No loopholes in protecting civil rights

MIT GSC supports Massachusetts bill H.4253

The Gender Identity and Nondiscrimination Act (H.4253) would represent a crucial step forward for transgender rights in the state by eliminating a loophole in Massachusetts civil rights protections. Massachusetts law currently prohibits discrimination in admission to or treatment in public accommodations based on religion, creed, class, race, color, denomination, sex, sexual orientation, nationality, or disability. However, these protections are not extended to gender identity. The Senate overwhelmingly voted to close this loophole on May 12, and the House of Representatives will vote on their version of the bill on June 1. The MIT Graduate Student Council supports the The Gender Identity and Nondiscrimination Act because we believe that MIT students and all members of our community should be free from discrimination in all settings without exception.

This legislation is crucial in barring discrimination in public accommodations including hotels, restaurants, stores, hospitals, and nursing homes — discrimination that is all too real. In a 2014 survey, 65 percent of transgender people in Massachusetts reported experiencing discrimination in public accommodations, according to Freedom Massachusetts, a coalition in support of the legislation. State Senator Pat Jehlen tells the story of a retired Hollywood actress whose dementia progressed to the point where her family could no longer care for her. After being denied by a number of nursing homes in Massachusetts due to being transgender, she was finally accepted by a nursing home that refused to put her in a normal room and instead repurposed a windowless closet.

Protecting the civil rights of people of all gender identities in all settings, including public accommodations, is an important step toward safeguarding the rights of MIT students and all visitors and residents of our Commonwealth. Many other governments have already taken this important step, including seventeen states, Washington D.C., and approximately 225 cities and towns across the United States. Right here in Massachusetts, thirteen municipalities, including Cambridge, have enacted local ordinances that protect gender identity in public spaces, all with the support of local law enforcement.

Public accommodations protections were not included in the 2012 Transgender Equal Rights Act because some business owners mistakenly believed that they would be required to install new restrooms or make other burdensome changes to accommodate this law. However, this is simply not true: patrons of Massachusetts businesses and public facilities already use the restroom of the gender with which they most closely identify. The proposed law would simply extend protections for them to continue to do so without discrimination. Local universities, including MIT, Harvard, and Northeastern, have expressed their support for the ongoing legislative effort. We join them in urging our
representatives to pass The Gender Identity and Nondiscrimination Act, and we call on Governor Baker to sign this bill into law.

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