

Transparency

Debate over sharing facilities with transgender individuals a national issue

Bhavani Srinivas
staff writer

For most people, when nature calls, their biggest challenge is finding the nearest bathroom, picking the cleanest stall and unzipping their pants in time. But for transgender individuals, a new anxiety enters the picture.

Which restroom should they choose?

Will they be harassed for who they are?

Is it even worth the fear and risk to go to the bathroom at all?

Why can't they feel safe like everyone else?

New laws, passed in North Carolina and proposed in several states, including South Carolina, would complicate matters further. These so-called "bathroom bills" require individuals to use the facilities for the sex listed on their birth certificate.

Proponents of the bills assert that these laws are necessary to protect women and children. Opponents argue the bills are unnecessary and a threat to the safety of transgender individuals.

Sophomore Jayson Gulick said because he is transgender, he must venture far from his classes to use the nurse and staff restrooms.

"I don't really want to leave class and lose a lot of intell," Gulick said, "It doesn't seem worth it, so I usually just wait until I get home."

These circumstances are not something he chose, Gulick said, but the consequences of expressing who he is.

"I don't know why someone would choose to be an oppressed group," Gulick said. "That would be kinda stupid."

But who is this oppressed group?

The term "transgender" encompasses every gender identity that differs from the norms attributed to the biological sex a person was assigned at birth. It is the umbrella term that catches all: those who have fully transitioned from one gender to another and many non-binary individuals, regardless of sexual orientation.

Gulick's mother Lise Gulick said in a phone interview on April 25, "I don't think people truly understand how that feels. There have been several studies on the brain that have shown that [being transgender] is a definite real thing. I don't think it's a

fad. I don't think it's something that they just think is cool to do. It's who they are."

Some grant that they are willing to share a bathroom with someone who has undergone a complete medical transition. The average cost of a gender reassignment surgery is \$15,500, according to endtransdiscrimination.org. Gulick said it is difficult to find health insurance that will cover this procedure, unless you live below the poverty line.

"I've transitioned [from female to male] socially," Gulick said, "but I haven't done anything medical... I'm not sure that I want to because testosterone usually causes anger issues and that scares me."

The controversial subject of these bills is a non-issue, Gulick said with a tone of disdain, but lack of education has warped transgender people into monsters in the minds of many.

"You spend time in the bathroom for about five minutes," Gulick said. "You go to the bathroom, you wash your hands, if you're a clean person, and then you walk out, so there's really no point to it at all."

In fact, a recent study published in *Science* found door-to-door canvassing effective in "durably reducing transphobia." By inviting individuals to imagine the adversity a transgender person faces each day, researchers saw education caused a lasting change in the opinions of the participants in the study.

Although he wishes it were different, Gulick said he does not feel safe going into the men's restroom alone, and doubts society will progress to that point in the very near future. He said he supports those transgender people brave enough to go where they identify.

"Push for what you believe in," he said. "I try to do it

verbally, but I'm not actually going to walk in [the men's restroom] because I don't want to get hurt."

As president of Spectrum and a member of the youth leadership board for We Are Family, a local LGBT group, Gulick does, in fact, speak out.

Ms. Gulick said these opportunities for advocacy and support are invaluable. "My son is fortunate that he's at Wando," she said. The transgender students she knows are, "probably the most empathetic children I have ever met," Ms. she said, "because they understand what it's like to go through life with hardship."

Since third grade, Gulick said he knew he was a boy. Gulick

came out when he started at Wando last year, and apart from some minor occurrences, he said his peers have been supportive. One friend, Joel Peterson, will even accompany Gulick to the men's restroom.

However, school policies that required Gulick's ID to state the name on his birth certificate and the frustration this rule caused led Gulick and his parents to legally change Gulick's name to "Jayson."

Government teacher Misty LeClerc said North Carolina's recent law sparked controversy because it forbade all towns from passing laws that allow protection for those using a restroom designated for the sex other than what is listed on their birth certificate. This law was created in response to a Charlotte city ordinance allowing transgender individuals to use the facilities for the gender they identify with.

"As someone who is very suspect of government intervention -- when states complain about the federal government coming in and mandating what they can and cannot do -- I see this as local governments being told very high-handedly from a state government," LeClerc said, "what they can and cannot do."

As a result of the law, North Carolina has lost major business from PayPal and Bruce Springsteen, among others.

"That's the beauty of federalism and the different levels of government," LeClerc said. "You see this law does not work, this law does, and the municipalities will play around with it. The state [government] just took all that experimentation off the board and North Carolina has suffered."

A similar law has been proposed in South Carolina by Sen. Lee Bright. Gov. Nikki Haley said this bill is unnecessary, citing the fact that she has received no complaints concerning the matter.

"[The North Carolina legislature's] view is the expansion of you choosing which restroom that you get to go in tramples on all the rights of everyone else, and the one right that they're focused on is of privacy," LeClerc said. "[Legislators are] using the tactic of the potential for assault to freak people out. [Transgender people] actually get assaulted when they go into the other restroom."

According to the United States Office for Victims of Crime, a 2011 report found 13 percent of transgender youth were assaulted in a K-12 setting. The impact of hindering easy access to restrooms even extends beyond outright assault. In a 2013 Williams Institute study on the transgender population, 54 percent of respondents reported physical stresses, including dehydration, kidney infec

"My son is fortunate that he's at Wando."
Wando Parent
Lise Gulick

Transgender students who have filed lawsuits against school board policies

Gavin Grimm, VA 2015
• Pending
Nicole Maines, ME 2014
• Settled for \$75,000

tions and urinary tract infections, resulting from avoiding public restrooms.

Ms. Gulick said, "This doesn't just affect the transgender community, but the community as a whole," highlighting her father, who has Parkinson's Disease and needs help using the restroom, and parents who may need to accompany their young children of the opposite sex.

LeClerc said the reaction of the North Carolina legislature mirrors the course of civil rights movements through the ages.

"You always see with every single movement as you look back at history, once we make that initial step forward there's this immediate push back from some segment of the population," LeClerc said. "Then you'll see this greater swell, as the culture and crush this belief."

Bathroom bills are "demeaning," "appalling" and "not appropriate," Ms. Gulick said.

An additional issue with this law is the question of enforcement. LeClerc said the emphasis on defining sex based on birth certificates reminded her of an Arizona law that required anyone who was pulled over by the police to provide documentation to prove legal status.

"It pretty much gave the authorities in Arizona the opportunity to pull over every single Hispanic [person] and force you to prove," LeClerc said, "when there's a substantial number of Hispanics in Arizona who are natural born citizens. They don't have a green card, they have a birth certificate and no one carries their birth certificate with them. It's the look of the person that makes everyone draw the conclusion."

LeClerc said an association could even be drawn between this stipulation and laws of apartheid South Africa, which required South Africans to present detailed documentation to officials whenever asked.

Latin teacher Laura Lewis said these debates challenge society to reevaluate what constitutes gender and whether these ideas justify discrimination.

"What is gender? Is gender real? Are dresses inherently feminine, or do we ascribe that gender to certain pieces of clothing erroneously?" Lewis said.

The issues that have transpired around the movement for LGBT rights are modern notions, Lewis said. In ancient times, texts and cultural evidence indicate that people were much more accepting of diverse lifestyles.

"As someone who studies the ancient world, the notions of heterosexuality and homosexuality just did not exist," Lewis said. "We have to understand that this was not an issue until very modern history."

The broader movement for LGBT rights has seen widespread backlash, LeClerc said, like amendments to state constitutions that banned same-sex marriage that have since been struck down by the Supreme Court. Many states, like Mississippi, have laws that ostensibly protect religious freedom, but in effect enable discrimination.

The content of such religious freedom bills, which allow businesses to deny service to members of the LGBT community based on religious belief, constitute a breach of civil rights, Gulick said.

"Denial of service just because of how someone looks or who someone is is just ridiculous. You can't tell if someone's gay just by looking at them," Gulick said, "so that's also considered

profiling and that's illegal as well."

LeClerc said even the right to protest and the right to free practice have limits.

"You get to practice your religion, absolutely," LeClerc said, "but your religious practices cannot inhibit the protection of another person or another group of people."

At Wando, Assistant Principal David Crockett said transgender students are directed to use single-occupancy facilities available on the first floor.

"We have restrooms that we've put into place that are open to all genders," Crockett said. "They're centrally located so they're not a far walk from anybody."

Policy is determined by the state or the district, not Wando administration, Crockett said. Assistant Principal Gretchen Looney said she contacted Charleston County General Counsel John Emerson at the beginning of the school year for information on the district policy concerning transgender students and bathrooms. Looney said she did not receive any concrete policy, but was told considerations were in the making.

Ms. Gulick said guidance counselors and administrators met with her family to come to a solution. Transgender students are also provided special areas to change for gym. However, the difficulty of getting to the designated restrooms is a persisting challenge for Gulick, especially during class exchanges.

"Wando has been very accommodating," she said. "Keep in mind they are bound by the county rules. They can't just make decisions based on what they think is right or wrong."

LeClerc said she thinks a specific procedure is vital to en-

sure fair treatment. Crockett said that currently, decisions are based on what would be most beneficial to protecting the learning environment for all students. This includes both transgender students and any students who might be uncomfortable with sharing a restroom with transgender students.

"We want all students to feel welcome, safe and comfortable. You can't focus on one population and forget the other," Crockett said, "but then you can't do the reverse and make this group feel comfortable and alienate the other."

The issue of transgender people using certain restrooms is different than the segregation of black people, LeClerc said, unless transgender individuals are required by law to use separate facilities.

"If you still give [transgender people] an option then it's not separate but equal," LeClerc said, "but as soon as you mandate that that's the only restroom they can use, that becomes a problem."

On the recommendations that transgender students use separate restrooms, LeClerc said, "That is segregating, but it's for the safety of the student. You [understand] that."

Upon hearing that students sometimes avoid using the restroom at all because of the inconvenience, LeClerc's face froze. After a long pause, she said quietly, "That seems criminal."

Transgender students' needs are met quietly to avoid possible negativity, Crockett said.

"There are some transgender folks who don't want to be thrown into the limelight," he said. "They just want to be able to go to school. You still want to be sensitive to who they are. It's never, 'oh we're just going to shy away from it because we're ashamed or embarrassed.' You always have to think of actual individual people who are involved and what's best overall."

Although the movement for bathroom bills has been headed by conservative lawmakers, senior Morgan Boes said she feels characterizing negativity towards transgender individuals as a conservative ideal is unfounded.

"That's a huge stereotype, and me identifying myself as extremely conservative, I disagree with that [bathroom bills] and don't think it's a matter of political preference, it's a matter of prioritizing," Boes said, "Let people do what they want to do that makes them comfortable."

Gulick said he would like to see access to gender-neutral bathrooms become universal so everyone, even those who are not in the LGBT community, are guaranteed a safe space, no matter where they are.

"It includes fathers with daughters who need to use the same bathroom and change their diapers or help them with whatever," Gulick said. "It includes parents with their adult children needing help in the bathroom because they're older."

LeClerc said she could see this solution working. A federal anti-discrimination law would have to be passed to effectively require a family restroom to be available alongside all men's and women's restrooms, she said. LeClerc said it could be similar to the Americans with Disabilities Act, which requires buildings to include accommodations.

Despite continuing negativity and the progress yet to be made, Lewis said huge expansion in the scope of LGBT rights has transpired in her lifetime already.

"As a society we are progressing to being more accepting of the way people choose to identify themselves if it is something that is not seen as being 'in the norm.'"

#illgowithyou
Provides "bathroom buddies" for anyone uncomfortable going to the restroom alone. Participants display an #illgowithyou button in plain sight and accompany people to the restroom, no questions asked



Trans Lifeline
877-565-8860