

THE TOILETEER

JUNE 3, 2026

Introduction

Welcome back, Toileteers! This is the second installment of the American Restroom Association's newsletter, *The Toileteer*. In the spirit of Pride Month, this issue highlights past and current public restroom accessibility advocacy, issues, and pushback from the LGBTQ+ community. Restroom access has long been a flashpoint where civil rights, dignity, and public infrastructure meet and few communities understand that intersection more deeply than LGBTQ+ Americans. From landmark court cases to evolving state legislation, the fight for safe, accessible restrooms for all continues to shape the public realm.



Grimm v. Gloucester : Landmark Restroom Access Case

American Civil Liberties Union

When Gavin Grimm came out as a transgender boy in high school, his Virginia school board adopted a policy barring students "with gender identity issues" from using the same common restrooms as their peers, directing them instead to separate facilities no other student was required to use. The policy remained in place even after Gavin began hormone therapy, underwent surgery, and obtained an updated birth certificate listing his sex as male. After graduation, the board continued to refuse him a transcript reflecting that change. Represented by the ACLU and ACLU of Virginia, Gavin sued under Title IX and the Equal Protection Clause. Following four years of litigation (including a trip to the Supreme Court) the U.S. Court of Appeals for the Fourth Circuit ruled in his favor on August 26, 2020. The Supreme Court declined to hear the school board's appeal on June 28, 2021, leaving the ruling in place.

Why this matters in 2026: Gavin Grimm's case remains foundational precedent on restroom access for transgender students at a moment when 26 states have enacted laws regulating how "sex" is defined across state law (per the Movement Advancement Project). As courts, legislatures, and school boards continue to revisit these questions, the principles affirmed in Grimm that restroom access is bound up with equal treatment, dignity, and federal civil rights protections are directly relevant to ARA's mission of accessible, dignified public restrooms for everyone. Restroom access FOR ALL is a core part of ARA's mission to ensure dignified, accessible public restrooms for everyone.

Support the American Restroom Association!

- Donate to support our continued advocacy, staff, and research.

Recent ARA Updates

- Our website is currently under construction. Over the next few months updated information and accessibility will be added. Stay tuned for the new webpage!



After the 2017 Met Gala, Katy Perry told Ellen DeGeneres her bathroom strategy relied on self-control, practice, and a GoGirl funnel device, a mention the brand later leveraged by dubbing its product her "secret peeing weapon." (Charles Sykes/Invision/AP)

A new Royal Society for Public Health (RSPH) analysis warns that England's public toilet provision has dropped 14 percent since 2016, leaving roughly one facility for every 15,481 residents. The findings, drawn from freedom of information responses representing 82 percent of the population, suggest many people now restrict fluid intake or avoid leaving home altogether — raising concerns about dehydration, public urination, and reduced foot traffic for local businesses. RSPH chief executive William Roberts called the ratio "simply not good enough," urging national funding and regulations requiring developers to include public toilets in non-residential projects. Scotland and Wales fare significantly better.

— William Roberts, Chief Executive, Royal Society for Public Health



The U.S. faces similar shortfalls. With roughly one public toilet per 100,000 residents in many cities, accessibility remains a persistent infrastructure gap, the American Restroom Association aims to address these gaps.

Movement Advancement Project

As part of a broader, coordinated attack on transgender people across the country, these newly emerging laws explicitly regulate gender by defining “sex” throughout all state law to effectively allow discrimination against transgender people. These laws regulate gender and define sex as only male or female, typically based on a person’s presumed reproductive anatomy, chromosomes, hormones, or other physical characteristics at birth. These laws also define sex as a permanent category, implying that transgender people’s gender identity would never be legally recognized under state law. These laws carry significant implications for transgender people’s access to public restrooms, identity documents, and other areas of law and policy. The actual impact remains uncertain due to vague statutory language.

According to the Movement Advancement Project's Equality Maps:

- 26% of transgender people (ages 13+) live in states where state law regulates gender throughout state law to allow discrimination against transgender people
- 3% of transgender people (ages 13+) live in states where executive order regulates gender throughout state law to allow discrimination against transgender people
- 72% of transgender people (ages 13+) live in states that do not explicitly regulate gender throughout state law to allow discrimination against transgender people

