

Modesto Junior College (MJC)
Academic Senate Resolution Fall 21-E: Gender-Neutral Restrooms

Co-Authored by:

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Whereas, Modesto Junior College’s vision is to create and promote equity in education for every member of our diverse community.

Whereas, AB 1732 (Ting, 2016) [2] requires “all single-user toilet facilities in any business establishment, place of public accommodation, or government agency to be identified as all-gender toilet facilities” thus expanding existing protections under California’s Fair Employment and Housing Act (FEHA) to protect people who identify as transgender and providing protections on the basis of both gender identity and gender expression - regardless of the person’s assigned sex at birth;

Whereas, In the Journal of College and University Law (2014) it is observed that “the most common daily difficulty for a transgender student on campus is restroom usage. These students frequently face discomfort and sometimes harassment no matter which restroom they choose – the one matching their birth sex or the one corresponding to their gender identity. Many trans students choose to avoid sex-specified restrooms, including foregoing using any restroom [emphasis added], to avoid these difficulties” [3]; and

Whereas, The California School Board Association has declared, “a safe, nondiscriminatory environment – where students are not distracted by fear nor disengaged from learning because of non-acceptance by their peers or staff – is essential to student achievement,” and “districts are encouraged to develop strategies to minimize social stigmatization for such students and maximize opportunities for social integration so that all students have an equal opportunity to attend school, be engaged and achieve academic success” [4],

Whereas, the MJC LGBTQ+ Advocates have been proactively advocating for Gender-Neutral Bathrooms since the Fall of 2019,

Whereas, President’s Council has approved the need for Gender-Neutral Restrooms,

Resolved, That the MJC Academic Senate strongly urge the administration, governing board, and other stakeholders to take immediate steps to provide all-gender restroom facilities that are accessible at all hours during which instruction occurs and in high occupancy areas of campuses;

Resolved, That the MJC Academic Senate strongly urge their administration, governing board, and other stakeholders to create and make accessible maps of all-gender restrooms;

Resolved, That the MJC Academic Senate strongly urge the administration, governing board, and other stakeholders to include all-gender restroom facilities in all new construction plans; and

Resolved, That the MJC Academic Senate strongly urge the administration, governing board, and other stakeholders to follow the law, new construction should include gender-neutral single stall restrooms.

First Reading: November 18, 2021

Final Reading: December 2, 2021

Disposition: Carried

Referenced Resolutions:

[In Support of All-Gender Restrooms on California Community College Campuses \(ASCCC, Spring 2019 Resolution Number: 13.03\)](#)