



**Providing Gender Inclusive Facilities  
(Senate Document #16-17-32)**

**TO** Wallace D. Loh | President

**FROM** Christopher Walsh | Chair, University Senate

I am pleased to forward the accompanying legislation for your consideration and approval. Phillip Staniczenko, member of the Equity, Diversity, & Inclusion (EDI) Committee, presented the committee's proposal on Providing Gender Inclusive Facilities (Senate Document #16-17-32), which the University Senate approved at its meeting on September 5, 2018. Please inform the Senate of your decision and any administrative action related to your conclusion.

**Approved:**

**Wallace D. Loh  
President**

**Date:**

**09-14-2018**

Copies of this approval and the accompanying legislation will be forwarded to:

- Mary Ann Rankin**, Senior Vice President and Provost
- Reka Montfort**, Executive Secretary and Director, University Senate
- Michael Poterala**, Vice President and General Counsel
- Cynthia Hale**, Associate Vice President for Finance and Personnel
- John Bertot**, Associate Provost for Faculty Affairs
- Elizabeth Beise**, Associate Provost for Academic Planning & Programs
- Sylvia B. Andrews**, Academic Affairs
- Cynthia Edmunds**, Interim Chief Diversity Officer
- Jay Gilchrist**, Director, University Recreation & Wellness
- Deborah Grandner**, Director, Resident Life
- Marsha Guenzler-Stevens**, Director, Adele H. Stamp Student Union
- Luke Jensen**, Director, LGBT Equity Center
- Joshua Kaplan**, Associate Athletic Director for Facilities, Operations, & Events
- Anne Martens**, Assistant Vice President for Administration & Finance and Chief of Staff
- Bill Olen**, Executive Director, Design & Construction, Facilities Management
- Matt Supple**, Director, Department of Fraternity & Sorority Life
- Colleen Wright-Riva**, Director, Dining Services
- Eric Grims**, Past Chair of the EDI Committee



## **Gender-Inclusive Facilities**

**PRESENTED BY** Eric Grims, Chair

**REVIEW DATES** SEC – August 27, 2018 | SENATE – September 5, 2018

**VOTING METHOD** In a single vote

**RELEVANT  
POLICY/DOCUMENT**

**NECESSARY  
APPROVALS** Senate, President

### **ISSUE**

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In March 2017, the Director of the LGBT Equity Center submitted a proposal asking that the Senate develop a policy covering the use of gender-specific facilities, and consider recommendations that would both increase the number of gender-inclusive restrooms on campus and make it easier to locate them. On April 12, 2017, the Senate Executive Committee (SEC) charged the Equity, Diversity, & Inclusion (EDI) Committee with reviewing the proposal and any current campus policies addressing gender-inclusive facilities; consulting with a range of stakeholders, including the Division of Administration & Finance, the Division of Student Affairs, and the Division of Intercollegiate Athletics; researching policies and practices at Big 10 and peer institutions; and proposing changes to University policies or practices, as necessary.

### **RECOMMENDATIONS**

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The EDI Committee recommends that the Senate approve the Policy of Non-Discrimination on the Basis of Gender Identity or Expression in the Use of Gendered Facilities immediately following the report. The committee also presents thirteen additional recommendations.

### **COMMITTEE WORK**

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The EDI Committee began discussing the charge at its last meeting of the 2016-2017 academic year, when it reviewed practices in the Division of Student Affairs and the Division of Administration & Finance. Throughout the fall semester of 2017, the committee consulted with a range of stakeholders, including the proposer and representatives from the Division of Intercollegiate Athletics, Facilities Management, and the Department of Resident Life. It also corresponded with representatives from relevant units in the Division of Student Affairs, including Resident Life, Fraternity & Sorority Life, RecWell, Dining Services, and the Stamp Student Union.

The EDI Committee reviewed existing campus policies and resources. Current University and University System of Maryland (USM) policies prohibit discrimination on the basis of gender identity or gender expression, though none explicitly reference the use of gendered facilities. In the case of restrooms, recent University practice has been to include at least one gender-inclusive restroom in all new construction projects. The committee learned that there are few standard practices across campus, and variation in the terminology used to identify spaces that are not intended for use by

individuals of a particular gender. This created difficulties when the committee sought to identify the number of gender-inclusive restrooms on campus, as did the fact that restroom facilities are overseen by different entities. Restrooms in auxiliary units such as Student Affairs, for example, are managed differently than those in academic buildings, as are locker rooms maintained by the Division of Intercollegiate Athletics. Facilities Management was able to provide a partial list of known gender-inclusive restrooms, and the Campus Web Map marks the location of some of these using a golden toilet icon. Nearly all of them are single-user restrooms.

The committee also reviewed requirements imposed by various state and federal building codes and standards dictating the capacity, location, and amenities of restrooms. While such provisions stipulate the number of fixtures for “men” and “women” based on occupancy, they do not currently require gender-inclusive restrooms. The costs associated with constructing or renovating restroom facilities vary significantly depending on local conditions and existing infrastructure. In its review of policies and practices at Big 10 and peer institutions, the committee found that a number of peers have converted single-user restrooms to gender-inclusive facilities and several have policies or statements establishing the right of individuals to use gendered facilities consistent with their gender identity.

In response to its findings, the committee developed a new Policy of Non-Discrimination on the Basis of Gender Identity or Expression in the Use of Gendered Facilities. The policy clearly communicates the University’s commitment to creating and sustaining an inclusive campus environment and establishes the right of individuals to use gendered facilities consistent with their gender identity. The committee also developed a series of recommendations intended to standardize terminology and increase the number of restrooms that are not intended for use by individuals of a particular gender.

On May 11, 2018, the committee voted unanimously to approve its proposed Policy of Non-Discrimination on the Basis of Gender Identity or Expression in the Use of Gendered Facilities and accompanying recommendations.

## **ALTERNATIVES**

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The Senate could reject the proposed policy and recommendations. However, it would lose the opportunity to enhance the University’s restroom facilities and clearly establish the right of individuals to use facilities consistent with their gender identity.

## **RISKS**

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There are no known risks to the University.

## **FINANCIAL IMPLICATIONS**

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Financial resources will be required to implement the recommendations.



## Gender-Inclusive Facilities

### 2017-2018 Committee Members

**Eric Grims** (Chair)  
**Nat Baldino** (Graduate Student)  
**Catherine Carroll** (Ex-Officio OCRSM Rep)  
**Jordan Carter-Reich** (Staff)  
**Moneca Clyburn** (Staff)  
**Jennifer Dindinger** (Faculty)  
**Qing Dong** (Staff)  
**Cindy Felice** (Ex-Officio VP Student Affairs Rep)  
**Steve Fetter** (Ex-Officio Provost's Rep)  
**Angela Harmon** (Staff)  
**Pradeep Kapur** (Faculty)  
**Anne Martens** (Ex-Officio VP Administration & Finance Rep)

**Daune O'Brien** (Faculty)  
**Shy Porter** (Graduate Student)  
**Pablo Roa** (Undergraduate Student)  
**Beth St. Jean** (Faculty)  
**Phillip Staniczenko** (Faculty)  
**Leon Tune** (Staff)  
**Katelyn Turner** (Undergraduate Student)  
**Roger Worthington** (Ex-Officio Chief Diversity Officer)

### Date of Submission

July 2018

## BACKGROUND

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In March 2017, the Director of the LGBT Equity Center submitted a proposal asking that the Senate develop a policy covering the use of gender-specific facilities, and consider recommendations that would both increase the number of gender-inclusive restrooms on campus and make it easier to locate them. On April 12, 2017, the Senate Executive Committee (SEC) charged the Equity, Diversity, & Inclusion (EDI) Committee with reviewing the proposal and any current campus policies addressing gender-inclusive facilities; consulting with a range of stakeholders, including the Division of Administration and Finance, the Division of Student Affairs, and the Department of Intercollegiate Athletics; researching policies and practices at Big 10 and peer institutions; and proposing changes to University policies or practices, as necessary (Appendix 3).

## DEFINITIONS

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The following terms are used in this report:

**ADA Compliant Restroom:** A restroom that complies with Americans with Disabilities Act (ADA) requirements. When an existing restroom facility is renovated, it must be brought into ADA compliance.

**Building Codes:** There are a range of codes covering the construction and renovation of facilities, including the ADA, International Plumbing Code, International Building Code, National Fire Protection Association, and various codes and standards established by the Washington Suburban Sanitary Commission (WSSC). Unless otherwise noted, references to "building codes" may reference these or other provisions that the University must follow when building/renovating.

**Family Restroom:** A lockable restroom facility intended for use by families that includes a changing table.

**Gender-Inclusive Facility:** A facility that is not intended and identified for use by individuals of a particular gender identity. Terminology for such facilities varies and is evolving, and includes: gender inclusive (sometimes hyphenated), gender neutral (sometimes hyphenated), mixed gender, single-user, single-occupancy, unisex, and family. Nearly all gender-inclusive restrooms are intended for use by one individual, with the exception of family restrooms and several multi-user restrooms in the Stamp Student Union and recreation facilities. Additionally, there are several gender-inclusive locker/changing rooms in use (or under construction).

**Gender-Specific or Sex-Segregated Facility:** A facility that is intended and identified for use by individuals of a particular gender identity (i.e. “men” or “women”). In the context of this report, facilities include restrooms, changing rooms, and locker rooms.

**Single-User/Single-Occupancy Restroom:** A lockable restroom facility intended for use by a single individual. Many single-user restrooms are also ADA compliant.

**Major Renovation:** A renovation whose costs are  $\geq 50\%$  of a building’s replacement value.

## CURRENT PRACTICE

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There are no University policies that explicitly reference the use of gender-inclusive facilities, though the University’s Non-Discrimination Policy & Procedures ensure equal access to facilities and prohibit various forms of discrimination. In addition, the University System of Maryland Policy of Non-Discrimination on the Basis of Sexual Orientation and Gender Identity or Expression (VI-1.05) requires each institution to create policies protecting individuals from discrimination on the basis of gender identity or gender expression.

The Design Criteria/Facility Standards Manual maintained by Facilities Management recommends the inclusion of one “gender neutral” restroom in all new construction or major renovation projects. While only guidance, recent construction and major renovation projects have included at least one such restroom. Current building codes do not establish standards for gender-inclusive restrooms.

## COMMITTEE WORK

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The EDI Committee began discussing the charge at its last meeting of the 2016-2017 academic year, when the committee’s ex-officio representatives from the Division of Student Affairs and the Division of Administration & Finance clarified how the charge elements touched on current practice and policies in their respective divisions. In 2017-2018, the committee began consideration of the charge by consulting with the proposer and meeting with a range of stakeholders, including representatives from the Division of Intercollegiate Athletics, Facilities Management, and the Department of Resident Life. It also corresponded with representatives from relevant units in the Division of Student Affairs (Resident Life, Fraternity & Sorority Life, Recreation and Wellness, Dining Services, and the Stamp Student Union). In the course of its work, the committee identified and considered the following topics:

### Issues & Concerns

In 2016, the Department of Justice and the Department of Education released a “Dear Colleague Letter on Transgender Students” that called on educational institutions to actively protect students from discrimination on the basis of gender identity. In speaking with the committee, the proposer noted that this guidance was subsequently rescinded, creating an opportunity for the University to explicitly prohibit any discrimination based on gender identity or gender expression. The proposer explained that there are individuals on campus who do not feel safe in gender-

specific facilities, particularly transgender or gender-nonconforming people or those who might be perceived as such. He noted that a policy clearly establishing the right of every individual to use whichever gender-specific facility they choose would help address this concern. Additionally, he recommended that the University identify existing single-user restrooms as gender-inclusive and ensure that new construction and renovation projects increase the total number of gender-inclusive restrooms.

### **Existing Facilities**

Most restrooms on campus are intended and identified for use by individuals of a particular gender. With the exception of several multi-user facilities noted below, nearly all of the restrooms that are not gender specific are single-user or family restrooms. As part of its work, the committee attempted to determine the number of single-user restrooms on campus, which proved a difficult task. Not only are such facilities known by different names, they are also effectively “owned” by different entities. Restrooms in auxiliary units such as Student Affairs, for example, are treated differently than those in academic buildings, as are locker rooms maintained by the Division of Intercollegiate Athletics (Athletics). Facilities Management was able to provide a partial list of known single-user restrooms, which can be found in Appendix 1.

The committee investigated current and planned bathroom facilities serving the nearly twelve thousand students in University-owned/affiliated housing. The number and type of facilities in residence halls varies, often depending on the age of the building (or the date of its most recent renovation). The goal in new construction and major renovations is to provide single-user gender-inclusive bathroom facilities alongside communal, gender-specific bathrooms. To help address student needs in residence halls not slated for renovation, the Department of Resident Life is redesignating all single-user facilities as “gender-inclusive.” Bathrooms/restrooms in fraternity and sorority houses are essentially gender-inclusive and intended for use by both members and guests. They are typically labelled “bathroom.”

The committee also consulted with other units in the Division of Student Affairs, including University Recreation and Wellness (RecWell), which maintains a number of gender-specific facilities. These include changing/locker rooms and restrooms. Recently, RecWell has added several gender-inclusive facilities, including locker rooms (with bathroom/shower/changing areas) in the Epley Recreation Center and Ritchie Coliseum. Epley also has two gender-inclusive restrooms, one of which is multi-user. The Cycling Studio and Multipurpose Studio in Regents Drive Garage also contains a “gender-inclusive,” ADA-compliant bathroom/shower. RecWell intends to create gender-inclusive facilities in future construction and renovation projects whenever feasible. The Stamp Student Union has converted two of its multi-user, gender-specific restrooms into multi-user, gender-inclusive restrooms. These restrooms, and the one in Epley, are the only multi-user, gender-inclusive facilities the committee was able to identify. Such facilities can better accommodate shifts in the size and makeup of a building’s occupants than gender-specific restrooms.

Athletics recently designated six existing family restrooms in Maryland Stadium and the Xfinity Center as “Family Gender Inclusive Restrooms.” Training for staff in these venues emphasizes that no one can be denied access to a particular restroom, though initiatives to help patrons understand and navigate the new terminology are still in the formative phase. Athletics intends to include gender-inclusive facilities in new construction, and the ongoing renovations to Cole Field House will result in a new gender-inclusive locker room.

## **Locating Restrooms**

The Campus Web Map indicates the location of many single-user restrooms, which are identified as gender-inclusive and marked with a golden toilet icon. The decentralized management of restroom facilities and the fact that multiple entities share responsibility for supporting and updating the map make it difficult to keep current. The map is jointly maintained by the Division of Information Technology and Facilities Management, and draws information from the Department of Transportation Services and the Department of Geographical Sciences. While users can submit comments and note missing locations through the Campus Web Map, there is no single individual or office responsible for ensuring that information on the location of gender-inclusive restrooms is current. Wayfinding signage directing users to gender-inclusive restrooms varies widely. The Stamp Student Union, for example, references the location of gender-inclusive restrooms on wayfinding signs for its gender-specific restrooms. In other buildings, however, the locations of gender-inclusive restrooms are not indicated; frequently, they are simply identified as ADA-compliant restrooms.

## **Construction/Renovation Standards & Funding**

There are various building codes that guide the construction and renovation of University facilities. While these codes do not mandate the inclusion of gender-inclusive facilities or establish standards for them, they do set minimum numbers of plumbing fixtures for men/males and women/females based on the occupant load and purpose of a building. Fixtures in single-user restrooms may be counted as either men's or women's, and recently approved changes to the International Plumbing Code ensure that such rooms need not be identified for use by a single sex/gender. While not binding, the University's Design Criteria/Facility Standards Manual calls for at least one ADA-compliant, single-user restroom in all new construction or major renovation projects. These rooms are also not designated for use by individuals of a particular sex/gender.

The costs associated with creating or renovating restrooms vary widely, and depend almost entirely on local conditions and existing infrastructure. For example, Stamp Student Union recently converted two multi-user, gender-specific restrooms into multi-user gender-inclusive restrooms at a cost of approximately \$6,000, a process that involved installing privacy strips and taller dividers/doors. Changes that involve moving plumbing or other utilities, however, are substantially more expensive. Units can fund renovations themselves. They can also submit requests to the Facilities Advisory Committee, which are then considered by the Facilities Council. Cost sharing arrangements between units and either the Facilities Council or the Provost's Office are common.

## **Peer Institution Policies and Practices**

The committee reviewed research on policies and practices at peer institutions, as well as institutions on the Campus Pride Index of LGBTQ-friendly colleges and universities. In addition to identifying a range of terms associated with gender-inclusive facilities, the committee found that a number of peers have taken steps similar to the ones called for in the proposal. Nine have converted existing single-user restrooms to "gender-inclusive," and several have funds established to support re-signing and converting restrooms. Two also have explicit statements acknowledging that the institution will continue to abide by guidance in the 2016 Dear Colleague Letter. Approximately one-third of the top twenty-five institutions listed in the Campus Pride Index have policies or guidance that explicitly give individuals the right to use facilities consistent with their gender identity. The University of California System has the most robust policies regarding "gender-inclusive" facilities. In addition to re-designating all single-user restrooms, all new construction and renovation projects must include at least one "gender-inclusive" restroom on

each floor with restrooms. Extensive renovations to restrooms in buildings without “gender-inclusive” restrooms must add at least one such restroom. The UC System policy also includes provisions for shower and changing room facilities, and mandates signage directing users to the nearest “gender-inclusive” restroom in buildings that lack them.

In spring 2018, the committee determined that a new policy was needed, and spent several meetings discussing its parameters. It drafted a succinct policy that would guarantee individuals the right to use gender-specific and sex-segregated facilities that align with their gender identity or expression. The policy was specifically written to align with the University System of Maryland Policy of Non-Discrimination on the Basis of Sexual Orientation and Gender Identity or Expression (VI-1.05). The committee also developed a series of additional recommendations in response to its findings. In April, the committee shared the proposed new policy and draft recommendations with a range of stakeholders, including the LGBT Equity Center, the Division of Student Affairs (Resident Life, Fraternity & Sorority Life, RecWell, Dining Services, and the Stamp Student Union), the Division of Administration & Finance, Intercollegiate Athletics, and the Office of the Provost. The policy and recommendations were also reviewed by the Office of General Counsel, which had no concerns.

On May 11, 2018, the committee voted unanimously to approve the new policy, Non-Discrimination on the Basis of Gender Identity or Expression in the Use of Gendered Facilities, and accompanying recommendations. The committee’s findings that support its recommendations are addressed below.

## **COMMITTEE FINDINGS**

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### **Terminology**

The committee discussed at length what the precise designation for gender-inclusive restrooms should be. As noted, preferred terminology continues to evolve and there is no universally accepted standard. The committee generally agreed that there was some value in removing references to sex or gender entirely and simply focusing on what was in a room, rather than who was permitted to use it. The committee considered “universal restroom,” which is used by some peers, though this option was rejected because it could inaccurately imply such restrooms are ADA compliant. The committee also considered simply designating them “restroom,” though members thought this could be too confusing. Given the relabeled single-user restrooms will, for the foreseeable future, continue to exist alongside their gender-specific counterparts, the committee felt some reference to gender was necessary. Additionally, members wanted to support individuals on campus who do not feel safe using gender-specific restrooms, and sought a term that would help clearly identify these rooms as safe for transgender and gender-nonconforming individuals. After consulting with content-area experts in the LGBT Equity Center and UMD Pride Alliance (an umbrella organization for a range of student groups), the committee settled on “all-gender,” which was consistently preferred over “gender-neutral” or “gender-inclusive.” “All-gender” encompasses a range of identities and expressions while still acknowledging the concept of gender. The committee strongly felt that the accompanying icons/symbols, however, should avoid invoking gender, and recommended that signs simply include the term “all-gender restroom” and a toilet icon (as well as the standard ADA-compliant and/or changing table symbols, as appropriate).

### **Capacity**

To address concerns over the number of gender-inclusive restrooms, the committee decided to recommend that, whenever possible, all existing single-user restrooms be re-designated as “all-gender.” The committee also considered standards that should apply to future new construction and major renovation projects. It decided to strengthen the guidance in the current Design



Criteria/Facility Standards Manual by recommending that all new construction or major renovation project include at least one “all-gender” restroom. The committee was sensitive to the costs associated with constructing and renovating restroom facilities, and notes that there is an approximately \$1 billion backlog in facilities renewal projects. Yet the committee found value in continuing to expand the number of “all-gender” restrooms, both to meet the needs of the population primarily addressed in the proposal and to help accommodate fluctuation in demand for gender-specific facilities. Given this, the committee proposed a series of additional measures the University should consider in its recommendations.

### **Communication**

In its work, the committee noted two areas where communication with both the campus community and specific stakeholders could be strengthened. The first of these involves a need for enhancing resources for locating restrooms. The committee agreed that signage should be modified and expanded to help users determine the location of “all-gender” restrooms. The committee also agreed that the University should consult content area experts and stakeholders when implementing recommendations, and report back to the EDI Committee on implementation progress at a future date.

### **Additional Review**

Through its work, the committee also identified a need to update the University’s Policy on Inclusive Language (VI-1.00[C]), which was last revised in 1991. The policy’s language and the categories of difference it references are out of date. The policy could also be expanded to ensure more inclusive communication in a range of formats, including iconography on signs for “all-gender” and gender-specific facilities. Finally, previous EDI Committee work on the University’s treatment of personal identity information should be addressed in the policy, particularly the use of sex/gender markers, gendered honorifics, and personal pronouns. Given these revisions exceed the scope of the present charge, the committee agreed that it should be formally charged with a comprehensive review of the Policy on Inclusive Language.

## **RECOMMENDATIONS**

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In order to create a safer and more inclusive campus environment for people of all gender identities, gender expressions, and personal appearances, the EDI Committee recommends that the Senate approve the Policy of Non-Discrimination on the Basis of Gender Identity or Expression in the Use of Gendered Facilities, as shown immediately following this report. In addition, the committee makes the following recommendations:

1. The University should replace signage on existing single-user restrooms, as feasible and in accordance with relevant building codes, to designate them as “all-gender” restrooms within two years. This signage should include non-gendered pictograms and should indicate whether the room is ADA-compliant and if it has a changing table. Suggested design elements are included in Appendix 2.
2. The University should include at least one all-gender restroom in any new construction or major renovation of a building that includes restrooms.
3. Administrative unit heads responsible for any renovations or conversions of University-owned buildings that designate all-gender restrooms should promptly notify Facilities Planning, which will update the Campus Web Map.

4. The University should ensure that individuals can easily identify the locations of all-gender restrooms in each building that contains them.
5. The University should engage content area experts and relevant stakeholders in the implementation of these recommendations.
6. The University should report to the EDI Committee on the implementation of these recommendations in fall 2019.
7. The University should consider ensuring at least one all-gender restroom is available in every building that currently contains gendered restrooms.
8. The University should consider basing the number of all-gender restrooms included in new construction and major renovations on the anticipated building occupancy/use.
9. The University should consider creating or modifying wayfinding signs at major entrances to each building to indicate the location of all-gender restrooms.
10. The University should consider creative solutions to increase the number of all-gender restrooms, including converting or modifying existing multi-user, single-gender restrooms into multi-user, all-gender restrooms.
11. When evaluating less-extensive renovations, the University should consider prioritizing projects that include the creation/conversion of an all-gender restroom.
12. The University should consider expanding the number of all-gender restrooms in future facilities planning.

In addition, the EDI Committee recommends that the Senate Executive Committee charge the EDI Committee with a comprehensive review of the University of Maryland Policy on Inclusive Language (VI-1.00[C]). This review should ensure that the policy accords with the University's principles on diversity and inclusion, as well as existing policies and practices.

## **APPENDICES**

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- Appendix 1 — Inventory of Single-User Restrooms
- Appendix 2 — Possible Design Elements for All-Gender Restroom Signage
- Appendix 3 — Senate Executive Committee Charge on Gender Inclusive Facilities (Senate Document #16-17-32)

## **UMCP Policy of Non-Discrimination on the Basis of Gender Identity or Expression in the Use of Gendered Facilities**

### **I. Purpose**

This policy affirms the University of Maryland's commitment to creating and sustaining an inclusive campus environment that is safe and accessible for all individuals. The University values all members of its community and is committed to protecting them from discrimination and harassment based on gender identity or expression. With that in mind, the University of Maryland establishes the following policy on the use of gendered facilities.

### **II. Definitions**

**"Gender identity or expression"** is defined as a person's actual or perceived gender identity, self-image, appearance, behavior, or expression, regardless of whether that identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the person's gender at birth.

**"Gendered facilities"** are spaces designated for use by individuals of a particular gender, and include restrooms, locker rooms, and changing rooms.

### **III. Prohibition Against Discrimination Based on Gender Identity or Expression**

It is the policy of the University of Maryland that individuals have the right to use gendered facilities consistent with their gender identities. The University shall neither require identification nor use personal identity information stored in University records to grant or deny access to any such facility. Discrimination against individuals on the basis of gender identity or expression in the use of gendered facilities is prohibited.

### **IV. Complaint Procedures**

Violations of this policy should be reported using the procedures outlined in the University of Maryland Non-Discrimination Policy & Procedures.



# UNIVERSITY OF MARYLAND


FACILITIES MANAGEMENT  
DEPARTMENT OF PLANNING & CONSTRUCTION

7757 Baltimore Avenue  
College Park, Maryland 20742-6033  
301-405-1120

**MEMORANDUM**

**DATE:** January 24, 2018

**TO:** Aaron Tobiason  
Coordinator, University Senate

**FROM:** Bill Olen   
Executive Director, Planning & Construction

**SUBJECT:** Response to Senate EDI Committee Restroom Inquiry

As discussed with the Senate EDI Committee, Facilities Management – Planning & Construction (P&C) projects are guided by Design Criteria Facilities Standards (DCFS). These standards reflect code and campus design standards. The current DCFS (version dated 2016) calls for at least one gender neutral restroom in all new construction projects and major renovations unless infeasible. P&C is currently updating the DCFS and will focus on codes and mandates that are required for all new construction and renovation projects.

The following information is offered in response to your questions regarding the availability of single user restrooms (also and/or previously known as all-gender, unisex, and/or family restrooms).

**Building Restroom Inventory:** Facilities Management – Facilities Planning maintains information about campus facilities. We maintain and update restroom facilities data as part of all new construction and major renovations associated with the 254 building (14.1M gross square feet of space) on the university’s 1,340 acre campus. The table below summarizes single-user restrooms currently identified. Attached for your reference is a listing of all buildings which includes numbers of restrooms, single user restrooms and related building construction and renovation dates.

Building Type	Single User Restroom Count
Residential Facilities	133
Non-Residential*	120
Totals	253

\*The count includes 23 restrooms currently designed as family restrooms.



# UNIVERSITY OF MARYLAND

FACILITIES MANAGEMENT  
DEPARTMENT OF PLANNING & CONSTRUCTION

7757 Baltimore Avenue  
College Park, Maryland 20742-6033  
301-405-1120

## **Single User Restrooms 2012-2017:**

### **Completed**

Physical Sciences Complex (1)  
University House (1)  
Prince Frederick Hall (14)  
Edward St. John Learning and Teaching Center (4)  
A. James Clark Hall (2)  
Stamp Student Union Renovation (1)  
Severn Building Renovation (1)  
Main Administration Building Renovation (1)  
Regents Drive Parking Garage Renovation (1)  
Cambridge Renovation (12)

### **Planned**

Brendan Iribe Center (2)  
Dorchester Hall Renovation (7)

Please let me know if you require additional information.

Cc: Terry Brenner  
Jon Dooley  
Gregg Feige  
Bill Mallari  
Anne Martens

Bldg #	Bldg Name	Total No. of Restrooms	Total No. of Single User Restrooms	Year of Construction	Latest Renovation	Comments	Building Designation
1	ENERGY PLANT	3		12/31/1931	12/31/2005		Other
3	SERVICE BUILDING	10		12/31/1940			Other
4	RITCHIE COLISEUM	9	1	12/31/1932	12/31/1996		Other
7	POCOMOKE BUILDING	1	1	12/31/1946	12/31/2013		Other
8	ANNAPOLIS HALL	4	2	12/31/1988	12/31/1988		Residential
9	MEMORIAL CHAPEL	5	5	12/31/1953			Other
10	PATUXENT BUILDING	6		12/31/1990			Other
11	BUILDING 011	3	2	12/31/1968			Other
14	HARFORD HALL	2		12/31/1944	12/31/1982		Residential
15	CALVERT HALL	2		12/31/1913	12/31/1984		Residential
24	ALLEGANY HALL	7		12/31/1955	12/31/1986		Residential
26	SOUTH CAMPUS DINING HALL	17	5	12/31/1974	12/31/1989		Other
29	FREDERICK HALL	1		12/31/1948	12/31/1986		Residential
34	JIMENEZ HALL	11		12/31/1962			Other
35	MCKELDIN LIBRARY	34	1	12/31/1958	12/31/1990		Other
36	PLANT SCIENCES BUILDING	24	5	12/31/1996			Other
37	SHOEMAKER BUILDING	5	2	12/31/1932	12/21/2010		Other
38	LEFRAK HALL	15	1	12/31/1928	12/31/1978		Other
39	VAN MUNCHING HALL	43		12/31/1992	12/31/2011		Other
40	MORRILL HALL	3	1	12/31/1898	12/31/1994		Other
42	TYDINGS HALL	14		12/31/1961			Other
43	TALIAFERRO HALL	10	2	12/31/1909	12/31/2003		Other
44	SKINNER BUILDING	5		12/31/1917	12/31/1992		Other
46	MARIE MOUNT HALL	14	1	12/31/1940	12/31/1980	2011: Reassigned a Men's Room to gender neutral space at the request of building occupants.	Other
47	WOODS HALL	4		12/31/1948			Other
48	FRANCIS SCOTT KEY HALL	8		12/31/1932	12/31/2003		Other
51	WORCESTER HALL	4	2	12/31/1959			Residential
52	CLARENCE M. MITCHELL, JR. BUILDING	8	1	12/31/1958			Other
54	PREINKERT HALL	4	2	12/31/1932	12/31/1952		Other
59	CHINCOTEAGUE HALL	7	2	12/31/1957	12/31/2011		Other
60	ANNE ARUNDEL HALL	4	2	12/31/1937	12/31/1992		Residential
61	QUEEN ANNES HALL	2	2	12/31/1949	12/31/2005		Residential
62	ST. MARYS HALL	1		12/31/1932	12/31/1989		Residential

Bldg #	Bldg Name	Total No. of Restrooms	Total No. of Single User Restrooms	Year of Construction	Latest Renovation	Comments	Building Designation
63	SOMERSET HALL	4	3	12/31/1949	12/31/1999		Residential
64	DORCHESTER HALL	7	7	12/31/1959	12/31/1992	Post Renovation: Single use count increases from 3 to 7	Residential
67	SATELLITE CENTRAL UTILITIES BUILDING (SCUB 2)	3	1	12/31/1992			Other
68	EPPLEY RECREATION CENTER	10	2	12/31/1998			Other
69	WICOMICO HALL	2	2	12/31/1955			Residential
70	CAROLINE HALL	4	1	12/31/1955			Residential
71	LEE BUILDING	11		12/31/1969			Other
73	H.J. PATTERSON HALL	12	1	12/31/1937	12/31/2017		Other
76	SYMONS HALL	13		12/31/1940	12/31/2000		Other
77	MAIN ADMINISTRATION BUILDING	5		12/31/1940	12/31/1964		Other
78	RECKORD ARMORY	4		12/31/1944			Other
79	TURNER HALL	2		12/31/1923	12/31/1964		Other
80	ROSSBOROUGH INN	1	1	12/31/1798			Other
81	WIND TUNNEL BUILDING	3		12/31/1950			Other
82	JOHN S. TOLL PHYSICS BUILDING	16	1	12/31/1953	12/31/1968		Other
83	J.M. PATTERSON BUILDING	12		12/31/1954	12/31/1976		Other
84	WILLIAM E. KIRWAN HALL	19		12/31/1954	12/31/1982		Other
85	INSTITUTE FOR PHYSICAL SCIENCE & TECH	4	1	12/31/1955			Other
87	CENTRAL ANIMAL RESOURCES FACILITY	2		12/31/1983			Other
88	MARTIN HALL	16		12/31/1950	12/31/1985		Other
89	ENGINEERING LABORATORY BUILDING	4		12/31/1950			Other
90	CHEMICAL & NUCLEAR ENGINEERING BUILDING	11		12/31/1950			Other
91	CHEMISTRY BUILDING	37	4	12/31/1952	12/31/2002		Other
92	POTOMAC BUILDING	4	2	12/31/1955	12/31/1991		Other
93	ENGINEERING ANNEX	6		12/31/1957	12/31/1969		Other
96	CAMBRIDGE HALL	13	12	12/31/1962	12/31/2016		Residential
97	CAMBRIDGE COMMUNITY CENTER	4		12/31/1962	12/31/1963		Other
98	CENTREVILLE HALL	9	4	12/31/1962			Residential
99	BEL AIR HALL	3	3	12/31/1962			Residential
115	A.V. WILLIAMS BUILDING	28		12/31/1988	12/31/1992		Other
121	CHESTERTOWN HALL	3	3	12/31/1962			Residential
122	CUMBERLAND HALL	14	8	12/31/1963			Residential

Bldg #	Bldg Name	Total No. of Restrooms	Total No. of Single User Restrooms	Year of Construction	Latest Renovation	Comments	Building Designation
126	HOUSE 1	3	1	12/31/1958	12/31/1992		Residential
127	HOUSE 2	4	2	12/31/1958	12/31/1992		Residential
128	HOUSE 3	4	2	12/31/1954	12/31/1991		Residential
129	HOUSE 4	4	2	12/31/1954	12/31/1991		Residential
130	HOUSE 5	4	2	12/31/1954	12/31/1990		Residential
131	HOUSE 6	4	2	12/31/1954	12/31/1990		Residential
132	HOUSE 7	4	2	12/31/1954	12/31/1990		Residential
133	HOUSE 8	4	2	12/31/1954	12/31/1998		Residential
134	HOUSE 9	4	2	12/31/1954	12/31/1997		Residential
135	HOUSE 10	4	2	12/31/1954	12/31/1997		Residential
136	HOUSE 11	4	2	12/31/1954	12/31/1995		Residential
137	HOUSE 12	4	2	12/31/1954	12/31/1995		Residential
138	HOUSE 13	4	2	12/31/1962	12/31/1993		Residential
139	HOUSE 14	4	2	12/31/1963	12/31/1993		Residential
140	HEALTH CENTER	5	1	12/31/1964	12/31/2004		Other
141	TAWES HALL	14	2	12/31/1965	12/31/2016		Other
142	ANIMAL SCIENCES/AGRIC. ENGRG BLDG	27	8	12/31/1970	12/31/1994		Other
143	BENJAMIN BUILDING	9	1	12/31/1966	12/31/1968		Other
144	BIOLOGY-PSYCHOLOGY BUILDING	21		12/31/1971			Other
145	ARCHITECTURE BUILDING	8		12/31/1972			Other
146	PARREN J. MITCHELL ART-SOCIOLOGY BUILDING	14	1	12/31/1976			Other
147	HORNBAKE LIBRARY	47	1	12/31/1972			Other
148	MANUFACTURING BUILDING	3		12/31/1992			Other
156	ARBORETUM OUTREACH CENTER	1	1	12/31/1952			Other
158	VARSITY SPORTS TEAMHOUSE	1		12/31/1974	12/31/1978		Other
159	BOB "TURTLE" SMITH STADIUM AT SHIPLEY FIELD	2		12/31/1954			Other
162	COLE STUDENT ACTIVITIES BUILDING	8		12/31/1956	12/31/1971		Other
163	STAMP STUDENT UNION	23	8	12/31/1955	12/31/2002	A men's restroom and women's restroom were converted to a gender inclusive space. Single user lockable stalls.	Other
164	UNIVERSITY HOUSE	5	1	8/8/2012			Other
166	GOLF COURSE CLUB HOUSE	6		12/31/1999			Other



Bldg #	Bldg Name	Total No. of Restrooms	Total No. of Single User Restrooms	Year of Construction	Latest Renovation	Comments	Building Designation
170	HOUSE 170	4	2	12/31/1959	12/31/2009		Residential
171	HOUSE 171	4	2	12/31/1960	12/31/2012		Residential
172	HOUSE 172	4	2	12/31/1960	12/31/2009		Residential
173	HOUSE 173	4	2	12/31/1964	12/31/2010		Residential
174	HOUSE 174	4	2	12/31/1963	12/31/2010		Residential
175	HOUSE 175	4	2	12/31/1963	12/31/2009		Residential
176	HOUSE 176	4	2	12/31/1964	12/31/2012		Residential
201	LEONARDTOWN OFFICE BUILDING	5	3	12/31/1961			Other
219	ASTRONOMY LECTURE BUILDING	2		12/31/1979			Other
221	ASTRONOMICAL OBSERVATORY	1	1	12/31/1964			Other
223	ENERGY RESEARCH FACILITY	8		12/31/1965			Other
224	ATLANTIC BUILDING	37	7	12/31/1963	12/31/1996		Other
225	KIM ENGINEERING BUILDING	6		12/31/2005			Other
226	EDWARD ST. JOHN LEARNING AND TEACHING CENTER	20	4	3/31/2017			Other
227	JULL HALL	5		12/31/1954			Other
231	MICROBIOLOGY BUILDING	8		12/31/1939	12/31/1988		Other
232	NYUMBURU CULTURAL CENTER	6	2	12/31/1969	12/31/1982		Other
233	SUSQUEHANNA HALL	10		12/31/1991			Other
237	GEOLOGY BUILDING	6		12/31/1969	12/31/1982		Other
250	LEONARDTOWN COMMUNITY CENTER	2		12/31/1982			Other
251	DENTON AREA DINING HALL	6		12/31/1964	9/13/2012		Other
252	DENTON HALL	3	3	12/31/1964			Residential
253	EASTON HALL	7	3	12/31/1965			Residential
254	ELKTON HALL	5	3	12/31/1966			Residential
255	SCHOOL OF PUBLIC HEALTH BUILDING	21	1	12/31/1973	12/31/2010		Other
256	ELLCOTT HALL	5	3	12/31/1967			Residential
257	ELLCOTT AREA DINING HALL	4		12/31/1967	12/31/1999		Other
258	HAGERSTOWN HALL	6	1	12/31/1968			Residential
259	LA PLATA HALL	5	5	12/31/1969			Residential
296	BIOMOLECULAR SCIENCES BUILDING	6		12/31/1991			Other
318	GOLF COURSE TOILET FACILITY	2		12/31/1963			Other
338	CHESAPEAKE BUILDING	16		12/31/1991			Other
360	XFINITY CENTER	48	4	10/1/2002			Other
361	TYSER TOWER	30	6	12/31/1991	12/31/2010		Other
362	MARYLAND STADIUM CONCESSIONS 1	2		12/31/1991			Other

Bldg #	Bldg Name	Total No. of Restrooms	Total No. of Single User Restrooms	Year of Construction	Latest Renovation	Comments	Building Designation
363	MARYLAND STADIUM CONCESSIONS 2	1		12/31/1991			Other
364	MARYLAND STADIUM CONCESSIONS 3	1		12/31/1991			Other
365	MARYLAND STADIUM CONCESSIONS 4	6		12/31/1995			Other
367	MARYLAND STADIUM CONCESSIONS 5	5		12/31/1995			Other
368	MARYLAND STADIUM BUILDING (UPPER DECK)	17	4	12/31/1995			Other
370	MARYLAND STADIUM CONCESSIONS 6	2		12/31/1995			Other
379	GOSSETT FOOTBALL TEAM HOUSE	5	1	12/31/1992	10/31/2002		Other
382	NEUTRAL BUOYANCY RESEARCH FACILITY	2		12/31/1992			Other
386	CLARICE SMITH PERFORMING ARTS CENTER	26	3	12/31/2000			Other
387	TECHNOLOGY ADVANCEMENT PROGRAM BUILDING	6		12/31/1998			Other
388	KEHOE TRACK AT LUDWIG FIELD	2		12/31/1995			Other
395	TURFGRASS RESEARCH FACILITY (PAINT BRANCH)	2		8/31/1999			Other
398	RESEARCH GREENHOUSE	2		12/31/2003			Other
399	AQUATIC CENTER	2		12/31/1998			Other
400	MOWATT LANE SUBSTATION	1	1	12/31/1999			Other
406	COMPUTER SCIENCE INSTRUCTIONAL CENTER	8		12/31/2002			Other
409	MARYLAND SOFTBALL STADIUM	3	1	4/30/2002			Other
413	BIOSCIENCE RESEARCH BUILDING	10		12/31/2007			Other
414	FIELD HOCKEY AND LACROSSE COMPLEX	2		12/31/2004			Other
415	PHYSICAL SCIENCES COMPLEX	13	1	9/27/2013			Other
416	SATELLITE CENTRAL UTILITIES BUILDING (SCUB 5)	1		12/31/2009			Other
417	KNIGHT HALL	7	1	1/1/2010			Other
419	OAKLAND HALL	12	8	4/30/2011			Residential
424	SHUTTLE BUS FACILITY	4		12/31/2012			Other
425	PRINCE FREDERICK HALL	30	14	5/29/2014			Residential
428	WYE OAK BUILDING	5		12/31/2013			Other
429	A JAMES CLARK HALL	21	2	12/31/2017			Other
795	AVRUM GUDELSKY VETERINARY CENTER	17	2	12/31/1989			Other
800	4-H HEADQUARTERS	2		12/31/1989			Other
805	PATAPSCO BUILDING	7	1	12/31/1969			Other

Bldg #	Bldg Name	Total No. of Restrooms	Total No. of Single User Restrooms	Year of Construction	Latest Renovation	Comments	Building Designation
806	TECHNOLOGY VENTURES BUILDING	8		12/31/1960			Other
810	SEVERN BUILDING	11	1	12/31/1998	12/31/2014		Other
812	SENECA BUILDING	7	1	12/31/1991			Other
813	ARTEMESIA BUILDING	14	4	12/31/1971			Other

**No. of buildings with restrooms** 164  
**No. of buildings with single user restrooms** 96  
**No. of single user restrooms** 253



**Appendix C - 11 pages - Senate Executive Committee Charge on Gender Inclusive Facilities  
(Senate Document #16-17-32)**



**University Senate  
CHARGE**

<b>Date:</b>	April 12, 2017
<b>To:</b>	Charles Delwiche Chair, Equity, Diversity & Inclusion (EDI) Committee
<b>From:</b>	Jordan A. Goodman Chair, University Senate 
<b>Subject:</b>	Gender-Inclusive Facilities
<b>Senate Document #:</b>	16-17-32
<b>Deadline:</b>	March 30, 2018

The Senate Executive Committee (SEC) requests that the Equity, Diversity, and Inclusion (EDI) Committee review the proposal entitled, "Providing Gender-Inclusive Facilities" and consider whether changes to the current policies and procedures are necessary.

Specifically, we ask that you:

1. Consult with the proposer regarding his specific concerns.
2. Research current University policies and procedures governing gender-inclusive facilities in University buildings.
3. Review policies and procedures for gender-inclusive facilities at Big 10 and other peer institutions.
4. Consult with a representative from the Division of Administration & Finance regarding existing and planned gender-inclusive facilities and current procedures for creating gender-inclusive facilities in new and existing buildings at the University as well as principles guiding the number and capacity of gender-inclusive facilities.
5. Consult with representatives from the Division of Student Affairs regarding any initiatives related to gender-inclusive facilities in residence halls and other student facilities.
6. Consult with a representative from the Department of Fraternity & Sorority Life (DFSL) regarding practices related to gender-inclusive facilities in fraternity and sorority housing.

7. Consult with a representative in the Department of Intercollegiate Athletics regarding public access to gender-inclusive facilities in athletic complexes.
8. Consult with the University's Office of General Counsel on whether any relevant state regulations regarding gender-inclusive facilities in state buildings exist or whether the State of Maryland's Office of the Attorney General has developed related policies or guidelines.
9. Consider the resources required to provide gender-inclusive facilities in existing buildings.
10. Consider whether a University policy regarding gender identity and the use of gender-specific or gender neutral facilities would be appropriate or whether existing university policies and procedures should be revised.
11. If appropriate, recommend potential strategies for designating gender-inclusive facilities in existing university buildings.
12. Consult with the University's Office of General Counsel on any proposed policy recommendations.

We ask that you submit your report and recommendations to the Senate Office no later than March 30, 2018. If you have any questions or need assistance, please contact Reka Montfort in the Senate Office at [301-405-5804](tel:301-405-5804) or [reka@umd.edu](mailto:reka@umd.edu).

Attachment

JAG/rm



## University Senate PROPOSAL FORM

<b>Name:</b>	Luke Jensen
<b>Date:</b>	March 2017
<b>Title of Proposal:</b>	Providing gender inclusive facilities
<b>Phone Number:</b>	301-405-8721
<b>Email Address:</b>	<a href="mailto:ljensen@umd.edu">ljensen@umd.edu</a>
<b>Campus Address:</b>	2218 Marie Mount Hall
<b>Unit/Department/College:</b>	LGBT Equity Center
<b>Constituency (faculty, staff, undergraduate, graduate):</b>	Staff
<b>Description of issue/concern/policy in question:</b>	<p>State Law and our campus non-discrimination policy prohibit discrimination on the basis of gender identity or expression. That underscores the right of individuals to use gender-specific facilities that are consistent with their gender identity. Facilities include restrooms, locker rooms, changing rooms, and any other physical space labeled for men or for women. Some on our campus do not understand that reality. There have been instances of individuals “policing” restrooms by telling others who may not look masculine enough to use the men’s room or feminine enough to use the women’s restroom that they are not allowed in those respective spaces. We should expect that any responses to restroom concerns be focused on behavior. They should never require someone to share or prove their gender identity, and should not profile people purely based on their gender expression or personal appearance, as these categories are protected by the non-discrimination policy</p> <p>There is also a long history of public recognition for the need of more gender-inclusive facilities. Gender-inclusive facilities, especially restrooms, provide safer options for transgender people - including trans men, trans women, and nonbinary people who are neither only men nor only women. These facilities also support people who are not transgender but might be perceived as transgender.</p> <p>An increase in gender-inclusive facilities can also relieve capacity constraints that occur when one gendered restroom is full and another one next to it is not. The recognition of this need dates back to at least 2004, and yet there remain many high-traffic buildings that do not meet this need.</p> <p>Even in newly renovated spaces such as H.J. Patterson (e.g., rooms 2111 and 3111), single-user restrooms required by campus building</p>

	<p>codes are being labeled Men and Women when they could easily be gender-inclusive. There have been some ad hoc solutions in older buildings where no single-user option is available. These include The Stamp Student Union, Eppley Recreation Center, and Ritchie Coliseum. The campus would benefit from a more uniform and comprehensive approach.</p>
<p><b>Description of action/changes you would like to see implemented and why:</b></p>	<p>The University should unambiguously state in policy that all individuals have the right to access gender-specific facilities consistent with their gender identity.</p> <p>A greater number of gender-inclusive facilities should begin by identifying all single-user restrooms as gender-inclusive. There would be no question about who is allowed to use that facility. Transgender individuals, one of our most vulnerable populations, should not have to, in essence, self-identify as either male or female when using a single-user restroom. It would also provide more options for anyone seeking enhanced privacy for any reason.</p> <p>Principles guiding the number and capacity of gender-inclusive facilities should be established so that they are within a reasonable distance for all students, staff, and faculty. For example, no one should feel compelled to go to a different building simply to use the restroom. There should also be a sufficient number so that no one needs to wait an unreasonable amount of time. For older buildings, that means converting a small number of multiple-user gender-specific restrooms to gender-inclusive. For new construction and major renovations, that would likely mean multiple-user gender-inclusive restrooms. This is especially true for buildings with high traffic.</p> <p>Gender-inclusive facilities should be easy to locate. Our campus map now indicates the location of such facilities, but it is impractical to call up the map whenever the need arises. Sufficient and uniformly placed signage should indicate the location of the closest gender-inclusive restrooms.</p> <p>There should be clarity regarding responsibility for the accuracy of the campus map. It can only be as accurate as the information recorded in the University's database. There have been instances when changes have been made and the database has not been updated.</p> <p>Signage for gender-inclusive facilities should be uniform across campus and should avoid using gendered graphics. Rather, signage should focus on what's in the room, not who can use it.</p> <p>The University should address the issue of providing gender-inclusive restrooms in existing buildings where no major renovation is planned. This would likely require a multi-year plan to convert some existing</p>



	<p>restrooms into multiple-user gender-inclusive restrooms.</p> <p>For new construction and major renovations, the design of the facilities should maximize privacy for each toilet stall to include the actual stall (floor to ceiling walls or partitions) and the placement of sinks. For conversion of existing multiple-user restrooms into gender-inclusive spaces, standard specifications should be established to enhance the privacy of each toilet (no direct line of sight into the stall, minimal clearance between the partition and the floor and ceiling) and account for the presence of urinals.</p>
<p><b>Suggestions for how your proposal could be put into practice:</b></p>	<p>A policy should be enacted that provides clarity and guidance on the meaning of non-discrimination on the basis of gender identity or expression and the provision of physical facilities. This would be similar to policies VI-1:00(C) University of Maryland, College Park Policy on Inclusive Language and VI-1:00(D) University of Maryland Disability &amp; Accessibility Policy and Procedures.</p> <p>This policy should clearly state the right of individuals to use gender-specific facilities in accordance with their gender identity. It should also call for identifying all single-user facilities as gender-inclusive.</p> <p>The policy should require consistent signage for all gender-inclusive facilities and signage within each building directing individuals to the nearest gender-inclusive restroom.</p> <p>For multiple-user gender-inclusive facilities, the policy should state principles for establishing their number and construction. It should name those responsible for establishing consistent specifications for both new construction and the conversation of existing facilities. It should also call for the establishment of a multi-year plan to provide gender-inclusive facilities in every building owned or occupied by the University.</p>
<p><b>Additional Information:</b></p>	<p><b>Appendix A: The need for more gender-inclusive facilities at UMD</b></p> <p><b>Appendix B: Sample language for such policies (D.C. Regulations &amp; University of California System, Office of the President)</b></p>

*Please send your completed form and any supporting documents to [senate-admin@umd.edu](mailto:senate-admin@umd.edu) or University of Maryland Senate Office, 1100 Marie Mount Hall, College Park, MD 20742-7541. Thank you!*

## Appendix A: The need for more gender-inclusive facilities UMD

The campus map shows the locations of gender-inclusive restrooms at UMD. Access the map by clicking [here](#), or go to <http://maps.umd.edu/map>, click on “Layers” then click on “Campus Services” then click on “LGBT Resources.” Select “Gender Inclusive Restrooms.” The map clearly indicates that many buildings and whole areas of campus do not have gender-inclusive restrooms.

Individual students and the Student Government Association have called for more gender-inclusive facilities as indicated in few selected articles in *The Diamondback* listed below. It is also an item identified by students in their recent ProtectUMD Demands. (See [https://docs.google.com/a/umd.edu/forms/d/1EkkEV7Ci4KSI0eSziIP1I6FvPhTjdbpLbRIW7aDq6cU/viewform?edit\\_requested=true](https://docs.google.com/a/umd.edu/forms/d/1EkkEV7Ci4KSI0eSziIP1I6FvPhTjdbpLbRIW7aDq6cU/viewform?edit_requested=true))

Wolper, Jon. "For some, struggle to find gender-neutral bathrooms persists." *The Diamondback*. February 26, 2012. [http://www.dbknews.com/archives/article\\_728b2b44-cd79-5780-bcb0-d15c3840c49a.html](http://www.dbknews.com/archives/article_728b2b44-cd79-5780-bcb0-d15c3840c49a.html) (accessed February 23, 2017).

NB: This article identifies an email distributed to the campus from then-President Dan Mote stating that “he planned for every on-campus building to receive at least one gender-neutral bathroom...”

Cotello, Darcy, and Katishi Maaki. "SGA passes three resolutions urging for more gender-neutral bathrooms on campus." *The Diamondback*. December 2, 2015. [http://www.dbknews.com/archives/article\\_47719eb4-994b-11e5-956f-fbafb43beb3e.html](http://www.dbknews.com/archives/article_47719eb4-994b-11e5-956f-fbafb43beb3e.html) (accessed February 23, 2017).

skeandbk@gmail.com. "SGA presents bill for gender-neutral restrooms: if passed, will require at least one in every campus building." *The Diamondback*. April 24, 2014. [http://www.dbknews.com/archives/article\\_ebeeda2e-cc29-11e3-b683-0017a43b2370.html](http://www.dbknews.com/archives/article_ebeeda2e-cc29-11e3-b683-0017a43b2370.html) (accessed February 23, 2017).

## **Appendix B: Sample language for such policies (D.C. Regulations & University of California System, Office of the President)**

D.C. Municipal Regulations and D.C. Register

Chapter: 4-8: Compliance Rules and Regulations Regarding Gender Identity or Expression

<http://www.dcregs.dc.gov/Gateway/ChapterHome.aspx?ChapterNumber=4-8>

### **802 RESTROOMS AND OTHER GENDER SPECIFIC FACILITIES**

802.1 All entities covered under the Act, as amended, shall allow individuals the right to use gender-specific restrooms and other gender-specific facilities such as dressing rooms, homeless shelters, and group homes that are consistent with their gender identity or expression.

802.2 All entities covered under the Act with single-occupancy restroom facilities shall use gender-neutral signage for those facilities (for example, by replacing signs that indicate "Men" and "Women" with signs that say "Restroom").

SOURCE: Final Rulemaking published at 53 DCR 8751, 8753 (October 27, 2006).

### **805 GENDER-SPECIFIC FACILITIES WHERE NUDITY IN THE PRESENCE OF OTHERS IS CUSTOMARY**

805.1 All entities covered under the Act shall provide access to and the safe use of facilities that are segregated by gender.

805.2 In gender-specific facilities where nudity in the presence of other people is customary, entities covered by the Act shall make reasonable accommodations to allow an individual access to and the use of the facility that is consistent with that individual's gender identity or expression, regardless of whether the individual has provided identification or other documentation of their gender identity or expression.

805.3 Requiring documentation or other proof of an individual's gender is prohibited, except in situations where all persons are asked to provide documentation or other proof of their gender for a reasonable business or medical purpose.

SOURCE: Final Rulemaking published at 53 DCR 8751, 8754 (October 27, 2006).

### **808 HARASSMENT AND HOSTILE ENVIRONMENT**

808.1 All harassment and actions that create a hostile environment based on gender identity or expression shall be prohibited.

808.2 The following behaviors may constitute evidence of unlawful harassment and hostile environment:

- (a) Deliberately misusing an individual's preferred name form of address or gender-related pronoun;
- (b) Asking personal questions about an individual's body, gender identity or expression, or gender transition;
- (c) Causing distress to an individual by disclosing to others that the individual is transgender; and
- (d) Posting offensive pictures, or sending offensive electronic or other communications.

In determining whether there is unlawful harassment or a hostile environment, the totality of the circumstances surrounding the alleged violation of the Act must be considered, including the nature, frequency, and severity of the behavior, whether it is physically threatening or humiliating, or a mere offensive utterance; and whether it unreasonably interferes with the alleged victim. Ultimately the standard is an objective one, focusing on whether the behavior was sufficiently severe or pervasive to alter the conditions of the victim's employment, housing, education, or access to or use of public accommodations, or relations with a District of Columbia agency or contractor, and to create an abusive environment.

SOURCE: Final Rulemaking published at 53 DCR 8751, 8755 (October 27, 2006).

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University of California, Office of the President  
Construction Services

RD4.1: Providing Gender Inclusive Facilities

<http://www.ucop.edu/construction-services/facilities-manual/resource-directories-rds/rd4-project-programmatic-guidelines/rd-4-1.html>

## RD4.1: Providing Gender Inclusive Facilities

### References

- [Gender Inclusive Facilities in Renovation Projects – Request for Waiver Based on Unreasonable Hardship \(reference template\) \(Attachment A\)](#)
- [Sample Gender Inclusive Signs \(Attachment B\)](#)

In accordance with the University's nondiscrimination policies, these guidelines seek to create an inclusive campus environment for transgender and gender variant people and provide direction on the implementation of gender inclusive facilities in UC-owned buildings. These guidelines affirm that individuals have the right to use facilities that correspond with their gender identity.

These guidelines apply to UC-owned facilities including new construction, existing, and renovated facilities. While these guidelines do not extend to UC-leased facilities at this time, evaluation of the availability of gender inclusive facilities shall occur when beginning or renewing leases, especially when UC leases more than 50% of a building, or for leases 10 years or longer. Privatized projects developed on UC-owned land where the project is to be used for University-related purposes shall comply with the requirements for inclusive facilities.

### 4.1.1 Background

The University of California is strongly committed to creating and sustaining a campus environment that supports and values all members of our community, including visitors. These guidelines focus on providing a safe environment, consistent with UC principles of community and efforts around civility and respect. Gender inclusion should provide access and equality by creating an environment that is safe, accessible, and respectful of all individuals. One aspect of creating an inclusive environment is the availability of safe, accessible, and convenient restroom facilities. Many

people may experience difficulty, inconvenience, or harassment when using gender specific restrooms and facilities. Additionally, parents with children of a different gender, as well as caregivers to persons of a different gender, face difficulties in accompanying them. UC aims to implement best practices for gender inclusive facilities.

#### 4.1.2 Definitions

Changing Room: a room in which one or more persons partially or fully disrobe and re-dress. Locker rooms fall under this definition. Gender inclusive changing rooms shall provide privacy and security.

Gender Identity: an individual's sense of oneself as male, female, or transgender, including an individual's self-image, appearance, expression, or behavior, whether or not that self-image, appearance, expression, or behavior is different from the individual's sex assigned at birth.

Gender Inclusive Facility (sometimes referred to as Gender Neutral facility): a facility, including but not limited to, restrooms, showers, locker rooms and changing rooms, that is usable by persons of all gender identities and expressions and that is not gender specific. Facility shall provide privacy and security for the individual user. Gender inclusive facilities shall include spaces and fixtures equivalent to gender specific facilities.

Gender Specific: designated for use by one gender (i.e., male or female).

Restroom: any facility equipped with toilets, urinals or other similar facilities, in a public facility for the use of the public for personal hygiene and comfort. "In a public facility" and "for the use of the public" in this context covers essentially all UC facilities and restrooms, except for facilities located within private residences or apartments, and within dormitory suites.

Shower: a space in which one or more persons bathe or shower. Gender inclusive showers shall provide privacy and security for the individual user.

#### 4.1.3 GUIDELINES AND COMPLIANCE

Campuses and other UC locations (e.g. Medical Centers, Laboratories, Agriculture and Natural Resources (ANS), or Natural Reserve System (NRS), etc.) shall undertake the following – A due date for completion of initial tasks is noted after each task, where applicable:

**CAMPUS PROCESS**: Establish a site-specific process to guide and review campus efforts toward gender inclusive facilities. Each location shall also establish a review process for hardship requests for waiver from these guidelines and establish a process for receipt and review of complaints and suggestions, with a submittal location posted on the campus website. This should be completed by November 1, 2015. A letter confirming that this is done should be provided by this due date to Associate Vice President, Capital Programs, Deborah Wylie.

**INITIAL AUDIT:** Perform an initial audit of restrooms and other gender-specific facilities, such as changing rooms and showers, in all UC-owned buildings. The audit shall list all existing buildings in which restrooms, changing rooms and showers are provided; whether each building has gender inclusive facilities; and the type and number of gender inclusive facilities. This should be completed by November 1, 2015. A letter confirming that this is done should be provided by this due date to Associate Vice President, Capital Programs, Deborah Wylie.

**CONVERT EXISTING FACILITIES:** Convert existing single-occupancy or single-stall restrooms in all UC-owned buildings from gender-specific to gender inclusive facilities with privacy and security as noted in the definitions. It is anticipated that conversion will usually be limited to revised signage. Conversions that are accomplished by signage alone shall not be considered renovations. This should be completed by March 1, 2016.

**NEW CONSTRUCTION or RENOVATION:** For UC-owned buildings beginning design, for either new construction or renovation, on or after July 1, 2015, provide at least one gender inclusive restroom on each floor where restrooms are required or provided in a building. Gender inclusive restrooms on each floor shall be accessible consistent with the California Building Code (CBC). "UC-owned" includes buildings designed and/or built by third parties that are to become the property of UC upon completion.

**RESTROOM RENOVATION:** When extensive renovations are made to existing restrooms (when the construction cost for the renovation exceeds 50% of the restroom replacement cost) or when extensive renovations are made to one of more floors on an existing building (more than 50% of the replacement cost of the area being renovated) in buildings that do not already have at least one gender inclusive restroom, the project shall provide a gender inclusive restroom in the same building.

**CHANGING ROOMS:** For new buildings, construct at least one gender inclusive changing room in each location in the building where locker rooms or changing rooms are provided, located within the locker room/changing room facility, so the user need not leave the area to use the changing room. For major renovations, construct at least one gender inclusive private changing room in each location in any building where locker rooms or changing rooms are provided (major renovation is renovation exceeding 50% of replacement cost of the area being renovated) or when the locker room or changing room is renovated.

**SHOWERS:** Construct gender inclusive showers in new buildings in which showers are provided. If the shower or showers are located within a locker room/changing room facility, the gender inclusive shower(s) shall be located so that the user need not leave the area to use the shower. Construct at least one gender inclusive shower in each location in any building where showers are provided when a major renovation occurs (renovation exceeding 50% of replacement cost of the area being renovated) or when the existing showers are renovated. Locate shower within the locker room/changing room facility so that the user need not leave the area to use the shower.

**LIST OF LOCATIONS:** Prominently list the locations of gender inclusive facilities on campus websites. This should be completed by March 1, 2016.

**SIGNS:** It is recommended that gender inclusive facilities be identified in a simple manner, utilizing the minimum signage required by the CBC and the 2010 ADA Standards for Accessible Design (ADA). For restrooms, the required sign on the door shall be a triangle within a circle, without gender pictograms, and may include the term "Restroom." The international convention is a white triangle in a blue circle, but ADA- and CBC-compliant signs/colors are acceptable. The CBC-required room identification sign shall provide the minimum required information, including the pictogram for access, if applicable. For restrooms, limiting the room identification to "Restroom" is recommended. Signs for changing rooms and shower rooms should follow this recommendation as applicable. Refer to CBC Chapter 11 for minimum requirements. Sample signs are outlined in [Attachment B](#) above.

**DIRECTIONAL SIGNS:** In buildings where gender inclusive facilities are not or cannot be provided, provide and install directional signs indicating the nearest gender inclusive facilities. This should be completed by July 1, 2016.

**HARDSHIP:** In instances where hardship may preclude full compliance with these guidelines, campus entities may request that a waiver from the guidelines be approved according to the process and criteria for review and approval of waivers as established by each campus location (see [Attachment A](#)). Approval authority for these waivers is delegated to the Chancellor and may be re-delegated to one individual, in writing. A model template for waiver requests is attached to these guidelines, and may be used or modified by each UC location. If the campus determines that it is physically impracticable to provide a gender inclusive restroom facility in the building, the campus may elect to provide a gender inclusive facility (if one does not already exist) in a nearby building. "Nearby" is defined by the worksheet as within 2 minutes of pedestrian travel time between building entrances.

Revised June 30, 2015 (Change # FM 15-007-P)