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SB66-20/21: Resolution Opposing Montana House Bill 112

Canyon Lock

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1 **The Associated Students of the University of Montana**
2 **Resolution Opposing Montana House Bill 112**
3 **February 25, 2021**
4 **SB66-20/21**
5 **Authored By: Canyon Lock, ASUM Senator;**
6

7 Whereas, “The primary responsibility of the Associated Students of the University of Montana
8 [ASUM] is to serve as an advocate for the general welfare of the students¹”
9

10 Whereas, Two of ASUM’s core values are inclusivity and advocacy;

11
12 Whereas, There are now, and will be in the future, students who attend the University of
13 Montana that identify as transgender or non-gender conforming;

14
15 Whereas, Montana House Bill 112 seeks to “require public school athletic teams to be designated
16 based on biological sex²”;

17
18 Whereas, The tenets of Montana House Bill 112 do not align with the core values of ASUM;

19
20 Whereas, Transgender or non-gender conforming individuals already face considerable
21 harassment and discrimination throughout society, including but not limited to on college
22 campuses;

23
24 Whereas, The ability to participate on an athletic team or in athletic events may be of heightened
25 importance to a transgender individual, as their position in an athletic community may serve to
26 cultivate a sense of inclusion and belonging³;

27
28 Whereas, Legislative harassment of transgender or non-gender conforming individuals serves to
29 further foster a culture of stigmatization around said individuals, and as such, adversely affects
30 their general welfare;

31
32 Whereas, According to Dr. Joshua D. Safer, “a person’s genetic make-up and internal and
33 external reproductive anatomy are not useful indicators of athletic performance⁴”;

34
35 Whereas, Montana House Bill 112 relies on misleading and untrue information so as to
36 perpetuate myths about the participation of transgender women and girls in women’s athletics
37 programs, and to discriminate against those women;

38
39 Whereas, As a member of the National Collegiate Athletic Association (NCAA) the University
40 of Montana abides by NCAA policy in regards to transgender student-athlete participation in
41 collegiate athletics;

42
43 Whereas, The NCAA inclusion statement is as follows, “As a core value, the NCAA believes in
44 and is committed to diversity, inclusion and gender equity among its student-athletes, coaches
45 and administrators. We seek to establish and maintain an inclusive culture that fosters equitable
46 participation for student-athletes and career opportunities for coaches and administrators from

47 diverse backgrounds. Diversity and inclusion improve the learning environment for all student-
48 athletes and enhance excellence within the Association”;

49
50 Whereas, The passage of Montana House Bill 112 could implicate the relationship of compliance
51 between the NCAA and the University of Montana;

52
53 Whereas, The NCAA policy on Championship Host Sites is as follows, “The NCAA Board of
54 Governors policy requires host sites to demonstrate how they will provide an environment that is
55 safe, healthy, and free of discrimination, plus safeguards the dignity of everyone involved in the
56 event”;

57
58 Whereas, The passage of Montana House Bill 112 could endanger the ability of the University of
59 Montana to host championship events for all sanctioned NCAA Division I sports;

60
61 Whereas, The Associated Students of Montana State University [ASMSU] passed a resolution
62 opposing Montana House Bill 112;

63
64 Therefore, Let It Be Resolved, That the ASUM formally opposes Montana House Bill 112;

65
66 Therefore, Let It Further Be Resolved, That the opinion of the ASUM is that the ultimate
67 intention of Montana House Bill 112 is not to “protect women’s sports”, but to target, exclude,
68 and discriminate against transgender women;

69 Therefore, Let It Further Be Resolved, That the ASUM opposes and condemns all legislation that
70 seeks to target, exclude, or discriminate against transgender individuals, other members of the
71 LGBTQIA+ community, or any other marginalized groups;

72
73 Therefore, Let It Further Be Resolved, That this resolution be sent to: John Fuller,
74 Representative of Montana District 8; Greg Gianforte, Governor of Montana; Seth Bodnar,
75 President of the University of Montana; Jack Rinck, ASUM Lobbyist; and Maggie Bornstein,
76 Student Political Action Director.

77
78 Passed By Committee: _____, 2021

79 Passed By ASUM Senate: March 3, 2021

80
81
82 _____
83 Noah Durnell,
Chair of the Relations and Affairs Committee

81
82 _____
83 Patrick James Flanagan,
Chair of the Senate