

4. Experiences with transgender communities and gender identity and expression

This chapter pays undivided attention to the needs of transgender and gender non-conforming people who have, historically and on the UT campus, faced extreme marginalization and discrimination from both the gay, lesbian, and bisexual community, and also from the larger community. Many survey participants said that they while thought the University as a whole was taking steps to address the needs of GLB people, transgender and gender variant people were continually left out of the discussion. The complexity of gender identity and expression must be appreciated, and the discussion expanded. Because all people have a gender identity and expression, gender-based marginalization adversely affects transgender people most severely and evidently, but it also locks all people into rigid roles and results in discrimination occurring also toward those who do not identify as transgender.

Climate survey participants were asked to rank their experiences expressing their gender identity and expression at the University of Texas at Austin and to describe their experiences using their own words. Responses across the survey questions dealt with issues of inclusiveness for transgender students and are included in the chapter. Furthermore, a transgender specific focus group was held, and three interviews were conducted to gather the specific concerns of trans-identified individuals. This chapter provides the results of these data collecting methods organized into the following sections:

- Experiences with gender identity and expression
- Diversity of community needs
- Awareness and support
- Inclusiveness in resources and facilities
- Transgender-friendly spaces
- Conclusions and recommendations

Experiences with gender identity and expression

Terms to know

Gender: The collection of traits, behaviors, and characteristics that are culturally associated with maleness or femaleness. Gender traits considered masculine or feminine can differ from culture to culture or in different historical periods.

Gender identity: A person's internal self-awareness of being either male or female, masculine or feminine, or something in between.

Gender expression: The external behaviors and characteristics (i.e. dress, mannerisms, social interactions, speech patterns, etc.) that a person displays in order to indicate their identity.

Sex: The common, but imperfect, sorting of people as male or female, usually based on anatomy and/or chromosomes. Intersex people and people with varying chromosomal makeup (XX-males, XY-females, XXY-people) would not fall into either category in the traditional sense of male or female.

Transgender: Transgender is an umbrella term for those individuals who transgress gender in some way, or whose gender identity does not match up with the physical sex they were assigned at birth.

(Definitions from the publication, “MIT has added ‘Gender Identity’ to its Nondiscrimination Policy.”)

Gender an important aspect of all lives

Everyone has a gender identity and a gender expression. Many people experience their gender identity as conforming to their physical sex. That is, many people who are born with female bodies also have a female gender identity. Some individuals experience their gender identity as not conforming to their physical sex. These individuals sometimes identify as transgender people.

This portion of this chapter explores the experiences of students who do not identify as transgender, but who may express gender non-conventionally or have a non-traditional gender identity. Experiences of both transgender and cisgender people are linked to illustrate the important role that gender plays in the lives of all individuals.

It is important to note that while gender and sexual orientation are connected, there are two distinct identities. Everyone has both a gender and a sexual orientation. Transgender refers to gender identity; being gay, lesbian, bisexual, or heterosexual refers to sexual orientation. A person who is transgender might be gay, lesbian, bisexual, heterosexual, or another identity of their choosing.

Enforced gender binary limits student expression

Students who transgress gender, or identify with an unconventional gender identity and/or expression, reported a lack of awareness on the part of students, faculty, and staff with whom they interact. A student who identifies as genderqueer (neither male or female, rejecting the gender binary) said faculty did not know how to handle the identity. Others report that students and staff are “confused” about their identity. One student said that faculty may be competent in

“Some [faculty] seem confused by gender identity and gender expression issues even if they understand sexual orientation.”

“While I identify as a woman, I also play with the genderqueer identity and some faculty/staff seem to not know what to do with that.”

“I feel like people view gender identity as a concept that is stagnant and not up for discussion. ... However, it is very necessary to recognize that gender identity is changing in the modern world, and so should the discussion.”

understanding sexual orientation, but less versed in handling gender identity and expression, which points to a need for more education (see “Experiences with faculty and staff,” chapter 6).

“I haven’t had any problem with faculty and their reactions to my gender expression; however, I’m not very genderqueer, and since my gender identity isn’t ambiguous, I don’t think there have been opportunities for negative reaction. After all, I’m a male and I identify as a man.”

Students also report that the notion that only two genders (male/man, female/woman) exist has given them trouble when they express their gender in an unconventional manner. Gender-specific dress codes at jobs become problematic for these students: “Males cannot have long hair or pierced ears and must wear ties, and females are expected to wear female dress clothes and keep their hair in feminine fashions. ... These dress codes can make acquiring jobs difficult for transgender students,” one student said.

Many students who identify as gender-conforming and who identify with the gender binary acknowledged the fact they have not experienced discrimination based on gender identity because they express gender in conventional ways.

Diversity of community needs

Identity fluidity

Many factors affect transgender individuals' expectations of the LGBTQ and UT communities. Identity fluidity, age, speed and state of transition, and understandings and expectations of the roles community should play vary from student to student and often from time to time in individual students' lives. Transitioning individuals may or may not identify and/or express a stable gender. Seeking physical transformations either through surgeries or hormones does not necessarily imply that an individual will also wish to change other gender markers such as a name, pronouns, or clothing. Nor does the lack of physical transformations signify that a person is any more or less transgender than any other individual. For many transgender individuals, physical transformations may be cost prohibitive or simply undesired. Transitioning is a different process for each individual, and there is no particular order of events or uniform process that everyone undergoes.

In making policy, administrators must be careful to allow for the flexibility that is necessarily a part of implementing policy to better serve this community. For instance, a recent draft on implementing the addition of gender identity and expression to the Boise State University non-discrimination policy states, “A transgender employee or student in transition does not automatically get to use the restroom corresponding to his or her gender expression, but will once his or her transition has progressed substantially.”⁷ While acknowledging that this document is an attempt to create policy that is consistent and respectful of transgender

⁷Boise State University. 2006. Executive summary, policy change of 5005-A & 5010-A and associated implementation plans—Boise State University. <http://out.ucr.edu/TransPolicyBSU.pdf> (accessed July 12, 2006).

individuals' identities and gender expressions, these particular statements also impose severe restrictions on gender expression by placing a premium on what is sufficient transition "progression" to use the desired restroom. This policy statement also negates the identities of gender non-conforming individuals who may not choose to fully transition from a feminine to a masculine body or vice versa. As this example illustrates, it is important to remember to take the multitude of gender identities and differences in development and expression into account when formulating policy.

Age and speed of transitioning

Because of increasing awareness of transgender identities, more students are entering college having already begun transitioning. Thus it is increasingly important for UT to have policies in place and that staff and faculty be aware of transgender concerns so as to better serve this growing population. On the other hand, some students may only be beginning to think about questions of gender identity and expression after they arrive at the University. For these students, who may not necessarily be aware of services or know exactly what they need, it can be even more important that staff and faculty know how to be active allies so that students have access to information, resources, and support networks.

Like most college students, transgender students' identities are in flux and develop at a variety of speeds. Students should be allowed time and space to develop and try on gender identities and not be expected to immediately have a firm idea of exactly how they identify or how they want to express those identities.

"I just didn't have anything to go on. I was terrified. I didn't know how to 'read' who might be friendly and who might want to put a boot up my ass. I just had no indication one way or the other, or if the indication was there and I just missed it, that still leaves the problem of not knowing what to look for or how to seek help and allies. In hindsight, most would probably have been supportive, but as with the fear of beating, I just didn't want to chance it."

"And when [students] ask [what pronouns/name to use] I really don't know how to answer yet because I'm just sort of going slow."

"I had no real support network, with my friends not really understanding and my girlfriend about to kill me. My UT therapist didn't know what to do, and my Waterloo therapist had no advice on TG-specific groups on campus...I figure I got stuck behind on this transition thing by a year or more, just because I couldn't find any peer advice. To my knowledge I was totally alone."

Visibility and safety

All of the transgender people interviewed expressed a need for a transgender community and/or organization in order to access medical and legal information, share experiences, and establish relationships with role models and peers. There was, however, some disagreement about how to best fulfill these community needs. Whereas some interviewees indicated that a visible organization was of the utmost importance, others were apprehensive that such an organization or the visibility it would bring is unnecessary and perhaps even harmful because of the risks to anonymity and safety.

One student said: "On one hand, I would like to see everyone have equal access to information about issues that affect the

trans community. This would benefit those that are questioning their gender identity and/or going through the transition process. For example, it would be great if someone could easily find out which doctors are trans-friendly. Equal access to information would also educate the general public, create allies, and provide visibility to our cause in the long run. However, I believe there is a delicate balance that must be maintained in how much visibility our issues are given. There are people that fall under the trans umbrella that do not wish to be visible...At this time, it can still have negative consequences for medical professionals, lawyers, therapists, etc. to be trans-friendly and supportive of our causes. If these people run into criticism or sanctions from the general public, then our community loses an important and scarce resource. Therefore, it is my belief that discretion must be used when making trans issues highly visible.”

“If I am going to a gathering of trans people, I wouldn’t just take anybody with me. It’s not safe for me or anyone else in the group. There also exists an issue of confidentiality. There are still many people out there that are not out, and I have a commitment to keep someone’s gender identity a private matter. It is simply not my place to out others.”

“I don’t know anyone who I believe relates to my particular issues; though I’m aware there are other TGs in Austin, I run into them only intermittently in bars and at therapy. I don’t know who or what I am or how to judge and measure my worth, my transition and my life.”

The lack of a transgender-friendly and inclusive environment, role models, and peers can be extraordinarily difficult. As one student wrote, “I don’t know who or what I am or how to judge and measure my worth, my transition and my life.” For students who do not know where to seek support, this lack of community can intensify feelings of isolation and concerns about safety as well as stalling the transitioning process.

For students who are seeking an on-campus activist community as well as information and support, visibility is a must. Said one student: “What I’d like to see most of all in a transgender support group is a dismantling of gender binary and a separation of gender and sexuality. And it must, must,

MUST be visible. Discretion is understandable, but political and social success – and just getting members, for that matter – depends on free and open expression. The GLB affiliations on campus proved that safe space can be created even in the most vocal of groups. A secret group does no one any good.”

Until recently when the student organization, Transgender Texas, was formed, the only activist (and in fact the only non-medicalized) transgender association in Austin was TACT (Transgender Advocates of Central Texas), which is off-campus and inaccessible for students who do not have ready access to their own vehicles. TACT also requires membership dues, an expense one student explained they were unable to afford.

Yet despite the need for a supportive and visible transgender student community and organization, students’ concerns regarding safety are still very real and should be taken into consideration when forming organizations and organizing transgender and gender non-conforming events. As with all community differences, balance and respect for multiple needs is an essential aspect of community building.

“Again, I was terrified of confusion and [ostracism]. I barely knew anything about what I was going through myself; how could I explain anything to anyone else? I never felt I had any reason to believe that any of my professors or TAs might have advice, though in hindsight I doubt many of them would have been bothered by my transition.”

“I was paying a lot of attention to anything that had gender or sexuality in it at orientation so I was looking pretty hard.”

Awareness and support

Visible support

There is a pervasive lack of awareness across campus of the needs and sometimes the existence of transgender students, as many respondents testified. Even in situations where support may be available, these resources are not included in UT material in any visible way. Met largely with ignorance regarding their issues, transgender students are often hesitant to seek support without cues that their needs will be understood and met. Thus, it is extremely important that the University and all departments make their intention to support transgender students known. Because many decisions that affect transgender students differently than cisgender students are made before students ever arrive on campus, information about the GSC and that it is indicative of the larger University’s awareness of transgender issues should be included both in pre-orientation materials as well as during orientation sessions.

Awareness across campus

A number of respondents discussed the difficulty of receiving appropriate campus housing as an example of a situation where their gender identities affected their interactions with a UT division before they ever arrived on campus. In each of these situations the director of the Gender and Sexuality Center, Ixchel Rosal, was described as essential to solving the problem. One student spoke about the same phenomenon in reference to their experience with Information Technology Services. In each of these situations, university employees told students that there was no way to resolve their concerns. Only when Rosal intervened did students get the aid they needed. Though the GSC exists to serve students’ needs, the responsibility to educate individual staff and intervene every time a problem occurs should not fall on GSC staff. This slows or halts divisions’ abilities to meet student needs and is a drain on the perpetually strained resources of the GSC.

“[B]ut once I got to orientation and met Ixchel, everything got taken care of pretty quickly.”

“They just acted like it wasn’t possible, and then I went through Ixchel.”

“And the IT people just kept saying they couldn’t do anything about it no matter what. Ixchel got it changed. Whatever miracle she worked.”

Another student related a “positive experience” in which a staff member of Student Financial Services was respectful, while still expressing the sense that the staff member “appeared to have never spoken to a trans person.” While the sensitivity shown in this instance is commendable, staff members should not be shocked by or unprepared to deal with transgender students’ needs. Students seeking services should not be responsible for educating staff about transgender

awareness before their needs can be met. The repetitive nature of these phenomena as well as their occurrence across multiple divisions suggests a need for systematic education across campus, focusing particular attention on divisions where gender concerns are more likely to occur.

Said the student: “[For financial aid], I went through a big ordeal with them recently about getting a dependency override. After I came out to my dad, we weren’t speaking and he refused to give me his financial information anymore. I needed his information to fill out the FAFSA, which is how I was paying for everything. I went into financial aid and the counselor had never even done a dependency override before. She was really polite through the process, but appeared to have never spoken to a trans person. It would have definitely been helpful if she had some basic LGBT training. The office did make a note to call me by the proper pronouns (which I greatly appreciate), and I was able to eventually get my override. Overall, I was happy with the end result, but the process to get there could have been smoother.”

Experiences with individual faculty, staff

In contrast, when respondents had personal relationships with faculty or staff, they seemed to have much more positive experiences. One student spoke about coming out as transgender in their campus job, stating, “it’s been a great experience...I can talk very openly about hormones, surgeries. It’s a very small office so that’s one of the...reasons why I can do that. And the other thing is we’re all pretty much friends in there.”

Discussing their experiences working with a professor, another student indicated that the professor was very supportive when the student indicated their desired pronouns, stating, “She wrote it down so as not to forget.” The student also added, “Despite her best intentions, however, all of her examples and statements presume heterosexual, male or female students. The same is true of most of my professors. The assumption of a binary gender system that occludes the experiences of transgender or gender non-conforming students is the most common form of exclusion I experience.”

Whereas active discrimination and harassment is less common, it does occur. One gender non-conforming student described being repeatedly harassed by their professor, who “repeatedly laughed at what [they] said, repeated it in a deep voice and said, ‘She thinks she’s a man!’ This happened so often [the student] stopped speaking in class.”

Inclusiveness in resources and facilities

Campus offices and resources

Transgender students reported several deficiencies in services due to lacks of knowledge that result in staff members’ inability to properly plan for and serve students. For transgender students who are also

“I have yet to go through the bureaucratic process of changing my gender on school records.”

struggling with financial concerns, these problems can be especially difficult to solve within the current UT system. For instance, in order to change one's name on all UT records, a legal name change is required. This process is cost-prohibitive for many students, and the process to legally change your designated sex can be even more complicated and sometimes impossible. Thus for a variety of legal, financial, and personal reasons, transgender students may be unable or may not desire to alter their legal name.

"The housing department - when I first told them about being trans and needing—and wanting a single room and a private bath. They just acted like it wasn't possible."

"I went in for a consultation in order to find out what steps I needed to take before I could get hormones and surgery. She didn't know how to answer any of my questions, let alone what services UHS might be able to offer me. I haven't been back since they don't know anything about the medical factors that impact my health. I pay student fees too; why doesn't UHS know anything about the health needs of my community?"

As some services, like student housing, are determined on the basis of students' legal sex, transgender students often encounter difficulties. UT has no gender-neutral housing options, so transgender students who are uncomfortable or feel unsafe living and/or sharing bathrooms with cisgender students need single rooms with private baths. Yet, the Division of Housing and Food Service seems to have no policy in place to handle these concerns. Without exception, every surveyed transgender student living on-campus reported difficulties obtaining appropriate housing.

"They didn't seem to have any knowledge of transgender issues and didn't have anyone to work with me to see that my needs were met."

University Health Services was another commonly listed problem area. Whereas one student stated that they "would recommend UHS to trans people," they also indicated several other areas in which UHS needs to make changes, both structurally, so that "FTMs don't have to go to 'Women's Health,'" and in regard to general awareness and sensitivity.

Another respondent noted that UHS personnel were unable to answer any health-related questions about hormones or surgery and "don't know anything about the medical factors that impact [their] health." Said one student: "I had one incident where a nurse asked me too many personal questions about being trans."

If transgender students have little faith in the medical staff's knowledge of or sensitivity to their health needs and abilities to treat them, this would seem to negatively impact UHS's ability to fulfill its mission to keep students healthy and indicate a need for increased awareness of transgender-specific medical concerns. However, upon receiving feedback about the need for trans awareness training, UHS did respond positively, indicating that they intend to train all personnel in the near future. At the time of this writing, UHS has already conducted one staff training.

Several students also raised concerns about the Counseling and Mental Health Center, observing that there were no counselors on staff who specialize in transgender issues and that they are unable to provide necessary services. Several participants stated that CMHC counselors told them that they could not meet their needs, referring them to off-campus services. Yet off-campus services may be beyond the budgets of many transgender students, who may be struggling

financially with medical expenses which insurance does not cover or, like other LGBTQ students, because of the withdrawal of financial support from family members. Students also noted the fact that CMHC does not provide services to students during the summer unless they are enrolled for the summer session, which can be a problem for transgender students who may need continuous care in therapy.

Said one student: “The [UT] counselor I was seeing for depression wasn't skilled in transgender issues. She didn't refer me to a UT counselor when I came out about my gender dysphoria, so I imagine that she either didn't want to deal with the paperwork of switching me to a more qualified therapist, or there just wasn't anyone on hand to deal with my stuff. [She] was unable to refer me to any place except Waterloo Counseling, which I was at the time unable to afford.”

Insufficient facilities

“I just figured I would have too many problems with it [using athletic facilities] and just didn't do anything.”

The most commonly reported problem among transgender respondents was the insufficient number of gender-neutral bathrooms on campus. Some participants also noted the lack of gender-neutral spaces in UT athletic facilities like locker rooms and bathrooms, adding that it discouraged them from using these spaces.

Transgender-friendly spaces

Supportive spaces and communities

When asked about spaces in which they feel comfortable, all of the respondents spoke of centers and communities in which they were involved including the Gender and Sexuality Center, Multicultural Information Center, Health Promotion Resource Center and other health-related organizations, and queer student organizations. While these centers and organizations are most likely predisposed to be welcoming and accepting of transgender and gender non-conforming students, it is interesting that participants all responded with organizations or community-based centers. As well as indicating the trans-friendly atmospheres these communities create, these responses might also indicate a cycle. Transgender and gender non-conforming students are active members of these communities and their visibility serves to let other students know that these spaces are safe and supportive, which encourages increased transgender and gender non-conforming student participation in these organizations.

At the same time, cisgender students and staff of these organizations and centers are exposed to and develop an awareness of transgender issues, which often alters their community climates to be more inclusive of gender non-conforming students. These organizations and centers become allies and develop an institutional history of being trans-inclusive. This pattern might indicate that other organizations and centers should attempt to make trans-inclusiveness an integral

and visible part of their organizational philosophy regardless of their perceived target audience as transgender students are always potential community members.

Negative experiences with students

In discussing experiences with students, transgender respondents identified incidents in which they felt harassed or physically unsafe as occurring in unregulated spaces. One participant described being “teased and disrespected by most of [their] dorm floor for being geeky, feminine, and shy.” Another student recalled “some people at a frat party on a balcony yelling at [them] one time over on West Campus...I was walking to my car,” adding later that “[a]nywhere where there are lots of straight males around, I feel a lot more uncomfortable.” Several LGBTQ students noted that within the Greek community, homophobia, often linked to the policing of non-conforming gender expression, seems more prevalent.⁸ Therefore it seems possible that the Greek community, with its stricter emphasis on conformance to gender roles and the

"I was already having serious gender identity issues. I really didn't get along with men no matter how hard I tried, and as long as I did I felt alien and awkward. I cloistered myself in my room most of the time when I wasn't at class and was teased and disrespected by most of my dorm floor for being geeky, feminine, and shy."

gender binary, would also be more transphobic.

"Some drunk followed me into the women's restroom at a bar one night. My friends sicced management on him and they apologized..."

Transphobia also exists within Austin at large as well. As one participant stated, “I haven't actually been physically hurt, but then, I rarely go anywhere alone. I've heard too many horror stories, and the stares, with the familiar ‘What is that?’ look (or sometimes ‘What are you doing here?’ in the restroom; especially, ironically, at gay bars), are creepy enough. I may be

tall, but I'm shit in a fight and I'd rather not chance it.” The lack of physical assault does not necessarily indicate a safe environment, as these experiences would seem to indicate, but rather that transgender and gender non-conforming students are especially wary of those around them and their environments so as not to “chance it.”

One survey respondent who antagonistically identified as non-LGBTQ throughout their responses singled out transgender students as the “biggest... problem on campus.” Declaring “get rid of transgenders first off!” the student used the survey as an opportunity to express the desire to dispose of fellow students. The student's threatening response clearly illustrates the aggressive and hateful nature of at least some UT community members' feelings toward transgender students. This sort of attitude can only add to the lack of safety that many gender non-conforming and transgender students experience.

⁸ Kardia, Diana. 1996. Impact of college on student attitudes toward gay and lesbian issues: discussion of major findings. http://www.diversityweb.org/research_and_trends/research_evaluation_impact/benefits_of_diversity/kardia_major_findings.cfm (accessed August 2, 2006).

Lack of protection in non-discrimination policy

Gender identity and expression not included in policy

The current University non-discrimination policy protects on the basis of sex and sexual orientation, among other categories. Gender identity and expression is not included. Sex does not necessarily protect people on the basis of gender identity and expression because the conventional understanding of sex places all people into the boxes of male/man or female/woman and excludes transgender and gender non-conforming people. Sexual orientation does not protect transgender people, either, as many transgender people are heterosexual and may not necessarily be harassed on the basis of their sexual orientation.

Benefits of including gender identity and expression in policy

All students, faculty and staff deserve to be protected and valued. An inclusive non-discrimination policy also shows the University's commitment to educating the campus and fostering an environment of safety and inclusion.

Everyone has a gender identity and expression that deserves to be affirmed. A non-discrimination policy that includes gender identity and expression ensures all people have a right to be who they are. It can protect anyone who is discriminated against for expressing gender in an unconventional way, such as women who are labeled too aggressive or feminine-acting men.

Non-discrimination policies at other universities, employers

Protection of gender identity and expression for all students, faculty and staff is becoming the norm at the nation's leading universities. In all, 66 total universities include gender identity and/or expression in their non-discrimination policies⁹. These universities include all Ivy League institutions, as listed in Appendix C. Among UT's 11 official comparison institutions, seven include gender identity and expression as protected categories in their policies. An additional two institutions specifically list gender identity and/or expression under sexual orientation or gender protection. In all, nine of 11 – the clear majority – of UT's comparison universities include gender protections. For a more thorough discussion of the services and protections provided at comparison schools, see "Selected LGBTQ services at comparison schools" in chapter 2.

Experiences with Equal Opportunity Services

Two students met with the director of Equal Opportunity Services in fall 2005 to discuss the possibility of gender identity and expression being added to the non-discrimination policy. The students sought out EOS because it handles complaints of discrimination from University employees. (The director of Equal Opportunity

⁹Gender PAC. 2006. Colleges and universities supporting gender rights. <http://www.gpac.org/genius/> (accessed August 3, 2006).

Services is the primary contact for employees regarding complaints of discrimination, and the dean of students is the primary contact for students regarding complaints of discrimination, according to the Official Notice to University Students distributed via campus-wide e-mail on June 16, 2006.)

The director was helpful in identifying concerns around expanding the non-discrimination policy and in pointing the students to additional resources and past efforts they could study. Further, it should be noted that the students understood that the director was acting in her role as an official agent of the University and, accordingly, followed the current policies and stances of the University.

The office said that inclusion of another category would begin to weaken the non-discrimination policy as a whole and that inclusion of gender identity and expression would open the floodgates of additional categories to be included. Certain categories are delineated for a reason. It holds practical and symbolic weight that categories such as race and sexual orientation are included in the current policy. It sends a message to all stakeholders in the University that discrimination based on those categories will not be tolerated. The University should be sending this message of inclusion in regards to gender identity and expression, and protection of its transgender students, faculty, staff, and visitors.

In regards to additional categories being included in the policy, those advocating for inclusion of gender identity and expression should not be asked to defend or decide what other categories might merit inclusion. No policy is perfect, as evidenced by the 1990 revision of the University's non-discrimination policy to include protection of sexual orientation.

The University should rely upon written rules and policies, rather than unwritten rules, in matters such as pursuing claims of discrimination. The Equal Opportunity Services staff said that if anyone were to come in with a report of discrimination based on gender identity and/or expression that the office would hear the complaint and address it in regards to discrimination based on sex/gender. Although the writers are glad that the staff would address these concerns, we do not believe the University should rely upon an unwritten rule to enforce complaints of discrimination. We also do not believe that protection based on gender identity and expression should be left up to individual University staff members. Such protection is tenuous and uncertain, in light of the fact that staff members do eventually leave the University and there would be no written policy to enforce if another University staff member, or future staff of EOS, did not believe gender identity and expression merit protection.

Additionally, there is no way for students, faculty, and staff to know if gender identity and expression is protected from discrimination by the University if those categories are not specifically listed. The lack of inclusion might be a deterrent to transgender people who have faced discrimination, or indeed any person who has been discriminated against based on gender identity and expression, to report that discrimination if the University's policy is not inclusive. This absence may also discourage potential students from attending the University, hindering the

University in competing with other institutions for students and resulting in the loss of tuition funds.

The EOS staff member said she knew of one employee who transitioned from one gender to another with no significant problems. We hope this is not used as evidence that discrimination against transgender people does not occur at the University. Each person's experience is unique and the staff may not be personally aware of discrimination that does exist, due to obstacles in reporting harassment or uncertainty in whether certain types of discrimination are protected. This report documents some of the incidences of discrimination that have occurred on campus based on gender identity and/or expression, such as a professor who mocked a woman student with a deep voice by repeating what she had said in a low voice and making comments such as "She thinks she's a man" in class. Those who are harassed may feel no incentive to report discrimination to the University and they may be uncertain that the University offers relevant protection.

Equal Opportunity Services should have a firm grasp of the identities and actions that it protects as a part of relevant UT policies. The director wanted to know what the students meant by the terms gender identity and expression. She said she had searched for the terms on the Internet and had completed some reading on the subject, but was still unsure what the students were referring to. It is the opinion of the writers of this report that University employees can have little confidence in Equal Opportunity Services to handle reports of discrimination based on gender identity and expression if the staff is unsure what gender identity and expression means.

The director also said she was unsure what identifiable group would be protected by the inclusion of gender identity and expression. Most simply, the transgender community would be protected. (The diversity of the transgender community should be noted. It includes male-to-female transsexuals, female-to-male transsexuals, crossdressers, intersex people, genderqueer people, and others who reject the gender binary, and more.) Beyond the transgender community, since everyone has a gender identity and expression, all University stakeholders would be protected.

Equal Opportunity Services also pointed to Chapter 13-204 of Institutional Rules on Student Services and Activities. The section deals with Speech, Expression and Assembly. This chapter covers harassment on the basis of "appearance, personal characteristics, or group membership, including but not limited to race, color, religion, national origin, gender, age, disability, citizenship, veteran's status, sexual orientation, ideology, political views, or political affiliation." Though the writers are glad that UT has such a policy, it is first inadequate because – although it covers gender – it does not address concerns of gender identity and expression specifically. Secondly, the Institutional Rules on Student Services and Activities does not carry the same symbolic and practical weight that the University non-discrimination policy carries. Further, the rules govern student services and activities, and this policy does not specifically address protection of UT's approximately 20,000 faculty and staff members.

The director told the students that she would not advocate for the revision of the non-discrimination policy. Once again, we are unsure what motivated this decision since at the beginning of the fall 2005 meeting, the director said she was unsure what the terms meant. At the very least, we feel the decision was premature.

Inclusion of gender identity and expression in the non-discrimination policy would necessitate the education of all University stakeholders, especially all faculty and staff, on concerns of gender identity, gender expression, and transgender individuals. It is clear to us that this education is needed, especially when officers of the University designated to hear complaints of discrimination are unsure what the terms mean. Sample educational materials that can be used are included in Appendix C.

Inclusion of gender identity and expression would also necessitate the reform of University services and policies to be more transgender inclusive, in areas including but not limited to health services, the registrar's office, and housing. (See the conclusions section at the end of this chapter for calls for change to include and protect transgender people at the University.)

In the opinion of the writers, the University should follow the trend of leading companies, the majority of its comparison universities, and other prestigious universities nationwide by adopting gender identity and expression as a protected class in its non-discrimination policy.

Conclusions and recommendations

An overarching need for basic education on gender identity, gender expression, and transgender communities was expressed by survey participants. Such education could help facilitate the de-emphasis of gender norms on campus, to which students said that they felt they must conform in social, academic, and extracurricular settings.

Transgender students described an array of needs that speak to the diversity of the community. There is no one right answer or solution toward addressing the needs of transgender and gender variant people. The needs of female-to-male and male-to-female transsexuals may vary greatly from the needs of those who identify as genderqueer, in rejection of the gender binary, and those who are intersex people or crossdressers. Thus, support for a medical transition from one gender to another will be vital for some, while others may place a loosening of gender norms and support for building a visible transgender community as key needs. Improvements in certain campus resources, such as University Health Services and the counseling center, would provide support for transgender students.

It is our conclusion that the University has no cohesive plan for addressing the diverse needs of transgender people on campus. Additionally, transgender people have no guaranteed protection at UT from harassment and discrimination on the basis of gender identity and expression. To facilitate the creation of such a plan and the reform of campus resources to be transgender-inclusive, it is

recommended that gender identity and expression be added to the University's non-discrimination policy.

Calls for change

Expectation 1

Upholding the core value of responsibility, all members of the University community can safely and comfortably express their gender identity. Accordingly, 'gender identity and expression' is included in the University non-discrimination policy.

- X** *Unmet:* Gender identity and expression is not protected in the University non-discrimination policy.
- !** *Recommendation:* The University of Texas System Board of Regents and the University of Texas at Austin should adopt gender identity and expression in its non-discrimination policies. The University of Texas at Austin president and designated officers should advocate for this change at the system-wide level.

Expectation 2

Upholding the core value of learning, the University provides accurate, up-to-date information on gender identity, gender expression, and transgender communities to all University stakeholders.

- X** *Unmet:* The University does not currently provide educational materials or training sessions to its faculty, staff, and students. (The Gender and Sexuality Center staff has provided some training, but it is not an institutionalized, recurring effort for multiple departments and offices.)
- !** *Recommendation:* The University should provide printed educational materials to all students, faculty, and staff, as well as giving offices and departments the option to request presentations/training sessions on gender identity/expression and transgender communities. Trained University employees or consultants should have the task of training groups that request it, and the burden of training should not be on several individual students nor an understaffed Gender and Sexuality Center. The educational materials should be available in print and online for all stakeholders.

Expectation 3

Upholding the core value of freedom, all members of the University community can self-designate their name at any time for the purpose of official records and documents.

- X** *Unmet:* Students, faculty, and staff can change their name with the

University if a legal name change has been made, but others are not allowed.

- ! *Recommendation:* All students, faculty, and staff should be able to self-designate name with the University at any time.

Note: The writers of this report recognize that some legal constraints restrict what the University can change on official documents. The writers further believe that since not all changes will be restricted in this way, two systems for name/gender designations could be created, if necessary, with the University. See “Report: Name change procedures at comparison universities” for information on how the University of Minnesota has done this.

Expectation 4

Upholding the core value of responsibility, members of the University community need only make one request to officially change their name and/or gender identity, rather than visiting multiple offices and departments.

- X *Unmet:* If a person wishes to change name and/or gender designation with the University, that person might need to visit multiple offices to make sure the change is consistent across UT services. (For example, though a student only need visit the Office of the Registrar to officially change their name, a student might have to visit the academic department, University Health Services, and Information Technology Services to ensure the change is recognized and completed across UT.)
- ! *Recommendation:* We are encouraged to note that the Office of the Registrar is in the process of developing policies relating to changes of gender designation, and we hope these policies will be steps toward greater inclusiveness. One staff member within the Office of the Registrar should be designated to handle requests to officially change name and/or gender designations with the University. That staff member will communicate the name and/or gender designation change to all offices where students may have records on file.

Expectation 5

Upholding the core value of individual opportunity, all members of the University community, including applicants to the University, may self-designate their gender on print and online forms, rather than selecting between “man/male” or “woman/female.”

- X *Unmet:* In most University forms, including application materials, one must choose between “man/male” or “woman/female.” This choice does not reflect the gender diversity present in today’s world. It does not allow transgender people (especially those who identify as genderqueer or reject the gender binary) to reflect their gender identity on official forms

and applications.

- ! *Recommendation:* University forms and applications should leave a blank space for gender designation rather than forcing a choice between “man/male” or “woman/female” which does not reflect the gender identities of many people.

Expectation 6

Upholding the core value of responsibility, all members of the University community have access to locking, single-stall, gender-neutral restrooms throughout campus and are free from harassment in restrooms.

- X *Unmet:* Though a handful of gender-neutral restrooms exist on campus, they are not the norm and they are not spread throughout campus. Restrooms that could easily be converted to gender-neutral restrooms exist on campus, many requiring only a change of signage.
- ! *Recommendation:* The University should convert the restrooms that can be easily converted to gender-neutral restrooms, as identified in Appendix C. The location of the restrooms should be publicized by the University so all stakeholders are aware of their existence. Locking, single-stall, gender-neutral restrooms – while providing privacy and safety for all people – are particularly important to transgender people and those who transgress the gender binary in some way. Additionally, they are of added importance for nursing mothers, parents/guardians with small children, and people with disabilities who require attendants.

Expectation 7

Upholding the core value of responsibility, all members of the University community have access to locking, private, gender-neutral changing rooms at athletic/recreational facilities and are free from harassment in changing rooms.

- √ *Met:* The Division of Recreational Sports has several gender-neutral restrooms at its two major facilities (which may be used as changing rooms, but do not have shower facilities): the Rec Sports Center and Gregory Gym.
- ! *Recommendation:* The Division of Recreational Sports should continue to create and convert locking, single-stall, gender-neutral restrooms and changing rooms – including private shower facilities – at its existing facilities, and gender-neutral restrooms should be planned when any new facilities are constructed.

Expectation 8

Upholding the core value of responsibility, transgender students who live in campus housing have the option to live in a single-person room with a private

restroom. Students can easily select this option.

- X** *Unmet:* Although some single-person rooms do exist in campus housing, transgender students may face uncertainty or resistance if they try to switch one housing assignment for a single-person assignment with a private bathroom. Some transgender students may prefer to live in a single-person room to avoid a potentially unsafe situation with roommates and/or a single-sex floor. Still, the students must pay more to live in a single-person room, simply to avoid a potentially unsafe situation.
- !** *Recommendation:* We are encouraged to note that DHFS is in the process of developing policies relating to transgender students in housing, and we hope these policies will be steps toward greater inclusiveness. Transgender students who live in campus housing should be able to select, without hassle or delay, an option to live in a single-person room with a private restroom. Transgender students should not be charged a higher price if they must move out of a potentially unsafe situation. Staff members of the Division of Housing and Food Services, including resident assistants, should receive education on meeting the needs of transgender students in housing.

Expectation 9

Upholding the core value of individual opportunity, partners who want to live in campus housing are allowed to live together in partner housing regardless of the gender of the partners.

- X** *Unmet:* To live in married student housing in UT apartments, marriages must be recognized by the State of Texas.
- !** *Recommendation:* Partners, regardless of gender, should be allowed to live in married student housing in UT apartments. There is no law that compels the Division of Housing and Food Service to only allow partners whose marriage is recognized by the State of Texas. Further, DHFS should allow that only one of the partners be a UT student, to reflect the policy for married students that only one be a UT student to qualify for married student housing. Married student housing could be renamed to partner housing or family housing to suit this purpose.

Expectation 10

Upholding the core value of discovery, University Health Services regularly trains all of its staff members on meeting the needs of transgender people.

- ✓** *Met:* At the time of writing of this report, UHS staff members are scheduled to receive additional training on meeting the needs of transgender people.

- ! *Recommendation:* We applaud UHS for its efforts and recommend that training on transgender identity is a recurring effort so that all staff members can remain up-to-date with medical information.

Expectation 11

Upholding the core value of responsibility, University Health Services provides the best medical support available for students, faculty, and staff who are medically transitioning from one gender to another.

- X *Unmet:* Students describe multiple experiences of staff members who are not knowledgeable about transgender identity and medical transition. UHS is unable to make referrals to other resources for transgender people.
- ! *Recommendation:* Staff members of University Health Services should be knowledgeable and able to meet the needs of transgender people who are medically transitioning. In the case of UHS not being able to meet certain needs, staff members should be able to make appropriate referrals to other resources.

Expectation 12

Upholding the core value of individual opportunity, the Counseling and Health Center – which is paid by student fees – includes a transgender counselor, or a counselor who is fully knowledgeable and trained on transgender concerns, on its staff.

- X *Unmet:* Although the CMHC employs several gay and lesbian counselors – which the Queer Students Alliance applauds – there is currently no transgender counselor on staff. Transgender students are frequently directed off-campus to Waterloo Counseling, which is not free.
- ! *Recommendation:* The Counseling and Mental Health Center should seek to hire a transgender counselor, or someone who is fully knowledgeable and trained on transgender concerns, by encouraging transgender applicants and those who are knowledgeable when vacancies come open.