

OFFERED BY COUNCILORS HENRY SANTANA, SHARON DURKAN, RUTHZEE LOUIJEUNE, BREADON, COLETTA ZAPATA, FERNANDES ANDERSON, FITZGERALD, MURPHY, PEPÉN, WEBER AND WORRELL



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING GENDER-NEUTRAL BATHROOMS IN CITY-OWNED BUILDINGS

WHEREAS, Transgender, nonbinary, gender nonconforming, and gender expansive individuals face a wide range of discrimination as well as escalating physical and legislative attacks across the country, with at least 32 trans individuals murdered in the U.S. in 2023, 50% of them Black trans women and 84% trans people of color; and over 1,026 anti-LGTBQ+ bills filed in state legislatures in just the past 17 months, many targeting transgender people; *and,*

WHEREAS, Access to restroom facilities is one of the most basic public accommodations, yet it is a notable mental burden for transgender individuals even in comparatively safer locations like Boston due to inconsistent and unreliable access to gender-neutral facilities, and pervasive instances of harassment, discrimination, and physical and sexual violence against transgender and gender nonconforming people, including when using gendered bathrooms; *and,*

WHEREAS, As further evidence of this omnipresent concern and its mental health impacts, 91% of transgender and nonbinary youth said that they have worried about transgender people being denied access to bathrooms due to state or local laws, per the Trevor Project 2022 National Survey on LGBTQ Youth Mental Health; *and,*

WHEREAS, Despite the City of Boston's intentions to create supportive and accommodating public spaces for all residents, workers, and visitors, many City-owned buildings continue to have limited gender-neutral bathroom facilities, including City Hall, Faneuil Hall, the Civic Pavilion, and many Boston Public Libraries, Schools, and Community Centers; *and,*

WHEREAS, There are many and growing opportunities to remedy this shortcoming, including simply by updating signage, aided in part by updates to the Massachusetts Uniform State Plumbing Code (248 CMR 10.00) adopted by the Massachusetts Plumbing Board on December 8, 2023, which better allow for the creation of gender-neutral bathrooms in both new and existing buildings; *and,*

WHEREAS, Boston Public School (BPS) and Massachusetts Department of Elementary and Secondary Education (DESE) policies already specify that transgender and gender nonconforming students should be given access to the bathroom or locker room facilities they are most comfortable with, and encourage designating one or more restrooms for all genders. Many BPS schools currently have bathrooms in desperate need of repair or replacement, and the district is currently undertaking a multi-year construction plan at dozens of schools, making this an opportune time to ensure the bathroom and locker room facilities meet the needs of all students, staff, and faculty. **NOW, THEREFORE BE IT**

ORDERED: That the appropriate committee of the Boston City Council holds a hearing regarding gender-neutral bathrooms in City-owned buildings. Representatives from the Property Management Department, Boston Public Library (BPL), Boston Centers for Youth and Families (BCYF), Boston Public Schools (BPS), Office of LGBTQ+ Advancement, and community organizations and advocates will be invited, and members of the public are encouraged to attend and testify.

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