

Gender Identity and Expression and the Use of Bathrooms on Campus

People May Use the Bathroom that Feels Most Right to Them

According to federal law, a transgender person cannot be denied access to restrooms used by other individuals of the same gender identity. This means that all people may use the bathroom of the gender with which they most identify, even if that differs from the gender assigned to them at birth.

Terms you should know:

- Gender: Complex relationship between physical traits and one's internal sense of self as a male, female, both or neither (gender identity), and the outward presentation of gender.
- Non-binary: A catch-all category for gender identities that are not exclusively masculine or feminine.
- Transgender: The expression of gender through outward presentation and behavior, such as name, clothing, hair style, body language, and mannerisms.
- Cisgender: A person whose sense of personal identity and gender corresponds with their birth sex.

CSU Gender Neutral Bathrooms on campus:

Julka Hall (JH 189)

Main Classroom (MC 130)

Middough Bldg. (MB 113)

Music & Communication (MU G10)

Science & Research Center (SR 158)

Student Center (SC 121 & SC 203)

Recreation Center (RC 117A)

Center for Innovation in Medical Profession (IM 130, IM 230 & IM 318)

Viking Vets, LZ 53

The Galleries at CSU (AG 16)

Washkewicz Hall (WH 311)

CSU is committed to inclusion and compliance with federal law. This means that no one is required to use a gender neutral bathroom or a specific gender-identified bathroom on campus.

How do you know which bathroom a transgender person should use?

A transgender person should use the restroom that matches who their perceived gender, which may differ from the gender assigned to them at birth. The medical community recognizes that the health and well-being of transgender people requires that they are able to live in accordance with their internal gender identity in all aspects of life, and restroom use is a necessary part of that experience.

Don't unisex bathrooms leave women more vulnerable to being harassed or attacked by men than gender-segregated bathrooms do?

This argument is based on a myth. In fact, there is no evidence that gender-segregated restrooms are "safer" for cisgender women than unisex restrooms. In addition, there are laws protecting people from criminal conduct in public restrooms. There have been no reports on CSU's campus of persons creating unsafe conditions by using the "wrong" bathroom. However, if you feel your safety is threatened while using a campus bathroom, you should contact CSUPD at 687-2020.

Which restroom should a transgender person use if the person hasn't had genital surgery?

Whether or not someone has had genital reconstructive surgery, also called gender-affirming surgery, doesn't tell you anything about that person's gender identity or right to use a certain restroom. Asking a person about this is also a major invasion of privacy, as it involves personal medical information.

Are individual or unisex restrooms better for transgender people than segregated restrooms?

What is best for transgender people is that they are able to use the bathroom that matches their perceived gender identity. Some transgender people may benefit from the option of a unisex restroom, as may people with young children and people with disabilities.

What Should I do if I think a person is using the wrong bathroom?

Be respectful. Don't make assumptions based on physical appearance. There is no "wrong" bathroom. If you are not comfortable, leave and return after the person in the bathroom leaves; or leave and use another bathroom.

What will CSU do if a person reports being uncomfortable with transgender people using the bathroom?

CSU welcomes all individuals on campus, OIE can work with the reporter to discuss available options.

Why is important to respect a person's gender identity?

We are all individuals who have the right to express our identity in the way we chose. Respecting that a person identifies with a particular gender means accepting that person for who they are. It communicates acceptance, even if you don't understand the decision and would not make the same decision.

Should I ask a person why they are using the wrong bathroom?

No. All employees, students and visitors to campus, including transgender individuals, may use restrooms that correspond to the gender with which they most closely identify.

Does the bathroom use policy infringe on my rights to privacy in the bathroom?

No. All individuals have the right to take care of a very basic, normal bodily function, free from harassment and mistreatment. Asking someone if they are in the wrong bathroom, or telling a person they are in the wrong bathroom, is disrespectful and impolite.

What if I have more questions about this issue?

- Feel free to contact the Office for Institutional Equity at oiie@csuohio.edu.
- Refer to OIE webpage which contains CSU's *Policy Against Discrimination, Harassment, Sexual Violence and Retaliation*:

<https://www.csuohio.edu/sites/default/files/HarassmentDiscriminationPolicy092017-for-posting.pdf>.

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