



Toward LGBTQ Non-discrimination & Inclusivity: What We Know & What We Need

Change-makers, lawmakers, and advocates must resist the idea that we are “done” when it comes to preventing discrimination against and promoting the inclusion of LGBTQ-identified individuals. Today, there are ongoing attempts at the state level to ban same-sex marriage, and new strict voter ID laws may disenfranchise over 34,000 transgender voters on November 8. Across a variety of policy contexts, the research shows that there is still so much more that can be done.

EDUCATION

Despite new guidance from the Office of Civil Rights at the U.S. Department of Education, LGBTQ students, staff, and faculty continue to face challenges. Daily microaggressions and bullying mean that many LGBTQ-identified individuals face a hostile learning/work environment. LGBTQ students are more likely to skip school, suffer from poor grades, drop out, and not persevere into higher education.

How do we address these challenges? We need LGBTQ-specific training for teachers, staff, and coaches, we need to require reporting when staff witness harassment/discrimination, and we need to require the tracking of LGBTQ violence and bullying. We also need student non-discrimination policies that explicitly state sexual orientation, and gender identity and expression, protections. We need employment protections for LGBTQ staff so that students have LGBTQ role models. We need a right to safe zones and student groups, comprehensive sex education inclusive of LGBTQ, protection for listing two parents of the same sex in school records, and we need to ban discrimination against foster/adoptive parents due to sexuality, gender identity, and marital status because family and home stability affect education. We also need policies across K-12 and higher education that address transgender students specifically, encompassing administrative, restroom, athletics, housing, and campus healthcare changes that promote inclusion.

WORKPLACE

The June 2015 Supreme Court ruling on same-sex marriage has had an immediate impact on LGBTQ employment rights, including access to spousal health insurance and retirement benefits, although some states and localities have pushed back against the ruling. To complicate the picture, while some LGBTQ-identified individuals are protected against workplace discrimination at the state and local level, these protections vary from place to place and have met with resistance, sometimes in the form of recent “bathroom ordinance” ballot propositions.

In the workplace, disparities are evident: Many LGBTQ-identified individuals are afraid to be out at work and experience workplace microaggressions and harassment. A quarter of people who identify as transgender report having been fired from a job for being transgender, and wage disparities are stark. For example, gay/bisexual men earn 10-32% less than heterosexual men, and the wages of transgender



women fell 1/3 after they transitioned. There are also important intersections with race and ethnicity, with LGBTQ racial and ethnic minority populations often being even more disadvantaged.

How do we address these challenges? We need policies stating that discrimination based on sexual orientation and gender identity qualify as discrimination based on sex, and we need to encourage the use of this definition by those institutions that uphold and carry out such policies (e.g., the courts).

HEALTH

Heterosexual/ cisgender adults are more likely to have health insurance, while LGBTQ adults are more likely to delay or not seek medical care, delay or not get needed prescription medication, and more likely to receive health care services in emergency rooms. Transgender people often have to educate their health care providers and are often misgendered by all aspects of the health care system. There are also few medical training programs that require transgender competencies. LGBTQ people of color also experience a higher prevalence of health disparities.

How do we address these challenges? We need data disaggregation and reporting on LGBTQ health outcomes, and the federal research, statistical, and other agencies can be especially helpful in this area. We also need to foster comprehensive cultural competence in health settings.

VIOLENCE & HOMELESSNESS

With regard to violence: LGBTQ youth of color are more likely than White LGBTQ youth to experience physical violence because of their identities. With regard to homelessness: While 10% of U.S. population is estimated to be LGBTQ, 42% of homeless youth are LGBTQ. Moreover, the majority of LGBTQ homeless youth are people of color.

How do we address these challenges? The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009 has been an important step in addressing violence against LGBTQ-identified individuals, including LGBTQ-identified individuals of color. There is also an important movement to promote cultural competence in criminal justice settings and increase anti-violence programs and community partnerships that serve the LGBTQ community.

*This fact sheet is based on a longer presentation prepared by **Dr. Kim A. Case** (University of Houston-Clear Lake) and **Dr. Kevin Leo Yabut Nadal** (John Jay College of Criminal Justice). To contact the researchers, or to learn more about the work of the Society for the Psychological Study of Social Issues, please contact SPSSI Policy Director Sarah Mancoll at smancoll@spssi.org.*