

**The Graduate Student Assembly
The University of Texas at Austin**

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Resolution: G.R. 17 (S) 8 - Against Senate Bill 6, the “Texas Privacy Act,” which prevents transgender people from using restrooms corresponding with their gender identity

WHEREAS (1): Texas state Senator Lois Kolkhorst, R-Brenham, filed Senate Bill 6 (SB6), titled the “Texas Privacy Act,” which restricts public bathrooms, dressing rooms, and locker rooms to be used exclusively by people as defined by the gender on their birth certificate¹; and,

WHEREAS (2): Texas Lt. Gov. Dan Patrick states that the bill “deals with public safety, keeping sexual predators pretending to be transgender people [from entering] adult bathrooms¹,” and,

WHEREAS (3): A coalition under the advocacy group National Task Force to End Sexual and Domestic Violence Against Women has determined that the idea of bathroom predators is a myth, that there is no increase in sexual violence or assault, citing data from “over 200 municipalities and 18 states with nondiscrimination laws protecting transgender people’s access to facilities consistent with the gender they live every day²,” and,

WHEREAS (4): Chase Stangio, staff attorney at the ACLU Lesbian Gay Bisexual Transgender Project, states that allowing transgender people to use facilities corresponding with their identity “doesn’t increase in any way public safety incidents,” further noting that “non-transgender people [taking] advantage” of tolerant policies is a falsehood²; and,

WHEREAS (5): Transgender people are the victims of “bathroom bills” such as SB6, because they increase gender policing, confrontation, and negative cultural stigma. A survey of 27,715 transgender people in 2015 by the National Center for Transgender Equality found that 12% of transgender people were verbally harassed in public restrooms and 9% were denied access, and outside of restrooms, 1% were physically attacked and 1% were sexually assaulted³; and,

¹ Del Guidice, R. “Texas Legislature to Consider Bill to Ensure ‘Public Safety’ in Bathrooms,” *The Daily Signal*. March 2017. <http://dailysignal.com/2017/03/03/texas-legislature-to-consider-bill-to-ensure-public-safety-in-bathrooms/>

² Borrello, S. “Sexual Assault and Domestic Violence Organizations debunk ‘bathroom Predator Myth,’” *abcnews.com*. Apr 2016. <http://abcnews.go.com/US/sexual-assault-domestic-violence-organizations-debunk-bathroom-predator/story?id=38604019>

³ Reuters. “U.S. Transgender People Harassed in Public Restrooms: Landmark Survey,” *nbcnews.com*. Dec 2016. <http://www.nbcnews.com/feature/nbc-out/u-s-transgender-people-harassed-public-restrooms-landmark-survey-n693596>

WHEREAS (6): Lt. Gov. Dan Patrick released a statement that SB6 also specifies that “no public school can institute a bathroom policy that allows boys to go in girls restrooms, showers, and locker rooms, and girls to go in boys restrooms, showers, and locker rooms¹,” and,

WHEREAS (7): The University of Texas at Austin is committed to providing a safe, inclusive learning experience for all students, regardless of gender identity or gender expression; and,

WHEREAS (8): The University of Texas at Austin has 32 existing gender-neutral bathrooms, and university policy requires any new building being constructed on campus to make a gender-neutral bathroom available for every five floors⁴; and,

WHEREAS (9): Gender-neutral bathrooms have been stalled due to lack of funding, according to Ixchel Rosal, former director at the Gender and Sexuality Center of UT Austin⁵; and,

WHEREAS (10): The Graduate Student Assembly passed G.R. 16 (F) 3 to support gender inclusive bathrooms in all pre-existing buildings to counter the loss of funding, for which The University of Texas at Austin’s options would be limited by SB6; and,

WHEREAS (11): Previous bathroom bills in the United States have had negative consequences for the states wherein they passed. North Carolina’s HB2 bathroom bill had problems with implementation of the law, as well as caused economic losses to the state when businesses cited legal and moral opposition to discriminatory bathroom policies. North Carolina’s HB2 also prompted organizations to pull events like academic gatherings and intercollegiate athletic competitions from the state, harming the collective scholarship of the students and faculty. State representatives have now proposed legislation to repeal HB2⁶; and,

WHEREAS (12): A study commissioned by the Texas Association of Business found that the state could “lose as much as \$8.5 billion in gross domestic product and as many as 185,000 jobs if the state passes pieces of legislation deemed discriminatory⁷,” and,

⁴ University of Texas at Austin. "Gender Inclusive Restrooms." *Gender and Sexuality Center*. Division of Diversity and Community Engagement, 2016. Web.

⁵ Bawab, Nashwa. "Gender-neutral Bathrooms Stalled Due to Lack of Funding - The Daily Texan." *DailyTexanOnline.com*. The Daily Texan, 10 Sept. 2015. Web. Sept. 2016.

⁶ Ellis, R. North Carolina legislation aims to repeal ‘bathroom bill,’ *cnn.com*, Feb 9, 2017. <http://www.cnn.com/2017/02/09/us/north-carolina-bathroom-bill/>

⁷ Seltzer, R. “Bathroom Politics,” *insidehighered.com*. Jan. 2017. <https://www.insidehighered.com/news/2017/01/12/higher-ed-leaders-muted-response-texas-bathroom-bill>

WHEREAS (13): SB6 could affect a high number of students in Texas, more so than other states with similar policies, because the state has one of the largest public higher education complexes in the country⁷; and,

WHEREAS (14): Members of advocacy groups are concerned that this bill could cause students and faculty members to leave public institutions in Texas, limiting academic growth and achievement⁷; and,

WHEREAS (14): Many system representatives have not commented on SB6, citing a state prohibition about lobbying for or against bills, but University of Texas at Austin President Gregory L. Fenves released a statement that he is willing to discuss the bill and its effects, citing specifically that “preventing sexual assault is something we take very seriously,” and “to our knowledge we have never received a report corresponding to this being a problem in our bathrooms⁷,” now,

THEREFORE BE IT RESOLVED (1): That the Graduate Student Assembly condemns any legislation that would institute discriminatory policies and enforce social stigma against transgender people; and,

THEREFORE BE IT FURTHER RESOLVED (2): That the Graduate Student Assembly and The University of Texas at Austin are committed to ending campus sexual harassment and assault, including that against transgender people, who are vulnerable to attack due to both social and political rules about their gender identity and gender expression; and,

THEREFORE BE IT FURTHER RESOLVED (3): That the Graduate Student Assembly seeks to provide an atmosphere of tolerance and acceptance for all students, regardless of gender, sexual orientation, race, or religion; and,

THEREFORE BE IT FURTHER RESOLVED (4): That copies of this resolution be delivered to the Board of Regents, the Office of the Chancellor, the Office of the President, the Office of Executive Vice President and Provost, the Vice President of Student Affairs, the Department of Diversity and Community Engagement, the Office of the Dean of Students, the Office of Admissions, the Office of the Vice President of Legal Affairs, *The Austin American-Statesman*, *The Texas Tribune*, and *The Daily Texan*.