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**BALTIMORE CITY COUNCIL
HEALTH COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Health Committee is to study, examine and propose regulations concerning health and environmental issues; and to make recommendations and propose legislation for improving the overall health and welfare of all residents of Baltimore City.

**The Honorable Kristerfer Burnett
Chairman**

PUBLIC HEARING

**TUESDAY, SEPTEMBER 15, 2020
10:00 AM**

VIRTUAL WEBEX MEETING

Council Resolution #20-0199R
**Investigative Hearing – Well-being of the Transgender
Community in Baltimore**

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- *Larry Greene (pension only)*

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BILL SYNOPSIS

Committee: Health

Council Resolution: 20-0199R

Investigative Hearing – Well-being of the Transgender Community in Baltimore

Sponsor: *President Scott, et al*

Introduced: *June 15, 2020*

Purpose:

For the purpose of inviting representatives from the Mayor's Office, the Health Department, Baltimore Police Department, Baltimore City Public Schools, the Mayor's Office of Homeless Services, the Mayor's Office of Employment Development, the Baltimore City Office of Equity and Civil Rights, the Baltimore City State's Attorney's Office, the Baltimore City Department of Social Services, the Maryland State Health Department and Behavioral Health Systems Baltimore to update the Council on services provided to and the general well-being of the transgender community in Baltimore.

Effective: Upon enactment.

Agency Reports

Health Department

Police Department

Baltimore City Public School System

Mayor's Office of Homeless Services

Mayor's Office of Employment Development

Baltimore City State's Attorney's Office

Department of Social Services

Office of Equity and Civil Rights

Office of the Mayor

Favorable/Comments

Analysis

Current Law

The Health Code of Baltimore City, outlines the rules, regulations and mandates for health related issues.

Background

The word “transgender” or “trans” is a term for people whose gender identity is different from the sex assigned to them at birth. Some transgender people identify very strongly as a gender other than what they were assigned at birth, while others identify as being beyond, between, or a combination of genders.¹

The “transgender community” is a term used to describe the people who experience things that don’t match as they are expected to by the sex assigned to them at birth and their internal gender identity, who experience binary gender as restrictive or inaccurate who do not conform to cultural expectations of binary gender. The community also include those who loves someone who is transgender (i.e., partner, family member, love one)²

The community includes transgender people of all ages, races, ethnicities, religions, and socioeconomic backgrounds and also comprises a wide variety of gender-related experiences.³

While the visibility of transgender people is increasing in culture and daily life, they still face severe discrimination, stigma and systemic inequality. Some of the specific issues facing the transgender community are:

- Lack of legal protection
- Poverty
- Harassment and stigma
- Anti-transgender violence
- Barriers to healthcare, and
- Identify Documents

Per the primary sponsor of the Resolution, “Members of this community have been overlooked; there have been issues over the years for getting services needed and knowing where they need to go to get those services. The main focus of the hearing will be to see what can we do to help the community thrive.”⁴

On Tuesday, September 10, 2020, several city agency representatives and other stakeholders are invited to come before the committee to update the Council on services provided to and/or to discuss the general well-being of the transgender community in Baltimore.

¹ Google, define Transgender

² Google, define Transgender Community

³ Ibid

⁴ The Honorable Brandon Scott, President, City Council

Additional Information

Fiscal Note: None

Information Source(s): Health Code, Council Resolution #20-0199R, see footnotes, and all agency reports received as of this writing

Marguerite M. Currin

Analysis by: Marguerite M. Currin

Analysis Date: September 10, 2020

Direct Inquiries to: 443-984-3485

Council Resolution 20-0199R
AGENCY REPORT(S)

BALTIMORE CITY PUBLIC SCHOOLS

Bernard C. “Jack” Young
Mayor, City of Baltimore

Linda Chinnia
*Chair, Baltimore City Board of
School Commissioners*

Dr. Sonja Brookins Santelises
Chief Executive Officer

September 4, 2020

The Honorable Brandon Scott
President, Baltimore City Council
City Hall, Room 400
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 20-0199R

Dear Council President Scott:

On February 24, 2020, the Baltimore City Council introduced the above-captioned bill, requesting that Baltimore City Public Schools (City Schools) and various city agencies update the Council on services provided to and the general well-being of the transgender community in Baltimore.

City Schools’ Policy JBB and Administrative Regulation JBB-RA (Sex-Based Discrimination – Students) were adopted by the Baltimore City Board of School Commissioners (Board) in April 2019. Policy JBB confirms that City Schools’ prohibition against sex-based discrimination includes discrimination based on gender identity, gender expression, sexual orientation, and nonconformance to stereotypical notions of masculinity or femininity. As such, the policy and administrative regulation apply to transgender students.

Policy JBB covers key topics, including:

- Use of pronouns
- Dress codes
- Access to gender-segregated facilities
- Athletics and physical education
- Student records

On August 25, 2020, the Baltimore City Board of School Commissioners reviewed a presentation regarding City Schools’ efforts to ensure robust compliance with Policy JBB and other legal requirements, while also mitigating complaints over the long-run by building capacity to implement supportive practices that will contribute to safe and secure environments for all those we serve in the LGBTQ+ community, including transgender students. The PowerPoint presentation is attached for your convenience, and it also is available at this link:

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Linda Chinnia
*Chair, Baltimore City Board of
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[https://go.boarddocs.com/mabe/bcpss/Board.nsf/files/BSMUHV7C30B1/\\$file/Presentation%20-%20Supporting%20LGBTQ%2B%20Community-%20FINAL.pdf](https://go.boarddocs.com/mabe/bcpss/Board.nsf/files/BSMUHV7C30B1/$file/Presentation%20-%20Supporting%20LGBTQ%2B%20Community-%20FINAL.pdf)

As detailed in the presentation, City Schools is establishing a cross-functional team of district-office and school-based staff (co-facilitated by the Office of Legal Counsel and Office of Equity), which will:

- Build out key work streams for the 2020-2021 school year and beyond.
- Develop survey to gather quantitative/qualitative data about student and staff experiences and identifying any perceived misinterpretations of Policy JBB.
- Create opportunities for LGBTQ+ students to inform & shape strategies to facilitate interactions where they are welcomed and engaged as authentic thought partners.
- Incorporate input from staff, community advocates, and other stakeholders

Also detailed in the presentation are City Schools’ plans to organize efforts across offices and schools into key work streams:

- Policy Interpretation and Implementation
- Student Engagement, Support, and Wholeness
- Staff Professional Development
- Academics
- Data Management, Monitoring, and Communication
- Facilities

One example of our work is particularly relevant as we seek to ensure safe environments for all our students as City Schools begins the school year with virtual instruction given the circumstances of the COVID-19 pandemic. City Schools has received questions and concerns regarding Zoom, Google Classroom, and other virtual learning platforms displaying the given name of students who do not use their given name for reasons related to gender identity. To address these questions and concerns, City Schools issued guidance to school leaders last spring, which was updated for the beginning of the 2020-2021 school year. The updated guidance, which is attached for your convenience, affirms the commitment set forth in Policy JBB that students have a right to be referred to by their preferred name and by the pronouns that correspond with their gender identity. Under Policy JBB, schools are required to allow any and all transgender, agender, non-binary, and gender non-conforming students to use their chosen name and gender pronouns that reflect their identity, regardless of whether they have undergone a legal name change process. The attached guidance provides protocols for schools to follow in responding to students’ requests to update their student information to align with their gender identity.

Another example of our work is in the area of facilities, where City Schools added gender

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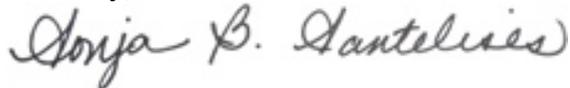
Dr. Sonja Brookins Santelises
Chief Executive Officer

neutral facilities to City Schools' updated Educational Specifications for school construction and renovation projects, based on a student-focused design developed by and in-house cross-office focus group. City Schools has added gender-neutral facilities in six operating 21st Century schools, nine schools under construction, and four schools in design, plus two additional projects completed in 2019-20 (Graceland Elementary and Holabird Academy).

In conclusion, City Schools has demonstrated a firm public commitment to supporting the safety and well-being of our transgender student population. The district will be pleased to testify upon request.

Thank you for including City Schools in this important process, and for the City Council's longstanding support and advocacy on behalf of our schools and students.

Sincerely,



Sonja Brookins Santelises, Ed.D.
Chief Executive Officer

C: Baltimore City Board of School Commissioners

CITY OF BALTIMORE
COUNCIL BILL 20-0199R
(Resolution)

Introduced by: President Scott, Councilmembers Henry, Costello, Schleifer, Dorsey, Pinkett,
Cohen, Bullock, Clarke, Reisinger, Middleton, Burnett, Sneed, McCray, Stokes

Introduced and read first time: February 24, 2020

Assigned to: Health Committee

REFERRED TO THE FOLLOWING AGENCIES: Health Department, Police Department, Baltimore City
Public School System, Mayor’s Office of Homeless Services, Mayor’s Office of Employment
Development, Baltimore City State’s Attorney’s Office, Department of Social Services, Office of
Equity and Civil Rights, Office of the Mayor

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Investigative Hearing – Well-being of the Transgender Community in Baltimore**

3 FOR the purpose of inviting representatives from the Mayor's Office, the Health Department,
4 Baltimore Police Department, Baltimore City Public Schools, the Mayor’s Office of
5 Homeless Services, the Mayor’s Office of Employment Development, the Baltimore City
6 Office of Equity and Civil Rights, the Baltimore City State's Attorney's Office, the Baltimore
7 City Department of Social Services, the Maryland State Health Department and Behavioral
8 Health Systems Baltimore to update the Council on services provided to and the general
9 well-being of the transgender community in Baltimore.

10 **Recitals**

11 Anti-transgender stigma, transphobia, and the dehumanization of transgender individuals is
12 prevalent in the media, politics and public policy. According to the Human Rights Campaign
13 Foundation’s (HRCF) 2018 report *Dismantling a Culture of Violence: Understanding*
14 *Anti-Transgender Violence and Ending the Crisis*, transgender and gender-expansive people face
15 stigma surrounding who they are from an early age. Often rooted in inaccurate beliefs and
16 politically-motivated attacks on transgender identities, this stigma erects barriers in virtually
17 every facet of life, denying transgender people the equal opportunity to succeed and be accepted
18 for who they are. In a Baltimore-based Be the Conversation (BTC) study, transgender and
19 non-binary Baltimoreans view stigma and transphobia as a leading contributor to their violence
20 experiences. This stigma and lack of general knowledge and acceptance has a profound impact
21 on the health, well-being, and safety of transgender individuals.

22 According to the HRCF report, there has been a slew of attacks on the transgender
23 community, including the Trump administration’s intention to redefine “sex” to exclude
24 transgender people from existing civil rights protections. Removing existing civil rights
25 protections increases the possibility of attack and greater discrimination towards transgender
26 individuals. Existing discrimination is found in unequal barriers to education, economic
27 development, housing, health care, and the justice system.

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

Council Bill 20-0199R

1 In a report by GLSEN, the nation's leading education non-profit addressing LGBTQ issues in
2 K-12 schools, over half of transgender students (54%) have been denied access to restrooms that
3 are consistent with their gender and nearly half of transgender students (48%) have been
4 prevented from using their chosen name. In addition, the HRCF report indicates that 84% of
5 transgender youth do not feel safe in the classroom.

6 Extensive barriers to health care exist for the transgender community. Finding medical
7 professionals that respect and affirm their identities as well as insurance that covers medically
8 necessary procedures are on-going challenges. Transgender individuals report being denied care
9 simply because of their gender identity. In the Leading Innovation for Transgender Women's
10 Health and Empowerment (LITE) study, individuals cited safety in transit as a barrier to
11 accessing healthcare. Transphobia also leads to adverse mental health, including suicidality and
12 PTSD. Other barriers faced include unstable housing, increased rates of homelessness and
13 employment discrimination.

14 Transgender individuals suffer from an increased rate of violence. In the Supporting
15 Transgender Research and Opportunities in the Baltimore Environment (STROBE) study, 75%
16 of participants had experience physical violence in their lifetime. Violence is highly prevalent
17 for local transgender women of color, especially violence perpetrated by strangers and intimate
18 partner violence. Specifically, in Baltimore, police violence and harassment are among the
19 concerns that face the transgender community.

20 Black transgender women in Baltimore suffer from the added impacts of racism and sexism,
21 compounding the discrimination they face. Given the added obstacles they face, Black
22 transgender women are especially vulnerable, with many dealing with poverty, homelessness,
23 intimate partner violence, sexual assault, survival sex work, addiction, HIV and other STIs, and
24 general violence. There is an epidemic of violence against Black transgender women, with eight
25 Black transgender women having been killed in Baltimore City since 2012.

26 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
27 Council invites representatives from the Mayor's Office, the Health Department, Baltimore
28 Police Department, Baltimore City Public Schools, the Mayor's Office of Homeless Services, the
29 Mayor's Office of Employment Development, the Baltimore City Office of Equity and Civil
30 Rights, the Baltimore City State's Attorney's Office, the Baltimore City Department of Social
31 Services, the Maryland State Health Department and Behavioral Health Systems Baltimore to
32 update the Council on services provided to and the general well-being of the transgender
33 community in Baltimore.

34 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the the Mayor, the
35 Baltimore City Health Commissioner, the Baltimore Police Commissioner, the CEO of
36 Baltimore City Public Schools, the Director of the Mayor's Office of Homeless Services, the
37 Director of the Mayor's Office of Employment Development, the Director of the Baltimore City
38 Office of Equity and Civil Rights, the Baltimore City State's Attorney, the Director of the
39 Baltimore City Department of Social Services, the Secretary of the State Health Department, the
40 President and CEO of Behavioral Health System Baltimore, the Mayor's LGBTQ Affairs
41 Liaison, and the Mayor's Legislative Liaison to the City Council.