

Narrowing The Gap



Justice Inequality

European Countries A Step Ahead: Bathroom Usage By Transgendered Individuals A Non-Issue

In 2015 [the European Parliament](#) “adopted a trans-inclusive equality report,” as part of the European Union’s commitment to gender equality. It did so at the prodding of [Transgender Europe](#), an advocacy group for transgender people in the E.U.

Transgender Europe has effectively made the case that gender equality and trans equality are the same issue. “Gender equality is trans equality. The root causes for transphobia lay in sexism, misogyny and rigid gender stereotypes,” said [Transgender Europe co-chair, Arja Voipio](#).

There is no mention of bathroom policies in either the European Parliament’s Equality Act or in any of the Transgender Europe policy proposals. To date in Europe, there have been no legislative proposals banning transgender people from using single-sex bathroom facilities. [Vice News](#) confirms this fact. Europe does not give it much attention because it is a non-issue there.

What are at issue in the E.U. are legal gender protection initiatives, asylum policies, bias speech/violence, and discrimination in employment and marriage for transgender people. [The Transgender Europe 2016 Index](#) tracks 49 European countries’ progress in extending these rights to transgender people. While the index makes the disclaimer that it “does not attempt to reflect the complex and intersecting situations trans people face,” it is still a significant step forward.



“Bruce always had to tell a lie. He was always living that lie. Caitlyn doesn’t have any secrets.”

-Caitlyn Jenner

North Carolina Becomes Battleground for Transgender Rights in the U.S.

In early May, the U.S. Department of Justice filed a civil rights lawsuit with the state of North Carolina over [House Bill 2](#), the Public Facilities Privacy & Security Act which prohibits individuals from using bathrooms that do not match their biological sex.

The bill, [signed by Republican N.C. Governor, Pat McCrory](#), says the bill hinges on the question of the independence of local governments and their ability to decide their own policies. But the Obama administration views it as an encroachment on civil liberties, as pernicious as the racial segregation laws of the past.

[U.S. Attorney General Loretta Lynch](#) said, “It was not so very long ago that states, including North Carolina, had other signs above restrooms, water fountains, and on public accommodations, keeping people out based on a distinction without a difference. We’ve moved beyond those dark days.”

[N.C. Democrats](#) filed to repeal the bill in early April. But it will be a [N.C. Judiciary Committee](#), chaired by supporters of House Bill 2, that ultimately decides its fate until the U.S. Department of Justice suit is brought before a court.

NYC: Mayor Signs Executive Order Providing Bathroom Access Consistent With Gender Identity

In early May, NYC Mayor Bill de Blasio [signed an Executive Order](#) allowing individuals to use bathrooms that correspond with their gender identity, regardless of their biological sex. New York City will not impose requirements to show documentation to prove gender identity.

Mayor de Blasio framed access to bathrooms as a human rights issue. He invoked NYC’s long history of protecting the rights of transgender and gender non-conforming individuals.

The order applies to city-owned buildings (agency offices, parks, pools, playgrounds, museums, and rec centers). Employers, housing providers, and public accommodations must also provide access in accordance with the laws of the NYC Commission on Human Rights. The Commission provides [detailed examples](#) of what constitutes violations including barring a transgender individual from a program or facility because their inclusion would make others uncomfortable.

[Mayor de Blasio](#) said “New Yorkers have an obligation to lead the nation with regards to transgender equality.” He couched the issue in stark terms, “This is about affirming someone’s right to follow through on their own identity.”

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In this issue of *Narrowing The Gap*, we focus on one of the groups adversely affected by inequality: **Lesbian/Gay/Bisexual(LGB)/Transgender(T)/Queer(Q) Individuals**. Other issues will describe inequalities faced by children, immigrants, individuals currently in jail or on probation, individuals living in poverty, individuals with a physical or intellectual disability, individuals with less than a high school diploma, racial and ethnic minorities, religious minorities, seniors, single parents, and women.

Education Inequality

GLSEN Surveys U.S. School Districts' Anti-Bullying Programs for LGBTQ Youth

In the most comprehensive survey of its kind, [GLSEN \(Gay, Lesbian, & Straight Education Network\)](#) canvassed all 13,181 public school districts in the U.S. to determine how widespread and effective anti-bullying programs in U.S. schools are. It also sought to determine how district policies and state laws work in tandem with one another.

GLSEN found that almost a third lacked an anti-bullying policy. Even within those that did have an anti-bullying policy (70.5%), only roughly 4 in 10 cited sexual orientation—either actual or perceived—as a basis for protection against bullying. Only 14.1% cited gender identity/expression as a basis for protection. They also examined professional development for staff on bullying and accountability for reporting bullying to the state, and found that roughly a quarter required the former and a third the latter.

GLSEN's "legislative ask" when it comes to anti-bullying programs consists of the following: **Naming** protected categories including sexual orientation and gender identity/expression; **Training** provisions for educators on the issues; **Reporting** requirements to hold schools accountable for progress; **Funding** for these stipulated mandates to facilitate implementation.

How New York State Fared In GLSEN Survey & Best Practices for District Anti-Bullying Practices

According to [GLSEN](#), in New York State, school districts have widely divergent practices in enumerating LGBT protections in their anti-bullying programs. 28.9% are non-LGB inclusive, 42.8% are LGB-inclusive, and .9% are LGBT-inclusive. GLSEN's "gold standard" for district policies include:

- Enumerated Protections (for students, including explicit prohibitions against bullying based on students' actual or perceived sexual orientation and gender identity/expression)
- Professional Development (for staff on bullying and harassment)
- Accountability (for incident reporting to the district and/or state levels)

It is clear many New York State schools do not meet GLSEN's standards for LGBT anti-bullying protections because they fail in one or more areas cited above. However, New York State does mandate that schools receiving federal funding must address discrimination when it is based on Race, Color, Weight, National Origin, Ethnic Group, Religious Practice, Disability, Sexual Orientation, and Gender or Sex. In January [Governor Cuomo](#) expanded the anti-discrimination legislation to include transgender people.

Services Inequality

Senior Centers Struggle With How To Design Relevant Programming For LGBTQ Populations

Senior care providers across the country struggle with serving the estimated 1.5 million people over the age of 65 who identify as lesbian, gay, bisexual, or transgender. It is estimated that this number will increase to 3 million by 2030.

To design meaningful programming for this population requires data that speaks to their needs. To that end, [the National Resource Center On LGBT Aging](#) created a guide for senior centers to help them ask questions about sexual orientation and gender identity in a way that makes those responding feel safe and comfortable.

The National Resource Center on LGBT Aging notes that these adults have experienced discrimination, bias, and stigmatization. Many of been labeled mentally ill or deviant. Therefore data collection that relies on asking personal questions can be difficult.

These older adults are often left out of program planning. Yet this population is at much higher risk of physical and mental illnesses due to discrimination. The isolated lives they have often lived can lead to health conditions like depression/anxiety or to economic disadvantage resulting in poverty.

Senior Centers for LGBTQ Populations in NYC: Five Crucial Areas Requiring Support

In NYC, Services & Advocacy for GLBT Elders (SAGE) operates five SAGE centers in Midtown, Harlem, the Bronx, Staten Island, and Brooklyn. Additionally, as the primary advocate for this population in NY State, SAGE advised the [New York State Office for the Aging \(NYSOFA\)](#) on its 2012-2015 plan.

SAGE outlined to the [NYSOFA](#) five areas where LGBT populations in NY State and NYC need the most support. These include:

- Income and Poverty
 - LGBT older adults disproportionately experience poverty
- Health and Impairment of Older Adults
 - LGBT older adults are more at risk for social isolation than their heterosexual counterparts
- Elder Abuse
 - Many LGBT older adults are at a high risk for elder abuse, neglect, and various forms of exploitation
- Supporting Caregivers
 - LGBT older adults have unique family structures including families of choice
- Data, Quality, and Analysis
 - The lack of existing reliable data sources makes serving LGBT older adults more challenging

The Equality Indicators is a project of [the Institute for State and Local Governance \(ISLG\)](#) of the City University of New York.

The project measures progress towards greater equality across six themes related to **Economy, Education, Health, Housing, Justice, and Services** using 96 indicators. Each indicator is scored from 1 to 100, where 1 represents the most inequality and 100 the least inequality. For more information please visit our website at equalityindicators.org and follow us on twitter [@equalityISLG](https://twitter.com/equalityISLG)