is no benefit to have artificial and restrictive definitions in statute. Even DNA cannot prove one's gender.

Keep hate speech out of statute. I would support legislation that encourages respect and support for everyone that lives here.

Sincerely,

Rose Nichols, District 34

NORTH DAKOTA 2025

State of the State Report *For* **LGBTQ+ Youth**



The 2025 State of the State report for LGBTQ+ Youth is the first of its kind in North Dakota. It is a spiritual successor to the [2021 North Dakota LGBTQ+ School Climate Report](#)¹ but looks at significantly more systems that impact LGBTQ+ youth. It is a comprehensive review of state data across multiple systems, perspectives from various professionals, different types of organizations, and it represents both parent and LGBTQ+ youth voices.

This report serves to provide comprehensive education on outcomes we see for LGBTQ+ youth. It will give readers a very high level of understanding of the problems these youth face, why they face it, and a solution to move forward that requires no additional funding or personnel to achieve.

This report also comes with resources, essential printouts, and data primers to help professionals advocate for, educate on, and support North Dakota LGBTQ+ youth. While this report explores several different outcomes, it is focused primarily on suicide prevention. Every risk factor contributes to a higher level of suicidality, and our LGBTQ+ youth, especially our trans youth, are at significant risk.

This report and the solutions do not focus on acceptance but ask all invested stakeholders to prioritize and think about safety. While ideological and political beliefs may vary, while individuals may come up with different solutions to the problems our state faces, this report asks that people come together to assure that at the very least all of our kids are fed, safe, and loved.

This report was a joint effort between Harbor Health Initiative and Faye Seidler Consulting



Faye Seidler - Faye Seidler Consulting

Faye Seidler has been actively working to improve LGBTQ+ outcomes across North Dakota, especially within the K-12 setting, for over a decade. She did research into conducting effective LGBTQ+ process improvement training for North Dakota stakeholders in 2015, wrote a comprehensive article on North Dakota LGBTQ+ student outcomes in 2018, co-chaired the ND HHS LGBTQ+ Advisory Board in 2020, led the work on the 2021 LGBTQ+ School Climate Survey, and released the 2023 YRBS Summary Report. Her work currently focuses on suicide prevention across the state.

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Safe Harbor Project - Harbor Health Initiative

The Harbor Health Initiative is an initiative to dramatically improve cultural competency and offered services throughout the state. It hosts the LGBTQ+ Directory, which includes every affirming doctor and mental health specialist, as well as other resources like support groups, activity groups, faith organizations, and more. It started the Safe Harbors Project as a way to create intentional and intersectional approaches to address the issues of safety for LGBTQ+ Youth, support to reduce secondary trauma of service professionals, and generates reports to measure outcomes.

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Author Notes

- There is a lot of heavy data in this report; please understand that going in. 988 is our crisis lifeline number.
- The data explored in the 2023 YRBS is weighted. There are always limitations within survey data. It is not an absolute. But it is the best information we have to understand experiences in this state. Most of this report is examining that data and filling in the blanks with my ten years of experience working with LGBTQ+ data and suicide prevention.
- We all do the best we can with the information we have. Please do not feel guilty if this report allows better understanding of some of the reality of youth experiences in our state. To quote Maya Angelou, "Do the best you can until you know better. Then when you know better, do better."
- Be kind to yourself. We are a state of nearly 800,000 people. There is only so much any one of us can really do. We work so hard, often with little support, little funding, and expectations we can never meet. Every day we show up matters. Every day we try to make tomorrow better than today matters. And while we often think about our shortcomings, because we are not perfect or set up for success, think about how much worse today would be if you weren't in it. You are valuable. Your work matters. You matter. Be kind to yourself.
- When the world feels big, look to the small things in your life, like a warm bath or nice meal. When the world feels too small, look at all the amazing helpers doing great work in our state. As you read this report, know there is hope and a brighter future that we can find.

Acknowledgements

On a personal note, I'd like to thank Cindy Roholt, who taught me how to use a spreadsheet a decade ago. Harbor Health Initiative and the original 2021 LGBTQ+ School Climate Survey would not have been possible without Cody Severson helping to found the Community Uplift Program in 2016.

Special heartfelt thanks to Olivia with Bismarck Student's GSA, Alyssa, Zayden, and Lex with Bismarck Qspace, and Matthew with Youthworks for giving kids hope for so many years. My work supports the professionals who are actually out there saving lives and inspiring hope.

On a professional level, I am always extremely grateful for the work that FirstLink, Red River Child Advocacy Center, and Youthwork do to interrupt trauma and save lives. If you wish to donate somewhere, they are the heroes who I wish I had when I was a kid.

In the world of data, I'd like to thank Matt Schmidt for being an incredible program coordinator for our YRBS and BRFSS data sets and Kodi Pinks for generating incredible state data on suicidality. Xanna Berg for their fantastic work tracking similar data through Kids Count. And the team at ND HOPES

In the world of suicide prevention, I'd like to thank Melissa Markegard, who has done an incredible job as our state suicide prevention administrator, and Sarah Kemp Tabbut for doing so much work connecting and leading various suicide prevention coalitions across the state. And in general, the AFSP of ND, NDSPC, and the Cass and Clay Suicide Prevention Coalitions.

And finally, I would like to personally thank Mark Winkelman, who has been the reason I've been able to track data for LGBTQ+ youth on the YRBS. His data has been the basis for the majority of my important work in North Dakota. Reviewing his data and attempting to find solutions to it has led me to where I am today. Nobody is an island. Collectively, the folks I've mentioned here and countless others who have impacted my life allow me to be the advocate I am for suicide prevention. And thank you for the person reading this report. It took me over a hundred hours to assemble, but if it means I can help just one person, it was worth it.

Faye Seidler

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Executive Summary

In nearly every way that we measure outcomes, LGBTQ+ youth are at more risk and often at exponentially more risk. Not only are their experiences of trauma higher, but they are often less likely to have access to fundamental needs like food, housing, and love. These outcomes are invisible to most of our systems; our state has no direct intervention for support and, at times, is hostile to helping these kids out. These youth are experiencing so much hardship that LGBTQ+ related minority stress has an observable impact on the negative outcome data that is measured for the whole population.²

Key Points for LGBTQ+ Youth

Demographics

- 9,667 Lesbian, gay, bisexual, other, or questioning students in middle and high school (19% of Students)
- 2,226 Transgender or students questioning gender identity in middle and high school (4% of Students)

Suicide, Safety, and Self Harm

- Significantly more likely to self harm, have suicidal ideation, make a plan, and attempt suicide
- More likely to experience sexual violence, intimate partner violence, and bullying
- Significantly more likely to not feel safe at school, miss school for feeling unsafe, or bring weapons to school

Substance Use

- Significantly more likely to try every substance at a younger age and to binge those substances
- More likely to live with someone with a drug problem

Sex Education & Wellness

- Less likely to use protection like condoms, while being more sexually active, and having sex at younger age
- More likely to get sex information outside of school

Weight, Diet, Physical Activity

- Less likely to engage in healthy eating habits
- Significantly more likely to report going hungry at home
- More likely to not be physically active

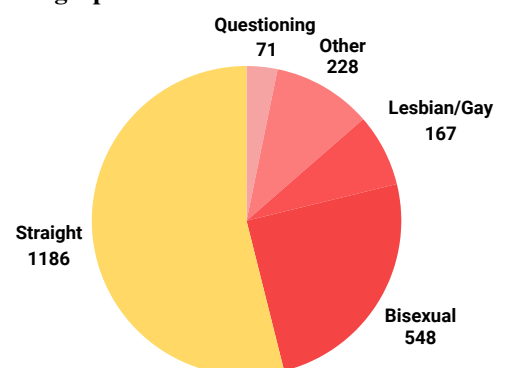
Social Capital + Mental Health

- Significantly more likely to struggle with mental health, focus, and grades
- Significantly more likely to have unstable housing or be kicked out/abandoned
- Less likely to have adult they can talk to for middle school LGBTQ+ youth in particular
- Significantly less likely to get help they need when they reach out

Understanding Disparities

Figure 1.1 represents the makeup of the actual number of students who reported a suicide attempt. It can be easy to see LGBTQ+ students are at higher risk, but what can be lost is that they sometimes make up nearly half of all incidences of bad outcomes. This is important when considering the approach to population intervention, because if LGBTQ+ youth aren't targeted, nearly half the population is being missed by the effort. This breakup will be different across each question.

Figure 1.1 Suicide Attempt Numbers in High School by LGBTQ+ Demographic



Introduction

The Youth Risk Behavior Survey (YRBS) is a national system of surveys used to monitor behaviors in school-aged children that can lead to poor health outcomes. North Dakota has conducted the YRBS in partnership with the Centers for Disease Control and Prevention (CDC) since 1995. On odd-numbered years, ND students in grades 7-8 and 9-12 are administered a voluntary, anonymous survey questionnaire. Schools, teachers, public health professionals, community leaders, and policymakers in North Dakota use YRBS data for decision making, evaluation, and planning.³

This report focuses on LGBTQ+ data split between sexual orientation and gender identity. It includes straight students as a contrasting demographic to highlight the disparities that exist due to LGBTQ+ minority stress and their compounding risk factors. It will also serve as a comprehensive collection of all state LGBTQ+ data.

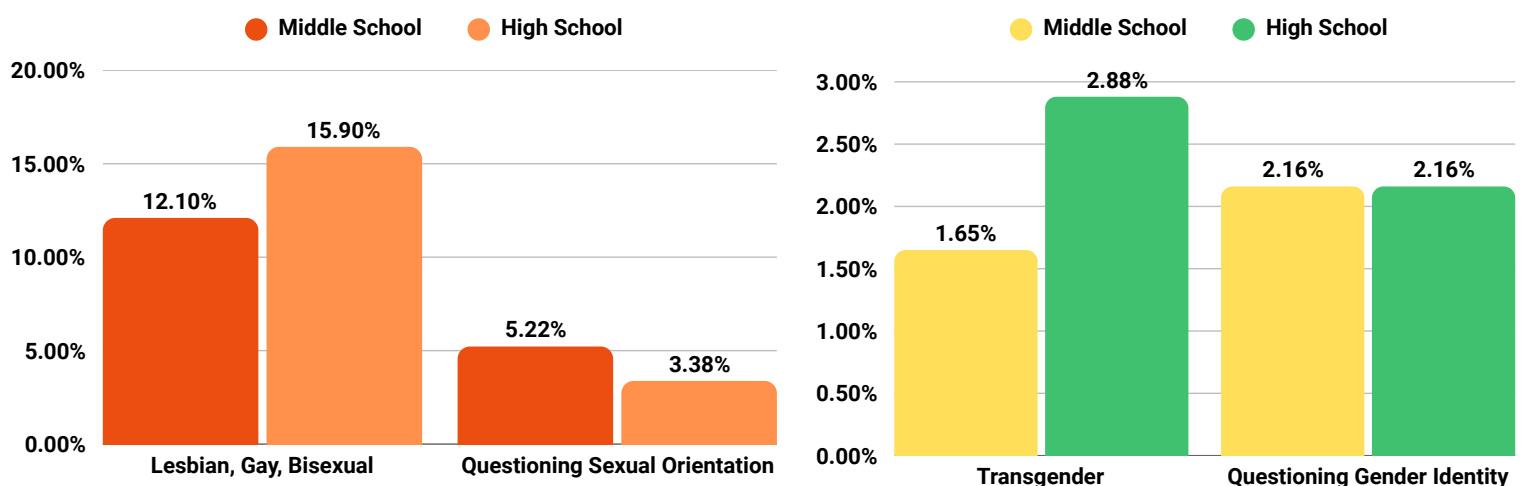
Throughout this report, there will be comparisons with other data sources, both local and national:

- YRBS data from 2021, 2019, and 2017
- Trevor Project Survey 2022
- ND 2024 Spring ACHA-NCHA III (College Health Assessment)
- North Dakota Violent Death Reporting System (2022 - August, 2023, Under 18) NVHDRS
- FirstLink Call Center Data (2023-2024: Any Age) + Trevor Project Call Data (2022)

Demographics

LGBTQ+ students make up approximately 20% of the student base, as seen in Figure 1.2. Students who answered that they were heterosexual (straight) accounted for 77% of both middle and high school students. When applying these statistics to the total population, there are approximately 7,595 LGB students and 1,284 trans students in our middle and high schools, not accounting for students still questioning their sexual orientation or gender identity.

Figure 1.2 Middle and High School LGBTQ+ Demographic Breakdown by Percent



Suicide and Self Harm

Suicide is complex and multifaceted; there is no single cause for suicide. It is best to understand the cause of suicide as a combination of contributing factors, often called risk factors. When considering LGBTQ+ populations, all data is considered for the purpose of if it ultimately relates to and impacts suicidality. LGBTQ+ populations are at disproportional risk for suicide, as seen in Figure 1.3 and Figure 1.4. Important to note, these are different questions. Middle school asks if a student ever made an attempt in their life, while high school asks about the last 12 months.

Figure 1.3 Suicide Behavior for Middle School Students (Ever in Their Life)

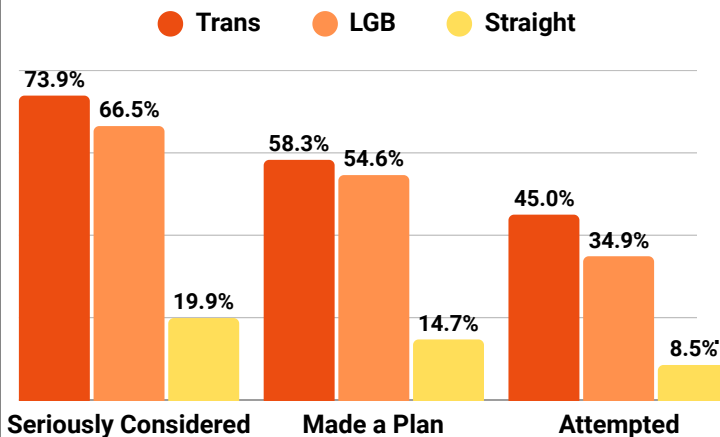
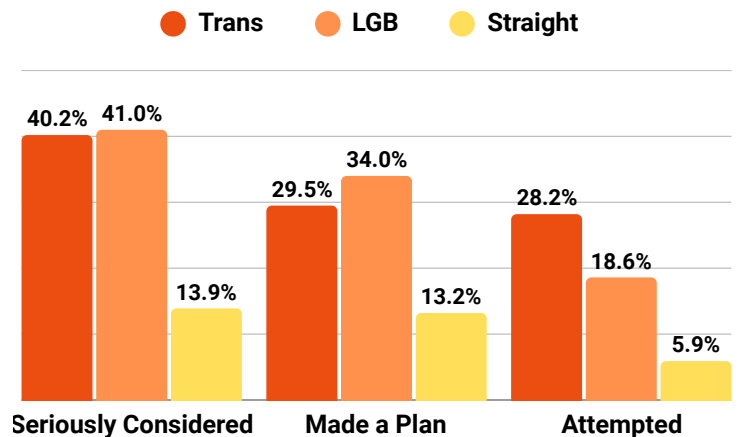
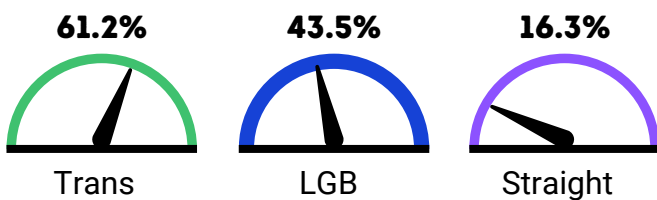


Figure 1.4 Suicide Behavior for High School Students (12 Months Before Survey)



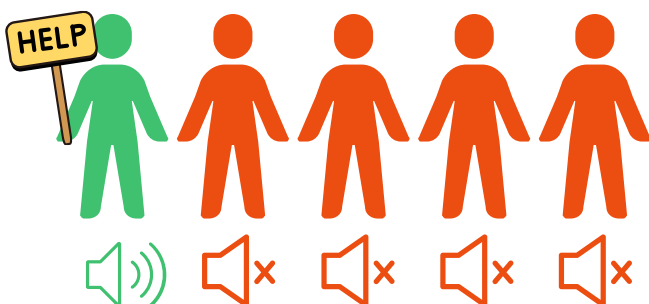
ND HOPES, an organization dedicated to reducing suicides for western North Dakota LGBTQ+ youth, wrote in a Data Brief, "From 2021 to 2023, the percentage of LGB and transgender middle school students reporting lifetime suicidal thoughts, planning, and attempts all increased."⁴

Figure 1.5 High School Students Who Have Self Harmed



There is a unique question around self-harming behavior that was added to the high school 2023 YRBS, with results explored in Figure 1.5. While efforts around suicide prevention focus on suicide attempts or ideation, self-harming behavior shows an important and unique category for both behavior and risk. The self-harm numbers are significantly higher than suicide attempts, on par with suicide ideation, and significantly higher for trans students. Which is not uncommon for untreated gender dysphoria.

Figure 1.6 High School Students Who Reached Out for Help (Doctor/ Counselor/Hotline) Before Suicide Attempt

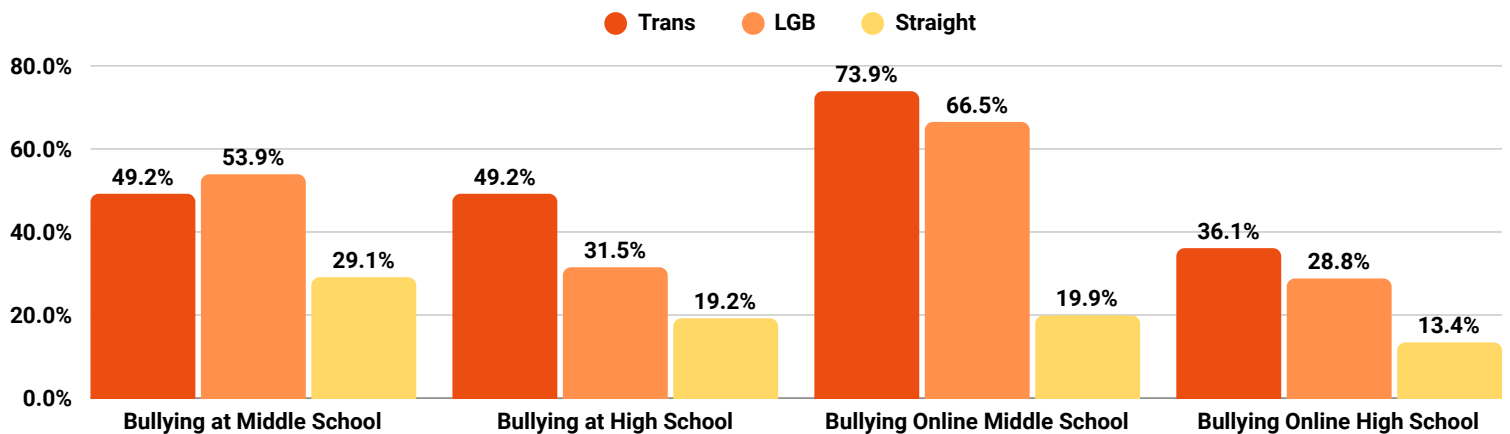


Another question was added, asking if our students reached out for help from a professional before a suicide attempt. In Figure 1.6 it shows that only one in five of our students did so. This was consistent for trans, LGB, and straight students. This indicates our suicide attempt numbers for youth are four times greater than what we have recorded.

Physical Safety & Sexual Violence

While experience of physical or sexual violence is a risk factor for suicide, it can also be a risk factor for dropping out, lower grades, more anxiety or depression, and so on. Suicidal ideation can increase risk-taking behavior, which can result in experiences that lead to further trauma. When considering the data within this section and future sections, think about how it can interconnect and how risk factors can cascade off each other. All together, bullying impacts a majority of middle school LGBTQ+ students, as seen in Figure 1.7

Figure 1.7 Experiences of Bullying at School and Online for All Students



The High School YRBS specifically asks if youth are bullied because others thought they were part of the LGBTQ+ community. While 57% of trans students and 42% of LGB students said yes to this question, 8% of straight students identified being bullied for the perception they were part of the LGBTQ+ community. This means approximately an equal amount of straight students to LGBTQ+ students are being bullied with anti-LGBTQ+ sentiment and are likely to experience similar increases to their risk factors.

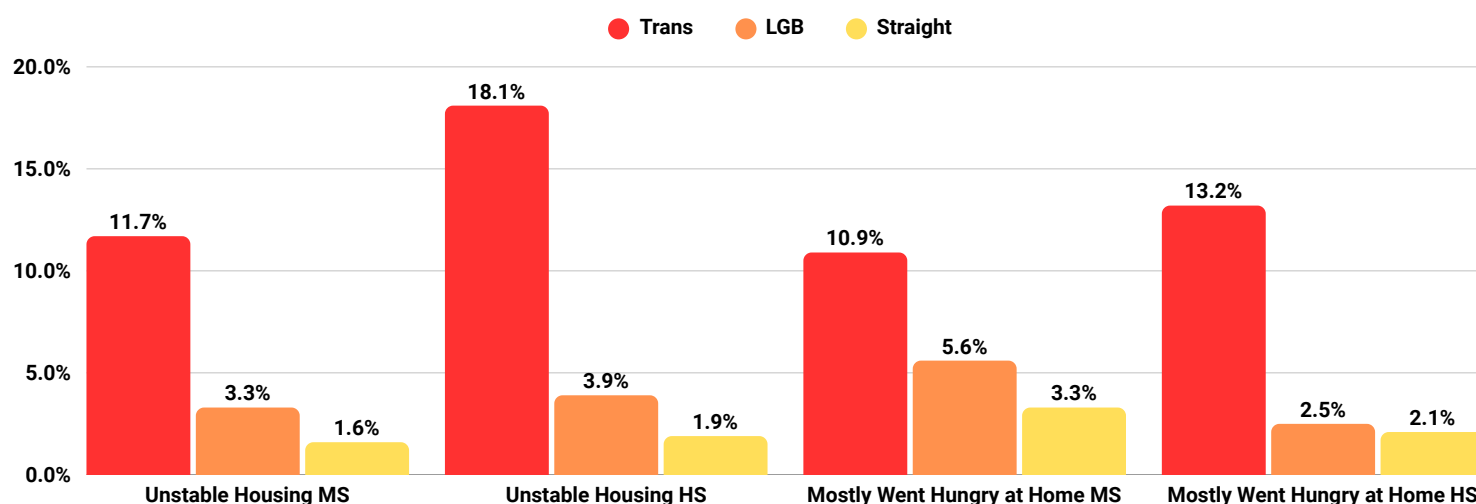
The high school YRBS also asks a number of additional questions around safety, including if students carried a weapon, missed school because they felt unsafe, and experiences of sexual or intimate partner violence, as seen on Table 1. While bullying does go down significantly from middle school to high school, this may not indicate simply less bullying behavior, but also youth learning how to avoid bullying by avoiding school and peers or trying to hide. LGBTQ+ youth are disproportionately impacted by sexual violence, something more likely for youth who are isolated from support and trusting adults.

Table 1.1 High School Safety and Intimate Partner Violence	Trans	LGB	S
QN12 - Carried a weapon at least one day in last 30	11.8%	3.8%	4.1%
QN14 - Did not go to school because felt unsafe at least one day in last 30	37.0%	12.2%	6.3%
QN97 - Students who drank alcohol or used drugs before having sex	44.3%	28.4%	8.3%
QN94 - Someone they were dating purposefully tried hurting them	44.9%	33.9%	24.6%
QN95 - Someone they were dating forced them to do sexual things	9.0%	4.5%	2.0%
QN117 - Sexually revealing photos of them texted/posted without permission	17.5%	7.1%	1.7%
QN20 - Experienced sexual violence in their life	31.7%	16.6%	8.0%

Social Capital: Home

Not all risk factors or experiences of trauma will impact an individual the same. Resiliency is how we understand someone's ability to tolerate trauma. There is not a clear measurement of how resilient an individual might be, but protective factors help to keep youth resilient against risk factors. Protective factors against abuse or suicide in previous sections can be family, trusted adults, or good mental health. Unfortunately, LGBTQ+ youth experience heightened risk factors across every measurement, starting with their home as seen in Figure 1.8.

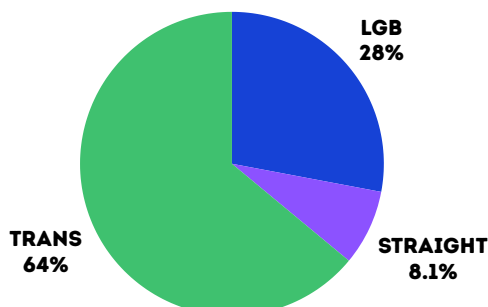
Figure 1.8 Home Stability for Middle and Highschool Youth by LGBTQ+ Identity



While there isn't a question to measure family income, an expected risk factor for unstable housing or hunger at home would be financial security. A person's sexual orientation or gender identity should not impact the food available to them or if they have housing needs. The question for middle school students asked if they usually did not sleep at their parents, while the high school question asked just about unstable housing. These students should have the same family dynamics and problems typical to straight students, therefore the discrepancy is likely influenced by minority stress in some capacity.

The question on hunger could indicate youth who do not expect support from parents nor ask for it. Their needs might not be getting met because they don't communicate them to their parents. While there may be multiple reasons for this to occur, there must be specific reasons why there is a noticeable discrepancy between straight and LGBTQ+ populations.

**Figure 1.9
Demographic
Breakdown
of Students
Kicked From
Home**

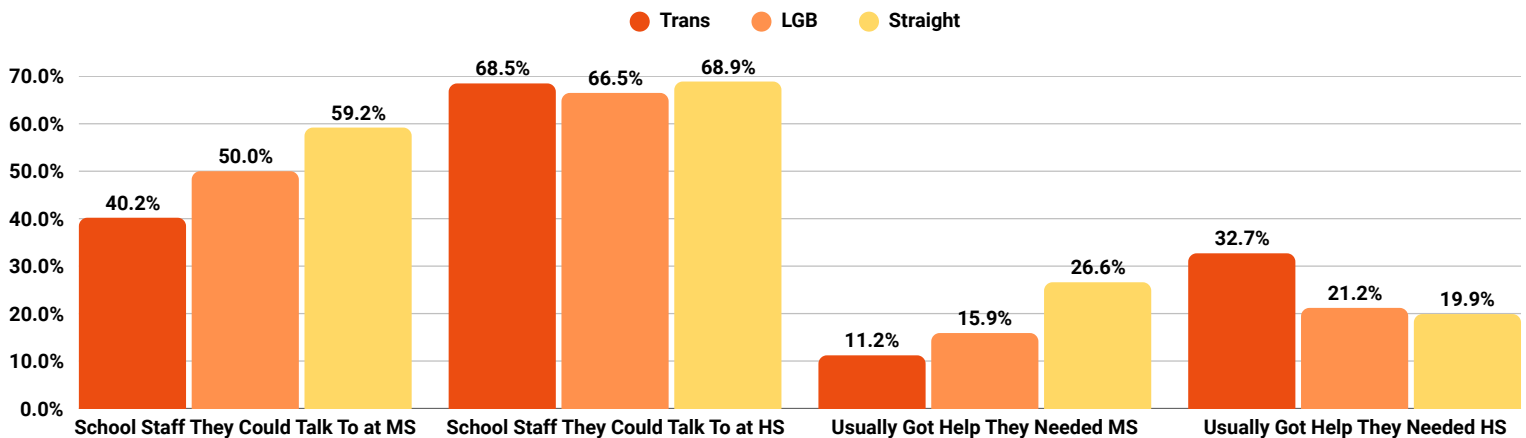


High school YRBS specifically asks youth if they were kicked out, ran away, or abandoned. Figure 1.9 shows demographic breakdown from those who were. This means if all demographic population sizes were equal, trans individuals make up 64% of youth kicked out. This is to help illustrate the extreme disproportional representation of LGBTQ+ demographics for these risk factors. If home isn't safe, where do they go?

Social Capital: School

The Physical Safety and Sexual Violence section already looked at dangers that exist within schools for students. It would likely be impossible to eliminate all negative outcomes that can occur, but what matters is how schools can respond to and mitigate those situations. This is one of the few data points across the entire YRBS that trends favorably for trans students, specifically high school trans students identifying getting the help they need when asking for it. Figure 1.10 looks at both youth having someone they can talk to and if they usually feel like it helped them.

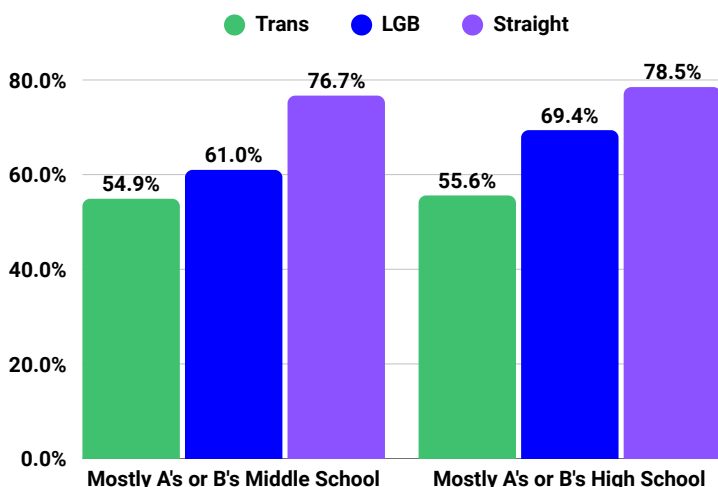
Figure 1.10 Students Seeking and Receiving Help



This is another set of data where we see one of the bigger discrepancies between middle school and high school transgender youth. While most high school students have one adult they can talk to, middle school LGBTQ+ youth are less likely to have that social capital or get the help they need.

When thinking about safety, bullying, or capacity to get help the immediate concern can be around mental health and by extension suicide. What is often missed is its direct impact on school investment and performance.

Figure 1.11 Students Perception of Grades in Middle and High School



There is a sharp decline for students who report mostly A's and B's for LGBTQ+ students compared to straight students, as seen in Figure 1.11. This reduction of grades could suggest less investment in the school itself, less interest and ability to go to college, and have profoundly negative impacts on the rest of their lives.

Since they're less likely to have stable homes, more likely to run away, more likely to miss school, and more likely to be hungry or concerned about their safety, they are not in optimal environments to learn. This appears to be reflected in the data.

Mental Health

Given our LGBTQ+ students are struggling with bullying, sexual violence, not feeling safe at school or home, poor grades, lack of adults to talk to, and reporting not getting the help they need, their mental health also suffers. As identified across this report, each risk factor opens students up to further risk factors. Unstable housing or being bullied at school can reduce grades, which reduces investment in school or college, which can make students feel hopeless there isn't a future for them.

It can also become more and more challenging to help youth, who have experienced chronic abuse across their lives, where they don't fundamentally trust adults. The youth who reported they didn't usually get the help they needed when asking for it may be inclined to believe nobody is equipped to handle any of their problems. While LGBTQ+ youth experience unique cultural barriers that come with greater risk of parental rejection or violence, parents may create hostile homes by using anti-LGBTQ+ rhetoric, while not knowing their child identifies within the community. There is no data on how many LGBTQ+ youth are out to their parents in North Dakota. This all together leads to significantly worse mental health as seen in figure 1.12 below.

Figure 1.12 Mental Health Outcomes for Middle and High School Students

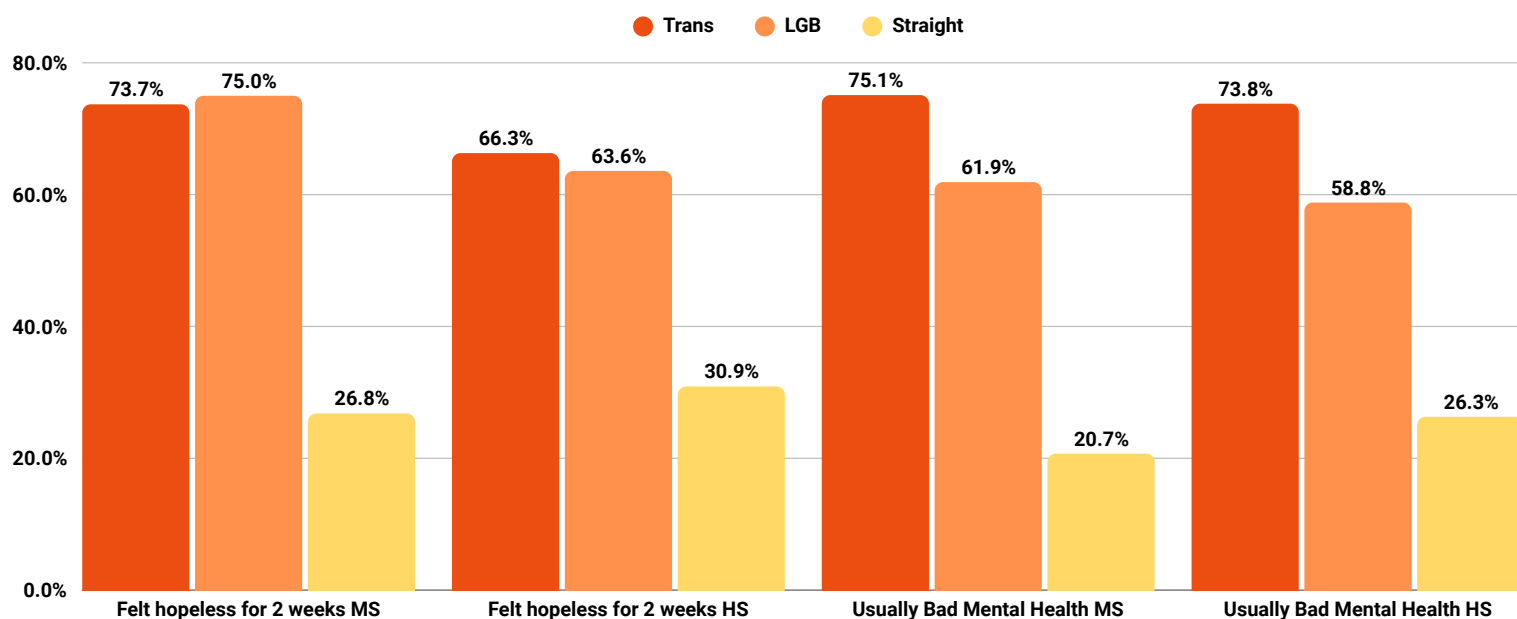
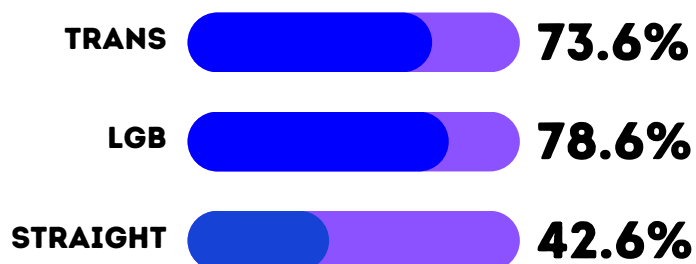


Figure 1.13 Percentage of High School Students who Reported Difficulty Concentrating Due to Emotional, Mental, or Physical Problem



While school can be a struggle for all students for any number of reasons, the minority stress specific to LGBTQ+ students is seen in the disparities across this report.

Figure 1.13 shows that these students are disproportionately impacted with difficulty concentrating. Many of these students are not in a learning environment, as much as simply trying to survive their environment every day.

Substance Use

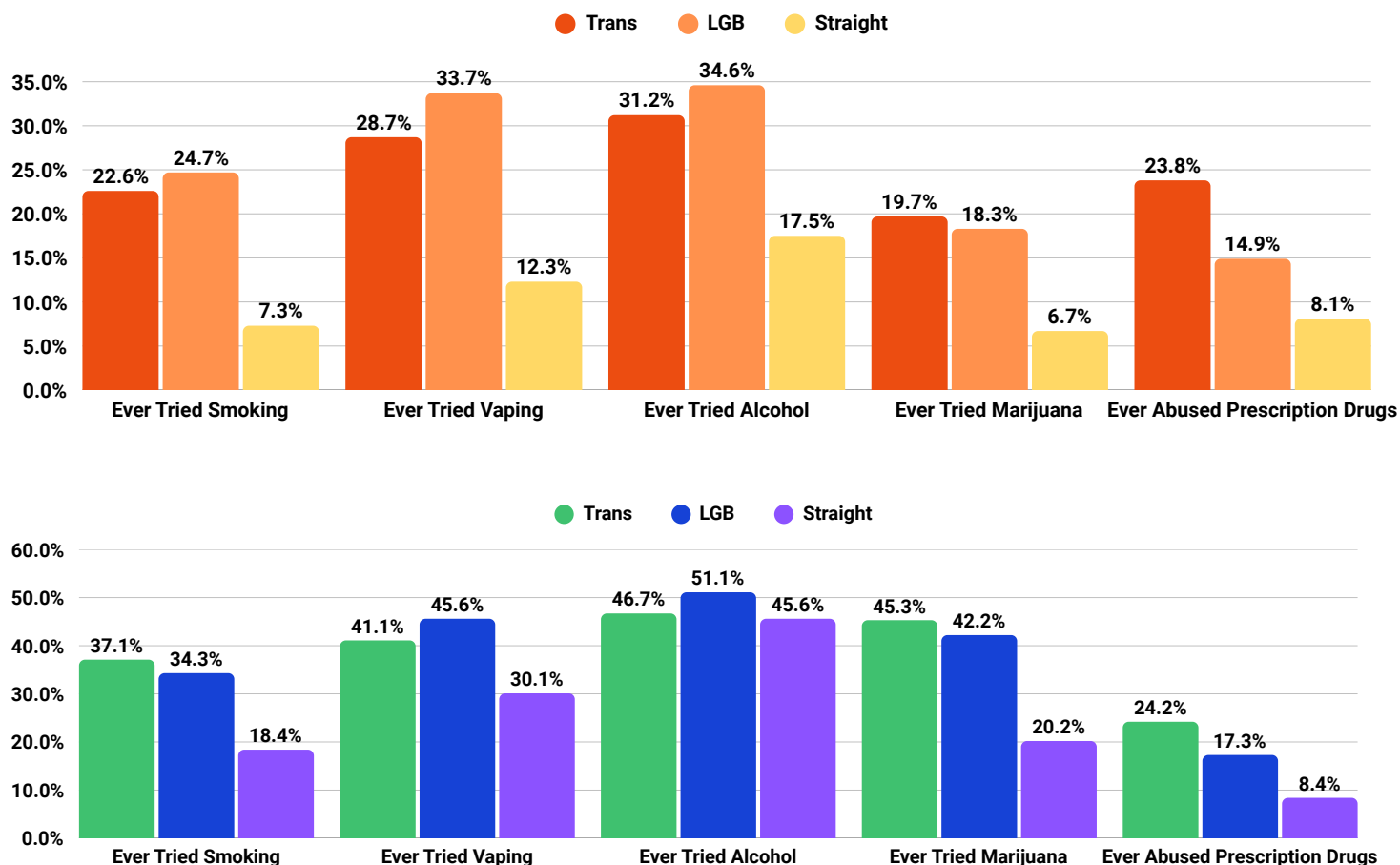
Professionals often associate substance misuse with delinquent behavior; however, it is much more likely used as medicine for youth to cope with the unaddressed trauma they experience. Within middle school, these are 13 to 15-year-old teenagers who are dealing with suicidality, sexual violence, and hopelessness who cannot identify adults to talk to about their problems.

When these youth are caught using substances, they can make up the excuse it was to be cool or fit in, instead of talking about mental health problems, LGBTQ+ identity, or suicidality. This creates a disconnect between adults who are attempting to help kids and the actual problem the youth may be experiencing.

Figure 1.14 below shows the amount of students in both middle and high school who have ever tried smoking, vaping, alcohol, or marijuana, or who abused prescription drugs. One fifth of LGBTQ+ youth have already tried all of these things by middle school, with the numbers getting worse by high school. While drinking is associated with partying, there is not a significant difference for straight youth and LGBTQ+ youth in high school around alcohol. While these outcomes are familiar they may not be measuring the same behavior.

This is a summary of YRBS data on ever using any substance, but collectively LGBTQ+ youth are more likely to try any substance, more likely to try it at a younger age, and more likely to use it in a higher quantity. Given these youth are also more likely to be homeless, they are more likely to face punishment for having it on them.

Figure 1.14 Mental Health Outcomes for Middle and High School Students



Highest Discrepancies: Middle School

Nearly all data in North Dakota is measured without regard to sexual orientation or gender identity. To look at the public-facing 2023 YRBS Report, the middle and high school data is broken down by grade, sex, and race. When the analysis excludes 15-20% of a subpopulation, individuals who read it can very easily draw incorrect conclusions about the data they are looking at or how to address the problems. ^(5, 6)

First, without this report, the discrepancies for LGBTQ+ populations would be invisible to policymakers. Second, this is such a large amount of the population that it has a significant impact on the general data that North Dakota does use to make policy decisions. Regardless of policymakers feelings on LGBTQ+ identity, these youth exist. Ignoring the data does not make the harm they experience go away, and attempting to increase safety for this population does not have to mean changing personal beliefs.

MIDDLE SCHOOL TRANS YOUTH WHEN COMPARED TO STRAIGHT YOUTH

- 2X MORE LIKELY to experience the bad outcome being measured across 43 out of 69 questions
- 3X MORE LIKELY to experience the bad outcome being measured across 27 out of the 69 questions
- 20X MORE LIKELY to misuse cigarettes chronically
- 10.5X MORE LIKELY to not drink water within week of the survey
- 4X MORE LIKELY to not get 60 minutes of physical activity within last the week
- 4X MORE LIKELY to attempt suicide
- 3X MORE LIKELY to go hungry at home because of no food
- 58% LESS LIKELY to get the help they need.

MIDDLE SCHOOL LGB YOUTH WHEN COMPARED TO STRAIGHT YOUTH

- 2X MORE LIKELY to experience the bad outcome being measured across 32 out of the 69 questions
- 3X MORE LIKELY to experience the bad outcome being measured across 20 out of the 69 questions
- 13X MORE LIKELY to misuse cigarettes chronically
- 4X MORE LIKELY to attempt suicide
- 3X MORE LIKELY students who experience sexual violence by partner
- 3X MORE LIKELY to report bad mental health

MIDDLE SCHOOL LGBTQ+ YOUTH'S IMPACT ON OUTCOMES FOR ALL STUDENTS

- 150% Increase for total students chronically smoking cigars (non-straight majority)
- 52.1% Increase for total students who attempted suicide
- 25.0% Increase for total students who experience sexual violence by partner
- 40.0% Increase for total students did not drink water within a week of survey

Highest Discrepancies: High School

HIGH SCHOOL TRANS YOUTH WHEN COMPARED TO STRAIGHT YOUTH

- 2X MORE LIKELY to experience the bad outcome being measured across 52 out of 123 questions
- 3X MORE LIKELY to experience the bad outcome being measured across 30 out of 123 questions
- 13X MORE LIKELY to misuse cigars/inhalants
- 10X MORE LIKELY to have a revealing photo of themselves texted non-consensually
- 9.5X MORE LIKELY to have unstable housing
- 6X MORE LIKELY to go hungry at home because of no food
- 5.5X MORE LIKELY to feel unsafe at school
- 4.7X MORE LIKELY to attempt suicide

HIGH SCHOOL LGB YOUTH WHEN COMPARED TO STRAIGHT YOUTH

- 2X MORE LIKELY to experience the bad outcome being measured across 32 out of 123 questions
- 3X MORE LIKELY to experience the bad outcome being measured across 9 out of 123 questions
- 5.5X MORE LIKELY to experience bullying because they're perceived as LGBTQ+
- 3.5X MORE LIKELY to have a revealing photo of themselves texted non-consensually
- 3.5X MORE LIKELY to drink before having sex
- 3X MORE LIKELY to attempt suicide

HIGH SCHOOL LGBTQ+ YOUTH'S IMPACT ON OUTCOMES FOR ALL STUDENTS

- 62.5% Increase for total students using alcohol before sex
- 56.3% Increase for total students kicked out of home
- 53.3% Increase for total students who experience sexual violence by partner
- 51.0% Increase for total students who attempted suicide

Discrepancy Conclusion

What's difficult when considering this data is that trans individuals tend to be approximately 1 in 50 students. This can spike the data to create the alarming difference in negative outcomes. While that data is from a small population pool and lower validity, it should not be entirely dismissed either. These students do exist. The main purpose of this breakdown is to highlight the need of making this data standard within general reporting and to understand that these outcomes are so different the minority population has a noticable impact on the total numbers and targeted approaches are required.

YRBS vs. Trevor Project 2022 National Survey on LGBTQ Youth Mental Health

Many organizations within North Dakota default to the Trevor Project for their LGBTQ+ data.⁷ The Trevor Project data set has a number of pros and cons when compared to our local state data that should be considered. These differences are explored in Table 2.1.

Table 2.1 Trevor Project VS YRBS Comparisons

Pros	Mental Health and Suicide	Trevor Project	YRBS LGB
<ul style="list-style-type: none"> Asks specific questions on LGBTQ+ demographics that are not captured by our YRBS Stable data set for LGBTQ+ youth 	Seriously considered suicide	38%	66.50%
	Attempted suicide in past year	16%	34.90%
	Symptoms of anxiety	66%	58.80%
Cons	Symptoms of depression	46%	58.80%
<ul style="list-style-type: none"> Significantly smaller population pool Aggregated data from ages 13 to 24 More bias in sampling, due to the unavoidable nature of public data collection 	Demographics of Survey		
	Age 13-17	57%	83.60%
	Ages 18 to 24	43%	16.40%

Where the Trevor Project Survey really shines is in its ability to understand specific LGBTQ+ experiences, such as the impact of politics, conversion therapy, safety at home and school, support from friends and family, and ability to get mental health help they want.

Figure 2.1: Trevor Project Data Summary



42% said home was a safe place



35% said school was a safe place



76% said they got high levels of support from friends



24% said they got high levels of support from parents



62% said they wanted mental health help but couldn't get it

At the time of creating this report, the 2023 Trevor Project data has not come out. This is prior to North Dakota passing a significant amount of legislation targeting LGBTQ+ individuals and trans individuals specifically. Including limiting where trans individuals can safely go to the bathroom, teachers ability to support trans students, and trans students ability to play sports. Some more data on Trevor Project will be included in the hotline call center section!

2023 YRBS vs. College Health Assessment (CHA)

The North Dakota 2024 Spring ACHA-NCHA III College Health Assessment gives us unparalleled access to the experiences of our college students in North Dakota.⁸ It asks a wealth of questions and importantly distinguishes between not just events like bullying but also the self-reported impact those incidences have had. Unfortunately, the data is only correlated to cis and trans students, but there is still demographic data available for sexual orientation as seen in Table 2.2.

Table 2.2 CHA LGBTQ+ Demographics

Demographics	CHA	YRBS (HS)
Straight	85.3%	77.9%
LGB+	14.7%	19.3%
Cisgender	96.9%	93.6%
Transgender	2.2%	2.9%

To look at the data between middle school, high school, and college, there is a trend of better outcomes as students get older, but at each level there is a heightened disparity for transgender students. Transgender students who have made it to college likely have more protective factors and opportunities in the first place. While data reports like these often focus on the bad outcomes, rarely are these outcomes a majority of students. More often than not, the data shows half or more of students are doing relatively fine, within relatively stable conditions. College data, however, shows us trans students continue to be underweight, have less healthy weight, and are less likely to exercise and rate low for food security. All of these factors make sense together and a breakdown is explored in Figure 2.2.

Figure 2.2: CHA Food Security Breakdown

● High Food Security ● Low Food Security ● Very Low Food Security



Table 2.3: CHA Campus Safety and Other Variables

CHA - Campus Safety	Cis Men	Cis Women	Trans
On Campus day time	89.4%	86.6%	76.3%
On Campus night time	70.0%	31.9%	22.8%
In community day time	70.6%	57.7%	38.3%
In community night time	50.3%	21.1%	11.0%
Pregnancy and Self Injury			
Unintentional Pregnancy	0.90%	1.3%	3.1%
Self Injury	6.4%	8.8%	23.9%
Mental Health			
Serious Psychological distress	10.8%	17.5%	29.6%
Positive for Loneliness	41.4%	42.8%	58.1%
Positive for Suicide behavior	16.70%	22.9%	45.5%
Suicide Attempts	2.7%	2.1%	4.5%

While trans students did not fare significantly worse across many metrics, one that stood out was safety on and off campus, with 89% not feeling safe in their local community around campus at night.

Also seen is a significantly higher number of unintended pregnancies, which could be impacted by the myth that hormone therapy sterilizes and a lack of sexual education targeting trans individuals in high school.

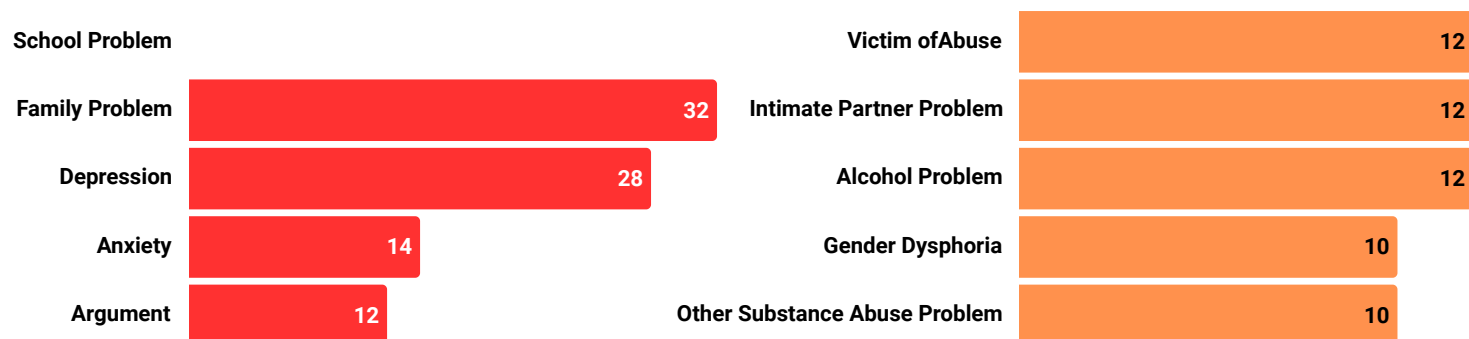
We see trans students significantly more likely to self-harm. While they're also more likely to attempt suicide, the differential is much less than seen in middle and high school, and the actual number is also significantly less.

2023 YRBS vs. North Dakota Violent Death Reporting System

The North Dakota Violent Death Reporting System is NVDRS is a CDC funded, state-based surveillance program that collects data on violent deaths (homicides, suicides, accidental firearm deaths, deaths of undetermined intent, deaths from legal intervention, and terrorism). NVDRS collects data on violent deaths from a variety of sources including death certificates, coroner/medical examiner reports, law enforcement reports, crime laboratory reports, and toxicology results and links them together to provide a comprehensive picture of the circumstances surrounding these deaths.⁹

The NDVDRS data this report has access to only goes until August 10 of 2023, but a valuable missing component to conversations of suicidality and risk is actual lethality of outcomes. While this data set has many limitations, it is still the only access we have on a state level to some of this data. This system tracked 50 deaths by suicide between 2019 and August of 2023 for children and adolescents under the age of 18. The report measured contributing risk factors seen in Figure 2.3.

Figure 2.3: NDVDR Contributing Factors to Suicide for Youth Under 18




If trans students account for approximately 2% of youth, seeing Gender Dysphoria listed for 10% of youth who died of suicide would indicate a five times greater likelihood of these youth dying of suicide. This is exactly what the YRBS data says. For each one of these contributing risk factors, the YRBS suggests outcomes are worse for LGBTQ+ students. It is strongly suggested by the data that nearly half of the youth who died by suicide were LGBTQ+. While the data is too limited and suicide is too multifaceted to make such a determination with accuracy, the risk factors add up for LGBTQ+ youth.

While we do not have absolute data for the cause of death that occurs in our state, North Dakota HD Pulse data suggests that on average 54 youth, ages 0-18, die each year in this state.¹⁰ Also, between 2019 and 2022, on average 10 youth died by suicide each year. According to ESSENCE data, ages 0-19 make up 36.6% of all reported suicide attempts, while only 6.6% of the population that died of suicide.

Altogether, this does suggest that suicide attempt behavior for youth is significantly less lethal than for adults. Accounting for just the high school population, death by suicide occurs one in every 255 attempts. Assuming middle school attempts are similar, this would bring lethality closer to one in every 386 attempts. This is still the second leading cause of death for youth and isn't meant to underplay the serious nature of suicide. But to open the question about how we understand and track suicide behavior. What youth consider an attempt. And that even in the face of these high numbers, the youth do survive, and we must keep attempting to reach them. Further those numbers are at best suggestive within the limited data we have.

2023 YRBS vs. Hotlines

One of the data points that did not differ greatly between LGBTQ+ students and straight students was behavior around asking for help before a suicide attempt. As the text to the right indicates, only 20% of youth sought help for attempting suicide. The question asks if they sought help from a hotline, counselor, or doctor.



Only 1 in 5 high school students will reach out for help before a suicide attempt

This question means we can take most of our data from call centers and multiply it by five to get a more accurate view of the people in our state who may need help. While this question doesn't necessarily indicate middle schoolers, college-age youth, or adults of any age would have the same behavior, we know many people still don't know about suicide prevention resources like 988.¹¹

Also every year, more people become aware of 988, and across the United States, economic insecurity and other struggles are compounding for every population. It is very difficult to distinguish an increase in calls as being higher experiences of trauma, awareness, or both.

Table 2.4 Call Center Data and Total Suicides Attempts for LGBTQ+ Youth

Year	Call Center Data	LGBTQ+	YRBS Total LGBTQ+ Suicide Attempts 2023
2022	Trevor Project	168	1875
2023 July to Oct	FirstLink	121	
2023*	FirstLink	363*	YRBS Total Suicide Attempts 2023
2024 Jan to Nov	FirstLink	361	4438

Table 2.4 would be improved with more information; however, call centers did not start collecting data on LGBTQ+ callers until July of 2023. The 2023 full year-number is an estimate given the average of what was reported from July to October of 2024 by FirstLink, North Dakota's call center. FirstLink was able to provide full data for 2024 up to November, which lines up closely with the estimate from 2023. However, this data is not collected from every caller; during 2024, it was collected approximately 75% of the time according to FirstLink Data.

What is known from this data is that the calls FirstLink gets are likely a small percentage of individuals who need help. 988 responds to callers of all ages and backgrounds. The YRBS reflects just middle and high school students, which accounts for just 6.7% of North Dakota's total population.

The only purpose of this section is to put stronger scrutiny on our systems of measurements and realize many youth never become a number in our systems. Further, it is very likely our state health data around suicidality is significantly worse than is understood by our current data metrics. None of this is a failing for FirstLink, which will likely have taken at least 15,000 calls from people in suicide crisis in 2024 alone. They have saved and continue to save countless lives. It is likely every single person in North Dakota has been impacted directly or indirectly by this service, even if they don't know it. That said, it should be the absolute last line of defense, not the first.

As a final thought, Trevor Project reported a 700% increase in calls to their LGBTQ+ Hotline in response to the recent election. Not to be partisan, but to understand political rhetoric has impacts on kids.¹²

North Dakota Student Counselor Survey

During 2024, Harbor Health Initiative reached out to every school counselor working in our public K12 schools. There were 416 school counselors listed on the North Dakota Department of Public Instruction Directory. Of those, 61 responded to communication or 14.6% of them. 16 of those never answered our questions. The answers we have below represent the 45 student counselors who returned communication, who make up 10.8% of the student counselor population for public K12 education.

Table 2.5: North Dakota Student Counselor Survey	
On a 1 to 10 scale, with 10 being the highest - how well do you feel LGBTQ+ youth are doing at your school?	6.27
Would you consider yourself a safe person for LGBTQ+ youth to talk to?	100%
Are there any community resources you're aware of that help LGBTQ+ Youth? Person, organizations, or anything like that?	51%
Do you know anyone else you'd recommend for us to talk to as part of this project?	34%
Are you interested in learning about resources that help LGBTQ+ Youth?	92%
Would you be interested to be on an emailing list to stay up to date on these resources?	90%
Would you be interested in being involved in a statewide LGBTQ+ Support Network?	48%

There were three attempts to reach each student counselor, twice by email and once by phone. Student counselors are often extremely busy, so non-response does not indicate anti-LGBTQ+ beliefs. However, those who did respond likely had more vested interest in keeping LGBTQ+ youth safe. To apply these numbers to the general student counselor population would mean nearly half of our professionals do not have good landing resources for LGBTQ+ youth.

This does reflect in the data, where our LGBTQ+ youth, especially middle school youth, have said they did not get the help they needed. While the majority of these professionals indicated a desire for more tools and communications on tools to help students out, only half indicated interest in being part of a larger effort to improve LGBTQ+ student safety.

The most common reason for not having resources given was being in a small community. The YRBS represents schools all across North Dakota, and most communities and schools are relatively small. This creates significant challenges for finding adequate support for LGBTQ+ youth. There was some pushback from elementary and middle school counselors suggesting they don't interact with this population, incorrectly implying LGBTQ+ identity is a high school or older issue exclusively.

Responses also included frustration with the lack of resources, as well as not clearly understanding what help they could provide or what consequence may come from helping. There were counselors who reported kids doing well, those who said it was a struggle, and those who didn't know of any openly LGBTQ+ students in school. Overall, the state of schools appears to be a kind of "don't ask, don't tell" culture—where not only the students, but the school staff are just doing their best to survive.

It is worth remembering there are many parents who support their LGBTQ+ child and want the school to help them. Resources can still focus on this demographic, even if other parents demand their child doesn't get support.

Parents of LGBTQ+ Youth

An open survey collected responses from parents of LGBTQ+ youth in North Dakota. The information was collected anonymously to assure safety for those participating.

How has the 2024 fall school year gone?

"The school year was very hard. Each class had a unique set of kids that would pick on my kid in a different way. Between all the different types of bullies, we ended up going with full time online school. Now that we are in online classes my child has all good grades and he smiles again."

Online school was consistently identified as a safe haven for LGBTQ+ youth. Youth were identified as doing better this year compared to last year, with trans youth in particular struggling with bullying and fear. One parent identified their child pursued a GED just to get out.

Does your child worry about anything related to being LGBTQ at school?

"The bathroom has been a major stress point for us. We had to argue with one school to allow him to use the men's bathroom. When he did, he was told to get out by the other boys. There was a fight afterwards and a lot of conversations with the school counselor. The unisex bathroom that we had to fight for didn't have a lock on it and also caused a major issue when another kid opened the door. My child would go out of his way to just not use any bathroom at school."

Bathrooms were a major source of anxiety, with YRBS showing 20% of trans kids in middle school didn't drink water. Something common was parents identifying their kids were often more worried for their friends. Even online students were scared for their friends that went to in-person school. The story shared above is not uncommon.

Do you or your child worry about your future in North Dakota?

We both worry a great deal about what the future holds in North Dakota. In particular, we worry about violence against the LGBTQIA+ community.

For trans youth, losing access to medically necessary healthcare was a concern. Each parent was in some way worried for their child's future in this state. Many parents identified hoping to move as soon as possible or took solace knowing there were still safe places in other areas.

What would you like to see happen to give you hope or support your kid in school?

The 2023 legislative session was SO disheartening with all the anti-trans bills and rhetoric and fearmongering. I am dreading a repeat of that. I really dislike the feeling or idea that I am surrounded by people who have so much antipathy towards my child because of how they identify. I would like to see public leaders and lawmakers prioritizing kindness, respect and compassion.

One parent just wished North Dakota state lawmakers would leave their child alone. Most wished for more support for their kids and for staff to have better education and training on the unique needs of LGBTQ+ youth. The responses here are in line with the outcomes we see in the YRBS.

Feedback from LGBTQ+ Youth

The 2023 and 2024 LGBTQ+ Summit both hosted LGBTQ+ youth feedback panels. These were composed of multiple kids from different ages, grades, and school systems. This is a summary of what they said.

2023 Youth Feedback Panel

Youth-Identified Problems

- Suicide is because of bullying in schools
- School counselors and teachers are not as welcoming as should be
- Many care but cannot do anything, especially with the new legislative session
- Administrators feel stuck, unable to help kids
- Want more queer people on school boards
 - More people of color and youth too
- Need more people of color as school counselors
- More empathy from teachers

Youth-Identified Solutions

- Make education and training more accessible for adults
- Training for school board
- Student-led discussions to discuss inclusivity
- Make GSAs more accessible and prevalent
- Support GSAs



(Youth Feedback Session 2024 LGBTQ+ Summit, picture by Summit Youth Intern)

2024 Youth Feedback Panel

Youth-Identified Solutions

Resources aimed at queer and non-queer peers on how to be allies. For their queer peers, youth want these materials to highlight the importance of unity within the LGBTQIA+ community and not separating certain queer identities from the rest of the group (e.g., combatting "LGB without the T" attitudes). For their non-queer peers, youth recommended resources that equip their peers with bystander intervention skills to stand up to homophobia and transphobia.

Professional development for school professionals on LGBTQIA+ topics (e.g., identity struggles, how to support queer youth). In particular, youth emphasized the importance of visibly queer school professionals. They also highlighted the need for resources geared towards younger school populations, such as 4-6th grade audiences.

Queer-inclusive sex education, including relationship boundaries and how to speak with healthcare professionals. This recommendation highlights the need to further expand the evidence-based In-Clued training that is currently offered by Planned Parenthood.

Queer youth groups outside of the Fargo and Bismarck area. Youth asked that these queer youth groups feature queer facilitators and provide transportation support and food. They suggested that these groups be unaffiliated with schools given potential restrictions tied to school-based organizations. Youth also highlighted the importance of groups for both queer teenagers (12-18) and queer young adults (18-26), as both groups need support.

Resources aimed at adults, including their extended family and family friends, on how to be a trusted adult. They suggested these resources outline "green flags" that signal being an ally, such as using someone's chosen name and pronouns. They added that these resources should be a source of education on LGBTQIA+ identities and issues for adults.

(Panel Summary provided by ND HOPES)

Feedback from Qspace

Qspace is a Bismarck-based LGBTQ+ youth group that has been providing help and support to LGBTQ+ youth in Bismarck and the surrounding region since 2019. Coled by Zayden Bartosh, Alyssa Klossgaard, and Lexi Williams. This has been their experiences over the last six years.

ON MENTAL HEALTH

Fortunately, a majority of the youth we serve right now do have access to mental health services and gender-affirming healthcare. Approximately 2/3rds of our trans youth have been grandfathered into continuing their medically necessary care after the state banned it. Our youth want to make sure that LGBTQ+ affirming therapists are legitimately trained in what it means to be LGBTQ+ affirming and that they understand the issues surrounding LGBTQ+ youth.

ON SCHOOL

School is hard: one youth said, "just because teachers wear pride pins or say that their class is safe, it does not mean that they actually are there for the kids."

Students suggested that even though teachers wanted to be supportive, they didn't know how. Based upon what the youth said, some teachers don't know how to handle bullying and harassment of LGBTQ+ youth or how to talk to these youth about the unique issues they face, even though these same teachers still identify themselves as safe spaces.

Students also identified teachers who did want to help but stopped because they did not have administrative support. While teachers did not say this directly, students perceived the hesitation was because of fear of losing their jobs or getting disciplined. The youth also identified understanding the difficult situation teachers are in, but these kids are still in pain and still need help they are not getting, finding the situation unfair.

The students would like schools to be more supportive of and make sure teachers had appropriate training to intervene during anti-LGBTQ+ remarks and bullying.

ON BEING HOMELESS AND LIVING IN POVERTY

The biggest barrier Qspace youth face is housing insecurity and living in poverty. In general, Qspace youth have to work when they come of age and are able to do so. Some of them do help pay rent with their parents and/or have the constant thought of losing their housing. This disproportionately affects our Indigenous youth, but some of them do get help with Native Inc. Poverty itself is a huge barrier for multiple youth of ours, regardless of race.



(LGBTQ+ Summit, featuring Bismarck Youthworks. Many LGBTQ+ youth use both Qspace and Youthworks in the area.)

Reaching Out to Organizations in North Dakota

As part of the work with the State of the State Report, an open survey was created for organizations that serve youth in some capacity. 40 different organizations were reached out to, while 11 returned the survey. This is not an exhaustive list of youth-serving organizations in our state. Further, responding or not to this survey doesn't convey an organization's stance on LGBTQ+ individuals or belief around if this community deserves to be safe and included. Everyone is busy; the hope is more organizations will get back to us over time.

The intention of reaching out was to start a conversation, assess what organizations were currently doing, and what struggles they currently saw. It also invited feedback from key organizations about what partners are essential in the work to keep LGBTQ+ youth safe.

However, there is a very clear "Don't Ask, Don't Tell" cultural policy around LGBTQ+ topics in the state. While many organizations do wish to keep everyone safe, they believe being too open about safety efforts for LGBTQ+ populations will result in targeted harassment, reduction of funding, or even laws to micromanage services. Or, the organization falsely believes efforts to help all populations will adequately trickle down to LGBTQ+ individuals. Many may not realize a significant portion of their population is LGBTQ+.

American Foundation for Suicide Prevention	Gender Justice	North Dakota Health and Human Services	Prairie St. Johns
Cass Public Health	Grand Forks Police	North Dakota HOPES	Prevent Child Abuse North Dakota
Catholic Charities North Dakota	Grand Forks Public Health	North Dakota Human Rights Coalition	Rape and Abuse Crisis Center
Centre Inc	Interfaith Alliance of North Dakota	North Dakota Medical Association	Red River Child Advocacy Network
Community Healthcare Association of the Dakotas	Kids Count North Dakota	North Dakota National Association of Social Workers	Sanford Child Safety
Community Violence Intervention Center	North Dakota American Civil Liberties Union	North Dakota School Board Association	Sanford Health
Consensus Council	North Dakota Council of Educational Leaders	North Dakota United	Sources of Strength
FirstLink	North Dakota Department of Public Instruction	North Dakota University System	The Foundation
FM Coalition to End Homelessness	North Dakota Domestic and Sexual Violence Coalition	Parents Lead North Dakota	Treatment Center for Traumatized Youth
Fraser	North Dakota Federation of Families for Children's Mental Health	Planned Parenthood North Dakota Chapter	Youthworks

Feedback from Organizations

Organizations were asked questions about what they were doing specifically for LGBTQ+ youth and what barriers they saw. This is far from an exhaustive understanding of services or challenges in the state, but the intent is this can start to be meaningfully built out. So much work is done in silos, where partners do not talk to each other about services, success, or challenges.

What are the main challenges you see for keeping LGBTQ+ youth safe in North Dakota?

"The climate and culture. Very few safe spaces exist where youth can be themselves, and this is driving them to very negative mental health states."

Not all responses were from organizations listed above. Some individual professionals also completed the survey. The main challenges amounted to cultural hostility that both reduced the hope LGBTQ+ youth have within the state and their future, while making them more hesitant to trust getting services from the organizations designed to help them.

One organization identified unique behavior with LGBTQ+ youth, where they were more likely to talk around their problems before opening up to the fact the problem was related to their sexual orientation or gender identity. Something that can be missed if youth aren't given enough time or feel safe enough to talk about the issues they're having. The YRBS already shows the heightened risk this population has, and without knowing someone's sexual orientation or gender identity or if they don't feel safe enough to reveal it, that risk goes invisible to our service providers.

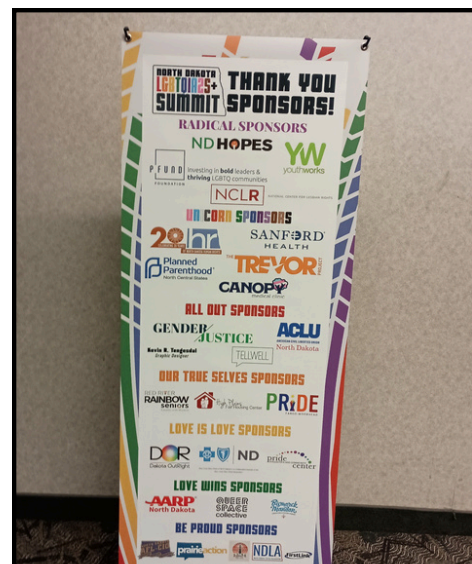
Some identified the negative impact of the state policies that have been made law, such as forcing trans students to be outed, denying their medical care, or restricting communication professionals can use when helping youth. Generally state attitudes contribute to a culture of fear around helping LGBTQ+ youth.

What is your organization doing to ensure LGBTQ+ youth are safe?

Education and Training, Listening Sessions to gather feedback from LGBTQ Youth, and distribution of resources

The various answers amounted to LGBTQ+ specific services, trainings, and resources. A few organizations mentioned DEI training. Some talked about policies to ensure LGBTQ+ youth were safe in getting care. Others talked about general advocacy. One talked about creating broader desiloing efforts to assure professionals themselves had peer support.

While these efforts are fairly standard, another question asked was who else should be included. Only 3 out of the 11 organizations offered any suggestions, and of those, only 1 offered concrete names. The fundamental problem remains that organizations are not talking to each other and only considering their own lane. No organization, by itself, can meaningfully solve the issues impacting LGBTQ+ youth.



Various Organizations Sponsoring LGBTQ+ Summit

The Story of Ikiru

Ikiru is a Japanese movie that was released in 1952 about a dying bureaucrat. Why would an 80 year old movie be featured in a 2025 State of the State Report for LGBTQ+ youth in North Dakota? Well, the plot of the movie involves a family attempting to build a playground but being given an endless run around as the exact situation seems to be outside of the jurisdiction of everyone. The dying bureaucrat is named Kanji Watanabe and eventually takes it upon himself to solve this problem. Spending his final night on the playground he helped make reality.

There is a campaign through the It Gets Better Project called “50 states, 50 grants, 5000, voices” that donates \$10,000 to LGBTQ+ youth groups in every single state with a number of stipulations, requiring the grantee be schools. I explained this wouldn’t work in North Dakota; I offered alternative solutions and offered to help problem-solve this issue, but was met with generic emails that they couldn’t help. Most national grantors are like this. It isn’t their fault, they do good work, but still our kids suffer.

Without naming names or to call out any individual organization within North Dakota, during the last ten years I’ve been met with silence at requests for help, I’ve been told various things can’t be done, or that it isn’t someone’s job to help. I’ve been met with institutional, cultural, financial, and logistic barriers. I’m at times met with hostility or threats. I’ve been disregarded or ignored on multiple occasions. The majority of individuals I work with clock out at 5:00 PM. And this is my third major report across seven years saying virtually the same things about virtually the same outcomes.

Every single system I interact with is buried in various limits. Whether grant restrictions, quarter by quarter restrictions, or only being able to do measurable work, the outcome remains the same. Our LGBTQ+ youth bear the burden of inaction, suffer the consequence of the limitations in our systems, and experience trauma and hardship after 5:00 PM and on the weekends too. One thought constantly echoes in my head:

EVERY DAY AT LEAST 5 LGBTQ+ YOUTH WILL ATTEMPT SUICIDE IN OUR STATE.

As these kids try to end their own lives, our state rhetoric is just more attempts to make that life harder. I know that being critical or unkind to people does not inspire them to help me. I try to be kind; I try to be patient. I am at times frustrated. I do not know why I’m the one who has to make this report. I don’t know why I’ve had to spend 10 years learning our data systems and design tools to create this report in the small chance this will cause someone to get invested in a way they didn’t before.

But, as a child of North Dakota, I didn’t get the help I needed. I felt like I was a burden and never asked. I tried to figure out my own problems. As a young adult, I asked for help and didn’t get it. As an adult, I asked other people to help out our youth until I lost my voice in the effort of screaming. And today, after ten years, I am nothing if not pragmatic. The truth is no single barrier matters, except for the will to accomplish change. If our mind is set to fix this problem, we can. It is honestly that simple. People are the only barriers.

After ten years of research, my belief is that the solution to these problems requires someone dedicating their life in service to this cause. So, that is what I will do. Taking any help I can. And if I am lucky, I will see the playground be made for LGBTQ+ youth to play in, to be safe, and to be happy— before I die. While my primary goal is LGBTQ+ youth, I, of course, will work for all children in our state to be safe, fed, and loved.

BACKGROUND PHILOSOPHY

The majority of efforts that do exist to help LGBTQ+ youth are siloed and temporary. They often depend on individuals giving much more of themselves than they should be expected to do. Either volunteers at LGBTQ+ groups or non-profits, the student counselors trying to keep all the LGBTQ+ kids at school safe, or LGBTQ+ folks in organizations that endlessly must advocate for themselves.

Many efforts right now can be destabilized by losing donor or grant funding, because grant cycles ended, or due to turnover/burnout. Others can be impacted by legislation, such as medically necessary care being denied to trans youth. This taskforce seeks to disrupt these cycles.

LGBTQ+ SAFETY TASKFORCE

- The LGBTQ+ Safety Taskforce will be a joint effort that welcomes any organization that serves youth
- It will be hosted through the Harbor Health Initiative, where all relevant resources will also be hosted
- It will not hold routine meetings, but meetings around solving particular problems may be called

The purpose of the group is to solve problems by utilizing a vast network of motivated individuals and then record those solutions for public consumption. This effort is collaborative and by itself seeks to replace no service currently existing. The job of this task force is to further desilo our efforts, empower each partner, provide professional peer support, and harm-reductively keep all of our youth as safe as possible.

CORE PRINCIPLES

Inclusive Messaging

The message is not acceptance nor tolerance. It is not changing people's minds; they're welcome to believe what they do. The message is strictly safety. How do we keep LGBTQ+ youth safe? That is the central value and mission to align around.

Casting a Wide Net

Cast the widest possible net, as the more people who are there to hold it, the less likely it will be to give out. This means working with every single organization that interacts with youth, the youth themselves, parents, communities, lawmakers, police, faith communities, and so on. This work does not require a special effort or organization; it requires everyone doing their small part to look out for all youth.

Intersectional Approach

While there is a focus on LGBTQ+ youth, the ultimate goal is always that all youth in North Dakota are safe, fed, and loved. The networks created and the desiloing that occurs through this safety taskforce will be a benefit to everyone in the state.

Tackling Burnout

Connect professionals together to provide peer support. Most of this work is high trauma; many professionals work in rural communities with few people to talk to. If efforts are not working on preventing burnout and secondary trauma, they will not be successful.

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Publication and Version

This was published originally on January 2nd, 2025. This is the first version of this report, with no edits. This section will be changed to update additional publication and version information. This is Version 1.

Corrections or Improvements

All effort was done to convey the information as accurately as possible, with appropriate credit where possible. If any error has occurred, please email for correction at Fayeseidler@gmail.com.

Collaboration, Feedback, and Future Work

This report will be released every two years, following the YRBS data. If there are sections within this report that your organization would like to tackle, your involvement would be welcomed for the 2027 State of the State for LGBTQ+ Youth.


Please consider sharing this report as widely as possible, and if there is any feedback about this report, please email the author at Fayeseidler@gmail.com. If the complaint is associated with the report being too colorful, one can schedule disappointment on their calendar for 2027.

Resources

Resources are a bit like cars; their value depreciates immediately after they leave the lot. It is less important to have a particularly good resource guide than it is to know who keeps publishing resources and where to find them. That said, ND HOPES has published a resource that went live near the start of 2025! It is by far the most up-to-date general resource for LGBTQ+ youth parents, teachers, and schools.



The LGBTQIA2S+ Resource Guide features valuable resources and guidance for supporting LGBTQIA2S+ youth in North Dakota. The guide contains local information on North Dakota programs, resources, and providers, with specific resources for schools, parents, healthcare providers, and community members.

 <https://www.ndhopes.com/suicide-prevention-resource-guides>



Harbor Health Initiative has the LGBTQ+ Directory, which is every affirming provider and support group across the state. It also hosts the Safe Harbor Project and the LGBTQ+ Safety Taskforce. The website include all important resources for Trans individuals across the state, including general help resources if they are struggling with food, shelter, or other basic needs.

 <https://harborhealthinitiative.org/directory/>



Faye Seidler Consulting has a number of newsletters, shows, points of data, and opportunities for people to get informed and get involved. She hosts all publicly available data on her website for easy access across multiple sectors. And hosts the one pager essential LGBTQ+ Resource Guide included on the next page.

 <https://www.fayeseidlerconsulting.com/news.html>



FirstLink is the 988 crisis and lifeline center for North Dakota and parts of western Minnesota. They are also our 211 call center, hosting a state directory of general resources. They are the absolute best organization to call if you're looking for generally anything, need someone to talk to, or find yourself in a mental health crisis.

 <https://myfirstlink.org/>



988 - Mental health emergency
211 - All purpose helpline

NORTH DAKOTA LGBTQ+ RESOURCE LIST

STATE ORGANIZER

Faye Seidler - Suicide Prevention Advocate

Phone: 701-732-0228

Email: fayeseidler@gmail.com

Website: fayeseidlerconsulting.com



I'm rooting for you.
There is a future where
you can be happy, let's
fight for it.

EMERGENCY SUPPORT

<https://myfirstlink.org>

You Matter. You Deserve Help.

- Dial or text 988 for Mental Crisis or 911 for Crisis
- Dial 211/text zip code to 898-211 for General Help
- FirstLink prioritizes resolution without police

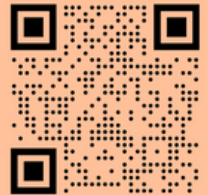


AFFIRMING HEALTHCARE

<https://harborhealthinitiative.org>

LGBTQ+ Health and Community Directory

- All Affirming Providers in ND + Border Cities
- All LGBTQ+ Community/Activity/Support Orgs
- Transition Info + Link to at Home STI Test Kits



YOUTH SUPPORT

<https://youthworksnd.org>

Stay Safe, Fed, and Sheltered

- Services for 22 or Under, Drop-Ins across State
- Food, Showers, Transition Housing
- Seeks to Stop Trafficking and Homelessness



HUMAN RIGHTS

<https://www.ndhrc.org>

Discrimination is Illegal, Your Rights Matter

- Know Your Rights Resources
- Referrals to Human Rights Experts
- Human Rights Training



ADVOCACY

www.fayeseidlerconsulting.com

Be the Change You Want in the World

- Weekly Local Equity News + Email Service
- Statewide Advocacy, Organizing, Data Expert
- Created This Resource List!



EVERYTHING ELSE

<https://www.capnd.org/resources-in-nd>

General Help Services for All Populations

- All the Food Banks and Homeless Shelters
- Access to Legal Help or Fair Housing
- Job and Transportation Access



ND 2023 MIDDLE SCHOOL YOUTH RISK BEHAVIOR SURVEY LGBTQ+ REPORT (P1)

Suicide & Self-Harm	Trans	LGB	S
QN15 - Ever seriously considered suicide	73.9%	66.5%	19.9%
QN16 - Ever made a plan to attempt suicide	58.3%	54.6%	14.7%
QN17 - Ever attempted suicide	45.0%	34.9%	8.5%

Safety & Sexual Violence	Trans	LGB	S
QN13 - Bullied on school property	49.2%	53.9%	29.1%
QN14 - Bullied electronically	73.9%	66.5%	19.9%
QN33 - Ever had sex	21.5%	12.10%	5.6%
QN51 - Someone they were dating purposefully tried hurting them	25.1%	20.7%	7.3%
QN50 - Someone they were dating forced them to do sexual things	22.1%	21.7%	8.0%

Social Capital & Mental Health	Trans	LGB	S
QN47 - Students who experienced unstable housing (30 days before survey)	11.7%	3.30%	1.6%
QN61 - Students who mostly went hungry at home	10.9%	5.60%	3.3%
QN65 - Students reported one adult/teacher at school they could talk to	40.2%	50.00%	59.2%
QN52 - Students who felt sad or hopeless almost every day during 2 weeks	73.7%	75.00%	26.8%
QN45 - Bad Mental health most of the time or always not good (Anxiety/Depression)	75.1%	61.90%	20.7%
QN64 - Usually got help they needed when feeling empty, hopeless, anxious, or angry	11.2%	15.90%	26.6%
QN48 - Students who describe grades as mostly A's and B's within 12 months	54.9%	61.0%	76.7%

Substance Use	Trans	LGB	S
QN18 - Ever smoked in their life	22.6%	24.7%	7.3%
QN22 - Ever vaped in their life	28.7%	33.7%	12.3%
QN26 - Ever drank alcohol in their life	31.2%	34.6%	17.5%
QN55 - Ever used marijuana in their life	19.7%	18.3%	6.7%
QN30 - Ever took prescription pain medication without doctors orders	23.8%	14.9%	8.1%

ND 2023 MIDDLE SCHOOL YOUTH RISK BEHAVIOR SURVEY LGBTQ+ REPORT (P2)

Demographics Sexual Orientation

Heterosexual (Straight)	1683	77.06%
Gay or Lesbian	47	2.15%
Bisexual	140	6.41%
I describe myself differently	78	3.57%
Questioning	114	5.22%
Don't know what this is asking	122	5.59%
Total	2184	100.00%

Demographics Gender Identity

I am not Transgender	2058	94.25%
I am Transgender	36	1.65%
Not sure if I am Transgender	42	1.94%
Don't know what this means	47	2.16%
Total	2184	100.00%

Middle School Population Total

17419

Straight	13423	LGB	2114	Trans	287
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Survey Considerations

More information on the Youth Risk Behavior Survey can be found here: <https://www.hhs.nd.gov/health/YRBS>. All data presented here is weighted, with analysis done by Mark Winkelman at Winkelman Consulting. This was compiled as part of the Safe Harbors Project: <https://harborhealthinitiative.org/safe-harbors/>. More data can be found at Faye Seidler Consulting - <https://www.fayeseidlerconsulting.com/state-data.html>. Faye Seidler is the data expert on LGBTQ+ outcomes within North Dakota, and summarized the data present here: she can be reached at Fayeseidler@gmail.com.

Faye Seidler - Faye Seidler Consulting

Faye Seidler has been actively working to improve LGBTQ+ outcomes across North Dakota, especially within the K-12 setting, for over a decade. She did research into conducting effective LGBTQ+ process improvement training for North Dakota stakeholders in 2015, wrote a comprehensive article on North Dakota LGBTQ+ student outcomes in 2018, co-chaired the ND HHS LGBTQ+ Advisory Board in 2020, led the work on the 2021 LGBTQ+ School Climate Survey, and released the 2023 YRBS Summary Report. Her work currently focuses on suicide prevention across the state.

Email: Fayeseidler@gmail.com

Website: www.fayeseidlerconsulting.com/

Safe Harbor Project - Harbor Health Initiative

The Harbor Health Initiative is an initiative to dramatically improve cultural competency and offered services throughout the state. It hosts the LGBTQ+ Directory, which includes every affirming doctor and mental health specialist, as well as other resources like support groups, activity groups, faith organizations, and more. It started the Safe Harbors Project as a way to create intentional and intersectional approaches to address the issues of safety for LGBTQ+ Youth, support to reduce secondary trauma of service professionals, and reports to measure outcomes.

Email: info@harborhealthinitiative.org

Website: harborhealthinitiative.org/directory/

Note: Questions summarized to fit data into a single sheet and create binary answers. Full report can be found on website. The 2023 YRBS data is provided by the North Dakota Health and Human Services. Data analysis provided by Mark Winkelman, Winkelman Consulting, Fargo, ND.

<https://www.fayeseidlerconsulting.com>

ND 2023 HIGH SCHOOL YOUTH RISK BEHAVIOR SURVEY LGBTQ+ REPORT (P1)

Suicide & Self Harm	Trans	LGB	S
QN97 - Purposefully harmed self	61.2%	43.5%	16.3%
QN27 - Seriously considered suicide within 12 months of survey	40.2%	41.0%	13.9%
QN28 - Made a plan to attempt suicide within 12 month of survey	29.5%	34.0%	13.2%
QN29 - Attempted suicide within 12 months of survey	28.2%	18.6%	5.9%
QN98 - Asked for help before attempt from anyone (family, school, hotline)	19.8%	21.2%	18.4%

Safety & Sexual Violence	Trans	LGB	S
QN24 - Bullied on school property	49.2%	31.5%	19.2%
QN25 - Bullied electronically	36.1%	28.8%	13.4%
QN96 - Bullied because people thought they were LGBTQ+	57.1%	41.50%	7.5%
QN12 - Carried a weapon at least one day in last 30	11.8%	3.8%	4.1%
QN14 - Did not go to school because felt unsafe at least one day in last 30	37.0%	12.2%	6.3%
QN20 - Experienced sexual violence in their life	31.7%	16.6%	8.0%
QN94 - Someone they were dating purposefully tried hurting them	44.9%	33.9%	24.6%
QN95 - Someone they were dating forced them to do sexual things	9.0%	4.5%	2.0%
QN117 - Sexually revealing photos of them texted/posted without permission	17.5%	7.1%	1.7%
QN97 - Students who drank alcohol or used drugs before having sex	44.3%	28.4%	8.3%

Social Capital & Mental Health	Trans	LGB	S
QN86 - Students who experienced unstable housing (30 days before survey)	18.1%	3.9%	1.9%
QN116 - Student was kicked out, ran away, or abandon (30 days before survey)	15.1%	6.6%	1.9%
QN118 - Students reported one adult/teacher at school they could talk to	68.5%	66.5%	68.9%
QN119 - Strongly agree there are clear rules and consequences for behavior	52.1%	54.1%	59.4%
QN120 - Students who reported most of time or always feeling safe at school	41.3%	63.1%	73.8%
QN26 - Students who felt sad or hopeless almost every day during 2 weeks	66.3%	63.6%	30.9%
QN84 - Bad Mental health most of the time or always not good (Anxiety/Depression)	73.8%	58.8%	26.3%
QN114 - Usually got help they needed when feeling empty, hopeless, anxious, or angry	32.7%	21.2%	19.9%
QN115 - Difficulty concentrating because of physical, mental, or emotional problem	73.6%	78.6%	42.6%
QN87 - Students who describe grades as mostly A's and B's within 12 months	55.6%	69.4%	78.5%

Note: Questions summarized to fit data into a single sheet and create binary answers. Full report can be found on website. The 2023 YRBS data is provided by the North Dakota Health and Human Services. Data analysis provided by Mark Winkelman, Winkelman Consulting, Fargo, ND.

ND 2023 HIGH SCHOOL YOUTH RISK BEHAVIOR SURVEY LGBTQ+ REPORT (P2)

Substance Use	Trans	LGB	S
QN31 - Ever smoked in their life	37.1%	34.3%	18.4%
QN35 - Ever vaped in their life	41.1%	45.6%	30.1%
QN100 - Ever drank alcohol in their life	46.7%	51.1%	45.6%
QN41 - Ever drank alcohol before age 13 (more than a few sips)	23.0%	14.5%	11.2%
QN46 - Ever used marijuana in their life	45.3%	42.2%	20.2%
QN47 - Tried marijuana before age 13	16.1%	7.8%	3.3%
QN49 - Ever took prescription pain medication without doctors orders	24.2%	17.3%	8.4%
QN102 - Lived with someone who had problem with drug/alcohol use	53.6%	55.9%	28.5%

Weight, Diet, & Sex	Trans	LGB	S
QN105 - Tried losing weight by not eating in 24 hours, vommiting, etc	37.6%	40.6%	19.3%
QN109 - Students mostly went hungry because not enough food	13.2%	2.5%	2.1%
CDCPA - Did not do 60 minutes of activity once in the last seven days	13.2%	2.5%	2.1%
QN123 - Received most about sex education at school	11.7%	21.8%	31.2%
QN56 - Ever Had Sex	44.3%	28.4%	8.3%

Demographics Sexual Orientation		
Heterosexual (Straight)	1404	77.87%
Gay or Lesbian	42	2.33%
Bisexual	175	9.71%
I describe myself differently	69	3.83%
Questioning	61	3.38%
Don't know what this is asking	52	2.88%
Total	1803	100%

Demographics Gender Identity		
I am not Transgender	1688	93.62%
I am Transgender	52	2.88%
Not sure if I am Transgender	39	2.16%
Don't know what this means	24	1.33%
Total	1803	100%

High School Population Total			34556		
Straight	26909	LGB	5481	Trans	997

Survey Considerations

More information on the Youth Risk Behavior Survey can be found here: <https://www.hhs.nd.gov/health/YRBS>. All data presented here is weighted, with analysis done by Mark Winkelman at Winkelman Consulting. This was compiled as part of the Safe Harbors Project: <https://harborhealthinitiative.org/safe-harbors/>. More data can be found at Faye Seidler Consulting - <https://www.fayeseidlerconsulting.com/state-data.html>. Faye Seidler is the data expert on LGBTQ+ outcomes within North Dakota, and summarized the data present here: she can be reached at Fayeseidler@gmail.com.

Faye Seidler - In Service to North Dakota

Contributions to Data

- [2014 - The Logistics of Providing LGBTQ+ Training to Key Sectors](#)
- [2021 - North Dakota LGBTQ+ School Climate Report](#)
- [2023 - North Dakota Suicide Reporting in Journalism](#)
- [2024 - North Dakota 2022 Behavioral Risk Factor Surveillance System LGBTQ+ Report](#)
- [2025 - North Dakota State of the State Report for LGBTQ+ Youth](#)

Contributions to State Resources

- [Essential LGBTQ+ Print Out](#)
- [Secondary Trauma for First Responders Print Out](#)
- [Journalism and Media Suicide Prevention Print Out](#)
- [North Dakota LGBTQ+ Veterans Resources](#)
- [LGBTQ+ Directory with Harbor Health Initiative](#)

Contributions to Suicide Prevention Efforts

- [Desiloing - 6000 stories/events shared over 4 years](#)
- [Suicide Prevention Training Recaps](#)
- [Bills by Risk and Protective Factors in 2025](#)
- Serve Cass Clay Suicide Fatality Review Team
- Added SOGI questions to BRFSS in 2022
- Worked as contributor to help secure 6 million dollar CDC Grant for Suicide Prevention

Contributions to Training

- [Navigating Safety for LGBTQ+ Youth](#)
- [Comprehensive Professional Development Training on LGBTQ+ Populations](#)
- [ND LGBTQ+ Youth: A Story of Suicide and Resilience](#)

Awards and Recognitions

- | | |
|-----------------------------------------------------------|------|
| • Rainbow Bead Carrier Out of Darkness Walk - AFSP | 2024 |
| • Youth Leadership Award - Youth Works | 2024 |
| • Hometown Hero Award - Dakota Outright | 2023 |
| • Grand Marshal of Fargo-Moorhead Pride | 2023 |
| • Women's Network Impact Award | 2022 |
| • Champion of Capital Pride | 2022 |
| • Contributor to Youth Award WFPS | 2022 |
| • Human Rights Coalition's Arc of Justice Award Recipient | 2020 |

Contributions to Our Law Making Body

2023		2025	
Bill Stats <ul style="list-style-type: none"> • 34 Total • 25,106 words • 6 in Favor • 29 in Opposition 		Bill Stats (So far) <ul style="list-style-type: none"> • 37 Pieces Total • 12,689 words • 14 in Favor • 23 in Opposition 	
Bill's Submitted Testimony on		Bill's Submitted Testimony on	
1/15 - HB 1390 1/17 - SB 2149 1/24 - HB 1249 1/24 - HB 1254 1/24 - HB 1301 1/24 - HB 1522 1/24 - HB 1473 1/24 - HB 1489 1/24 - HB 1332 1/24 - SB 2260 1/25 - SB 2231 1/25 - HB 1474 1/30 - HB 1491 1/30 - HB 1494 1/30 - HB 1403 2/7 - HB 1537 2/7 - HB 1526 2/8 - HB 1488	3/7 - HB 1139 3/13 - HB 1390 3/13 - HB 1111 3/13 - HB 1205 3/13 - HB 1256 3/13 - HB 1362 3/13 - HB 1390 3/13 - SB 2139 3/14 - HB 1488 3/15 - HB 1254 3/15 - HB 1473 3/20 - SB 2231 3/21 - HB 1474 3/21 - HB 1522 3/22 - SB 2260 3/27 - HB 1249 3/27 - HB 1489	1/14 - HB 1100 1/14 - SB 2145 1/15 - HB 1160 1/16 - HB 1143 1/17 - HB 1012 1/20 - SB 2096 1/20 - SB 2200 1/21 - SB 2105 1/21 - HB 1181 1/21 - HB 1430 1/27 - HB 1144 1/27 - HB 1556 1/29 - SB 2264 1/29 - SB 2300 1/29 - SB 2244 1/30 - HB 1411 1/30 - HB 1273 2/3 - HB 1475 2/3 - HB 1217 2/4 - HB 1391 2/17 - HCR 3013 2/10 - HB 1495 2/10 - HB 1553	3/11 - HB 1430 3/11 - HB 1217 3/11 - SB 2281 3/12 - SB 2105 3/12 - SB 2244 3/12 - HCR 3013 3/17 - HB 1540 3/17 - HB 1458 3/17 - HB 1450 3/18 - HB 1391 3/18 - HB 1612 3/18 - SB 2400 3/18 - SB 2307 3/20 - HB 1106

Contributions to Writing

Key Articles

- 2018, Dec 19th - [North Dakota is Failing our Queer Youth](#)
- 2022, Jan 19th - [Giving Hope to North Dakota Queer Youth](#)
- 2022, June 20th - [The Choices LGBTQ+ youth make](#)
- 2022, Dec 15th - [The Coming Storm for LGBTQ+ People](#)
- 2025, Jan 19th - [Electric Heater-Side Chat About Queer Kids Today](#)

2015

August 16th - [At F-M Pride parade, activist says transgender health should be next focus](#)

2016

August 10th - [Trans Bathroom Bills: Let's Talk](#)

August 31st - [LGBTQ+ Activities and Resources](#)

Sept 21st - [How to be more trans-friendly in your organization](#)

Sept 28th - [A Parent's Guide to Transgender Children](#)

Oct 12th - [Clubs for LGBTQ+ Students](#)

Nov 2nd - [Let's Talk: The Impact Your Vote Has on the Trans Community](#)

Nov 9th - [The Trans Mentor Program](#)

Nov 16th - [Transgender day of remembrance](#)

Nov 22nd - [The Joke's On You](#)

Nov 30th - [Transgender Health Insurance Basics](#)

Dec 7th - [Transgender History Part One](#)

Dec 21st - [Let's Talk: Dating someone who is transgender](#)

2017

Jan 11th - [The GSA initiative: help needed!](#)

Jan 18th - [Video Games: A Transgender perspective](#)

Feb 8th - [The Difference between Drag and Transgender](#)

Feb 15th - [Let's Talk: North Dakota's Anti-discrimination Bill](#)

Feb 22nd - [The community Uplift Program](#)

Jan 1st - [Transgender Healthcare Panel](#)

March 1st - [Celebrating Trans People of Color](#)

March 15th - [Inclusive religion](#)

April 19th - [Gender Friendly Grand Forks](#)

April 26th - [It's time to move out of North Dakota](#)

May 5th - [North Dakota: a hell for LGBTQ+](#)

May 10th - [How to have effective online conversations](#)

May 24th - [Fargo Moorhead Queer Radio](#)

June 7th - [The Gender Maze](#)

July 26th - [Real Talk: The Fargo-Moorhead Pride Center](#)

Aug 20th - [A look at Intersectionality](#)

Aug 17th - [Gender Identity and Pronoun etiquette](#)

Sept 27th - [Transgender-affirming therapists in Fargo](#)

Oct 4th - [Therapy Options for Transgender and low-income Individuals](#)

Oct 11th - [Janet Mock: The Power of Storytelling](#)

Oct 18th - [North Dakota United Against Hate](#)

Nov 17th - [Real Talk: What it means to be an Activist](#)

Dec 8th - [Community Activism: How to Start and Where to get involved](#)

Dec 17th - ["let's fight for what's right!": Strand calls on Fargo rights panel to work for transgender protections](#)

Dec 27th - [The First Fargo-Moorhead LGBTQ+ Health Clinic](#)

2018

Jan 31st - [An Open letter to North Dakota Parents and Schools](#)
Feb 7th - [Harbor Health Clinic - Second option for Gender Affirming Hormone Therapy](#)
March 7th - [Tristate Transgender Social](#)
April 18th - [An open letter to North Dakota Trans Youth](#)
May 23rd - [A loveletter to Corecon](#)
June 20th - [Transgender Day of Visibility](#)
Oct 10th - [LGBTQ+ Healthcare Day](#)
Oct 24th - [We must not limit the definition of gender](#)
Dec 19th - [North Dakota is Failing our Queer Youth](#)

2019

Jan 24th - [North Dakota needs LGBTQ+ Anti-discrimination laws](#)
March 11th - [It's time to have better conversations about gender and identity](#)
April 17th - [How America Shot itself in the foot](#)
June 13th - [Using religion to attack LGBTQ+ individuals is against Scripture](#)

2020

July 2nd - [The next focus for the LGBTQ+ Community](#)
July 24th - [Please let science and medicine lead the discussion on queer youth](#)
Sept 21st: [Numbers show what many LGBTQIA North Dakotans already know: queer youth are moving out-of-state](#)

2021

Jan 21st - [Our Schools Deserve Better](#)
Feb 10th - [Transgender People in Sports: What Does the Data Say?](#)
March 16th - [North Dakota Anti-trans bill part of national trend, trans advocates say](#)
March 21st - [Tax dollars will be used to defend proposed anti-trans legislation](#)
April 15th - [At the very least, a study should have been done first](#)
Nov 3rd - [North Dakota Government now brought to you by Facebook](#)
Dec 6th - [Report finds many North Dakota Schools Fall Short on support for LGBTQ+ students](#)

2022

Jan 19th - [Giving Hope to North Dakota Queer Youth](#)
May 16th - [Queer youth need support and visibility more than ever](#)
June 20th - [The Choices LGBTQ+ youth make](#)
Aug 22nd - [What Kind of World do we want for our kids?](#)
Oct 31st - [A first look at transgender youth data for North Dakota](#)
Dec 15th - [The Coming Storm for LGBTQ+ People](#)

2023

Jan 17th - [North Dakota Aims to be LGBTQ+ Free by 2025](#)

Feb 7th - [America's 'Moral Panic'](#)
Feb 10th - [North Dakota Senate advances bills targeting trans students' pronouns](#)
Feb 21st - [Proper trans health care can save lives](#)
March 13th - [Consultant discusses ND's LGBTQ+ Bills](#)
March 28th - [There is Hope in North Dakota](#)
April 5th - [How to end the culture wars in North Dakota](#)
April 5th - [Port - You can make peace only with your enemies](#)
April 17th - [Government Overreach](#)
April 25th - [How to keep trans youth safe in North Dakota](#)
May 25th - [The North Dakota Bus Ride](#)
June 23rd - [Assessing Gender-Affirming Care Bans After Key Ruling](#)
June 29th - [The F-M Juneteenth Event Was an Incredible Celebration](#)
July 24th - [Dealing with grief in the wake of a tragedy](#)
July 27th - [Those pushing transgender bills in North Dakota](#)
August 1st - [Marching Towards Hope \(Pride Guide Edition\)](#)
August 9th - [As pride approaches, some events to take place in Fargo despite earlier shift to Moorhead](#)
August 11th - [Libraries should be Places of Joy](#)
August 20th - [Navigating Safety in times of terror](#)
August 22nd - [You deserve help and you really do matter](#)
August 28th - [Let's work to keep trans kids safe](#)
Sept 2nd - [A tourists View of Grandforks Pride](#)
Sept 23rd - [The Challenges of Modern Journalism](#)
Sept 29th - [A time to celebrate Libraries](#)
Oct 29th - [Suicide Prevention advocate Specializing in LGBTQ+ populations will speak Friday](#)
Nov 2nd - [Families and advocates continue to fight for LGBTQ+ Rights in North Dakota](#)
Nov 15th - [Be the hope others need](#)

2024

Jan 4th - [The Legend of Martin Luther King Jr. Lives On](#)
March 7th - [What inspires you about North Dakota?](#)
April 30th - [We can find hope through celebration](#)
May 9th - [Fargo resident hosting event to help people navigate mental health crisis, thoughts of suicide](#)
May 30th - [Can politics be positive?](#)
June 1st - [A New Horizon for LGBTQ+ Population Data](#)
July 14th - [Do not lose faith in a better world](#)
Sept 5th - [September is National Suicide Prevention Month](#)
Sept 25th - [Assessing the youth impact of ND's LGBTQ restrictions](#)
Oct 1st - [Gaps form as youth mental health challenges rise](#)
Oct 20th - [Calming Election day Anxiety](#)
Oct 26th - [No matter who's in office, it'll all be okay](#)
Nov 19th - [Metro changemakers spread joyful message to students in Concodria's Social Activism program](#)

Nov 23rd - [How to maintain hope in difficult times](#)

Dec 19th - [Please Lead with Compassion for Queer and Trans Youth](#)

2025

Jan 13th - [LGBTQ+ students in North Dakota at higher risk of suicide, other harms than straight counterparts, study says](#)

Jan 19th - [Electric Heater-Side Chat About Queer Kids Today](#)

Jan 21st - [Believe in North Dakotans](#)

Jan 30th - [North Dakota's ban on transgender care for minors is life-threatening, doctor testifies](#)

Feb 12th - [We're making kids cry](#)

March 17th - [Courage Spreads like Fire](#)

Senate Education Committee
March 23rd, 2025 HB 1181
Testimony in Opposition

Dear Chair Beard and the members of the Senate Education Committee,

I urge a “Do Not Pass” on HB 1181.

I submitted testimony during the House [reading of this bill here](#). This is all still relevant:

1. This bill compels speech
2. There is no identified harm this is fixing
3. We already vetoed a bill like this because of unintended consequences.

Further testimony I’d like to add about this bill is that after it has been amended to its current version, I legitimately don’t understand it. I get the outline that suggests gender isn’t real and the intention to prevent trans individuals from identifying other than their sex assigned at birth. But in application I do not know what this means. It could impact every single area of life for trans people or do relatively nothing. If anything the unintended consequences of this bill seem even larger than before.

I would like to make a further point, that is every area of life and society that we have policies around transgender populations, they were made with careful deliberation over decades. The Prison Rape Elimination Act that protects transgender prisoners was created because of the intense abuse and harm, often trans women, experienced in male prisons.

The change of identification documents and the acknowledgment of sex across every state at different times, reflected the practical reality of the trans people living there. Trans people who were anatomically the sex they identified as, endocrinologically the sex they identified as, treated by all people in their life as that sex, it stops making sense to treat them as their sex assigned at birth.

We have sex specific risk factors for things like cancer, heart conditions, blood tests, or mortality. And to our best guess it isn’t someone’s sex assigned at birth that determines this, but rather their endocrinology across their life. A trans man’s lab work being run under female ranges can show abnormal outcomes.

The fact is trans existence is complex. A thousand different systems, communities, and organizations over decades made careful deliberation on how to keep everyone safe. This bill sets fire to all of that work and doesn’t clarify or improve our systems. It is for these reasons I ask that we give it a “Do Not Pass.”

Thank you for your time, consideration, and service to our state,
Faye Seidler

HB 1181: The Importance of Defining Gender as Binary, Sex at Birth
Senate Education Committee
March 24, 2025
Presented by Rep. SuAnn Olson

Mr. Chairman and members of the committee, I am bringing you a very short bill today. HB 1181 expands the definition of "gender" in Century Code. The "definition" currently in state law simply states that a reference to a single gender, or sex, can mean a reference to others. For example, "all men are created equal" refers to all of us, men and women.

Line **8** of the bill states that words used to reference an individual's gender mean the individual's sex. Sex is already defined in Century Code.

Lines **9 - 12** require that this definition apply to all policies, records, forms, and various materials used by a public school, institutions under the control of the state board of higher education, and state agencies or offices unless otherwise required by federal law.

Why are these changes needed?

These changes align state policy with federal policy.

Presidential Executive Order 14168, signed on January 20, 2025 declares that there are only 2 sexes. In the President's speech at the Capitol, he said, "As of today, it will henceforth be the official policy of the United States government that there are only two genders: male and female." A portion of the executive order states "erasure of sex in language and policy has a corrosive impact not just on women but on the validity of the entire American system."

Additional discussion on why it is important to define gender as sex:

Honesty, Clarity, and Equal Opportunity

One of the primary reasons for advocating a binary gender definition is that it is scientifically honest. In the study of biology, every cell in each individual reveals biological identity as being either male or female. No clothing, hair style, drugs, or mutilations change that fact. A binary definition of gender is fixed and reliable. For example, reproductive roles between males and females are clear distinctions between binary genders as are the differences in physical characteristics such as body size, muscle mass and voice pitch.

Being scientifically honest brings clarity to roles, responsibilities, and expectations. NDCC requires that bathrooms and shower rooms in schools, dormitories, and penitentiaries be available based on biological sex. Further, state law requires equal opportunity for girls and women by prohibiting boys and

men from participating on female high school and college sports teams. Defining gender in any other way diminishes honesty, clarity and equal opportunity. Gender is not illusory. Wanting it to be does not make it so.

We have only to look at what has and is happening in women and girls' sports around the country to see the absurdity of what gender dishonesty has brought us. Payton McNabb of North Carolina still struggles with partial paralysis after being hit in the face in 2022 by a volleyball launched by a male athlete during a high school game.

Simplicity and accuracy in data collection and statistical analysis

Government organizations and health services often rely on gender data to make policy decisions. A binary gender model makes the collection and interpretation of demographic data straightforward. For instance, categories for sex or gender in surveys or censuses can be easily defined as male or female, which yields statistical analysis that is more accurate. In addition, maintaining gender as binary ensures consistency in laws.

Cultural and Religious Considerations

As Americans, we are proud of our "melting pot" heritage. The vibrant customs of our people are important to all of us. A binary view of gender supports the cultures and religions that are our heritage, and which make us uniquely American. For example, major world religions (such as Christianity, Islam, and Judaism) have defined gender roles as an essential part of their moral and theological teachings. In addition, cultural practices, rituals, and social norms are often rooted in the binary conception of gender. For instance, various rites of passage are frequently gender specific (quinceañeras, bar and bat mitzvahs for example). Here too, defining gender as binary supports our varied cultural traditions and heritage.

Mr. Chairman and members of the committee, I respectfully urge you to give HB 1181 as amended a DO PASS recommendation. Thank you.

I oppose 1181.

I believe in life, liberty, and the pursuit of happiness for all people. I urge you not to pass laws that discriminate against people and will cause emotional harm.

I urge a Do Not Pass for HB 1181.

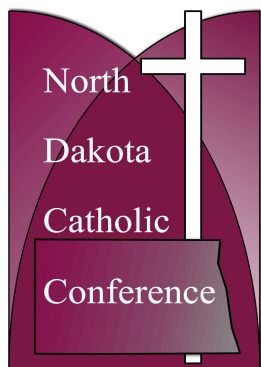
Jennifer Baker

I oppose 1181.

I believe in life, liberty, and the pursuit of happiness for all people. I urge you not to pass laws that discriminate against people and will cause emotional harm.

I urge a Do Not Pass for HB 1181.

Chris Baker



*Representing the Diocese of Fargo
and the Diocese of Bismarck*

103 South Third Street
Suite 10
Bismarck ND 58501
701-223-2519
ndcatholic.org
ndcatholic@ndcatholic.org

To: Senate Education Committee
From: David Tamisiea, Executive Director
Date: March 24, 2025
Re: HB 1181 — Official Word Usage on Gender

The Catholic Church insists that transgender persons must be treated with compassion, kindness, and respect, and therefore opposes any form of hatred, violence, or unjust discrimination toward them. Persons who identify as transgender are created and loved by God, and Christians are always called to love them with the love of Christ. Even so, the Church must always “speak the truth in love” (Eph 4:15), and therefore speak the truth about the nature of the human person as being either male or female.

While sexuality clearly involves the body in terms of sex chromosomes, hormones, internal reproductive organs, and external genitalia, it also necessarily involves the soul as the substantial form of the body that not only actualizes it as a human body, but also constitutes it as male or female. It therefore makes no sense whatsoever to speak of having an internal gender identity that differs from one’s external biological sex. Human sexuality is a matter of the whole person, male or female, through and through. No amount of masking, hormones, or surgery can alter this natural, deep-seated, complementary, and purpose-driven sexual order and design.

The common-sense reality of being male or being female should be reflected in our speech. House Bill 1181 requires that words referencing an individual’s gender shall mean the same thing as the individual’s biological sex in all official policies, procedures, and documentation of the State of North Dakota.

The North Dakota Catholic Conference asks for a **DO PASS** recommendation on HB 1181.

Dear Members of the Senate Education Committee,

I write to you today regarding HB 1181, asking you to vote NO on this bill and give it a DO NOT PASS recommendation.

I have a PhD in Sociology and my training and research has focused on gender. There are many things that make this bill problematic. First, the definition of gender provided in section 1 does not make sense on face value. If the definition is not clear and interpretable, it will not be enforceable. What is meant by the statement that “words of one gender include the other genders”? Does this suggest there is only one, universal gender? The meaning and intent of this statement is unclear.

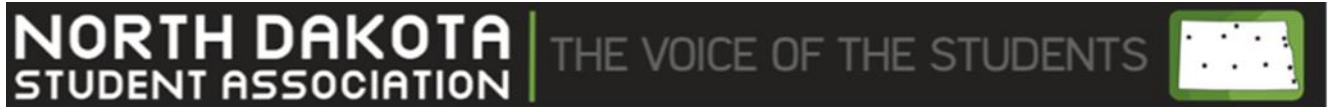
Second, the bill defines “sex” and “gender” as the same thing. This is not consistent with standard practice in academic, scientific, and professional communities. In general, “sex” describes the biological characteristics of males, females, and intersex persons (i.e., a person’s chromosomes, sex organs, and genitalia) whereas “gender” refers to the social dimensions of masculinity and femininity, including how a person presents themselves. The social dimensions of gender vary considerably over time and by culture. Sex and gender are not the same thing; each is important in understanding individual lives and society at-large.

Third, this bill would violate academic freedom by imposing these definitions on materials and instruction in higher education, as stipulated in section 3. Matters related to higher education activities and programming are under the purview of the State Board of Higher Education and should not be determined by the ND state legislature. Furthermore, the standards for instructional materials and content are determined by experts within each discipline and the professional organizations that accredit higher education programs. Attempts to enforce this legislation would almost certainly result in legal challenges, unnecessarily costing the taxpayers of North Dakota.

Regardless of your own personal feelings about gender identity, this legislation is poorly written, unnecessary, and will undoubtedly result in costly litigation. Please do not take the bait and fall prey to the culture wars by supporting this legislation. There are many things the state legislature could do to improve the lives of North Dakotans - this bill is not one of them. Please support a Do Not Pass recommendation and vote NO on HB 1181.

Sincerely,

Liz Legerski, PhD
Grand Forks, ND



HB 1181

March 24, 2025

Carter Gill, North Dakota Student Association

(701) 388-7589 | carter.gill@ndus.edu

Chair Beard and Members of the Committee: My name is Carter Gill and I am Vice President of Governmental Affairs for the North Dakota Student Association. I am here today in opposition of HB 1181.

The North Dakota Student Association is dedicated to ensuring that students have a voice at the table in policy that affects higher education. We consist of delegates from each of the 11 public North Dakota University System (NDUS) institutions, meeting monthly to engage students in discussions about North Dakota higher education policy. Since 1969, our mission has been to empower students, create collaboration between the student bodies of the North Dakota public universities, and to provide a student perspective on higher education policy.

While the NDSA does appreciate the amendments made to this bill that removed DNA testing requirements, the NDSA still remains in opposition to HB 1181 as shown in our resolution against this bill, [NDSA-19-2425: A Resolution in Opposition to HB 1181](#). The opinion of the scientific and medical community is that sex and gender are two entirely different concepts.¹ HB 1181 conflates the two as being the same. According to a report by the [UCLA Williams Institute](#), 0.43% of adults in North Dakota are transgender. This means that about 2,500 adults will be negatively affected by this legislation. This bill also still fails to recognize intersex individuals, about 2% of the global population, and their unique relationship to sex and gender.

This bill essentially does two things regarding higher education: make the lives of trans students currently in the NDUS harder and stands as a message to out-of-state trans students that they are

¹What Do We Mean by Sex and Gender? Carolyn M. Mazure. September 19 2021. <https://medicine.yale.edu/news-article/what-do-we-mean-by-sex-and-gender/>.

not welcome in North Dakota. Why is it necessary to pass legislation that does nothing but harm individuals of an incredibly small minority? Minnesota has made itself a trans refuge state, which for trans students in North Dakota, why would they stay in a state that is actively working to make them not welcome in their own state when the state across the Red River will welcome them? According to the [Trevor Project](#), “Nearly 1 in 3 LGBTQ youths said their mental health was poor ‘most of the time or always’ as a result of anti-LGBTQ legislation or policies.” For those students who do stay in North Dakota, the passage of HB 1181 would be another reminder to them that they are not welcome in this state.

As is the case with NDUS cisgender students, transgender students should be afforded the same accommodations as cisgender students with being addressed in a manner consistent with their gender identity and expression.

This bill goes against the consensus of the science and medical communities and is damaging to the LGBTQIA+ students in North Dakota, so on behalf of the North Dakota Student Association, I ask that you give HB 1181 a DO NOT PASS recommendation.

Lanny Kenner
District 7

Chairman Beard and committee members of the Senate Education Committee,

I am urging YES votes for HB 1181.

As you all know God made only 2 genders. Now there may be some masculine females and some feminine males but DNA doesn't lie.

A wise person once said "Truth is hate for those who hate the truth"!
Speaking the truth bravely and courageously soon leaves you in the "Lone Wolf Category".

You are never really alone because God is always with you on your journey to speak the truth. No one likes to be lied to so I hope you always receive truth from council or anyone giving you advice.

Just be truthful and be yourself. Don't expect others to refer to you as something or someone you are
not just because you may think that way.

So please pass HB 1181 and bring back truth in gender ideology!

Thank you, Lanny Kenner

Members of the Committee. I am writing in opposition to HB 1181. I remember when being a Republican meant we wanted the government to be involved only when absolutely necessary. It was not felt that the government needed to be our parent or to dictate every area of our life so we all complied with the thoughts and beliefs of those in power. Unfortunately, the party I grew up with and identified with has changed drastically. Now it appears that what the party wants is for everyone to think, believe and act according to the beliefs of those in power even if science and people's lived experiences do not support this view. This bill is one such example. Science has shown that gender assigned at birth based on the external anatomy is not always accurate. In fact, there are instances when parents have to decide what gender their child will be assigned. Insisting that there are only 2 distinct expressions of gender, denies what medical science has discovered in terms of the complexities of gender/sex. We know there are intersex variations caused by chromosomal abnormalities and that the influence of hormones at various stages of development impacts the development of primary and secondary sexual characteristics. Although we tend to want this to be a black and white issue, like most things in life, it is not. Yet here we are, denying the science, and continuing to marginalize people due to their biological differences. I am often left wondering why? How does it impact me if someone identifies differently from how they were assigned at birth? Does it change or affect my daily living, other than maybe me not understanding it? I would submit that it does not affect my life, but I know it affects the life of people this bill continues to marginalize. Their road is already difficult, I don't know why we would want to make it even more so. I would encourage the committee to acknowledge the science, step out of your preconceived ideas about gender, challenge yourself to really understand the experience of the people this bill will harm, and vote to support the people who are simply trying to live their best authentic life, by voting Do Not pass on HB 1181. Thank you for your time. Peggy Stenehjem-Titus Fargo, ND

March 23rd, 2025

Dear Chairman Ruby and members of the House Human Services Committee,

My name is Karen Eriksmoen, and I live in Fargo, District 11. I am writing in opposition to HB 1181, relating to gender usage in the North Dakota Century Code and state records.

There is no clarification needed, as this bill states. HB 1181 is discriminatory and punitive to those who have realized that their birth gender does not fit who they really are.

A family friend realized that the tremendous struggle they experienced as a child, adolescent and teen was because they were trying to live as their gender identified them at birth. The self-destruction and turmoil they experienced was confusing, chaotic and life threatening. As she/her now identifies as he/him, life has become fulfilling and joyous, and self-acceptance has come to them. For this young person to have to answer to a pronoun that is no longer their identity would be demeaning and discriminating. I cannot express the pain this would cause a person who has found their identity to be different from their birth gender.

What purpose is there to decide that there are only two genders, and a person must be described only in those terms? How then do we honor all people, when some are transgender, non-binary, and gender-fluid in their personal identity? Who am I to decide how another person identifies their own sexuality and what pronouns can be used? Why would we want to make people feel that North Dakota is not a place they can call home by insisting that we use only birth-gender identifying pronouns in our state? This bill is harmful and destructive.

I urge you to reject HB 1181 with a Do Not Pass and instead promote a North Dakota that supports all individuals and is free of discrimination.

Thank you for your time and attention to my concerns.

Karen Eriksmoen
1913 5th Street South
Fargo, ND 58103

Dear Chairman Beard and the Members of the Senate Education Committee

I urge you to render a "Do Not Pass" recommendation on HB 1181.

The scientific and medical communities have long understood that biological sex is a complicated thing amongst all species, and that human beings are no exception to this. There is also broad consensus across many fields of study that gender is distinctly different from biological sex. Gender is a very nuanced thing that varies between cultures and has changed throughout time. This bill flies in the face of generations of study and experience all to soothe the misplaced furor of a culture war targeting a very small, already marginalized group of citizens. How much taxpayer money is being wasted to persecute and terrorize the small number of Transgender individuals in our state? How does this bill not stand in stark contradiction to our state and countries claimed values of rugged individuality and personal freedom? How does this bill do anything to better the lives of North Dakotans? These are just a few of the questions that I have yet to see a decent answer to. I urge you to please put any fear and unease of the unknown aside and recognize the shared humanity in other people just trying to pursue their own happiness.

Thank you for your time, consideration, and service to our state.

Respectfully,
Kayleen Charbonnet
Williston, ND



Dear Chair of Senate Education and Committee Members,

I urge a 'Do Not Pass' on HB 1181.

We as a country focus on the individual and the individual's right to self determination. This is one of our core pillars as a nation. Our legal code is clearest when it is written using the term individuals and does not unnecessarily denominate gender or sex.

This legislation fundamentally misunderstands the concepts of sex and gender as they are understood by the scientific community while also possibly creating outlying legal conundrums. These issues could result in costly litigation which leads citizens to wonder 'Why did we even need this bill?' My answer to that question is "We don't."

The bill is anti-LGBTQ+ political virtue signaling. It is simply aiming to restrict the nuances of gender and force institutions to adopt an unscientific understanding of the concepts of gender and sex by tying the two together.

Gender and sex are two different things, and people in our state who are born intersex will be caught in an unnecessary legal grey area that can be prevented by the defeat of this bill. Trans and Two-Spirit people exist and our state's institutions need to recognize their existence. Two-Spirited people have existed in our area longer than the state of North Dakota has existed, and by denying this reality we would be perpetuating a colonialist genocide.

You cannot erase people's existence. The human right to self determination is one of our most fundamental rights and we cannot pass bills that deny people of this right.

Please vote 'Do Not Pass' on HB 1181.

Thank you for your civil service to our state.

Sincerely,
Dalton Erickson
Executive Director
North Dakota Human Rights Coalition



Testimony Supporting House Bill 1181

Jacob Thomsen, Policy Analyst
North Dakota Family Alliance Legislative Action
March 24, 2025

Chairman Beard and honorable members of the Senate Education Committee, my name is Jacob Thomsen, and I am a Policy Analyst with North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of House Bill 1181 and respectfully request that you render a "DO PASS" on this bill.

In the 68th Legislative Session, the North Dakota Legislature did plenty of work to ensure that as a state, we recognize two biological sexes, male and female. This bill further solidifies that in our Century Code, reference to male or female simply means the sex which is determined at birth.

In President Trump's inaugural address, he is quoted as saying, "As of today, it will henceforth be the official policy of the United States Government that there are only two genders; male and female."¹ Further, he signed an executive order to that effect on the same day.² This bill aligns with these things perfectly.

This bill supports consistency and clear language in our Century Code. For these reasons, North Dakota Family Alliance Legislative Action respectfully requests that you render a "DO PASS" on House Bill 1181. Thank you for giving me the opportunity to testify, I will stand for any questions.

¹ President Donald Trump, "The Inaugural Address," January 20, 2025, The White House, <https://www.whitehouse.gov/remarks/2025/01/the-inaugural-address/>.

² The White House. (2025, January 20). *Defending women from gender ideology extremism and restoring biological truth to the federal government*. The White House. <https://www.whitehouse.gov/presidential-actions/2025/01/defending-women-from-gender-ideology-extremism-and-restoring-biological-truth-to-the-federal-government/>

**Senate Education Committee
HB 1181 - Testimony in Opposition
March 24, 2025**

Members of the Committee,

I am writing in opposition to HB 1181. These “culture war” bills are proving to be nothing more than a waste of time for our lawmakers who are already pressed to keep up with an inordinate amount of bills this session. The people pushing for these changes include out-of-state groups who have joined forces with some of our most radical reps and senators who are known to introduce these bills that do nothing but call for discrimination and hatred toward members of the LGBTQ community. It’s time to put an end to the nonsense.

There are far more pressing issues affecting the residents of North Dakota. I urge you to vote NO on HB 1181.

Thank you,
Shannon Krueger
District 3
Minot, ND

To the Members of the ND Senate Education Committee and the Chair:

My name is Alyssa Klossgaard, and I'm 27 years old and I was born and raised in North Dakota, have lived here all my life, and I have been queer all of my life. Although I do not personally identify as transgender, the people whom I cherish the most do.

I urge a "DO NOT PASS" on HB. When legislation like this comes up, especially after it has failed in previous sessions, it sends the loud and clear message to transgender people that they should not be here.

These people are my closest friends and people that I consider to be family. I have heard their growing-up stories; they are full of bullying, addiction, and suicide attempts. However, their stories are also ones of survival, resilience, and hope. The hope that one day queer people wouldn't have to fight for the North Dakota Niceness, and that we would all be respected as human beings regardless of how we identified. This is especially true for North Dakota's transgender and gender non-conforming community. The North Dakota that I know and love is one that values community and dignity. With bills like these, it feels like the exact opposite message is being spread. This bill micromanages identities, fans the flames of the broader culture war, which in turn has severe consequences in regards to the mental health and legal protections of North Dakota's transgender community. Transgender people are not some scary boogeymen, they're electricians, carpenters, landscapers, fast food workers; they are your neighbors and community members.

Thank you for your time,
Alyssa Klossgaard

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee Room JW216, State Capitol

HB 1181
4/8/2025

Relating to gender usage in the North Dakota Century Code and state records.

9:52 a.m. Chairman Beard called the meeting to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

Discussion Topics:

- Purpose of bill
- Overreaching

9:53 a.m. Chairman Beard opened the hearing up for committee discussion.

10:02 a.m. Senator Axtman moved Do Not Pass.

10:02 a.m. Senator Boschee seconded the motion.

Senators	Vote
Senator Todd Beard	N
Senator Randy D. Lemm	N
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Justin Gerhardt	N
Senator Mike Wobbema	N

Motion Failed 2-4-0

10:03 a.m. Senator Axtman moved Amendment LC #25.0497.02001.

10:03 a.m. Senator Boschee seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	N
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Justin Gerhardt	N
Senator Mike Wobbema	Y

Motion Passed 4-2-0

10:07 a.m. Senator Gerhardt moved Do Pass as amended.

10:07 a.m. Senator Axtman seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	Y
Senator Michelle Axtman	Y
Senator Josh Bosch	N
Senator Justin Gerhardt	Y
Senator Mike Wobbema	Y

Motion Passed 5-1-0

Senator Lemm will carry the bill.

10:08 a.m. Chairman Beard closed the hearing.

Susan Helbling, Committee Clerk

April 8, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

VC 4/8/25
10P1

ENGROSSED HOUSE BILL NO. 1181

Introduced by

Representatives S. Olson, K. Anderson, Christianson, Henderson, Koppelman, Morton, Tveit
Senators Castaneda, Van Oosting

1 A BILL for an Act to amend and reenact section 1-01-34 of the North Dakota Century Code,
2 relating to gender usage in the North Dakota Century Code and state records.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 1-01-34 of the North Dakota Century Code is amended
5 and reenacted as follows:

6 **1-01-34. Gender - Definition.**

7 1. Words of one gender include the other genders.

8 2. Words used to reference an individual's gender mean the individual's sex.

9 ~~3. Subsection 2 applies to all policies, records, forms, rules, standards, procedures,~~
10 ~~guides, materials, instruction, training, correspondence, advertising, or marketing used~~
11 ~~by a public school, an institution under the control of the state board of higher~~
12 ~~education, or a state agency or office, unless otherwise required by federal law.~~

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1181**

Education Committee (Sen. Beard, Chairman) recommends **AMENDMENTS** ([25.0497.02001](#)) and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1181 was placed on the Sixth order on the calendar. This bill does not affect workforce development.