

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: 212-290-4700
Fax: 212-736-1300; 917-591-3452

February 5, 2019

State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501



HRW.org

**LESBIAN, GAY, BISEXUAL, AND
TRANSGENDER RIGHTS PROGRAM**

Graeme Reid, *Director*
Neela Ghoshal, *Senior Researcher*
Wendy Isaack, *Researcher*
Kyle Knight, *Researcher*
Ryan Thoreson, *Researcher*

ADVISORY COMMITTEE

Alice M. Miller, *Co-Chair*
Bruce Rabb, *Co-Chair*
Stewart Adelson
Ise Bosch
Mauro I. Cabral
Randall Chamberlain
Daniel Costello
Julie Dorf
Susana Fried
Matthew Hart
Allison Jernow
Pieter Ligthart
Wanja Muguongo
Sebastian Naidoo
Arvind Narrain
Andrew Park
Graham Robeson
Cynthia Rothschild
Sid Sheinberg
John Taylor
Masakazu Yanagisawa

HUMAN RIGHTS WATCH

Kenneth Roth, *Executive Director*
Michele Alexander, *Deputy Executive Director,
Development and Global Initiatives*
Nicholas Dawes, *Deputy Executive Director, Media
Program*
Liesl Gerntholtz, *Acting Deputy Executive Director,
Program*
Chuck Lustig, *Deputy Executive Director, Operations*
Bruno Stagno Ugarte, *Deputy Executive Director,
Advocacy*

Emma Daly, *Communications Director*
Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*
Hassan Elmasry, *Co-Chair*
Joel Motley, *Co-Chair*

Re: House Bill 1108 and Discussions of Gender Identity in
Schools

Dear Representative,

I am a researcher at Human Rights Watch and wish to share my concern about HB 1108, which would prohibit schools from providing instruction on gender identity in public schools.

Human Rights Watch has interviewed hundreds of students, teachers, administrators, and parents about lesbian, gay, bisexual and transgender (LGBT) issues in US schools, including in South Dakota. We have documented the impact of laws and policies that discriminate against LGBT students in a report, [“Like Walking Through a Hailstorm”: Discrimination Against LGBT Youth in US Schools](#), which we released in Sioux Falls in 2016.

Among the issues examined in the report are laws restricting discussions of LGBT issues in schools. We are unaware of school curricula in South Dakota that currently discuss gender identity. Yet proactively prohibiting teachers from talking about gender identity will inflict real harm on transgender youth. Our report [outlines why these laws are harmful on pages 9-13 and 39-55](#). We have documented how laws like HB 1108 deter teachers from acknowledging or discussing LGBT people in government, literature, or art classes; stigmatize and alienate LGBT students in school; and prevent teachers and administrators from offering affirming support to students who experience bullying or harassment because of their sexual orientation or gender identity. If you find it helpful, [we have also recorded a video about the impact of these laws in Utah](#) – which recently repealed a law similar to the one South Dakota is considering enacting.

I hope you will consider the negative consequences of these laws and reject HB 1108.

Sincerely,

A handwritten signature in black ink that reads "Ryan Thoreson".

Ryan Thoreson
Researcher, LGBT Rights Program
Human Rights Watch