THE GENDER DIVERSITY PROJECT

Resources for Education

“A progressive and cutting edge national resource for educators about gender and transgender communities.”

Lydia A. Sausa, Ph.D., M.S. Ed., C.S.E, Instructor, City College of San Francisco, Curriculum Development & Training Administrator, Center of Excellence for Transgender HIV Prevention, UCSF.
GENDER DIVERSITY PROJECT:
RESOURCES FOR EDUCATION

A project of HIV/STI Prevention Studies
Joani Marinoff, Director
Emily Thompson, Program Manager
Health Education Department
City College of San Francisco
For more information, contact:
City College of San Francisco
HIV/STI Prevention Studies
Cloud Hall, Room 404
50 Phelan Ave.
San Francisco, CA 94112
(415) 452-5202

The Gender Diversity Project: Resources for Education is a free publication. If you would like to make a tax-deductable donation to CCSF’s Gender Diversity Project, please contact (415) 452-5202.
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The Gender Diversity Project is a collection of efforts to make City College of San Francisco (CCSF) more welcoming and inclusive to transgender and gender variant students. We have produced the *The Gender Diversity Project: Resources for Education* as an action-inspired guide for staff, faculty, program coordinators, and administrators. It is intended to promote transgender and gender variant rights on campuses and in local communities. We also hope to be a resource for other college and university campuses. Even if gender identity concepts are new to you, we hope you'll find that you've come to the right place: we think you'll find the Digital Stories and learning activities both informative and accessible. Our hope is that this guide will grow, expand, and evolve according to the specific needs of different transgender and gender variant populations throughout the country and the educational institutions within those communities.
HISTORY OF THE GENDER DIVERSITY PROJECT

The Gender Diversity Project (GDP), formerly Transgender VOICES Transgender RIGHTS, began in the fall of 2004 as a result of harassment incidents directed towards transgender students at CCSF, and the emergence of advocacy partnerships comprised of CCSF student, staff, faculty, and community partners (see the history of Transgender VOICES Transgender RIGHtS in Chapter 4). During the process of developing the Resources for Education, Transgender VOICES Transgender RIGHTS changed its name to the Gender Diversity Project to more directly acknowledge the expanding concepts and language of gender identity.

In the fall of 2006 GDP joined energies with another service learning project, Community Leadership Training (CLT). CLT is a project of CCSF’s HIV/STI Prevention Studies in the Health Education and Community Health Studies Department with support from the Office of Mentoring and Service Learning. HIV/STI Prevention Studies developed as a direct response to the HIV/AIDS epidemic within the CCSF community. A district-wide project, HIV/STI Prevention Studies provides a range of services for students, including HIV testing referrals, access to safer sex supplies, referrals to community-based agencies, peer education and counseling, and career training for a number of health-related programs.

CLT analyzes the root causes of disease within a context of social and health disparities. This analysis includes an examination of the ways that oppression, injustice, and discrimination can impact risk and contribute to HIV infection. As part of our work, we identify communities at risk for HIV and then develop,
“Having instructors here at City College who were very encouraging and nurturing made me feel very safe.”
—Janetta, student

implement, and evaluate public health interventions that will positively impact the CCSF community.

In 2004, CLT chose to address the needs of transgender communities in partnership with GDP. Students conducted a literature review and found that transgender and gender variant communities experience one of the highest rates of HIV infection in San Francisco. In a large-scale quantitative study of the transgender community, the San Francisco Department of Public Health found “an urgent need for risk reduction interventions for male-to-female transgender persons”: out of 392 male to female respondents, 35% were HIV positive.\(^1\) In addition, a study conducted by the University of California, San Francisco’s Center for AIDS Prevention Studies identified HIV prevalence as only one part of a multi-interlocking system of social and health disparities directly related to gender identity and expression. Among male to female transgender persons in the UC study, 39% had lost a job or career, 61% had experienced harassment by the police, and 29% had attempted suicide.\(^2\)

Our college is no exception to the discrimination transgender and gender variant students and staff commonly face, both on and off campus. Along with daily harassment and judgment, the transgender and gender variant community faces increasing rates of HIV infection, depression, homelessness, and denial of civil rights within the political and economic arenas. And on occasions when ignorance and hatred lead to violence, gender variant individuals frequently find that resources, protection from authority figures, and a safe place to turn to are less available for gender variant individuals.
There remains a lack of research in all aspects of gender variant life, and much existing research focuses only on certain aspects of gender identity (e.g., surgical transition from male to female). Regardless of this lack of research and differences such as age, gender identity, social status, and location, it seems clear that the majority of transgender and gender variant people have experienced some level of discrimination and oppression, both institutional and individual, in their lives.

A general picture of daily discrimination, both on campus and in daily life, emerged from our research, which included a focus group with transgender and gender variant students (including both prospective and past students), individual interviews with CCSF faculty and administrators, and a survey of faculty and staff. Among the primary concerns of transgender students were harassment on campus, access to gender-neutral bathrooms, lack of forms containing appropriate gender options, and not knowing where to go or whom to talk to regarding these concerns. Transgender students want to be able to identify visible resources and safe spaces on campus. Both faculty and staff expressed the need for more awareness and sensitivity training; they also felt that they lacked knowledge of available resources for transgender and gender variant students. Administrators conveyed their strong willingness to address existing problems and confirmed that more training was needed. All individuals taking part in the research shared the same concern about personal safety for transgender and gender variant persons on campus. We used this research to design many of the aspects of the Gender Diversity Project and related resources.
Unfortunately, our research demonstrated that the transgender and gender variant student experience at City College is similar to experiences in the larger community and includes discrimination, intimidation, harassment, and even violence. From a public health perspective, these experiences help explain risk factors impacting not only health but also educational achievement. Some consequences are limited educational success, poor health outcomes, social concerns, unemployment, legal issues, and hate-motivated violence.

It is important to acknowledge that while CCSF is in some ways no different than other educational settings there has been much work and positive change in the last few years, as described in Chapter 4. These include the establishment of gender-neutral bathrooms in each CCSF building, progress on CCSF forms, new courses on transgender health and transphobia, and campus wide organizations and events to promote transgender and gender variant inclusion and advocacy.

**PURPOSE OF THE DIGITAL STORIES AND THIS GUIDE**

A central part of CCSF’s vision is to provide access to culturally competent education for all communities, including members of the transgender and gender variant student community. Accessible, supportive education for all communities, particularly those that may be marginalized, serves to enrich the overall quality of life for everyone. Creating a welcoming and encouraging learning environment for the transgender and gender variant community is supported by and fulfills the vision statement of CCSF:

**INCIDENTS OF HARASSMENT**

In 2004–2005, three transgender students from CCSF reported being harassed and assaulted. These incidents motivated students, staff, and faculty to establish the Transgender Rights Working Group.

The first incident occurred when a transgender woman was slapped and verbally abused when attempting to use the bathroom. Two students assaulted her, calling her names and telling her to: “use your own bathroom, you freak.”

A second transgender woman, enrolled in a certificate program, called the coordinator from a local hospital. On her way home from school, she was assaulted by a group of men in her neighborhood who punched and kicked her into unconsciousness. She awoke in a local emergency room. Her lip needed stitches and she lost three teeth. She was unable to return to complete her studies that semester, and subsequently withdrew from the program.

Although the assault did not occur on the CCSF campus, it clearly demonstrates the
Through the outreach to and inclusion of all populations... we seek to build an inclusive community, where respect and trust are common virtues, and where all people are enriched by diversity and multi-cultural understanding; a responsive environment in which student needs are met in a friendly, caring, and timely manner; and a working environment for all faculty, staff, and administrators in which everyone is valued and the climate is supportive, positive, and productive.3

The Gender Diversity Project’s goal is to foster partnerships in order to create a learning environment that is open to and respectful of the unique experiences and needs of transgender and gender variant students.

HOW TO USE THE GENDER DIVERSITY PROJECT
The GDP includes three short videos, or digital stories, that we developed for use in trainings and discussions. We have also developed this resource guide with background information about transgender and gender variant communities, activities to accompany the digital stories, and an overview of various initiatives to enhance transgender rights at CCSF.

Chapter 2 provides an overview of factors that impact the lives of transgender and gender variant people including health, education, employment, violence, and legal issues. It includes a summary of current research and profiles of both local and national efforts to effect change.
Chapter 3 introduces and describes activities for our Digital Stories on gender identity and diversity. It includes summaries of each of the short videos, detailed discussion questions, adaptable curriculum, and tips for addressing specific concerns in the classroom.

Chapter 4 is an overview of many of the initiatives within specific departments and throughout CCSF working on behalf of transgender and gender variant people. This is by no means comprehensive, but it does include many strategies we have used at CCSF to advance students’ rights. We hope these examples provide inspiration and support to continue advocating for change.

Chapter 5 describes the concept of being an ally to transgender and gender variant people. It includes strategies and tools and incorporates the work of national LGBT advocacy groups.

The Appendix of Select Resources references laws and policies cited in this document, City College of San Francisco related programs, and a bibliography.

We invite you to join us in the creation of a community that promotes sensitivity to, awareness of, and advocacy for the transgender and gender variant community’s right to education. As we do this work, we build on and acknowledge the ongoing fight for the human and civil rights of many communities, including the past and current work of the transgender and gender variant community. We acknowledge that this project is a work in progress, but one with the clearly defined intention of addressing and preventing just some of the social discrimination that exists on our campus. Our goal is to create a living document that will be used as a resource for transgender and gender variant
“Despite the fact that society is set up in such a way for us not to succeed, a lot of people have. That gives us hope: looking at role models, at the transgender people who have made it. We, along with them, are creating more awareness in society.”

—Sara, *Inside Out*  
(a collection of autobiographical stories told by transgender and gender variant students at CCSF)

“We have the right to be who we are and get the education we want, to better our futures and reach for our dreams and goals just like everyone else. So open your minds, open your hearts, and get some education on who we are…instead of fighting against us, fight along side us.”

—Bo, student

advocates and allies. We encourage you to use this guide as a reference point for:

» Developing curriculum  
» Changing institutional policies and current discriminatory practices  
» Creating visible resources in campus communities for transgender and gender variant students  
» Developing professional training and anti-discriminatory practices

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A note about terms and language

Throughout this guide, we have used the terms transgender and gender variant to describe individuals who do not fit into the binary gender identities of male or female. According to Holy Old Man Bull (formally Marcus de Maria Arana), Discrimination Investigator, Trainer, and Mediator for the San Francisco Human Rights Commission:

We use the labels of transgender and gender variant when we want to be inclusive in our language about people. Not all people perceived to be gender variant people (i.e., masculine women, feminine men...) see themselves as transgender, and they may not see themselves as gender variant either. While transgender can be an identity, it is also a perception of a person held by others, whether accurate or not. The same can be true with what we call gender variant. A so-called feminine man is mostly a perception held by others about a transgression of gender role expectations, as opposed to an actual identity held by that man.

We recognize, however, that these terms and the language used frequently shift according to a given community's culture and based on location, age group, and time period.

A BRIEF GLOSSARY OF TERMS

Transgender: An umbrella term for people whose gender identity, expression, or behavior is different from those typically associated with their assigned sex at birth, including but not limited to transsexuals, crossdressers, androgynous people, genderqueers, and gender non-conforming people.

Gender identity: An individual’s internal sense of being male, female or something else. Since gender identity is internal, one’s gender identity is not necessarily visible to others.

Gender variant: A term for individuals whose gender expression is different from societal expectations based on the sex at birth.

Transphobia: Fear based on a person’s perceived and/or known gender variation; occurs on a localized and a global scale.

This symbol is commonly used by/for the transgender community and is intended to inspire pride and freedom.
ACKNOWLEDGEMENTS

GDP was written over the course of several semesters as a partnership between students, faculty, and staff. Our main contributing writers were Logan Berrian, Kristin Lysko, Emily Thompson, Tim Berthold, Beth Freedman, and Joani Marinoff. This guide is also the result of collaborative work with many different individuals from various groups, organizations, and communities. We want to acknowledge all who researched, contributed, assisted, and guided us in creating this document.

We’d like to begin with the students who were involved in this project: Jose Carlos Asencios, Rory J. Blank, Perry Brandon, Shamim Butt, Terrilynn Cantlon, Jenny Daniels, Fernando Escobar, Xiang Gao, Adhamh Hoeltzel, Iman Lacroix, Mica Chavez-Larimer, Brian Lum, Mario Marquez, Erin McCarron, Alfonso Moore, Tom Taylor, Monika Weiss, and Heather Williams. There are also many students who gave us wonderful quotes throughout this project and we appreciate their words and experiences immensely.

We also want to acknowledge the staff, faculty, and administrators at CCSF who contributed their time, writing, thoughts, and support to this project: Ms. Bob Davis, Ardel Thomas, Alvaro Morales, Ben Macri, the 2006–07 CCSF Board of Trustees (Natalie Berg, Derick Brown, Anita Grier, Milton Marks, Julio J. Ramos, John Rizzo, Rodel E. Rodis, and Lawrence Wong), Don Q. Griffin, Carl Koehler, Chris Francisco and the Office of Mentoring and Service Learning, and Graphics Communication, especially Colin Hall, Alysson Satterlund, and Chancellor Phillip Day. Chancellor Day’s ongoing support for this project has been invaluable and we would like to thank him personally for utilizing the Chancellor
Chapter 1: Introduction

Discretionary Fund so that we could subtitle the digital stories, making them accessible to more audiences.

Our deepest appreciation to the reviewers of this guide who patiently saw us through several iterations: Holy Old Man Bull, Sean Beougher, Chris Daley, Jeanna Eichenbaum, Billie-Jean Kanios, Lydia Sausa, and Willy Wilkinson. Special thanks to Lydia Sausa, the National Center for Lesbian Rights, San Francisco Public Library (particularly Nancy Silverrod), and the Transgender Law Center for being so generous with their resources.

We want to especially acknowledge Roni Jacobs for her fabulous insight and for titling our work and Lindsay Pratt for her inspiration, tireless fact-finding, and citation expertise. Special acknowledgements must also be made to CCSF graphic design student Kerstin Svendsen for formatting this guide and to Kate Kendell for her generous contribution and thoughtful analysis regarding employment discrimination in Chapter 2. Finally, none of our hard work would have been realized into this document without the talents of our editor, Alisa Messer.

ENDNOTES

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Chapter 2
CURRENT CHALLENGES AND TAKING ACTION

The following chapter concentrates on the many forms of discrimination transgender and gender variant communities experience. It is divided into five major areas of concern: healthcare access, education, employment, hate-motivated violence, and legal rights. Transphobia and discrimination are used interchangeably to signify oppression towards transgender and gender variant people.

One major limitation of the data presented here is the lack of research about transgender and gender variant people, which reflects and perpetuates transphobia by ignoring transgender and gender variant communities and contributing to their invisibility. Much of the research data cited in this guide comes from studies conducted in San Francisco that, for various reasons, used non-random methods to recruit participants. This methodology makes it difficult to generalize findings to transgender and gender
variant people in San Francisco in general, much less the whole country. However, the data certainly reveals trends and highlights the situations of the study participants. We believe this information is useful in forming a picture of the experiences of transgender and gender variant people.\(^a\)

Although the inequities highlighted in these sections may be unsettling, one of our tasks as facilitators, educators, students, community providers, and advocates is to be mindful of the complex dynamics that inform people's lives. This background information can help us understand these contexts—institutional, economic, social, and cultural—and we hope that, in combination with the digital stories and the Gender Diversity Project's other resources, we can assist you in making your environments more inclusive.

**HEALTHCARE: WHERE WE ARE NOW**

Transgender and gender variant people face multiple barriers to accessing health care, including discriminatory treatment from providers, denial of appropriate screening and treatment, and rejection of health insurance coverage.\(^1\) Even those with basic health coverage have difficulty finding providers who acknowledge concerns specific to transgender and gender variant health.\(^2\) According to the Transgender Law Center, discrimination also takes place through the denial of mental health, drug rehabilitation, and other services provided by community oriented agencies geared towards preventing and treating diseases.\(^3\) Discrimination can result in decreased accessibility to medical services,\(^4\)

\(^a\) One response to the difficulties—and necessities—of data surrounding transgender and gender variant communities can be found in the short video from the Community Clinic Campaign in Los Angeles: *Demograph Me. Community Clinic Campaign in Los Angeles*. Available at: [http://www.youtube.com/watch?v=FmSTp3LLwts](http://www.youtube.com/watch?v=FmSTp3LLwts). Accessed February 22, 2008.
higher rates of depression, attempted suicide, and increased risks of infectious diseases including HIV and other sexually transmitted infections (STIs).\textsuperscript{4} Many medical providers lack awareness of the health concerns and needs of transgender and gender variant people. Some of the ways that transphobia is perpetuated in the medical system include inappropriate name and pronoun use, forced disclosure of transgender and gender variant identity, and denial of appropriate referrals to organizations specific to the clientele.\textsuperscript{5} Documented cases demonstrate that transgender and gender variant people are denied treatment for ovarian and other gynecological cancers, liver damage, and mental health conditions.\textsuperscript{6} In addition, insurance companies frequently refuse to pay for hormones, surgeries, and other transgender-related medical services.\textsuperscript{7} Unfortunately, discriminatory practices such as these discourage many transgender and gender variant people from seeking medical services until there is a medical emergency—at which point they may still avoid medical care.

Without healthcare and services, transgender and gender variant people may be forced to purchase medications and hormones off the street without receiving appropriate prescription directions and without access to sterile needles or regular, safe monitoring of usage. Ultimately, it is not only health needs that are specific to the transgender and gender variant community that are likely to remain unaddressed because of the complexities of access to reliable medical care; when accessing healthcare becomes difficult, common medical needs—even a common cough
or a preventative check-up—are also more likely to go without medical attention, leaving transgender and gender variant individuals at risk.

**HEALTHCARE: WHERE WE WANT TO BE**

*All people deserve basic and accessible forms of healthcare and coverage. Healthcare extends beyond visiting a doctor for illness; it includes the right to treatment for all medical needs, prevention of diseases, and information on health services. Ideal medical providers and facilities accept and treat patients without judgment, and decisions are equally decided between physicians and the client in need. Health and access to healthcare are essential.*

**ACCESSING HEALTHCARE: TAKING ACTION**

In response to transphobia within the public health and and health care fields, City College of San Francisco established a new course, HLTH 95: Transgender Health: Working with Clients and Communities, in order to highlight health disparities and minimize transphobic practices in health care settings. Other steps taken by CCSF include providing gender-neutral bathrooms in the Student Health Center, creating a transgender category on the Center's health forms, and developing resources for transgender and gender variant communities on campus. Additionally, other departments and programs at CCSF continue to strive for innovative ways to address the all-encompassing health concerns of transgender and gender variant people.

On a larger scale, local and national organizations are working to address the health needs of transgender and gender variant

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b For course descriptions, please refer to the online CCSF catalog available at: [http://www.ccsf.edu/Catalog/](http://www.ccsf.edu/Catalog/)
patients. It should be noted that San Francisco leads the nation in access to transgender-related medical care, with trained providers at a number of clinics providing services for free or at low costs. One such example is The Tom Waddell Health Center, which in 1993 established the Transgender Clinic to serve anyone who identifies as transgender with the goal of providing a respectful and welcoming atmosphere. Services include but are not limited to hormone therapy, medical assessments, mental and social assistance, and preventative health care.

Nationally, the long-active Transgender Health Action Coalition hosts an annual Trans-Health Conference in Philadelphia, connecting with health and social service providers and members of transgender and gender variant communities. The Transgender Law Center advocates for education and patients’ rights and helps with local health-related campaigns throughout the U.S., such as Los Angeles’ Community Clinics Campaign (C3), created in conjunction with the FTM [Female-to-Male] Alliance of Los Angeles. Because there are no low-cost clinics in Los Angeles that provide care (basic or gender-specific) to transgender adults, C3 is using a community organizing model to increase the capacity of community clinics to provide competent services to the transgender and gender variant communities.

Nationally, the Gay Lesbian Medical Association (GLMA) advocates and provides resources for patients and providers to ensure equality in healthcare for LGBT communities. Publications include “Provider Guidelines for Creating a Welcoming Environment” and, for potential patients, a searchable database to locate providers.
“I’ve been called ‘sir’ and ‘mister’ a lot when talking to someone in person trying to ask for info, help, food in the cafeteria, or from my teachers repeatedly even after telling them numerous times I am female and go by ‘she’.”
—Bo

“For two years I scheduled my classes to be able to leave campus to use the bathroom after one too many hostile encounters in the bathroom.”
—Ari

**EDUCATION: WHERE WE ARE NOW**

Transgender and gender variant students at all levels of education experience elevated rates of discrimination, harassment, and assault. Public and private educational institutions, including community colleges and universities, often lack awareness on how to appropriately address discriminatory practices against transgender and gender variant students and faculty. Many of those targeted for harassment and violence report feeling alienated from school activities and the overall educational system. As is the case in all populations, limited educational resources and depressed academic expectations result in lower enrollment and higher drop out rates; the result can be a domino effect of unemployment, homelessness, limited access to health care, and disillusionment with institutional structures. For a community facing, overall, high levels of discrimination in contemporary society, the costs of under-education are particularly severe.

Other major setbacks for transgender and gender variant students and staff on campuses include verbal harassment and name calling, physical abuse when using public facilities, lack of support systems such as culturally competent counselors, and applications with only male and female categories. Additional concerns for transgender and gender variant people are insufficient outlets to report violent acts occurring against transgender and gender variant faculty, staff, and students on school property, slow investigative practices by campus security and police when hate crimes are reported, and feelings of minimal to no safety on school grounds.

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4 See GLSEN’s 2003 National School Climate Survey for a discussion of the link between sexual harassment and “poor performance and diminished aspirations” for GLBT-identified youth. Available at: www.glsen.org/binary-data/GLSEN_ATTACHMENT/300-3.PDF
4 See Chapter 1, pages 4–6 of this guide and the “Transgender Voices” Digital Story for examples of known incidents at CCSF.
Chapter 2: Current Challenges and Taking Action

**EDUCATION: WHERE WE WANT TO BE**

The role of academic institutions is to expand knowledge, information, skills, and opportunities for everyone; access to education is a right rather than a privilege, and accessibility is a central tenet of the community college. Only when students, staff, and faculty feel safe, encouraged, and respected is it possible to foster an equitable, quality education. Such an education helps people reach their goals and opens the door to more opportunities. Inclusive school settings promote positive educational experiences and the increase in likelihood of future achievements.

**ACCESSING EDUCATION: TAKING ACTION**

City College of San Francisco is dedicated to providing the best educational opportunities possible for all students, which includes transgender and gender variant people. The college complies with state law to uphold anti-discrimination procedures and encourages respect for all students so that they can pursue their educational goals. CCSF’s Equal Opportunity Statement affirms its intention to provide all persons with equal employment and educational opportunities... regardless of race, color, ancestry, national origin, ethnic group identification, religion, age, gender, marital status, domestic partner status, sexual orientation, disability or AIDS/HIV status, medical conditions, gender identity, or status as a Vietnam-Era veteran.”

As a result of activism on campus, CCSF has created a Transgender Outreach and Advocacy Coordinator whose activities
range from advising transgender and gender variant students to conducting community outreach and advocating for policy changes on behalf of transgender and gender variant students.\(^*\)

In California and in other states, legislation seeking protection for transgender and gender variant students is taking hold, and California has endorsed anti-discriminatory laws protecting students regardless of gender identity or sexual orientation. The California Student Safety and Violence Prevention Act of 2000 (AB 537) prohibits gender-based discrimination by providing guidelines on how formal complaints and legal actions can be filed against offenders. AB 537 expands the state’s definition of gender to include “perception of a person’s identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth.”\(^*\) There are over 100 colleges and universities in the United States that have non-discrimination policies based on gender identity.\(^*\)

\(^*\) See Chapter 4 of this document for more information about this position and other advocacy at CCSF.
“When I began the gender change process, all hell broke loose in the workplace. Initially my supervisors at work didn’t approve when I notified them of my plans to transition from male to female. My boss prevented me from ordering a female flight attendant uniform and I was actually removed from flying. I protested the actions of my managers by pleading my case to the HR department of the airline. Eventually, my gender was officially changed and I returned to flying as the stewardess that I was always meant to be.”

—Kelly, Inside Out

EMPLOYMENT: WHERE WE ARE NOW

Transgender and gender variant people may experience many forms of discrimination in the work place in applying for work, maintaining employment, and gaining promotions. In a limited survey of transgender and gender variant people living, working, or looking for work in San Francisco, respondents indicated median incomes ranging between $744 and $1100 per month, while 70% of trans-identified individuals in the study sample were unemployed. Consequences for transgender and gender variant people may include increased rates of homelessness, reliance on commercial sex work, reduced accessibility to health services, and difficulty finding future employers.

Some employers refuse to hire applicants on the basis of transgender or gender variant identity or expression, regardless of their qualifications. Employers may discriminate against transgender and gender variant persons in how they are allowed to dress, the work they are assigned, and the amount of customer contact allowed. If hired, both individual and corporate employers may discriminate by intentionally using incorrect pronouns in front of employees, or “outing” a person’s gender status to other workers. Anxieties surrounding forced disclosure on applications or during interviews, harassment when using public bathrooms at work, and possible termination based on transgender and gender variant identity are significant concerns. Employment discrimination may lead to emotional and mental health challenges or conditions, as well as long-term and exhaustive searches for employers who do not harbor discriminatory policies.

¹ This survey includes a disclaimer: “It is not a random sampling and should not be understood to be scientific in nature.”
“After nine years chronically unemployed, I obtained work/study at CCSF. The support and mentorship I received returned me to a state of esteem. It had been over nine years since I had been able to obtain any employment beyond working in a parking garage, driving a taxi, or unemployment. Many of my peers were supportive.”

—Terrilynn

EMPLOYMENT: WHERE WE WANT TO BE

Everyone should have the right to a safe working environment that is free from discrimination and harassment based on identity, including gender identity. Employment not only generates income, which allows us to provide the necessities for ourselves and our families, it can also be a source of self-esteem, provide social support, and positively impact our mental and physical health.

ACCESSING EMPLOYMENT: TAKING ACTION

In California there are legal consequences for employers that use discriminatory practices and policies against transgender and gender variant people. More and more, employers are required to adopt equal opportunity directives when employing and promoting transgender and gender variant people, as well as provide diversity job trainings. Many cities like San Francisco strive to protect transgender and gender variant individuals, and CCSF upholds procedures to include transgender and gender variant people in employment and job training opportunities.

Responding to growing concerns over transgender and gender variant rights across the country, California’s 2003 Gender Nondiscrimination Bill (AB 196) amended the Fair Employment and Housing Act, explicitly prohibiting employment and housing discrimination on the basis of gender identity in order to protect transgender and gender variant people.25

In 2000, the California Legislature passed a state modification of the Americans with Disabilities Act (ADA) in order to allow transgender and gender variant individuals protection from discrimination. The ADA excludes “Transsexualism” or “gender
Chapter 2: Current Challenges and Taking Action

“dysphoria” (each labeled as a “disorder”) from protection; AB 2222 reverses this exclusion, preventing any form of employment discrimination on the basis of gender variation as a disability. Though this change offers protection, it may also promote gender variant identities as ill or disabled and further stigmatize transgender and gender variant people.

These are just some of the legal responses to employment discrimination, an area where there has been a significant amount of advocacy. In fact, since 1975, gender anti-discriminatory legislation has increased within a total of 105 state, county, and city jurisdictions.

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**DISCRIMINATION IN THE WORKPLACE**

What is the law in your city and state?
Are transgender and gender variant people protected from discrimination in the workplace?

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The Employment Non-Discrimination Act (ENDA) is a bill to create a federal law which would prohibit discrimination in employment based on sexual orientation or gender identity. Nearly five years ago, national legal and political LGBT groups worked side-by-side with Congressional leaders to ensure that federal legislation being advanced would protect not just lesbian, gay, and bisexual people who face discrimination because of who they love, but also transgender people and gender non-conforming lesbian, gay, and bisexual individuals who face discrimination because of how they look and act. A huge investment was made to ensure that the language in the proposed federal law would plug gaping holes in existing law that leaves our community vulnerable to discrimination. The language that was decided upon and initially included in the version of ENDA advanced this [2007] legislative session was “sexual orientation and gender identity.”

In October of 2007, after much controversy, the United States House of Representatives passed HR 3685, a version of ENDA that does not include protections based on gender identity. This vote on an ENDA stripped of protections based on gender identity is a shell of the victory it could have been for our community. The bill passed by Congress would, if it became law, allow transgender workers, and we believe some lesbian, gay, and bisexual workers who do not conform to gender stereotypes, to suffer discrimination at work with no protection or recourse. In early September, the National Center for Lesbian Rights joined more than 360 organizations in forming United ENDA, a coalition of lesbian, gay, bisexual, and transgender civil rights groups which lobbied for a bill which includes protections against discrimination based on gender identity.

Over the past two decades, many federal courts—including the U.S. Supreme Court—have adopted astoundingly narrow constructions of anti-discrimination statutes. For example, although statutes prevent employers from discriminating based on national origin, courts have nevertheless interpreted those statutes to permit employers to discriminate against workers who speak with an accent associated with a particular country or region. Similarly, courts have interpreted race discrimination statutes narrowly to permit employers to discriminate against workers who wear hairstyles (such as braided hair) associated with a particular race. The basis for these decisions is that not all persons from other countries speak with an accent and that not all persons of a particular race wear
a particular hairstyle. Unfortunately, it does not take a stretch of imagination to envision a court holding that a statute prohibiting only sexual orientation discrimination does not protect a butch lesbian or a feminine gay man because not all lesbians and gay men are gender non-conforming.

Moreover, by dropping “gender identity” from the bill, this enormously important federal law betrays the transgender community. Our transgender brothers and sisters have stood with this movement from our earliest beginnings. Transgender individuals lose jobs, are rejected from consideration for employment, and are passed over for promotion at greater rates than lesbian, gay, or bisexual employees. It is morally wrong to work to gain protections for some at the expense of others, especially the most vulnerable members of our community. Cutting gender identity out of ENDA will make it immeasurably harder to ever pass federal protections for transgender people because it sends the message that this type of discrimination is acceptable and leaves trans people politically isolated. This is not an “incremental” strategy; this would push transgender people backward and make those most in need of protection in our community even more vulnerable.

It is fully expected that the version of ENDA passed by Congress, if it passes in the Senate, will be vetoed by President Bush. Given this fact, the effort now moves to the hard work of educating members of Congress and the public about why protections based on gender identity are so important and how vital it is that discrimination based on gender identity and expression is made unlawful. The outcry from the LGBT community in reaction to the removal of protections based on gender identity was swift, strong, and effective. There must now be efforts to build on that foundation and assure that any future version of ENDA include gender identity protections.
“As far as affecting my personal relationships, people are sometimes taken aback when they find out [that I’m transgender]. I’m afraid of a negative and perhaps violent reaction, so I always try to be as up front as possible, but I don’t want to be only known as ‘Todd the transgender.’”
—Todd, Inside Out

“I was beaten up at Polk and Post Street. I had my front teeth fractured and had to have stitches put in my lip. Two of my best sisters were pepper-sprayed the night before Christmas. We are targets.”
—Sara, Inside Out

**HARASSMENT AND VIOLENCE: WHERE WE ARE NOW**

Any act of violence directed towards a community is harmful, particularly aggressive acts motivated by hate and fear. Transgender and gender variant people experience elevated rates of violence, harassment and offensive comments, sexual and physical assault, vandalism, and murder. Many transgender and gender variant people face the prospect of violence in every aspect of their lives: in school, at work, on the street, and in their homes. Perpetrators of this violence include family members, teachers, employees and co-workers, neighbors, and law enforcement.

The legal system not only fails to protect this community, but further victimizes and criminalizes transgender and gender variant people based on these identities. Without safe and effective means to report crimes, increasing numbers of transgender and gender variant people will experience violence.

A recent report on LGBT youth conducted by The Gay, Lesbian and Straight Education Network (GLSEN) found high rates of harassment and the threat of violence. Of transgender high school students surveyed nationally, 81 percent reported being sexually harassed at school because of their gender expression.

Specific forms of violence against transgender and gender variant people involve coercive and illegal strip searches, physical attacks using weapons, rape, and homicide. Unfortunately, many victims choose not to report crimes from fear of retaliation by offenders, being “outed” by police or community members, embarrassment and personal blame, and/or pressure from family members not to report. In San Francisco, more than one quarter of respondents to Minter and Daley’s “Trans Realities” survey re-
ported experiencing discrimination by the police. A broader National Coalition of Anti-Violence Programs (NCAVP) report based on 12 regions across the U.S. revealed that police officers often perpetrated harassment and violence against the LGBT population and confirmed that such incidents severely discourage the reporting of other hate crimes. NCAVP reports that when it comes to reported anti-LGBT violence, “police officers remain one of the prime categories of offenders documented by NCAVP each year.”

SAFER ENVIRONMENTS: WHERE WE WANT TO BE
An equitable society is necessarily concerned with the safety of all its members. Victims of harassment and violence all too often remain silent until it is too late to speak out; therefore, avenues for help and safety are necessary in order to prevent aggressive behaviors, even while concerted educational and legal efforts are made to prevent further violence and harassment. Ultimately, addressing why violence exists in the first place is the first step toward protecting lives and communities.

SAFER ENVIRONMENTS: TAKING ACTION
In response to acts of aggression against transgender and gender variant people at school and in broader communities within San Francisco, students and faculty at CCSF honor the National Transgender Day of Remembrance by hosting our own Transgender Awareness Day to commemorate the lives lost to hatred and violence and to provide education to help prevent such attacks. We have used several of the Digital Stories in this guide as a means to facilitate dialogue and expand awareness and visibility
of gender equality and public inclusion. Other efforts involve the development of a “transgender friendly” sticker campaign and the development of this publication. 

Nationally, other groups have formed in reaction to violence against the transgender and gender variant community. The National Transgender Day of Remembrance takes place every November to honor and remember those affected by violence and prejudice. Remembering Our Dead, a side project to the Day of Remembrance, memorializes transgender and gender variant people who have died from hate-directed violence. The case of Gwen Araujo, a young transgender woman from the Bay Area brutally beaten and killed by four men at a party, received national attention and opened discussions on transgender safety. Three of the men accused in her murder were sentenced in February of 2006; two of them received the mandatory sentence of 15 years to life, another received eleven years, and the fourth man just six years. This case offers some encouragement that violence against transgender and gender variant people will be taken seriously and will not be tolerated, and that violent offenders who act out against transgender and gender variant people can be successfully prosecuted.

\* See Chapter 4.
As should be clear from our discussions of healthcare, education, employment, and violence above, transgender and gender variant people lack sufficient legal protections on both local and national levels. The legal problems the trans-identified population faces are significant: discrimination in employment and housing, healthcare, education, and the criminal justice system. As the National Center for Lesbian Rights (NCLR) and the Transgender Law Center (TLC) concluded in their 2003 report, transgender people “face an array of legal challenges in expressing their gender identity due to bias and ignorance regarding transgender issues.”

As of July 2007, 91 localities and 13 states plus the District of Columbia have passed and applied laws to protect transgender and gender variant people from discrimination; many communities remain unprotected. Individuals seeking to obtain or change personal documentation (e.g., a name or gender), particularly regarding U.S. citizenship, continue to encounter barriers to full legal recognition. More complexities arise during child custody cases, in which transgender parents often lose custody because of their gender identity. Some states prohibit transgender and gender variant people from litigating discrimination suits based on gender identity, and only a handful of states allow legal defenses against all types of discrimination. Without proper representation, upholding the civil rights of transgender and gender variant people remains a continuing struggle for inclusion within the legal system.
LEGAL JUSTICE: WHERE WE WANT TO BE

*Representation and recognition within the legal system are necessary in order to guarantee personal protections within society. Civil rights for all people must continually be defended, protected, and upheld by all legal structures. The struggles of many communities to establish legal visibility continue, requiring socially marginalized groups to pressure policy makers for inclusion in the law.*

ACCESSING LEGAL JUSTICE: TAKING ACTION

Decades of advocacy by and on behalf of transgender and gender variant people have increased legal protections. Raising public awareness of transgender rights is a constant goal for a growing number of student advocacy groups, faculty, and staff on the CCSF campus and an increasing number of non-profit and advocacy organizations in San Francisco and throughout the country.

In 2003, California's Gender Nondiscrimination Bill (AB 196) broadened protections against hate crimes and employment and housing discrimination to include transgender and gender variant people. Other legal benefits in California include rightfully changing name and gender “markers” on California birth certificates, social security cards, driver licenses, passports, and other documents. Legal groups like the Transgender Law Center provide transgender and gender variant people with legal services and information such as publications on transgender legal issues and various community campaigns. Other national and international organizations are dedicated to advancing political asylum, upholding civil rights and liberties, and promoting legislation to maintain the greatest protections for transgender and gender variant people.¹

Chapter 2: Current Challenges and Taking Action

ENDNOTES

Chapter 2: Current Challenges and Taking Action


Chapter 2: Current Challenges and Taking Action

Chapter 3
EDUCATIONAL ACTIVITIES, DIGITAL STORIES,
AND TIPS FOR TEACHING THIS CURRICULUM

This chapter represents the heart of the Gender Diversity Project. Here we address integrating themes of gender identity into curricula by providing examples of activities and materials that can be adapted for use in various courses and trainings. We have divided this chapter into three sections:

SECTION A: BRINGING GENDER IDENTITY INTO YOUR CLASSROOM:
» Getting Grounded in Gender Identity
» Integrating Gender Identity Across Disciplines: Assignments and Activities
» General Tips to Keep in Mind for Teaching this Subject Matter
» Addressing Challenges that May Arise in the Classroom

SECTION B: GDP DIGITAL STORIES AND DISCUSSION QUESTIONS
» “Transgender 101” plus Discussion Questions
» “Transgender Voices” plus Discussion Questions
» “Choose All that Apply” plus Discussion Questions
SECTION C: GDP LEARNING ACTIVITIES

» Activity 1: Case Study: Simone
» Activity 2: Idea Gallery
» Activity 3: Role Plays
» Activity 4: Questionnaire
» Activity 5: A Penny for Your Thoughts (Included with Permission from Lydia Sausa)

We offer this guide to increase the number of courses and contexts in which gender diversity is addressed on campus. It is our hope that others may benefit from what we have learned through our own efforts in gender identity education.

SECTION A: BRINGING GENDER IDENTITY INTO YOUR CLASSROOM:

Getting Grounded in Gender Identity

Because of the complex nature of the topic of gender identity and the transphobia inherent in our society, there is a lot of misinformation about transgender and gender variant people. Through our research, we found that there is a need at the college for basic information about gender identity and the challenges transgender and gender variant people face. We also learned that this need for basic information exists throughout the institution: for students, staff, faculty, and administrators equally.

Integrating gender identity and transgender and gender variant themes into a curriculum or course may at first appear daunting; advocates and allies willing to take this on need information, education, and support around these topics. Individuals who raise the topic may sometimes be challenged by others' fears, doubts, or even suspicions about their own gender identity or
sexual orientation (because these two identities are often conflated). When doing any type of anti-oppression work (for example anti-racism or anti-sexism work), it is often useful to begin with oneself. Self-study and examination about gender identity allows individuals to become more comfortable talking about, facilitating, and teaching the topic. This comfort and familiarity can in turn put others at ease about a very sensitive topic.

We encourage you to view gender identity as an important part of a larger context of anti-oppression work. Concerns about safety, power, and privilege in and outside of the classroom are always at play; being aware of and naming these realities can clarify and make explicit what is often invisible. As educators, we are in an inherent position of power. When we choose to use that power to illuminate gender identity, we not only offer an opportunity for learning but also send a message that this is a theme of importance for everyone.

Understandably, some educators who have not thought deeply about this or whose disciplines are not directly related may feel reluctant or intimidated at the prospect of addressing such a potentially personal and complex topic. However, we do not have to be experts to introduce this topic in our courses or curriculum. We must simply be open to starting a dialogue, and we encourage you to use the tools provided here to begin that conversation.
Integrating Gender Identity Across Disciplines:

Assignments and Activities

Here are a few examples of how gender identity can be introduced into various disciplines. What other disciplines can also be included? If not listed here, how would you introduce gender identity into your particular discipline or area of teaching?

<table>
<thead>
<tr>
<th>DISCIPLINE</th>
<th>EXAMPLES</th>
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<tbody>
<tr>
<td>Social/Behavioral Sciences</td>
<td>Reviewing basic definitions and using case studies to discuss prejudice,</td>
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<tr>
<td></td>
<td>family dynamics, and identity development</td>
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<tr>
<td>English as a Second Language</td>
<td>Guest speakers to provide basic background information</td>
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<tr>
<td>History</td>
<td>Using Trans Time and other resources to illustrate the existence and</td>
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<td></td>
<td>contributions of transgender and gender variant people over time;</td>
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<tr>
<td></td>
<td>including other transgender and gender variant history readings and</td>
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<tr>
<td></td>
<td>legal rights (see our Appendix for examples)</td>
</tr>
<tr>
<td>English</td>
<td>Assigning texts featuring transgender and gender variant people or</td>
</tr>
<tr>
<td></td>
<td>identity themes</td>
</tr>
<tr>
<td>Economics</td>
<td>Using resources from the Transgender Law Center and recent studies</td>
</tr>
<tr>
<td></td>
<td>documenting pay and employment discrimination for transgender and</td>
</tr>
<tr>
<td></td>
<td>gender variant people</td>
</tr>
<tr>
<td>Nursing</td>
<td>Using Digital Stories, background definitions, and case studies to</td>
</tr>
<tr>
<td></td>
<td>increase sensitivity when working with transgender and gender variant</td>
</tr>
<tr>
<td></td>
<td>clients</td>
</tr>
<tr>
<td>Child Development</td>
<td>Using Digital Stories, background definitions, and case studies to</td>
</tr>
<tr>
<td></td>
<td>increase sensitivity when working with transgender or gender variant</td>
</tr>
<tr>
<td></td>
<td>children or family members; helping future teachers and childcare</td>
</tr>
<tr>
<td></td>
<td>workers consider ways to decrease stigma and harassment among children</td>
</tr>
<tr>
<td>Health Care Technology</td>
<td>Using Digital Stories, background definitions, and case studies to</td>
</tr>
<tr>
<td></td>
<td>increase sensitivity when working with transgender and gender variant</td>
</tr>
<tr>
<td></td>
<td>clients</td>
</tr>
<tr>
<td>Political Science</td>
<td>Reviewing civil rights and protective legislation for transgender</td>
</tr>
<tr>
<td></td>
<td>people, as well as the social movements that created such protections</td>
</tr>
<tr>
<td>Math</td>
<td>Using the idea that gender identity goes beyond male and female to</td>
</tr>
<tr>
<td></td>
<td>illustrate non-binary versus binary concepts</td>
</tr>
</tbody>
</table>
Adopting one of the following strategies can begin to enrich students’ experiences and make the classroom a more welcoming place for all.

Design an assignment such as an interview, a paper, or a reflection about gender identity or transgender and gender variant themes. Students can also be encouraged to reflect about their own gender identity in writing and artistic ways (poetry, drawing, composing music, etc.). Students can be invited to engage with others in dialogue about their gender identities and their familiarity with transgender and gender variant topics. Materials developed by Transgender VOICES, Transgender RIGHTS, such as Inside Out and Trans Time (see appendix), may be useful as texts that students can engage with and reflect upon. Instructors may also use other films such as the digital stories or films in our resources guide to introduce a discussion. Students can also be invited to reflect on the relation of gender identity to a specific discipline (e.g. Political Science, Child Development, Economics).

Films and books with transgender and gender variant characters and gender identity content can be part of the course readings and students can react to those readings. However, it’s important to note that mass media/popular entertainment is not always current when it comes to cultural change, and often reflects the anxieties, fears, and prejudices of the culture. Thus mass media depictions do not generally provide realistic portrayals of transgender and gender variant people. Students may have to look deeper to find these portrayals. Instructors can use this concern as a teaching tool, encouraging critical thinking skills by
having students critique portrayals of transgender and gender variant people in mass media.

As you integrate gender identity into your classroom, we hope you'll find the specific learning activities mapped out later in this chapter particularly helpful.

Using classroom learning activities is an excellent strategy in skills-based courses, where working with varied content is a means of improving specific skills (e.g. web design, graphic design, speaking a language). For example, in an English as a Second Language course, students can discuss concepts of gender and gender identity as a means of improving their English. Students can be encouraged to share global perspectives on gender identity. Instructors can design role-plays, activities, and exercises that feature transgender and gender variant people or themes to encourage students to expand their attitudes and question their assumptions. Please note that certain concepts may be difficult to translate, especially words that have an original meaning that has been reclaimed. Start out with the basics and let students ask questions; they will lead you to the areas where they need more information or explanation. Discussions of pronouns in language classes may be a particularly relevant opportunity to acknowledge gender identity themes.
General Tips to Keep in Mind for Teaching this Subject Matter

Tip 1: Distinguish between gender identity and sexual orientation.

Often discussion about gender identity and transgender and gender variant identities are linked to lesbian, gay, bisexual, queer, and questioning (LGBQQ) interests or sexual orientations. It is very important to note that many transgender and gender variant people do not identify as LGBQQ, and in fact identify as heterosexual. Gender identity and sexual orientation are two distinct areas of identity that are often inappropriately collapsed or merged. One reason may be that both gender identity/expression and sexual orientation often confront issues of gender roles and stereotypes and how individuals may choose to challenge or accept them. It is also important to note that often the “T” for transgender is included within LGBQQT to demonstrate support and inclusiveness.

Tip 2: Prepare yourself and participants for a productive discussion.

Some of the activities and related discussion questions we offer may be readily accessible to all classes. You may find others, however, to be more challenging in terms of how deeply and personally they address themes of gender identity, prejudice, and discrimination. We encourage you to review these activities closely and to select the activity or activities that best fit the needs and comfort level of your classroom or workplace. Take the time to watch the digital story/ies that you wish to use in class beforehand so you are not processing your own reactions at the same time that you are trying to facilitate a discussion. We also encourage you to consider, ahead of time, how you might ad-
Establishing ground rules or agreements early on in a group or classroom can be very helpful. This helps set a tone and provide a framework when conflict arises. It also helps to create an environment that invites all to participate and encourages respectful disagreement. (We discuss group agreements/ground rules in Chapter 5, “The Role of Allies,” under “Setting Guidelines in Classrooms or Meetings.”)

In bringing the topic of gender diversity into the classroom, our goal is not to tell people what to believe or feel, but to focus on learning about people who identify as transgender or gender variant. Upon deciding which activities would work best for your class or group, remember that no one is an expert; simply providing a space to explore this topic is significant.

**Tip 3: Monitor small group discussion.**

Facilitator(s) may wish to monitor small group discussions, keeping an eye out for groups that may be reluctant to engage in the activity or to address the topic with the respect it deserves. If small groups are resistant to discussing the topic in a respectful manner, the facilitator should engage with them directly. This may include asking them to share their thoughts about the discussion question and keeping them on task. If they are resistant to the assignment, let them know that this kind of conduct is not acceptable in your classroom. Use this as a teachable moment and model what it is to be an ally. Permitting this behavior to continue sends a message that you condone disrespect of transgender
and gender variant people and it undermines the purpose of the exercise.

**Tip 4: Guide large classroom discussion.**

When guiding class discussion, Facilitators may choose to share the following information, or to emphasize the following points, depending upon the contributions of the class:

» Students have the right to pursue an education in an environment free from harassment. People have the right to determine their own identity, and the name they wish to be called. Discriminatory behaviors directed toward transgender and gender variant students may be illegal depending upon the laws of your state (this conduct is prohibited in California and in the city of San Francisco).

» Harassment and other forms of discrimination may impact not only the target of these behaviors, but also those who witness the behavior. Not everyone responds to harassment and discrimination in the same way: our experiences and our responses are unique. Common responses to harassment and other forms of discrimination may include the following:

- Emotional Responses: Numbness or lack of emotion, anger, fear, guilt, shame, sorrow, despair, hopelessness, depression, hyper-vigilance, etc.
- Cognitive Responses: Negative thoughts about self, others, about education, belief system; Loss/deepening of respect for self, thoughts of revenge, suicide, etc.
- Spiritual Responses: Loss or deepening of faith in people, justice, self, belief system, religion. Asking the question:
“Why me?”
- Impact on Relationships: Alienation, avoidance/withdrawal, lack of trust in others, reaching out to friends/family for support and connection, reaching out to provide support to others in need, etc.
- Behavioral Responses: Acting out in anger (such as verbal harassment of others), alcohol or substance abuse, skipping or leaving school, increased focus on school or career, etc.

Regardless of the assumptions or prejudice that motivates people to harass those who are different than they are, the consequences of harassment are often the same.

Intervening when we witness discriminatory behavior is much more difficult than we often want to admit. We have all witnessed discriminatory, cruel or violent behavior and have chosen not to do anything about it. The consequences of NOT doing anything may send the message that discrimination is acceptable, and that this individual or group deserves to be harassed. However, it’s also important to gauge personal safety before deciding whether to address certain behaviors, especially violence. Possible actions may include:

- Saying something to the person who is doing the harassing: Ask them to stop the behavior. Tell them what you think about it.
- Saying something to someone in a position of power (e.g. an instructor, librarian, counselor, etc.): Ask her/him to stop the harmful behavior in that setting. Tell the person what you think about it.
• Saying something to the person who is being harassed. Ask her/him if she/he would like your help. Let her/him know that you witnessed the hurtful conduct, and demonstrate that you care about her/his welfare. You might do this by asking her how she/he is, if she/he would like to talk with you, get a cup of coffee, etc. Be prepared, that some people who have been the object of harassment may not appreciate or be in a place to receive an offer of support or friendship: respect their decision about this and don’t take it personally. Put the harassed person's needs above your own in this interaction.
Addressing Challenges that May Arise in the Classroom

Many teachers choose not to raise topics such as gender identity in the classroom because they are concerned about the challenges that may result. For example, teachers are worried that some learners may not address the topic with sufficient respect and may say or do things that are hurtful to others. For this reason, we have identified a list of challenges that may arise when facilitating learning about gender identity and discrimination, as well as suggestions for how to respond to these challenges. Consider this section a preview of some of the questions you may be asked, or that you may ask, when you bring this topic up in the classroom.

1) Topic relevancy

“Why is this topic relevant?”

“Why does this topic matter?”

“Why are we talking about this?”

“Why are we spending time in this class addressing this?”

Questions may come up in a course that is not directly related (or not obviously related) to gender identity and transphobia. This is an important question, and not necessarily a confrontational one. We recommend establishing the relevance of this topic and its relationship to the discipline early on, as the information may be so new and potentially threatening that it could provoke these questions. Draw connections and discuss the relevance of transphobia and gender identity with the class.
as part of the curriculum. Feel free to ask students to make these connections as well. Be prepared to answer this question for yourself, even if it never comes up. Why am I doing this work?

2) Instructor/Facilitator self-disclosure

“As the Instructor/Facilitator, when and how should I disclose my own experiences, perspectives, or identities?”

“Are you teaching this because you are transgender?”

Introducing a topic that can have such intimate connections to individuals opens the facilitator up to the possibility of personal questions. Students may want to know an instructor’s relationship to the topic. Again, it can be helpful to address this issue at the start and to honestly discuss why this is important to you. (It may be related to your commitment to social justice, or membership in the LGBTQ and/or transgender and gender variant communities, or goals for an inclusive classroom environment, etc.)

Two questions may be helpful in deciding whether to disclose your own identity:

» How would self-disclosure serve the educational goals of your class?

» What are the potential consequences for you and your relationship with this group?

It’s good to engage in self-reflection to be clear about what brought you to this topic and why it’s important to you. It’s not necessary to come out to your class in terms of your own personal gender identity, sexual orientation (or other identities) if you don’t feel safe or it feels inappropriate. You know your class best. Many instructors choose to disclose mid-semester when
there's more familiarity and safety in the classroom, as opposed to in the beginning.

3) Contradicting religion or beliefs

“My religion is against that!”

“I was taught that's wrong!”

We’re not asking anyone to change their belief system, but to acknowledge and hopefully impact a very real societal problem that is causing a lot of violence and suffering. You may choose to remind students that there are many spiritual beliefs and paths and they all have very different perspectives about this topic, ranging from embracing and celebrating gender diversity to condemning it. Anticipating this and bringing it up before discussing the topic may be useful. It’s important to distinguish between people's belief systems and why we're in the classroom: to learn various perspectives, new information, and to think critically about this information. Using classroom management techniques such as validation and then redirecting back to the topic may be helpful in this situation.

Remind participants that religious beliefs cannot be used to harass someone. Telling someone that they are immoral and going to hell is an example of harassment and should not be tolerated.

4) Overt or extreme transphobic remarks

“I'm afraid students will start using or repeating offensive language. How do I address overt or extreme transphobic remarks?”
Because the topics of gender identity and transphobia may be relatively new to many students, they may unintentionally (or perhaps intentionally) express extremely offensive remarks. Again, we refer you back to establishing ground rules or group agreements to encourage learning and promote classroom safety. For example, it may be helpful to emphasize group agreements such as “I” statements (that is, having students speak from their own experiences and perspectives) to help prevent discriminatory remarks.

It’s important to interrupt language that is hurtful to anyone’s identity or experience, as you would any other offensive comments. Letting such remarks pass sends a strong message to the entire class that they are acceptable. It’s also good to identify such comments by acknowledging that we’re all learning and that part of learning is making mistakes. We encourage you to think about the times you’ve addressed other challenging remarks and employ similar strategies.

It may be helpful to remind students that although there may be no such thing as inappropriate thoughts or feelings, there is in fact inappropriate behavior. And hurtful speech is hurtful—it can even be seen as discriminatory behavior. This is true particularly in the classroom where the rights of all students to have access to learning environments free from harassment is part of the educational code of CCSF. Inform the class of this and discuss it as it is related to other protected categories such as gender, race, ethnicity, national origin, religion, etc. It is the instructor’s responsibility to help maintain a supportive learning environment. The goal is not to stifle discussion, but to encourage people to
express their opinions in ways that discourage a hostile environment. Learning how to do this will be of benefit to the entire CCSF campus community.

5) Stereotyping

“Does that mean that all gender variant people ________?”

“Don’t stereotypes come from somewhere?”

When we talk about stereotypes in general, we point out that by definition a stereotype is a generalization about a group or community of people. While we may sometimes be able to identify a single individual within that population who matches a common “stereotype,” it simply does not follow that all—or even most—individuals will.

The range of gender identity and gender expression is limitless. Gender has been referred to as a galaxy to underscore the infinite possibility of identities and expressions. This directly contradicts what is often portrayed in movies and mainstream culture. The tendency to categorize the overwhelming amount of information we’re bombarded with makes it easy to have judgments and limited perceptions about people and ideas that are new to us. This is especially true if we’ve had limited exposure to gender variant and transgender people. Once again, it’s important to interrupt such comments and remind people that we’re spending time discussing this topic in order to debunk such stereotypes. Humans are so multi-faceted that stereotyping doesn’t adequately explain us.
Try as we might to identify characteristics that make someone a man or woman, we will always come up short. There is no single defining characteristic that all women or men share that is male or female, not even biological or genetic characteristics. Nature is simply not that structured. Part of the way we are socialized in this culture is to categorize ideas in a binary either/or framework, as opposed to simultaneously holding opposing/contradictory points of view.

6) Surgery and other body changes

“What about surgery? How do they do that?”

“How does it ‘work’?”

“Do hormones..._________?”

“I heard they ______________ and that ______________!”

The topic of surgery or hormones or other specific ways that transgender and gender variant people may alter their bodies often comes up. For one thing, this is a complicated topic that requires a lot of time. For another, and we believe this is the most important point, any type of body modification that someone may choose to take is completely up to that individual and can be very personal information. Asking about each others genitals or other body parts is generally not a part of public discourse, and certainly not in the context of a classroom setting. In addition, in no way do the personal decisions about body dictate how transgender or gender variant individuals should express their identities.

There are many ways people may choose (or not) to alter their bodies and their gender identity may or may not be re-
lated to this. This is an excellent time to remember not to be an expert. Emphasize that there is a range of behaviors people can take that reflects their gender identity, from making no changes, to dressing a specific way, to changing their name, to using certain products, to taking hormones, to getting surgery. There are many factors that go into someone making this choice. This is beyond the scope of many classes; there is a lot of good information online (give specific, high quality referrals—see our Resource Guide) as well as classes at CCSF, like Transgender Health (Health 95), that address these topics.

7) Different levels of knowledge, compassion, sensitivity, familiarity

“Some students in my class have a lot of experience or knowledge about this topic. How do I acknowledge what they have to offer without positioning them as “the expert” in the room?”

As is common with many topics where one student or a handful of students have more experience or connection to a given topic, it’s helpful to have students with more knowledge share with those with less. Small group activities encourage this. However, preventing one or two students from dominating the larger discussion or positioning themselves as experts and speaking for others can help all participants build common understanding of this topic.

In addition, students who choose to disclose their identities can become the focus of questions and attention that is often uninvited. It is no one person’s responsibility to educate the class about gender identity, or to become the spokesperson for an entire community.
8) **Transgender and gender variant people may feel re-victimized by the topic of transphobia**

When discussing transphobia and discrimination based on gender identity, as with other forms of oppression, people who directly experience that form of discrimination may have strong feelings arise. This makes sense, as this is not a theoretical or hypothetical discussion for transgender and gender variant people—this is their everyday life. To be reminded of the difficulties they may face on a daily basis can be overwhelming and trigger an emotional response. There are several things to keep in mind when doing this type of work:

» Assume that there may be transgender and gender variant people in your class or that your students may be partnered or dating transgender or gender variant people. We encourage all instructors to be as inclusive as possible and to refrain from phrasing this topic as something that happens to others.

» Be aware that one of the ways that students may express confusion about gender identity is to place blame on transgender and gender variant individuals for “confusing,” “tricking,” or somehow “misleading” others about their gender identity. It is important to explore this response carefully with students if it comes up in the classroom. Blaming oppression, in this case transphobia, on the people that experience it is a common response for those who feel confused, uncomfortable, and even hostile. Encourage students to express their confusion honestly without judging or blaming others. See next point.

» It’s okay to express feelings in the classroom. Some instructors include this in their classroom guidelines to acknowledge
that various topics may evoke powerful responses. There’s a taboo against expressing strong feelings in general in the classroom, much less crying, as evidenced by the phrase, “Don’t cry,” to comfort someone. It’s helpful to note that often expressing feelings can help to release and heal negative experiences. Crying isn’t the painful part, it’s the healing response to the painful incident.

» Have resources for students to get support outside of the classroom. For CCSF, we have included a list of supportive people and services in this guide. It’s good to have them on hand when discussing this topic so that instructors can offer referrals. As an instructor, it’s impossible (and inappropriate) to provide all of the emotional support necessary to heal from discrimination. Supportive professional counselors can be key in this process. However, it’s crucial that the counselors are experienced in working with transgender and gender variant clients, as counselors can perpetuate discrimination and oppression as well.

» Encourage students to take care of themselves. Some instructors also include this is the classroom agreements as well. Let students know that if the subject matter becomes too intense, they may leave the room or do what they need to do to take care of themselves.

» Reinforce that this discrimination is unacceptable and outrageous. We may become accustomed and even numb to some of the tragic information we learn about discrimination and oppression. It’s important to remind ourselves and our students that transphobia and all forms of oppression are wrong.
and that we all need to be outraged that it exists. Having an instructor in a position of power demonstrate this models a strong message regarding how unacceptable this is and how allies need to be just as insulted and upset as members of the group that are targeted by that discrimination.

9) Issues specific to disciplines & departments

“What about issues that might come up in specific disciplines and departments?”

Questions about bias or discrimination within a specific discipline may arise. It’s important to acknowledge that bias can exist in many disciplines and that these may come from specific historical, cultural, and social perspectives. Placing this topic in a tangible context may be helpful in illuminating where these biases stem from and how to address them effectively. For additional departmental support, it may be helpful to work with another instructor, staff member, campus diversity groups or another city consultant such as the San Francisco Human Rights Commission.
SECTION B: THE GDP DIGITAL STORIES AND DISCUSSION QUESTIONS

Introduction to Digital Stories

One of the tools we have developed to incorporate gender diversity across the curriculum is digital stories. These short digital videos—there are three (4-5 minutes in length)—use narration, dialogue, music, and images—both video and photos—to explore particular themes.

Through a collaborative effort with the Center for Digital Storytelling in Berkeley, California, students, staff, and faculty developed digital stories to inform and create a dialogue about gender identity, so that others could use this tool and facilitate discussion and activities, using the digital stories as a starting point. These digital stories are truly student driven, which makes them especially relevant in the classroom.

The relevance of the topic of gender identity is that it applies to everyone. Often transgender and gender variant people have deeply explored this area of their identity. However, we all have identities based on our genders, in much the same way we have a multitude of other identities such as races, ethnicities, etc. Further, there are so many ways to explore the topic of gender identity that it can be effectively incorporated into all disciplines and fields. We trust that you are an expert in your own field and can easily adapt this information to fit into your particular discipline.

The digital stories are for use in all disciplines. On the surface, health courses—with traditional focal points such as community and self-care as well as sexuality—may seem a natural fit for introducing themes related to gender identity. And certainly,
the fact that this project grew out of HIV/STI Prevention Studies of the Department of Health Education speaks to the many ways that poor health due to discrimination has impacted transgender and gender variant people. In addition, disciplines such as Child Development, Political Science, Nursing, Ethnic Studies, Health Care Technology, English, English as a Second Language, History, Biology, Behavioral Sciences, Anthropology, Art, etc., could all benefit from curriculum that includes transgender and gender identity themes.

We have developed a series of discussion guides that educators may facilitate after showing one or more of the digital stories. The stories can be shown individually, in combination, or all together. Their short length (4-5 minutes) allows ample time for discussion and dialogue about their major themes.

After a brief description of each digital story, we introduce discussion questions. These questions are meant to engage students and colleagues in active reflection and discussion about the topics of gender identity and human rights.

The discussion questions listed are intended to be a starting point if needed. Use as many or as few of the questions as you wish in your setting. We encourage facilitators/instructors to revise and expand the questions listed to more precisely meet the needs of your classroom or discipline.
“Transgender 101”
This digital story is an introduction to basic gender identity terms and concepts. The approach is gentle: a grade school lesson complete with chalkboard and blocks. It also introduces the term “ally” and offers concrete guidelines and suggestions for being an ally to transgender and gender variant people.

“Transgender 101” Discussion Questions

1. Digital Story concept(s)
The digital story introduced the concept that transgender rights are human rights.
   » What do “human rights” mean to you?
   » What information surprised you in the digital story?
   » What information was familiar to you?
   » How will you use this information?
   » What additional information would you like to learn?

2. Being an ally
   » Which of the 5 suggestions on being an ally do you think you will use?
   » Can you describe a situation where gender identity has come up in the past that could have been an opportunity to apply these suggestions?
   » What makes it hard to be an ally?
   » What else do you need (support, information, etc.) to be an ally?
3. **Critical application to the discipline**
   - How is gender and gender identity related to and impacted by this particular discipline?
   - Are transgender and gender variant people mentioned in your readings?
   - How might the lives of transgender and gender variant people be particularly/differentially impacted by practices in this discipline?
   - What other questions can you think of to make this topic relevant to your discipline?

4. **Rethinking gender**
   This digital story poses the question, “How do we unlearn gender?”
   - Why would we, or why wouldn’t we, choose to unlearn gender?
   - How do we learn gender in the first place?
   - What ways can we challenge traditional notions of gender?
     - Personal Exploration of Gender Identity:
     - Describe the ways that gender identity comes up for you in your life.
     - In what situations do you think about your gender identity?
     - Have you ever had to explain your gender identity to anyone?
     - Do you feel limited by your gender identity? How?

5. **Making connections**
   - If you have not spent much time thinking about your gender identity, why do you think that might be? What do you think it might mean that something that you do not spend time thinking about can be a source of discrimination for others?
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

» What other connections can you make between transphobia and other forms of oppression and privilege?

*NOTE TO INSTRUCTORS/FACILITATORS
For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.

“Transgender Voices”
This digital story features Monika, a self-identified “tranny girl”. She talks about her experience as a CCSF student, including finding other transgender and gender variant students, and about the harassment and discrimination she and others have experienced. This digital story highlights the importance of being one’s true self and how that benefits CCSF.

*Note: This digital story contains hurtful words in order to show what outward transphobia directed toward transgender and gender variant individuals can look like. Viewers should know ahead of time to expect this dialogue. Let people know that the intention of this digital story is to educate people about the harmful consequences of these words, as well as other forms of discrimination and harassment that are very real. Encourage participants to notice what comes up for them and how it affects them; give them permission to take care of themselves if need be.
“Transgender Voices” Discussion Questions

1. Digital Story Concept(s)
In this digital story, what have you heard about harassment and discrimination towards transgender and gender variant people at CCSF?

» Does this surprise you?
» How do the individuals in this digital story call upon their internal resources and use their own power to be their authentic selves in the face of adversity?
» What do transgender and gender variant students contribute to CCSF?

2. Being an ally
» How can we create an inclusive environment at CCSF?
» What can students do?
» What can staff do?
» What can faculty (instructors, counselors, librarians) do?
» What can administrators and school officials do?
» What can you do?

3. Critical application to the discipline
» How is gender identity related to and impacted by this particular discipline?
» Are transgender and gender variant people mentioned in your readings?
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4. Safe learning environments

» What do you think the responsibility of CCSF is to transgender and gender variant students?

» How does (or doesn’t) CCSF protect other groups or communities of students?

» What can you do as an individual to help CCSF be welcoming and safe for all students?

» In what ways could a group of students organize to make CCSF welcoming and safe for everyone?

5. Education legal codes (see Appendix for specific information)

» Are transgender and gender variant individuals covered in the CCSF policy against discrimination as are other protected categories of people?

» Why is this important?

» What are the current laws in San Francisco about transgender and gender variant people and discrimination and harassment?

» Are there California state laws and protection of transgender and gender variant people?

» What about other states?
6. Connections

» What kinds of experiences outside of the classroom have impacted your learning in any given classroom (in positive or negative ways)?

» Does feeling included or excluded impact your own ability to learn? What else impacts your learning?

» What might it be like for you if you felt that it was not safe to go into a bathroom because of some aspect of your identity?

» Is there any part of your life where you have felt that “being true to yourself” caused conflict with others around you, or forced you to reexamine long-held assumptions? (Examples might include falling in love and/or marrying someone outside of the group you expected, or that was expected for you, or wanting to pursue a career that was not what others wanted for you.)

*NOTE TO INSTRUCTORS/FACILITATORS

For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.

“Choose All that Apply”

This digital story discusses how each individual has multiple identities and how society often forces us to choose just one. It uses the context of CCSF as a pluralistic space to explore being silenced and reasons why individuals choose to remain silent about their identities. In addition to gender identity, the digital story also addresses race and sexual orientation, affirming that we can, in fact, “choose all that apply” and that people cannot
be squeezed into boxes. When we bring our whole and complete identities forward we may be able to more easily reach out to others.

“Choose All that Apply” Discussion Questions

1. Digital Story concepts
   » What were the main concepts in this digital story for you?
   » What are some of the many social identities you relate to for yourself?
   » Who determines your identities?
   » The digital story introduces the topic of “passing.” Have you ever felt the need “to pass”? What was the experience of “passing” like for you?

2. Being an ally
   » What does being an ally mean to you?
   » How do you decide where and when to be an ally?
   » What communities or groups to you feel close to?
   » What communities or groups do you tend to distance yourself from? Why?
   » What are the benefits and challenges of acting as an ally to others?
   » What kinds of resources do you need to be an ally (support, information etc.)?

3. Critical application to the discipline
   » How is social identity related to and impacted by this particular discipline?
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

» Are social identity and oppression mentioned in your readings?
» How might the lives of transgender and gender variant, disabled, people of color, immigrants, or others be particularly/differently impacted by practices in this discipline?
» What other questions can you think of to make this topic relevant to your discipline?

4. Personal exploration of identity

» How does social identity come up for you in your family, social, work networks?
» Does your identity come up for you just walking down the street? If so, how?
» How often do you think about your identity/ies?
» In what situations do you think about your identity/ies?
» Can your identity/ies change over time?
» How might social identity be limiting for you?
» How might it connect you to others?

5. Barriers to inclusion

This digital story raises the question of forms and how we might not fit into the “check boxes” that are often provided to us. Discuss some check boxes that you feel limit you in any way.

» How do you choose between boxes if more than one seems to fit?
» What are some ways to be more inclusive of transgender people in our application or other forms?
» What other institutional barriers can you identify that keep people from being their true selves?
6. Making connections

» How do you get to know people in communities different from your own? Be specific.

» Why is the understanding of how identities intersect and are indeed multiple, so important in building friendships, as well as working coalitions for social change?

» What are the challenges of reaching across differences to make friends or work for social change?

» What are the benefits of reaching across differences to make friends or work for social change?

*NOTE TO INSTRUCTORS/FACILITATORS
For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.
SECTION C: THE GDP LEARNING ACTIVITIES

The following five Learning Activities were developed to accompany the Digital Stories. Each interactive activity is designed to more deeply explore the topics that arise in the digital stories. Students that “experience” the curriculum in such a way often have a more profound “ah ha” moment and may be able to apply what they have learned across settings and disciplines in an authentic way. We encourage you to review each activity to assess the appropriateness for your particular class and students.

ACTIVITY 1: CASE STUDY

ACTIVITY OVERVIEW

Students will read a case study about a transgender student in small groups. Students will then respond to discussion questions about the harassment this student experiences, reflecting on the impact and how to respond to harassment. This is followed by a large group discussion about the implications of harassment.

ACTIVITY LEARNING OBJECTIVES

Participants will be able to:

» Discuss the impact discrimination experienced by transgender people has on both victims and witnesses

» Reflect on personal values related to diversity and human rights

» Identify actions that students can take when they witness acts of harassment and other forms of discrimination
### AT A GLANCE: ACTIVITY 1: CASE STUDY

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<tr>
<th>Time</th>
<th>Content</th>
<th>Activity/Method</th>
<th>Resources Needed</th>
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</thead>
<tbody>
<tr>
<td>40–60 minutes</td>
<td>The impact of discrimination and the role of witnesses</td>
<td>Show Digital Story</td>
<td>Digital Stories</td>
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<tr>
<td></td>
<td></td>
<td>Small Group Discussion</td>
<td>Simone Case Study</td>
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<td></td>
<td></td>
<td>Large Group De-brief</td>
<td>Facilitation</td>
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### ACTIVITY STEPS

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<tr>
<th>Step #</th>
<th>Time</th>
<th>Activity Method Instructions</th>
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<tbody>
<tr>
<td>Step 1</td>
<td>5–15 Minutes</td>
<td>Show one or more of the Digital Stories (Transgender 101, Transgender Voices, Chose All That Apply).</td>
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<tr>
<td>Step 2</td>
<td>3 minutes</td>
<td>Divide the students into small groups. Facilitator(s) will randomly assign participants to small groups of 3 or 4.</td>
</tr>
<tr>
<td>Step 3</td>
<td>5–5 Minutes</td>
<td>Small Group Discussion* Facilitator(s) will hand out copies of the Simone Case Study (see below) to each participant. The case study includes three questions for small group discussion. Depending upon the time available, facilitators may ask each small group to discuss all three questions (at least 15 minutes should be reserved for this), or randomly assign each small group to discuss just one of the questions, leaving at least 5 minutes for this.</td>
</tr>
<tr>
<td>Step 4</td>
<td>10–20 Minutes</td>
<td>Large Group Discussion* Facilitator(s) will ask small groups to share their thoughts with the large group, starting with Question #1, encouraging participation and expression of diverse opinions. Facilitator(s) may wish to ask the large group to respond to Question #4. Use real examples of discrimination. For example, depending upon the response of the group, the facilitator may wish to emphasize that referring to another person as “it” negates their humanity and designates them as a thing. Many people have been the target of discrimination, treated as less than human. All people deserve respect and dignity.</td>
</tr>
<tr>
<td>Step 5</td>
<td>5 Minutes</td>
<td>Any last thoughts, ideas, questions or suggestions from the class.</td>
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*NOTE to Instructors/Facilitators*

For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.
MATERIALS FOR ACTIVITY 1

Simone Case Study

Simone Rodríguez is a 32-year old woman. She has recently enrolled in college with the dream of becoming a social worker.

While she identifies as a woman, others often identify Simone as a transgender woman or as a man. On a daily basis, she hears dozens of comments that are made to or about her, primarily by students. These comments include: “Faggot,” “That’s a chick with a dick,” “Freak,” and “SheMan.” People often refuse to use the feminine pronoun when addressing or talking about Simone and refer to her as “he” or “him.” Occasionally, she has been referred to as “it.” She has experienced difficulty with several faculty; one of her teachers has insisted on referring to her as Mr. Rodríguez. Simone has also experienced difficulty with the Registrar and Financial Aid Offices on campus. The Financial Aid Office initially refused to accept her application for a student loan under her legal name of Simone A. Rodriguez; this delayed processing of her grant award by nearly six weeks.

In the past, Simone has often given up her dreams and has struggled with depression, alcoholism and thoughts of suicide. While her life often seems like one long struggle for acceptance and peace, Simone is determined to get an education and to pursue her dream of becoming a social worker. Some days, however, she just can’t make it to school.
Small Group Discussion Questions

» How would you define the behavior of students, faculty and staff at Simone’s college? Have you ever experienced or witnessed similar kinds of behavior?

» How might the conduct of other students, faculty and staff impact Simone? Specifically, how might it impact her emotions, thoughts, spirituality, relationship with others, and her behavior?

» Have you ever witnessed behavior as described in this case study? How does it impact you to witness such conduct? What can you realistically do when you witness such behavior? What factors might help you or hinder you in taking action?

Large Group Discussion Question

» What is the implication of referring to someone as “it”? What are your thoughts and feelings about referring to someone in this way?
ACTIVITY 2: IDEA GALLERY

ACTIVITY OVERVIEW
This activity addresses a number of student learning styles including; visual, individual reflection, small and large group discussion, kinesthetic learning and creativity. After viewing the digital story, participants create a written/visual “gallery” of ideas and share common themes in small and large groups.

ACTIVITY LEARNING OBJECTIVES
After completing this activity participants will be able to:
» Increase awareness of transgender and gender variant people and the issues they face
» Demonstrate inclusive language in regards to gender and gender identity
» Discuss the impact of types of discrimination on transgender and gender variant people
### AT A GLANCE: ACTIVITY 2: IDEA GALLERY

<table>
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<tr>
<th>Time</th>
<th>Content</th>
<th>Activity/Method</th>
<th>Resources Needed</th>
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<tbody>
<tr>
<td>45–60 minutes</td>
<td>Idea Gallery</td>
<td>Show Digital Story Individual write up and decoration of idea Large Group Viewing Small group discussion Large Group De-brief</td>
<td>Digital Stories Markers, paper, tape Facilitator’s Guide</td>
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### ACTIVITY STEPS

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<tr>
<th>Step #</th>
<th>Time</th>
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<tbody>
<tr>
<td>Step 1</td>
<td>10 Minutes</td>
<td>Show One or more of the Digital Stories (Transgender Voices, Transgender 101, Chose All That Apply) Introduce the Digital Story as an educational resource developed by students at City College. Inform students to write down any ideas or quotes from the Digital Story that has meaning to them or impacts them</td>
</tr>
<tr>
<td>Step 2</td>
<td>10–15 Minutes</td>
<td>Individual Reflection Each student will write up the phrase, idea, concept or quote that had meaning or an impact on him/her. Students are encouraged to be as creative as possible in writing this up on an 8½ x 11 sheet of paper. Instructors can provide colored paper, markers, colored pencils and tape. Students will then take this and post it on the wall. The wall will become a gallery of artwork created by the students.</td>
</tr>
<tr>
<td>Step 3</td>
<td>5–10 Minutes</td>
<td>Gallery Walk Facilitator directs the entire class to stand up and move around the classroom to view all the images in the gallery.</td>
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<tr>
<td>Step 4</td>
<td>10–15 Minutes</td>
<td>Small Group Discussion Facilitator(s) will randomly assign participants to small groups of 4 or 5. Students will gather in these groups and share their idea (quote, etc.) and discuss why they chose it and/or why was it meaningful for each student. After each student has shared his/her idea and why they chose it, students will then focus the discussion on the common themes of the Ideas that each student chose.</td>
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<tr>
<td>Step 5</td>
<td>10–15 Minutes</td>
<td>Large Group Debrief The Facilitator debriefs the small groups by asking each group to share the common themes that arose. The Facilitator can write these themes on the board or on a flip chart and then ask for any remaining comments/questions.</td>
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*NOTE to Instructors/Facilitators
For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.*
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

ACTIVITY 3: ROLE PLAYS

ACTIVITY OVERVIEW
Students will act out role-plays in small groups with each other and then discuss their experiences in their small groups using guiding questions. Facilitator will then lead the class in a larger discussion summarizing the content of the scenarios and common themes. If you would like to, ask for student volunteers to participate in an example role-play in front of the class.

ACTIVITY LEARNING OBJECTIVES
Participants will be able to:
» Demonstrate inclusive language in regards to gender and gender identity
» Discuss impact of types of discrimination on transgender and gender variant people
» Develop an understanding of one's own compassion and empathy in regards to discrimination and oppression
» Identify personal actions to promote human rights and decrease discrimination and oppression
» Identify political actions to promote human rights and decrease discrimination and oppression
### AT A GLANCE: ACTIVITY 3: ROLE PLAYS

<table>
<thead>
<tr>
<th>Time</th>
<th>Content</th>
<th>Activity/Method</th>
<th>Resources Needed</th>
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</thead>
<tbody>
<tr>
<td>30–45 Minutes</td>
<td>Student Role Plays Discussion</td>
<td>Show Digital Story Small Group Role Plays and questions Large Group Debrief</td>
<td>Digital Stories DVD Player and Screen and/or LCD Projector Scenarios and Questions</td>
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### ACTIVITY STEPS

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<tr>
<th>Step #</th>
<th>Time</th>
<th>Activity Method Instructions</th>
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<tr>
<td>Step 1</td>
<td>3–4 Minutes</td>
<td>Show one or more of the Digital Stories (Transgender 101, Transgender Voices, Choose All That Apply)</td>
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<tr>
<td>Step 2</td>
<td>5–7 Minutes</td>
<td>Role Play Demo Select 2 volunteers to demonstrate a role play in front of the class</td>
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<tr>
<td>Step 3</td>
<td>3 Minutes</td>
<td>Divide Students Into Groups Divide the students (class) into four (4) groups. At least 2 students will participate directly in the role plays and one or more of the other group members will act as Observers. Observers will take notes on the role plays and be prepared to give feedback to the other group members.</td>
</tr>
<tr>
<td>Step 4</td>
<td>15 Minutes</td>
<td>Small Group Role Plays Assign one of the three (3) scenarios to each group and allow the small groups 7 minutes to review the scenario, discuss it within the small group setting and act it out. Afterward Observers have 2-3 minutes to give feedback. Then role-players will give their feedback about the process. Participants will then go through several (instructor chooses) of the discussion questions in their small group.</td>
</tr>
<tr>
<td>Step 5</td>
<td>15–20 Minutes</td>
<td>Larger Group Debrief Allow time for a larger class discussion summarizing the content of each of the scenarios using the discussion points listed as well as other debriefing themes.</td>
</tr>
</tbody>
</table>

*NOTE to Instructors/Facilitators*
For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

MATERIALS FOR ACTIVITY 3

SCENARIO #1

In the hallway outside of class, some students are making transphobic remarks about a transgender student, Gene, in your class. Several students want to intervene and stop this dialogue.

Role Play the Scenario

» 2 participants will play students who want to interrupt the inappropriate commentary
» 1 participant will play a student who is unsure, afraid, or resistant to approaching the other students
» 1 participant will play the observer

The three students discuss why and how to intervene in this situation.

Suggested Discussion Points for Scenario #1

» Have you ever heard fellow students make fun of someone based on how they look?
» Have you ever heard fellow students make fun of someone based on gender presentation?
» Have you ever wanted to stop a discussion you felt was inappropriate but didn't? If so, what prevented you from intervening?
» Place yourself in another context: what if another student was making racist comments? Would you say or do anything? (Have you ever?)
» Have you ever felt uncomfortable working with another student because of their race, gender, appearance? If so what kinds of conflict came up based on these feelings of discomfort?

» How did you resolve these feelings? If you did not, what prevented a resolution that would have helped you work together?
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

SCENARIO #2

In the course of the semester, an Instructor refers to an “out” transgender student named Chris, by the wrong pronoun continually.

Role Play the Scenario

» 2 participants will play students allies who want to approach the Instructor on behalf of Chris
» 1 participant will play the instructor who is a bit reluctant
» 1 participant will play the observer

The student allies attempt to speak with the instructor about using the pronoun requested by Chris.

Suggested Discussion Points for Scenario #2

» Has anyone ever referred to you using the wrong pronoun? If so, what was that like for you?
» Has anyone ever referred to you using the wrong name or mispronounced your name? If so, what was that like for you?
» Have you ever been identified or labeled incorrectly regarding your ethnic origin, race, religion, sexual orientation or immigration status? If so, describe some feelings you had after this occurred.
**SCENARIO #3**

You and your classmate overhear students laughing and making hurtful and snide comments directly related to gender identity.

**Role Play the Scenario**

» 2 participants will play students who are allies to gender variant people

» 1 participant will play the instructor

» 1 participant will play the observer

Student allies will approach the Instructor about their discomfort overhearing this commentary in class.

**Suggested Discussion Points for Scenario #3**

» Have you ever interacted or encountered a student who was uncomfortable with another student because of their appearance or the uncertainty regarding their gender? If so, did you do anything? Why or why not?

» Have you ever interacted or encountered a student who was uncomfortable with another student because of their ethnicity, religion, language, or age? If so, did you do anything? Why or why not?

» Feeling as safe as possible is very important to all students here at CCSF. If a fellow student approached you, and said that they felt unsafe somewhere on campus, what actions would you take to support them?

» What methods could you use to create a comfortable environment for yourself, others and/or the student?
Activity Overview

Students will individually read through and complete a Gender Awareness Questionnaire with definitions about identity, facts about laws, and other questions related to gender diversity. The facilitator will then go over answers to these questions as a large group. Students will then be divided into smaller groups and read aloud the Self Reflective Questions about their own gender identity, choosing three to discuss thoroughly. The activity will end with a larger group discussion based on the small group work.

Activity Learning Objectives

Participants will be able to:

- Describe concerns that transgender and gender variant communities face.
- Make connections and find commonalities between types of discrimination people face.
- Define and examine the concept of privilege and acknowledge specific privileges as they relate to oppression and discrimination.
### AT A GLANCE: ACTIVITY 4: GENDER AWARENESS QUESTIONNAIRE

<table>
<thead>
<tr>
<th>Time</th>
<th>Content</th>
<th>Activity/Method</th>
<th>Resources Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>40–60 minutes</td>
<td>Introduction to and further examination of gender identity and the roles it plays in people's lives</td>
<td>Show Digital Story Small group and individual reflection Large group de-brief</td>
<td>Digital Story/Stories 1) Gender Awareness Questionnaire 2) Self Reflective Gender Questions</td>
</tr>
</tbody>
</table>

### ACTIVITY STEPS

<table>
<thead>
<tr>
<th>Step #</th>
<th>Time</th>
<th>Activity Method Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 1</td>
<td>5–10 minutes</td>
<td>Show one or more of the digital stories</td>
</tr>
<tr>
<td>Step 2</td>
<td>5 minutes</td>
<td>Have students complete the Gender Awareness Questionnaire on their own</td>
</tr>
<tr>
<td>Step 3</td>
<td>5 minutes</td>
<td>Large Group Discussion Facilitator goes over the answers to the Gender Awareness Questionnaire</td>
</tr>
<tr>
<td>Step 4</td>
<td>10–20 Minutes</td>
<td>Small Group Discussion Facilitator assigns participants into small groups of 3 or 4. Facilitator hands out copies of the Self Reflective Gender Questions to each participant. Have participants take turns reading the questions aloud to their group and pick 3 to discuss thoroughly in the small group. These questions are more to read and discuss themes and experiences rather than to answer on paper.</td>
</tr>
<tr>
<td>Step 5</td>
<td>5–10 Minutes</td>
<td>Large Group Discussion Some guiding questions: How does gender identity play a role in people's lives? What other themes came up in your group discussion? What is one thing you will take with you from this discussion on gender identity?</td>
</tr>
</tbody>
</table>

**NOTE to Instructors/Facilitators**

For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

MATERIALS FOR ACTIVITY #4

Gender Awareness Questionnaire

Fill in the answers to the questions on the following page, choosing from the options below.

(a) Minnesota
(b) sex
(c) gender identity
(d) Iowa, Colorado, Vermont, New Jersey, California, Minnesota, Illinois, New Mexico, Washington, Hawaii, Maine, Rhode Island, or Washington, DC
(e) sexual orientation
(f) Lesbian, Gay, Bisexual, Transgender, Questioning
(g) gender expression
(h) Transphobia
(i) transgender
(j) Compton Riots
(k) gender variant, gender-queer, trans
(l) 1994
(m) Stonewall Rebellion
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

1. _____ The year San Francisco passed anti-discrimination laws for gender identity/expression.

2. _____ Thirteen states that offer protection by law for gender identity/expression.

3. _____ is the term for what the doctor deems you at birth, based on your genitals.

4. _____ is the term for a person’s own sense of being either male, female, both, or neither.

5. _____ is how people communicate their gender through mannerisms, behaviors, dress, speech, social interactions, etc.

6. _____ is an umbrella term used to describe someone whose gender identity and/or expression or behaviors are not traditionally associated with their assigned sex.

7. A person who chooses not to conform to traditional societal gender norms for their assigned sex can be known as _____.

8. A person’s emotional and sexual attraction to other people based on the gender of the other person is called _____.

9. LGBTQ stands for _____.

10. A riot that happened in San Francisco in 1966 led by members of the transgender community against SFPD raids on a cafeteria in the Tenderloin was called _____.

11. A rebellion in New York led by members of the transgender community against an NYPD raid in 1969 was called _____.

12. _____ is the fear and hatred of trans people that can lead to discrimination, harassment, and violence.

13. The first state that prohibited discrimination based on gender identity and gender expression was _____.
Answer Key

Self Reflective Gender Questions

1. Have you ever had to explain your gender identity? If so in what situations (i.e. to healthcare providers, law enforcement, officers, family, teachers, lovers, etc)?

2. What is your preferred pronoun? How often do you have to remind people to refer to you by your preferred pronoun?

3. How often are you confronted with challenges or questions about your gender identity?

4. Have you ever felt unattractive, unworthy, unsure, or unsafe because of your gender identity?

5. How does your gender identity affect how you receive health care, treatment or resources?

6. When did you learn what “masculine” and “feminine” mean?

7. What informs the way you express your gender (whether it be masculine, feminine, a combination or something else)?

8. In what ways do you adhere to traditional gender roles and expectations? In what ways do you not adhere to traditional gender roles and expectations?
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

**Activity 5: A Penny for Your Thoughts**

*Included with permission of Lydia Sausa.*

**Activity Overview**

This is a participatory activity in which students gather in small groups and earn pennies to demonstrate the access and privileges they have in terms of gender and gender expression. The activity is done in silence, except for one student in each group who reads statements related to gender. This is followed by a large group discussion about the feelings this activity evoked, the topic of privilege, and the creation of a safer world for people of all genders and gender expressions.

**Activity Learning Objectives**

Participants will be able to:

» Discuss impact of types of discrimination on transgender and gender variant people

» Develop an understanding of one’s own compassion and empathy in regards to discrimination and oppression

» Reflect on personal values about diversity, especially gender diversity

» Discuss impact of types of discrimination on transgender and gender variant people

» Define and examine the concept of privilege and acknowledge specific privileges as they relate to oppression and discrimination

» Discuss and explore strategies for becoming an ally to transgender and gender variant communities
Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

AT A GLANCE: ACTIVITY 5: A PENNY FOR YOUR THOUGHTS

<table>
<thead>
<tr>
<th>Time</th>
<th>Content</th>
<th>Activity/Method</th>
<th>Resources Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>70 minutes (90 minutes if guidelines have not been previously created)</td>
<td>Exploration and identification of gender privilege</td>
<td>Guidelines Exercise Large Group Discussion</td>
<td>4-6 gift bags, including statement sheets and pennies*</td>
</tr>
</tbody>
</table>

*The number of pennies, gift bags, and statement sheets will depend on how many participants you have. For example, if you have 20 participants you may have 4 smaller groups of 5 people each, and will need 4 individual gift bags, 4 statement sheets. Each gift bag should contain 12 pennies per person.

ACTIVITY STEPS

<table>
<thead>
<tr>
<th>Step #</th>
<th>Time</th>
<th>Activity Method Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 1</td>
<td>Review 5 minutes or create 20–25 minutes</td>
<td>If you have already created guidelines with the participants, simply take a few minutes and review them at this time. If you have not created guidelines then please take 15-20 minutes to do so now. Guidelines, Ground Rules, or Classroom Agreements are co-created by the facilitator and participants to create a more comfortable learning atmosphere. Some common guidelines may include: Maintain confidentiality; It's okay to pass; Avoid side conversations; Agree to Disagree; Be open to new perspectives; Avoid generalizations; Take care of yourself; Turn off cell phones and be present; Step up/Step back; etc.</td>
</tr>
<tr>
<td>Step 2</td>
<td>15 minutes</td>
<td>Create a common language and discuss current definitions of sex, gender identity, and gender expression with participants. The exercise will ask participants about their experiences related to these concepts and some may need clarification about what these terms mean before beginning the activity. Please note that defining sex as only biological and binary, and gender identity as only socially constructed is viewed by many as an antiquated and transphobic perspective. Please see additional readings in the bibliography section below for further information about current and inclusive definitions that highlight the complexity of sex, gender and gender expression.</td>
</tr>
<tr>
<td>Step 3</td>
<td>1 minute</td>
<td>Communicate to the participants that you are about to do a small group exercise that may be challenging for some people. As a result, any person can simply choose not to participate or can stop participating at any time if they feel uncomfortable.</td>
</tr>
</tbody>
</table>
### Chapter 3: Educational Activities, Digital Stories, and Tips for Teaching this Curriculum

<table>
<thead>
<tr>
<th>Step</th>
<th>Duration</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>2 minutes</td>
<td>Introduce the activity A Penny for You Thoughts. Explain that you will divide the group into small groups of 4-6 participants. Each group will receive a bag of pennies to play the game, and that one person will be the Reader. The Reader will read 12 different statements. Based on your individual response you will either take a penny out of the bag or not.</td>
</tr>
<tr>
<td>5</td>
<td>5 minutes</td>
<td>Divide the group into small groups of 4-6 people. Each group should gather close to each other so they can easily hear one another and not disturb the other small groups in the room. They will not need to take notes during the exercise, but instead are asked to focus only on the activity and the feelings it evokes for them.</td>
</tr>
<tr>
<td>6</td>
<td>1 minute</td>
<td>Ask each group to select a person to be the Reader. This person will simply read each statement on the statement sheet and wait until everyone has taken a penny or not (about 5 seconds). The Reader also must participate in the exercise.</td>
</tr>
<tr>
<td>7</td>
<td>1 minute</td>
<td>Provide each group with a bag of pennies and give the Reader a statement sheet. All the pennies are to remain in the bag and each group member is to have easy access (within arm's reach) to the bag. Placing the bag in the center of the group or on a desk in the center of the group is recommended.</td>
</tr>
<tr>
<td>8</td>
<td>10 minutes</td>
<td>Explain the directions to the group and strongly emphasize that the exercise MUST be conducted in silence, except for the Reader reading aloud each statement slowly in each individual group. If someone does not understand a statement they may not ask questions or discuss anything until all the groups have completed all the statements and the exercise is over. If someone is not sure if a question applies to them, they should answer based on their understanding of the question. If one group ends before another, they are to wait in silence until all the other groups are done. The Reader will read a statement aloud. If you answer yes to a statement, you take a penny out of the bag. If you answer no, you do nothing and wait until the next statement is read. The Reader also participates in the exercise. The Reader is to read each statement slowly and clearly so that each person in their small group can hear the statement. The Reader may choose to read each statement twice. Again there are to be no conversations, questions, or comments during the exercise. Ask if anyone has any questions before you begin the exercise and answer any questions at this time.</td>
</tr>
</tbody>
</table>
**Step 9**  
10 minutes  
Ask all the small groups to begin, and remind them that if they end earlier than another group they are to remain silent until all the groups are done.

**Step 10**  
20 minutes  
Once all the groups are done, begin a large group discussion with the following questions as prompts:  
How did it feel doing this exercise?  
What did you learn from this activity?  
How does gender and gender expression affect people in our society?  
What does gender privilege mean? Who has it?  
What do we do with it?  
How can we create a society that is safer for all genders and gender expressions?

*NOTE to Instructors/Facilitators*  
For helpful tips and how to negotiate common classroom challenges with this material, see Chapter 3, Section A, pages 39–53.

*IMPORTANT NOTE to Instructors/Facilitators*  
This exercise was created to address personal values, experiences, and affective learning. It challenges participants to disclose and identify various gender related privileges they may or may not have. As a result, it may “out” some participants as transgender, as well as may produce a “guilt” affect in participants who identify as having numerous gender privileges. Thus, it is important that the facilitator properly prepare for the exercise by co-creating guidelines with the participants, and communicate to all participants that they have the option of not participating in the exercise if they feel uncomfortable at any time.
MATERIALS FOR ACTIVITY 5

Directions for the Entire Group

» Please select a Reader for your group.

» The Reader will read aloud one statement and pause.

» If any person in the group can answer “YES this statement is TRUE for me,” then they take a penny from the penny bag.

» If someone answers “NO this statement is NOT TRUE for me,” then they just wait until the next question is read aloud.

» After the Reader waits for everyone to take a penny or not (about 5 seconds), they will read the next statement.

» The game is to be conducted in SILENCE except for the Reader reading each statement aloud.

» If a participant is unsure of how to respond to a statement, the participant should use their best judgement based on their understanding of the statement. Participants may not suggest to anyone else that they should be taking a penny or not. This activity is based on self-identity.

» The Reader will also participate in the game.

» After everyone is finished please wait in silence until the other groups are done.

Statements

» People always treat me and view me as the gender I feel I am.

» People know which pronoun to use when talking to me or referring to me.

» When I go to a public restroom (at a restaurant, mall, movie theater), I don't worry about which bathroom to go into.

» The gender/sex designation (“F” for female and “M” for male)
on my official records and ID cards (Drivers License, Passport, Birth Certificate, etc.) matches my gender identity and gender expression.

» I feel comfortable with department store employees and other customers when trying to access a department store dressing room of my choice.

» I feel safe walking alone at night after 10pm.

» My birth name matches my gender identity or gender expression.

» If I were to be arrested, I would not worry about which cell, jail, or prison I would be placed in regarding my gender identity and gender expression.

» I regard all people who self-identify as transsexual men and women as such regardless if they engage or want to engage in body modification, including hormones and surgery.

» If I were to get strip searched, though somewhat uncomfortable, authorities would not question if my physical body matched my sex/gender indicated on my ID.

» Assuming it is okay to do this with regards to your current relationship status, I know that if I met someone I was attracted to and they were attracted to me, I would feel comfortable asking them out on a date or being asked out on a date.

» I feel safe going to the beach, a pool, or changing in a locker room.
BIBLIOGRAPHY FOR ACTIVITY 5: A PENNY FOR YOUR THOUGHTS


Over the course of the last three or four decades, academic institutions in the United States have significantly transformed the ways we conceptualize social identities. Since 2002, students, faculty, staff, and administrators at CCSF have worked to transform the way our academic community addresses and responds to the complexity of gender identity in particular. In this section, we discuss some of the courses, programs, and policies that have been developed and implemented to promote the civil rights, health, and educational success of transgender and gender variant communities.
CURRICULUM

Students and faculty have worked together at CCSF to create a more inclusive curriculum that acknowledges and respects diverse gender identities. These efforts have included the development of new lesson plans for existing courses, new courses, and the establishment of new requirements for certificate programs.

New Lesson Plans

Existing courses have been revised and updated to incorporate contemporary information regarding gender identity. For example, a faculty member teaching a health policy course was approached by a student who asked why the course didn’t address concerns related to gender identity. The student went on to talk about the challenges she faced as a transgender woman, and current policy debates regarding civil rights, health access, and gender identity. She explained how infrequently her courses mentioned gender identity and how meaningful it would be to attend a class that addressed matters relevant to her community in a serious and respectful manner. As a result of this discussion, the faculty member invited the student to work with her to develop new materials. These included an analysis of local and national movements to advance the civil rights of transgender and gender variant communities and featured a discussion of the film *Southern Comfort*. The curriculum was successful at incorporating information about gender identity, engaging learners, and promoting increased understanding of the public policy process.
New Courses

Several CCSF departments have developed new courses addressing gender identity. In response to a growing body of research documenting health risks and adverse health outcomes among transgender and gender variant patients and communities, the Health Education and Community Health Studies Department contacted local experts working to promote the health of transgender and gender variant communities and asked these experts to collaborate with them in developing new courses. As a result, the department created a series of new courses on transgender health including both short-term and semester-long courses. One example, HLTH 95: Transgender Health: Working with Clients and Communities, is a one-unit course designed to prepare front-line providers to provide culturally competent services. This course, offered every semester since the spring of 2004, continues to enjoy both strong enrollment and student evaluations.*

CCSF has also developed a series of Diversity and Social Justice (DSJ) courses, including a course on Transphobia, that meets graduation requirements for an Associate Degree. These courses were developed by the CCSF Women's Coalition, a group of staff, faculty, and administrators who meet to address access and equity on campus. Based on materials from the University of Massachusetts, Amherst,¹ new courses were created within the Interdisciplinary Studies Department. These half- and one-unit courses focus on the personal, cultural, and institutional aspects of specific forms of oppression, as well as strategies for resistance. DSJ classes include courses on Racism, Sexism, Ableism,

* For course descriptions, please refer to the online CCSF catalog available at: http://www.ccsf.edu/Catalog/
Classism, Transphobia, Anti-Semitism/Anti-Arabism and Heterosexism/Homophobia.\(^b\)

**New Requirements for Certificates**

CCSF’s HIV/STI Prevention Education and Health Care Interpreter Certificate Programs have each taken action to ensure that students are prepared to provide culturally competent services to transgender and gender variant clients and communities.

The HIV/STI Prevention Studies Program offers three vocational certificates designed to train front-line providers working in the fields of HIV and STI prevention and education. Graduates are qualified for employment in the HIV/STI field and work in a variety of community-based, public, and private health and social service settings. As we discussed in Chapter 2, the AIDS epidemic in San Francisco is characterized by a disproportionately high prevalence of HIV among transgender and gender variant communities. For this reason, the curriculum for the vocational certificates was revised to incorporate additional training regarding gender identity. In the fall of 2006, HLTH 95 Transgender Health: Working with Clients and Communities was added as a required course for each specialty certificate in HIV/STI Prevention Education. Health 95 is taught by CCSF instructors who are transgender and gender variant identified. The course provides students with an understanding of gender identity, information about the HIV and related health risks that transgender and gender variant people face, and skills for working more effectively with transgender and gender variant clients and communities. In addition, HIV/

\(^b\) For course descriptions, please refer to the online CCSF catalog available at: [http://www.ccsf.edu/Catalog/](http://www.ccsf.edu/Catalog/)
STI Prevention Studies has provided guidance to support faculty teaching in the program to explicitly address gender identity in all courses.

CCSF’s Health Care Interpreter Certificate program has also been revised to incorporate training on gender identity. This year-long vocational program trains students to work as health care interpreters (HCI) in diverse clinical settings. The role of HCIs is to help ensure that patients with limited English proficiency are provided with access to quality clinical care. Students are trained to work with diverse patient populations in a wide range of clinical areas, including obstetrics, gerontology, oncology, and emergency medicine. In recognition of the barriers that transgender and gender variant people face when attempting to access health care, the program developed new curricula on gender identity, health risks, and adverse health outcomes, including role play activities designed to prepare students to provide culturally competent services to transgender and gender variant clients.⁶

**HIRING OF TRANSGENDER AND GENDER VARIANT FACULTY**

CCSF departments have recruited and hired transgender and gender variant identified faculty to teach new courses on gender diversity topics. Recruitment began with simply contacting transgender and gender variant colleagues in the community and agencies with expertise regarding gender diversity and asking them for recommendations and referrals of potential faculty. Transgender and gender variant faculty often expressed concern that they would be relegated only to teaching courses on gender diversity. Department chairs worked with new faculty to identify

⁶ For more information about the HIV/STI Certificate Program and the HCI Certificate and curriculum, please refer to [http://www.ccsf.edu/hlthed](http://www.ccsf.edu/hlthed).
the full range of their teaching interests and qualifications. These new faculty members are now teaching academic and certificate courses at City College on a wide variety of topics.

**FACULTY AND STAFF TRAINING**

The CCSF administration agreed to set up a series of professional development trainings regarding gender diversity. A Senior Investigator from the San Francisco Human Rights Commission was hired to facilitate trainings for campus police, financial aid, admissions and records, counseling faculty, and student health. In addition, the college scheduled several trainings during the semi-annual professional development days. These trainings provided an introduction to the social construction of gender and an emerging understanding of the fluidity and range of gender identities. Trainings emphasized legal protections that prohibit discrimination against transgender and gender variant people in employment, housing, and education in California. Faculty and staff were trained to be conscious of discriminatory actions, including harassment; encouraged to call students and colleagues by the name and gender pronoun they request; and to intervene immediately when harassment or other forms of discrimination are witnessed or reported.

In addition, faculty and students from HIV/STI Prevention Studies conducted several professional development trainings for faculty and classified staff about gender diversity themes, including screening the digital stories.

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*See Chapter 3, page 33 for curriculum to accompany the Digital Stories included on the GDP dvd.*
STUDENT LEADERSHIP

In preparing students for leadership responsibilities in the broader community, we need to maximize opportunities to learn leadership skills at City College. Because faculty and administrators are accustomed to stepping into leadership roles on campus-wide initiatives, in this project one of our main goals was to promote student leadership whenever possible. We worked to ensure that efforts to promote transgender and gender variant rights represented a true partnership among students, staff, and faculty. This is not to say that all of the endeavors described in this guide were led by students, but in several instances they were, and on other occasions students shared leadership with faculty and staff.

Another example of student leadership is the Intersecting Identities conference at City College. A student enrolled in a Diversity and Social Justice course, wanting to share the concept of intersecting identities that she learned in class, proposed a conference or training on the topic. Working with other students and faculty, she organized the first CCSF Intersecting Identities Conference in the spring of 2005. It featured a panel of presenters from diverse backgrounds and breakout sessions exploring the intersections of race, class, gender, ability, and sexual orientation. Over 400 students attended. The conference is now an annual event and a service learning project with ongoing student and faculty participation.
Chapter 4: Curriculum, Courses, Policies, and Advocacy at CCSF

The Gender Diversity Project, formerly Transgender VOICES, Transgender RIGHTS, was initiated in the fall of 2004 as a service learning project of HIV/STI Prevention Studies. In this group, students advocate on behalf of transgender and gender variant people on campus. The main highlights of Transgender VOICES, Transgender RIGHTS are its Transgender Friendly Sticker Campaign and Resource Guide, the creation of two books, *Inside Out* and *Trans Time*, and Transgender Awareness Day events every year at CCSF. The group also developed a brochure to raise awareness and provide information about transgender and gender variant topics. It includes a transgender glossary and timeline and information about local resources, including the Transgender Law Center, San Francisco Human Rights Commission, and Legal Aid Society.

**TRANSGENDER FRIENDLY STICKER CAMPAIGN AND RESOURCE GUIDE**

In the research we conducted, we found that transgender and gender variant students did not always feel welcomed, supported, or safe in their interactions with CCSF staff and faculty. Transgender and gender variant students reported that they did not know whom to turn to for support on campus; for this reason, the Transgender VOICES, Transgender RIGHTS Project developed the Transgender Friendly Sticker Campaign. Designed and produced by students in the Graphics Communication Department, these stickers have been placed prominently on the doors of...
“Since coming out as male, being honest and fully myself has increased my capacity for intimacy and the quality of all my relationships—platonic, familial, and romantic—has improved. For me, transitioning is such an affirming experience, that it has brought joy and boost to my self-esteem.”

Duncan, *Inside Out*

departments, programs, and individual faculty and staff at CCSF. (See sticker in sidebar on previous page.)

The three by three inch sticker signifies that transgender and gender variant students will be treated with respect. HIV/STI Prevention Studies’ phone number is on the sticker so that students can contact the office to provide feedback.

In order to obtain a Transgender Friendly sticker, faculty and staff must complete an application form and survey. The form asks applicants to respond to a number of questions related to gender identity, including, “Do you know where on campus Transgender people could receive sensitive support services and where they should go to file complaints about mistreatment? If so, where?” Those who request stickers also receive a Transgender Resource Guide and a personal orientation to transgender rights and resources by a student peer educator. To date, approximately 50 CCSF faculty and staff have received stickers.

The Transgender Resource Guide includes CCSF and community-based resources, a booklist, a copy of the CCSF Discrimination and Harassment Policy, relevant California laws, a guide to gender-neutral bathrooms at CCSF, and applications for the Transgender Friendly sticker campaign. The Resource Guide has been disseminated widely to campus programs and academic departments. Key documents from the Resource Guide are reproduced here in our Appendix of Select Resources.

* See the Appendix, page 136 for survey questions and other resources.
BOOKS

*Inside Out* is a collection of autobiographical stories told by transgender and gender variant students and transcribed and edited by students in Transgender VOICES Transgender RIGHTS and the Graphic Communications department. Each story chronicles the experiences of students coming out to self and others, and finding community at CCSF.

Another publication, *Trans Time: A Look at Transgenders Through the Ages*, highlights the historical existence of transgender and gender variant people from diverse nations and cultures. For example, the book includes information about We’Wha, the male-born Zuni ‘princess,’ who went to Washington, D.C. in 1886 “as a cultural ambassador.”

Both books include photographs and graphics by students from the Graphics Communication department. CCSF classes and trainings use the books as educational resources. They are also made available for a minimal cost at outreach and educational events.¹

TRANSGENDER AWARENESS DAY

The Day of Remembrance, established to memorialize people who have been killed as a consequence of anti-transgender prejudice and hatred, was first held in San Francisco in 1999 in honor of Rita Hester, a transgender woman who was murdered in Massachusetts in 1998. Her murder, like those of many victims, has never been solved. The event is held each year on November 20 in communities throughout the U.S. and around the world.

¹ See [http://www.ccsf.edu/hlthed/hiv](http://www.ccsf.edu/hlthed/hiv) to obtain copies.
Students and faculty have organized events in honor of Transgender Day of Remembrance each year since November, 2004. We have called the day Transgender Awareness Day, as the events have served as an opportunity to both raise awareness and provide education and resources to create a safer and more inclusive campus. Campus-wide events have featured speakers, an altar, a transgender resource fair, and a “Talking Wall” where students write their responses to various questions about the topic.

**OUTREACH POSTERS**

As part of a partnership between students, staff, and faculty from the Community Leadership Training program and the Graphics Communication Department, we have developed and disseminated a broad series of educational resources to the larger CCSF community. These resources include a brochure and a series of posters. It was important to us that these materials were developed with student leadership and in partnership between transgender and gender variant people and allies. Our goals were to raise visibility about gender diversity, promote enforcement of civil rights protections for transgender and gender variant people, and contribute to a campus climate characterized by respect and value for all its members. In addition to posters for Transgender Awareness Day mentioned above, we developed a poster on how to be an ally to transgender and gender variant people.
Chapter 4: Curriculum, Courses, Policies, and Advocacy at CCSF

TRANSGENDER RIGHTS WORKING GROUP

In the fall of 2004, a group of students, staff, and faculty joined together to form the Transgender Rights Working Group (TRWG). We formed the TRWG in response to several incidents of harassment and assault targeting transgender and gender variant students on campus. These incidents highlighted the need for continued education and the promotion of civil rights, as well as problems with reporting and advocacy services on the campus.

The TRWG met frequently to identify problems, brainstorm potential solutions, and develop an action plan to advocate for changes on our campus. We also reached out to community resources and invited a representative from the San Francisco Human Rights Commission to attend several planning sessions. Together we identified several priorities for the college, including the need to clarify and enforce bathroom policies campus-wide; revise CCSF forms (including student application and financial aid forms) to include gender diverse language; and provide professional development and diversity training for CCSF faculty, staff, and administrators.

We also secured the support of key figures on campus: representatives from the TRWG met with the chancellor and the college’s Diversity Committee. Both were immediately receptive to the concerns voiced by the TRWG. As a consequence of our advocacy efforts, the college initiated a process to revise its forms, scheduled diversity trainings, established the Queer Resource Center, clarified bathroom policies, and allocated resources for a part-time Transgender Outreach and Advocate Coordinator position.

* See Chapter 1, pages 4–6 for descriptions of incidents on the CCSF campus.
Chapter 4: Curriculum, Courses, Policies, and Advocacy at CCSF

The TRWG continues to meet on an ad hoc basis to work on particular concerns and to monitor progress. While the membership of the TRWG has changed over time and leadership has tended to be primarily comprised of faculty, the group regularly assesses who is participating and who is not, making special efforts to support the leadership of students, classified staff, and people of diverse gender identities.

TRANSGENDER OUTREACH AND ADVOCACY COORDINATOR

The coordinator advocates on behalf of transgender and gender variant students regarding concerns such as name changes on school and other documents, handles student complaints ranging from insensitivity to harassment, and provides outreach about CCSF programs to gender variant communities. The coordinator researched and met with administration in the pursuit of updated forms related to gender identity and currently monitors availability of gender-neutral bathrooms on campus.

BATHROOM POLICY

Access to bathrooms is a common problem for transgender and gender variant people. While legally all people have the right to use the bathroom of their choosing, transgender and gender variant people are often harassed and sometimes assaulted for using the “wrong” bathroom.\(^ h \) Many people at CCSF have invested a great deal of time and effort in attempts to clarify and enforce bathroom policies at CCSF. We worked with the CCSF administration to clarify our right to use the bathroom that corresponds with our gender identity, and to identify and expand the

number of gender-neutral bathrooms on campus. Gender-neutral bathrooms tend to be facilities built to accommodate a single individual and may be designated by use of both “male” and “female” words or symbols or none at all. The college has also been undergoing the construction of new facilities, and has committed to including more gender-neutral bathrooms in all buildings, as well as accommodations in new gym locker rooms and shower facilities.

ADMINISTRATIVE FORMS

The language used in forms sends an important message; when our institutions deny people’s identities, we often alienate members of our community. Transforming the language used on institutional forms has resulted in expanded categories for ethnicity and disability status. CCSF forms, including student registration and financial aid forms and faculty and staff application forms, asked individuals to designate their sex or gender and offered only two choices: female or male. Thus, transgender and gender variant registrants and applicants were expected to choose a gender category that might not reflect their identity. In some instances, particularly when students’ gender identities were not congruent with the sex category on their social security cards or driver licenses, students were outing and harassed. For some transgender and gender variant students—students who are difficult to count or capture in any data—this has been an impetus to drop out of college.

Seeking a more inclusive campus where the rights and identities of all members are respected and valued, transgender ad-
vocates and allies worked with the administration to change the language options used on all college forms. For many reasons, this was not an easy task. For example, it was difficult to reach agreement about alternative language to use on institutional forms. This ongoing process has taken a considerable amount of time, and has been characterized by open and respectful debate and discussion.¹

**POLICY FOR THE PREVENTION AND REPORTING OF HARASSMENT AND HATE-MOTIVATED INCIDENTS**

The California Student Safety and Violence Prevention Act of 200 (AB 537) changed California's Education Code and prohibits discrimination in public educational institutions on the basis of gender identity. California law (AB 196, 2003) also prohibits workplace discrimination on the basis of gender identity.¹ As a result, CCSF's Equal Opportunity Statement clearly states that the institution is “committed to providing a workplace and an educational environment free of discrimination, harassment, intimidation, threats, or coercion based on a legally protected status,” and goes on to refer explicitly to “gender identity” as a protected status.²

Whether or not your state has laws that explicitly protect the rights of transgender and gender variant people, educational institutions are required to protect the safety of all students and staff from harassment. If your institution does not already have one, we strongly advise creating an explicit policy acknowledging the necessity of this protection for gender identity. Doing so acknowledges and affirms the rights and visibility of transgender and gender variant people.

¹ CCSF is currently in the process of adapting all forms. As of spring 2008, categories may include: “male,” “female,” “transgender,” and “option not listed” with a blank space to fill in.

² See AB 196 in the Employment section of Chapter 2, page 125.
QUEER RESOURCE CENTER

Students, faculty, and staff advocated with the CCSF Administration to open a designated Queer Resource Center (QRC) to provide services to lesbian, gay, bisexual, queer, and transgender and gender variant students. The QRC is modeled after other programs on campus such as the Women's Resource Center and the Latino/a Services Network. Located in the Student Union on the main Ocean Campus, the QRC is staffed by two student workers and a faculty advisor and provides a range of resources and services including computer access, support and social groups, peer advising, and referrals. Faculty and student workers strive to make the QRC a supportive place for lesbian, gay, bisexual, questioning, and transgender and gender variant identified students from diverse communities.

ENDNOTES

What Is an Ally? The concept of the ally has been used in civil rights and unlearning oppression movements to describe someone who acts in support of the rights and interests of individuals or communities with backgrounds and identities distinct from her/his own. Many movements for civil and human rights have included important participation from people acting as allies.

In the context of the Gender Diversity Project, we wish to encourage people who do not identify as transgender or gender variant to act in support of the leadership and interests of transgender and gender variant communities. The advancement of transgender and gender variant rights and the creation of inclusive and supportive educational institutions will require the participation of non-transgender identified people acting as allies. Many educational institutions may not have gender variant

“I want changes to be made that make life easier for other transgender people. We can't do it without the help of non-trans people.”
—Holy Old Man Bull, Inside Out

Chapter 5
THE ROLE OF ALLIES
faculty, staff, or students who are able to take the lead in advocating for social change. In such circumstances, it is essential for allies to take action in support of transgender and gender variant rights.

The first step to becoming a transgender ally is to dedicate time and energy to learning about the evolving concepts of gender and gender identity and to reflect on your own gender identity and assumptions about the gender identities of others. Today, a wealth of educational resources regarding gender identity exists. This wasn’t true twenty or even ten years ago. See the Appendix, page 113 for organizations, websites, books, articles, and films to review. Increasingly, courses or workshops on gender identity are available at local colleges and non-profit agencies designed to enhance the knowledge of working professionals. We also encourage you to spend time reflecting on the construction of your own gender identity, including the messages you received about gender and gender identity in your family of origin, from peers, and in school. What were the written and un-written rules of gender when you were growing up? What were you taught about people who do not conform to local standards of masculinity or femininity? Have you ever felt out of sync with the local standards or concepts of gender identity? Have you ever taunted or otherwise harassed or discriminated against others who did not conform to local standards of gender and gender identity? Read, reflect, write, and talk about these themes with others you feel comfortable with. Be open to listening and learning from others who have different histories, ideas, and identities. Reflect some more.
Becoming a transgender and gender variant ally also implies seeking out information developed by people who identify as transgender or gender variant. This doesn’t mean that you should ask intrusive or personal questions of transgender and gender variant people, or hold the expectation that they should or will be responsible for your education. Before you take action at your local college or in your community to advocate for transgender and gender variant rights, make sure that you have consulted local and/or regional or national organizations representing gender variant communities. For example, at City College of San Francisco, transgender allies assumed that it would be advisable to ask the administration for “unisex” bathrooms. However, upon consulting with local transgender and gender variant activists, the allies discovered that this term was objectionable, and were counseled to advocate for the construction and designation of “gender-neutral” bathrooms. Remember that, as an ally, your role is to advocate in support of and in service of gender variant communities.

As part of our work at City College, students collaborated with local transgender and gender variant activists to develop concrete suggestions for individuals, departments, committees, faculty, staff, and administrators working toward becoming transgender allies. For example, we developed the poster Transgender Rights Are Human Rights That We All Deserve: Be An Ally!, which outlines five actions. This list is not comprehensive, but the beginning of the process:

* You can download this poster: [http://www.ccsf.edu/hiv/gdp](http://www.ccsf.edu/hiv/gdp)
Chapter 5: The Role of Allies

» Get educated and examine your own biases about gender roles, identities, and expressions. Don't rely on transgender people to educate you.

» Use appropriate pronouns and names. It is important to view people as their chosen gender and call them by their chosen name. If you're not sure which pronoun they prefer, ask.

» Create a safe and open environment. Support your friends' or family members' gender explorations. Challenge homophobic and transphobic remarks and jokes.

» Do not “out” a transgender person. This is a safety issue: many people are prejudiced against gender variant people.

» Finally, understand that gender identity is only one aspect of a whole person. Every person has many social identities, experiences, and a history that make them unique.

OTHER WAYS YOU CAN BE AN ALGY

It can be difficult to address concerns that come up in the classroom or office, particularly around sensitive topics. Addressing transphobia and situations surrounding gender diversity can be a challenging yet exciting way for allies to demonstrate their commitment to safety, inclusion, allegiance, and advocacy for equal rights. Interrupting transphobic and discriminatory remarks creates learning opportunities and enlightening moments for all involved. For more detailed classroom tips and challenges, see Chapter 3, Section A, pages 39–53.
Intervene When You Witness Discrimination

Harassment of transgender and gender variant students is common in most educational institutions: transgender and gender variant students report being taunted and called names almost every day. It is difficult to witness such harassment, and teachers and others often find it challenging to intervene. The most common mistake that teachers make when confronted with harassment is to do nothing. Out of discomfort, anxiety, or the fear of doing the wrong thing, we often act as if we had not witnessed the incident. But when teachers or other institutional leaders witness transphobic harassment and do nothing, we inadvertently endorse transphobia. We send all students the message that it is acceptable to taunt or harass transgender and gender variant people, and we send transgender and gender variant students the message that we don't value or welcome them in our classroom or school.

Know and Enforce Legal Rights of Transgender and Gender Variant People

Not every state or municipality has passed laws protecting the rights of transgender and gender variant people. The establishment of legal rights, however, does not guarantee their enforcement. As allies, we can be helpful in raising awareness of existing legal protections and in advocating for their effective enforcement. Review the relevant laws related to the rights of gender variant people in your educational institution or workplace. While each educational and organizational structure or institution has specific anti-discrimination policies, not all will include a refer-

b Advocates for Youth have created a wonderful resource for educators and other professionals who may be called upon to address discrimination in their classroom or workplace: Creating a Safe Space for GLBTQ Youth: A Toolkit, available at http://www.advocatesforyouth.org/publications/safespace. We especially recommend the segments “Stopping Harassment in Its Track” and “Addressing Discrimination.”

c See next page.
ence to gender identity. Ask your leadership and your human resources administrators whether your institutional policies explicitly protect gender variant people from discrimination.

For up to date information about the legal rights of transgender and gender variant people, visit the Transgender Law Center website at http://www.transgenderlawcenter.org.

Set Guidelines in Classrooms or Meetings

Setting guidelines at the beginning of a school semester or a meeting can help ground a group with a collaborative vision of respect, encouragement, and productivity. If sensitive topics are brought into a discussion later on (in class or during on-going training), it can be helpful to revisit already established guidelines within the group. It can also be useful to build on already existing guidelines during the course of a class or meeting in order to consider what is working and what could be improved.

Although most of us are familiar with this process, reinforcing the need to use “I” statements can be a powerful part of creating a safe environment for discussion and exploration. Encouraging students, staff, and faculty to move from “certainty” to “curiosity” and creating a list of desired goals for the meeting or class can serve to keep participants focused but asking important questions. This should allow for a greater understanding and room to grow, both individually and collectively. We recommend Advocates for Youth’s lesson plan, “Creating Group Agreements.” The guide for this 20-30 minute activity includes recommendations for possible ground rules and procedural notes for facilitators.

As discussed in Chapter 2 of this guide, California passed the 1999 Hate Crimes Prevention Act (AB 537), which protects all students from discrimination and harassment on the basis of gender identity and sexual orientation.

Available at: http://www.advocatesforyouth.org/lessonplans/groundrules.htm.
Get Support From Colleagues

Many of us are new to ideas of gender diversity and inclusion. Sharing resources and support from others doing similar work creates a culture of learning and cooperation. We suggest you seek out such opportunities, including debriefing and strategizing during professional development trainings and brainstorming ways to most effectively implement gender diversity themes in your curriculum. Remember, we have colleagues and allies in the community as well, and it can be important to reach out beyond the institution to build alliances, especially with groups who may have a significant amount of expertise.

ENDNOTES

APPENDIX OF SELECT RESOURCES

TRANS AND INTERSEX RESOURCE LIST: SAN FRANCISCO AND BAY AREA ORGANIZATIONS
AND SUPPORT SERVICES

Compiled and Updated by Lydia Sausa

http://www.lydiasausa.com/Lydia_Sausa_Trans_and_Intersex_Resource_List.pdf

CITY COLLEGE OF SAN FRANCISCO PROGRAMS AND RESOURCES

Affirmative Action at CCSF is responsible for nondiscrimination and harassment prevention (including sexual harassment) and processing formal complaints. The office also handles requests for student accommodations according to the Americans with Disabilities Act.

31 Gough St. Rm. 16/415.241.2281

Career Development and Placement Center assists current CCSF students and alumni in making career/job choices, setting educational career goals, selecting a major, becoming job ready, and seeking employment.

Science Hall 127/415.239.3117/http://www.ccsf.edu/Services/CDPC

Continuing Student Counseling Department addresses the needs of continuing students who have completed one year of college or more than 24 units (at CCSF or another college or university). Students can work with CSCD counselors to discuss their academic goals, develop or revise educational plans, help with academic probation, transferring, and brief personal counseling.

Cloud Hall 207; Bungalow 606; Arts 201; Bungalow 623D-E; Smith Hall 106/415.452.5235 or 415.452.5249 to make an appointment
Disabled Students Programs and Services (DSPS) offers supportive services for students with a wide range of disabilities. Emphasis is given to those services which allow students with disabilities to fully participate in all regular academic and vocational programs.


Extended Opportunity Programs and Services (EOPS) assists low income, educationally under-prepared students by providing support services such as counseling, tutoring, priority registration, orientation to college, financial aid advising, book services, and CSU and UC transfer application fee waivers.

Behind Smith Hall/415/239.3561/http://www.ccsf.edu/eops

HARTS (Homeless/At-Risk Transitional Students) Program of City College of San Francisco is dedicated to creating paths out of poverty and homelessness by providing access, advocacy, resources, and support for homeless, formerly homeless, and at-risk students within the college, and for those potential students in similar situations who wish to return to the educational setting.

Cloud Hall 205/415.452.5233

HIV/STI Prevention Studies is a program of the Health Education and Community Health Studies Department offering a wide variety of HIV/STI services to CCSF students, faculty, employees, and their significant others. Students in the program can receive specialty certification in HIV/STI Prevention Education: Case Management, Group Facilitation, or Outreach Skills.

Cloud Hall 404/415.452.5202

Project SAFE provides free condoms and other safer sex supplies, information, and referrals related to HIV and STI prevention and treatment.

Cloud Hall 405/415.452.5070
Appendix of Select Resources

Project SURVIVE is a peer education program dedicated to promoting healthy relationships and ending sexual violence, especially rape and battery in intimate relationships.

Cloud Hall 402/415.239.3899/http://www.ccsf.edu/Departments/Women_Studies/Project_SURVIVE/

Queer Resource Center and Queer Alliance student club provide access to a support system of peers and allies and strengthens the LGBTQI community at CCSF. In addition, the QRC acts as a center of education for and about the queer community through peer-led teachings, workshops, and other such events. The Queer Resource Center is a safe space for queer and transgender students and all, welcoming the opportunity to outreach to its community. Student Union 202, 452-5723.

Rosenberg Library/ Learning Resource Center users have access to the collections via the library’s website, http://www.ccsf.edu/Library and will find:

» Online library catalog
» Full-text periodical databases
» Selected websites and search tools
» Guides and useful information about services, resources and research strategies.
» Over 70 public computers provide access to all of the electronic resources. Wireless access is also provided. The open stacks give immediate access to almost the entire collection, affording valuable opportunities for independent browsing and research. A student computer lab is located on the fifth floor, R521.

For a comprehensive list of resources at Rosenberg Library, check out the
CCSF Transgender Subject Guide: http://www.ccsf.edu/Library/guides/transgender.html
Southeastern part of the Ocean Avenue Campus/415.452.5541/http://www.ccsf.edu/Library
Appendix of Select Resources

**Student Health Services** assists students in achieving their educational goals by providing services that address their physical and emotional health needs. Additionally, students are informed of community resources with the goal of becoming more effective health care consumers.

*Health Center 100/415.239.3110* [http://www.ccsf.edu/Services/Student_Health](http://www.ccsf.edu/Services/Student_Health)

**Transgender Outreach and Advocacy Coordinator**

Advising transgender and gender variant students, community outreach and advocating for policy changes.

*Ms. Bob Davis/415.452.5242/Arts 209*

**Veterans Educational Benefits Office** services are available for veterans, veterans’ dependents, and eligible persons; services include credit for military training as well as other major benefits.

*Conlan Hall E-2/415.239.3486*

**WAYPASS (Women's After Care Program and Services)** is a collaborative effort of the Health Education and Community Health Studies and Women's Studies departments. It provides services and referrals to CCSF women students who have been to prison, jail, or a drug program. This program supports education as the best alternative to incarceration.

*Cloud Hall 405B/415.452.4889*

**Women's Resource Center** provides resources both on and off campus, such as child care, health care, jobs, and domestic violence/sexual assault.

The WRC houses a lending library of nearly 1,000 books by and about women. It sponsors campus-wide events and hosts support groups. Smith Hall 103-104, 415-239-3112.
SF PUBLIC LIBRARY TG BIBLIOGRAPHY

Ask your local and regional public libraries about transgender and gender variant resources. Are they available? If not, are they interested in utilizing the San Francisco Public Library TRANSceding Identities Bibliography?
AB 537 RESOURCE SHEET

WHAT IS AB 537?

AB 537, the California Student Safety and Violence Prevention Act of 2000, changed California’s Education Code by adding actual or perceived sexual orientation and gender identity to the existing nondiscrimination policy. The state defines “gender” as “a person’s actual sex or perceived sex and includes a person’s perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth.” The nondiscrimination policy also prohibits harassment and discrimination on the basis of sex, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

What does AB 537 cover?

AB 537 protects students and school employees against discrimination and harassment at all California public schools and any school receiving state funding except religious schools. Harassment is defined as “conduct based on protected status that is severe or pervasive, which unreasonably disrupts an individual's educational or work environment or that creates a hostile educational or work environment.” The protections cover any program or activity in a school, including extracurricular activities and student clubs. This gives GSAs and other LGBTQ-related student clubs state protection in addition to federal protection through the Equal Access Act.

How do you file a complaint?

First, file a complaint with your school. The process for filing a complaint at your school can vary. Look for information on how to make a complaint in your student handbook or ask a teacher or an administrator. It is often the same process as filing a sexual harassment complaint. If your school's harassment report form does not specifically include sexual orientation and the expanded definition of gender, consider working to change this as a goal of your activism.
Document everything. Write down the key details of the harassment such as who, what, when, where, and witnesses. Include details from meetings you have with administrators. Keep a copy of all reports you file and confirmation that they were received.

**What is your school district obligated to do?**

If your school does not adequately address your complaint, you can take your complaint to your district superintendent’s office (ask for the designated complaint officer or compliance coordinator). Your school district must follow the state’s “Uniform Complaint Procedures,” which say that your school district must do the following:

- Have a staff member who is responsible for receiving and investigating complaints who is knowledgeable about the law.
- Every year, notify parents, employees, students, and anyone interested of the district complaint procedures, including the right to appeal the school district’s decision to the California Department of Education.
- Protect you from retaliation after you make a complaint.
- Keep your complaint confidential as appropriate.
- Accept complaints from any youth, adult, public agency, or organization.
- Investigate your complaint, come up with a solution, and send you a written report no more than 60 days after they receive your complaint.

**What is the state Department of Education obligated to do?**

As the authority over public schools, the California Department of Education (CDE) is responsible for making sure that schools follow AB 537. If your school district fails to adequately resolve your complaint, the CDE is obligated to do the following:

- If your school district does not act within 60 days of receiving your complaint or if you appeal the school district’s decision, the CDE is obligated to complete an investigation within 60 days, and make a decision about whether the school district has lived up to its responsibilities and whether it needs to do anything else.
» Require schools to take steps to improve problems raised through investigation of complaints.

» Request a report of the schools’ actions and keep a file of every written complaint received.

Other options for holding your school accountable:

» Litigation. You can sue your school district. With the help of an attorney, students can ask a judge to order the school to stop discrimination before it happens or continues. This is called injunctive relief. It’s cool because a judge issues an “injunction” (order) to your school district and your school district has to do it immediately! You can do this while going through the complaint process.

» Community Organizing. Organize other students, teachers, staff, parents, and community allies to form a community response to the problem of homophobia in your school. Think of AB 537 as a tool and use it as leverage to work to change the school climate.

Background Info on AB 537

On October 2, 1999, Governor Gray Davis signed into law AB 537, the California Student Safety and Violence Prevention Act of 2000. Students, teachers, parents, community groups, and political activists had fought for five years for a law that would protect gay, lesbian, bisexual, and transgender students from the harassment and discrimination so many faced on a daily basis at their schools.

This section will briefly explore some of the ideas and background to understand AB 537, the California Student Safety and Violence Prevention Act of 2000.

Also take a look at the excerpt from Lambda Legal Defense and Education Fund’s publication, “Stopping Anti-Gay Abuse of Students in Public Schools.” It gives some excellent advice on how to go about building, pursuing, and documenting your case, and it’s applicable to any situation in which you may need to access the legal system.

AB 537: A Tool For Building Change
What Is a Nondiscrimination Law?

First, let's talk about what it's not.

It's not a magic wand. It won't drain a prejudiced mind of its prejudice. It won't automatically make an irresponsible person responsible, an ignorant person enlightened, or a violent person gentle. Advocacy, education, and rehabilitation will all still be necessary.

It's also not an endpoint. It doesn't represent the end of a process of growing as a society—it's a mile-marker in the early days of our journey.

Finally, a law isn't instant. It takes time to grow. Both within the judicial system and throughout society, people will learn about it and understand its meaning gradually, over months and years as we do our work to educate them. Laws are fleshed out and grow by being tested and used. What develops is called case law, and it helps lawyers, judges, and the rest of society understand what a particular law means.

So what is a nondiscrimination law? It seems obvious, doesn't it? It's a rule that says you can't discriminate in a particular context against a person because that person has a particular trait or characteristic, and it typically applies some form of penalty for doing so.

But every law is also something greater than just a rule: it's a symbol and an opportunity. In many ways, its greatest power and potential derives, not from the legal process of accessing it, but from the social processes of education and discussion which it can start. A law symbolizes and clarifies our society's values, and it creates innumerable opportunities for us to educate individuals and groups about those values and how to make them part of our everyday lives.

What is discrimination?

Good question. 200 years ago you would have gotten a very different answer from the one most of us agree on today. Thirty years ago, you would have a different answer, too. Our society's understanding of what discrimination is has grown continually as our understanding of equality has evolved. When the Constitution was ratified in 1788, the concept of equality only covered white men. When sex discrimination first came to be outlawed in employment in 1964 and in education in 1972, it didn't include the idea that
Appendix of Select Resources

sexual harassment constituted discrimination. And today, we're really standing at the beginning of a new era for LGBT students. What will be categorized as discrimination that we don't even think of as discrimination now? How deeply will the law change schools' cultures and, ultimately, how individuals come to view themselves and each other? These questions will take time to answer, and they'll be answered in response to real people who encounter real problems that will be sorted out using the law as a guide.

Here are some examples of discrimination that are pretty clear:

» A same-sex couple isn’t allowed to attend the school prom.
» Bias incidents committed on the basis of a person’s sexual orientation or gender identity are ignored by school administrators.
» A hostile climate of verbal harassment and intimidation is allowed to flourish in a school.
» Same-sex couples who display affection in public are treated differently than opposite couples who display their affection in public.
» A student is denied full access to part of the school facilities as a result of the school's unwillingness or inability to make those facilities safe.
» A Gay-Straight Alliance or other club to support LGBT youth isn’t allowed to form on campus.

But there are a lot of other areas in which LGBT students are treated differently, and such treatment may one day be understood as discriminatory, if not through this law, then perhaps through others that build on it. Think about sex education, which essentially pretends that LGBT people don’t exist. AB 537 doesn’t cover that. Or consider your school library, which may have very little information about LGBT people or issues. Or think about how rituals like electing a Prom Queen and a Prom King enshrine heterosexuality and enforce gender stereotypes. All of these are inequities which our society as a whole doesn’t yet understand to be discriminatory.

If we use it, AB 537 may help us arrive ultimately at a much broader and deeper understanding of equality for LGBT students.

TEXT OF AB 537 FROM THE GAY STRAIGHT ALLIANCE NETWORK.
AB 537: The California Student Safety and Violence Prevention Act of 2000 THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This bill shall be known, and may be cited, as the California Student Safety and Violence Prevention Act of 2000.

SEC. 2. The Legislature finds and declares all of the following:

(1) Under the California Constitution, all students of public schools have the inalienable right to attend campuses that are safe, secure, and peaceful. Violence is the number one cause of death for young people in California and has become a public health problem of epidemic proportion. One of the Legislature's highest priorities must be to prevent our children from the plague of violence.

(2) The fastest growing, violent crime in California is hate crime, and it is incumbent upon us to ensure that all students attending public school in California are protected from potentially violent discrimination. Educators see how violence affects youth every day; they know first hand that youth cannot learn if they are concerned about their safety. This legislation is designed to protect the institution of learning as well as our students.

(3) Not only do we need to address the issue of school violence but also we must strive to reverse the increase in teen suicide. The number of teens who attempt suicide, as well as the number who actually kill themselves, has risen substantially in recent years. Teen suicides in the United States have doubled in number since 1960 and every year over a quarter of a million adolescents in the United States attempt suicide. Sadly, approximately 4,000 of these attempts every year are completed. Suicide is the third leading cause of death for youths 15 through 24 years of age. To combat this problem we must seriously examine these grim statistics and take immediate action to ensure all students are offered equal protection from discrimination under California law.

SEC. 3. Section 200 of the Education Code is amended to read: 200. It is the policy of
the State of California to afford all persons in public schools, regardless of their sex, ethnic group identification, race, national origin, religion, mental or physical disability, or regardless of any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts which are contrary to that policy and to provide remedies therefor.

SEC. 4. Section 220 of the Education Code is amended to read: 220. No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability, or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.

SEC. 5. Section 221 of the Education Code is renumbered to read: 220.5. This article shall not apply to an educational institution which is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization.

SEC. 6. Section 241 is added to the Education Code, to read: 241. Nothing in the California Student Safety and Violence Prevention Act of 2000 requires the inclusion of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution or postsecondary educational institution; the California Student Safety and Violence Prevention Act of 2000 shall not be deemed to be violated by the omission of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution or postsecondary educational institution.

SEC. 7. Section 66251 of the Education Code is amended to read: 66251. It is the policy of the State of California to afford all persons, regardless of their sex, ethnic group identification, race, national origin, religion, mental or physical disability, or regardless of
Appendix of Select Resources

any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the postsecondary institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

SEC. 8. Section 66270 of the Education Code is amended to read: 66270. No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, or mental or physical disability, or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by any postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid.

SEC. 9. Section 66271 of the Education Code is renumbered to read:

66270.5. This chapter shall not apply to an educational institution that is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization.

SEC. 10. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars ($1,000,000), reimbursement shall be made from the State Mandates Claims Fund.
AB 196 RESOURCE SHEET

TRANSGENDER EMPLOYEES AND TENANTS IN CALIFORNIA

RIGHTS AND RESPONSIBILITIES AS CLARIFIED BY THE GENDER NONDISCRIMINATION ACT OF 2003 (AB 196)

A joint publication of the National Center for Lesbian Rights
National Office/870 Market Street, Suite 570/San Francisco, CA 94102/415.392.6257
http://www.nclrights.org

and The Transgender Law Center
160 14th Street/San Francisco, CA 94103/415.865.0176/http://www.transgenderlawcenter.org

I. Background

Beginning January 1, 2004 California's Fair Employment and Housing Act (FEHA) will explicitly protect many transgender employees and tenants. FEHA was amended through the Gender Nondiscrimination Bill of 2003 (AB 196).

AB 196 was proposed in reaction to trends around the country recognizing that transgender people are protected by laws that prohibit discrimination on the basis of sex.

Courts and administrative agencies in Connecticut, Massachusetts, New Jersey, and New York all found that transgender plaintiffs, who had been discriminated against because of their gender identity, had a right of action under existing state and/or local anti-discrimination laws.

While no such cases had yet been decided in California, a Ninth Circuit decision from 2000 provided strong evidence that FEHA would have to be similarly interpreted. In Schwenk v. Hartford, a transgender prisoner sued for protection under the Gender Motivated Violence Act. In holding that the prisoner was covered under that Act, the Ninth Circuit went out of their way to also find that a transgender person would be similarly protected under Title VII's sex discrimination language.

Since California courts have long interpreted FEHA to be consistent with Title VII and similarly held that California sex discrimination law is at least as protective as federal
FEHA has been understood to prohibit discrimination against transgender people at least since *Schwenk* was decided.

In 2002, the California Department of Fair Employment and Housing adopted this position as their policy and began to accept claims of discrimination based on gender identity as discrimination based on sex. In doing so, the agency made it possible for transgender people to seek administrative remedy to discrimination in employment, housing, and public accommodation without having to first prove that they were covered by state law.

However, with no clear California court cases and no explicit statutory language to cite, some people remained confused about the rights of transgender employees and tenants under California law. This confusion meant that some transgender people did not know that they were protected and some employers and landlords did not believe that they had a duty under law to create discrimination free environments. In order to alleviate this confusion and head off any protracted court fights about the state of California law, advocates and legislators worked together to clarify FEHA.

II. The Law

Introduced by Assemblymember Mark Leno, and co-authored by eight of his fellow Assemblymembers, AB 196 changed the California Government Code in two places. First, it amended California Government Code 12926(p) which defines sex to read:

(p) “Sex” includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. “Sex” also includes, but is not limited to, a person’s gender, as defined in Section 422.56 of the Penal Code. California Government Code 12926 (italicized portion is the amended language)

For the sake of statutory consistency, AB 196 did not create a new definition of gender to add to the statute. Instead it incorporated the definition from California’s Hate
Appendix of Select Resources

Crimes Statute. That statute defines gender as:

“Gender” means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. California Penal Code 422.56(c)

Second, AB 196 added new language to FEHA pertaining to dress codes. Again, in order to bring California in line with trends seen in other states and in local jurisdictions within the state, AB 196 clarified the effect of this new language on an employer's existing ability to set standards for workplace appearance:

Nothing in this part relating to gender-based discrimination affects the ability of an employer to require an employee to adhere to reasonable workplace appearance, grooming, and dress standards not precluded by other provisions of state or federal law, provided that an employer shall allow an employee to appear or dress consistently with the employee's gender identity. California Government Code 12949

Section 12949 simply makes clear that in order to comply with state law, any such appearance or grooming policy must judge a transgender person's compliance by the standards appropriate for that person's gender identity.

III. Changing Workplace and Living Environments

While many employers and landlords have already been proactively creating workplaces and living environments that are free of gender identity discrimination, others need to take strong steps in order to do so. Gender identity discrimination is premised on the idea that the sex a person was assigned at birth is always accurate and/or unchangeable. However, as many transgender people can attest, it is not.
Therefore, employer and landlord policies and practices must incorporate the needs and experiences of transgender people in order to comply with state law. Aside from meeting the legal duties clarified by AB 196, updating such policies make for a better working or living environment, demonstrate respect for diversity, alleviate wasteful and counterproductive stress, and set clear standards for workplace and living environment behavior.

Following are examples of areas in which employers and/or landlords should make clear, understandable policies. As workplaces and living environments can vary widely, this publication only seeks to identify the most common changes employers and landlords need to make. And as the law in this area is particularly dynamic, employers and landlords should contact either the National Center for Lesbian Rights or the Transgender Law Center at the numbers or emails above to get answers to specific questions.

**A. Employers**

1. Anti-Discrimination Policies

   Employers who have not already done so, should bring their employment policies in line with state law by clearly defining “sex” or “gender” to include gender identity or by adding the phrase “gender identity and expression” to their existing policy. Such modifications are important in order to put all employees on notice that transgender employees are respected and protected in the workplace.

   Such policies obviously apply to hiring, promoting, training, and retaining employees. Managers and other decision makers should be explicitly trained about the employer’s duty to not allow gender identity bias to play a role in any of these areas.

2. Names and Pronouns

   An employee who transitions on the job has the right to be addressed by the name and pronoun that corresponds to the employee’s gender identity. Employee records and identification documents should be changed accordingly. While state law does not likely prohibit other employees from making inadvertent slips or honest mistakes about a
person's name or gender, it does outlaw intentional or persistent refusal to respect a coworker's or employee's gender identity. Intentionally addressing a co-worker or employee by the incorrect name or pronoun after having been informed of that person's gender identity is an actionable form of discrimination.

While some employers believe that an employee must get a court order to legally change the employee's name, this is not correct. California explicitly recognizes “common law” name changes for a majority of people in the state. Furthermore, an employee does not need to get court recognition of a change of gender prior to requesting that an employer change the employee's gender marker in records and on identity documents. An employer also should not require such an order prior to effectuating such a request. To do so, would run counter to the policies of the majority of government agencies that keep records on a person's gender. For instance, a transgender person can get the gender marker changed on their state identification or drivers license without having first gotten a court order. The same is true of a person's gender marker in their social security records and on their passport.

3. Restroom accessibility
All employees have a right to safe and appropriate restroom facilities. This includes the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. No other employee's privacy rights are compromised by such a policy. While no such case has been heard in California (likely because of the ridiculous nature of the arguments involved), the only known case anywhere in the nation of a non-transgender person seeking legal remedy to the presence of a transgender person in the same restroom was dismissed for lack of a cause of action.

In addition, where possible, an employer should provide an easily accessible unisex single stall bathroom for use by any employee who desires increased privacy, regardless of the underlying reason. In fact, a private restroom of this type can be utilized by an
employee who does not want to share a multi-restroom with a transgender co-worker or employee. Clearly, though, use of a unisex single stall restroom should always be a matter of choice for an employee. No employee should be compelled to use one either as a matter of policy or due to continuing harassment in a gender appropriate facility.

4. Dress Codes
As clarified above in section II, California state law explicitly prohibits an employer from denying an employee the right to dress in a manner suitable for that employee's gender identity. While the most efficient way to avoid liability on this issue is to do away with all dress codes based on gender, any employer who does enforce gender based dress codes must do so in a non-discriminatory manner. This means not only allowing a transgender woman (for instance) to dress the same as other women, but that her compliance with such a dress code cannot be judged more harshly than the compliance of non-transgender women.

5. Sex segregated job assignments
AB 196 does not prohibit an employer from making job assignments based on sex so long as those assignments are otherwise in compliance with state law. However, in most cases, transgender employees must be classified and assigned in a manner consistent with their gender identity.

6. Training
Training employees in transgender sensitivity is clearly one way to improve the work environment and reduce liability. While transgender people in the workplace are certainly not a new phenomenon, many non-transgender people have questions when they find out that a fellow employee is transgender. Creating a space for these employees to
ask such questions in a controlled environment is an incredibly helpful way to prevent bias related incidents. More and more professionals and government agencies are acquiring the skills necessary to provide trainings of this sort and employers are strongly recommended to avail themselves of these services.

**B. Landlords**

1. Anti-Discrimination Policies
All employees and agents of a landlord should be aware that not only are they and their co-workers protected from discrimination, so are the landlord’s tenants. Landlords who have not already done so, should bring their rental policies in line with state law by clearly defining “sex” or “gender” to include gender identity or by adding the phrase “gender identity and expression” to their existing policy. Such modifications are important in order to put all employees and tenants on notice that transgender tenants are to be respected and protected.

   Such policies obviously apply to all aspects of renting and repairing a unit as well as extending a lease. Managers and other decision makers should be explicitly trained about the landlord’s duty to not allow gender identity bias to play a role in any of these areas.

2. Names and Pronouns
A tenant who transitions has the right to be addressed by the name and pronoun that corresponds to the tenant’s gender identity. Rental records and identification documents should be changed accordingly. While state law does not likely prohibit a landlord’s employees or agents from making inadvertent slips or honest mistakes about a person's name or gender, it does outlaw intentional and persistent refusal to respect a tenant’s gender identity. Intentionally addressing a tenant by the incorrect name or pronoun after having been informed of that person’s gender identity is an actionable form of discrimination.

   While some landlords believe that a tenant must get a court order to legally change
the tenant’s name, this is not correct. California explicitly recognizes “common law” name changes for a majority of people in the state. Furthermore, a tenant does not need to get court recognition of a change of gender prior to requesting that a landlord change the tenant’s gender marker in rental records and on identity documents. A landlord also should not require such an order prior to effectuating such a request. To do so, would run counter to the policies of the majority of government agencies that keep records on a person’s gender. For instance, a transgender person can get the gender marker changed on their state identification or drivers license without having first gotten a court order. The same is true of a person’s gender marker in their social security records and on their passport.

3. Restroom accessibility
In those buildings that utilize restrooms shared by more than one tenant, all tenants have a right to safe and appropriate restroom facilities. This includes the right to use a restroom that corresponds to the tenant’s gender identity, regardless of the tenant’s sex assigned at birth. No other tenant’s privacy rights are compromised by such a policy. While no such case has been heard in California (likely because of the ridiculous nature of the arguments involved), the only known case anywhere in the nation of a nontransgender person seeking legal remedy to the presence of a transgender person in the same restroom was dismissed for lack of a cause of action.

In addition, where possible, the landlord of a building where multiple units share the same restrooms should provide an easily accessible unisex single stall bathroom for use by any tenant who desires increased privacy, regardless of the underlying reason. In fact, a private restroom of this type can be utilized by a tenant who does not want to share a multi-stall restroom with a transgender co-tenant. Clearly, though, use of a unisex single stall restroom should always be a matter of choice for a tenant. No tenant should be compelled to use one either as a matter of policy or due to continuing harassment in a gender appropriate facility.

4. Sex-segregated housing
In any housing facility where tenants are housed in a sex-segregated manner, a transgender tenant must be classified and housed according to that person’s gender identity.


ENDNOTES FOR AB196 RESOURCE SHEET


5. *Schwenk v. Hartford*, 204 F.3d 1187, 1202 (9th Cir. 2000) (noting that Title VII prohibits “[d]iscrimination because one fails to act in the way expected of a man or woman”).


7. This language was just adopted by the state legislature through AB 1234 and will become law on January 1, 2005. The original AB 196 language was: “Sex” also includes, but is not limited to, a person's gender, as defined in Section 422.76 of the Penal Code, except that, for purposes of this part, the reference in that definition to the “victim” shall mean the employee or applicant and the reference in that definition to the “defendant” shall mean the employer or other covered entity or person subject to applicable prohibitions under this part.

8. This language was just adopted by the state legislature through AB 1234 and will become law on January 1, 2005. Until that time, the definition in Penal Code section 422.76 is: “gender” means the [individual’s] actual sex or the defendant’s perception of the [individual’s] sex, and includes the defendant’s perception of the [individual’s] identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the [individual’s] sex at birth.


EQUAL OPPORTUNITY STATEMENT (CCSF)

It is the policy of the San Francisco Community College District to provide all persons with equal educational opportunities in all of its educational programs and activities regardless of race, color, national origin, ethnic group identification, religion, age, gender, marital status, domestic partner status, sexual orientation, disability or AIDS/HIV status, medical conditions, gender identity, or status as a Vietnam-Era veteran.

The San Francisco Community College District complies with Title VI of the Civil Rights Act of 1964, Sections 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, California Government Code, Section 11135 et seq. and all applicable regulations, and with all applicable requirements related to receipt of federal and/or state funds.

The compliance officer for purposes of this policy is the District Affirmative Action Officer, 33 Gough Street, San Francisco CA 94103, 415.241.2281.

From: http://www.ccsf.edu/Policy/nondiscrim.html
CCSF “TRANSGENDER FRIENDLY” STICKER APPLICATION FORM

Sponsored by The Gender Diversity Project, a project of HIV/STI Prevention Studies & Office of Mentoring & Service Learning

Thank you for taking a moment to complete our application on Transgender issues. We are using the application to determine which areas on campus will receive our “Transgender Friendly” stickers. The sticker campaign is designed to identify places on campus that are friendly to the unique needs and situations of Transgender people. Applicants will be contacted for a visit from one of our student representatives to present the sticker and provide any additional educational materials deemed necessary to establish the zone as “Transgender Friendly.”

After completing the survey please return it to Box C 404. Please contact 415.452.5202 with any questions.
TRANSGENDER FRIENDLY STICKER CAMPAIGN APPLICATION

Your Name:_________________________ Phone or Email:___________________
Dept/Program/Faculty Name:_________________________ Date:______________

SECTION I: TRUE/FALSE QUESTIONS

1. Gender is determined by genitalia. T F
2. It is easy to identify a transgendered person. T F
3. Transgender people always have sex change operations. T F
4. There are no transgendered people on campus. T F
5. Transgender is the same as being gay or lesbian. T F

SECTION II

Please answer honestly and to the best of your ability. Please use the back side for additional space to answer questions if necessary.

1. Have you ever known a transgender person? If so what was your experience with them?

2. If you saw someone you knew to be transgender having a problem with other students or instructors would you intervene? If so how? Have you done so in the past?

3. Have you, or anyone in your dept/program, ever taken any classes, workshops etc., about gender identity or related subjects? If so please tell us where and when.

4. Do you know where on campus transgender people could receive transgender sensitive support/services, and where they should go to file complaints about mistreatment? If so, where?
Appendix of Select Resources

**GENDER DIVERSITY PROJECT: RESOURCES FOR EDUCATION EVALUATION**

Please check all that apply for each chapter/section.

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you used in your class.

8. Do you have any other comments, questions or suggestions about the Gender
Appendix of Select Resources

**Gender Diversity Project: Resources for Education Reviewer Biographies**

**Sean Beougher** works as a Research Associate for the Gay Couples Study at the Center for AIDS Prevention Studies, University of California-San Francisco. A City College HIV/STI Prevention Studies program graduate, Sean holds a MA in Human Sexuality Studies from San Francisco State University.

**Chris Daley** is a public interest attorney and former Director of the Transgender Law Center in San Francisco which he founded with Dillon Vade in 2001. With the TLC he has provided legal assistance to hundreds of transgender clients, presented dozens of workshops and talks on transgender legal issues, participated in several public policy initiatives and assisted numerous attorneys in effectively representing transgender clients.

**Holy Old Man Bull** is a Discrimination Investigator for the City and County of San Francisco Human Rights Commission. Holy Old Man Bull designed and conducted transgender cultural competency trainings for the San Francisco Police Department, University of California San Francisco, the Red Cross, etc. Holy Old Man Bull is a Board Member of the Native American AIDS Project (NAAP) and the Native American Cultural Center (NACC), and authored the Commission report Discrimination By Omission, which documents discrimination against Native Americans in San Francisco.

**Jeanna Eichenbaum, LCSW** has been the Team Leader and Clinical Director of the Substance Abuse Day Hospital at the Veteran's Administration Hospital in San Francisco since July, 2007. Prior to this she was the Project Director of the TRANS Project at UCSF. From 2001–2006, she was the Manager and co-creator of the Transgender Recovery Project at Walden House, the first residential drug treatment program in the United States to specifically target the transgender community. In addition to her work and duties at the San Francisco VA Medical Center, she has a part time psychotherapy practice where she focuses on issues related to sexuality, gender identity, depression, PTSD, relationship concerns, and other problems and aspirations of modern life.
Billie-Jean Kanios, a former City College student is featured in the “Transgender Voices” digital story and she is a member of the San Francisco HIV Health Services Planning Council (HHSPC).

Lydia Sausa, Ph.D., M.S. Ed teaches at City College of San Francisco and Pacific School of Religion. Dr. Sausa is currently the Curriculum Development & Training Administrator at the Center of Excellence for Transgender HIV Prevention in the Department of Family and Community Medicine in the School of Medicine at the University of California, San Francisco. For more about Lydia including publications visit http://www.lydiasausa.com.

Willy Wilkinson, MPH is a third-gendered writer and public health consultant who conducts transgender and LGBT trainings for various health and social service providers. Willy was a qualitative data analyst for San Francisco’s Transgender Focus Group Study and served on the community advisory board of the Transgender Community Health Project. He launched the Trannyfags Project in San Francisco, as well as a support group in Berkeley for people of color on the FTM spectrum. In 2004 Willy conducted a needs assessment of FTMs of color and their partners, and launched the Health Care Access Project at Transgender Law Center in San Francisco. Currently, Willy works as a public health consultant with (PRTA) Progressive Research Training and Action in Oakland.
APPENDIX OF SELECT RESOURCES

TRANS AND INTERSEX RESOURCE LIST: SAN FRANCISCO AND BAY AREA ORGANIZATIONS
AND SUPPORT SERVICES

Compiled and Updated by Lydia Sausa

http://www.lydiasausa.com/Lydia_Sausa_Trans_and_Intersex_Resource_List.pdf

CITY COLLEGE OF SAN FRANCISCO PROGRAMS AND RESOURCES

Affirmative Action at CCSF is responsible for nondiscrimination and harassment prevention (including sexual harassment) and processing formal complaints. The office also handles requests for student accommodations according to the Americans with Disabilities Act.

31 Gough St. Rm. 16/415.241.2281

Career Development and Placement Center assists current CCSF students and alumni in making career/job choices, setting educational career goals, selecting a major, becoming job ready, and seeking employment.

Science Hall 127/415.239.3117/http://www.ccsf.edu/Services/CDPC

Continuing Student Counseling Department addresses the needs of continuing students who have completed one year of college or more than 24 units (at CCSF or another college or university). Students can work with CSCD counselors to discuss their academic goals, develop or revise educational plans, help with academic probation, transferring, and brief personal counseling.

Cloud Hall 207; Bungalow 606; Arts 201; Bungalow 623D-E; Smith Hall 106/415.452.5235 or 415.452.5249 to make an appointment
Disabled Students Programs and Services (DSPS) offers supportive services for students with a wide range of disabilities. Emphasis is given to those services which allow students with disabilities to fully participate in all regular academic and vocational programs.


Extended Opportunity Programs and Services (EOPS) assists low income, educationally under-prepared students by providing support services such as counseling, tutoring, priority registration, orientation to college, financial aid advising, book services, and CSU and UC transfer application fee waivers.

Behind Smith Hall/415/239.3561/http://www.ccsf.edu/eops

HARTS (Homeless/At-Risk Transitional Students) Program of City College of San Francisco is dedicated to creating paths out of poverty and homelessness by providing access, advocacy, resources, and support for homeless, formerly homeless, and at-risk students within the college, and for those potential students in similar situations who wish to return to the educational setting.

Cloud Hall 205/415.452.5233

HIV/STI Prevention Studies is a program of the Health Education and Community Health Studies Department offering a wide variety of HIV/STI services to CCSF students, faculty, employees, and their significant others. Students in the program can receive specialty certification in HIV/STI Prevention Education: Case Management, Group Facilitation, or Outreach Skills.

Cloud Hall 404/415.452.5202

Project SAFE provides free condoms and other safer sex supplies, information, and referrals related to HIV and STI prevention and treatment.

Cloud Hall 405/415.452.5070
Project SURVIVE is a peer education program dedicated to promoting healthy relationships and ending sexual violence, especially rape and battery in intimate relationships. Cloud Hall 402/415.239.3899/http://www.ccsf.edu/Departments/Women_Studies/Project_SURVIVE/

Queer Resource Center and Queer Alliance student club provide access to a support system of peers and allies and strengthens the LGBTQQI community at CCSF. In addition, the QRC acts as a center of education for and about the queer community through peer-led teachings, workshops, and other such events. The Queer Resource Center is a safe space for queer and transgender students and all, welcoming the opportunity to outreach to its community. Student Union 202, 452-5723.

Rosenberg Library/ Learning Resource Center users have access to the collections via the library's website, http://www.ccsf.edu/Library and will find:

» Online library catalog
» Full-text periodical databases
» Selected websites and search tools
» Guides and useful information about services, resources and research strategies.
» Over 70 public computers provide access to all of the electronic resources. Wireless access is also provided. The open stacks give immediate access to almost the entire collection, affording valuable opportunities for independent browsing and research. A student computer lab is located on the fifth floor, R521.

For a comprehensive list of resources at Rosenberg Library, check out the CCSF Transgender Subject Guide: http://www.ccsf.edu/Library/guides/transgender.html
Southeastern part of the Ocean Avenue Campus/415.452.5541/http://www.ccsf.edu/Library
Appendix of Select Resources

**Student Health Services** assists students in achieving their educational goals by providing services that address their physical and emotional health needs. Additionally, students are informed of community resources with the goal of becoming more effective health care consumers.

*Health Center 100/415.239.3110/http://www.ccsf.edu/Services/Student_Health*

**Transgender Outreach and Advocacy Coordinator**
Advise transgender and gender variant students, and advocate for policy changes.

*Ms. Bob Davis/415.452.5242/Arts 209*

**Veterans Educational Benefits Office** services are available for veterans, veterans' dependents, and eligible persons; services include credit for military training as well as other major benefits.

*Conlan Hall E-2/415.239.3486*

**WAYPASS (Women's After Care Program and Services)** is a collaborative effort of the Health Education and Community Health Studies and Women's Studies departments. It provides services and referrals to CCSF women students who have been to prison, jail, or a drug program. This program supports education as the best alternative to incarceration.

*Cloud Hall 405B/415.452.4889*

**Women's Resource Center** provides resources both on and off campus, such as child care, health care, jobs, and domestic violence/sexual assault.

The WRC houses a lending library of nearly 1,000 books by and about women. It sponsors campus-wide events and hosts support groups.

*Smith Hall 103-104, 415-239-3112.*
SF PUBLIC LIBRARY TG BIBLIOGRAPHY

Ask your local and regional public libraries about transgender and gender variant resources. Are they available? If not, are they interested in utilizing the San Francisco Public Library TRANSceding Identities Bibliography?
AB 537 RESOURCE SHEET

WHAT IS AB 537?
AB 537, the California Student Safety and Violence Prevention Act of 2000, changed California's Education Code by adding actual or perceived sexual orientation and gender identity to the existing nondiscrimination policy. The state defines “gender” as “a person's actual sex or perceived sex and includes a person's perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person's sex at birth.” The nondiscrimination policy also prohibits harassment and discrimination on the basis of sex, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

What does AB 537 cover?
AB 537 protects students and school employees against discrimination and harassment at all California public schools and any school receiving state funding except religious schools. Harassment is defined as “conduct based on protected status that is severe or pervasive, which unreasonably disrupts an individual's educational or work environment or that creates a hostile educational or work environment.” The protections cover any program or activity in a school, including extracurricular activities and student clubs. This gives GSAs and other LGBTQ-related student clubs state protection in addition to federal protection through the Equal Access Act.

How do you file a complaint?
First, file a complaint with your school. The process for filing a complaint at your school can vary. Look for information on how to make a complaint in your student handbook or ask a teacher or an administrator. It is often the same process as filing a sexual harassment complaint. If your school's harassment report form does not specifically include sexual orientation and the expanded definition of gender, consider working to change this as a goal of your activism.
Document everything. Write down the key details of the harassment such as who, what, when, where, and witnesses. Include details from meetings you have with administrators. Keep a copy of all reports you file and confirmation that they were received.

**What is your school district obligated to do?**

If your school does not adequately address your complaint, you can take your complaint to your district superintendent’s office (ask for the designated complaint officer or compliance coordinator). Your school district must follow the state’s “Uniform Complaint Procedures,” which say that your school district must do the following:

» Have a staff member who is responsible for receiving and investigating complaints who is knowledgeable about the law.

» Every year, notify parents, employees, students, and anyone interested of the district complaint procedures, including the right to appeal the school district’s decision to the California Department of Education.

» Protect you from retaliation after you make a complaint.

» Keep your complaint confidential as appropriate.

» Accept complaints from any youth, adult, public agency, or organization.

» Investigate your complaint, come up with a solution, and send you a written report no more than 60 days after they receive your complaint.

**What is the state Department of Education obligated to do?**

As the authority over public schools, the California Department of Education (CDE) is responsible for making sure that schools follow AB 537. If your school district fails to adequately resolve your complaint, the CDE is obligated to do the following:

» If your school district does not act within 60 days of receiving your complaint or if you appeal the school district’s decision, the CDE is obligated to complete an investigation within 60 days, and make a decision about whether the school district has lived up to its responsibilities and whether it needs to do anything else.
Require schools to take steps to improve problems raised through investigation of complaints.

Request a report of the schools’ actions and keep a file of every written complaint received.

Other options for holding your school accountable:

- Litigation. You can sue your school district. With the help of an attorney, students can ask a judge to order the school to stop discrimination before it happens or continues. This is called injunctive relief. It's cool because a judge issues an “injunction” (order) to your school district and your school district has to do it immediately! You can do this while going through the complaint process.

- Community Organizing. Organize other students, teachers, staff, parents, and community allies to form a community response to the problem of homophobia in your school. Think of AB 537 as a tool and use it as leverage to work to change the school climate.

**Background Info on AB 537**

On October 2, 1999, Governor Gray Davis signed into law AB 537, the California Student Safety and Violence Prevention Act of 2000. Students, teachers, parents, community groups, and political activists had fought for five years for a law that would protect gay, lesbian, bisexual, and transgender students from the harassment and discrimination so many faced on a daily basis at their schools.

This section will briefly explore some of the ideas and background to understand AB 537, the California Student Safety and Violence Prevention Act of 2000.

Also take a look at the excerpt from Lambda Legal Defense and Education Fund’s publication, “Stopping Anti-Gay Abuse of Students in Public Schools.” It gives some excellent advice on how to go about building, pursuing, and documenting your case, and it’s applicable to any situation in which you may need to access the legal system.

**AB 537: A Tool For Building Change**
What Is a Nondiscrimination Law?

First, let's talk about what it's not.

It's not a magic wand. It won't drain a prejudiced mind of its prejudice. It won't automatically make an irresponsible person responsible, an ignorant person enlightened, or a violent person gentle. Advocacy, education, and rehabilitation will all still be necessary.

It's also not an endpoint. It doesn't represent the end of a process of growing as a society—it's a mile-marker in the early days of our journey.

Finally, a law isn't instant. It takes time to grow. Both within the judicial system and throughout society, people will learn about it and understand its meaning gradually, over months and years as we do our work to educate them. Laws are fleshed out and grow by being tested and used. What develops is called case law, and it helps lawyers, judges, and the rest of society understand what a particular law means.

So what is a nondiscrimination law? It seems obvious, doesn't it? It's a rule that says you can't discriminate in a particular context against a person because that person has a particular trait or characteristic, and it typically applies some form of penalty for doing so.

But every law is also something greater than just a rule: it's a symbol and an opportunity. In many ways, its greatest power and potential derives, not from the legal process of accessing it, but from the social processes of education and discussion which it can start. A law symbolizes and clarifies our society's values, and it creates innumerable opportunities for us to educate individuals and groups about those values and how to make them part of our everyday lives.

What is discrimination?

Good question. 200 years ago you would have gotten a very different answer from the one most of us agree on today. Thirty years ago, you would have a different answer, too. Our society's understanding of what discrimination is has grown continually as our understanding of equality has evolved. When the Constitution was ratified in 1788, the concept of equality only covered white men. When sex discrimination first came to be outlawed in employment in 1964 and in education in 1972, it didn't include the idea that
sexual harassment constituted discrimination. And today, we’re really standing at the beginning of a new era for LGBT students. What will be categorized as discrimination that we don’t even think of as discrimination now? How deeply will the law change schools’ cultures and, ultimately, how individuals come to view themselves and each other? These questions will take time to answer, and they’ll be answered in response to real people who encounter real problems that will be sorted out using the law as a guide.

Here are some examples of discrimination that are pretty clear:

» A same-sex couple isn’t allowed to attend the school prom.

» Bias incidents committed on the basis of a person’s sexual orientation or gender identity are ignored by school administrators.

» A hostile climate of verbal harassment and intimidation is allowed to flourish in a school.

» Same-sex couples who display affection in public are treated differently than opposite couples who display their affection in public.

» A student is denied full access to part of the school facilities as a result of the school’s unwillingness or inability to make those facilities safe.

» A Gay-Straight Alliance or other club to support LGBT youth isn’t allowed to form on campus.

But there are a lot of other areas in which LGBT students are treated differently, and such treatment may one day be understood as discriminatory, if not through this law, then perhaps through others that build on it. Think about sex education, which essentially pretends that LGBT people don’t exist. AB 537 doesn’t cover that. Or consider your school library, which may have very little information about LGBT people or issues. Or think about how rituals like electing a Prom Queen and a Prom King enshrine heterosexuality and enforce gender stereotypes. All of these are inequities which our society as a whole doesn’t yet understand to be discriminatory.

If we use it, AB 537 may help us arrive ultimately at a much broader and deeper understanding of equality for LGBT students.

**TEXT OF AB 537 FROM THE GAY STRAIGHT ALLIANCE NETWORK.**
AB 537: The California Student Safety and Violence Prevention Act of 2000
THE PEOPLE
OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This bill shall be known, and may be cited, as the California Student Safety

SEC. 2. The Legislature finds and declares all of the following:

(1) Under the California Constitution, all students of public schools have the inalienable
right to attend campuses that are safe, secure, and peaceful. Violence is the number
one cause of death for young people in California and has become a public health
problem of epidemic proportion. One of the Legislature's highest priorities must be to
prevent our children from the plague of violence.

(2) The fastest growing, violent crime in California is hate crime, and it is incumbent
upon us to ensure that all students attending public school in California are protected
from potentially violent discrimination. Educators see how violence affects youth every
day; they know first hand that youth cannot learn if they are concerned about their
safety. This legislation is designed to protect the institution of learning as well as our
students.

(3) Not only do we need to address the issue of school violence but also we must strive
to reverse the increase in teen suicide. The number of teens who attempt suicide, as
well as the number who actually kill themselves, has risen substantially in recent years.
Teen suicides in the United States have doubled in number since 1960 and every year
over a quarter of a million adolescents in the United States attempt suicide. Sadly,
approximately 4,000 of these attempts every year are completed. Suicide is the third
leading cause of death for youths 15 through 24 years of age. To combat this problem
we must seriously examine these grim statistics and take immediate action to ensure all
students are offered equal protection from discrimination under California law.

SEC. 3. Section 200 of the Education Code is amended to read: 200. It is the policy of
the State of California to afford all persons in public schools, regardless of their sex, ethnic group identification, race, national origin, religion, mental or physical disability, or regardless of any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts which are contrary to that policy and to provide remedies therefor.

SEC. 4. Section 220 of the Education Code is amended to read: 220. No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability, or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.

SEC. 5. Section 221 of the Education Code is renumbered to read: 220.5. This article shall not apply to an educational institution which is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization.

SEC. 6. Section 241 is added to the Education Code, to read: 241. Nothing in the California Student Safety and Violence Prevention Act of 2000 requires the inclusion of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution or postsecondary educational institution; the California Student Safety and Violence Prevention Act of 2000 shall not be deemed to be violated by the omission of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution or postsecondary educational institution.

SEC. 7. Section 66251 of the Education Code is amended to read: 66251. It is the policy of the State of California to afford all persons, regardless of their sex, ethnic group identification, race, national origin, religion, mental or physical disability, or regardless of
any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the postsecondary institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

**SEC. 8.** Section 66270 of the Education Code is amended to read: 66270. No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, or mental or physical disability, or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by any postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid.

**SEC. 9.** Section 66271 of the Education Code is renumbered to read:

66270.5. This chapter shall not apply to an educational institution that is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization.

**SEC. 10.** Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars ($1,000,000), reimbursement shall be made from the State Mandates Claims Fund.
AB 196 RESOURCE SHEET

TRANSGENDER EMPLOYEES AND TENANTS IN CALIFORNIA

RIGHTS AND RESPONSIBILITIES AS CLARIFIED BY THE GENDER NONDISCRIMINATION ACT OF 2003 (AB 196)

A joint publication of the National Center for Lesbian Rights
National Office/870 Market Street, Suite 570/San Francisco, CA 94102/415.392.6257
http://www.nclrights.org

and The Transgender Law Center
160 14th Street/San Francisco, CA 94103/415.865.0176/http://www.transgenderlawcenter.org

I. Background

Beginning January 1, 2004 California's Fair Employment and Housing Act (FEHA) will explicitly protect many transgender employees and tenants. FEHA was amended through the Gender Nondiscrimination Bill of 2003 (AB 196).

AB 196 was proposed in reaction to trends around the country recognizing that transgender people are protected by laws that prohibit discrimination on the basis of sex.

Courts and administrative agencies in Connecticut, Massachusetts, New Jersey, and New York all found that transgender plaintiffs, who had been discriminated against because of their gender identity, had a right of action under existing state and/or local anti-discrimination laws.

While no such cases had yet been decided in California, a Ninth Circuit decision from 2000 provided strong evidence that FEHA would have to be similarly interpreted. In Schwenk v. Hartford, a transgender prisoner sued for protection under the Gender Motivated Violence Act. In holding that the prisoner was covered under that Act, the Ninth Circuit went out of their way to also find that a transgender person would be similarly protected under Title VII's sex discrimination language.

Since California courts have long interpreted FEHA to be consistent with Title VII and similarly held that California sex discrimination law is at least as protective as federal...
FEHA has been understood to prohibit discrimination against transgender people at least since *Schwenk* was decided.

In 2002, the California Department of Fair Employment and Housing adopted this position as their policy and began to accept claims of discrimination based on gender identity as discrimination based on sex. In doing so, the agency made it possible for transgender people to seek administrative remedy to discrimination in employment, housing, and public accommodation without having to first prove that they were covered by state law.

However, with no clear California court cases and no explicit statutory language to cite, some people remained confused about the rights of transgender employees and tenants under California law. This confusion meant that some transgender people did not know that they were protected and some employers and landlords did not believe that they had a duty under law to create discrimination free environments. In order to alleviate this confusion and head off any protracted court fights about the state of California law, advocates and legislators worked together to clarify FEHA.

II. The Law

Introduced by Assemblymember Mark Leno, and co-authored by eight of his fellow Assemblymembers, AB 196 changed the California Government Code in two places. First, it amended California Government Code 12926(p) which defines sex to read:

- “Sex” includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. **“Sex” also includes, but is not limited to, a person’s gender, as defined in Section 422.56 of the Penal Code. California Government Code 12926** (italicized portion is the amended language)

For the sake of statutory consistency, AB 196 did not create a new definition of gender to add to the statute. Instead it incorporated the definition from California’s Hate
Crimes Statute. That statute defines gender as:

“Gender” means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. California Penal Code 422.56(c)

Second, AB 196 added new language to FEHA pertaining to dress codes. Again, in order to bring California in line with trends seen in other states and in local jurisdictions within the state, AB 196 clarified the effect of this new language on an employer's existing ability to set standards for workplace appearance:

Nothing in this part relating to gender-based discrimination affects the ability of an employer to require an employee to adhere to reasonable workplace appearance, grooming, and dress standards not precluded by other provisions of state or federal law, provided that an employer shall allow an employee to appear or dress consistently with the employee's gender identity. California Government Code 12949

Section 12949 simply makes clear that in order to comply with state law, any such appearance or grooming policy must judge a transgender person's compliance by the standards appropriate for that person's gender identity.

III. Changing Workplace and Living Environments
While many employers and landlords have already been proactively creating workplaces and living environments that are free of gender identity discrimination, others need to take strong steps in order to do so. Gender identity discrimination is premised on the idea that the sex a person was assigned at birth is always accurate and/or unchangeable. However, as many transgender people can attest, it is not.
Therefore, employer and landlord policies and practices must incorporate the needs and experiences of transgender people in order to comply with state law. Aside from meeting the legal duties clarified by AB 196, updating such policies make for a better working or living environment, demonstrate respect for diversity, alleviate wasteful and counterproductive stress, and set clear standards for workplace and living environment behavior.

Following are examples of areas in which employers and/or landlords should make clear, understandable policies. As workplaces and living environments can vary widely, this publication only seeks to identify the most common changes employers and landlords need to make. And as the law in this area is particularly dynamic, employers and landlords should contact either the National Center for Lesbian Rights or the Transgender Law Center at the numbers or emails above to get answers to specific questions.

A. Employers

1. Anti-Discrimination Policies

Employers who have not already done so, should bring their employment policies in line with state law by clearly defining “sex” or “gender” to include gender identity or by adding the phrase “gender identity and expression” to their existing policy. Such modifications are important in order to put all employees on notice that transgender employees are respected and protected in the workplace.

Such policies obviously apply to hiring, promoting, training, and retaining employees. Managers and other decision makers should be explicitly trained about the employer’s duty to not allow gender identity bias to play a role in any of these areas.

2. Names and Pronouns

An employee who transitions on the job has the right to be addressed by the name and pronoun that corresponds to the employee’s gender identity. Employee records and identification documents should be changed accordingly. While state law does not likely prohibit other employees from making inadvertent slips or honest mistakes about a
person's name or gender, it does outlaw intentional or persistent refusal to respect a coworker's or employee's gender identity. Intentionally addressing a co-worker or employee by the incorrect name or pronoun after having been informed of that person's gender identity is an actionable form of discrimination.

While some employers believe that an employee must get a court order to legally change the employee's name, this is not correct. California explicitly recognizes “common law” name changes for a majority of people in the state. Furthermore, an employee does not need to get court recognition of a change of gender prior to requesting that an employer change the employee's gender marker in records and on identity documents. An employer also should not require such an order prior to effectuating such a request. To do so, would run counter to the policies of the majority of government agencies that keep records on a person's gender. For instance, a transgender person can get the gender marker changed on their state identification or drivers license without having first gotten a court order. The same is true of a person's gender marker in their social security records and on their passport.

3. Restroom accessibility
All employees have a right to safe and appropriate restroom facilities. This includes the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. No other employee's privacy rights are compromised by such a policy. While no such case has been heard in California (likely because of the ridiculous nature of the arguments involved), the only known case anywhere in the nation of a non-transgender person seeking legal remedy to the presence of a transgender person in the same restroom was dismissed for lack of a cause of action.

In addition, where possible, an employer should provide an easily accessible unisex single stall bathroom for use by any employee who desires increased privacy, regardless of the underlying reason. In fact, a private restroom of this type can be utilized by an
employee who does not want to share a multi-restroom with a transgender co-worker or employee. Clearly, though, use of a unisex single stall restroom should always be a matter of choice for an employee. No employee should be compelled to use one either as a matter of policy or due to continuing harassment in a gender appropriate facility.

4. Dress Codes
As clarified above in section II, California state law explicitly prohibits an employer from denying an employee the right to dress in a manner suitable for that employee’s gender identity. While the most efficient way to avoid liability on this issue is to do away with all dress codes based on gender, any employer who does enforce gender based dress codes must do so in a non-discriminatory manner. This means not only allowing a transgender woman (for instance) to dress the same as other women, but that her compliance with such a dress code cannot be judged more harshly than the compliance of non-transgender women.

5. Sex segregated job assignments
AB 196 does not prohibit an employer from making job assignments based on sex so long as those assignments are otherwise in compliance with state law. However, in most cases, transgender employees must be classified and assigned in a manner consistent with their gender identity.

6. Training
Training employees in transgender sensitivity is clearly one way to improve the work environment and reduce liability. While transgender people in the workplace are certainly not a new phenomenon, many non-transgender people have questions when they find out that a fellow employee is transgender. Creating a space for these employees to
ask such questions in a controlled environment is an incredibly helpful way to prevent bias related incidents. More and more professionals and government agencies are acquiring the skills necessary to provide trainings of this sort and employers are strongly recommended to avail themselves of these services.

**B. Landlords**

1. Anti-Discrimination Policies

All employees and agents of a landlord should be aware that not only are they and their co-workers protected from discrimination, so are the landlord’s tenants. Landlords who have not already done so, should bring their rental policies in line with state law by clearly defining “sex” or “gender” to include gender identity or by adding the phrase “gender identity and expression” to their existing policy. Such modifications are important in order to put all employees and tenants on notice that transgender tenants are to be respected and protected.

Such policies obviously apply to all aspects of renting and repairing a unit as well as extending a lease. Managers and other decision makers should be explicitly trained about the landlord’s duty to not allow gender identity bias to play a role in any of these areas.

2. Names and Pronouns

A tenant who transitions has the right to be addressed by the name and pronoun that corresponds to the tenant’s gender identity. Rental records and identification documents should be changed accordingly. While state law does not likely prohibit a landlord’s employees or agents from making inadvertent slips or honest mistakes about a person’s name or gender, it does outlaw intentional and persistent refusal to respect a tenant’s gender identity. Intentionally addressing a tenant by the incorrect name or pronoun after having been informed of that person’s gender identity is an actionable form of discrimination.

While some landlords believe that a tenant must get a court order to legally change
the tenant’s name, this is not correct. California explicitly recognizes “common law” name changes for a majority of people in the state. Furthermore, a tenant does not need to get court recognition of a change of gender prior to requesting that a landlord change the tenant’s gender marker in rental records and on identity documents. A landlord also should not require such an order prior to effectuating such a request. To do so, would run counter to the policies of the majority of government agencies that keep records on a person’s gender. For instance, a transgender person can get the gender marker changed on their state identification or driver’s license without having first gotten a court order. The same is true of a person’s gender marker in their social security records and on their passport.

3. Restroom accessibility
In those buildings that utilize restrooms shared by more than one tenant, all tenants have a right to safe and appropriate restroom facilities. This includes the right to use a restroom that corresponds to the tenant’s gender identity, regardless of the tenant’s sex assigned at birth. No other tenant’s privacy rights are compromised by such a policy. While no such case has been heard in California (likely because of the ridiculous nature of the arguments involved), the only known case anywhere in the nation of a nontransgender person seeking legal remedy to the presence of a transgender person in the same restroom was dismissed for lack of a cause of action.12

In addition, where possible, the landlord of a building where multiple units share the same restrooms should provide an easily accessible unisex single stall bathroom for use by any tenant who desires increased privacy, regardless of the underlying reason. In fact, a private restroom of this type can be utilized by a tenant who does not want to share a multi-stall restroom with a transgender co-tenant. Clearly, though, use of a unisex single stall restroom should always be a matter of choice for a tenant. No tenant should be compelled to use one either as a matter of policy or due to continuing harassment in a gender appropriate facility.

4. Sex-segregated housing
In any housing facility where tenants are housed in a sex-segregated manner, a transgender tenant must be classified and housed according to that person's gender identity.


ENDNOTES FOR AB196 RESOURCE SHEET
5. Schwenk v. Hartford, 204 F.3d 1187, 1202 (9th Cir. 2000) (noting that Title VII prohibits “discrimination because one fails to act in the way expected of a man or woman”).
7. This language was just adopted by the state legislature through AB 1234 and will become law on January 1, 2005. Until that time, the definition in Penal Code section 422.76 is: “gender” means the [individual's] actual sex or the defendant's perception of the [individual's] sex, and includes the defendant's perception of the [individual's] identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the [individual's] sex at birth.
9. Cruzan v. Special School Dist., #1, 294 F.3d 981 (8th Cir. 2002).
EQUAL OPPORTUNITY STATEMENT (CCSF)

It is the policy of the San Francisco Community College District to provide all persons with equal educational opportunities in all of its educational programs and activities regardless of race, color, national origin, ethnic group identification, religion, age, gender, marital status, domestic partner status, sexual orientation, disability or AIDS/HIV status, medical conditions, gender identity, or status as a Vietnam-Era veteran.

The San Francisco Community College District complies with Title VI of the Civil Rights Act of 1964, Sections 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, California Government Code, Section 11135 et seq. and all applicable regulations, and with all applicable requirements related to receipt of federal and/or state funds.

The compliance officer for purposes of this policy is the District Affirmative Action Officer, 33 Gough Street, San Francisco CA 94103, 415.241.2281.

From: http://www.ccsf.edu/Policy/nondiscrim.html
CCSF “TRANSGENDER FRIENDLY” STICKER APPLICATION FORM

Sponsored by The Gender Diversity Project, a project of HIV/STI Prevention Studies & Office of Mentoring & Service Learning

Thank you for taking a moment to complete our application on Transgender issues. We are using the application to determine which areas on campus will receive our “Transgender Friendly” stickers. The sticker campaign is designed to identify places on campus that are friendly to the unique needs and situations of Transgender people. Applicants will be contacted for a visit from one of our student representatives to present the sticker and provide any additional educational materials deemed necessary to establish the zone as “Transgender Friendly.”

After completing the survey please return it to Box C 404. Please contact 415.452.5202 with any questions.
TRANSGENDER FRIENDLY STICKER CAMPAIGN APPLICATION

Your Name:_________________________ Phone or Email:___________________
Dept/Program/Faculty Name:_________________________ Date:______________

SECTION I: TRUE/FALSE QUESTIONS
1. Gender is determined by genitalia. T F
2. It is easy to identify a transgendered person. T F
3. Transgender people always have sex change operations. T F
4. There are no transgendered people on campus. T F
5. Transgender is the same as being gay or lesbian. T F

SECTION II
Please answer honestly and to the best of your ability. Please use the back side for additional space to answer questions if necessary.

1. Have you ever known a transgender person? If so what was your experience with them?

2. If you saw someone you knew to be transgender having a problem with other students or instructors would you intervene? If so how? Have you done so in the past?

3. Have you, or anyone in your dept/program, ever taken any classes, workshops etc., about gender identity or related subjects? If so please tell us where and when.

4. Do you know where on campus transgender people could receive transgender sensitive support/services, and where they should go to file complaints about mistreatment? If so, where?
Appendix of Select Resources

**GENDER DIVERSITY PROJECT: RESOURCES FOR EDUCATION EVALUATION**

Please check all that apply for each chapter/section.

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<th>Used as staff/admin/faculty training</th>
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8. Do you have any other comments, questions or suggestions about the Gender
Appendix of Select Resources

GENDER DIVERSITY PROJECT: RESOURCES FOR EDUCATION REVIEWER BIOGRAPHIES

Sean Beougher works as a Research Associate for the Gay Couples Study at the Center for AIDS Prevention Studies, University of California-San Francisco. A City College HIV/STI Prevention Studies program graduate, Sean holds a MA in Human Sexuality Studies from San Francisco State University.

Chris Daley is a public interest attorney and former Director of the Transgender Law Center in San Francisco which he founded with Dillon Vade in 2001. With the TLC he has provided legal assistance to hundreds of transgender clients, presented dozens of workshops and talks on transgender legal issues, participated in several public policy initiatives and assisted numerous attorneys in effectively representing transgender clients.

Holy Old Man Bull is a Discrimination Investigator for the City and County of San Francisco Human Rights Commission. Holy Old Man Bull designed and conducted transgender cultural competency trainings for the San Francisco Police Department, University of California San Francisco, the Red Cross, etc. Holy Old Man Bull is a Board Member of the Native American AIDS Project (NAAP) and the Native American Cultural Center (NACC), and authored the Commission report Discrimination By Omission, which documents discrimination against Native Americans in San Francisco.

Jeanna Eichenbaum, LCSW, has been the Team Leader and Clinical Director of the Substance Abuse Day Hospital at the Veteran’s Administration Hospital in San Francisco since July, 2007. Prior to this she was the Project Director of the TRANS Project at UCSF. From 2001–2006, she was the Manager and co-creator of the Transgender Recovery Project at Walden House, the first residential drug treatment program in the United States to specifically target the transgender community. In addition to her work and duties at the San Francisco VA Medical Center, she has a part time psychotherapy practice where she focuses on issues related to sexuality, gender identity, depression, PTSD, relationship concerns, and other problems and aspirations of modern life.
Billie-Jean Kanios, a former City College student is featured in the “Transgender Voices” digital story and she is a member of the San Francisco HIV Health Services Planning Council (HHSPC).

Lydia Sausa, Ph.D., M.S. Ed teaches at City College of San Francisco and Pacific School of Religion. Dr. Sausa is currently the Curriculum Development & Training Administrator at the Center of Excellence for Transgender HIV Prevention in the Department of Family and Community Medicine in the School of Medicine at the University of California, San Francisco. For more about Lydia including publications visit http://www.lydiasausa.com.

Willy Wilkinson, MPH is a third-gendered writer and public health consultant who conducts transgender and LGBT trainings for various health and social service providers. Willy was a qualitative data analyst for San Francisco’s Transgender Focus Group Study and served on the community advisory board of the Transgender Community Health Project. He launched the Trannyfags Project in San Francisco, as well as a support group in Berkeley for people of color on the FTM spectrum. In 2004 Willy conducted a needs assessment of FTMs of color and their partners, and launched the Health Care Access Project at Transgender Law Center in San Francisco. Currently, Willy works as a public health consultant with (PRTA) Progressive Research Training and Action in Oakland.
APPENDIX OF SELECT RESOURCES

TRANS AND INTERSEX RESOURCE LIST: SAN FRANCISCO AND BAY AREA ORGANIZATIONS AND SUPPORT SERVICES

Compiled and Updated by Lydia Sausa

http://www.lydiasusa.com/Lydia_Sausa_Trans_and_Intersex_Resource_List.pdf

CITY COLLEGE OF SAN FRANCISCO PROGRAMS AND RESOURCES

Affirmative Action at CCSF is responsible for nondiscrimination and harassment prevention (including sexual harassment) and processing formal complaints. The office also handles requests for student accommodations according to the Americans with Disabilities Act.

31 Gough St. Rm. 16/415.241.2281

Career Development and Placement Center assists current CCSF students and alumni in making career/job choices, setting educational career goals, selecting a major, becoming job ready, and seeking employment.

Science Hall 127/415.239.3117/http://www.ccsf.edu/Services/CDPC

Continuing Student Counseling Department addresses the needs of continuing students who have completed one year of college or more than 24 units (at CCSF or another college or university). Students can work with CSCD counselors to discuss their academic goals, develop or revise educational plans, help with academic probation, transferring, and brief personal counseling.

Cloud Hall 207; Bungalow 606; Arts 201; Bungalow 623D-E; Smith Hall 106/415.452.5235 or 415.452.5249 to make an appointment
**Disabled Students Programs and Services (DSPS)** offers supportive services for students with a wide range of disabilities. Emphasis is given to those services which allow students with disabilities to fully participate in all regular academic and vocational programs.

*Rosenberg 323/415.452.5481/TDD: 415.452.5451/http://www.ccsf.edu/dsps*

**Extended Opportunity Programs and Services (EOPS)** assists low income, educationally under-prepared students by providing support services such as counseling, tutoring, priority registration, orientation to college, financial aid advising, book services, and CSU and UC transfer application fee waivers.

*Behind Smith Hall/415/239.3561/http://www.ccsf.edu/eops*

**HARTS (Homeless/At-Risk Transitional Students) Program** of City College of San Francisco is dedicated to creating paths out of poverty and homelessness by providing access, advocacy, resources, and support for homeless, formerly homeless, and at-risk students within the college, and for those potential students in similar situations who wish to return to the educational setting.

*Cloud Hall 205/415.452.5233*

**HIV/STI Prevention Studies** is a program of the Health Education and Community Health Studies Department offering a wide variety of HIV/STI services to CCSF students, faculty, employees, and their significant others. Students in the program can receive specialty certification in HIV/STI Prevention Education: Case Management, Group Facilitation, or Outreach Skills.

*Cloud Hall 404/415.452.5202*

**Project SAFE** provides free condoms and other safer sex supplies, information, and referrals related to HIV and STI prevention and treatment.

*Cloud Hall 405/415.452.5070*
Appendix of Select Resources

**Project SURVIVE** is a peer education program dedicated to promoting healthy relationships and ending sexual violence, especially rape and battery in intimate relationships. Cloud Hall 402/415.239.3899/http://www.ccsf.edu/Departments/Women_Studies/Project_SURVIVE/

**Queer Resource Center** and **Queer Alliance** student club provide access to a support system of peers and allies and strengthens the LGBTQQI community at CCSF. In addition, the QRC acts as a center of education for and about the queer community through peer-led teachings, workshops, and other such events. The Queer Resource Center is a safe space for queer and transgender students and all, welcoming the opportunity to outreach to its community. Student Union 202, 452-5723.

**Rosenberg Library/ Learning Resource Center** users have access to the collections via the library's website, http://www.ccsf.edu/Library and will find:

» Online library catalog

» Full-text periodical databases

» Selected websites and search tools

» Guides and useful information about services, resources and research strategies.

» Over 70 public computers provide access to all of the electronic resources. Wireless access is also provided. The open stacks give immediate access to almost the entire collection, affording valuable opportunities for independent browsing and research. A student computer lab is located on the fifth floor, R521.

For a comprehensive list of resources at Rosenberg Library, check out the **CCSF Transgender Subject Guide**: http://www.ccsf.edu/Library/guides/transgender.html

Southeastern part of the Ocean Avenue Campus/415.452.5541/http://www.ccsf.edu/Library
**Student Health Services** assists students in achieving their educational goals by providing services that address their physical and emotional health needs. Additionally, students are informed of community resources with the goal of becoming more effective health care consumers.

*Health Center 100/415.239.3110/http://www.ccsf.edu/Services/Student_Health*

**Transgender Outreach and Advocacy Coordinator**

Advising transgender and gender variant students, community outreach and advocating for policy changes.

*Ms. Bob Davis/415.452.5242/Arts 209*

**Veterans Educational Benefits Office** services are available for veterans, veterans’ dependents, and eligible persons; services include credit for military training as well as other major benefits.

*Conlan Hall E-2/415.239.3486*

**WAYPASS (Women's After Care Program and Services)** is a collaborative effort of the Health Education and Community Health Studies and Women's Studies departments. It provides services and referrals to CCSF women students who have been to prison, jail, or a drug program. This program supports education as the best alternative to incarceration.

*Cloud Hall 405B/415.452.4889*

**Women's Resource Center** provides resources both on and off campus, such as child care, health care, jobs, and domestic violence/sexual assault.

The WRC houses a lending library of nearly 1,000 books by and about women. It sponsors campus-wide events and hosts support groups. Smith Hall 103-104, 415-239-3112.
SF PUBLIC LIBRARY TG BIBLIOGRAPHY

Ask your local and regional public libraries about transgender and gender variant resources. Are they available? If not, are they interested in utilizing the San Francisco Public Library TRANScending Identities Bibliography?
AB 537 RESOURCE SHEET

WHAT IS AB 537?
AB 537, the California Student Safety and Violence Prevention Act of 2000, changed California’s Education Code by adding actual or perceived sexual orientation and gender identity to the existing nondiscrimination policy. The state defines “gender” as “a person’s actual sex or perceived sex and includes a person’s perceived identity, appearance or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with a person’s sex at birth.” The nondiscrimination policy also prohibits harassment and discrimination on the basis of sex, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

What does AB 537 cover?
AB 537 protects students and school employees against discrimination and harassment at all California public schools and any school receiving state funding except religious schools. Harassment is defined as “conduct based on protected status that is severe or pervasive, which unreasonably disrupts an individual’s educational or work environment or that creates a hostile educational or work environment.” The protections cover any program or activity in a school, including extracurricular activities and student clubs. This gives GSAs and other LGBTQ-related student clubs state protection in addition to federal protection through the Equal Access Act.

How do you file a complaint?
First, file a complaint with your school. The process for filing a complaint at your school can vary. Look for information on how to make a complaint in your student handbook or ask a teacher or an administrator. It is often the same process as filing a sexual harassment complaint. If your school’s harassment report form does not specifically include sexual orientation and the expanded definition of gender, consider working to change this as a goal of your activism.
Appendix of Select Resources

Document everything. Write down the key details of the harassment such as who, what, when, where, and witnesses. Include details from meetings you have with administrators. Keep a copy of all reports you file and confirmation that they were received.

What is your school district obligated to do?
If your school does not adequately address your complaint, you can take your complaint to your district superintendent’s office (ask for the designated complaint officer or compliance coordinator). Your school district must follow the state’s “Uniform Complaint Procedures,” which say that your school district must do the following:
- Have a staff member who is responsible for receiving and investigating complaints who is knowledgeable about the law.
- Every year, notify parents, employees, students, and anyone interested of the district complaint procedures, including the right to appeal the school district’s decision to the California Department of Education.
- Protect you from retaliation after you make a complaint.
- Keep your complaint confidential as appropriate.
- Accept complaints from any youth, adult, public agency, or organization.
- Investigate your complaint, come up with a solution, and send you a written report no more than 60 days after they receive your complaint.

What is the state Department of Education obligated to do?
As the authority over public schools, the California Department of Education (CDE) is responsible for making sure that schools follow AB 537. If your school district fails to adequately resolve your complaint, the CDE is obligated to do the following:
- If your school district does not act within 60 days of receiving your complaint or if you appeal the school district’s decision, the CDE is obligated to complete an investigation within 60 days, and make a decision about whether the school district has lived up to its responsibilities and whether it needs to do anything else.
Require schools to take steps to improve problems raised through investigation of complaints.

Request a report of the schools' actions and keep a file of every written complaint received.

Other options for holding your school accountable:

Litigation. You can sue your school district. With the help of an attorney, students can ask a judge to order the school to stop discrimination before it happens or continues. This is called injunctive relief. It's cool because a judge issues an “injunction” (order) to your school district and your school district has to do it immediately! You can do this while going through the complaint process.

Community Organizing. Organize other students, teachers, staff, parents, and community allies to form a community response to the problem of homophobia in your school. Think of AB 537 as a tool and use it as leverage to work to change the school climate.

Background Info on AB 537

On October 2, 1999, Governor Gray Davis signed into law AB 537, the California Student Safety and Violence Prevention Act of 2000. Students, teachers, parents, community groups, and political activists had fought for five years for a law that would protect gay, lesbian, bisexual, and transgender students from the harassment and discrimination so many faced on a daily basis at their schools.

This section will briefly explore some of the ideas and background to understand AB 537, the California Student Safety and Violence Prevention Act of 2000.

Also take a look at the excerpt from Lambda Legal Defense and Education Fund’s publication, “Stopping Anti-Gay Abuse of Students in Public Schools.” It gives some excellent advice on how to go about building, pursuing, and documenting your case, and it's applicable to any situation in which you may need to access the legal system.

AB 537: A Tool For Building Change
What Is a Nondiscrimination Law?

First, let's talk about what it's not.

It's not a magic wand. It won't drain a prejudiced mind of its prejudice. It won't automatically make an irresponsible person responsible, an ignorant person enlightened, or a violent person gentle. Advocacy, education, and rehabilitation will all still be necessary.

It's also not an endpoint. It doesn't represent the end of a process of growing as a society—it's a mile-marker in the early days of our journey.

Finally, a law isn't instant. It takes time to grow. Both within the judicial system and throughout society, people will learn about it and understand its meaning gradually, over months and years as we do our work to educate them. Laws are fleshed out and grow by being tested and used. What develops is called case law, and it helps lawyers, judges, and the rest of society understand what a particular law means.

So what is a nondiscrimination law? It seems obvious, doesn't it? It's a rule that says you can't discriminate in a particular context against a person because that person has a particular trait or characteristic, and it typically applies some form of penalty for doing so.

But every law is also something greater than just a rule: it's a symbol and an opportunity. In many ways, its greatest power and potential derives, not from the legal process of accessing it, but from the social processes of education and discussion which it can start. A law symbolizes and clarifies our society's values, and it creates innumerable opportunities for us to educate individuals and groups about those values and how to make them part of our everyday lives.

What is discrimination?

Good question. 200 years ago you would have gotten a very different answer from the one most of us agree on today. Thirty years ago, you would have a different answer, too. Our society's understanding of what discrimination is has grown continually as our understanding of equality has evolved. When the Constitution was ratified in 1788, the concept of equality only covered white men. When sex discrimination first came to be outlawed in employment in 1964 and in education in 1972, it didn't include the idea that
sexual harassment constituted discrimination. And today, we’re really standing at the beginning of a new era for LGBT students. What will be categorized as discrimination that we don’t even think of as discrimination now? How deeply will the law change schools’ cultures and, ultimately, how individuals come to view themselves and each other? These questions will take time to answer, and they’ll be answered in response to real people who encounter real problems that will be sorted out using the law as a guide.

Here are some examples of discrimination that are pretty clear:

» A same-sex couple isn’t allowed to attend the school prom.
» Bias incidents committed on the basis of a person’s sexual orientation or gender identity are ignored by school administrators.
» A hostile climate of verbal harassment and intimidation is allowed to flourish in a school.
» Same-sex couples who display affection in public are treated differently than opposite couples who display their affection in public.
» A student is denied full access to part of the school facilities as a result of the school’s unwillingness or inability to make those facilities safe.
» A Gay-Straight Alliance or other club to support LGBT youth isn’t allowed to form on campus.

But there are a lot of other areas in which LGBT students are treated differently, and such treatment may one day be understood as discriminatory, if not through this law, then perhaps through others that build on it. Think about sex education, which essentially pretends that LGBT people don’t exist. AB 537 doesn’t cover that. Or consider your school library, which may have very little information about LGBT people or issues. Or think about how rituals like electing a Prom Queen and a Prom King enshrine heterosexuality and enforce gender stereotypes. All of these are inequities which our society as a whole doesn’t yet understand to be discriminatory.

If we use it, AB 537 may help us arrive ultimately at a much broader and deeper understanding of equality for LGBT students.

**TEXT OF AB 537 FROM THE GAY STRAIGHT ALLIANCE NETWORK.**
AB 537: The California Student Safety and Violence Prevention Act of 2000 THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. This bill shall be known, and may be cited, as the California Student Safety and Violence Prevention Act of 2000.

SEC. 2. The Legislature finds and declares all of the following:

(1) Under the California Constitution, all students of public schools have the inalienable right to attend campuses that are safe, secure, and peaceful. Violence is the number one cause of death for young people in California and has become a public health problem of epidemic proportion. One of the Legislature's highest priorities must be to prevent our children from the plague of violence.

(2) The fastest growing, violent crime in California is hate crime, and it is incumbent upon us to ensure that all students attending public school in California are protected from potentially violent discrimination. Educators see how violence affects youth every day; they know first hand that youth cannot learn if they are concerned about their safety. This legislation is designed to protect the institution of learning as well as our students.

(3) Not only do we need to address the issue of school violence but also we must strive to reverse the increase in teen suicide. The number of teens who attempt suicide, as well as the number who actually kill themselves, has risen substantially in recent years. Teen suicides in the United States have doubled in number since 1960 and every year over a quarter of a million adolescents in the United States attempt suicide. Sadly, approximately 4,000 of these attempts every year are completed. Suicide is the third leading cause of death for youths 15 through 24 years of age. To combat this problem we must seriously examine these grim statistics and take immediate action to ensure all students are offered equal protection from discrimination under California law.

SEC. 3. Section 200 of the Education Code is amended to read: 200. It is the policy of
the State of California to afford all persons in public schools, regardless of their sex, ethnic group identification, race, national origin, religion, mental or physical disability, or regardless of any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the educational institutions of the state. The purpose of this chapter is to prohibit acts which are contrary to that policy and to provide remedies therefor.

**SEC. 4.** Section 220 of the Education Code is amended to read: 220. No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability, or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.

**SEC. 5.** Section 221 of the Education Code is renumbered to read: 220.5. This article shall not apply to an educational institution which is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization.

**SEC. 6.** Section 241 is added to the Education Code, to read: 241. Nothing in the California Student Safety and Violence Prevention Act of 2000 requires the inclusion of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution or postsecondary educational institution; the California Student Safety and Violence Prevention Act of 2000 shall not be deemed to be violated by the omission of any curriculum, textbook, presentation, or other material in any program or activity conducted by an educational institution or postsecondary educational institution.

**SEC. 7.** Section 66251 of the Education Code is amended to read: 66251. It is the policy of the State of California to afford all persons, regardless of their sex, ethnic group identification, race, national origin, religion, mental or physical disability, or regardless of
any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code, equal rights and opportunities in the postsecondary institutions of the state. The purpose of this chapter is to prohibit acts that are contrary to that policy and to provide remedies therefor.

SEC. 8. Section 66270 of the Education Code is amended to read: 66270. No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, or mental or physical disability, or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the Penal Code in any program or activity conducted by any postsecondary educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid.

SEC. 9. Section 66271 of the Education Code is renumbered to read: 66270.5. This chapter shall not apply to an educational institution that is controlled by a religious organization if the application would not be consistent with the religious tenets of that organization.

SEC. 10. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars ($1,000,000), reimbursement shall be made from the State Mandates Claims Fund.
AB 196 RESOURCE SHEET
TRANS GENDER EMPLOYEES AND TENANTS IN CALIFORNIA
RIGHTS AND RESPONSIBILITIES AS CLARIFIED BY THE GENDER NONDISCRIMINATION ACT OF 2003 (AB 196)

A joint publication of the National Center for Lesbian Rights
National Office/870 Market Street, Suite 570/San Francisco, CA 94102/415.392.6257
http://www.nclrights.org

and The Transgender Law Center
160 14th Street/San Francisco, CA 94103/415.865.0176/http://www.transgenderlawcenter.org

I. Background

Beginning January 1, 2004 California's Fair Employment and Housing Act (FEHA) will explicitly protect many transgender employees and tenants. FEHA was amended through the Gender Nondiscrimination Bill of 2003 (AB 196).

AB 196 was proposed in reaction to trends around the country recognizing that transgender people are protected by laws that prohibit discrimination on the basis of sex.

Courts and administrative agencies in Connecticut, Massachusetts, New Jersey, and New York all found that transgender plaintiffs, who had been discriminated against because of their gender identity, had a right of action under existing state and/or local anti-discrimination laws.

While no such cases had yet been decided in California, a Ninth Circuit decision from 2000 provided strong evidence that FEHA would have to be similarly interpreted. In Schwenk v. Hartford, a transgender prisoner sued for protection under the Gender Motivated Violence Act. In holding that the prisoner was covered under that Act, the Ninth Circuit went out of their way to also find that a transgender person would be similarly protected under Title VII's sex discrimination language.

Since California courts have long interpreted FEHA to be consistent with Title VII and similarly held that California sex discrimination law is at least as protective as federal...
FEHA has been understood to prohibit discrimination against transgender people at least since *Schwenk* was decided.

In 2002, the California Department of Fair Employment and Housing adopted this position as their policy and began to accept claims of discrimination based on gender identity as discrimination based on sex. In doing so, the agency made it possible for transgender people to seek administrative remedy to discrimination in employment, housing, and public accommodation without having to first prove that they were covered by state law.

However, with no clear California court cases and no explicit statutory language to cite, some people remained confused about the rights of transgender employees and tenants under California law. This confusion meant that some transgender people did not know that they were protected and some employers and landlords did not believe that they had a duty under law to create discrimination free environments. In order to alleviate this confusion and head off any protracted court fights about the state of California law, advocates and legislators worked together to clarify FEHA.

**II. The Law**

Introduced by Assemblymember Mark Leno, and co-authored by eight of his fellow Assemblymembers, AB 196 changed the California Government Code in two places. First, it amended California Government Code 12926(p) which defines sex to read:

> (p) “Sex” includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. **“Sex” also includes, but is not limited to, a person’s gender, as defined in Section 422.56 of the Penal Code. California Government Code 12926** (italicized portion is the amended language)

For the sake of statutory consistency, AB 196 did not create a new definition of gender to add to the statute. Instead it incorporated the definition from California’s Hate
Appendix of Select Resources

Crimes Statute. That statute defines gender as:

“Gender” means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. California Penal Code 422.56(c)

Second, AB 196 added new language to FEHA pertaining to dress codes. Again, in order to bring California in line with trends seen in other states and in local jurisdictions within the state, AB 196 clarified the effect of this new language on an employer's existing ability to set standards for workplace appearance:

Nothing in this part relating to gender-based discrimination affects the ability of an employer to require an employee to adhere to reasonable workplace appearance, grooming, and dress standards not precluded by other provisions of state or federal law, provided that an employer shall allow an employee to appear or dress consistently with the employee's gender identity. California Government Code 12949

Section 12949 simply makes clear that in order to comply with state law, any such appearance or grooming policy must judge a transgender person's compliance by the standards appropriate for that person's gender identity.

III. Changing Workplace and Living Environments

While many employers and landlords have already been proactively creating workplaces and living environments that are free of gender identity discrimination, others need to take strong steps in order to do so. Gender identity discrimination is premised on the idea that the sex a person was assigned at birth is always accurate and/or unchangeable. However, as many transgender people can attest, it is not.
Therefore, employer and landlord policies and practices must incorporate the needs and experiences of transgender people in order to comply with state law. Aside from meeting the legal duties clarified by AB 196, updating such policies make for a better working or living environment, demonstrate respect for diversity, alleviate wasteful and counterproductive stress, and set clear standards for workplace and living environment behavior.

Following are examples of areas in which employers and/or landlords should make clear, understandable policies. As workplaces and living environments can vary widely, this publication only seeks to identify the most common changes employers and landlords need to make. And as the law in this area is particularly dynamic, employers and landlords should contact either the National Center for Lesbian Rights or the Transgender Law Center at the numbers or emails above to get answers to specific questions.

**A. Employers**

1. **Anti-Discrimination Policies**

   Employers who have not already done so, should bring their employment policies in line with state law by clearly defining “sex” or “gender” to include gender identity or by adding the phrase “gender identity and expression” to their existing policy. Such modifications are important in order to put all employees on notice that transgender employees are respected and protected in the workplace.

   Such policies obviously apply to hiring, promoting, training, and retaining employees. Managers and other decision makers should be explicitly trained about the employer’s duty to not allow gender identity bias to play a role in any of these areas.

2. **Names and Pronouns**

   An employee who transitions on the job has the right to be addressed by the name and pronoun that corresponds to the employee’s gender identity. Employee records and identification documents should be changed accordingly. While state law does not likely prohibit other employees from making inadvertent slips or honest mistakes about a
person's name or gender, it does outlaw intentional or persistent refusal to respect a coworker's or employee's gender identity. Intentionally addressing a co-worker or employee by the incorrect name or pronoun after having been informed of that person's gender identity is an actionable form of discrimination.

While some employers believe that an employee must get a court order to legally change the employee's name, this is not correct. California explicitly recognizes "common law" name changes for a majority of people in the state. Furthermore, an employee does not need to get court recognition of a change of gender prior to requesting that an employer change the employee's gender marker in records and on identity documents. An employer also should not require such an order prior to effectuating such a request. To do so, would run counter to the policies of the majority of government agencies that keep records on a person's gender. For instance, a transgender person can get the gender marker changed on their state identification or drivers license without having first gotten a court order. The same is true of a person's gender marker in their social security records and on their passport.

3. Restroom accessibility
All employees have a right to safe and appropriate restroom facilities. This includes the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. No other employee's privacy rights are compromised by such a policy. While no such case has been heard in California (likely because of the ridiculous nature of the arguments involved), the only known case anywhere in the nation of a non-transgender person seeking legal remedy to the presence of a transgender person in the same restroom was dismissed for lack of a cause of action.\textsuperscript{10}

In addition, where possible, an employer should provide an easily accessible unisex single stall bathroom for use by any employee who desires increased privacy, regardless of the underlying reason. In fact, a private restroom of this type can be utilized by an
employee who does not want to share a multi-restroom with a transgender co-worker or employee. Clearly, though, use of a unisex single stall restroom should always be a matter of choice for an employee. No employee should be compelled to use one either as a matter of policy or due to continuing harassment in a gender appropriate facility.

4. Dress Codes
As clarified above in section II, California state law explicitly prohibits an employer from denying an employee the right to dress in a manner suitable for that employee’s gender identity. While the most efficient way to avoid liability on this issue is to do away with all dress codes based on gender, any employer who does enforce gender based dress codes must do so in a non-discriminatory manner. This means not only allowing a transgender woman (for instance) to dress the same as other women, but that her compliance with such a dress code cannot be judged more harshly than the compliance of non-transgender women.

5. Sex segregated job assignments
AB 196 does not prohibit an employer from making job assignments based on sex so long as those assignments are otherwise in compliance with state law. However, in most cases, transgender employees must be classified and assigned in a manner consistent with their gender identity.

6. Training
Training employees in transgender sensitivity is clearly one way to improve the work environment and reduce liability. While transgender people in the workplace are certainly not a new phenomenon, many non-transgender people have questions when they find out that a fellow employee is transgender. Creating a space for these employees to
ask such questions in a controlled environment is an incredibly helpful way to prevent bias related incidents. More and more professionals and government agencies are acquiring the skills necessary to provide trainings of this sort and employers are strongly recommended to avail themselves of these services.

**B. Landlords**

1. Anti-Discrimination Policies

   All employees and agents of a landlord should be aware that not only are they and their co-workers protected from discrimination, so are the landlord's tenants. Landlords who have not already done so, should bring their rental policies in line with state law by clearly defining "sex" or "gender" to include gender identity or by adding the phrase "gender identity and expression" to their existing policy. Such modifications are important in order to put all employees and tenants on notice that transgender tenants are to be respected and protected.

   Such policies obviously apply to all aspects of renting and repairing a unit as well as extending a lease. Managers and other decision makers should be explicitly trained about the landlord's duty to not allow gender identity bias to play a role in any of these areas.

2. Names and Pronouns

   A tenant who transitions has the right to be addressed by the name and pronoun that corresponds to the tenant's gender identity. Rental records and identification documents should be changed accordingly. While state law does not likely prohibit a landlord's employees or agents from making inadvertent slips or honest mistakes about a person's name or gender, it does outlaw intentional and persistent refusal to respect a tenant's gender identity. Intentionally addressing a tenant by the incorrect name or pronoun after having been informed of that person's gender identity is an actionable form of discrimination.

   While some landlords believe that a tenant must get a court order to legally change
the tenant’s name, this is not correct. California explicitly recognizes “common law” name changes for a majority of people in the state.11 Furthermore, a tenant does not need to get court recognition of a change of gender prior to requesting that a landlord change the tenant’s gender marker in rental records and on identity documents. A landlord also should not require such an order prior to effectuating such a request. To do so, would run counter to the policies of the majority of government agencies that keep records on a person’s gender. For instance, a transgender person can get the gender marker changed on their state identification or drivers license without having first gotten a court order. The same is true of a person’s gender marker in their social security records and on their passport.

3. Restroom accessibility
In those buildings that utilize restrooms shared by more than one tenant, all tenants have a right to safe and appropriate restroom facilities. This includes the right to use a restroom that corresponds to the tenant’s gender identity, regardless of the tenant’s sex assigned at birth. No other tenant’s privacy rights are compromised by such a policy. While no such case has been heard in California (likely because of the ridiculous nature of the arguments involved), the only known case anywhere in the nation of a nontransgender person seeking legal remedy to the presence of a transgender person in the same restroom was dismissed for lack of a cause of action.12

In addition, where possible, the landlord of a building where multiple units share the same restrooms should provide an easily accessible unisex single stall bathroom for use by any tenant who desires increased privacy, regardless of the underlying reason. In fact, a private restroom of this type can be utilized by a tenant who does not want to share a multi-stall restroom with a transgender co-tenant. Clearly, though, use of a unisex single stall restroom should always be a matter of choice for a tenant. No tenant should be compelled to use one either as a matter of policy or due to continuing harassment in a gender appropriate facility.

4. Sex-segregated housing
In any housing facility where tenants are housed in a sex-segregated manner, a transgender tenant must be classified and housed according to that person's gender identity.


**ENDNOTES FOR AB196 RESOURCE SHEET**


5. **Schwenk v. Hartford,** 204 F.3d 1187, 1202 (9th Cir. 2000) (noting that Title VII prohibits “[d]iscrimination because one fails to act in the way expected of a man or woman”).


7. This language was just adopted by the state legislature through AB 1234 and will become law on January 1, 2005. The original AB 196 language was: “Sex” also includes, but is not limited to, a person's gender, as defined in Section 422.76 of the Penal Code, except that, for purposes of this part, the reference in that definition to the “victim” shall mean the employee or applicant and the reference in that definition to the “defendant” shall mean the employer or other covered entity or person subject to applicable prohibitions under this part.

8. This language was just adopted by the state legislature through AB 1234 and will become law on January 1, 2005. Until that time, the definition in Penal Code section 422.76 is: “gender” means the [individual's] actual sex or the defendant's perception of the [individual's] sex, and includes the defendant's perception of the [individual's] identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the [individual's] sex at birth.


10. **Cruzan v. Special School Dist., #1,** 294 F.3d 981 (8th Cir. 2002).
Appendix of Select Resources

EQUAL OPPORTUNITY STATEMENT (CCSF)

It is the policy of the San Francisco Community College District to provide all persons with equal educational opportunities in all of its educational programs and activities regardless of race, color, national origin, ethnic group identification, religion, age, gender, marital status, domestic partner status, sexual orientation, disability or AIDS/HIV status, medical conditions, gender identity, or status as a Vietnam-Era veteran.

The San Francisco Community College District complies with Title VI of the Civil Rights Act of 1964, Sections 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, California Government Code, Section 11135 et seq. and all applicable regulations, and with all applicable requirements related to receipt of federal and/or state funds.

The compliance officer for purposes of this policy is the District Affirmative Action Officer, 33 Gough Street, San Francisco CA 94103, 415.241.2281.

From: http://www.ccsf.edu/Policy/nondiscrim.html
CCSF "TRANSGENDER FRIENDLY" STICKER APPLICATION FORM

Sponsored by The Gender Diversity Project, a project of HIV/STI Prevention Studies & Office of Mentoring & Service Learning

Thank you for taking a moment to complete our application on Transgender issues. We are using the application to determine which areas on campus will receive our “Transgender Friendly” stickers. The sticker campaign is designed to identify places on campus that are friendly to the unique needs and situations of Transgender people. Applicants will be contacted for a visit from one of our student representatives to present the sticker and provide any additional educational materials deemed necessary to establish the zone as “Transgender Friendly.”

After completing the survey please return it to Box C 404. Please contact 415.452.5202 with any questions.
TRANSGENDER FRIENDLY STICKER CAMPAIGN APPLICATION

Your Name:_________________________ Phone or Email:___________________
Dept/Program/Faculty Name:_________________________ Date:______________

SECTION I: TRUE/FALSE QUESTIONS
1. Gender is determined by genitalia.  T  F
2. It is easy to identify a transgendered person.  T  F
3. Transgender people always have sex change operations.  T  F
4. There are no transgendered people on campus.  T  F
5. Transgender is the same as being gay or lesbian.  T  F

SECTION II
Please answer honestly and to the best of your ability. Please use the back side for additional space to answer questions if necessary.

1. Have you ever known a transgender person? If so what was your experience with them?

2. If you saw someone you knew to be transgender having a problem with other students or instructors would you intervene? If so how? Have you done so in the past?

3. Have you, or anyone in your dept/program, ever taken any classes, workshops etc., about gender identity or related subjects? If so please tell us where and when.

4. Do you know where on campus transgender people could receive transgender sensitive support/services, and where they should go to file complaints about mistreatment? If so, where?
Appendix of Select Resources

**GENDER DIVERSITY PROJECT: RESOURCES FOR EDUCATION EVALUATION**

Please check all that apply for each chapter/section.

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<thead>
<tr>
<th>Chapter</th>
<th>Read/Reviewed</th>
<th>Incorporated in course</th>
<th>Used as staff/admin/ faculty training</th>
<th>Used to inform organizational change/ policy</th>
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you used in your class.

8. Do you have any other comments, questions or suggestions about the Gender
Appendix of Select Resources

**Gender Diversity Project: Resources for Education Reviewer Biographies**

**Sean Beougher** works as a Research Associate for the Gay Couples Study at the Center for AIDS Prevention Studies, University of California-San Francisco. A City College HIV/STI Prevention Studies program graduate, Sean holds a MA in Human Sexuality Studies from San Francisco State University.

**Chris Daley** is a public interest attorney and former Director of the Transgender Law Center in San Francisco which he founded with Dillon Vade in 2001. With the TLC he has provided legal assistance to hundreds of transgender clients, presented dozens of workshops and talks on transgender legal issues, participated in several public policy initiatives and assisted numerous attorneys in effectively representing transgender clients.

**Holy Old Man Bull** is a Discrimination Investigator for the City and County of San Francisco Human Rights Commission. Holy Old Man Bull designed and conducted transgender cultural competency trainings for the San Francisco Police Department, University of California San Francisco, the Red Cross, etc. Holy Old Man Bull is a Board Member of the Native American AIDS Project (NAAP) and the Native American Cultural Center (NACC), and authored the Commission report Discrimination By Omission, which documents discrimination against Native Americans in San Francisco.

**Jeanna Eichenbaum, LCSW,** has been the Team Leader and Clinical Director of the Substance Abuse Day Hospital at the Veteran's Administration Hospital in San Francisco since July, 2007. Prior to this she was the Project Director of the TRANS Project at UCSF. From 2001–2006, she was the Manager and co-creator of the Transgender Recovery Project at Walden House, the first residential drug treatment program in the United States to specifically target the transgender community. In addition to her work and duties at the San Francisco VA Medical Center, she has a part time psychotherapy practice where she focuses on issues related to sexuality, gender identity, depression, PTSD, relationship concerns, and other problems and aspirations of modern life.
Billie-Jean Kanios, a former City College student is featured in the “Transgender Voices” digital story and she is a member of the San Francisco HIV Health Services Planning Council (HHSPC).

Lydia Sausa, Ph.D., M.S. Ed teaches at City College of San Francisco and Pacific School of Religion. Dr. Sausa is currently the Curriculum Development & Training Administrator at the Center of Excellence for Transgender HIV Prevention in the Department of Family and Community Medicine in the School of Medicine at the University of California, San Francisco. For more about Lydia including publications visit http://www.lydiasausa.com.

Willy Wilkinson, MPH is a third-gendered writer and public health consultant who conducts transgender and LGBT trainings for various health and social service providers. Willy was a qualitative data analyst for San Francisco’s Transgender Focus Group Study and served on the community advisory board of the Transgender Community Health Project. He launched the Trannyfags Project in San Francisco, as well as a support group in Berkeley for people of color on the FTM spectrum. In 2004 Willy conducted a needs assessment of FTMs of color and their partners, and launched the Health Care Access Project at Transgender Law Center in San Francisco. Currently, Willy works as a public health consultant with (PRTA) Progressive Research Training and Action in Oakland.