

February Victories

Washington State and
Tompkins County, NY

On February 17, the county legislature of **Tompkins County, NY** revised their existing county anti-discrimination laws to include gender identity and expression.

Gender identity and expression is defined in the county law as "a person's actual or perceived gender identity, gender-related self-image, gender-related appearance, gender-related behavioral or physical characteristics, or gender-related expression."

Tompkins County becomes the sixth jurisdiction in New York State to include protections for transgender people in their anti-discrimination laws: others are Buffalo, Ithaca, New York City, Rochester and Suffolk County.

Also last month: On February 16 the **Washington State** House of Representatives passed House Bill 1809 by a vote of 59-39. If passed by the Senate, the bill will add sexual orientation to the state's non-discrimination laws. As written, the definition of sexual orientation includes protections based on gender identity and expression.

The House passed bill 1809 last year but it stalled in a Senate committee.

Full passage of this bill would make Washington the fifth state in the nation to outlaw discrimination of transgender people. Within Washington State, Seattle, Tacoma, and Olympia have already independently enacted transgender protections.

Congressional Education Week

NCTE is proud to announce an effort to bring transgender people and our allies together in a national project to educate lawmakers about our lives and the issues we face as trans people.

Congressional Education Week will take place April 5-8, 2004 in selected states and congressional districts across the country. We see this effort as an educational complement to the necessary lobby days that many national LGBT organizations coordinate, such as the upcoming National Transgender Advocacy Coalition Lobby Days to take place from April 28-30 (see www.ntac.org/lobby/2004inf.html for more information).

NCTE will work with local activists to build small teams and conduct in-district, educational meetings with members of Congress whom NCTE has identified as pivotal in extending federal anti-discrimination rights to trans people. **All of these meetings will take place while members of Congress are in their home districts, so teams will not need to travel to Washington DC.**

NCTE is launching Congressional Education Week as a way to empower local trans people and allies around the country to accelerate the much needed education of the United States Congress. It is vital that members of Congress know that they have transgender constituents as well as constituents who are trans allies.

One goal of this project is to continue, and in some places begin, educating the lawmakers of this country about transgender issues. Another goal is to increase our power as a movement. Never before have transgender people from around the country conducted strategic in-district Congressional Visits simultaneously.

Not only will this event show our members of Congress that transgender people exist in their states and districts and are paying attention to their actions, but it also brings us together as a movement and aides us in building relationships on the local, state and national level.

Go to www.nctequality.org/Congressional_Education_Week.asp to get more information. If you are interested in being a part of this educational effort, please contact us at ncte@nctequality.org.

Maryland Attorney General's Office Recommends College Park Deny Protections for Transgender Students

Last month, the Maryland Attorney General's office recommended that the University of Maryland administration not accept the proposed addition of gender identity and expression to the University's College Park Human Relations Code.

In a memo to William E. Kirwan, Chancellor of the University System of Maryland, Assistant Attorney General Elena Langrill stated that adding protections based on gender identity or expression would be "acting beyond the scope of existing federal, state, and local laws, and also going beyond the categories of individuals or behaviors protected by Board of Regents Policies".

Langrill also states in the memo that “There is little precedent from which to draw in interpreting the scope of the proposed changes to the UMCP’s Human Relations Code” and that “the proposed changes to the Human Relations Code would take College Park into relatively uncharted territory with respect to discrimination law.”

In actuality, several universities around the country have moved to add gender identity and expression into their policies (including neighboring Washington DC school, American University.) To see a full list of these schools go to www.transgenderlaw.org. Also, 68 jurisdictions nationally, including the local law of Baltimore, MD, protect people based on gender identity and expression in their anti-discrimination policies (see www.nctequality.org/AntiDiscriminationByJurisdiction.pdf for a complete list). Some of these policies have been in existence since 1975.

In her memo to Chancellor Kirwan, Assistant Attorney General Langrill not only inaccurately depicted the frequency of transgender inclusive anti-discrimination policies, she also used language that trivialized and demeaned the experience of transgender people by stating that this policy “could create difficulties for the University involving issues of grossly inappropriate dress, possibly disrupting the campus atmosphere...”. Langrill uses the example of students or faculty wearing “microscopic thongs” to class.

NCTE stresses the importance of colleges and universities adding gender identity and expression to their nondiscrimination policies. Administrators need to avoid the transphobic notion that the existence of transgender people on our campuses is inappropriate or distracting and see the real life importance of these policies.

In a report written by Susan Rankin and published by the National Gay and Lesbian Task Force, Rankin cited that 41% of transgender respondents reported experiencing harassment at their universities. These incidents of harassment were most often experienced in a public space on campus. Additionally, 34% of faculty, staff, and student respondents stated that they had, at some point in the past year, concealed their sexual orientation or gender identity to avoid harassment or discrimination by teachers or supervisors. This survey gives a key recommendation to improve campus climate as including sexual orientation *and* gender identity and expression in schools’ nondiscrimination policies. (Campus Climate. Rankin, Susan. The Policy Institute of the National Gay and Lesbian Task Force. 2003.)

NCTE believes that all people should be able to live, work, and learn openly without fear of discrimination and violence. Mara Keisling, Executive Director of NCTE states, “We strongly support the work that students, faculty, staff, and advocates are doing on campuses to increase access to higher education for transgender and gender variant people and we urge administrators to take the necessary steps in protecting transgender student, staff, and faculty.”

Please contact Caeden at cdempsey@nctequality.org to find out more about the work going on at UMCP to add protections based on gender identity and expression.

San Francisco Increases Health Insurance Benefits for Transgender City Employees

On Thursday, February 26th, the San Francisco Health Services Board (HSSB) took steps in providing greater equality in health care for transgender city employees.

Three years ago the San Francisco HSSB voted to allow transgender people to access trans-comprehensive health care. These insurance policies would cover hormones and surgery for transgender people. However, certain restrictions were placed on this decision. First, transgender employees who wanted hormones and surgery covered could only opt for the city insurance plan whereas non-trans employees had a choice of plans. Also, in order to be eligible for the city plan, transgender individuals would have to be employed by the city for at least one year. The third discriminatory restriction was a cap that prevented transgender people from requesting more than \$50,000 worth of services be covered in their entire term as a city employee or retiree.

Last Thursday, February 26, the HSSB altered these restrictions to be more trans friendly. Transgender employees now have a choice of health plan options, allowing these individuals more freedom in finding supportive and sensitive doctors. The one year waiting period has been terminated, giving transgender people the opportunity to access their services in the same time period as other city employees. Finally, the cap has been raised to cover \$75,000 worth of procedures during one’s term as a city employee or retiree.

NCTE applauds the city of San Francisco ,and all those who worked to make this happen, for taking yet another positive step in securing fair and equal treatment of trans people.