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2007 OSBA CAPITAL CONFERENCE

Columbus, Ohio

November 12, 2007

“Dealing with Difference: Discomfort, Diversity, or Discrimination?”

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In 15 known lawsuits involving anti-lesbian, gay, bisexual, transgender (“LGBT”) harassment or discrimination, school districts have paid between \$25,000 and \$1.1 million in settlements.

I. Introduction

II. What is Transgender?

A. Definitions used by Gay and Lesbian Alliance Against Defamation (GLAAD) and other advocacy groups. <http://www.glaad.org/media/guide/transfocus.php>

1. Transgender – an umbrella term for people whose gender identity and/or gender expression differs from the sex they were assigned at birth. The term may include, but is not limited to: transsexuals, cross-dressers, and other gender-variant people. Transgender people may identify as female-to-male (“FTM”) or male-to-female (“MTF”) and may or may not choose to alter their bodies hormonally and/or surgically.
2. Transsexual – an older term which originated in the medical and psychological communities.
3. Transvestite – a term which refers to cross dressing. Cross-dressing is occasionally wearing clothes traditionally associated with people of the other sex. Cross-dressers are usually comfortable with the sex they were assigned at birth and do not wish to change it. Cross-dressing is a form of

gender expression and is not necessarily tied to erotic activity. Cross-dressing is not indicative of sexual orientation.

4. Transition – altering one’s birth sex. It is not a one-step procedure; it is a complex process that occurs over a long period of time. Transition includes some or all of the following cultural, legal, and medical adjustments: telling one’s family, friends, and/or co-workers; changing one’s name and/or sex on legal documents; hormone therapy; and possibly (though not always) some form of surgical alteration.
5. Sex Reassignment Surgery (“SRS”), i.e., “sex change operation” – refers to surgical alteration, and is only one small part of transition. Not all transgender people choose to or can afford to have SRS.
6. Sexual orientation – refers to a person’s emotional and sexual attraction to other people based on the gender of the other person. A person may identify their sexual orientation as heterosexual, lesbian, gay, or bisexual. Sexual orientation and gender identity are two different aspects of a person’s identity. Not all lesbian, gay, or bisexual people are gender non-conforming, and not all transgender people identify as lesbian, gay, or bisexual.
7. Gender – a social construct based on a group of emotional and psychological characteristics that classify an individual as feminine, masculine, androgynous or other.
8. Gender role – the social expectation of how an individual should act, think and feel, based upon one’s assigned gender; the social expectation that an individual must be defined as a man or woman.
9. Gender identity – “the internalized sense of being male, female, or having an ambivalent sexual status; the self-awareness of knowing to which sex one belongs.” A Descriptive Dictionary and Atlas of Sexology, R. T. Francoeur (ed.), Westport, CT: Greenwood Press, 1991, 241.

B. Medical definition.

1. Gender Identity Disorder (“GID”) is a medical diagnosis based on the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders - IV (4th ed. 2000) (DSM-IV) criteria. Because it labels people as “disordered,” GID is often considered by the transgender community and its advocates as offensive.
 - a. The treatment for GID typically includes one or more of the following: hormone therapy; living as a member of the other sex