

Introduced by

Senators Myrdal, Van Oosting

Representatives Frelich, Grindberg, Karls, Steiner

1 A concurrent resolution urging the the National Collegiate Athletic Association to revoke its
2 transgender student-athlete eligibility policy, which directly discriminates against female student
3 athletes in collegiate women's sports.

4 **WHEREAS**, athletic participation has an important, positive impact on young girls,
5 improving their physical, emotional, and psychological health, self-confidence, and discipline,
6 and providing opportunities for a future in collegiate sports; and

7 **WHEREAS**, women have been responsible for some of the greatest athletic feats in the
8 sports history of the United States, from the Olympic games to professional competition,
9 through opportunities to compete in collegiate sports; and

10 **WHEREAS**, the enactment of Title-IX of the Education Amendments of 1972 [Pub. L. 92-
11 318; 20 U.S.C. 1681 et seq.] marked a pivotal moment in the federal support of women in
12 sports and applying to virtually all postsecondary institutions as recipients of federal financial
13 assistance; and

14 **WHEREAS**, there are fundamental and enduring biological differences between males and
15 females which put women at a competitive disadvantage in sports and jeopardize their safety
16 during competition; and

17 **WHEREAS**, in 2010 the National Collegiate Athletic Association (NCAA) unilaterally
18 adopted a policy that enables biological males to participate on women's rosters and compete in
19 the women's sports category, a policy that continues today; and

20 **WHEREAS**, such a policy disproportionately affects female athletes; and

21 **WHEREAS**, the National Association of Intercollegiate Athletics (NAIA) has instituted new
22 policies to protect biological girls in sports and ensure that only student athletes whose
23 biological sex is female will be allowed to compete in NAIA-sponsored women's sports teams;
24 and

1 **WHEREAS**, it is imperative that collegiate women's opportunities to compete athletically are
2 protected on the basis of sex; and

3 **WHEREAS**, NCAA member institutions have an obligation under Title-IX to ensure equality
4 of benefits and opportunities in athletic programs on the basis of sex;

5 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
6 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

7 That the Sixty-ninth Legislative Assembly calls on the NCAA to revoke its transgender
8 student-athlete eligibility policy, which directly discriminates against female student athletes in
9 collegiate women's sports; and

10 **BE IT FURTHER RESOLVED**, that the NCAA protect the integrity of collegiate women's
11 sports by forbidding transgender identifying males from competing on any women's sports
12 roster or in any collegiate competition; and

13 **BE IT FURTHER RESOLVED**, that the NCAA require its member conferences to conform
14 to a biological sex-based policy across all sports and all divisions; and

15 **BE IT FURTHER RESOLVED**, that all sports-governing bodies in the United States protect
16 the category of women's sports for biological women and girls; and

17 **BE IT FURTHER RESOLVED**, that the Secretary of State send copies of this resolution to
18 the President of the NCAA, the President of the National Junior College Athletic Association, the
19 President of the NAIA, and the President of the United States College Athletic Association.