

TALKING ABOUT



Transgender Students & School Facilities Access



INTRODUCTION

As part of ongoing efforts to protect transgender people from discrimination, there is growing momentum to ensure that transgender students have a fair chance at educational success.

Many transgender students still encounter discrimination and mistreatment in schools—from bullying by their peers, to school officials who try to force them to use school facilities that do not match the gender they live every day.

Talking About Transgender Students & School Facilities Access provides high-level messaging to help build support for policies and laws that protect transgender students and their ability to access school facilities that match their gender identity. In addition to recommendations for things to avoid, the guide is divided into three key messaging approaches:

1. **Emphasize Shared Values**
2. **Explain Why It's Important to Protect Transgender Students**
3. **Help People Calm Their Concerns**

Note: These messages are intended for general use, and to guide message development in various legal and policy contexts. If speaking about a particular case or piece of legislation, contact the lead organization(s) for specific messaging guidance.

APPROACH #1: EMPHASIZE SHARED VALUES

At the outset, it's important to put ourselves in the shoes of our audience—who we call the *conflicted middle* because they are generally supportive but often feel conflicted about these issues. For them, jumping abruptly into a complex discussion about facilities access and transgender students can feel overwhelming and alienating.

Instead of jumping directly to restrooms, our starting point should be core values we all share when it comes to education, schools and students.

First, we remind people that this is about what every student deserves—the opportunity to learn, succeed and prepare for their future:

- *Every student deserves a fair chance to succeed in school and prepare for their future—including students who are transgender. Every student should be treated fairly and equally under the law, and protecting transgender students helps ensure that they have the same opportunity as their classmates to fully participate in school.*

Second, we emphasize that every student deserves to be safe at school and learn in an environment free from bullying and harassment, and it is the responsibility of schools to provide that safe environment:

- *Students should be able to learn and thrive in a safe school environment. Our schools should strive to protect all students from bullying, discrimination and mistreatment, including those who are transgender.*

Once this framework has been established, we can then focus more specifically on transgender students. As we discuss in other messaging guides, building familiarity with transgender people—in this case, the needs and aspirations of transgender students—is a critical building block of effective conversations. Acknowledging the initial unfamiliarity that many people feel when it comes to transgender people is a critical part of helping people hear and participate in these conversations:

- *It can be hard to understand what it means to be transgender, especially if you've never met a transgender person. Transgender students are part of our school communities, and like other students, they're there to learn, graduate and prepare for their future. They need to be able to use the restroom that matches the gender they live every day without being singled out for discrimination and harassment.*

APPROACH #2: EXPLAIN WHY IT'S IMPORTANT TO PROTECT TRANSGENDER STUDENTS

After rooting our discussion in the values we share, we can then help people understand why this issue important—and how transgender students can be harmed when they are banned from using the same school facilities as their classmates.

In the beginning, most people don't intuitively grasp about how harmful it can be to deny transgender students the ability to use restrooms and school facilities that correspond with their gender identity. But when the conflicted middle realizes that forcing transgender students to use the wrong facilities (or forcing them to use different restrooms than everyone else) puts them at greater risk for bullying and harassment, they better understand the real-world impact of this kind of mistreatment—and why schools have a responsibility to prevent it.

“Every student deserves a fair chance to succeed in school, and protection from bullying and harassment—including students who are transgender.”

- All students deserve a safe school environment, and forcing transgender students into restrooms that don't match their gender identity puts their safety at risk. For example, forcing a transgender student who lives life every day as a girl to use the boy's restroom puts her at risk for harassment and assault. And forcing a transgender student to use a separate restroom from everyone else adds to the bullying and mistreatment they face. School policies should protect students from bullying; they shouldn't promote it.

When needed, it can also be helpful to document the pervasive nature of the bullying that many transgender students face. For example, "Many transgender students face hostility, discrimination and bullying. According to the 2015 U.S. Transgender Survey, 54% of survey respondents reported having been verbally harassed in K-12 schools, and nearly one-quarter (24%) of respondents reported having been physically attacked in school because they were transgender." (For more information, visit [www.ustransurvey.org](http://www.ustranssurvey.org).)

APPROACH #3: HELP PEOPLE CALM THEIR CONCERNS

Anti-transgender opponents often claim that non-transgender students will be harmed if their transgender peers are able to fully participate in school and use facilities that match their gender identity. Helping the conflicted middle think through these concerns in an empathetic, fact-based and non-confrontational way can help them come to the realization that no one is hurt when transgender students are protected.

It's crucial that we begin by emphasizing our shared values around safety for all students in school facilities. We can't assume that people know that laws already protect people's safety in these spaces—especially when opponents are aggressively trying to scare, confuse and mislead them:

- All of us, including transgender students, care about safety and privacy in restrooms and locker rooms. Which is why it's important to know that it is already illegal for anyone to enter these facilities to harm or harass someone or invade someone's privacy.

Next, we remind people that in our nation's schools, adult officials (including, but not limited to, administrators, teachers and other school staff) are responsible for protecting the well-being of their students. That is not just a professional responsibility—it's a legal responsibility as well. Focus on how school officials across the U.S. have successfully protected the safety and privacy of all students while ensuring that transgender students have access to school facilities:

- School administrators have long been able to accommodate the needs of their students without banning transgender students from common spaces. School districts across the country have successfully worked to ensure that transgender students have access to facilities that match their gender identity while still protecting the privacy of all students. These policies ensure that all students, including transgender students, are able to learn and thrive as equal members of the school community.
- Schools have a legal obligation to enforce policies that prevent harassment. They are required to ensure safe facilities and take action if a student engages in inappropriate behavior or tries to invade someone's privacy. A school's responsibility and ability to keep all students safe is not compromised by allowing a transgender student to use the facilities consistent with their gender identity.

All students deserve a safe school environment, and forcing transgender students into restrooms that don't match their gender identity puts their safety at risk.

Specific Questions: Abuse of the Policy?

Opponents of inclusive school policies often claim that non-transgender students will abuse these policies by claiming to be transgender in order to maliciously access opposite-sex facilities. **However, school districts across the U.S. that have implemented these policies know from first-hand experience that this kind of behavior does not occur:**

- The experience of schools across the country has shown that student abuse of these policies simply does not happen. Students cannot pretend to be transgender in order to engage in misconduct. And if someone abuses any school policy to harm another student or invade their privacy, schools can and will stop such behavior as part of their legal obligation to provide a safe learning environment for all students.

Once you've finished addressing the concern, bring the conversation back to the importance of protecting transgender students and ensuring that they can succeed and be safe in school.

Specific Questions: Locker Rooms

Opponents often try to stir up anxiety about locker rooms and changing areas, knowing that most people are concerned about privacy and modesty in these places—and that people’s lack of familiarity with transgender people can intensify those concerns.

To address these concerns when they arise, focus first on shared values of privacy and modesty in these facilities—and how important privacy and modesty are to transgender students as well:

- *Transgender students, like other students—and like all of us—care about privacy and modesty in places like locker rooms, and they do what they can to not draw attention to themselves.*

Second, establish that school officials can and do address the varying privacy needs of all their students without harming transgender students:

- *Schools are well-equipped to manage the different privacy needs of students in locker room settings. The experiences of school administrators across the country have shown that schools can provide additional privacy for students who want it, while also ensuring that transgender students can access facilities consistent with their gender identity.*

Finally, because many people’s mental images of these school facilities are drawn from their own past experiences, it can be helpful to let the conflicted middle know that the privacy afforded to students today is considerably better than it was decades ago when they themselves were going to school. This increase in privacy protections allows schools to meet the needs of all their students—including those who are transgender.

- *There is generally much more privacy afforded students today than even 10 years ago and certainly more than decades ago. Given the increase in privacy protections in all schools, it is easier for schools to ensure that all students’ needs are met without banning transgender students from locker rooms.*

Again, once you’ve finished addressing this issue, bring the conversation back to the importance of protecting transgender students and ensuring that they can succeed in school.

THINGS TO AVOID

Don’t come across as heavy-handed. Keep the conversation rooted in authentic concern for students, and the tone relatable, approachable and empathetic.

Don’t talk about how transgender students “just need to pee.” This can lead people to think that forcing transgender students to use separate facilities is an acceptable solution, because it solves the problem as it has been described to them. Also, avoid references to “peeing” or other slang descriptions of restroom use.

Don’t talk about transgender students “choosing” which restroom to use. This plays into harmful stereotypes and attacks by opponents (e.g., claims that transgender people pick which restroom they want to use on a whim). Instead, talk about transgender students using the restroom that matches the gender they live every day, and the importance of helping ensure that they—like all students—are able to learn and thrive in a school environment free from bullying, discrimination and mistreatment.

Don’t use terminology that can confuse or alienate people. Terms like “cisgender,” for example, while familiar and comfortable for many in the LGBT community, tend to confuse and alienate conflicted audiences and are often seen as insider-speak or talking over their heads. When talking with conflicted audiences, use everyday language that describes such concepts in more relatable, non-insider ways; for example, *people who are not transgender* instead of “cisgender”. Always explain terms that might be unfamiliar to your audience; for example, a term like “transgender male student,” used without explaining what it means, can be misunderstood by unfamiliar audiences as referring to a male student who is transitioning to live as a woman.

Don’t descend into name-calling. Calling opponents of protections for transgender students “bigoted” or “hateful” can alienate those who are honestly wrestling with the issues. Using measured, relatable language does more to create empathy and a sense of how opponents’ efforts hurt transgender students and their school communities.