



Legislation Text

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Clerk 03/19/2018

A MOTION declaring the necessity of administrative planning and coordination to address gender identity, and sexual orientation inclusion in King County administrative processes and establishing a gender identity and sexual orientation inclusion task force to develop a recommended King County administrative gender identity and sexual orientation inclusion strategy.

WHEREAS, the King County council is currently going through a process to make the King County Code gender neutral as a step towards gender equity, and

WHEREAS, gender identity is one's personal experience of one's own gender which may or may not correspond with the sex they were assigned at birth, and

WHEREAS, gender encompasses a wide range of identities in addition to male and female, and

WHEREAS, according to a 2016 report by the Williams Institute at the University of California Los Angeles Law School an estimated 0.6 percent of adults, which is approximately 1.4 million people, identify as transgender or gender nonconforming in the United States, and

WHEREAS, according to the King County Trans Resource and Referral Guide, "transgender" refers to those whose gender identity or gender expression does not match the gender norms that mainstream society attaches to their gender assigned at birth, and

WHEREAS, according to the Williams Institute, in Washington State 0.62 percent of residents, which is approximately 32,850 people, identify as transgender, and

WHEREAS, while one transgender person's gender identity or expression might fit the dominant gender

-binary paradigm of male or female, a different transgender person's gender identity might not fit into the dominant gender-binary paradigm, and

WHEREAS, in 2016, Merriam-Webster added eight new terms recognizing nonbinary gender identity and expression including "genderqueer," which is defined as relating to, or being a person whose gender identity cannot be categorized as solely male or female, and

WHEREAS, there are numerous types of nonbinary gender identity including agender, intersex and bigender, and

WHEREAS, in June 2017, the Oregon state Department of Transportation approved an administrative rule change allowing Oregon residents an option to mark their sex as "not specified" or "X" on their driver licenses, instruction permits or identification cards, and

WHEREAS, similar proposals have been implemented in New York City, Washington, D.C., and the state of California, and

WHEREAS, in January 2018 the Washington state Department of Health adopted a new rule change that established requirements for individuals to request a change to the sex designation on their birth certificates from male or female to a third option, and

WHEREAS, King County Ordinance 16948 established the principle of "fair and just" to mean the county serves all residents by promoting fairness and opportunity and eliminating inequities through actions to which equity and social justice foundational practices are applied, and

WHEREAS, King County serves all people through its departments, from elections to permitting and environmental review, and the correctional facilities. All of those departments and facilities have forms that reflect only "male" and "female" options for gender or sex designation which creates barriers for individuals not reflected in these options including in the access of consistent and accurate documentation of their gender, and

WHEREAS, as part of the commitment to fair and just public service, King County is committed to

inclusiveness for all of its residents and employees;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. It is the policy of King County that the principle of "fair and just" be applied to gender identity and sexual orientation to ensure every person receive full recognition and equal treatment. It is the council's intent that administrative processes be reviewed and revised to allow for the spectrum of gender identity and consideration of sexual orientation. It is the council's further intent that county administrative processes be revised to allow for more than two gender options. In response to the new Washington state Board of Health ruling, which allows for a third option for designation on birth certificates to indicate a gender that is not exclusively male or female, there is hereby established a King County gender identity and sexual orientation inclusion task force. Intended to be a collaborative group, the task force shall develop a recommended countywide gender identity and sexual orientation inclusion strategy and workplan to implement the use of an additional gender designation or designations in all appropriate administrative processes in use by county departments. This task force shall engage stakeholders and community members to understand the nuanced and sometimes complex experience of gender nonconforming individuals when interacting with all King County departments and facilities, including the jail, the department of public health, the human resources management division and the records and licensing services division.

B. The executive shall transmit within three months of the passage of this motion, for council confirmation by motion, task force membership, may include but not be limited to, representation from:

1. The King County council;
2. The King County executive's office;
3. The King County human resources management division;
4. The Ingersoll Gender Center
5. The Gender Justice League;
6. The People of Color Against AIDS Network;

7. Entre Hermanos;
8. U.T.O.P.I.A. United Territories Of Pacific Islanders' Alliance;
9. Seattle Counseling Service;
10. Gay City;
11. The Greater Seattle Business Association;
12. SURGE Reproductive Justice; and
13. The American Civil Liberties Union of Washington.

C. Advisory panel members with particular expertise on specific topics to be discussed may be identified by the task force and invited to provide input, but would not have a vote on the task force. In addition to the advisory panel, the task force may also seek additional community expertise or input to inform its work.

D. An executive staff working group shall be established to prepare for and assist the task force, including lead staff from the executive's office. Executive staff shall develop an inventory of forms and administrative processes used by county agencies that include gender and sexual orientation identifying questions. Executive staff shall assess these data gathering efforts and identify any administrative processes and forms that interface between federal, state or other local agencies.

E. The objectives of the task force are to:

1. Review the recently adopted Washington state Board of Health ruling regarding changing the sex designation on birth certificates allowing for a third option to indicate a gender that is not exclusively male or female, and to determine what changes the county may need to make in response to the new ruling;
2. Consult with county departments and community groups to assess the current state of questions regarding gender identity and sexual orientation in King County administrative processes, including, but not limited to, forms, questionnaires and interviews;
3. Identify administrative processes that are suitable to be modified for gender identity and sexual

orientation inclusion while considering potential complications if a process gathers information used by other government agencies;

4. Develop a recommended statement of intent to address gender identity and sexual orientation inclusion in identified King County administrative processes;

5. Assess the experience of individuals accessing county services and providing requested gender identity and sexual orientation information, including, but not limited to, possible implications of requesting the disclosure of gender identity and sexual orientation information, and identify strengths and weaknesses in the current state of customer service; and

6. Make training recommendations for county employees to achieve excellent customer service and address concerns of task force members.

F. The task force shall also conduct outreach activities to obtain community and professional input to inform the executive's report final, comprehensive report. Outreach activities should include, but not be limited to, holding at least one open public forum and actively soliciting written, electronic or oral community comments.

G. The task force will develop an initial framework for completing the work described in this motion, including an estimated budget. The executive will transmit the proposed initial framework and a motion approving the initial framework to the council within three months of the task force's first meeting.

H. The task force shall deliver a recommended gender identity and sexual orientation inclusion strategy report to the executive and council, including recommendations for action, within one year of the approval of the initial framework by council. The task force may also provide interim updates and recommendations to the executive and council as the task force deems appropriate or as may be requested by the council.

I. The executive shall develop a final, comprehensive report based on the work of the task force, including recommendations on the steps the county can take in addressing gender equity and sexual orientation inclusion within administrative processes and paperwork.

J. All reports required by this motion shall be transmitted to the Council with a motion that should approve the report. Such reports and motions should be filed in the form of a paper original and an electronic copy with the executive and clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the chief of staff, the policy staff director and the lead staff for the committee of the whole, or its successor.

K. The task force shall expire sixty days after all reporting provisions in this motion have been completed.