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Lived Experiences of Transgender and Non-Conforming Individuals Related to Gender Separation Bathroom Policies

Patricia Ojea
Walden University

Walden University

College of Health Sciences and Public Policy

This is to certify that the doctoral dissertation by

Patricia Ojea

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the review committee have been made.

Review Committee
Dr. Anne Hacker, Committee Chairperson,
Public Policy and Administration Faculty

Dr. James Smith, Committee Member,
Public Policy and Administration Faculty

Chief Academic Officer and Provost
Sue Subocz, Ph.D.

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Abstract

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Doctoral Study Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Public Policy and Administration

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Abstract

The transgender and gender non-conforming population experiences discrimination when using public restrooms, but scholarly researchers do not know how the varying degrees of acceptance or rejection impact their daily lives. The purpose of this qualitative study was to better understand the lived experiences of transgender and non-conforming (TGNC) adults to determine if bathroom legislation helps alleviate adversity experienced by this group. Kingdon's multiple-streams framework and Meyer's minority stress theory were the theoretical frameworks that served as this study's foundation. The research questions for this study focused on how the lack of enabling restroom policies in New Jersey impacts TGNC adults who reside, work, study, or spend ample time in that state and how these specific influences could encourage a national dialogue. This qualitative study used a researcher-developed interview guide to conduct individual interviews. Using a convenience sampling technique, four female and six male adults who speak English, were between 18 and 25, and living or studying in three counties in New Jersey, were recruited for this study. Data was coded using a deductive coding technique. Four themes emerged from the data to describe the victimization experienced by (TGNC) individuals who live, work, or spend time in the three counties: verbal and physical abuse; state and federal laws and legislation; media influence. In addition, participants shared their opinions about being interviewed. Policy makers might use these findings to enhance positive social change related to fostering respect and inclusivity of TGNC individuals in mainstream society.

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Dedication

This proposal is dedicated to my family and friends- especially my good friends Dr. Barbara Quigley and Dr. Kim Sheinbaum -who encouraged me to persevere throughout my doctoral journey. Moreover, Dr. Alisa Esey provided excellent advice and a helping hand when needed. My other good friend is Dr. Shaheen Ayubi with whom I traveled far and wide. Last but not least, Dr. Hilda Shepeard and Dr. Anne Hacker provided exceptional expertise, encouragement, and patience for which I am grateful.

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Chapter 1: Introduction to the Study

Introduction

Numerous researchers have shown that transgender individuals experience discrimination (Harrison-Quintana et al., 2017) and that this discrimination also occurs when using public restrooms (Trotta, 2016). Individuals within this population often suffer additional consequences from this discrimination, with some individuals reporting higher levels of mental stress, depression, and suicidal tendencies (Bauer et al., 2017). This type of treatment is unacceptable and needs to be mitigated or extinguished. Although some laws and policies help alleviate these populations' suffering, there is little research on how effective such laws are.

From the results of this study, policymakers can further understand the unique experiences to help develop novel ideas for new and updated state-by-state legislation. This study could also act as a starting point to uncover the individual and subjective experiences of this population to understand their specific experiences better and identify ways to further help this population with interventions for treatment regarding the negative consequences of discrimination.

In this first chapter, a background of the topic will be discussed, followed by the problem statement, the purpose of the study, research questions, theoretical frameworks, nature of the study, definitions, assumptions, scope and delimitations, and limitations, significance, summary, and transition to Chapter 2.

Background

An abundance of research exists on the degree and amount of discrimination transgender individuals experience, both within and outside public restrooms. Flores et al. (2015) studied public attitudes on transgender rights in the workforce. They quoted the National Transgender Discrimination Survey (NTDS), stating that discrimination and mistreatment in the workplace are everyday experiences among 90% of the respondents (Herman et al., 2017). Trotta (2016) found that 12% of the adult Transgender and Non-Conforming (TGNC) community were verbally harassed in public restrooms within the previous year, 1% were physically attacked when using the toilet of choice, 1% were sexually assaulted when using the restroom of choice, 9% reported access refusal, and 59% indicated they avoided using public restrooms. This population experiences discrimination often and across many domains.

Past researchers have also focused on the consequences of discrimination for this population. For instance, Bauer et al. (2017) found that individuals who experienced discrimination had higher levels of mental stress, such as depression and suicidal tendencies than those who did not experience discrimination. The negative consequences of prejudice are even more pronounced in the TGNC population. For instance, the TGNC community is also subject to higher rates of suicide, substance abuse, and minority stress compared to gay and cisgender individuals (Harrison & Michelson, 2017).

With the high levels of discrimination found in this population (Flores et al., 2017; Trotta, 2016), along with the negative consequences of discrimination (Bauer et al., 2017; Harrison & Michelson, 2017), researchers have investigated ways to help mitigate

the bias. Grant et al. (2019) suggested setting a neutral tone of inclusion to allow TGNC individuals to access public bathrooms without adjusting their gender preference. Gillig et al. (2018) advocated for entertainment to change viewer attitudes toward transgender individuals and their policies. Others have focused attention on the importance of policy and law in alleviating this issue (Clark et al., 2017; Reisner et al., 2016).

Although it is essential to highlight the breadth of research on this topic (Flores et al., 2015; Reisner et al., 2016; Trotta, 2016), one prominent gap in the literature was found: most of the extant research exploring TGNC discrimination was quantitative (e.g., Bauer et al., 2017; Trotta, 2016). Although this information is crucial to understanding the severity of this problem, a quantitative approach to research does not explore these individuals' lived experiences or whether specific legislation helps alleviate this population's adverse experiences, as told through this population's subjective experiences.

In this study, I explored the unique experiences of public restroom usage for TGNC individuals who are confronted with varying degrees of acceptance and support for or against gender separation bathroom policies in New Jersey (Barnett et al., 2018). Future researchers can use this information to understand this population’s unique perspective of public restroom use in New Jersey and whether it could impact state legislation.

Researchers have not yet used a qualitative methodological approach to investigate the unique stories of these populations' experiences with public restroom use in New Jersey and their thoughts regarding state-by-state legislation (Aitchison et al., 2020). In

this study, I addressed this current gap in the literature and provided these practical applications as well:

1. This study's results can highlight whether state-by-state bathroom legislation has positively impacted the transgender population. Without listening to this population's stories, it would be difficult to determine whether this legislation has been impactful.
2. This study's results could be useful for other researchers in this field in developing additional studies that explore this topic further.

This study is the first to include this population's unique experiences and thoughts on a legislation's impact using a qualitative approach. Along a similar vein, this study's results could also be used to develop resources for this population to help mitigate the negative experiences associated with restroom distress.

Problem Statement

Anecdotal information indicates that the transgender population living in New Jersey is discriminated against when using public restrooms. Researchers do not know if having a New Jersey enabling bathroom legislation would alleviate adversity experienced by this group. This lack of lawmaking has occasioned an outcry from TGNC individuals who suffer from restroom distress in other parts of the United States (Davis, 2020).

Data gathered on 27,715 transgender adults showed that 12% of the TGNC community were verbally harassed in public restrooms within the previous year, 1% were physically attacked when using the toilet of choice, 1% were sexually assaulted when using the bathroom of choice, 9% reported access refusal, and 59% indicated they

avoided using public restrooms (Trotta, 2016). In sum, there is documented evidence of pervasive mistreatment and discrimination against TGNC individuals who choose the bathroom of choice. Based on these studies, it is apparent that public restroom use for this population is a current issue within this field that must be addressed.

Other researchers have focused on health disparities between transgender and cisgender individuals (Meyer et al., 2017) and strategies used by activists to secure gender identity protections in gendered public spaces in Washington, DC (Holder, 2018). However, after a thorough review of the literature, none of the studies examined the lived experiences of TGNC individuals when accessing a public restroom of choice in New Jersey or the impact on their quality of life. In this study, I examined the lived experiences of TGNC who attempt to navigate the public bathroom of choice vs. their birth gender in New Jersey- without enabling legislation to support their decision.

I contributed to the literature by providing policymakers and researchers with additional information to consider when developing policies that address discrimination, stress, and anxiety that TGNC can experience within the context of public restroom use.

Purpose of the Study

The purpose of this qualitative investigation was to explore the lived experience of TGNC individuals who use or contemplate using a public restroom of choice and to determine whether those experiences precipitate minority stress brought about by discrimination and or social rejection (see Aitchison, et al., 2020; Archibald, 2016; Bry et al., 2018; Cyrus, 2017; Schulman & Erickson-Schroth, 2017; Timmins, 2020). The research questions that I used in this qualitative study stem from an intense and often

personal interest in civil rights and social justice. I bracketed my own reflexive opinions and statements that were not participant responses to avoid bias.

Research questions in a qualitative study are formulated to uncover the essence and meaning of a participants' lived experiences (Creswell & Creswell, 2020). It is also important to note that qualitative research questions do not attempt to measure quantitative factors, nor do they examine or determine causal relationships (Moustakas, 1994). The main objective of a qualitative research question is to explore the complexities of human experience (Moustakas, 1994).

The overarching research questions for this qualitative study were:

Research Question 1 (RQ1): How has the lack of enabling restroom policies in New Jersey impacted TGNC adults who live, work, and or study in that State?

Research Question 2 (RQ2): How would legislation or policies focused on restroom polices impact the health and well-being of TGNC adults who live, work, and or study in New Jersey?

I designed these questions to capture the essence of participant experiences. The purpose of this qualitative study was to explore lived experiences and the meaning those experiences have for TGNC individuals who live, work, or study in a State that does not currently have public bathroom of choice enabling legislation. Given the extreme vulnerability of the TGNC community, few empirical studies to date have been designed to examine their lived experiences. A qualitative study was appropriate to understand

lived experiences better and to determine whether a lack of legislative support influences a TGNC's quality of life.

Theoretical Framework

I used two theoretical frameworks in this study. I used the multiple streams framework (MSF; Kingdon, 1984) to cover, step by step, the policy process involved in providing or denying public restroom use for the TGNC community. The second theoretical approach that I used was minority stress theory (MST; Meyer, 1995), which explains how those stigmatized by mainstream society are subject to physical or mental health stress when seeking or using public restrooms. A review of both approaches is provided below.

MSF views the policy process as three streams of actors and processes (Cairney, 2013). The first stream is called a problem stream, describing problems and their adversaries as streams. In this study, the problem stream is the open discrimination of TGNC individuals by public officials who refuse to pass enabling legislation for equal public restrooms.

The second stream is the policy stream which suggests a public policy solution to the problem is available (Baldwin, 2014). For instance, a policy stream on a related topic is how New Jersey's anti-discrimination law prohibits school restrooms' discriminatory practices.

This law was a solution to the problem in New Jersey public schools, as is the case in 20 states, including Massachusetts and Delaware, and Washington, DC, where similar legislation exists (Legislature, 2017).

The third stream is the politics stream. This stream is put into force when public officials are motivated and allowed to advance a problem stream stage to a policy stream stage. For instance, in 20 states and Washington, D. C., officials ignored individuals with transphobic beliefs (Grant et al., 2011). Legal remedies passed in these regions are excellent examples of how a conjoined policy stream framework can lead to legislation that enforces civil rights for a non-conforming public.

In addition to MSF, I used MST in this study. Ilan Meyer, (1995) first developed minority stress to study whether discrimination impacts sexual and racial minorities' health and well-being. The premise of MST is that people who are members of a group stigmatized by mainstream society are subject to minority stress. People often experience minority stress when exposed to rejection, discrimination, and dishonor (Cyrus, 2017). Thus, MST was suitable for examining TGNC discrimination and social distress while using the restroom of choice. While collecting and analyzing the qualitative data for this study, minority stress theory was a foundation and explanation as to why the participants might experience consequences associated with discrimination, like negative physical and mental health affects

Nature of the Study

I used qualitative methodology and design in this study. There are many types of research designs within the qualitative methodological approach. According to Moussakas (1994), a qualitative study can establish a pattern of crucial concepts essential to the individual participants under study. Phenomenology is an approach to qualitative research in which the researcher focuses on the commonality of a lived experience within

a group and is used when the researcher is investigating subjective experiences (Levitt et al., 2017). Although this approach was suggested, it was not used in this study because the number of anticipated responses was too low for a scientifically based study. A generic qualitative approach is more appropriate when there is limited research on a lived experience topic. A qualitative approach is also able to engage participants in subjective, in-depth responses. I used a generic qualitative approach to investigate the lived experiences of TGNC individuals thoroughly.

Regarding data collection, the population used for this study resides, works, and or attends college in three counties in New Jersey. These counties were chosen as they are home to several higher learning institutes and are considered important social and economic centers of these activities.

In this study, I focused on college-age and or young adults who are more at risk socially, politically, economically, and more open to physical and verbal assault than older TGNC or their cisgender counterparts (Blair, 2018). One-on-one interviews using phone calls or audio Zoom meetings were used. The participants were offered a small gift card as a thank you for participating.

I generated data in this study using an interview guide that I designed. Interview questions, including a screening question, were used to establish eligibility. A convenience sampling method was used, along with snowball sampling (Crossman, 2020). A minimum of 10 female TGNC and 10 male TGNC participants, between 18-25 years of age, were recruited. The actual number of participants was 6 male TGNC and 4 female TGNC. Recruitment continued until data saturation was reached or different

responses fail to materialize and are redundant (see Creswell, 2016). I used a deductive coding technique, manual data coding, and thematic analysis.

Definitions

As some of the terms used in this dissertation might not be common knowledge, a list of these terms, along with their definitions, is provided below.

Bigender: Exhibiting cultural characteristics of masculine and feminine roles. (Minter, 2017).

Cisgender/binary: A gender role that matches a person's assigned sex at birth. Cisgender can be thought of as the opposite of transgender, which describes persons whose gender identity or expression matches their assigned sex (Cava, 2016). For example, if an individual was biologically born as a female, she identifies as a female.

Drag king: A woman who purposely dresses and appears as man (Flores et al., 2016).

Drag queen: A man who purposely dresses and appears as a woman (Flores et al., 2016).

Gender: A social construct used to classify a man, woman, or some other identity (Minter, 2017).

Gender identity: A sense of oneself as transgender genderqueer, woman, man, or some other identity that may or may not correspond with one's sex at birth (Minter, 2017).

Gender non-conforming: A male or female that does that subscribe to societal expectations of typical gender roles or expressions (Wroblewski et al., 2019).

Homophobia: A fear, mistrust, or aversion to individuals who prefer the same gender as their own (Spijkerboer, 2013).

Intersectionality: Describes multiple oppressive realities that interact in the lives of those with multiple marginalized identities (Hatchel & Marx, 2018).

Intersex: An umbrella term used to describe natural body variations that do not fit into conventional definition of male or female (Saviano, 2017).

LGBTQIA+: An acronym that identifies Lesbian, Gay, Bi-sexual, Transgender, Queer, Intersex and asexual members of a community (Renga, 2021).

Misgendering: A mistaken gender identification by someone that does not align with one's preferred gender identity (Vincent, 2017).

Queer: A gender expression that identifies a member of the LGBTQIA+ community and considers him/herself different (Nadal, et al., 2016).

Sexism: A belief system that privileges men and subordinates' women (Vincent, 2017).

Trans: An inclusive term used to identify transgender or gender non-conforming individuals (Vincent, 2017).

Trans female (TFNM): – A person who has undertaken a medical procedure to transform from a male to a female or someone whose lived experience is as someone who does not identify with their birth sex (Callahan & Zukowski, 2019).

Trans male (TMNF): Refers to a person who has taken medical steps to transform from a female to a male or someone whose lived experience is as someone who does not identify with their birth sex (Callahan & Zukowski, 2019).

Transgender – Refers to a male who identifies as a female or a female who identifies as a male. Usually involves a medical procedure to transgender to one's opposite sex at birth. It is also important to note that being transgender is independent of sexual orientation (Grant et al., 2015).

Two-spirit: An umbrella term used by native Americans to describe transgender or gender non-conforming members of their tribe (Jones, 2018).

Assumptions

Assumptions refer to statements or beliefs that help a study progress but do not have specific evidence supporting their accuracy (e.g., Wolgemuth et al., 2017). For the current study, an overarching assumption was that all participants will answer honestly and completely. I also assumed that the participants did not have any motive to answer questions deceitfully and that the information gained from the questionnaire-survey data collection was accurate. However, these assumptions cannot be avoided because I asked the participants about their lived experiences.

I assumed that I would not be biased in my interpretation and analysis of the data. In qualitative research, the researcher often acts as the research instrument, collecting and analyzing the data. I took careful precautions such as bracketing to set aside any biases (see Janak, 2018). However, even with bracketing to remove her biases, some researcher partiality could not be removed because a qualitative methodology used in a data collection questionnaire-survey cannot avoid all predispositions. Another methodological approach would be needed, which would mean that the current study's research questions could not be addressed.

Scope and Delimitations

The current study's scope was to investigate the impact of living, working, spending time and or studying in a State that does not have enabling legislation to support TGNC's choice of public bathroom use, which could determine their quality of life and well-being. The population was drawn from New Jersey's Camden, Essex, and Middlesex Counties. These counties were chosen as they are home to several higher learning institutes and are considered important social and economic centers of these activities.

I limited the scope of the study to self-identified TGNC individuals aged 18-25 because I wanted to capture the experiences of college-age and or young adults who are more at risk socially, politically, and economically and more open to physical and verbal assault than their cisgender counterparts (see Blair, 2018). I did not include TGNC individuals under 18 or those over 25 years of age or who do not live, work, spend time, and or study in the three New Jersey Counties used as the study population. Exclusion also covers cisgender or bigender individuals.

As previously mentioned, the two theoretical frameworks used in the current study are MSF (Cairney, 2013; Kingdon, 1984) and MST (Meyer, 1995). Although numerous theories were reviewed and considered for the present study, I chose these two theoretical frameworks because they are more strongly related to the study topic than other theories. For instance, social identity theory (Tajfel & Turner, 1979) was considered for the current study but was not considered ideal. Social identity theory's main premises suggest that an individual's identity is based on their perceived membership in a specific group.

Although this theory could explain how TGNC individuals conceptualize their own identity (e.g., Trepte & Loy, 2017), the purpose of the current study was to focus on the lived experiences related to restroom use for TGNC individuals. Therefore, this theory was not relevant to the current research, and the two above theories were chosen.

Transferability occurs when the results of a qualitative study can be applied to other populations or within different contexts (Willig, 2019). In the current study, the sample was TGNC individuals. However, the study results are not expected to apply to other individuals because the foundation of a qualitative approach is to focus on the meaning of an individual experience. Although it is not yet assumed to represent what meaning others have with living, working, and or studying in a state that does not have public bathroom enabling legislation, it could be the start of a more progressive TGNC dialogue.

The current study could be the foundation for continued studies designed to understand the subjective experiences of individuals facing discrimination within the context of public restroom use. These personal reports, in turn, could continue to provide empirical data on the commonality of experiences of TGNC individuals outside of New Jersey, as it is likely that the feelings associated with discrimination and public restroom use could be similar across different States.

Limitations

It is crucial to understand and highlight any limitations in any research study, and causation cannot be implied. I cannot claim that legislation is the sole reason for any

changes that the participants report, as the data is subjective. There could be extraneous variables impacting the participants' reports (Ubl, Katie L., 2018).

For example, a participant might report that they believe the legislation has been helpful but might not be aware that they have been visiting different New Jersey restrooms or that other extraneous variables could be influential. Without conducting a quantitative, valid experimental study, the researcher cannot claim that no extraneous variables impact the participants' reports. However, the researcher will do diligence in asking the participants additional questions to understand whether extraneous variables affect the participants' accounts of their experiences.

However, in qualitative research, the researcher is often considered the instrument, analyzing, and interpreting the research findings (Janak, 2018). This type of research approach can lead to bias from the researcher. For example, if the researcher believes that this population is constantly mistreated when using the restroom of choice, the researcher might search for this finding in the data. To help mitigate this type of bias, the researcher will take careful precautions to bracket or have previous relevant experiences set aside and preferences ignored (Janak, 2018).

Significance

Access to public restrooms by TGNC individuals is something that legislators, public officials, and administrators have been grappling with since this group made public the issues and problems they encounter in society (Subasic et al., 2018). It is noteworthy that the civil rights of TGNC individuals have become a significant problem

when selecting a restroom of choice. Even having legal documentation does not guarantee that this community will be treated with respect (Baker et al., 2020).

Public administrators must address this problem by rethinking the States' or the country's reliance on gender segregation in restroom facilities. Until then, the burden will be on the TGNC individuals to safely navigate public spaces without fear of arrest or verbal and physical harassment.

This study is significant because it will (Lombardi, 2020) provide essential information regarding the unique experiences of TGNC individuals using public restrooms in New Jersey. Also, whether the participants believe that nationwide bathroom legislation has impacted restroom use for TGNC individuals- outside enabling areas will be revealed. Data gathered from responses will provide information that can help develop new legislation or add to the national information flow.

In turn, a positive social change could result from this study, as awareness of this population's experiences is highlighted, along with whether this population believes the legislation has been successful. For example, with a better understanding of TGNC individuals' experiences, researchers and legislators alike can help address discrimination or the negative consequences of discrimination. New legislation or treatments will be forward-thinking by focusing on alleviating this population's continued hardships.

Summary

Chapter 1 provided an overview of the current study, including a background of the review, problem statement, and purpose. The study's research question, theoretical frameworks, and methodological approach were also discussed. Also, the study's

assumptions, scope and delimitations, and limitations are reviewed. The chapter ended with a brief discussion of the study's significance, followed by this summary.

In the following chapter, Chapter 2, a review of the literature will be discussed in detail.

Chapter 2: Literature Review

Introduction

Researchers do not know if having a New Jersey enabling bathroom legislation would alleviate adversity experienced by TGNCs. The purpose of this qualitative study was to determine whether having New Jersey enabling policy would help alleviate hardships experienced by TGNCs when choosing or using a public restroom of choice in a State that does not currently have enabling restroom of choice legislation.

In this study, I informed researchers of those individual experiences and how the lack of legislative support for public restroom use contributes to their quality of life, the meaning that has to their quality of life and their lived experience. The study included English-speaking male and female TGNC, ages 18-25, residing, working, spending time and or studying in Camden, Essex, and Middlesex counties, New Jersey.

Antidotal information indicates that the TGNC population experiences discrimination when using public restrooms (Davis, 2020), but scholarly researchers do not know how the varying degrees of acceptance impact the daily lives of TGNC adults between 18-25. Moreover, the lived experiences of TGNC individuals have received little literary attention from public policy and health scholars (Lombardi, 2020) who employ a quantitative approach to study that group. For these reasons, this study will attempt to close this gap and collect data to help this population by drawing from qualitative methods using MSF (Kingdon, 1984) and MST (Meyer, 1995) to guide the study.

In 1964, Title VII of the Civil Rights Act (CRA) outlawed racial and ethnic segregation in all public facilities (Swan, 2014). The American Disability Act (ADA),

ratified in 1990, went a step further by addressing the needs of people with physical and mental disabilities, prohibiting discrimination in employment, public services, public accommodations, and telecommunications (Lorber, 2012). The Equality Act, still pending in the House was sponsored by the National Committee for Transgender Equality (NCTE). The Equality Act defines sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation (Emina et al., 2018).

For example, public schools would allow TGNC students and others to access restrooms and locker rooms regardless of gender or sexual orientation. As well, public restrooms would no longer be off limits to adult consumers who prefer using a public restroom of choice rather than one based on their birth sex.

In addition to public restroom intolerance, supporters of TGNC rights have effectively demonstrated that TGNC individuals face far-reaching discrimination in other areas such as employment, housing, education, and public affairs (Archibald, 2016). For instance, gender assignment for TGNC individuals is restricted to their birth sex in 20 states (NCTE, 2017) at work, in housing, and employment or when using public facilities. These discriminatory practices have been severely understudied, and additional work is needed to capture transgender viewpoints.

In-depth interviews must be conducted to have a richer understanding of how policy and practice impacts the life experiences of TGNC individuals. In this study, I closed this gap by collecting data using a questionnaire-survey to help this population by drawing from qualitative methods using MSF (Kingdon, 1984) and MST (Meyer, 1995). I used both theories to guide the literature review to explore the lived experiences of

TGNC individuals confronted with varying degrees of acceptance or support for or against gender separation bathroom policies in New Jersey, along with their perception of whether the lack of enabling legislation has led to health-related issues.

In this second chapter, I will discuss the background of the topic, the problem statement, the purpose of the study, research questions, theoretical frameworks, nature of the study, definitions, assumptions, scope and delimitations, and limitations, significance, summary, and transition to Chapter 3.

Literature Search Strategy

The purpose of this section is to explain in more detail gender and transgender terms and definitions that may have similar meanings or are sometimes substituted for layperson usage as listed above. Unfortunately, there are no universally accepted definitions of transgender—or agreement about which individuals fall under the transgender umbrella exists (United Nations Children's Fund, 2017). Moreover, some people find the word "transgender" itself a faulty descriptor of self-identification for that group (Wroblewski & Leitner, 2019):

I used different search engines and library databases for the current study's literature review. I used the Walden University Library and Google Scholar to begin the literature review process by accessing the following library databases: Academic Search Premier, Google Scholar, Heinlein, Lexis-Nexis Academic, Library of Congress, Medline Plus, Political Information, ProQuest, PubMed, SpringerLink, Westlaw, and World Cat. The following key search terms were used: *androgyny, bathroom, binary, cisgender, cross-dressing, demi-girls, drag, dysphoria, femininity, gender, gender binary, gender*

expression, gender identity, gender-neutral, gender passing, genderqueer, gender role, intersex, multigender, legislation, law, policy, non-binary, restroom, sexual orientation, trans-feminine, trans woman, trans-male, trans man and *two-spirit.*

To begin the search process, I used the Academic Search Premier database using Boolean phrase logic, or the combination of different terms, to narrow the literature search (see McGowan et al., 2016). For example, the term *transgender* was searched alone and then combined with other relevant terms such as *restroom, bathroom, drag, demi-girls, dysphoria, gender expression and sexual orientation, trans woman, trans man,* and *two-spirit.* Lexis-Nexis and Westlaw were also helpful in researching court cases and laws reporting transgender issues (Concepcion, 2023) . Although transgender articles published within the last ten years (2014 and later) were the focus of this research, several seminal articles published before 2014 also proved helpful. For example, articles that shaped research constructs that included coding, bracketing and data analysis were used in the study.

During the literature search, two dissertations whose content was closely related to the current study were found, reviewed, and discussed in the literature review. The two dissertations studied the disadvantages of transgender individuals. One focused on nurse professionals' health care for transgender patients (Bodeman, 2021), while the other focused on transgender involvement in politics (James, 2018). Both dissertations were helpful for the current study because they introduced discriminatory practices against transgender individuals.

However, most of the literature was peer-reviewed or borrowed from LGBTQIA+ (lesbian, gay bisexual, transgender, queer, intersex, asexual+) or germane transgender publications.

Theoretical Foundation

I used theoretical frameworks in the current study. I used the MSF to spearhead policy making by using the three streams of actors and processes. The second theoretical approach, MST, was used to explain how mainstream society stigmatizes those against whom they discriminate, which can lead to health-related stress. A review of both methods is provided below.

Multiple Streams Framework (MSF)

John Kingdon initially developed MSF in 1984 to model the policy formulation process and explore the impact of context, time, and meaning on policy change (Zohlnhöfer et al., 2016). The MSF is used to assess minority group politics, explains how the government makes policies under conditions of ambiguity, and provides a constructive framework for societal minorities such as the LBGTQIA+ community and other sexual minorities. On the other hand, MSF has been criticized for lacking political realism and its partiality to the policy processes (Cohen, 2016).

Moreover, if the awaited window of opportunity is closed, missed, or if the criteria established for the three streams has not been met or is incomplete, then the MSF has not achieved its goal, and the first stream, the problem stream, has not been adequately designed; thus, the second and third streams are rendered ineffective. In the

following paragraphs, a description of MSF is provided, along with an example of how each of the three streams related to the current study.

The first stream is the problem stream and describes a social or political problem and its adversaries. In this study, the problem stream is the open discrimination of TGNC individuals by public officials who refuse to consider legislation prohibiting equal access to public restrooms in New Jersey (Head, 2020). In addition, TGNC individuals often suffer from health-related stress brought about by discrimination and rejection by the binary public (Hughto et al., 2015). Yet, adversarial positions are also undertaken by some members of the LGBTQIA+ community who opposite public restroom access similarly to the opinions of transphobic individuals. Therefore, opposition to enabling legislation and public restroom access by TGNC individuals satisfy the Problem Stream of the MSF policy-making process.

Another critical problem is that transgender individuals face extraordinarily high levels of physical and sexual violence on the streets, at school, at work, at home, and when accessing the public restroom of choice. For instance, one in four transgender individuals report or experience an unprovoked bias-driven assault; thus, once again, a problem stream is realized (Blistein, 2019). Moreover, when violence transpires, percentages are higher for transgender individuals of color and recent immigrants (Grant et al., 2011). These percentages are exceptionally high for TGNC individuals of African descent who are often singled out by the police and other law enforcement groups without provocation (Blistein, 2019).

Organizations such as Garden State Equality, New Jersey's LBGTQIA+ Chamber of Commerce, and other transgender advocacy and education networks, work with antiviolence groups and law enforcement agencies to combat hostility and violence against TGNC individuals (Archibald, 2016; Renga, 2021). However, efforts to assist transgender individuals are problematic because no law enforcement database keeps track of crimes against the TGNC community (Ormon, 2018). Besides, there is a tendency to misgender (or second guess the gender of) TGNC victims, causing confusion and delays for activists who attempt to keep track of casualties against the TGNC community (McLemore, 2018).

The second stream is the policy stream. This stream suggests that a public policy solution to the problem is available. Although enabling legislation for full potty parity rights has been launched in 18 states and in Philadelphia and Washington D.C., 30 states oppose bathroom rights legislation. However, in 2017, Congress introduced the Equality Act (still pending) to protect LGBTQIA+ Americans in public bathrooms, work, and juries. As of this writing, no federal law prohibits discrimination against sexual and gender minorities except for transgender individuals who enlist in the Armed Forces.

Previously, the Equal Employment Opportunity Commission (EEOC) and the Department of Justice (DOJ) ruled that discrimination against transgender individuals—including bathroom access—is a form of sex discrimination covered under the Civil Rights Act (CRA) (Swan, 2014). However, TGNC advocates must argue for explicit protections to ensure enforcement and often question why court appearances are necessary to enforce existing civil rights (Swan, 2014). For instance, in 2017, *Grimm v.*

Gloucester County, Virginia tested whether Virginia's "Department of Education's interpretation of Title IX of the Education Amendments of 1972 and its regulation permitting separation of restrooms based on sex be accorded 'deference' (p. 367).

Although the case was selected for review by the U.S. Supreme Court, it was remanded to the court of origin for reconsideration of its initial ruling. The court of origin granted a writ of certiorari in a 2020 decision that upheld its original ruling supporting Grimm's original appeal. Although these court and administrative decisions differ in purpose, they are both public policy solutions that support the MSF Policy Stream.

The third stream of MSF is the politics stream. The Politics stream proceeds when public officials advance a problem stream to a policy stream. For instance, the Colorado Civil Rights Division ruled that a 6-year-old biological male (a male child who lives as a female child) could use the girls' bathroom at his elementary school (Flock, 2013). The case was the first high-profile transgender rights case in U.S. court history to gain media attention. The United States Department of Justice (DOJ) and the Department of Education (DOE) issued a joint ruling on applying Title IX protections for transgender students (Kogan, 2017). Title IX states that the DOE must abide by a student's preferred gender identity.

As previously noted, in May 2017, Gavin Grimm, a TGNC student, was barred from using the boys' bathrooms at his high school. The U.S. Court of Appeals (4th Circuit) had previously ruled that Grimm could use school bathrooms and stayed their original decision—after the Supreme Court reprimanded the case to the 4th Circuit Court

for reconsideration in August 2020 (Gloucester County School Board v. G.G., 2020)—even though he had since graduated from high school.

The ruling is considered an exemplary decision for transgender restroom rights as are legal remedies passed in 18 states, Philadelphia, and Washington, D. C. The remedies are excellent examples of how merging the three MSF streams can lead to legislation enforcing civil rights for TGNC individuals (Flores et al., 2016). When New Jersey's potty parity Bill's sponsors recruited "watchdogs" to ensure public school administrators complied, the third MSF stream was fulfilled (Alfaro & Rizzo, 2017).

The MSF has been used in previous studies to study government, policymaking, and to analyze public policy issues. Mbotwa et al. (2017) reported how the problem, politics, and policy streams converged when Ghana's National Health Insurance Scheme (NHIS) was passed into law. The authors discussed how Ghana's health policy evolved by utilizing a multiple streams approach (Zohlnhöfer et al., 2016).

However, Cairney and Jones stated,

"It is not clear that a framework developed exclusively based on the examination of a single, somewhat idiosyncratic national case should be able to generate insights for comparative research ambiguity throughout the multiple stream process and that policymakers rarely make their objectives clear. (p. 412)

Ambiguity is hardly novel, but it is often true that time constraints force politicians to make hasty decisions without formulating specific preferences.

In addition to previous researchers using the MSF on similar issues

(e.g., Kusi-Ampofo et al., 2015), the MSF's use aligns well with the current study as the extant literature on this topic showed a clear problem stream regarding the treatment of transgender individuals regarding restroom use. I focused on all three streams, with attention to the problem and policy streams, to provide helpful information that fosters the development of the politics stream.

Minority Stress Theory (MST)

Ilan Meyer first developed minority stress theory (MST) in 1995 to study whether discrimination impacts sexual and racial minorities' health and well-being. The premise of MST is that people who are members of a group stigmatized by mainstream society are subject to minority stress (Meyer, 1995). In turn, humiliation and dishonor impede social support and, in some cases, socioeconomic status (Lombardi et al., 2021). People often experience minority stress when exposed to rejection, discrimination, and dishonor (Cyrus, 2017). Thus, MST is a valuable framework for examining TGNC discrimination and social distress when accessing or contemplating gaining access to public restrooms.

Supporting the MST premise, Meyer (1995); used a quantitative approach to investigate the frequency of mental disorders in lesbians, gay men, and bisexuals and concluded from the study results that sexual minorities did have a significantly higher prevalence of mental disorders than heterosexuals that were similarly situated. In the study results, Meyer et al., 2017; suggest that higher rates of mental disorders are caused by stigmatization's harmful effects on this population.

Moreover, other studies have shown how discrimination is positively associated with negative mental states such as depression and suicidal tendencies (Blistein, 2019).

Also, Bry et al. (2018) researched how young transgender students manage minority stress. Bry et al.'s study revealed that resiliency and family acceptance were the preferred coping mechanisms among transgender youth. This perspective was also expressed by adult members of the TGNC community.

Other researchers have used a minority stress perspective when studying transgender individuals' experiences with misgendering (McLemore, 2018). A qualitative methodology with convenience sampling was used to report the frequency of misgendering and stigmatization in a survey of 410 transgender females. The conclusion drawn was that misgendering could be used as a protective strategy against transphobic assault; however, it is only a *novel* minority stressor for most transgender individuals (McLemore, 2018).

Although McLemore reported that this study's findings did not support MST fully, the results showed how identity importance buffered the relationship between feeling stigmatized or misgendered thus overcoming negative psychological symptoms. To summarize, MST has aided researchers (i.e., McLemore, 2018) in exploring moderating variables designed to protect the TGNC community.

Moreover, because TGNC individuals are hassled regularly (e.g., Bry et al., 2018), MST is a suitable model to use for this study as it can be used to explain the high levels of anxiety, constant worry, and tension experienced before, during, and after TGNC individuals contemplate accessing the restroom of choice (Minter, 2017). The central premise of MST—and the research supporting this theory—provide additional

support for this study's importance which is to have a richer understanding of how policy and practice can impact an entire community and its' quality of life.

In sum, few publications bear a strong resemblance to the current study, and none have studied the lived experience of TGNC individuals who experience or are predisposed to minority stress within the context of restroom use, along with their perception of whether enabling bathroom legislation has been helpful. For these reasons, the MSF described previously, along with the MST described above, will serve as guiding forces for this study.

Literature Review of Key Concepts Related to the Problem

A review and synthesis of the literature will be provided in the following sections. First, the degree and types of discrimination that this population encounters will be reviewed, followed by the consequences and possible adverse outcomes of this discrimination. Next, a review of the current legislation and laws that help protect this population will be reviewed, highlighting additional ways to mitigate bias outside of legislation.

Discrimination of Transgender Individuals

In addition to comprehensive census data, researchers have collected data regarding the discrimination of transgender individuals. Wroblewski and Leitner (2019) conducted a quantitative survey of 402 transgender subpopulations and found that over half of the respondents surveyed experienced harassment or violence within their lifetimes. Along a similar vein, Harrison-Quintana et al. (2017) co-authored, developed, and conducted the first National Transgender Discrimination Survey (NTDS). This

survey was the first to document discriminatory practices nationally and the first to sponsor research illustrating the depth and breadth of transgender violations.

Stainton (2017), more specifically, noted discrimination against TGNC individuals living in New Jersey. The survey revealed transgender resilience, resistance, creativity, and hope were able to offset these biases (Quintana et al., 2015). Another more rigorous survey was conducted by the National Center for Transgender Equality (NCTE) in 2016, gathering data on 27,715 transgender adults (18 and older). The survey found that 12% of the TGNC community were verbally harassed in public restrooms within the previous year, 1% were physically attacked when using the toilet of choice, 1% were sexually assaulted when using the restroom of choice, 9% reported access refusal, and 59% indicated they avoided using public restrooms altogether (Trotta, 2016).

In sum, there is documented evidence of pervasive mistreatment and discrimination against TGNC individuals which can present challenging and exciting new possibilities for both practice and scholarship. Although many of these studies provide vital information showing how this population experiences discrimination (e.g., Harrison-Quintana et al., 2017; Trotta, 2016), the researchers did not explore these individuals' lived experiences, as the studies were quantitative in scope. Understanding what TGNC individuals experience using a subjective approach will allow for a deeper understanding of these lived experiences as well as any positive outcomes.

As stated previously, qualitative research on this topic is limited, however, Riggle (2018) utilized a qualitative, auto-ethnographic approach using lived experiences as observations to investigate the reactions of cisgender women when a gender non-

conforming lesbian was in or using the restroom. This study was particularly unique because the author served as the sole Participant (the gender non-conforming lesbian) and recorded the other women's responses when using a public restroom. Riggle reported that the other women had the following reactions: 1) no response, 2) fear and flight or fight, 3) screaming/shrieking, and 4) active policing. Riggle also anecdotally discussed how reactions varied by location (i.e., different States within the United States). This article supports the current study's importance and needs- although Riggle was the sole participant in her study.

As a rule, qualitative researchers are careful to limit any personal bias. This is accomplished by “bracketing” personal information, so the reader is fully aware of the researcher’s viewpoints versus those of independent responders. This must have been particularly difficult for Riggle because she experienced restroom discrimination firsthand. Collecting data from numerous participants- and the researcher not being part of the sample- could have provided additional information on the topic that would support Riggle's findings.

Also, Riggle suggested that location matters when it comes to discrimination of LGBTQIA+ members or gender non-conforming individuals. In the current study, the focus of TGNC discrimination within the specific location of New Jersey will provide new and unique data regarding this topic. Although not focused on restroom use exclusively, Farmer et al. (2020) investigated transgender and gender-expansive students' experiences of genderism (prejudice or bias that results from a binary view of gender) at women's colleges, using a qualitative approach.

Farmer and colleagues recruited ten individuals identified as transgender- on the gender spectrum- and used an interpretative phenomenological approach for data analysis. Participants were asked five open-ended questions and could respond via email or a video interview (e.g., Skype or Zoom). One participant who identified as genderqueer discussed bathroom use. In particular, the participant noted,

The one really weird thing is that we still have men's and women's bathrooms. I know friends at other all-women's schools, and they just have bathrooms. Plain bathrooms. For anyone. We still have to flip a sign if there is a boy in the bathroom. (p. 150)

In sum, Farmer et al., (2020) studied how qualitative research can and should be used further to explore this populations' unique perspectives with bathroom discrimination. However, this study was limited as it only recruited participants from women's colleges and universities. Thus, this approach limited the generalizability of the results to areas outside of women's institutes of higher learning or outside the university system.

Also, Farmer et al., 2005; focused on elements outside of public restroom use. The current study's sole focus will be on restroom use throughout three counties in New Jersey to provide more generalizability of the results and an exclusive emphasis on universal restroom discrimination in that State.

Employment is another problem for TGNC individuals. Flores et al. (2016) studied public attitudes on transgender rights in the workforce. They quoted the National Transgender Discrimination Survey (NTDS), stating that discrimination and mistreatment

in the workplace are everyday experiences among 90% of the respondents. The report revealed that less than half of the United States enforced transgender civil rights in employment and public facilities.

Sevelius and Meerwijk, (2017); Stotzer, (2017); used logistic regression to study patterns of violence and economic discrimination experienced by TGNC employees. It was reported that more than half of the respondents experienced a violent incident on the job when using the company restroom. Thus, specific hate crime legislation and employment protections are also needed for transgender individuals in the workplace (Paird, 2015).

In addition to employment, transgender individuals also experience discrimination in the health insurance industry. For instance, New Jersey passed legislation prohibiting health insurers from denying coverage or services to the TGNC community (Stainton, 2017). Before this enabling legislation was passed, health insurers set higher premiums for TGNC individuals and refused to honor claims for TGNC gender reassignment. Gender reassignment, thus, is currently a legitimate medical procedure in New Jersey because insurance companies can no longer register gender dysphoria as a pre-existing condition (Stainton, 2017), at least in the state of New Jersey.

Although these studies provided pertinent information regarding the breadth of discrimination across different domains, the researchers did not focus on the specifics of restroom discrimination against the TGNC community. To assess the degree and amount of discrimination against this population, researchers have also explored why outside parties discriminate against this population.

According to Minter (2017), one explanation for why TGNC individuals are faced with discrimination and other adverse treatment is that they are considered "collateral damage," which translates into freaks, outcasts, and undesirables unworthy of due process and fair treatment play throughout the current social climate. Bauman (2011) recast the collateral damage concept to include the rising number of "outed" transgender individuals and other minority groups who fall outside social norms.

Moreover, Cyrus (2017) suggests that collateral damage is one of the most critical and unearthing dimensions of contemporary political and social inequality because it applies to anyone deemed marginalized. The uphill battle for public bathroom rights is a matter of law and order. Thus, collateral damage can explain the lack of law-and-order enforcement for the TGNC community, which faces an uphill battle for public bathroom rights and equal access to housing, employment, and publicly sponsored human services. Collateral damage "theorists" also conclude that the growing social inequality and the increasing volume of those who are marginalized have become one of the most cataclysmic problems of our time (Bry et al., 2018).

Consequences of Discrimination

Multiple studies have shown how discrimination is associated with negative consequences. For instance, Bauer et al. (2017) found that individuals who experienced discrimination had higher levels of mental stress, such as depression and suicidal tendencies than those who did not experience discrimination. Hughto et al, (2021) also documented the harmful effects of stereotyped media representations among sexual

minorities. These depictions reinforce legitimizing discriminatory policies in a range of social institutions for TGNC individuals.

Thus, the negative consequences of discrimination are more pronounced in the TGNC population. For instance, the TGNC community is also subject to higher rates of suicide, substance abuse, and minority stress compared to gay and cisgender individuals (Harrison & Michelson, 2017). Stotzer (2017) described the extent to which violence and harassment against TGNC individuals often go unnoticed, which can lead to angst, self-loathing, and suicide. Meyer (1995) examined TGNC health effects by applying three minority stressors to three cohorts.

Each stressor had an independent link to the mental health of gay TGNC individuals. The study concluded that gay TGNC individuals who report minority stress accept homophobia by internalizing a negative self-image (Spijkerboer, 2013). TGNC individuals are also at risk for poor mental and physical well-being, which increases risk factors for HIV and other factors such as high blood pressure, anxiety, and suicidal tendencies (Bry et al., 2018; Kogan, 2017; Winter, 2016).

One reason for the difference between TGNC individuals and other members of the LBGTQAI+ cohort is that members of the lesbian, gay, and bisexual community have seen positive legal actions and declines of overt discrimination. On the other hand, there have been fewer legal victories and less social, economic, and political support for TGNC individuals (Harrison & Michelson, 2017). According to Serano (2021), after the religious right lost their effectiveness against the gay, lesbian, and bisexual communities, it began targeting transgenders. The TGNC community was falsely accused by the

religious right and other anti-trans individuals of being predators who are out to groom and sexualize children and youth (Barnett, et al, 2018).

In another pertinent study, (Sevelius & Meerwijk, 2017) conducted a meta-analysis to determine the prevalence of various mental disorders (paranoia, anxiety, acute depression) in gay TGNC individuals. Meta-analyses attempt to establish patterns from the results of multiple scientific reports to study an observable fact. In this meta-analysis, the observable fact was that minority stress within these groups bought about mental illness. Moreover, because TGNC individuals are often gay, they were twice to three times as likely to suffer from high levels of minority stress (p. 685).

Thus, when TGNC individuals are not permitted to use the restroom of choice, they are putting themselves at risk for additional stress, consequently leading to the possibility of more mental and physical disorders, which is why support for potty parity is critical. Researchers have also debated why TGNC individuals might have higher rates of adverse outcomes such as suicide or mental illness. Biological studies suggest a genetic disposition for TGNC individuals to suffer from congenital pathologies (Minter, 2017).

Today, opponents of transgender equality are reviving that failed report. Rather than seeking to justify differential treatment of transgender individuals, they again invoke biology to argue that laws excluding transgender persons from shared restrooms merely reflect neutral biological differences between men and women, not a deliberate intention to discriminate (Resnik, 2016). Minter (2017) predicts that biology-based arguments failed to shield marriage bans from meaningful judicial review in the past.

Moreover, the courts will again recognize that these renewed appeals to biology are circular and do not supply a moral basis for excluding transgender persons from full and equal participation in the public sphere—including access to the same restrooms used by others. On the other hand, Bailey et al. (2017) indicates no substantial proof of a genetic disposition because most TGNC individuals do not suffer from psychopathological disorders. Instead, coping mechanisms are used as buffers to counteract disparate treatment from social, political, and economic hostile environments (Bry et al., 2018).

More discrimination and fewer legal victories for the TGNC population might impact the higher rates of adverse outcomes than the lesbian, gay, and bisexual community (e.g., Harrison & Michelson, 2017). In other words, the legal and social conditions under which TGNC individuals and couples are forced to suffer are negatively impacting this population. More specifically, the denial of access to public bathrooms—and other civil areas- forces transgender couples and TGNC individuals to function outside the margins of society (Winter, 2016).

Numerous researchers have approached this topic by focusing on factors that can mitigate the consequences of discrimination for transgender individuals. For instance, Bry et al. (2018) conducted a qualitative analysis to assess coping mechanisms for adolescents assigned male at birth but reported being homosexual or bisexual. Bry and colleagues used semi structured interviews and thematic analysis to analyze the results.

They found that various problem-solving, support-seeking, and accommodative coping strategies were reported from the participants. It was suggested that these coping

mechanisms and behaviors would offset minority stress symptoms experienced by youth –including stress brought about by rejection from family members. However, it is essential to note that Martos et al. (2019) recruited lesbians and bi-sexual women, not focusing on TGNC individuals.

In a similar study, Vincent (2017) recruited gay and transgender youth and found the impact of minority stress contributed to harsh social environments and suggested coping mechanisms tailored for specific situations. The study results also indicate that oppressive social environments created through sexual/transgender identity-related stigma negatively impact the well-being of LGBTQIA+ youth (Ubl, 2018). These findings have implications for health professionals and policymakers interested in LGBTQIA+ youth experiencing difficulties related to minority status.

Besides, these findings could facilitate the development and tailoring of interventions to reach those most at risk. The results of these studies suggest that this population has developed coping mechanisms to help mitigate stress. However, although helpful, the coping mechanisms do not negate how this population's treatment is unfair. Thus, work needs to be done to extinguish the disparity found in restroom use for TGNC individuals.

To summarize, many researchers have explored the negative consequences associated with discrimination against TGNC individuals. However, most research has focused on discrimination across contexts (e.g., Bry et al., 2018), but not the negative consequences specific to discrimination while using public restrooms. The current

qualitative study was designed to describe the health effects of discrimination while TGNC use or contemplate using a public restroom of choice.

Using semi structured interviews and discussing public restroom experiences, the current study will add to the literature by focusing on discrimination and its consequences within a specific context: public restroom use in a State that does not support enabling restroom legislation for adult TGNC individuals.

Recommendations and Policies to Address Discrimination of Transgender Individuals

As previously discussed, TGNC individuals experience worldwide discrimination (Harrison-Quintana et al., 2017). Because of this discrimination, the TGNC community tends to have more negative outcomes than cisgender or even homosexual individuals (Bauer et al., 2017; Harrison & Michelson, 2017). With these prominent mental health issues for this population in mind, it is pertinent to touch on the current mitigation and future possibilities to avoid discrimination.

Numerous researchers have assessed and investigated ways to help mitigate bias toward transgender individuals. For instance, Grant et al. (2015) suggested setting a neutral tone of inclusion to allow TGNC individuals to access public bathrooms without adjusting their gender preference. Gillig et al. (2018) advocated for entertainment to change viewer attitudes toward transgender individuals and their policies. The influence of television has the potential to shift negative transgender attitudes on a national or international scale.

For example, Peeples (2012) announced several LBGTQIA+ characters, including an intersex character, in an upcoming edition of D.C. Comics (Kusz, 2010). Also, Disney

featured a transgender individual in "Finding Dory," a cartoon character designed to entertain children. *Finding Dory* is a noteworthy attempt to introduce children to accept diverse individuals (Dowling, 2016).

Harrison and Michelson (2017) conducted longitudinal experiments to examine public opinions toward TGNC individuals who demanded access to shared bathrooms designated for women. In particular, the authors tested whether framing could significantly impact views toward TGNC individuals.

Framing can be used when a problem needs a solution; thus, it encourages specific interpretations and discourages others. The experiments set conditions to test whether framing the issue shifts negative conversations and minds to a greater appreciation for TGNC bathroom rights. For example, “reframing” would provide non-threatening mental representations of TGNC individuals and more positive interpretations of their right to use a restroom of choice.

The results showed that framing impacted the participants' opinions significantly (Harrison & Michelson, 2017). Based on these results, the authors concluded that improving misunderstandings of the public’s views regarding TGNC individuals and public restroom use could be particularly helpful.

Moreover, Kushner and van der Vort (2017) suggest that political scientists look at the role of disgust in shaping public opinion and attitudes because disgust shapes attitudes toward gay and transgender rights. However, highlighting this issue's complexity, Stainton (2017) emphasized the importance of assessing discrimination based on whether the individual is a lesbian, gay, bisexual, bisexual woman, a male-to-

female transgender person, or a female-to- male transgender person. Nonetheless, this approach could be challenging to execute, as educating the public would be costly and time-consuming.

It is important to note that although these studies are a solid start to mitigate discrimination for this population, it is not clear whether TGNC individuals themselves experience any positive impacts based on these types of approaches or whether they feel that these approaches could be helpful. In the current study, TGNC individuals will be asked how to mitigate this issue, adding to the extant literature on this topic.

Researchers have also explored the foundational aspects of why discrimination occurs and the types of discrimination. For instance, Nadel et al. 2016; conducted a literature review to determine whether transgender discrimination exists at micro, meso, or macro levels of sexual prejudice. On the macro level of structural policy change is the Civil Rights Act, of which Title IX is one of its sections. A meso level example is the Supreme Court ruling in *Obergefell v. Hodges* (2017), which legalized same-sex marriages. The micro-level represents the behaviors and norms directed toward TGNC individuals when they request access to the restroom of choice. Examples of a micro-level response toward the TGNC community are enabling restroom legislation in Philadelphia and Washington, D.C. (Herman, et al., 2017).

There have also been suggestions to help mitigate transgender bias focused on policy and law. For instance, a remedy to transgender marginalization was suggested by (ND 2016), who advocates for public policy advocacy and legal reforms. For example, in 2018, the ACLU ruled in favor of a transgender female who had sex reassignment

surgery while employed and dressed in women's clothing while working in a funeral home (EEOC v. R.G. &. G.R. Harris Funeral Homes, Inc., 2018).

Sex reassignment is a protected classification under Title IV. However, Grimm was not granted the same consideration because his issue was based on restroom and locker room use at his public school. TGNC youth such as Grimm are affected by health and well-being inequalities that can be counterpoised by advocacy groups and responsive community services (Martos et al., 2019).

The National Center for Transgender Equality (NCTE) reported that it had been two decades since federal courts ruled federal sex discrimination laws applied to discrimination against transgender individuals. In 1964, Title VII of the (CRA) outlawed racial and ethnic segregation in all public facilities (Swan, 2014). The American Disability Act (ADA), ratified in 1990, addressed the needs of people with disabilities, prohibiting discrimination in employment, public services, public accommodations, and telecommunications (Lorber, 2012).

The Equality Act is still pending in the House sponsored by the National Committee for Transgender Equality (NCTE). The Equality Act defines sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation (Emina et al., 2018). For example, public schools would allow TGNC students and others to access restrooms and locker rooms regardless of gender or sexual orientation.

Although some President Trump administrators dismiss trans protections as *fake news*, the federal courts disagree (Lopez, 2019). For instance, Title IX [20 U.S. C. 1681

(2012)] of the CRA forbids sex discrimination in schools that receive federal funding. However, sex-segregated *living quarters*, locker rooms, and changing facilities persist throughout most of the United States even though the Federal interpretation of Title IX is that people with a male or female gender identity must be allowed to use facilities that correspond with their gender identity (The National Center for Transgender Equality, 2016). However, President Trump rescinded Title IX.

Nonetheless, when (Archibald 2016; McClintock, 2016) examined court battles over transgender bathroom and locker room rights, the conclusion drawn was that the federal interpretation of the Fourteenth Amendment implies the legitimacy of the Federal Act that decrees transgender students can use bathrooms and locker rooms that correspond with their gender identity in schools receiving federal funding (Philips, 2017).

Except for Title IX mandates, only 18 States have successfully safeguarded restroom rights for transgender individuals (Davis, 2020). Kogan (2017) reviewed the legal and historical literature on gender-segregated restrooms and suggested a *morality play* against TGNC individuals unfolding in several states. The rationale for "potty parity" used by transgender advocates is that Title IX prohibits sex discrimination in education, while the Equal Protection Clause also prohibits sex discrimination in education.

Thus, TGNC discrimination is already prohibited by the Fourteenth Amendment, a reasonable interpretation, and should be lawfully applied to TGNC civil rights (ND, 2016; p. 20). In keeping with Title IX prohibitions against sex segregation in schools, Phillips (2017) refers to *Grim v. Gloucester County School Board* as the second case to

reach the Supreme Court. However, it is essential to note that many schools allow bathroom choice without controversy or conflict (Hatchel & Marx, 2018).

To summarize, previous researchers have explored how educating the public on TGNC rights or even having a more substantial transgender presence in the media could help change society's opinions of TGNC individuals using the restroom of choice (Dowling, 2016; Harrison & Michelson, 2017). It is also important to note that current policies help this population, such as Title IX and the Equal Protection Clause, prohibit sex discrimination in education (Davis, 2020).

However, Minter (2017) predicts TGNC individuals should still expect years of judicial losses. Therefore, they must depend heavily on two profound changes: judicial and legislative acceptance of transgender individuals (Minter, 2017, p. 1194). Until then, politicians will revert to unprincipled biological differences for excluding TGNC individuals from gaining access to the same restrooms used by cisgender people.

Studies highlight laws and other approaches to help TGNC individuals with discrimination while using public restrooms, as shown in the literature. However, what is missing from these studies and the literature is the subjective perceptions of TGNC individuals as to whether the current laws and legislation or some of these other approaches have been helpful.

The current study will address this gap in the literature by not only investigating the unique stories of public restroom discrimination and the consequences (negative health symptoms) associated with discrimination by also exploring whether TGNC

individuals believe that law and legislation, along with other approaches, have been helpful to limit or erase public restroom use discrimination.

Researchers use incentives like money, gift cards, lotteries, prizes, or souvenirs to encourage qualitative study participation. Tsey (2017); suggests monetary incentives such as money or gift cards to help motivate survey participation, while Fomby et al., 2016; recommend financial incentives as an effective strategy that can increase short-term response rates for hard- to reach respondents.

Taplin et al. (2019) also provided monetary payments to young adults to increase the likelihood of agreeing to participate in their studies. On the other hand, Resnik, 2016; expresses misgivings about incentives by stating: "undue inducement" occurs "when a person chooses circumstances in which external factors are likely to have an inappropriate influence on the decision-making process (Page 36). In turn, participants make poor choices because money has clouded their judgment.

However, after sorting through the pros and cons of incentives paid for research, the overwhelming literature supports monetary—cash or gift card inducements (not prizes, lotteries, or souvenirs) when appropriate. Thus, this study will recruit respondents by providing a $25 gift card incentive for their participation once they are accepted, as suggested in the literature (Tsey, 2017; Vincent, 2017).

Summary and Conclusions

After reviewing the extant literature, several trends and patterns appeared, along with some literature gaps. Previous researchers have found that TGNC individuals experience discrimination (Harrison-Quintana et al., 2017; Trotta, 2016) and suffer

numerous health-related consequences from this discrimination. For example, TGNC individuals can experience high levels of mental stress, depression, and suicidal tendencies (Bauer et al., 2017).

Although this population often utilizes coping mechanisms to help offset the consequences of discrimination (Bry et al., 2018), they still experience adverse outcomes and struggle in various life avenues (Grant et al., 2019). These negative consequences highlight the need for additional research and policy to help this population.

Currently, there are some policies and laws in place that should be mitigating the adverse treatment of TGNC individuals. For instance, Title IX and the Equal Protection Clause prohibit sex discrimination in education (Herman, 2013). However, these laws only protect TGNC individuals from sex discrimination in education and not in other domains.

Researchers have also explored how framing and educating the public could lessen discrimination (Harrison & Michelson, 2017). Others have reported that having more of a transgender presence in the media could be helpful (Dowling, 2016). As seen from the literature review, there is insufficient help to mitigate this population's adverse treatment. Additional research is needed, and from this research, I hope that different policies and laws can be implemented.

A critical gap within the literature was identified. There is bountiful quantitative research showing the amount of discrimination experienced and the types of negative consequences of this discrimination for TGNC individuals (Harrison-Quintana et al.,

2017; Trotta, 2016). However, there are few qualitative studies that examine the subjective experiences of this population concerning bathroom use.

The current study will address this gap by conducting qualitative research to understand better the lived experiences of English-speaking TGNC individuals who are confronted with varying degrees of acceptance or support for or against gender separation bathroom policies in New Jersey. New Jersey was chosen for this study because it is third in the nation for LBGTQIA+ activism and housing advocacy organizations (Renga, 2021).

Also, New Jersey enacted enabling legislation for high school students who are currently able to use the school's restroom and locker room in accordance with their gender of choice. Legislation (S3067/A4652)—which took effect immediately after it was passed—requires the state education commissioner to draft specific guidelines to help schools address "the needs" of transgender students and establish policies that "ensure a supportive and nondiscriminatory environment" for those students.

This data should help others understand what this population experiences, and it is hoped that other laws or policies could be put in place to help ease TGNC individuals' suffering. In particular, the current study will explore the unique experiences of TGNC individuals using the restroom of choice. This study will underscore whether these experiences impact other aspects of their lives and whether current laws and approaches are proven beneficial to help mitigate discrimination and its ancillary health effects-toward TGNC individuals.

Participants will also be asked to share suggestions regarding additional ways to reduce prejudice through unique law and legislation processes. In the following chapter, a detailed review of the study will take place. In particular, the methodology and research design used for this study will be discussed, including a discussion of the researcher's role and how participants will be recruited, and an explanation of the data collection procedure will be discussed.

The data analysis plan will then be examined in detail, followed by a discussion on trustworthiness and ethical practices and a summary of the chapter.

Chapter 3: Research Method

Introduction

The purpose of this qualitative research study was to determine if New Jersey having an established policy would alleviate hardships experienced by TGNCs when choosing or using a public restroom of choice in a state that does not currently have enabling restroom of choice legislation. This chapter includes the research design and rationale, the role of the researcher, methodology, issues of trustworthiness, and ends with a summary and transition to Chapter 4.

Research Design and Rationale

There were two overarching research questions in the current study:

RQ1: How has the lack of enabling restroom policies in New Jersey impacted TGNC adults who live, work, and or study in that State?

RQ2: How would legislation or policies focused on restroom policies impact the health and well-being of TGNC adults who live, work, and or study in New Jersey?

Qualitative research is a scientific inquiry in which the researcher attempts to build upon narratives that inform the researcher's understanding of a social or cultural phenomenon (Patton, 2015). A strength of qualitative research is its ability to provide textual descriptions of how prior experience provides information about the human side of an issue: the behaviors, beliefs, opinions, emotions, and relationships of individuals (Creswell, 2016).

Qualitative research is used when there is a need to study a group of individuals or a community whose voices have thus far been silenced. For instance, there is

documented evidence that when TGNC's who live, work, and or study in New Jersey contemplate or use public restrooms, they do so at their own peril (Subasic et. al., 2018).

On the other hand, quantitative research is a relatively new design for social scientists who adopt the perspective that science is separate from humanity and that the discovery of one existing reality requires an objective systematic approach with detailed measurements and data recordings (Creswell, 2016). The purpose of quantitative studies is to search out and record the answers that predict causal connections, confirm hypotheses, and measure variations (Gaille, 2019).

Although there is scant research on TGNC individuals, the studies in which the researchers focused on that population applied a quantitative design. In the current study, I closed that gap by adopting a qualitative research design. In a review of other qualitative research designs, I will explain why a qualitative research methodology was the most appropriate choice for the current study. According to Creswell and Poth (2017), there are four standard qualitative designs: ethnography, grounded theory, case studies, and phenomenology.

Ethnography researchers study norms and belief systems, how they are maintained, and how they respond to external forces (Megheirkouni, 2023) . Ethnography is a form of field research designed to detail the experiences of a culture, in its natural setting, to gain an understanding of its beliefs, social structures, and social norms (EEOC v. R.G. &. G.R. Harris Funeral Homes, Inc., 2018) (EEOC v. R.G. &. G.R. Harris Funeral Homes, Inc., 2018). Using thick descriptions nine dimensions, space, objects, acts, activity, event, time, actors, goals, and feelings would be noted (Vincent, 2017).

Because ethnographical studies focus on anthropological constructs rather than lived experiences, it is not well suited for the current study.

A grounded approach is appropriate if the researcher has unlimited access to a sample or data site to collect and analyze data in the hopes of formulating a theory (Creswell & Poth, 2017). Grounded theory usually begins with data and works toward a theoretical understanding of the problem, using an inductive approach (Santiago & Martinez, 2005).

The design is appropriate for the development or expansion of a theoretical foundation of phenomena about which there is little current understanding. Moreover, this approach requires revisiting a field of study for additional testing. Thus, a grounded approach was not selected for this use because it calls for field studies and multiple interviews instead of the current study design, which conducts one interview per participant (see Alfaro & Rizzo, 2017; Laverty, 2003).

Case (Binji, 2020) (Binji, 2020)researchers investigate the phenomenon of a segment within a population rather than a broad statistical survey. Qualitative case study design is used for in-depth research of an individual, program, or event during a controlled period as it is a method used to narrow down a wide-ranging field of research into one easily researchable topic (Creswell & Poth, 2017). A qualitative case study design could have provided an in-depth investigation of restroom use by a single individual, as in the Riggle case study mentioned previously (see Riggle, 2018).

Moreover, a case study is more appropriate for answering research questions focused on hermeneutic phenomenology with its focus on an individual's background

that cannot be separated from the individual's development through life. Because of the singularity of that approach, it was not well suited for this research, in which my emphasis was on qualitative research which outlines the lived experience of multiple TGNC individuals.

Phenomenological researchers focus on what people experience regarding a trend and how they interpret those experiences (Moustakas, 1994). In this study, the phenomena of interest were TGNC individuals, regarding support for or against bathroom use who live, work, and or spend time in New Jersey.

Phenomenology started as a philosophy developed by Edmund Husserl but evolved into a methodology over time. There are two schools of phenomenological thought: Hermeneutic and transcendental. Hermeneutic phenomenology is credited to Martin Heidegger who emphasized that every event or encounter involves some type of interpretation from an individual's background that cannot be separated from the individuals' development through life.

Heidegger approached phenomenology like an investigative science whose consciousness is a formation of subjectivity explaining who we are as living individuals. Edmund Husserl, on the other hand, approached phenomenology from a transcendental perspective (Husserl, 1931).

Transcendent knowledge is that which strives to determine the nature of things as they are in themselves (McConnell et al., 2009). Although Husserl is considered the founder of transcendental phenomenology, Emmanuel Kant, an 18th century philosopher, is the person who first coined the concept as being the lived experience that is

immediately experienced directly or before deliberation without reference to assumptions formulated by experience (Binji, 2020). Phenomenology, thus, considers experience without assuming anything about the reality or unreality of the contents of experience.

Initially, I proposed a transcendental phenomenological research design to investigate the lived experiences and the meaning this experience has for TGNC individuals who live, work, and or study in a state that does not currently have a public bathroom of choice enabling legislation.

However, I did not have a sufficient number of participants to qualify as phenomenological research, although phenomenological research applies a descriptive and an interpretive approach to investigating the lived experiences of at-risk populations (Head, 2020).

In addition to transcendental phenomenology, other qualitative paradigms focus on lived experiences. More specifically, narrative, grounded theory, ethnography, and the case study approach all share an ontological philosophy which focuses on concepts such as existence, being, becoming, and reality (Janak, 2018). For instance, the narrative method of inquiry assumes people organize their lived experiences into stories (Moen, 2006).

Like phenomenology, narrative researchers allow participants to tell their stories and assign meaning to their experiences through the stories they tell (Moen, 2006). However, because of its penetrating, in-depth approach, narrative research focuses on the narratives of only one or two participants. Examples of narrative design, a category

within qualitative methodology, include biographies, autobiographies, and life histories (Creswell, 2007).

The phenomenon of interest was to understand the impact restroom policies have on TGNC individuals and how these experiences affect their health and well-being. A generic qualitative design and methodology was chosen as the research tradition to assess those phenomena.

Role of the Researcher

In qualitative research, the role of the researcher is crucial for data collection and analysis. I served as the observer of the data collection instrument which is a questionnaire-survey (see Wroblewski & Leitner, 2019). More importantly, I conducted one-on-one interviews with the participants, listening to and observing their unique stories. It is important to note that I did not have any personal or professional relationships with participants, as I ensured this when recruiting them. If I knew one of the potential participants, either personally or professionally, I would not have allowed the participant to continue in the study.

As a qualitative researcher, it is essential to ensure that any biases are prevented. My personal experience or preferences that should be considered are my long-standing advocacy for the LBGTQIA+ community and my tendency to embellish what is stated by others. I aimed to maintain an open mind about the phenomenon being studied while applying bracketing to any prior knowledge or preconceptions (see Janak, 2018). I did not have any goals or objectives for the study that would be profitable or made public without IRB approval.

To ensure my personal biases are minimized, I used bracketing whenever my past experiences surfaced. Bracketing is used when researchers review previous relevant experiences and set aside any preferences. More specifically, I focused on participant experiences and did not allow any of my experiences, prior preconceptions, or emotions interfere with the data collection or analysis.

Conflicts of interest refer to situations where the primary researcher could be at risk due to an outside factor (e.g., financial gain or career advancement; Romain, 2015). There were no conflicts of interest with this study. Once respondents were selected for the study, an incentive for their participation (whether they complete the research or not) ensured that enough participants are recruited (see Resnik, 2016).

Incentives have been used to encourage hard-to-reach participants with one caveat. The incentives that work best are cash and gift cards; other incentives like prizes and lotteries are less valuable (Tsey, 2017). Thus, I offered $25 gift certificates to encourage participation in this study whether respondents complete the study.

According to Vincent (2017), there is no perfect amount or value for a survey incentive, but there are three things that the researcher must keep in mind to help determine the type and amount and how much it will be valued, by the subjects:

1. The study's' budget for the survey.
2. How the researcher will provide the incentive.
3. The target population for the survey

It is up to the researcher to determine the type and amount of the incentive. However, the above listing is a determining factor for arriving at that decision.

Methodology

Participant Selection Logic

The population interest for this study was based on the Williams Institute (2017), which reported that an estimated 30,100 TGNC individuals live in the State of New Jersey (Herman et al., 2017). Of that number, 5,050 reported their age as sixty-five and older, and 3,850 reported their age as 13-17 years old.

After removing both the older and younger cohorts, this provided a population estimate of 21,200 transgender adults between 18-25. The study was drawn from the above cohort who live, work, and or study in either of the three earmarked counties selected from the twenty-one counties identified in New Jersey. The designated counties were Camden, Essex, and Middlesex. Each county is home to several higher learning institutes and is also noted for its social, economic and LBGTQIA+ activities center within New Jersey (Brydum, 2015).

After an initial contact visit, I wrote follow-up letters to the participants they selected and to those they did not. In the letters, I thanked the potential participants for meeting with the interviewers. In the case of those who were selected for the study and who agreed to participate, they confirmed in writing the schedule of interview appointments. This kind of "step-by-step" attention, according to Seidman (2003), can have practical benefits to the interviewer.

I paid attention to the details of access and contact before the interview began. This is the best investment interviewers can make as they select their participants and prepare to begin the interviews.

A convenience sampling method (also known as accidental or consecutive sampling) was used for the current study, along with snowball sampling (see Malaterud et al., 2015). Convenience sampling is taken from a non-probability test group and is used when recruits are readily available. Study participants are consequently selected in order of appearance and in accordance with convenient accessibility. On the other hand, there are disadvantages as well as advantages when choosing convenience sampling (EEOC v. R.G. &. G.R. Harris Funeral Homes, Inc., 2018).

The benefits include the ease of collecting a sample, less expense, and the participants are selected from a readily available population. The disadvantages are that a large portion of the population is omitted, leading to inaccurate generalizations or under/over-representation of individual classifications (Glen, 2017; Crossman, 2020). Another disadvantage can occur when a study participant is dropped from the study. This causes an inconvenience for the researcher as she must replace the respondent which is time consuming and can delay the study's course of action (Koh, 2016).

Justification for the use of convenience sampling was established by previous research studies. For example, McLemore (2018) used convenience sampling for his research focused on transgender experiences of misgendering by contacting transgender peer support groups and advocacy organizations via email and asking for permission to advertise the study to the organizations and support group members.

Snowball sampling refers to asking participants to recruit individuals they might know who would be willing to participate. Snowball sampling was chosen because TGNCs are often isolated or hidden (Glen, 2014; Naderifar et al., 2017). For that reason,

snowball sampling helped obtain enough participants for the current study. The researcher asked participants if they knew of any other TGNC willing to participate at the end of the interview.

In similar studies, researchers also used snowball sampling in their research assessing transgender and gender nonbinary medical students' and physicians' experiences. Dimant et al. (2019) used convenience sampling that focused on LGBTQ professional groups, listservs, and social media, followed by snowball sampling with each participant to generate additional participants.

After an appropriate number of subjects were identified for this study, my role as the primary researcher was to obtain a primary data collection instrument. A questionnaire-survey is used as the data collection instrument. According to Shetty (2018), a recommended sample size should be limited to the point at which the researcher has learned enough about the phenomena of interest. The point is that more interviews do not necessarily result in more knowledge (p. 48).

The participant criteria include written and spoken English by individuals who self-identify as TGNCs (either male or female), who live, work, and or study in New Jersey, and are between the ages of (18-25). Justification for recruiting both males and females is based on research showing that experiences may differ based on whether the TGNC is male or female. For example, Blair (2018) reported that transgender females receive more hostility than transgender females.

Other studies claim that transgender males do not attract as much attention or angst as transgender females because dressing in masculine garb is common among all

levels of society. For instance, Bry et al. (2018); also suggests that female to male transgender is more commonplace than males who dress in female garb and more acceptable by the cisgender public.

The study did not include individuals who did not read or speak English or identify as cisgender, lesbian, gay, bi-sexual, intersex, or queer unless they also self-identify as TGNC individuals. Although there are restroom discrimination reports by members of the LBGTQIA+ communities (Bauer et al., 2017), TGNC individuals were the focus of the current study because it is the group that is most often associated with negative feedback when attempting access to public restrooms (Harrison & Michelson, 2017).

Also, there is extant research covering TGNC and discrimination in other geographic areas. For instance, in 2019, the National Transgender Discrimination Survey (NTDS) was undertaken—with support from the National Center for Transgender Equality (NCTE). The survey produced a thorough analysis of restroom discrimination by the State. This research focused solely on individuals who live, work, and or study in the State of New Jersey—although it is anticipated that similar research will be generated in other States as well.

Each potential eligibility was established using an inclusion/exclusion criteria screener guide (see Appendix A), asking the potential participants questions about themselves and determining whether they are eligible to participate in the study. If any inclusion criteria were not met or if exclusion criteria were observed by the researcher during screening, the individual would be excluded from participation in the study.

After an extension search for recruits, saturation was reached after having recruited four females and six English-speaking males who self-identified as TGNC individuals. Finley (2015) suggests that the typical sample size for qualitative research studies should range from five to twenty-five participants, while others have suggested that a smaller sample of five to ten participants is appropriate if a large amount of data per participant is anticipated (Vasileiou et al., 2018).

Based on these recommendations, and I expected each participant to generate a large amount of data, a minimum of twenty participants was initially proposed. Although these recommendations help researchers estimate the number of recruits, the required number of participants occurred when data saturation was reached (Creswell, 2016). In other words, researchers would have a large enough sample size to uncover a variety of opinions but should always limit the sample size to the point of saturation (Shetty, 2018).

To begin identifying participants, I contacted organizations that advocate for the TGNC community and LGBTQIA+ rights. Several of these advocacy groups have been successful in legislating on behalf of the LGBTQIA+ community. Moreover, New Jersey houses twenty-eight organizations that advocate directly on behalf of the transgender community. Several of the groups were involved in New Jersey's Bathroom Bill that enabled school aged children and youth to access public restrooms and sport facilities of choice—in a public-school setting (Hegarty, 2017; NCTE, 2017;Stainton, 2017).

Organizations were identified via an Internet search and contacted via email (Appendix B) to request that they post a flyer (Appendix C) on their bulletin board and or include the flyer in regular communication with their membership. The email and flyers

contained the study's purpose, the criteria that the participants need to meet to participate in the study, and how they will receive a twenty-five-dollar gift card for their participation.

The twenty-five-dollar gift card will act as an incentive to encourage TGNC individuals to participate in the study. Tsey (2017) suggests monetary gift cards and not tangibles. If participants are interested, they are more eagerly accepted, and participation is taken more seriously when a gift card is involved. Heather, (2011) also recommends incentives because: "they lead to higher levels of engagement, faster recruit times and fewer no-shows" (p.3).

On the other hand, the quality of responses can be compromised by those seeking incentives and are not interested in research perspectives, issues, or feedback (Kelly et al., 2017). However, the consensus is that incentives might matter in achieving high response rates for qualitative research, and nonmonetary incentives may not result in higher participation than no incentive at all (Heather, 2011; Kelly et al., 2017; Resnik, 2016; Stewart, 2007; Tsey, 2017).

Data saturation occurs when enough data has been collected to address the research questions, with any additional data not yielding any new ideas or themes (Fusch & Ness, 2015). van Rijnsoever (2017) indicates that a qualitative research study's primary focus is not to determine "how many" individuals experienced the phenomena being studied but to uncover the experience and the meaning of the phenomena being studied in detail. Although I proposed recruiting a minimum of twenty participants, saturation occurred after ten study participants were interviewed.

Instrumentation

A researcher-developed instrument in the form of a questionnaire-survey was used to conduct one-on-one, semi structured interviews (see Appendix D). The interview is an important data gathering technique involving verbal communication between the researcher and the subject and is used in survey designs and exploratory and descriptive studies (Wroblewski & Leitner, 2019). Interviewing *techniques* can range from completely unstructured to a highly structured format. For instance, in an unstructured interview, the subject can talk freely about whatever they wish.

A highly structured interview occurs when the subject responses are limited to answering direct questions (Patton, 2018). The researcher cultivates the interview questions ahead of time using semi structured interviews while allowing the flexibility to rearrange or add additional questions. This approach can facilitate a fluid conversation between the participant and the interviewer (Wroblewski & Leitner, 2019).

Questions on the questionnaire-survey interview guide were developed based on the key concepts identified in Chapter 2. They included suggestions (Dinno, 2017) to investigate discrimination of TGNC individuals, the consequences of discrimination for TGNC individuals, and the factors that might be helping with discrimination, such as laws, legislation, and other external factors (e.g., entertainment; Gillig et al., 2018). No historical documents were used.

There are two research questions used in the current study. Each of the interview questions was developed to address; "How has the lack of enabling restroom policies in New Jersey influenced TGNC adults who reside, work, and or study in that State?" and

"How would legislation focused on restrooms impact the stress and well-being of TGNC adults in New Jersey?" Both questions were designed to encourage a national dialogue. In particular, the interview questions touched on three topics: experience with restroom discrimination, consequences of restroom discrimination, and perception of laws, legislation, and other external factors that are working to mitigate TGNC bias when using public restrooms.

There was a total of four interview questions that focused on acts of discrimination in public restrooms. One interview question focused on the consequences of restroom discrimination, and three interview questions focused on whether the participants believe laws, legislation, and other external factors are helping to limit or control bias.

The instrument tool and format were developed using recommendations on what an interview guide should include. The development of qualitative research questions- versus case studies or narrative design questions- was selected for this study (Janak, 2018). Content validity was established by developing questions based on pre-existing literature (Bry et al., 2018; Zamanzadeh et al., 2015), following the methodological guidance of qualitative interview question development (Fusch & Ness, 2015).

The interview questions were pretested on January 24, 2021-face-to-face-using the interview guide listed in Appendix D. The interview was tested with one LBGTQIA+ family member and lasted 45 minutes. The interview questions were clear without redundancy; therefore, no changes were made. Semi structured interview questions were used to allow researchers to develop the interview questions ahead of time. The questions

also provided the flexibility to rearrange or add additional questions to ensure a fluid conversation between the participant and the interviewer (Wroblewski & Leitner, 2019).

Besides, previous researchers have successfully used semi structured interviews in their qualitative research on related topics (e.g., Bry et al., 2018). Using a structured interview instead of a semi structured interview approach would not allow the researcher to ask additional questions based on the participants' responses.

The questions were mini tested for content and readability and timed for the 'response' duration (Ravitch & Mittenfelner, 2021). Two family members were interviewed separately. The interview for one family member took more than one hour; and the time for the second family member took one and ½ hours to complete the interview. The responses were expected, although I did not share that observation with either participant. When asked about the questions, both members reported that they were easy to understand and that they did not feel uncomfortable at any point during the interview. When asked about concerns, they were not reported by either participant.

Once potential participants contacted me using the information on the flyer, I used the screener to verify eligibility. If individuals were eligible, I requested their email address and telephone number to send the Consent form (Appendix E). Once the consent form was returned, I established a date and time that was convenient for them. In addition, l called each participant or sent a reminder email at least five business days before the scheduled interview.

The only data collection instrument used in this study was the questionnaire-survey interview guide. The data was collected from participants who met the established

criteria using a one-on-one recorded phone or ZOOM interviews, as the COVID pandemic did not allow face-to-face interviews. Zoom, according to Canary, allows remote research, uses reliable video, and facilitates audio-conferencing for research purposes (Canary, 2020). I asked for the subject's permission to record the interview, so that I could transcribe the interview and refer to it in the future.

Procedures For Recruitment, Participation, and Data Collection

Recruiting subjects for Zoom are like traditional interviews that meet in person except directions for using Zoom technology were forwarded to subjects as soon as the interview was scheduled. If the subject had an out-of-date browser, other technology like teleconferencing by phone was suggested.

In sum, Zoom is preferred to telephone interviews because the researcher can choose to interact with the respondent face-to-face and can be recorded after securing permission from the subject being interviewed. Although this study did not use Zoom's audio function, it was available of Zoom On the other hand, if Zoom is not available, the interview will proceed by phone.

At the start of the interview, I engaged in an informal conversation to create a relaxed environment and build rapport with the participant. The narrative protocol was located at the beginning of the interview guide. The interviews took place over the course of two weeks.

Each interview was recorded using a dedicated voice recorder as suggested by Perling (2019). Interviews were also recorded by using the Zoom recording feature. A follow-up plan would have been used if recruitment resulted in too few participants. I

over recruited participants at the start of the study to adjust for participants who might drop out. Also, I used snowball sampling for each participant until data saturation occurred (Bornstein et al., 2013). For instance, at the end of the interview, I asked participants if they knew of other individuals who meet the inclusion criteria and are willing to participate in the study.

If the participant knew others who were interested, I emailed the participant additional information to send to the other potential participant(s). If I still had too few participants, I planned to reach out to the organizations that initially allowed recruitment to see if they would be willing to resend the email invitations or allow me to post additional flyers at their organization. Also, I recontacted with each organization that I initially contacted but did not return my call or email.

Once all of the interview questions were addressed, I let the participants know that I have asked all of my questions and opened the conversation up to any questions the participants might have, along with asking if they had any other additional thoughts they would like to share with me. Once finished, I let the participants know that the interview had ended, thanked them for their participation, and reminded them of the twenty-five-dollar gift card I will send them via email. Finally, I concluded with a debriefing of the study, discussing all elements of the study's purpose with the participants.

At the end of the interview, participants will be asked to contact me with questions or clarification points after transcribing their interviews. Contacting the participants with any clarification issues or problems about their responses will allow member checking and provide additional content validity (Candela, 2019). Member

checking provides an opportunity to understand and determine whether additional information is stimulated by the member-checking process. If any questions or points of clarification arise while transcribing the interviews, I will contact them to obtain clarity.

Data Analysis Plan

Thematic analysis is a qualitative approach used to analyze verbal data by identifying and reporting patterns and themes from study Participants (Medelyan, 2019). Thematic analysis extract's themes from the text by analyzing the word and sentence structure. The first step in conducting a thematic analysis is to become familiar with the data.

I reread the transcripts multiple times to allow me to get a general scope of the different perspectives and experiences shared during the interviews. Detailed notes were taken to add breadth and depth to the interview transcripts. To do this, I developed a codebook. The codebook collects codes, descriptions, and examples of the data (Yi, 2018).

A codebook was used because it provides a way to manage and compile codes in a structured manner and assist with organization. After reading the transcripts thoroughly, the second step is coding (Medelyan, *Coding qualitative data: How to code qualitative research,* 2019). Coding is the process of labeling and organizing qualitative data to identify different themes and the relationships between them and refers to contextualizing the meaning of the participants' statements using the literature and theoretical foundations (Medelyan, 2019).

When coding feedback from study participants, the researcher assigned labels to words or phrases that represent important (and recurring) themes, these labels can be words, phrases, or numbers. Spear (2018) recommends using words or short phrases because they are easier to remember, skim, and organize.

The first coding stage involved developing codes with data reduction or simplifying ideas into a list of names or labels. Conducting data reduction during the initial stages of coding in the thematic analysis was necessary to prevent redundant ideas and concepts (Braun & Clarke, 2006). After the codes were generated, the next step was to search for themes based on the codes.

According to Yi (2018), themes are different from codes, as themes reflect a broader or larger idea about a specific phenomenon. Developing themes requires finding patterns among various participants based on the results of the coding process. As for the development of codes, reviewing the theoretical frameworks used to guide this study helped develop relevant themes. Once themes were developed, the next step was for the researcher to review the themes to search for theoretical support (Yi, 2018).

The researcher assessed whether the themes relate to one another or that the themes tell a coherent story that addresses the research question(s). The researcher then defined each of the themes by assigning names that encapsulate the essence of the meaning of that theme into a codebook before data analysis (Zamanzadeh et al., 2015). Naming themes is central in thematic analysis, as this determines the themes' significance in addressing the research question(s).

The last step in the analysis was to produce a report that addresses the overarching research question of the current study (Medelyan, 2019). More specifically, the themes that were developed using tables to display the codes that created each of the themes were developed. Also, direct quotes from the participants' stories helped provide support for the themes developed.

NVivo, 10 – a software that focuses on qualitative research analysis, was proposed to conduct thematic analysis. NVivo is a qualitative data analysis computer software package produced by QSR International. NVivo helps qualitative researchers to organize, analyze and find insights into unstructured or qualitative data like interviews, open-ended survey responses, journal articles, social media and web content, where deep levels of analysis on small populations is warranted (McNiff, 2016). Specifically, NVivo analyzes text, audio, video, image data, interviews, focus groups, surveys, social media, and journal articles. NVivo was not used in this study and was replaced by manual coding and interpretation that was more simplistic in scope for the researcher.

In qualitative research, discrepant cases, or the participants who might have differing opinions than most participants, should be scrutinized and explained (Mbotwa et al., 2017). Potential data discrepancies are introduced when collecting and analyzing data, despite rigorous quality assurance protocols (DiLoreto & Gaines, 2016). On the other hand, (Moffatt et al., 2006) proposed six ways to further explore differences in data that addresses quantitative, mixed methods and qualitative research discrepancies.

Since this study drew from a qualitative perspective, only the first four discrepancies apply:

1. The first way is to treat the two methodologies as necessarily disparate.
2. The second is to explore the methodological rigor of each component as a point of reference to closely examine the rigor of the other (p. 147)
3. The third is to explore the likeness of the participants between the methodological groups.
4. The fourth is to collect additional data and make more comparisons.
5. The fifth is directed at quantitative researchers which is to explore whether the intervention under study worked as expected.
6. The sixth is to explore whether the outcomes of the quantitative and qualitative components match because they address the same constructs or domains.

I will explain the possible reasons for discrepant cases—and solutions—if they arise in this study that is the lived experience of TGNC individuals who use New Jersey's public restrooms.

Issues of Trustworthiness

According to Binji (2019), trustworthiness establishes the following factors: credibility, transferability, confirmability, and dependability. Credibility (internal validity) refers to the extent to which other researchers perceive the study's findings as convincing and accurate (Mortari, 2015). The three subsets of credibility are triangulation, member checking, saturation, and reflexibility.

Triangulation involves the utilization of different data sources to check the consistency of the findings. According to Mortari (2015), the three types of triangulations are: (a) triangulation of sources- which involves using different data sources with the same methodology; (b) analyst triangulation which involves using another analyst to review the findings to highlight blind spots throughout the analysis process; and (c) theoretical triangulation which involves using multiple theoretical perspectives to analyze the data. For the purposes set forth in this study, a theoretical triangulation was applied to the two theoretical perspectives used in the study: Multiple Streams and Minority Stress.

Member-checking involves reviewing the transcripts with the participants to ensure the responses reported were accurate. The advantage of member-checking is it clarifies intentions, corrects errors, and can provide additional information. The disadvantage is that it relies on the assumption that there is a fixed truth of reality that "can be accounted for by a researcher and confirmed by the respondent, which may not be true" (Creswell & Creswell, 2020, p. 32). This study applied member checking to safeguard reliability which is crucial when conducting qualitative phenomenological research.

Confirmability occurs when the researcher lists any predispositions, beliefs, or underpinning decisions that must be acknowledged in the study document. When it comes to results, preliminary theories which were not mentioned in the data must be cited. In this study, confirmability was substituted by bracketing and reflexibility in the following sections of this chapter. Strategies used to establish credibility were used to

establish trustworthiness factors such as triangulation, prolonged contact, member checks, saturation, reflexivity, and peer review. To ensure credibility, in the current study, the researcher used triangulation, member-checking, saturation, and reflectivity which. according to Mortari (2015), refers to the extent to which other researchers perceive the study's findings as convincing and accurate. Reflexivity was also practiced.

Reflexivity refers to actively trying to identify any biases the researcher might have (Mortari, 2015). Bracketing was used to help eliminate or limit biases. In particular, I focused on the participants' experience and not my own (Janak, 2018) and was careful not to allow any of my experiences, prior knowledge of preconceptions, or emotions to interfere with the data collection process or data analysis of this study. Janak (2010) defined reflexivity in research as "the researcher's ability to be able to self-consciously refer to him or herself in relation to the production of knowledge about research topics" (p. 116).

Therefore, reflexivity aids the researcher in exploring their positionality and understanding how it constructs knowledge. Reflexivity goes beyond "reflection" in that it explores our relationship with others (i.e., research participants and sites) (Roulston, 2010). Creswell and Poth (2018) add that the positionality of the researcher could influence all aspects of the research study.

Researchers "position themselves" in a qualitative research study. This means that researchers convey (i.e., in a method section, in an introduction, or in other places in a study) their background (e.g., work experiences, cultural experiences, history), how it informs their interpretation of the information in a study, and what they have to gain from

the study. Hence, the researcher's reflexivity should begin as early as possible. Engaging in reflexivity throughout the research process would allow for understanding meaning within power structures and ensuring trustworthiness in the study.

Transferability has a similar meaning to external validity in quantitative research and refers to the ability to generalize his or her results to populations outside of the sample (Willig, 2019). In other words, transferability is manifest when the methods and findings can be applied to future studies or used in other contexts. I recruited participants across the different State and local transgender organizations, not just one organization (i.e., the National Organization for Transgender Rights, in Washington, D.C.). This plan helped diversify samples and strengthen transferability.

Dependability, which is comparable to quantitative research reliability, was addressed by thoroughly documenting all the steps required in the study (Moon, 2016). I provided meticulous details about each step of the research and data analysis process, ensuring that other researchers could easily replicate this study.

Confirmability is also established when credibility, transferability, and dependability are established (Binji, 2020). I enhanced the confirmability of this study by maintaining a reflexive journal and research log. In both, I recorded and reflected on my thoughts about the research, ideas, preconceptions, biases, and other issues or concerns that impact the study's objectivity.

In general, an IRB reviews research proposals to ensure vital scientific methodologies and to protect study participants. For instance, the IRB will review data collection processes to scrutinize whether the participants are protected throughout the

study duration. Vulnerable populations include minors, the elderly, residents of facilities (prisons, treatment centers, nursing homes), intellectually disabled individuals, members of the LGBTQIA+ community, or non-fluent English speakers. A detailed description of how I protected the vulnerable population, TGNCs, from potential risk will be discussed below.

First, I will submit an IRB application before starting data collection and recruitment. Recruitment did not begin until approval from IRB had been granted. When completing the IRB application, I discussed how I plan to contact transgender organizations to recruit participants and ask permission. The organizations' names were kept confidential and not included in the final dissertation.

All participants were informed that the study is entirely voluntary and that they can stop the survey at any time without consequences. I received a CITI certificate (Appendix F) that provides guidance, for that purpose. Also, because the topics being discussed could elicit negative emotions, the participants were given a list of resources to contact if they experience any negative emotions during or from the interview (see Appendix C).

All data is confidential, and only the first names of the participants were collected. This blinder allows me to use their names in the interviews, making the interactions more personable and building rapport with each participant. However, no other identifying information was collected (e.g., last names, birthdates).

The participants were made aware that all the information collected will be used for the dissertation and that their first names will not be used when reporting the results.

Anonymity will be maintained when using direct quotes for the dissertation results section, and by assigning with a pseudonym.

All informed consent forms, recordings, transcripts, and other data-related forms and content will be kept safe throughout and after the study. More specifically, each signed informed consent form, transcripts, and data are held on an external hard drive that is password protected. My research chair and I will be the only ones that know the password.

The recordings are kept safe by keeping the recorder in a locked file cabinet, and only my research chair and I will know the combination of the lock on the file cabinet. The data will be destroyed three years after completing the study, as recommended by the American Psychological Association.

Summary

This chapter reiterated the overarching research question, presented the research design and rationale for the design choice, and provided a detailed description of the researcher's role. The chapter also included details about the population and sample used, the researcher-developed instruments, and the data collection and analysis procedures and ended with a discussion on trustworthiness and ethical practices. In the following chapter, a detailed account of the data results will be provided.

Chapter 4: Results

Introduction

The purpose of this qualitative research study was to better understand the lived experiences of TGNC adults in New Jersey and determine if bathroom legislation alleviates the adversity experienced by this group. To address this purpose, semi structured telephone interviews were conducted to ask the participants about their experiences using public restrooms in specified areas. When discussing the individuals' experience, it was defined as encountering discrimination before, during, or after restroom use. It was also characterized by their knowledge of laws and policies that address unfair treatment in that setting.

In Chapter 2, I provided an overview of the literature concerning TGNC individuals' perceptions of and experiences with public restroom use in New Jersey. I also applied the theoretical frameworks of multiple streams theory and minority stress theory used in this study. In Chapter 3, I discussed the research methodology, ethical protection of the participants, the research questions, the number of participants, the recruitment methods, and the sampling strategy used in this study. In the current chapter, Chapter 4, I will describe the research setting, participant demographics, and the data collection and analysis process used in this study. I also address credibility and describe and explain the significant themes obtained from the participants' lived experiences with public restroom use.

Setting

To collect data from TGNC individuals who had experience with public restroom use in New Jersey, I sent e-mails and flyers to agencies in that State and surrounding States that service the TGNC community (Appendix B). The flyers described the study, contact information, and the requirements for participation. Because this study used at risk subjects, a telephone number was required for interested parties for screening. A screener guide was used for that purpose (Appendix A). I also used snowball sampling from participants who had previously agreed to be part of the study. Screener and telephone interviews were conducted from June 2023 to the end of July 2023.

Demographics

The members of the study sample shared common characteristics, such as (a) self-identifying as TGNC individuals, (b) having an interaction or an experience with a public restroom within the three designated counties (Essex, Middlesex, or Camden counties), (c) were adults between the ages of 18-25 years, and (d) spoke English. The mean age of the participants was 20.60 years, with the youngest being 21 and the oldest being 24 years of age. To ensure confidentiality and to minimize any concerns about the participants' identity, an identifier number was assigned to each participant at the beginning of the interview. During the interviews, I was unaware of the participants' physical location, which may have made them feel at ease and assured of their privacy. Each participant was contacted by phone two weeks after the interview to review the transcript, clarify any misgivings, and answer any questions they might have had about the study. A $25 gift certificate was e-mailed to each participant.

The study sample consisted of ten transgender individuals. Seven participants were MTF (male to female), and three were FTM (female to male). The age, gender, and location of the ten participants are shown in Table 1. All participants were over 18 and under 26 years of age.

Table 1

Demographics

Pseudonym	Age	County	Transition
P1	22	Camden	TM
P2	23	Middlesex	TM
P3	22	Essex	TM
P4	21	Essex	TM
P5	24	Essex	FM
P6	22	Essex	FM
P7	23	Essex	TM
P8	22	Essex	FM
P9	23	Middlesex	TM
P10	24	Middlesex	FM

Note: TM= Male to Female; FM = Female to Male.

Data Collection

I began data collection after receiving approval from Walden University's IRB approval number 09-21-22-0599908. Interviews were conducted over Zoom audio

technology and recorded on a tape recorder. A secluded area in my home was used to conduct interviews. Each participant received a scheduled time to meet and conduct the interview. Once the interviews were collected, they were transcribed by me and moved to a secure storage unit on my computer hard drive and thumb drive.

I conducted telephone interviews with 11 participants, with one participant disqualified because of a language barrier that made it difficult to understand. I used a self-designed semi structured questionnaire interview guide that consisted of ten open-ended questions (Appendix D). All interviews were recorded using Zoom technology and an Olympus digital recorder with the consent of the participant. There were no technical issues; however, for a few moments during the recordings, participants who spoke with an accent were sometimes difficult to understand. In those cases, I asked for clarity.

Before the start of each interview, I briefly introduced the study and encouraged each participant to ask questions throughout the interview. During the interview, I listened carefully to the participants' responses to determine when to probe for additional information or clarification. After completing this process, I listened to each recording that was later transcribed manually and preserved in a safe area for recordkeeping purposes. All the participants were eager to share their feelings, thoughts, experiences, and interactions with restroom use in their respective counties. Some of the participants were more detailed than others; however, all participants remained on topic throughout the interview and were cooperative and answered all questions posed. At the end of each interview, the participant was debriefed and thanked for participating in the study. After

each study response was examined by the researcher, participants were e-mailed an audio transcription of their interview.

Data Analysis

Thematic analysis is a deductive instrument used to report step-by-step themes extracted from the word and sentence structure data of participants in a study. In this study, minority stress theory and multiple streams theory were applied. Specifically, I used Meyer's minority stress theory (1995) to analyze the data collected from the first five questions and Kingdon's multiple streams theory (1984) was used to examine the second five questions. When the interviews were completed, I manually transcribed them verbatim using my recording device.

The first step in analysis was to familiarize myself with the data by listening to the recordings while simultaneously reading the transcriptions numerous times. The second step consisted of developing a list of significant statements, which I did by marking the transcripts manually. These markups were assigned to codes that represent common statement concepts (Tables 2 and 3).

Table 2

Code Frequency for Interview Questions 1-5

	Participants										
Codes	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	Total
Verbal/Physical Abuse/ Derogatory Labels/Remarks/Unsafe Shaming/Stigma	3	3	3	3	3	3	3	2	3	3	29
Anxiety/Forbearance/ Stares/Bystander Exit	3	3	3	3	3	3	3	3	3	2	29
Restroom Blocked/ Locked/Refused Entrance	1	1	1	1	1	1	1	1	1	1	10
Trans Restrooms/ Advocacy help	2	2	2	2	2	2	2	2	2	2	20
Some Improvement/ Positive Bystander Misleading Children	1	1	1	1	0	1	1	1	1	1	9

Note. PX represents the specific Participant. For example, P1 represents Participant #1.

Table 3

Code Frequency for Interview Questions 6-10

	Participants										
Codes	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	Total
NJ Policies Helpful	0	1	1	1	1	1	1	0	1	1	8
US Policies Helpful	0	0	0	1	1	1	1	0	1	1	6
School Policies Helpful	1	0	0	0	0	0	0	0	0	0	1
Workplace Policies Helpful	0	0	1	0	0	0	0	0	0	0	1
Social Media Helpful	0	1	0	0	0	1	1	1	1	1	6
Social Media Not Helpful	1	0	1	1	1	0	0	0	0	0	4
Trans Policies Needed	1	1	1	1	1	1	1	1	1	1	10
Trans Restroom Needed	1	1	1	0	1	0	1	0	1	1	7
Police Protection Needed	1	1	1	0	0	1	0	1	1	0	6
Education Needed	1	1	1	1	1	1	1	1	1	1	10
Trans Advocacy	1	1	1	1	1	1	1	1	1	1	10

Note. PX represents the specific Participant. For example, P1 represents Participant #1.

Subsequently, the process of reviewing all my notes and interview transcripts thoroughly consisted of grouping the codes into meaningful themes. Initially, 20 codes were generated. I further analyzed the codes and began searching for and identifying patterns or terms that were later collapsed into emergent themes. The themes were organized and assigned descriptive titles.

The fourth and fifth steps consisted of drafting textural descriptions of the participants. A textual analysis, comparison, or interpretation has something to do with what is in a particular piece of writing. Experiences included quotations taken directly from the participants' transcription. The descriptions of the participants' experience in relation to their interactions with public restroom use in three New Jersey counties-represented their individual feelings, perceptions, thoughts and lived experiences.

Evidence of Trustworthiness

The trustworthiness of this research study's process and data collection was established through four criteria: (a) credibility; (b) transferability; (c) dependability; and (d) confirmability.

Credibility

Credibility is the degree to which the findings of a study can be considered accurate and trustworthy, signifying confidence one can have in the truthfulness of the research results (Johnson, 2020). Credibility was assured in this study through member checking by restating, paraphrasing, or summarizing all ambiguous information that lacked clarity with each participant during the interview process (see Harrison, 2017). In

addition, member checking was conducted by presenting the findings to participants and asking for their feedback.

Transferability

Transferability occurs when the results of qualitative research can be generalized or transferred to other contexts or settings (Morse, 2015). Transferability was ensured in this study by providing a rich, thick description of the data by incorporating both the textual and structural descriptions of all participants' experiences with and perceptions of public restroom use in the three designated counties.

Dependability

Dependability is the consistency and reliability of a study's findings, signifying that if the research were to be replicated by another researcher using similar methods, the results would be comparable (Johnson, 2020). I ensured dependability in this study by providing a clear, detailed, and sequential description of how I collected the data so that others could replicate the research process. I created the interview guide used in this study (see Appendix D).

Confirmability

Confirmability is the extent to which the findings of the research study can be confirmed by other researchers (Megheirkouni, 2023). To achieve confirmability, I kept a journal and reviewed it prior to and after each interview to ensure that my experience, thoughts, and feelings on the phenomenon were not included in the study.

Results

The data analysis process generated three themes that represented the lived experiences of the participants with public restroom use in New Jersey's designated counties: (a) Thoughts about treatment while using or contemplating use of public restroom use; (b) Thoughts about New Jersey and federal laws designed to protect minorities; and (c) The influences that are most helpful in protecting the TGNC community from harassment and abuse while using the restroom of their choosing. These themes emerged through the participants' significant statements and supported the two research questions that guided this study:

1. How have restroom policies influenced the lived experiences of adult TGNC confronted with varying degrees of acceptance support for or against gender separation bathroom policies in New Jersey?
2. How would legislation focused on restrooms impact the stress and well-being of TGNC adults in New Jersey?

Theme 1: Verbal and Physical Abuse

The first theme to appear from the data was the participants' experiences about their interactions and thoughts regarding public restroom use. Examples of verbal abuse ranged from spiteful stares to derogatory remarks. Examples of physical abuse ranged from slapping the face to rape.

Many of the participants described both non-verbal and verbal abuse. Whereby, Participant #3 reported an 80% chance of seeing someone that will abuse you verbally, and Participant #2 and Participant #6 also felt threatened when a bystander said,

"different words to me and then I felt unsafe." Also, Participant # 5 reported her experience using public restroom as being, "very horrible and devastating because it tampers with my self-esteem." While Participant #10 experienced spiteful stares that made her feel unsafe, Participant #7 reported negative stares by bystanders, but also shared a report from the manager who told them I had every right to use the restroom [of my choosing].

When asked about whether they experienced any neutral or positive experiences, Participant # 1 discussed her experience in the school sport locker room:

> …whenever I'm changing, you see people avoid coming around the area and threatened jail [if] I don't identify as a man...Lot of females like when I'm in the restroom, I see a lot of people who start exiting the restroom; they claim they are not comfortable-because then say that I'm still a man, that I'm never a woman.

Two of the 10 participants reported physical abuse. Participant #6 was almost raped until a bystander interceded on his behalf. But the bystander was a clergy who was verbally abusive when: "he told the would-be rapists that I had a mental problem." Participant #3 also had a bad physical altercation when he had his face slapped while using the restroom at work. Like Participant # 6, another individual intervened. Participant #6's manager sanctioned the employee who was fired immediately.

Participant #1 goes on to share her experience using the locker room restroom as being, "very horrible and devastating because it tampers with my self-esteem, and I feel outcasted I feel rejected, I feel discriminated even though there are strong laws in [my]

school against discrimination based on gender." In particular, she recalled a restroom in Cherry Hill, Camden County as being harsh toward the TGNC people and leading to her having a strong emotional response:

> I do feel a lot of stressed out because I found out that the local there are very harsh towards the trans people and you know, people are not friendly at all. I try to use my private restroom at home and whenever I'm in public and I have to use the restroom.

Participant #2 on the other hand, defined positive experience as, "having that confidence on that, irrespective of my gender, I can confidently assess the public restroom...[but]...I had felt unsafe." She goes on to share her uncertainty as:

> [I] feel worried, very worried [because a bystander] said different words to me, I shouldn't be going there again, but then, I feel it's my right. [But] that's how that's the person's nature, that's how the person chooses to be. like I don't let it get to me. For instance, I was refused some entry from making use of the restroom, but I feel, I think that was because of the person in charge, like I felt like that person had this pregnancy. Surprised that there was a problem with someone from my gender that someone that belongs to same gender with me, but then I just had to leave the place and maybe had to come back another time to make use of the restroom.

Participant #3 (crying) shared her feelings as she reported:

> Not being welcoming to my society it's a very devastating mood; there are other genders other than the male and the female gender. Most of the

> restroom here in New Jersey don't tend to actually get to realize that it's actually not just the male and the female and restrooms that are actually meant to be so. On the other hand, she did encounter the positive [even though] the negative which is [happens more often] on a very big scale.

Although most emotional responses were negative, some participants did have positive emotional responses. For example, Participant #7 expressed her positive experience:

> At my workplace, I feel like I'm part of the family and [petitioned] management for a separate restroom that ...makes me feel kind of like positive. So, I think that's kind of like the rare aspects of the positive part. However, and most times I feel so stressed that I'll actually have to hold my product till when I get back to my [home] sometimes I make use of my disposables. And it's so stressful having to think about such and having to go through the process.

Participant #4 agreed with #3 when asked about his experiences. Specifically, they both agreed that the experience with restrooms was negative. Participant #3 showed this when she stated:

> And you go to see especially models that have children under the age of 18, so they could complain they're not comfortable for their underage. So, most of the people always complain they feel uncomfortable mingling with trans people in the public restroom-so you have been like very careful

> of yourself and most of the time people that see you there just like make from comments you feel you don't belong.

Many of the participants mentioned exclusivity. For example, Participant #3 stated, "I could say 80% of the experiences I had are pretty much like a negative experience...accusing me of being an opportunist, or I'm trying to belong when I don't biologically belong, they tell me I'm still a woman", while Participant's #1 and #2 both mentioned exclusivities. Participant #5 also shared her experiences with exclusivity, which was similar to Participants #1, #2 and #3:

> I feel like there is no issue of inclusivity. There was a situation where I found like there was no restroom and I had to use like the other [woman's] restroom because I was very uncomfortable. Because first, we are human beings and want to feel like we belong. I would say stigma from other people, yeah. If you are going to stay for a long duration of time in a specific place so that you know, go there and start feeling uncomfortable.

Moreover Participant #6 stated

> [I] found some men there [restroom] and well, I received a lot of compliments from them saying that my grip was on point while they were saying I was looking amazing. Of course, I know myself I know I'm a good person, I'm a nice person, but then when people keep on telling things, telling you things like that, sometimes those things can really get [to you].

Participant #7 also shared a positive experience when:

> [Women were] rushing me [out] and ...called the manager of that restaurant. When the manager came, he supported me; something I did not expect and told them I'm free to go to the washroom I'm OK with and that there was nothing wrong with me. On the other hand, like any time I go to the women's restroom, anytime I meet women there, they look at me in some funny ways like ...they are suspicious of me or that I'm doing something wrong; as you are a clown or something like that is a lot of embarrassment (crying) but when he defended me [it] really made me feel worthy, so it has impacted me in the positive way, like for example when someone stands up for me it makes me feel worthy and appreciated that that also gave me that sense of belonging.

Participant # 9 stated that he was treated fairly, and things are getting better. Specifically, he reported,

> There was not that much discrimination as compared to the past. The community is starting to accept the presence of transgender people. However, I have experienced some harassment from the straight people that are calling themselves that they are straight...there was some sort of violence they did not want me to use the same restroom and had to push me out, so that was the time when I felt really bad.

On the contrary, Participant #8, crying, expressed negative and positive workplace issues. She stated:

> Most of the times my workplace we have a whole lot of issues basically the fact that most people don't get to recognize my gender. Most people are just very stigmatizing and the moment they realize that, you know, be like, oh can just the fuck out of here and you do not belong here. Also, the employee slapped my head against the door and stated, all full [similar] statements being sent to your friends. The employee was reported and fired, however, I'm tired of this I'm tired of it from my perspective, I'm tired of it.

Participant #10 does not take water or food when outside her residence and shares her experience when she stated, "uncomfortable stares and sometimes like I could hear them more choice of words-even if I can't make out what you're [their] talking about me, yes, I've heard about it".

Theme 2: New Jersey and Federal Laws and Legislation

The second theme generated from the analysis was New Jersey and Federal Laws and Legislation. This theme was developed from public policy literature discussed in Chapter 2. This theme is also aligned with two of the multiple streams framework streams: the policy stream and the politics stream (Cairney, 2013). The policy stream suggests a public policy solution to the problem is available, while the politics stream refers to when public officials are motivated and allowed to advance a problem steam stage to a policy stream stage through passing laws and legislation. Throughout this section, emphasis was placed on how participants discussed solutions available (policy stream), along with bills/laws that have been passed (politics stream).

Most participants reported that New Jersey and Federal legislation were not helpful, and most were unacquainted with any protective laws for the TGNC community. Participant #1 highlighted his thoughts on how laws are not helpful when he/she stated:

> People are not using the restroom, they identify with because that's the experience I have and so far, I think the experience looks a bit inclusive because it's just a general law; and looks inclusive I don't think the law actually impacted how I used the restroom because I see it doesn't really have any impact on me at all.

Participant #3 agreed with Participant #1 by adding, "Laws are being made but not being carried out. They are not checked. So, most times I don't even feel like there are any laws, [crying] the same thing on the State". Instead, she suggested a "form of enlightenment" for the TGNC community by stating, "Everyone (TGNC) should be manualized (informed) about the new law." Participant #4 had public restroom experience in three states:

> People do not care about legislation, policy, or stuff like that. So, it does not change anything, it is just the way it is for us. There is no difference between federal or New Jersey legislation because people are indifferent to the world and most of the people don't care about any federal law.

Moreover, Participant #8 prays that there will be laws concerning her community here in New Jersey and stated: "I haven't felt any impact of any law, so I can't say much."

Although most participants reported that laws were not helpful, several participants highlighted the positive impact of these laws. For instance, Participant #5

believes that "New Jersey legislations are helpful and there are advocacy groups like people in the middle who are advocating: Like advocacy like for the transgender, it's something that is working to ensure inclusivity." Moreover, Participant #6 had similar positive experiences:

> New Jersey Legislation has changed my experiences in some way. I would say that completely, there's no discrimination, still there is some discrimination but then it has changed with these [policies]. People treat us differently, differently and sometimes even in a kind way.

Participant #7 also expressed an improvement in New Jersey legislation, "So far, I don't feel like the humiliation is not as it used to be before, so yeah it has really changed." Participant # 8, on the other hand, believed that:

> Personally, for me I don't really know if there's actually a lot of laws being put in place I haven't felt any impact of any law, so I can't say much…but I do yet to prove that they will actually be laws concerning my community here in New Jersey and in the U.S. as general. So, I don't know if there are laws from [stigmatizing] in my community, but I really do feel they should be law of even if there are law, they should be implemented and they should actually be carried out.

However, Participant # 9 believes that the laws and legislation [transgender rights] have a positive impact as the first legal recognition of the presence of that community [TGNC]. Participant #9 supported her belief when she stated, "Yeah, they have changed, though not that much because of the presence of anti-discriminatory laws."

On the other hand, Participant#10 responded with an analogy: “it’s like going to a funeral where everybody acts normal, but restroom is not a normal function for transgenders.”

Theme 3: Media Influence

The third theme generated from the analysis was media influence. According to Time magazine, the United States media reached a "transgender tipping point” (Steinmetz, 2014). This theme was developed from Steinmetz’s observation as well as the questionnaire-survey distributed to participants. Media attention considered helpful or not helpful was divided throughout the responses of study participants.

The majority of participants reported that media attention was not helpful. For instance, Participant # 4 noted JK Rowling, the author of Harry Potter, as the media being very abusive towards the [trans community]. She went on to say, “social media has done more harm than good, contributing to the way people tend to get more aggressive and contributing to [transgender] abuse.” Participant #2 agreed with Participant #4 by stating, “publicity has made the trans community more hesitant to use the restroom because of the publicity.” As for factors other than laws or legislation, Participant #1 stated media attention is not helpful because:

> you know they get the general media representation of the trans community, but they don’t get the main the deeper aspect of it when you get to read about a direct account from a trans person themselves and there should be more [academic] publications.

Participant #1 also believes:

> Media has not expressed the deeper aspect of [transgender] as it is when you get to read about direct account from a trans person themselves…I think the trans community is not accurately represented on the media and there are few [scholarly] publications.

Many participants also reported on how the media has positive influences for the TGNC community. For example, Participant #3 states that the media has, "the public awareness now is actually on a very high speed…increasing day by day...the different communities are creating awareness are coming out to tell you." But Participant #7 thinks transgenders are a good being marketed by the media. "Like representation [of] the goods in a positive side in the media but the media also states we are wrong about this and [that] and misleading children."

Participant #8 also believes that media has done a lot of good for the transgender community, "I feel great [about media influences] and I feel everything [they do] is done properly. Participant #9 feels that the media has been helpful as well. This was clear when she stated, "the media has created a good platform, so maybe if one experiences some sort of discrimination, he can also air out through the media and also the media has been helpful in creating awareness."

Participant #10 provided a specific example showing how social media has been helpful. She stated, "OK I saw this video on social media where this female transgender was in the bathroom. Someone recorded her when she entered. People said really nice comments."

Theme 4: Opinions About the Interview

At the end of each interview, participants were asked about the merits of the interview. Each participant felt the questions were on point and allowed them to let off steam. For instance, Participant #1 felt: "You are interested into newly knowing what is going on in the private life of the trans people. So, I value your time and passion you are putting into this research." Participant #2 agreed by stating: "The questions with [were] cool, encouraging...I felt happy answering." On the other hand, Participant # 3 asked, "What can I do is make this information available to other people and hope that we will be able to get some good legislation some laws and legislation from this? ...you make me enthused as well." Participant # 4 also asked, "Will this interview be in public like will it be published more like on the website...or in digital formal? Thanks for your efforts towards helping the trans community, I really appreciate."

While Participant # 5 expressed her feelings by sharing, "I get to be more aware of what is happening in our society" Participant #6 reported, "…learned that as much as so any people are against us out there, there are some people who are actually supporting us, and there are some people who are actually having our back, even though not everyone is." On the other hand, Participant #7 reported:

> I know maybe this is not what this is meant for, but it has really meant to me like speak out and it has really let out a lot of steam from me. So, I think it was so wonderful and amazing you've given me that time to express myself. Something I rarely get.

Participant #8 expressed her acceptance of the interview by stating, “I want to say that I really do appreciate because if I don’t appreciate your interview I wouldn't have stayed long.” Participant #9 stated:

> The questions that you've asked have been clear and also to help me maybe to just give my views and my suggestions. I believe that you’re doing this because maybe you want to create a solution to the problems that we face in day-to-day.”

Participant # 10 shared her opinion of the interview by stating:

> I liked that you want to hear about my experience with transgender people and feel accepted feel like you’re short and concern that you want to know more about how you can improve to make it a better society for all really good.

Summary

The purpose of this qualitative research study was to describe and understand the perceptions and experiences of TGCN individuals as they interacted with public restrooms in New Jersey. There were two research questions that informed this research: (1) How have restroom policies influenced the lived experience of adult TGNC, and (2) How has the lack of enabling restroom policies in New Jersey influenced TGNC adults who live, spend time, work, or study in New Jersey? The participant responses to the interview questions were analyzed and four themes evolved: (a) Verbal and Physical Abuse (b) New Jersey and federal Laws and Legislation; (c) Media Influence and (d) Opinions about the interview. In Chapter 5, I will discuss the interpretation of the findings, the limitations of the study, recommendations, and the implications for social change.

Chapter 5: Discussions, Conclusions and Recommendations

Introduction

In this qualitative research study, I explored the lived experience of TGNC individuals while using or contemplating public restrooms in three New Jersey counties. The participants were six men, and four women dispersed throughout the three-county area. All 10 participants were adults over the age of 18. These individuals could provide specific details about their victimization experiences during each interview over a Zoom virtual platform. The essential narratives correlated with the lived experiences concerning the victimization of TGNC individuals in New Jersey. The results of the analysis included themes such as physical and verbal abuse and the inability of legislation to protect transgender and nonconforming members in the three designated areas.

The findings and recommendations described below are centered on the experiences of the ten participants, the research questions, and the themes emerging from the data analysis. Two primary questions guided the study:

1. How have restroom policies influenced the lived experiences of adult TGNC confronted with varying degrees of acceptance support for or against gender separation bathroom policies in New Jersey?
2. How would legislation focused on restrooms impact the stress and well-being of TGNC adults in New Jersey?

For this study, I used a qualitative research method and design to explore the participants' perceptions of treatment while accessing the restroom of choice. An interview protocol developed by the study researcher was used for that purpose. In the

first five interview questions, I addressed Meyer's minority stress theory (1995), and in the second half, I applied Kingdon's multiple streams model (1984). I conducted 10 individual telephone interviews with TGNC community members who were interested in sharing their experiences with restroom use. Each participant was screened to ensure they met the qualifications established before the interviews were held. The interviews were conducted in English and recorded using a tape recorder and Zoom technology, then transcribed and analyzed.

Four themes emerged from the data to describe the victimization experienced by TGNC who live, work, or spend time in the three counties: Theme 1: Verbal and Physical abuse; Theme 2: New Jersey and Federal Laws and Legislation; Theme 3: Media Influence; and Theme 4: Opinions about the interview.

This study fills a gap in the current literature by exploring the lived experience of TGNC individuals who face discrimination when using the restroom of choice and whether enabling legislation is helpful. The conclusions are based on the purpose of the study, research questions, and study results.

Interpretation of the Findings

In my interpretation of the study data, I developed answers to the research questions that I used to guide this study. The findings confirmed and extended knowledge in public policy and administration and are consistent with what has been found in the peer-reviewed literature described in Chapter 2. The exploration of each theme carefully established the association with the literature reviewed in Chapter 2. Meyer’s minority

stress theory and Kingdon's multiple streams were the two frameworks that I used in the study and identified in Chapter 1.

The minority stress model is a construct that focuses on the vital role of stressors uniquely experienced among members of a minority group, including expressions of violence, stigma, and discrimination targeting the group in question, as significant contributors to poor physical and mental health (Meyer, 1995). The minority stress theory was apparent when all 10 participants indicated they experienced some level of verbal and/or physical abuse, stress, or felt unsafe when interacting with public restroom use and or physical abuse or felt unsafe when interacting with public restroom use. There were three participants who experienced positive responses. It is important to note that there were no nonverbal responses from the 10 participants when they we asked about using the public restrooms in New Jersey.

By combining these two theories, I was able to develop a thorough assessment of the research questions posed in this study. I combined the strengths of both to describe, understand, and explain the discrimination of TGNC individuals in New Jersey when using or contemplating the use of public restrooms.

Findings and Previous Literature

Theme 1: Verbal And Physical Abuse

As discussed in subsequent sections, the first stream of Kingdon’s multiple streams theory is referred to as the problem stream. The problem stream describes problems and their adversaries as streams. In this study, the first problem stream is verbal/physical abuse. The second problem theme is the open discrimination of TGNC individuals by public

officials who refuse to pass enabling legislation for equal public restrooms. Support for each stream is provided in the next sections.

The first theme that I found in the current study's analysis was verbal and physical abuse. This theme is consistent with previous literature in Chapter 2. For example, past studies have shown that transgender people are more likely to be harassed in bathrooms by cisgender people than vice versa (Herman et al., 2017). In one survey, 70% of the transgender respondents had faced discrimination when attempting to use a restroom of their gender identity, including "denial of access to facilities, verbal harassment, and physical assault" (Herman, 2013, p. 65). All participants reported experiencing at least one instance of verbal harassment in gender-segregated public restrooms.

These experiences could include but were not limited to having been told they were in the wrong facility, told to leave the facility, questioned about their gender, ridiculed, or made fun of, verbally threatened, and stared at or given strange looks. Another survey of transgender populations conducted in Washington, DC, by the group DC Trans Coalition who reported 70% of those surveyed experienced verbal harassment, assault, and were denied access to public toilets. (Edelman et al., 2015). It also found that 54% of all respondents reported having some sort of physical problem from trying to avoid using public toilets, such as dehydration, kidney infections, and urinary tract infections, “making access to safe restrooms a public health issue” (Edelman, et al., 2015, p. 15). These findings show support for verbal and physical abuse by transgender individuals when contemplating or accessing the restroom of choice in the three New Jersey counties.

Theme 2: New Jersey Laws and Legislation

The second theme found in the current study was how effective New Jersey laws and legislation concerning transgender individuals are. This theme is consistent with the Kingdon's problem stream which describes a problem before political action can be taken. For example, participants were asked whether New Jersey laws and legislation are helpful in their ability to access the restroom of choice. Eight participants stated that New Jersey Laws and federal legislation were supportive, whereas two believed the opposite.

For example, P7 stated that both laws and legislation are effective, "So far, I don't feel like the humiliation is not as it used to be." P6 believed that "…still there is some discrimination, but then it has changed with these[laws]." She went on to say, "People are treating us differently, and sometimes kindly." Moreover, P2 stated that, "it has made it easier [for me] … easier than before." P1 agrees with P2 by indicating that the law looks inclusive because it is just a general law that looks inclusive, and that was something that made me feel all right. On the other hand, P4 believes the opposite is true. She stated:

> It doesn't change anything because I notice people are indifferent to the world, and the majority of people don't care about any federal law. They're just not comfortable …so they don't care what the law says, legislation, policy, or stuff like that. It doesn't change anything. It's just the way it is for us. It doesn't make any difference.

P3 agreed with P4 by stating, "I think [it is] one thing to make law and another to carry it out." While P1 did not think the law "really has any impact," P5 believed that "[law and

legislation] are inadequate and sometimes I feel they are not offered; like there is no issue of inclusivity."

Another problem area that I identified in the study was that there is an erroneous assumption that the TGNC lifestyle encourages the abuse of or predatory behavior toward children. For instance, P4 has been accused of pedophilia. P4 stated, "they say we are special traders, like leading the younger generation to change their gender, maybe actually one of the main reasons [they say] we are sexual predators." In reality, Serano (2021) states that experts in 12 states from all levels of government dispute the myth that sexual predators will exploit bathroom bills (intended to outlaw bathroom discrimination). The fallacy is that sexual predators will sneak- undetected as members of the TGNC community- into women's restrooms is baseless and beyond a misrepresentation (Barnett et al, 2018). However, it is a scenario that is often portrayed by the media and transphobic activists.

Kingdon's second sub-theme is policy solutions to the problem stream. All participants suggested policy solutions to restroom access for the TGNC community. Policy solutions are Kingdon's second theme whose policy suggestions ranged from transgender restrooms to transpolice. For instance, P3 suggested, "our special kind of …restroom", while P10 feels "[transgender restrooms] should be created."

On the other hand, P7 suggested gender-neutral restrooms, "like it is so much help now we do not have to go through all that, going to places where you are not required [welcome]." Several participants suggested police intervention to offset trans abuse and violence. For instance, P8 stated, "anyone who is violating any transgender in any public

restrooms should be put in place, should get kind of lesser and probably some fine or like a month jail time." On the other hand, P1 suggests more police attention to transgender abuse, "If I complain I have been verbally abused and being discriminated in the restroom, cops that are supposed to protect us are not taking us very seriously."

The third sub-theme is the political stream, which is a combination of the national mood, the elected officials active in the decision-making process, and interest groups. This theme was not consistent with past literature but is suggestive in scope. For example, all participants engaged in advocacy policies that offset discrimination against TGNCs in public restrooms. Suggestions ranged from education to advocacy for the TGNC community. For instance, P8 stated, "[Education] creates awareness. People know this [TGNC] is something that exists and should be embraced as reality." On the other hand, P2 believes that transgender people, as well as the public, should be educated, "So many transgender people out there might still be ignorant about their rights, and then they allow themselves to be treated wrongly. The right information should be circulated from people within my [TGNC] community." P1 suggested, "[advocates] putting out our struggles and explaining to the public would go a long way to help."

Theme 3: Media Influence

The third theme found in the current study is media influence on transgender individuals. This theme is consistent with the past literature indicating positive and negative aspects. Positive aspects were centered on learning and education about TGNC individuals and community advocacy on their behalf. For example, P1 reported, "Public

awareness is at a very high speed and is increasing daily. The different communities are creating awareness."

Moreover, P7 stated, "I think they have changed because so far, I do not feel the humiliation is not as it used to be before." Several respondents stressed the importance of helping them to deal with their uncertainties and talk to others about being transgender. Some other TGNC individuals felt that almost any media coverage of transgender issues has an inherently positive aspect because it raises visibility and helps to get people thinking about the relationship between trans people and society at large.

Positive experiences include good fiction and non-fiction media that accurately represent trans people's debate within and outside the trans communities. The general view of participants who have positive views of the media is that it has excellent power to foster discussion and understanding. P9 confirmed this view, "the media has created a good platform and has helped create awareness." P1 also believes the media is valuable, "Getting our voice heard goes a long way to reduce hate."

The main reason for negative feelings about the media is the perceived damage to the reputation of TGNC individuals among the public. According to Jobe (2013) the media is unethical in its portrayal of transgender characters. Trans people are used to sensationalize stories that do not articulate the struggles they face. Moreover, transgender struggles are usually downplayed and treated as little more than “comedic props” (p. 3). Hughto, et al. (2021) expanded this finding. Negative media coverage may directly contribute to stress, depression and anxiety, thus, reinforcing exclusionary and transphobic portrayals (Billard, 2016).

For instance, P1 stated, "You know [there is] the general media representation of the TGNC community, but they do not get the main the deeper aspect -when you get to read about a direct account from a trans person themselves." On the other hand, P4 believes that social media is not helping at all. P4 stated, "[media attention] is contributing to aggression exhibited by cisgenders. People are [no longer] scared to abuse the transpeople." Several participants expressed dismay with the media and how it misleads children. For example, P4 was accused of being a pedophile, and reported other negative perceptions, "like [media] leading younger generation to change their gender and stuff like that."

Also, the ridicule of TGNC individuals in media intended to be humorous was a typical negative response to media attention. Participants associated it with ridicule they received from members of the public. Many felt that ridicule made transphobia more acceptable in broader society. Also significant was the feeling that TGNC individuals are being labeled as social outsiders or opportunists. This fallacy was confirmed by Barnett, et al. (2018) and Maza and Brinker (2014) who based their research on debunking the myth that transgender individuals are sexual predators.

Findings and Theory

The minority stress model is a framework that focuses on the central role of stressors uniquely experienced among members of a minority group, including expressions of violence, stigma, and discrimination targeting the group in question as significant contributors to poor physical and mental health (Meyer, 1995). This study was not designed to measure physical or mental health stressors. However, the results of MST

suggest that TGNC experience mental health stressors that directly impact TGNC individuals when accessing or contemplating the use of the restroom of choice.

P1 stated that the [restroom] experience impacted her self-esteem, "feeling anxious and a little depressed—I am not happy with myself, I feel rejected [that leads] to me losing concentration, especially with my studies." The P6 response is the rejection of restroom access led to a "lot of mental breakdowns". I felt like the devil himself".

On the other hand, Kingdon's (1984) multiple streams model established the stages of policymaking through three separate streams: problem, policy, and politics, brought together by a window of opportunity to elevate policy items onto the government agenda.

The problem stream is a perception that a public program exists. In this study, the problem is thus: TGNC individuals need impartial access to public restrooms in New Jersey. This study identified ten members of the TGNC community who experienced mixed degrees of verbal and physical abuse while accessing the restroom of choice.

The policy stream proposed solutions to this problem, while the policy stream identified the need for advocates willing to remedy the problem(s). This study's solutions include trans police, trans restrooms, and scholarly research. The three streams are independent of one another until a specific time when a policy window opens. As Kingdon argues, windows are opened either by the appearance of compelling problems or by happenings in the political stream by policy entrepreneurs willing to invest their resources in coupling problems and solutions to the issue on hand (Mukherjee & Howlett,

2015). This window of opportunity did not emerge in this study. The participants only reported potential solutions that apply to the problem stream.

Uniting Meyer and Kingdon frameworks allowed for a thorough assessment of the research questions posed in this study. The strengths of both describe, understand, and explain the discrimination of TGNC individuals in New Jersey when contemplating the use of public restrooms.

Limitations of the Study

The limitations observed in this study entail the flaws and inadequacies that occur from insufficient resources, small sample size, and selected methodologies. This study had limitations and challenges, due to the exposure of an underserved and under-researched community using a qualitative research methodology. In addition, participants involved in the study might not be an accurate representation of the transgender and nonconforming community because participants were recruited based on specific criteria.

Another limitation was the number of willing study participants. Several potential participants were found through snowball sampling. However, when it came time to schedule the interview, many did not respond, and I had to begin recruiting another sample. Moreover, I would have liked to meet all my participants face-to-face, but due to the pandemic, this was not possible.

A limitation that developed after the initial proposal was that an incentive in the form of a $25 gift card was provided to encourage participation in the study. Thus, participants might have agreed to participate due to the incentive, not because they wanted to engage in the process. This limitation might have influenced the results as

respondents may have little or no knowledge of the transgender communities' lived experience using public restrooms in three New Jersey counties.

In addition, recruiting an equal number of FTM and MTF participants was challenging, influencing the types of themes revealed regarding TGNCs' lived experiences. I could not confirm whether the person was the participant speaking to me or someone else. I had to trust participants to remain honest about their identities.

Transferability is commonly identified as a quality criterion for qualitative research. This criterion describes the degree to which a study's findings can be transferred to other contexts, settings, or respondents. In this study, each interview was similar in some respects and unique in others. Significant details were noted in data collection to provide thick descriptions of the participants' experiences, thereby improving the transferability of the findings (Stalmeije et al., 2024).

Confirmability refers to data confirmed by other researchers free from researcher influences (Tsey, 2015). The strategy to have confirmability asserts that the data and findings are not influenced by researcher bias (Stalmeije et al., 2024). An audit trail was used to ensure the dependability of the data using verbatim oral and written transcripts, peer review notes, and direct quotes from participants. Although the findings are not generalizable to all TGNC individuals, study participants provided heartfelt and valuable data regarding their lived experiences.

Recommendations

Because the community and population in this study represent vulnerable individuals who are underserved and under-researched, future research is encouraged. For

instance, future researchers should replicate this study in a different geographical area as the results may not generalize to a broader population. Different geographical regions may have people who experienced restroom distress with different cultural beliefs that can influence interview outcomes; thus, further studies should be conducted with various races, cultures, and ethnicities to view how such differences influence transgender community outcomes.

Future researchers could replicate this study by increasing the sample size and addressing its limitations. The sample size limits the number of responses to be analyzed. This study also had the limitation of a need for video or in-person observation. Future researchers can address this study's limitation by interviewing in person because COVID-19 mandates have been lowered in some areas, making this possible for future studies. Observations are essential in interviews as the researcher can better view body language and conduct notetaking to enhance the spoken words of an interviewee (Vincent, 2017). Thus, future researchers are encouraged to address this limitation.
Another issue is that the definition of transgender is not uniform. I mentioned this problem in chapter 2. These definitions must be more uniform across governmental agencies regarding service provision for TGNC individuals.

Additional attention to Kingdon's (1984) policy stream is warranted. Future researchers could identify policy entrepreneur’s instrumental in advocating for the TGNC community. Policy entrepreneurship involves promoting policy innovations through building solid coalitions of support (Cohen, 2016). Once identified, researchers could trace the steps taken by these advocates to redress restroom distress as they did insurance

for gender reassignment in New Jersey (Stainton, 2017). They could also explore whether new laws have improved the well-being of this population or the frequency/intensity of the experiences these individuals have surrounding using the restroom of choice. Thus, researchers could examine the ways and means that open Kingdons' window of opportunity to laws that offset restroom discrimination of TGNC individuals.

Kingdons' multiple streams model combined a minority stress framework to describe the experiences of TGNC when contemplating and accessing public restrooms in three New Jersey counties. Minority stress develops by experiencing major stressors but can also develop through everyday experiences of disrespect and disparate treatment (Meyer, 1995). Thus, further research is needed to understand better mental health and other negative influences of restroom distress for TGNC people.

Implications

There has been an increase in the visibility of the transgender community. This visibility has shown that the transgender community experiences disparate treatment when accessing the restroom of choice. The findings of this study were significant because they could help to inform policies regarding the transgender community who are victimized by denial of public restroom use. This study's findings could also contribute to the current literature on the discrimination that members of the transgender community face and contribute to a positive change in communities throughout the United States. In addition, the social change implications from this study could positively impact both community leaders and transgender citizens of New Jersey. The participants in this study

were excited and willing to share their experiences and assessments of restroom use in New Jersey, which revealed the need for additional qualitative research to be conducted on this subject.

Additionally, Bry et al. (2018) examined coping methods for addressing distress experienced by TGNC individuals. Participants reported using disposables when venturing outside living quarters. Another participant stated that reliance on family and friends was the strategy used to cope with adverse treatment when using the restroom of choice. Further research into alternative coping methods is suggested.

From a public policy perspective, these findings could inform legislators of the problems faced by the transgender community when accessing public restrooms in New Jersey and throughout the United States. The data presented in this study can contribute to improving this treatment by passing laws and legislation that offset inequality in public restrooms. First, the information provided by study participants can help bring awareness to the difficulties they encounter when accessing the public restrooms in New Jersey. For example, laws and legislation protect citizens from disparate treatment. On the other hand, there is a lack of reporting transgender-related hate crimes (Lombardi, 2020), an approach that is understood within the trans community. Second, the Civil Rights Act of 1964 must be enforced until the Equality Act, still pending in the House, is passed. The Equality Act defines sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation (Emina et al., 2018). The passage of this Act could bring about positive social change for the transgender community as well as other sexual minorities.

This study makes it clear that transgender people are dissatisfied with the way the media portrays them. It shows a pervasive problem with harmful and inaccurate representations that lead to considerable real-life suffering. A positive way for the media to move forward in respect of this data would be to try and develop more realistic, rounded portrayals of transgender people in contexts that allow them to be seen as ordinary, fully human individuals.

Finally, the results of this study will provide a better understanding of TGNC individual's experiences accessing the restroom of choice and how those experiences have affected TGNC perceptions of restroom use in New Jersey. On an organizational and community level, the results of this study will hopefully encourage advocacy on behalf of transgender rights and provide insight into the side effects of restroom distress. As a benefit, participants were offered professional services in their community after completion of the interview.

The goal of this study was to explore the experiences of the TGNC community when accessing the restroom of choice and to identify ways to offset the disparate treatment of these individuals. Consequently, implications for positive social change include the increased visibility of the emotional and psychological challenges reported by study participants who experience restroom distress. Moreover, the lived experiences of my study's participants can provide insight into adaptive coping strategies exclusively from the participants' perceptions. These findings might contribute to psychotherapy treatments tailored for the TGNC community by considering how transgender individuals

have successfully coped in their environment using the adaptive coping strategies that study participants reported.

Conclusion

This qualitative study aimed to examine the lived experience of transgender adults when accessing the restroom of choice and how legislation or policies that focus on restroom policies impact the health and well-being of TGNC adults who live spend time, work, and or study in New Jersey. The purpose was to identify the impact of restroom distress and the legal means to offset that situation.

Unfortunately, transgender and gender nonconforming people can find themselves in danger when accessing the restroom of choice. Until public policy and public administration can meet legal challenges that address this problem, the burden will be on the trans individual to navigate these spaces safely. This is something that many legislators, public officials, and administrators are grappling with as transgender and nonconforming individuals have increased their visibility, formed coalitions, and organized themselves to make known the issues and problems they encounter in our society.

Trans people experience a disproportionately large number of hate crimes, with trans women experiencing most of these crimes. Over half of all anti-LBGTQIA+ homicides were perpetrated against transgender women (Callahan et al., 2019). Moreover, transgender women face harsher levels of discrimination than other transgender people. Accordingly, cultural sexism is evidenced towards trans women because it is easier to "low disclosure" them then it is for trans men (Alter, 2017,

p.44). Thus, minority stress for the TGNC community is literally built into our environment (Herman, 2013).

Given these findings, efforts are necessary to ensure safe access for the transgender community to public bathrooms in New Jersey and throughout the United States. Furthermore, stricter policies and legislative interventions like those suggested by study participants are needed to enforce the civic rights of transgender individuals in all societal domains. Unfortunately, public bathroom related stressors- as those described in this study-are considered indicators of broader anti-transgender issues that call for additional scholarly research in those areas.

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Appendix A: Screener Questions

1. Is English your primary language? Do you feel comfortable reading and speaking in English?

(Yes-recruit; No-not eligible).

2. Do you consider yourself transgender male/female or gender male/female nonconforming?

(Note: Yes=i.e.); No=not eligible)

3. Do you live, work, spend considerable time, and/or study (attend college) in one of the following NJ counties? (Camden, Essex, or Middlesex)

(Note: Yes=recruit; No=not eligible)

4. Are you over 17 and under 26 years of age?

(Note: Yes=recruit; No=not eligible)

Appendix B: Email to Organizations

Dear _____,

I am writing to request permission to advertise my study to your membership. This request only asks that you include information about my research via your normal member communication channels (i.e., post the enclosed flyer on the bulletin board, include it in the newsletter, and do not require any additional services or support.

I am currently enrolled in the public policy and administration doctoral program at Walden University in Minneapolis, MN, and am authoring my dissertation. My study is entitled Gender Separation Bathroom Policies: Lived Experiences of Transgender and Non-Conforming Individuals. I will be conducting one-to-one interviews via a telephone call or Zoom meeting with transgender/gender non-conforming individuals, asking them questions about their personal experiences with living, working, and attending college in a state that does not currently have public bathroom use of choice enabling legislation.

I would also like to assure you that the researcher will follow all ethical requirements throughout this study. First, sending this request to you has received both my supervising Committee and IRB approval, and that number is included

below. Second, all data collected from the Participants will be confidential, and each Participant will be given a pseudonym with no identifying information.

Organizations posting the flyer or including it in the correspondence to their members will not know if any of their members participated. I appreciate your time and consideration and hope you will consider my request.

I look forward to hearing from you soon. I will follow up with you in 2 weeks if I have not received a response within a specified period. I am available and happy to answer any questions or concerns that you may have at this time.

Sincerely,

Patricia Ojea, Ph.D. Candidate; Walden University

Appendix C: Recruitment Flyer

VOLUNTEERS NEEDED

For research interested in the lived experiences of Transgender and Non-Conforming males living, working, spending ample time, and or attending college in a state that does not currently have public bathroom use of choice enabling legislation.

In this study, you will participate in a one-on-one audio-recorded interview via phone or a Zoom meeting to discuss your experience using the restroom of choice in New Jersey. The interview will take approximately 90 minutes, scheduled at your convenience.

No personal identifying information will be collected or used, and confidentiality is ensured. I also will not collect data on the source or organization you received the flyer, and no one will know if you participated. Each Participant will be assigned a pseudonym at the interview.

Results of the study will be reported in the aggregate with no direct attribution to any one individual.

Participation is voluntary, and you may withdraw before, during, and after completing the interview. Each Participant will receive a $25 gift card via PayPal for participation—even if you withdraw from the interview or request that the information not be used after completing the interview.

To participate in this research, you must meet all of the following criteria:

- Identify as either transgender or gender non-conforming male or female
- Speak and read English fluently
- Be 18 -25 years old at the time of interview
- Live, work, and or currently attending college in Camden, Essex, or Middlesex County, NJ.

FOR MORE INFORMATION:

Please contact the Principal Investigator:

Appendix D: TGNC Interview Guide & Protocol

Time of Interview:

Date:

Interviewer:

Interviewee:

Introduction and Brief Description of the Research

Thank you for agreeing to participate in my study voluntarily. I will briefly review the informed consent you received, and then we will begin the interview. Do you have any questions before we begin? (I will review the informed consent form with the interviewee), I am interested in you day to day lived experiences of transgender and non-conforming adults while using or contemplating using public restrooms in New Jersey and what those experiences mean to you only.

For this study, the term gender includes individuals identifying outside the binaries of male or female. These identities include transgender, gender non-conforming, queer, and many other self-identifying terms created by members of this community.

RQ1: How has the lack of enabling restroom policies in New Jersey influenced TGNC adults who live, work, and or study in New Jersey?

Questions:

1. When using the public restroom of your choice in New Jersey, have you encountered any neutral or positive experiences?

a. Prompts: If yes, please explain what happened; How did you feel; what did you do?

2. When using the public restroom of your choice in New Jersey, have you encountered any negative experiences? If yes, please explain what happened.

a. Prompts: If not, please explain what happened; How did you feel; what did you do?

3. Have there been any times you felt stressed or worried about using a public restroom in New Jersey?

a. Prompts: If yes, please explain what happened. If no, why not?

4. Have there been times when you did not feel stressed or worried about using a public restroom in New Jersey?

a. Prompts: If yes, please explain what happened.

5. Has your experience using the restroom of choice in New Jersey impacted other parts of your life?

a. Prompts: If yes, in what manner were you affected?

RQ2: Would legislation focused on restrooms impact the stress and well-being of TGNC adults in New Jersey?

6. Do you feel that federal laws and legislation have changed your experiences using the public restroom of your choice in New Jersey?

a. Prompts: If yes, in what manner were you affected?

b. Prompts: If not, why not?

7. Do you feel that New Jersey laws and legislation have changed your experiences of using the public restroom of your choice?

a. Prompts: If yes, in what manner were you affected?

b. Prompts: If not, why not?

8. Do you feel that other approaches outside of laws and legislation have changed your experiences of using the public restroom of your choice in New Jersey (e.g., media)?

a. Prompts: If yes, what approaches changed your experience?

9. Prompts: If not, why not?

10. Do you have any recommendations on improving transgender and gender non-conforming individuals' use of public restrooms in New Jersey?

11. Do you have anything else you would like to share with me? Do you have any questions?

Concluding Debrief and Closing Statement:

Thank you for your participation in the interview. As mentioned in the Consent Form you signed/acknowledged, if you experience any negative emotions, here are two resources that are free of cost: Garden State Equality: 973-509-5428/contact@gardenstateequality.org and National Center for Transgender Equality: 202-642-4542/www.transgenderequality.org.

Also, once again, the responses provided for the interview will remain confidential. If you have further questions, please feel free to contact me. I will review the interview recording and transcribe the recording within the next two weeks. I will send you a copy of the transcript to review and provide clarification and or correction. In

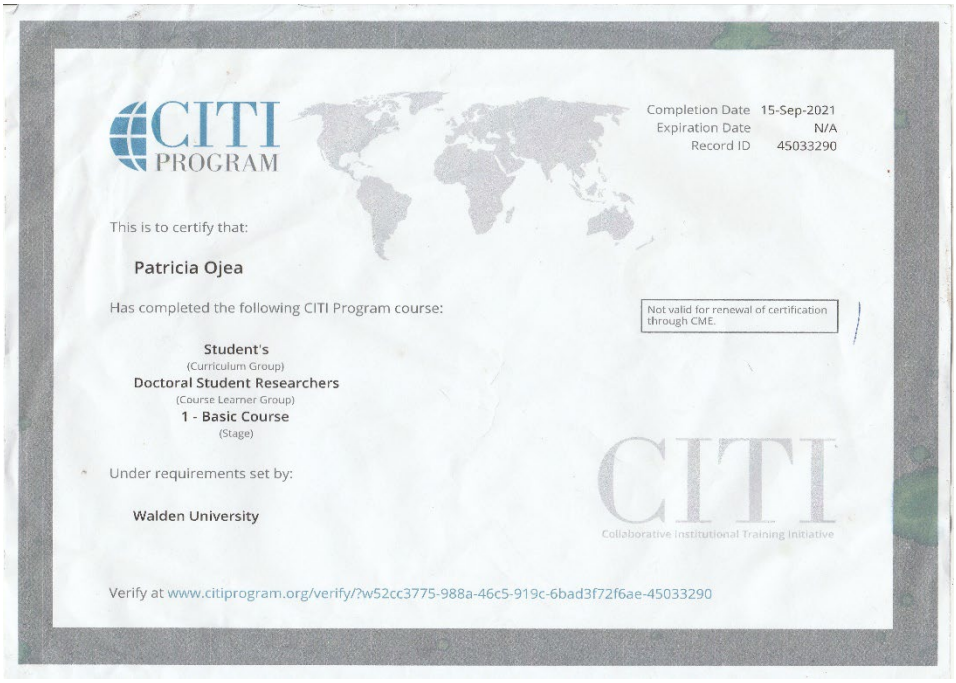
addition, I may contact you for a follow-up interview to clarify your responses, confirm your responses.

Once all interviews are complete, I will analyze the input and report my findings in my dissertation. You will receive a summary copy of the findings once the Dissertation has been approved for publication.

I will send your $25.00 gift certificate to interviewees email within the next two weeks.

Thank you for your participation. If you know of anyone who might also be interested in participating in my study, please feel free to share the flyer and or my contact information with them. I will not ask or collect data on who referred them, nor will you know if they participated.

Appendix E: CITI Certificate



CITI PROGRAM

Completion Date 15-Sep-2021
Expiration Date N/A
Record ID 45033290

This is to certify that:

Patricia Ojea

Has completed the following CITI Program course:

Not valid for renewal of certification through CME.

Student's
(Curriculum Group)
Doctoral Student Researchers
(Course Learner Group)
1 - Basic Course
(Stage)

Under requirements set by:

Walden University

CITI
Collaborative Institutional Training Initiative

Verify at www.citiprogram.org/verify/?w52cc3775-988a-46c5-919c-6bad3f72f6ae-45033290