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## Committee for Gay, Lesbian, Bisexual, Transgender, and Queer (GLBTQ) People in the University Annual Report, 2015-2017

### I. Committee Function

On 16 December 2015, by unanimous vote, the committee adopted new language describing its membership and functions. On 1 February 2016, by a voice vote without dissent, the Faculty Senate approved the proposed amendments and integrated the committee into *Faculty Policies & Procedures* Chapter 6:

*Faculty Policies & Procedures*

6.40. GLBTQ PEOPLE IN THE UNIVERSITY, COMMITTEE ON.

- A. MEMBERSHIP: The Committee for Gay, Lesbian, Bisexual, Transgender, and Queer People in the University consists of the following members:
1. Five faculty members appointed for three-year terms
  2. Two academic staff members appointed for three-year terms
  3. Two university staff members appointed for three-year terms
  4. One postdoctoral scholar (research associate, postdoctoral fellow, or postdoctoral trainee), appointed by the Office of Postdoctoral Studies (VCRGE)
  5. One graduate student and two undergraduate students, appointed by the recognized student governance organization
  6. A representative appointed by the Vice Provost & Chief Diversity Officer, ex officio, non-voting
  7. The Dean of Students or a designee appointed by the Dean of Students, ex officio, non-voting
  8. The Director of the LGBT Studies certificate, ex officio, non-voting
  9. The chair shall be elected from among the faculty members appointed pursuant to section A.1. Any voting member of the committee may be elected to serve as co-chair.
- B. FUNCTIONS:
1. Recommends to administrative offices and governance bodies changes in university priorities, policies, practices, and programs that advance equity and diversity across the spectrum of gender identity and expression and sexual orientation.
  2. Consults and collaborates with administrative offices and governance bodies to advocate for an inclusive and respectful campus climate and culture for faculty, staff, and students across the spectrum of gender equity and expression and sexual orientation.
  3. Evaluates and monitors the status of GLBTQ members of the university community.

The committee's "Operating Procedures" (17 January 2017) are available upon request from the Office of the Secretary of the Faculty.

Assistant Professor Aaron Hoskins (Biochemistry) and Associate Professor Claire Wendland (Anthropology) co-chaired the committee in 2015-2016.

Assistant Professor Aaron Hoskins (Biochemistry) and Professor Tehshik Yoon (Chemistry) co-chaired the committee in 2016-2017.

### II. Activities

**Ad Hoc Committee on Equitable & Inclusive Health Care.** In Spring 2015, committee members considered a variety of ways to address gaps in access to equitable and inclusive health care for GLBTQ members of our UW-Madison community. On 4 January 2016, Co-Chairs Aaron Hoskins and

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Claire Wendland, LGBT Campus Center Director Gabe Javier and Lindsey Stoddard Cameron consulted with the University Committee. The group discussed options such as revitalizing the Domestic Partner Health Care Task Force or creating a new task force to address ETF-related issues such as the lack of coverage for trans health care services and rising costs of level 4 prescription medications, including several antiretrovirals used to treat HIV.

The University Committee invited feedback on the composition of an ad hoc task force. The Committee for GLBTQ People in the University suggested faculty, staff, and students who would bring expertise and breadth of perspective to the ad hoc committee, recommending representation from the health sciences (School of Medicine & Public Health, School of Nursing, School of Pharmacy) and business fields (such as Risk & Insurance). Because differences between SHIP (student health insurance) and employee health care provisions can lead to significant gaps in care for transitioning graduate assistants, the committee also recommended that it would be useful to appoint a Graduate School colleague or a graduate student employed as a TA/PA. Finally, the committee advised that Business Services/Risk Management and the Wisconsin School of Business would likely have faculty or staff members with expertise on LGBTQ health care issues and knowledge of Employee Trust Fund regulations and contracts.

On 4 August 2016, the University Committee charged the Ad Hoc Committee on Equitable & Inclusive Health Care, chaired by Professor Marjorie A. Rosenberg (Risk & Insurance), to review available data and identify solutions. Committee member Steph Tai served as a member of and committee liaison to the ad hoc committee. The ad hoc committee met six times during the fall semester and reported back to the University Committee on 31 January 2017. The ad hoc committee recommended that UW-Madison

- advocate strongly that the Wisconsin Employee Trust Fund (ETF) restore Tier 2 prescription drug coverage for ARV prescription medications
- support and advocate for health insurance guidelines that are supportive of the full range of medical needs of transgender individuals
- go on record as opposing any attempt to reintroduce the transgender exclusion into State of Wisconsin Group Health Insurance plans under ETF
- support steps to remove all “gender binary” assumptions in insurance payments for medical procedures, and
- in the event that the transgender exclusion is returned to state health insurance under ETF, that the university adopt a plan for supplementing state health insurance with a rider with costs to be shared by all university employees to cover transgender care.

On 14 February 2017, the Committee for GLBTQ People in the University endorsed the ad hoc committee’s recommendations. [Note: The committee leadership followed up by meeting with Vice Chancellor for Finance & Administration Laurent Heller and Chief Human Resources Officer Wayne Guthrie on 22 May and 18 August to discuss key issues and the ad hoc committee’s recommendations, evaluate options, and determine what actions the university can take.]

The ad hoc committee’s recommendations and discussions between the Committee for GLBTQ People in the University, University Committee, and university administrators are unfolding in a rapidly changing political environment. On 18 May 2016, the federal Department of Health & Human Services (HHS) issued final regulations pertaining to Section 1557 of the Affordable Care Act (ACA). In response to these regulations, the Group Insurance Board voted on 16 July 2016 to bring Wisconsin’s Employee Trust Funds (ETF) into compliance by removing the exclusion of benefits and services related to gender reassignment or sexual transformation, effective 1 January 2017, and by including federally required notification language on all significant communications related to ETF’s health program, effective 16 October 2016.

Subsequently, the State of Wisconsin entered a lawsuit (*Franciscan Alliance, et al. v. Burwell, et al.*) challenging the legality of the DHHS regulations. In December, a federal judge in Texas enjoined the Obama administration’s guidance on trans-inclusive health care.

Following consultation with Wisconsin Department of Justice and ETF legal counsel, on 30 December, by a vote of seven yes and two no, with two members absent, the Group Insurance Board voted to reinstate the current exclusion of benefits and services related to gender reassignment or sexual transformation contingent on all of the following:

- subject to a court ruling or an administrative action that enjoins, rescinds, or invalidates the HHS Rule;
- subject to compliance with Wis. Stat. 40.03(6)(c);
- subject to renegotiation of contracts that maintain or reduce premium costs for the state; and finally
- subject to the opinion of the DoJ that the action taken does not constitute a breach of board members' fiduciary duties.

The exclusion was reinstated, effective 1 February 2017. The rescission of benefits was communicated to UW-Madison employees by e-mail messages from the University of Wisconsin-Madison's Office of Human Resources and from the University of Wisconsin System.

**Climate Survey for Students.** Development of a campus climate survey was among the first of eighteen Diversity Framework initiatives to be undertaken over the next decade. Jacquie Scott-Papke, who led the initiative for the Division of Diversity, Equity & Educational Achievement, met in Fall 2015 with campus partners, including the Women in Science & Engineering Leadership Institute (WISELI), Academic Planning & Institutional Research (APIR), and the Office of Human Resources, which administers an annual Engagement, Inclusion & Diversity survey in VCFA divisions. She invited members of the Committee for GLBTQ People in the University to suggest survey items that would provide insight into the experiences of GLBTQ members of our campus community and discussed key thematic areas including satisfaction; interactions with colleagues; whether the climate for work and learning is perceived as warm, chilly, or hostile; and perceptions of safety, visibility, and social life/community. The committee suggested including a question on closet status.

The UW Survey Center fielded the survey to graduate, undergraduate and professional students in October-November 2016. Qualitative and quantitative analyses of responses are underway. A committee is being formed to review survey data and recommend follow-up actions in Fall 2017.

**Community Building.** To build community and more fully support GLBTQ employees, the committee hosts or co-hosts a number of social events each year. These augment an annual faculty networking lunch, activities hosted by the LGBT Campus Center, and periodic gatherings hosted by university administrators. The committee seeks to balance professional events (receptions, public lectures) with family-friendly gatherings (e.g., bowling, picnic, marshmallow roast on Picnic Point, Arboretum walk). Lindsey Stoddard Cameron invited members of the GLBTQ faculty networking WiscList members to suggest ideas for fall events.

On 23 March 2016, about forty people attended "Bowling Social," an inaugural event hosted by the committee and sponsored by Vice Provost & Chief Diversity Officer Patrick Sims. The committee encouraged faculty and staff to attend the LGBT Campus Center's Rainbow Graduation on 12 May.

On 16 December 2016, 25 people attended a Fall Social supported by Vice Provost & Chief Diversity Officer Patrick Sims and co-hosted by the Committee for GLBTQ People in the University and the LGBT Campus Center. On 15 March 2017, the committee co-sponsored an inaugural MGN Graduate Student Mixer, hosted by the Graduate School's Multicultural Graduate Network and the LGBT Campus Center. This event, held from 4:30 p.m. to 6:30 p.m. at the University Club, had a strong turnout and attracted a good mix of graduate students and faculty. The committee encourages faculty and staff to attend the LGBT Campus Center's Rainbow Graduation on 11 May.

**Expanded Gender Demographic Options in Applications for Admission.**

In January 2016, Gabe Javier described a UW System plan to expand gender demographic reporting options in its undergraduate admissions application (a single application for all UW System schools).

Options will include “man, trans man, woman, trans woman, and prefer not to answer.” At this time, an intersex option is not included.

This is an emerging practice that has been embraced by some CIC institutions. For example, Iowa collects information about students’ gender identity but not sexual orientation. There are important Title IX implications. In 2014, the Department of Education issued guidance clarifying Title IX protections for trans students: <http://www.glsen.org/article/dept-ed-title-ix-protects-trans-students>

There are several significant challenges to implementing expanded gender demographic options here, perhaps the greatest of which is that UW-Madison has sixteen different admitting offices. About half of applications are handled by Admissions. Graduate student, professional student, and special student applications are handled separately. Another challenge is to identify and provide access to data users, such as University Housing or Recreational Sports. Many systems may not be equipped to move beyond binary expressions. At the other end of the spectrum, University Health Services has already adopted expanded gender demographic options (which differ from those proposed by UW System). The Preferred Name project offers a success story example and model for how campus partners might work together to build alignment and create cross-walks among relevant data systems.

Committee members discussed benefits and possible unintended consequences of expanded gender demographic options. Moving forward, it is important to be more inclusive, not just look more inclusive. It would be unfortunate to raise expectations by requesting information from matriculating students and not use the information, or to create confusion by using the information in some circumstances but not others. We cannot currently measure persistence of students from application, acceptance, matriculation, graduation. Gender identify is fluid and can change, often during a student’s college years. Ideally, our data systems would allow for students to both make and change a gender designation (similar to designating race/ethnicity or preferred name). Strong data custodian policies and practices will be needed, to ensure that the data are protected from socially undesirable uses.

**Gender Inclusive Restroom Facilities.** Provost Sarah Mangelsdorf and Vice Chancellor for Finance & Administration Laurent Heller will charge a project team to develop guidance for Facilities Planning & Management and other administrative units regarding the provision of gender-inclusive restroom facilities at UW-Madison. In October 2016, the committee appointed members Kelly Krein and Steve Reischel to serve on the project team.

**Sexual Assault & Sexual Misconduct.**

In March 2016, committee members reviewed the [\*Sexual Assault Climate Survey Task Force Report\*](#) and considered a [\*Resolution of the Committee on Women in the University: Regarding the UW-Madison Sexual Assault Climate Survey Task Force Report and Recommendations\*](#) (Faculty Document 2604), authored by Professor Bret Payseur (Genetics). Members present voted unanimously to endorse the resolution as written, with a cover letter to Provost Sarah Mangelsdorf articulating the committee’s particular concerns. While much of the messaging around the survey release was heteronormative, survey findings include troubling data about higher rates of sexual harassment and misconduct experienced by gender non-conforming individuals, especially male graduate students. The committee recommends additional communication with graduate students, focused on resources on campus and in the community, and on healthy relationships.

In April 2016, the committee met with recently appointed UW-Madison Title IX Coordinator David Blom to learn about emerging practices to prevent and mitigate sexual assault and misconduct. The committee also consulted with UHS Violence Prevention & Victim Advocacy Manager Carmen Neimeko Hotvedt, who shared data on the effects of UW-Madison’s *Tonight* program and on experiences of graduate students, including transgender women, transgender men, women, and men. The latter data suggest that graduate students have less knowledge about sexual assault and misconduct and experience harassment and assault at relatively high rates.

**Support for LGBTQ Faculty & Staff.** The committee consulted with LGBTCC Director Gabe Javier on a proposal to create a new Staff Coordinator position in the LGBT Campus Center, and reviewed a position vacancy listing for the position. The emerita or emeritus faculty or staff member holding this part time position would engage and support LGBTQ employees, providing information and developing resources for faculty and staff. Ultimately, this position was not funded.

**III. Current and Future Issues of Concerns**

In 2017-2018, the committee will focus on:

- Gender inclusive restroom facilities
- Trans health benefits and services
- Community-building activities for faculty, staff, and students

**IV. Membership**

Committee for Gay, Lesbian, Bisexual, Transgender, & Queer People in the University, 2015-2016

		Member	Term
		<u>Since</u>	<u>Ends</u>
<u>Faculty:</u>			
Jenny Gumperz	Medical Microbiology & Immunology	2014	2018
Aaron Hoskins (co-chair)	Biochemistry	2014	2017
Steph Tai	Law	2015	2019
Claire Wendland (co-chair)	Anthropology	2013	2016
Tehshik Yoon	Chemistry	2014	2017
<u>Academic Staff:</u>			
Joseph Halaas	Wisconsin School of Business	2011	2017
Kelly Krein	Division of Student Life	2015	2018
<u>University Staff:</u>			
William Curtis	UW Police Department	2014	2017
Todd Hill	Division of Information Technology (DoIT)	2014	2017
<u>Students:</u>			
Shannon Davis		2015	2016
Molly Wight		2014	2016
<u>Ex-Officio/Non-Voting:</u>			
Lori Berquam	Vice Provost & Dean of Students	2016	
Gabe Javier (designee)	LGBT Campus Center	2011	2016
Jacqui Scott Papke (designee)	Office of the Vice Provost & CDO	2014	2016
Finn Enke	Gender & Women’s Studies – LGBT Certificate	2015	
<u>Administrative Support:</u>			
Lindsey Stoddard Cameron	Office of the Secretary of the Faculty	2016	

**VI. Committee Membership**

Committee for Gay, Lesbian, Bisexual, Transgender, & Queer People in the University, 2016-2017

		Member	Term
		<u>Since</u>	<u>Ends</u>
<u>Faculty:</u>			
Jenny Gumperz	Medical Microbiology & Immunology	2014	2018
Aaron Hoskins (co-chair)	Biochemistry	2014	2017
Steph Tai	Law	2015	2019
Scott Teeple	Mead Witter School of Music	2016	2019
Tehshik Yoon (co-chair)	Chemistry	2014	2017
<u>Academic Staff:</u>			
Joseph Halaas	Wisconsin School of Business	2011	2017
Kelly Krein	Division of Student Life	2015	2018
<u>University Staff:</u>			
Ellen Morin	Radiology	2016	2019
Steve Reischel	Division of Information Technology (DoIT)	2016	2019
<u>Post-Doctoral Scholar</u>			
Nathan Wlodarchak	Medicine	2016	2018
<u>Students:</u>			
Shannon Davis	School of Social Work (graduate student)	2015	2017
Ellen Krebs	(undergraduate student)	2016	2017 (SI)
Daniel Kwak	(undergraduate student)	2016	2017
Petra Walech-Roth	(undergraduate student)	2016	2017 (SII)
<u>Ex-Officio/Non-Voting:</u>			
Lori Berquam	Vice Provost & Dean of Students	2016	
Gabe Javier (designee)	LGBT Campus Center	2011	
Jacqui Scott Papke (designee)	Office of the Vice Provost & CDO	2014	2016 (SI)
Rex Loehe (designee)	Office of the Vice Provost & CDO	2016	2017 (SII)
Finn Enke	Gender & Women's Studies – LGBT Certificate	2015	
<u>Administrative Support:</u>			
Lindsey Stoddard Cameron	Office of the Secretary of the Faculty	2016	

The committee welcomed as partners, and thanks:

Katherine Charek Briggs, Interim Associate Director, LGBT Campus Center  
 D.A. Dirks, Senior System Academic Planner, University of Wisconsin System