

Key Points of Information

BATHROOM ACCESS FOR TRANSGENDER STUDENTS



Public School Defenders Hub 2023

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Denying bathroom access to transgender students puts them at greater risk of sexual assault.

- According to a 2019 study conducted at Harvard, transgender and gender- nonbinary teens face a greater risk of sexual assault in schools that prevent them from using bathrooms or locker rooms consistent with their gender identity.
- A survey of nearly 3700 U.S. trans and nonbinary teens aged 13-17 found 35% of transgender or gender nonbinary students with restricted bathroom or locker room access reported being sexually assaulted in the prior 12 months vs. 26% of all students surveyed.
- Transgender girls had 2.5x the assault risk when they had to use restrooms and locker rooms for boys compared to trans girls whose restroom use was unrestricted.
- Single-person facilities (e.g., a staff restroom) may not fully address the risks associated with restrictions, as using one may “out” a student as transgender.

Among TGNB youths, in a 2020 study, 58% reported being prevented or discouraged from using a bathroom that corresponds to their identity.

- 85% of these students reported depressive moods, and 60% seriously considered suicide. 1 in 3 reported a past-year suicide attempt, with 1 in 5 reporting multiple suicide attempts.
- TGNB youth without gender-affirming bathroom options were 1.3x, 1.4x, and 1.7x more likely to 2 report depressive mood, serious suicide consideration, and multiple suicide attempts, respectively, than TGNB youth without bathroom barriers.
- The American Medical Association points out that exclusionary policies force transgender students to decide whether to violate the policy and face potential disciplinary actions, use a bathroom that doesn’t match their identity, use a special bathroom that isolates and “outs” them, or not use any restroom at all.
- Being denied access to a safe bathroom makes it difficult to concentrate and focus on school, or causes avoidance of social activities.
- The medical consequences of avoiding bathroom needs include recurrent urinary tract infections and constipation as well as more serious issues, including hematuria (blood in urine) and chronic kidney disease.

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- It is a myth that non-discriminatory bathroom policies increase the danger to girls and women in female-designated bathrooms and locker rooms.
- Researchers at the Williams Institute compared restroom crime reports in Massachusetts in demographically matched cities and found no empirical evidence that allowing access to toilets conforming to one’s gender identity leads to an increase in sex crimes.
- The study also found that reports of privacy and safety violations in public restrooms, locker rooms, and changing rooms are exceedingly rare.
- As of 2016, hundreds of cities, school districts, and 18 states had laws protecting transgender people’s rights to use gender-identity-matching restrooms. None had seen a rise in incidents of people attacking anyone or of people pretending to be transgender in order to gain access to restrooms.

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- Allowing students to use bathrooms and locker rooms that align with their gender identity is medically and mentally healthier and physically safer for transgender students. If we want all students to learn well, we must ensure all their needs are met.

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Resources & Citations

- Murchison, G. R., Watson, R. J., Reisner, S. L., & Agénor, M. (2019, May 6). School restroom and locker room restrictions and sexual assault risk among transgender youth. *Pediatrics*. Retrieved February 9, 2023, from <https://pubmed.ncbi.nlm.nih.gov/31061223/>
- McGuire, J. K., Okrey Anderson, S., & Michaels, C. C. (2021). “I don’t think you belong in here.” The impact of gender-segregated bathrooms on the safety, health, and equality of transgender people. *Journal of Gay and Lesbian Social Services*. <https://doi.org/10.1080/10538720.2021.1920539>
- Price-Feeney, M., Green, A. E., & Dorison, S. H. (2020, December 4). Impact of bathroom discrimination on Mental Health among transgender and nonbinary youth. *Journal of Adolescent Health*. Retrieved February 9, 2023, from [https://www.jahonline.org/article/S1054-139X\(20\)30653-4/fulltext](https://www.jahonline.org/article/S1054-139X(20)30653-4/fulltext)
- Henry, T. A. (2019, April 17). Exclusionary bathroom policies harm transgender students. American Medical Association. Retrieved February 9, 2023, from <https://www.ama-assn.org/delivering-care/population-care/exclusionary-bathroom-policies-harm-transgender-students>

Resources from the California Department of Education on Gender-Inclusive Bathrooms

- Hasenbush, A., Flores, A.R. & Herman, J.L. Gender Identity Nondiscrimination Laws in Public Accommodations: a Review of Evidence Regarding Safety and Privacy in Public Restrooms, Locker Rooms, and Changing Rooms. *Sex Res Soc Policy* 16, 70–83 (2019). <https://doi.org/10.1007/s13178-018-0335-z>
- National Center for Transgender Equality. (2016, July). Transgender People and Bathroom Access. Retrieved February 9, 2023, from <https://transequality.org/sites/default/files/docs/resources/Trans-People-Bathroom-Access-July-2016.pdf>
- Jones, C. (2022, August 25). Beyond gender-neutral bathrooms: A guide to rights and protections for LGBTQ+ students. EdSource. Retrieved February 9, 2023, from <https://edsource.org/2022/beyond-gender-neutral-bathrooms-a-guide-to-rights-and-protections-for-lgbtq-students/676920>
- All-Access Restrooms - <https://www.cde.ca.gov/ls/fa/sf/allaccessrestroom.asp>,
- Gender Neutral Restrooms - <https://www.cde.ca.gov/nr/ne/yr21/yr21rel94.asp>,
- Policies Relating to Use of School Facilities - <https://www.cde.ca.gov/pd/ee/c1h.asp>