

Testimony Regarding Transgender and Non-Binary Student Facility Access

Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee

Thank you for the opportunity to testify today regarding proposed bills LD 868, LD 1134, LD 1704 which would prohibit transgender and non-binary students from accessing facilities that align with their gender identity.

My name is Dr. Hien Nguyen, and I am an Economic Professor and the Cody van Heerden Chair in Economics & Quantitative Social Sciences at College of the Atlantic, Bar Harbor, Maine. I am writing today to express my deep concern about these bills and to urge you to **reject** them based on their potential to cause significant harm to an already vulnerable population while solving no documented problem.

Existing Discrimination Against Transgender Americans

Transgender and gender-nonconforming American are among the most socioeconomically vulnerable minority groups in the United States. Research from Economics and other Social Sciences disciplines indicates that transgender individuals are less likely to be employed, having lower household incomes, and more likely to be poor than cisgender individuals even after controlling for education and other observed characteristics. While a number of factors are responsible for this divergence, numerous studies have highlighted the role of transphobic stigma and discrimination in a wide range of social settings. These include at the workplace, in the labor market, in the housing market, in public spaces, in healthcare and educational environments, in public policies, and the law itself.

According to the U.S. Transgender Survey, the largest survey of transgender people in the United States:

- Nearly one-third (30%) of respondents who had a job reported being fired, denied a promotion, or experiencing other forms of mistreatment due to their gender identity.
- The unemployment rate among transgender people is three times higher than the national average.
- Nearly one-third (30%) of respondents have experienced homelessness at some point in their lives.
- More than three-quarters (77%) of those who were out or perceived as transgender in K-12 education experienced mistreatment, including verbal harassment, physical assault, and sexual assault.

- 40% of respondents have attempted suicide in their lifetime—nearly nine times the national average.

These statistics reflect a reality of mistreatment, harassment and discrimination - compounded by poverty and other forces of structural inequalities – which has made life precarious for many transgender people, especially trans people of colors.

The Vulnerable Position of Transgender Youth

Transgender and non-binary youth face even greater vulnerability:

1. **Family Rejection:** An estimated 40% of homeless youth identify as LGBTQ+, with family rejection of their identity being the leading cause. Transgender youth specifically report the highest rates of family rejection.
2. **School Harassment:** According to the most recent GLSEN School Climate Survey, 83% of transgender students report feeling unsafe at school because of their gender expression. This leads to higher rates of absenteeism, lower GPAs, and decreased post-secondary education plans.
3. **Mental Health Crisis:** Transgender youth attempt suicide at rates nearly three times higher than their cisgender peers. However, research shows that supportive environments and policies dramatically reduce these risks.
4. **Educational Outcomes:** The cumulative impact of these challenges results in lower educational achievement, with many transgender students dropping out or underperforming due to hostile school environments.

Impact of Facility Restrictions

The proposed legislation would specifically:

1. **Exacerbate Existing Harassment:** Forcing transgender students to use facilities that don't align with their gender identity singles them out for potential harassment and bullying.
2. **Create Health Risks:** Many transgender students will avoid using restrooms entirely, leading to increased urinary tract infections, kidney problems, and other health issues from bathroom avoidance.
3. **Reinforce Economic Disadvantage:** By creating additional barriers to educational success, these policies perpetuate the cycle of economic disadvantage transgender Americans already face.
4. **Contradict Medical Consensus:** Every major medical organization, including the American Academy of Pediatrics and the American Medical Association, recognizes that supporting transgender youth in their gender identity improves health outcomes.

Real Costs vs. Imagined Concerns

While proponents of such legislation often cite privacy or safety concerns, there is no empirical evidence supporting these claims:

- Schools across the country that have implemented inclusive policies report no increase in privacy or safety incidents.
- Law enforcement officials from states with transgender protections have consistently reported no increase in safety incidents in public facilities.
- Meanwhile, the documented harms to transgender youth from restrictive policies are substantial and well-researched.

Economic Impact Assessment

The economic implications of this legislation extend beyond individual students:

- **Educational Costs:** Higher dropout rates among transgender students represent millions in lost educational investment.
- **Healthcare Costs:** Increased mental health challenges from unsupportive environments create substantial healthcare costs.
- **Workforce Impact:** Alienating transgender youth from educational environments ultimately reduces workforce participation and productivity.
- **Legal Costs:** Similar legislation in other states has faced expensive legal challenges, costing taxpayers millions in legal fees.

Conclusion

In conclusion, I urge this committee to reject any legislation that would prevent transgender and non-binary students from using facilities that align with their gender identity. Such legislation would compound the already significant socioeconomic challenges facing transgender Americans, particularly vulnerable youth.

Instead, I encourage the committee to consider policies that support all students in safe, respectful learning environments. Educational success should be based on academic merit and effort, not limited by one's gender identity.

Our schools should be places where every student can focus on learning without the burden of discrimination or the anxiety of basic facility access. Every child deserves dignity, respect, and an equal opportunity to thrive in our educational institutions.

Thank you for your consideration.

Respectfully submitted,

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