

The 40th Session of the Student Body Senate

Florida International University

Miami, Florida

S.R. 04 017

ERA: Equal Restrooms Access

IN THE SENATE

January 12, 2024

Senator Daniel Salup-Cid, Senate President Kaily LaChapelle, Senator Hua Hui Vogel, and student Judith Chavarria, introduced the following resolution, which was presented on the Senate floor

A RESOLUTION

To establish SGA's expectation that there be at least 2 gender neutral restrooms available in each building on campus; to condemn the ongoing attacks by Ron DeSantis on the rights of transgender and non-binary students; to demand that FIU cease cooperation with the transphobic and homophobic policies of the DeSantis administration; and to call on FIU administration and President to adhere to the proposals and principles of the resolution.

Be it enacted by the Senate of the Student Body at Florida International University assembled,

WHEREAS, over the past 5 years, far-right interest groups have directed a “record-breaking attack” on transgender and non-binary students’ civil rights according to the American Civil Liberties Union.¹

WHEREAS, the government of the state of Florida attempts to eliminate the state’s transgender and non-binary population through the erasure of their literature and history, policies designed to make transition impossible and anti-trans discrimination easier, and policies designed to make the lives of over ninety thousand transgender and non-binary people harder and more dangerous, according to Human Rights Watch.²

WHEREAS, the American Medical Association, the American Psychological Association, the Endocrine Society, and more regulatory bodies uphold that affirming gender identity across public facilities and elsewhere is necessary to the safety and wellbeing of transgender people.^{3 4 5}

WHEREAS, the policies of HB 1521 negatively impact the health of transgender and nonbinary students by increasing the rate of Urinary Tract Infections (UTI), anxiety, depression, and overall stress levels.

WHEREAS, no such evidence exists linking transgender or non-binary restroom usage with a decline in public restroom safety.⁶

WHEREAS, less than ten percent of Americans opposed new laws protecting transgender people from discrimination in public spaces in a study conducted by Pew Research Center.⁷

¹ “Mapping Attacks on LGBTQ Rights in State Legislatures.” American Civil Liberties Union, Jan. 2024. ACLU. <https://www.aclu.org/legislative-attacks-on-lgbtq-rights>

² Stelter, Nicholas. Ezer, Tamar, Ryan Thoreson. “Human Rights Violations against Transgender Communities in the United States.” Additional feedback from Nathan Bruemmer and Simone Chriss. Human Rights Watch, University of Miami Law, Equality Florida, Sep. 2023. https://www.hrw.org/sites/default/files/media_2023/10/2023.09.12_HR%20Violations%20against%20Trans%20Communities.pdf

³ “Issue Brief: Transgender individuals’ access to public facilities.” American Medical Association, Mar. 2019. <https://www.ama-assn.org/system/files/2019-03/transgender-public-facilities-issue-brief.pdf>

1. ⁴ “APA RESOLUTION on Gender Identity Change Efforts.” American Psychological Association, Feb. 2021. <https://www.apa.org/about/policy/resolution-gender-identity-change-efforts.pdf>

2. ⁵ “Adams vs. St Johns County School Board.” Endocrine Society, Feb. 2019. <https://www.endocrine.org/-/media/endocrine/files/advocacy/amicus-briefs/2019/02282019-adams11th-ciramicusbrieffiled.pdf>

3. ⁶ Chaney, Kimberley E., Sanchez, Diana T. “Gender-Inclusive Bathrooms Signal Fairness Across Identity Dimensions.” Social Psychological and Personality Science 9, no. 2 (2017): 245-53. <https://journals.sagepub.com/doi/pdf/10.1177/1948550617737601>

4. ⁷ Parker, Kim. Menasce Horowitz, Juliana. Brown, Anna. Arditi, Tanya. “Americans’ Complex Views on Gender Identity and Transgender Issues.” Pew Research Center, June 2022. <https://www.pewresearch.org/social-trends/2022/06/28/americans-complex-views-on-gender-identity-and-transgender-issues/>

WHEREAS, Florida International University (FIU) has a moral and administrative obligation to respect and defend the health and safety of its students. 8

WHEREAS, transgender and non-binary students have the right to a dignified existence, which is denied to them by the Florida Legislature's HB1521 "bathroom ban."

WHEREAS, the Florida International University Student Government Association (SGA) is tasked with representing the rights and interests of all students.

WHEREAS, the President and administration of FIU are neglecting to protect the rights of trans and non-binary students at FIU.

WHEREAS, it is therefore the responsibility of the student government to take action on this issue.

THEREFORE BE IT RESOLVED, the Florida International University Student Government Association considers HB1521 to be immoral.

RESOLVED, the FIU SGA considers the DeSantis administration's transphobic attacks a direct threat to the safety and wellbeing of FIU students, in violation of our responsibilities as Student Senators, and impossible to comply with in good conscience.

RESOLVED, SGA demands FIU establish at least 2 accessible, gender neutral or family restrooms in every building on campus.

RESOLVED, SGA demands that the administration and president of FIU cooperate with SGA to implement this demand.

RESOLVED, SGA calls on FIU President to condemn the DeSantis administration and refuse to collaborate with its transphobic attacks on students, academic freedom, and bodily autonomy.

RESOLVED, the president of SGA shall present this resolution to the next meeting of the Board of Trustees.

RESOLVED, SGA shall consider failure to implement this proposal in a timely fashion to be a violation of student democracy on campus and medical negligence.

Works Cited

1. “Mapping Attacks on LGBTQ Rights in State Legislatures.” American Civil Liberties Union, Jan. 2024. ACLU. <https://www.aclu.org/legislative-attacks-on-lgbtq-rights>
2. Stelter, Nicholas. Ezer, Tamar, Ryan Thoreson. “Human Rights Violations against Transgender Communities in the United States.” Additional feedback from Nathan Bruemmer and Simone Chriss. Human Rights Watch, University of Miami Law, Equality Florida, Sep. 2023. https://www.hrw.org/sites/default/files/media_2023/10/2023.09.12_HR%20Violations%20Against%20Trans%20Communities.pdf
3. “Issue Brief: Transgender individuals’ access to public facilities.” American Medical Association, Mar. 2019. <https://www.ama-assn.org/system/files/2019-03/transgender-public-facilities-issue-brief.pdf>
4. “APA RESOLUTION on Gender Identity Change Efforts.” American Psychological Association, Feb. 2021. <https://www.apa.org/about/policy/resolution-gender-identity-change-efforts.pdf>
5. “Adams vs. St Johns County School Board.” Endocrine Society, Feb. 2019. <https://www.endocrine.org/-/media/endocrine/files/advocacy/amicus-briefs/2019/02282019-adams11th-ciramicusbrieffiled.pdf>
6. Chaney, Kimberley E., Sanchez, Diana T. “Gender-Inclusive Bathrooms Signal Fairness Across Identity Dimensions.” *Social Psychological and Personality Science* 9, no. 2 (2017): 245-53. <https://journals.sagepub.com/doi/pdf/10.1177/1948550617737601>
7. Parker, Kim. Menasce Horowitz, Juliana. Brown, Anna. Ardit, Tanya. “Americans’ Complex Views on Gender Identity and Transgender Issues.” Pew Research Center, June 2022. <https://www.pewresearch.org/social-trends/2022/06/28/americans-complex-views-on-gender-identity-and-transgender-issues/>
8. “FIU-106 Nondiscrimination, Harassment and Retaliation (Title VII).” Florida International University, June 2018. <https://regulations.fiu.edu/docs=203>

Senate Bill Transmission Form

This bill is presented by the Senate of the Student Body at Florida International University. It is presented by the Senate President Pro-Tempore and affixed with the signature of the Senate President. Both the Senate President and the Senate President Pro-Tempore affirm that the information presented below is accurate and that the bill has successfully passed in the Senate of the Student Body. The bill is presented on this day and at this hour for signature or veto.

<i>SR 04 017</i>			
Date Introduced:	10/26/2023		
Committees Assigned:	(1) Student Life and Academic Concerns (2) Rules and Administration		
Vote in Committee 1: <i>10/26/2023</i>	2 <i>For</i>	0 <i>Against</i>	1 <i>Abstaining</i>
Vote in Committee 2: <i>11/06/2023</i>	3 <i>For</i>	0 <i>Against</i>	0 <i>Abstaining</i>
Vote on the Senate Floor: <i>3/14/2024</i>	14 <i>For</i>	1 <i>Against</i>	4 <i>Abstaining</i>
			
_____ Signature of the Senate President	_____ Signature of the Senate President Pro Tempore		