

From the desk of Victoria Knorr

Gender-Inclusive Restroom Policies

The Port of Seattle has the unique opportunity to pioneer a comprehensive bathroom policy to specifically accommodate transgender and/or gender non-conforming persons. There is little evidence of any existing public institution in the US explicitly stating such a policy (though it is included in federal and state anti-discrimination laws).

One exception is NYC Parks Department's Gertrude Ederle Recreation Center, which since 2002 has had a sign posted outside the locker room that affirms the right of anyone to use the facility that corresponds with their gender identity. It also notes that "individuals cannot be asked to show identification, medical documentation or any other form of proof or verification of gender" and that anybody "who abuses this policy to assault, harass, intimidate, or otherwise interfere with an individual's rights" can be prosecuted.

- Last year, an incident occurred involving 18 girls on a youth/teen swim team encountering an individual appearing to present as a man (wearing swim shorts or trunks to swim, with sideburns going down into a beard, bald) stepping out of the shower in the women's locker room with a towel at waist level. The girls felt uncomfortable and tried using the family changing room to avoid the situation, but the room only has one showerhead and is not big enough for all 18 girls.
- The incident has sparked a broader discussion; it highlights the complexity of the situation and reveals some of the struggles that public institutions are facing as they implement policies that aim to ensure the rights of transgender individuals. A nuanced description of the situation can be found [here](#).
- **A proposed resolution to the conflict:** The Center can set aside half an hour after youth sports when any adults not accompanying a child are prohibited from using the bathrooms (Similar rules are already in place at many playgrounds, which can only be entered by adults if they are accompanied by a child, and at New York City's outdoor pools, where everybody in the pool area must be in a swimsuit, even if not swimming).

This has come to the attention of Seattle residents most recently due to an incident at the Seattle Public Library:

- A transgender, disabled man on a fixed income attempted to enter a Family Restroom located inside the children's area of the Central Library. He says he has used the bathroom solo several times prior, but an employee denied him entry, as Library Policy dictates that it is for use by children with their caregivers.
- The library claims "The patron was not with a child and was offered private use of another public restroom on the same floor, but the patron declined."
- The man says one of the employees directed him to "another bathroom at another facility a significant distance from the library," which he called "an unreasonable request to someone who already has a difficult time navigating the city due to [his] disabilities."
- The man says he asked to speak with a supervisor, who allegedly affirmed the first employee's decision and added that the family bathroom wasn't available to transgender patrons. He asked to speak with someone else, after which a security guard was called. A video of that interaction is posted on social media and ended when the security guard excluded him from the library.
- The overwhelming majority of public overdoses occur in several places in Seattle, among them is the Central Library. Measures to reduce these incidents include hip-high stalls in the men's restroom as well as the strict enforcement of the family-only restroom.

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- Recognizes how “terminology can differ based on religion, language, race, ethnicity, age, culture and many other factors.”

Other WA State School Policies and Actions

- Washington’s Federal Way School District issued a [resource guide](#) that:
 - Utilizes the same language as the above points from WA State Dept. of Education Guidelines
 - Expands: “If school administrators have legitimate concerns about the safety or privacy of students as related to a transgender student’s use of the restroom, school administrators should bring these concerns to the school district compliance coordinator. Such privacy or safety issues should be immediate and reasonably foreseeable, not speculative. School administrators and/or compliance coordinator should meet with the student and/or parents to determine if there is a need for an alternative facility. **Determination to provide an alternative facility for any student should be on a case-by-case basis.**” This language is also found in [Seattle Public Schools’ policy](#).
- While all school districts in the state include transgender students in their overarching equity and/or non-discrimination policies (as is required by state law), [Puyallup](#) and [Peninsula](#) have adopted nearly identical policies specific to transgender students:
 - “Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with his or her gender identity.”
- West Seattle, Nova, Franklin, Interagency, North Creek, and Nathan Hale High Schools all have centrally-located, gender-neutral/all-gender bathrooms for students.
- Northshore School District’s Kenmore Junior High converted staff bathrooms into two gender-neutral bathrooms for students.

Public Concerns

Pushback concerning the safety of students has been documented in Gig Harbor, Port Angeles, Sequim, and Wenatchee.

- In Gig Harbor, a woman removed her two children from public school and enrolled them in private school after her primary grade daughter encountered a transgender student in the bathroom who forgot to zip her pants before exiting a stall.
- In Port Angeles actually hosts [Esprit](#) every year, one of the nation’s leading transgender conferences. Pushback to the local school district’s policy in 2014 resulted in the policy being tabled and took the form of:
 - Protests outside a school board meeting
 - Threats of lawsuits and of opposition to future bonds and levies during the school board meeting
 - Alleged threats made by community members to school board members
 - A letter of complaint filed to Port Angeles School District alleging:
 - The school board failed to honor the promise made in 2014 to assemble a special committee to explore the best way to implement the WA Administrative Code concerning transgender students
 - The school district is in violation of the WA Administrative Code by adopting the model policy and procedure (3211 and 3211P) from WSSDA [*editor’s note: this allegation came across as [simply incoherent](#)*]
 - The district violated its own code of ethics by not seeking systematic communications between the board, students, and staff during the policy implementation process
- In Wenatchee last year, a group of about 100 people prayed and signed a “Repeal the Bathroom Rule” petition outside the Wenatchee School District office before a board meeting. 40 more attended the East Wenatchee School District board meeting, most of whom represented opposition. Both districts’ policies remain unchanged.