



Spring Newsletter 2016



Protecting the Family Through Prayer and Action

“The Student Privacy Act”

“... male and female He created them.” - Genesis 1:27

It is good to know that we have friends among other national organizations such as Alliance Defending Freedom and the Heritage Foundation. Matt Sharp of ADL and Ryan T. Anderson of Heritage agree with us that Gov. Dugaard's veto of House Bill 1008 this South Dakota Legislative Session was a huge disappointment. Sharp and Anderson agreed with us that Rep. Fred Deutsch's (R-District 4-Florence) brainchild for HB1008 was a win-win for all students. HB1008 was not discriminatory, but was intended to protect *all* students' innocence, safety and privacy.

[HB1008](#), the Student Privacy Act, defined biological sex as "the physical condition of being male or female as determined by a person's chromosomes and anatomy as identified at birth." It further required that school restrooms, locker rooms and shower rooms be designated for and used by students of the same biological sex. If any student (with parental consent) asserted that his/her gender is different from the student's biological sex, the school would have been required to provide reasonable accommodation, such as a single-occupancy restroom, a uni-sex restroom or the controlled use of a facility.

Why is HB1008 necessary? Under a new interpretation of federal Title IX of the Education Amendments of 1972, the Obama Administration has directed that if a student "identifies" as opposite from his/her biological sex, that student must be granted unfettered access to the facilities to which he/she "identifies." Note that this is not a law passed by Congress, but merely a directive to further an ill-advised agenda, and the Administration has

subsequently been bullying school districts into compliance by [threatening](#) them with loss of their federal education funds. Moreover, in 2014, the South Dakota High School Activities Association (SDHSAA) adopted a [transgender policy](#) allowing students with "gender" issues to participate according to their "gender identity." The SDHSAA restroom and locker room policy is undefined, therefore, indicating the need for the Student Privacy Act.

Since the *Obergefell* decision redefining marriage, the powerful Lesbian-Gay-Bisexual-Transgender lobby has not been satisfied with mere same-sex "marriage," but are working to force our culture and law to tolerate, accept, and even celebrate their misguided and unbiblical agenda. Excluding boys who feel like girls (or vice-versa) from having full and unfettered access to the girls' locker room, restroom, etc. is considered by the LGBT agenda as discrimination and inequality.

Opposition to HB1008 stemmed from the media hype falsely citing "discrimination" against transgender students. Big business, tourism and state business leaders succumbed to the threats that so-called discrimination would hurt the state's economic development. Yet in other localities where religious liberty laws have been promoted, there has been no evidence of economic repercussion. In fact, those states experienced economic growth.

HB1008 passed in the House 58-10 and in the Senate 20-15. Unfortunately, Gov. Dugaard vetoed the bill, citing "local control" and "it does not address any pressing issue."

Linda Schauer, State Director



CWA Membership State & National: A donation of \$25 or more has TWO benefits: membership in CWA of South Dakota and membership in CWA national. All donations sent to CWA of South Dakota, P.O. Box 343, Leola, SD 57456 remain in South Dakota for state projects. All donations sent to CWA national in response to their mailings are utilized in Washington, D.C. Send a check in the envelope provided or give online at sd/cwfa.org. Your renewed annual membership/additional donation is greatly appreciated.

All contributions are tax-deductible.

What is Transgenderism?

"They exchanged the truth of God for a lie ..." - Romans 1:25

Transgenderism is a belief that one's "gender identity" is different from one's biological sex determined at birth. "Gender dysphoria" is the term used for people who feel they are living in the body of the "wrong gender." Dr. Paul McHugh, distinguished professor and psychiatrist-in-chief at Johns Hopkins University, calls transgenderism "a disorder of the mind, not a disorder of the body." Sadly, many fall prey to lies that they can change their sex.

No amount of dangerous hormone treatment, sex-mutilation surgery, name or pronoun change can alter the fact that we are conceived either male or female. Sex is determined in the DNA in every cell of our bodies. Chromosomally, our sex cannot be changed. It is irresponsible to deny the science and propagate a delusion that humans can change their sex.

[The American College of Pediatricians](#) (ACP) declared, "What compassionate and reasonable person would condemn young children to this fate knowing that after puberty as many as 88% of girls and 98% of boys will eventually accept reality and achieve a state of mental and physical health?" Dr. McHugh asserts that "transgenderism" should be treated and concentration should focus on "trying to fix their minds and not their genitalia." Knowing that forty-one percent of transgender youth attempt suicide, responsible adults should



guide sexually-confused youth through that phase with compassionate care, providing counseling to deal with their underlying psychological issue.

A common thread that appears to contribute to "gender confusion" is child sexual abuse, trauma or family dysfunction. Affirming or coddling transgender youth is akin to telling teens struggling with anorexia that they are overweight and restricting their food. On the contrary, we counsel anorexics.

ACP urges "educators and legislators to reject all policies that condition children to accept as normal a life of chemical and surgical impersonation of the opposite sex. Facts--not ideology--determine reality." ACP further refers to accommodating "gender ideology" as "child abuse."

On the sixth day of Creation, He created them male and female and declared it very good. To defy God's order of nature is a sad reflection of our culture. We firmly believe that every person should be treated with kindness and respect. It is our desire that all be secure and happy and healthy in the sex that God created them to be.

Contact Linda at director@sd.cwfa.org or (605) 380-6914 for CWA's resource, *Since When Are Feelings >Fact?*

Points from Pierre: CWA of South Dakota in Action

"In the house of the righteous is much treasure, but in the revenues of the wicked is trouble." - Proverbs 15:6

At our State Capitol, Linda, Terri and I represented to the best of our abilities the pro-family/pro-life causes that most interest you, your family and your friends during the 91st South Dakota Legislative Session. Though a tough Session, some victories were sweet, while losses simply require we continue the battle as God leads us from here. All bills and action can be found at legis.sd.gov.

Four Life Bills Signed into Law

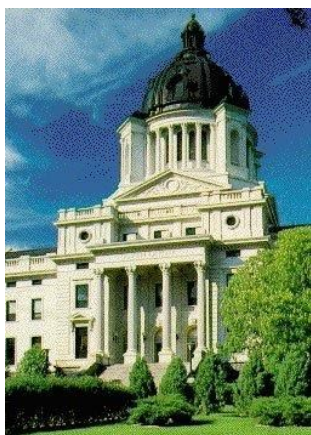
House Bill 1123 (Rep. Stalzer/Sen. Haverly) requires the South Dakota Department of Health to include the following information regarding abortion facility inspection on the department's website no later than 45 days after the inspection: date, results of inspection, and any corrective action required of the abortion provider following the inspection. All pro-lifers agree that women should be given complete and accurate information about the facility where their child will meet his/her demise. HB1123 passed both chambers (eight NO votes in the House) and was signed by Gov. Dugaard.

House Bill 1157 (Rep. Heinemann/Sen. Greenfield) requires that a woman seeking a chemical (RU-486) abortion be informed by the abortionist that even after she takes the first pill in the regimen, it is "still possible to discontinue a drug-induced abortion" and that information on discontinuing this

type of abortion is available on the South Dakota Department of Health website. There are increasing cases of babies under these circumstances being saved with certain interventions, and women (and the fathers of their children) should have that information if they change their decision about abortion at some point. HB1157 had ten NAYS in the House and four NAYS in the Senate. HB1157 became law.

Senate Bill 24 (Judiciary Committee at the request of Attorney General Jackley) amends statute [34-23A-17](#) to make it a Class 6 felony to "knowingly and for consideration" provide, acquire, receive, or transfer not only "an unborn or newborn child," but also any fetal tissue, organ, or body part for animal or human research/transplantation. This bill was a response to the Center for Medical Progress [videos](#) released in 2015 that documented Planned Parenthood's sale of aborted baby body parts, as seen at cwfa.org/summary-of-the-center-for-medical-progress-videos/. With unanimous YEA votes throughout, SB24 was signed into law.

Senate Bill 72 (Sen. Monroe/Rep. Latterell), the Pain Capable Unborn Child Protection Act, decreases current age of baby allowed to be aborted: "An abortion may be performed following the ~~twenty-fourth~~ twenty-second week of pregnancy by a physician only in a hospital authorized under [34-23A-4](#)." South Dakota became the 13th state to pass this law based on



the current science of when the unborn feel pain, so we join the following states in this late-term abortion ban: Alabama, Arkansas, Georgia, Idaho, Kansas, Louisiana, Nebraska, North Dakota, Oklahoma, Texas, West Virginia, and Wisconsin. Fourteen senators and seven representatives voted against the original bill with seven in the Senate continuing to vote against the final version that returned from the House for a concurrence vote. SB72 has become law.

Four Good Religious Liberty Bills Killed

[House Bill 1008](#) (Rep. Deutsch/Sen. Greenfield) See "The Student Privacy Act" on page 1 for complete information.

[House Bill 1111](#) (Rep. Hunt/Sen. Greenfield) would have required the Board of the South Dakota High School Activities Association (a nine-member body) to refer any policies or statements to the Rules Review Committee (elected legislators) before allowing a policy to go into effect, such as the one adopted in 2015 regarding students with "gender identity" issues. HB1111 died in Education Committee 8-5.

[House Bill 1112](#) (Rep. Hunt/Sen. VanGerpen) attempted to require the South Dakota High School Activities Association to void their current transgender policy, only adopt a policy with the consent of the Legislature "pursuant to a concurrent resolution adopted by the Legislature," and only use the standard that a student's sex is determined by the chromosomes/sex recorded on the student's birth certificate. HB1112 died in Senate Education Committee 5-2.

[House Bill 1107](#) (Rep. Craig/Sen. Greenfield), also known as **GNDA**, the Government Non-Discrimination Act, was an attempt to protect free exercise of religious beliefs, moral convictions and conscience rights, in addition to the protections provided under federal law, state law, and our state and federal constitutions. You have likely heard of the attacks on Christian county auditors, cake-bakers, photographers and others who refuse to be involved with same-sex "marriage" events. The House understood these concerns and voted 46-10 in favor of [HB1107](#), but unfavorable circumstances surrounding [HB1008](#) caused the prime sponsor to table the bill.

Gambling Expansion Bill Died

[House Bill 1048](#) (Department of Revenue) sought to give the South Dakota Lottery Commission (a seven-member appointed, unelected board) more extensive authority over video lottery, increase number of machines from 10 to 15 per establishment, raise the value allowed for a bet from \$2 to \$5, and raise the maximum "award per play" to \$25,000. Our talking points against this expansion were:

- Video lottery is highly addictive
- Contributes to breakdown of the family
- Leads to inability to provide for the family
- Leads to poverty, job loss, depression, suicide, embezzlement, etc.
- Disgraceful way to fund government.

HB1048 died in Commerce /Energy Committee 9-4.

College Alcohol Expansion Bill Passed

[Senate Bill 102](#) (Sen. Tidemann/Rep. Munsterman) began as an "SDSU" bill, as you can see by the prime sponsors, and was originally touted as a bill to allow toasts of champagne at weddings at McCrory Gardens. However, the bill was much more extensive, allowing for special licenses for nearly every kind of campus or close-to-campus event imaginable. We took a stance against the bill because:

- sanctioning of school alcohol sales by the state is irresponsible
- *U. S. News & World Report* in January stated South Dakota was 4th highest for alcohol arrests per capita on college campuses
- assaults, sexual assaults, promiscuity, poor academic performance, and suicide are all problems resulting from alcohol consumption and abuse.

Our warnings appeared to fall on many deaf ears, as the Senate voted 18-13, the House voted 42-26, and Gov. Daugaard signed SB102 into law.

Rape Kit Bill Signed into Law

[Senate Bill 130](#) (Sen. Jensen/Rep. DiSanto) and **[House Bill 1132](#)** (Rep. Gibson/Sen. Buhl O'Donnell) were bills seeking to add time limits to the testing of sexual assault evidence kits once the kits are released by the healthcare agency to law enforcement. Attorney General Jackley agreed that a 90-day limit is both beneficial to victims and workable for the Division of Criminal Investigation laboratory. Without expedited testing, criminals remain on the streets able to commit additional rapes, and victims are denied justice. SB130 was tabled. HB1132 (a more extensive version) became law.

Human Trafficking Bills Signed into Law

[Senate Bills 168 and 169](#) (Sen. Holien/Rep. Craig) amended current laws by changing the age of minor victims of human trafficking from 16 to 18 years, added "by electronic means" to a section regarding depictions resulting from coercion of minors to perform prohibited sexual acts, and made penalties tougher for both crimes. SB168 and SB169 passed nearly unanimously in both chambers with Sen. Tidemann of Brookings being the sole NAY vote.

Good Resolutions Passed

[HCR 1014](#) (Rep. Craig/Sen. Haggard) calls for the United States to save Christians, Yazidis and people of other faiths from persecution and genocide. Twelve senators and one representative voted NAY. [Click for Senate vote.](#) **[HCR 1017](#)** (Rep. Deutsch/Sen.

Greenfield) calls for commending Israel for its relationship with the U.S. and South Dakota (See Terri's article on p. 4).

Cindy Flakoll, Legislative Liaison



Non-Public School Scholarship: School Choice

"Train a child in the way he should go, and when he is old he will not turn from it." - Proverbs 22:6

CWA supported Senate Bill 159 as a step forward in helping South Dakota parents have more school choice options. We want to empower parents to have as many tools as possible to make the best educational decisions for their children. We also believe that school choice encourages competition and promotes excellence in education.

Sponsored by Sen. Phyllis Heineman (R-Sioux Falls), SB159, which passed both the House and the Senate and was signed by the governor, provides scholarships for low income students attending non-public schools. Funding will come through voluntary donations by insurance companies and will earn these donor businesses a partial state tax credit. Those monies will then be distributed through a non-profit Scholarship Granting Organization to families



based on income and other factors.

SB159 was written to ensure that it is budget neutral and will not adversely impact the state budget for South Dakota's public schools. Similar bills passed in 16 other states have been very successful. More information on this concept can be found at sdpartnersinedu.org.

In upcoming legislative sessions, we will continue to fight for bills that support parental rights, academic transparency, protection of student data, rigorous standards, and the preservation of South Dakota common sense values. We recognize that each child has individual needs and want every South Dakota child to reach his or her God-given potential. To continue our efforts we ask for your prayers and support.



"I will bless those who bless you, and I will curse him who curses you; and in you all the families of the earth shall be blessed." (Genesis 12:3)

CWA believes that the people and nations who stand with Israel and the Jewish people will be blessed by God. We

believe that any foreign policy effort to withdraw U.S. support for Israel is in direct contradiction to America's national interests.

The South Dakota Legislature overwhelmingly passed House Concurrent Resolution 1017 which states that South Dakota stands in solidarity with Israel against the Boycott, Divestment and Sanctions (BDS) movement and its associated anti-Semitism. Reps. Craig and Deutsch and Sen. Greenfield were on the frontline to defend our closest Middle East ally, and we sincerely thank them for their efforts. [As a Messianic Jew and son of a Holocaust survivor, Rep. Deutsch had a personal interest in passage of HCR 1017.](#)

This fall I spent three weeks with a Christian ministry in Judea and Samaria (Israel's West Bank). With increased terror attacks occurring as I helped Israeli farmers harvest grapes and olives, I heard first hand from Jews in the Holy Land impacted by the BDS movement. I also learned how Palestinian Arabs had lost jobs due to this policy. On my return, with CWA's support, I worked with Rep. Craig to craft HCR1017.

South Dakota has a long friendship with Israel based upon our shared values, economic ties and scientific developments, so it is important that this movement does not negatively impact our state. We exported \$18 million in goods to Israel in 2014. Scientific cooperation in 2010 occurred when the U.S. Department of Agriculture in Brookings received a grant to collaborate with Hebrew University's Department of Entomology in Jerusalem to research biologically controlling insects in wheat and other grains.

Anti-Semitism is increasing and has even occurred at a South Dakota university with the appearance of an anti-

Semitic speaker. A Jewish advocacy group documented 302 anti-Semitic incidents at 109 colleges across 28 states in the 2014-2015 academic year. Messaging at anti-Israel rallies--many on college campuses--repeats the BDS slogan: "From the river to the sea, Palestine will be free," which advocates that the State of Israel cease to exist.

HCR1017 passed with a unanimous Senate vote and 60 of 63 possible House votes. Copies of the resolution will be forwarded to our President, Congress and the State of Israel by way of the Israeli Embassy in Washington, D.C., for transmission to the proper authority.

With its passage, South Dakota legislators reaffirmed this blessing: "WHEREAS, the promise of the God of Israel, who is the God stated in our Constitution, is that He will bless those who bless Israel, and be it known that the State of South Dakota openly blesses Israel with gratitude for our cordial and mutually beneficial relations since 1948" We know from history what happens when good men and women refuse to stand with the Jewish people and support the State of Israel.

Terri Jorgenson, Education Coordinator



YWA is a student-oriented initiative that is geared toward high school and college campuses to bring active groups of like-minded women together to promote conservative values to their schools and the nation. Go to cwfa.org/special-projects/ywa/ for more information on this CWA project.