



No side is 'shameful' in Trump's change to transgender bathroom policy

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February 23, 2017

President Trump's administration has rescinded the Obama administration's "Dear Colleague" letter requiring that public schools let transgender students use the bathrooms and locker rooms of their choice. It was probably the right thing to do, and there was nothing "shameful" about the decision: equally decent people can, and do, have competing views of what is good.

There is no reason, of course, to believe anything other than that the Obama administration's initial guidance was well-intended, driven by a desire to see transgender students empowered to make decisions for themselves about who they are. It is also absolutely a legitimate worry that school districts might discriminate against transgender students.

But equally decent people could feel very uncomfortable sharing a bathroom or changing room with someone of the opposite biological sex — sex-based privacy has been a time-honored norm — and could also have religious objections to such mixing. What about their rights? There were also legitimate worries about the legality of the order, delivered as a sudden reinterpretation of long-standing regulations.

Finally, societal evolution takes time. It may well be better to let smaller units (states, communities, families) grapple with and adjust to social change than suddenly impose one vision of the good on everyone.

Of course, there may be no solution in a diverse school or district that equally respects the values and desires of all. This is a major reason that school choice is so crucial: it enables families and educators to freely choose the values they want taught and respected, rather than government choosing one side to win and the other to lose.

Alas, some high-profile defenders of the Obama guidance immediately sprang into moral condemnation or hysteria mode, continuing to poison the national debate that has been degenerating for decades, but has seemingly collapsed in the era of Trump. Sen. Patty Murray, D-Wash., condemned the administration's action as "shameful," as if it were impossible that any morally-upright person could have a position against federally-forced transgender bathroom

access. American Federation of Teachers president Randi Weingarten declared, "Reversing this guidance tells trans kids that it's OK with the Trump administration and the Department of Education for them to be abused and harassed at school for being trans."

No, the new guidance does not say that. Indeed, the letter announcing it says that "all schools must ensure that all students, including LGBT students, are able to learn and thrive in a safe environment." There is not a shred of meaningful evidence that anyone in the Trump administration is trying to essentially declare open season on transgender kids.

There are fine reasons to oppose what the Trump administration has done on bathroom and locker room access in public schools. But there are also perfectly decent reasons to support it — indeed, I think more compelling. Perhaps just as important, it is long past time that we cease with unfair, incendiary, cohesion-shredding rhetoric, and accept that good people can have different opinions than we do.

What better place to start than with the education of our children?

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