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"How Have Trans-Inclusive Non-Discrimination Policies Changed Institutions?"

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When Harvard University amended its non-discrimination policy to include “gender identity” last month, the change called attention to a growing movement. Since 1996, more than 55 colleges and college systems have enacted transgender-inclusive non-discrimination policies, from large institutions like the University of California, the University of Wisconsin, and Ohio State University, to smaller schools like Central College, the College of Santa Fe, and Kalamazoo Valley Community College. More than half of the colleges and universities that have added “gender identity/expression” to their non-discrimination policies have done so since 2005 (Transgender Law and Policy Institute, 2006).

But what does it mean for a campus not to discriminate on the basis of gender identity or expression? With more and more students coming out publicly as transgender and reporting experiences of institutional discrimination when they seek to have their needs met (Beemyn, 2005; McKinney, 2005), how have these colleges and universities sought to create a more trans-supportive climate?

To address these questions, we surveyed many of the institutions that have amended their non-discrimination policies to include “gender identity/expression” to determine the extent to which the policy change has begun a process of institutional change. We were particularly interested in examining areas of campus life in which transgender students often report experiencing discrimination: having access to safe and appropriate bathrooms and locker rooms; being housed in keeping with their gender

identity/expression; having access to appropriate medical care, including hormones for transitioning students; being able to change the gender designation on campus records; having trans-inclusive gender categories on institutional forms; and offering trans-related programming.

The study involved 19 colleges and university systems that adopted a trans-inclusive non-discrimination policy prior to mid-2005. The institutions in one of these college systems, the University of California, were surveyed individually because of their size, and 7 participated. Thus we had 25 total survey responses. Six of the campuses added “gender identity/expression” to their nondiscrimination policies in 2002 or earlier, five did so in 2003, nine in 2004, and five in 2005. The institutions ranged from small liberal arts colleges like Kalamazoo College, Middlebury College, and Wesleyan University, to large state universities like Arizona State University, Ohio State University, and the University of Wisconsin.

Survey Results

The participating colleges and universities were asked how the inclusion of “gender identity/expression” in their non-discrimination statements led to changes in different campus practices and policies. Most indicated that few changes had occurred as a result of the non-discrimination policy. For example, nearly half of the institutions had made no effort to establish gender-neutral bathrooms. Three of the campuses were in the process of “degendering” single-gender bathrooms and three had agreed to include gender-neutral bathrooms in new and renovated buildings. Nine colleges had some or many gender-neutral bathrooms, but in most cases, these facilities existed prior to the

non-discrimination statement change. Given the amount of time required to construct new restrooms and the brief time that most of the campuses have had a trans-inclusive policy, this finding is not surprising.

Similarly, few of the institutions considered or had an opportunity to create private showers and locker rooms in recreational centers to enable many transgender students to use the facilities. Only seven of the 25 colleges and universities offered these privacy options. Another campus' recreational center had private showers, but not lockers; and one had private lockers, but not showers.

The establishment of a gender-neutral housing option does not require a physical change to a facility, but a change in how facilities are used. On campuses that have policies against people of different genders sharing a room, this change can be even more difficult to make. Only two of the institutions surveyed—Wesleyan University and the University of California, Riverside—offered a gender-neutral housing opportunity (since the study was conducted, a third participating college, the University of Pennsylvania, has created a gender-neutral option for returning students). These findings are indicative of campuses in general. Regardless of their nondiscrimination policy, only about a dozen colleges and universities in the U.S. offer a gender-neutral housing opportunity (Beemyn, 2006).

The overall lack of access to hormones through campus health centers was also reflected in the survey results. Only a handful of institutions nationwide and just one college that participated in the study—the University of California, Santa Barbara—cover the cost of hormones for transitioning students. Few colleges and universities in the country even dispense hormones for transitioning students, and only four of the

institutions in the survey did so (Beemyn, 2006). Some small colleges do not have campus health centers, but instead rely on their local communities, where trans-supportive medical services may not be any more available.

Few colleges and universities also have trans-inclusive policies regarding records and forms. Transitioning students need to be able to change the gender designation on their college records to avoid being “outed” on class rosters, identification cards, email addresses, mailings, prescription labels, transcripts, diplomas, etc. Yet only six of the 25 campuses surveyed had a process for students to change the “M/F” box on their documents without having gender reassignment surgery. It is important for colleges and universities not to require complete transition, as few students can afford surgery, are in a position to have it, or even desire it.

Some students identify and want to be recognized as transgender, but none of the colleges and universities in the study offered the option for students to self-identify beyond “male” and “female” on all institutional forms. Seven of the campuses did have housing, admissions, or health care forms that used a non-binary gender question (typically “gender: male, female, self-identify: _____” or simply “gender: _____”).

The one area where most of the institutions surveyed were trans-inclusive was in providing transgender-related programming. Twenty of the 25 institutions offered some or frequent events that address transgender issues. That this would be the main “bright spot” is not surprising, as providing programming does not require changes to facilities or institutional policies. Most of the colleges and universities also provided at least some

transgender-specific programming prior to the addition of “gender identity/expression” to their nondiscrimination statements.

Implications: What Does This Mean for Your Campus?

At first glance, the responses seem disappointing, if not dismal. However, the general lack of progress on transgender inclusion sends an important message: *all colleges and universities have work to do on transgender issues and no campus is so far behind other institutions that it cannot catch up.* Colleges and universities seem to fall into one of three camps. The majority do not recognize or serve the needs of the transgender students on their campuses. Some are developing trans-supportive services, policies, and practices. Relatively few have created trans-inclusive non-discrimination statements and implemented other trans-supportive policies.

No college or university is overwhelmingly out front on transgender inclusion, perhaps because there is still too much risk and controversy associated with being a pioneer on transgender issues. Even such a progressive institution as Wesleyan University may have experienced the pressure of being a frontrunner when it received extensive national media coverage in 2003 for beginning a gender-neutral residence hall floor. The following year, Wesleyan took a step back, disbanding the floor and at least temporarily excluding first-year students from gender-inclusive housing.

The lack of a real trailblazer is disappointing, as it can be easier to follow another college or university and learn from its mistakes. However, in the absence of a completely trans-inclusive campus, institutions do not need to feel that they are too far behind and progressing too slowly. Instead, they can see their common situation as an

opportunity to support each other, share resources, and learn from the institutions that have taken further steps toward trans-inclusion. It is our hope that these findings can help colleges and universities assess their progress in meeting the needs of transgender students and begin dialogues that can lead to further trans-supportive changes.

References

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