



NDSA-23-2021

A Resolution in Opposition of HB 1298

WHEREAS, the North Dakota Student Association (NDSA) represents the voice of North Dakota's 45,000 public college and university students; and,

WHEREAS, the purpose of NDSA is to represent all students enrolled in the North Dakota University System (NDUS) and advocate on issues of higher education in support of access, affordability, quality, and the student experience; and,

WHEREAS, HB 1298 would disallow students under the age of eighteen or enrolled in high school from participating on athletic teams "exclusively for females or exclusively for males" if they were not assigned that sex at birth; and,

WHEREAS, this bill would likely exclude transgender students from participating in school sports, or force them to participate on a team that does not match their gender identity; and,

WHEREAS, numerous studies have shown evidence of the positive impact playing sports has on academic success, mental and physical health, and the development of crucial interpersonal skills; and,

WHEREAS, limiting access to participation in school sports would deprive transgender students of the opportunities and positive outcomes associated with school sports, potentially leading to poorer grades, decreased graduation rates, negatively impacted mental health, the inability to receive scholarships from athletics, and ultimately, increased barriers to attaining higher levels of education; and,

WHEREAS, a significantly large portion of students who attend North Dakota high schools go on to attend NDUS institutions; and,

WHEREAS, this bill also affects any students at any NDUS institutions that happen to be under the age of eighteen; and,

WHEREAS, the NDSA has a vested interest in advocating for the rights of present and future NDUS students and their success; and

WHEREAS, a North Dakota High School Activities Association (NDHSAA) policy addressing transgender students in athletics was implemented in 2015, and prior to the introduction of this bill, there have been extremely few, if any, instances of issues arising from the presence of transgender athletes in the state of North Dakota; and,

WHEREAS, the current NDHSAA board policy addressing transgender students in sports allows transgender female students to compete in female interscholastic



contests once they have been treated with testosterone suppression medication for one calendar year, a policy that is in line with most collegiate sport policies¹ regarding transgender athletes; and,

WHEREAS, the NDHSAA policy for transgender male students allows the student who has undergone treatment with testosterone to participate in contests for boys with the stipulation that they will no longer be able to participate for contests for girls, which is again consistent with collegiate sport policies; and,

WHEREAS, the NDSA believes it is in the best interest of students for high school sport transgender policies to be in alignment with national policies in order to promote future collegiate athletic opportunities for North Dakota high school students, both within and outside of the NDUS, regardless of their gender identity; and,

WHEREAS, the NDSA is committed to promoting diversity, equity, and inclusion for all of our students; so,

THEREFORE, BE IT RESOLVED, the NDSA opposes HB 1298 and supports the right of young, transgender students to participate fully and equally in athletics.

Approved by the NDSA General Assembly on Saturday, March 27th, 2021.

¹ https://www.ncaa.org/sites/default/files/Transgender_Handbook_2011_Final.pdf