

# Gender Identity Issues and the Church

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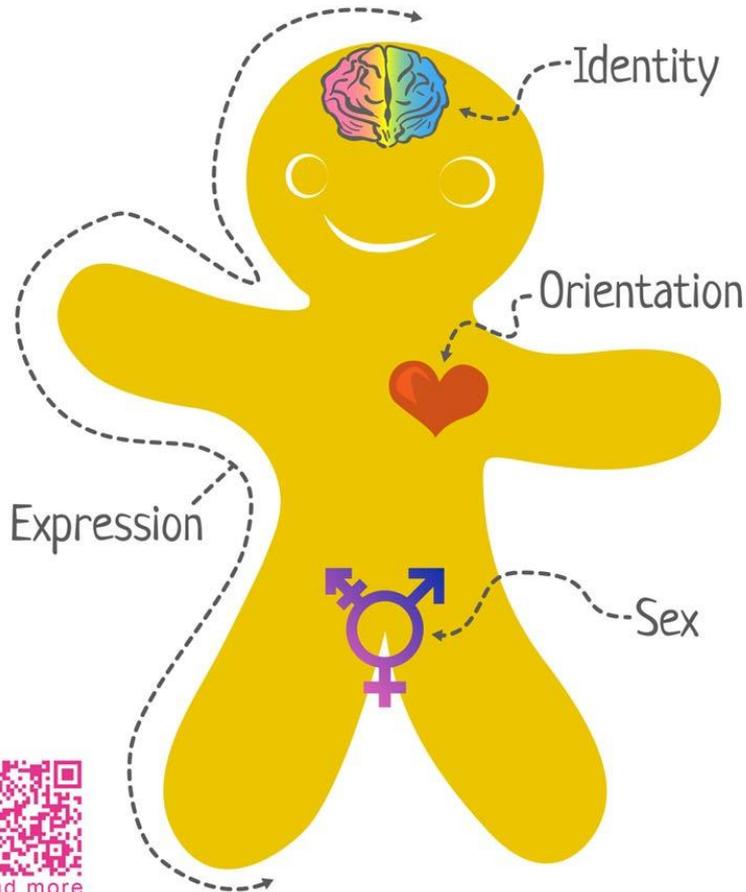


# Ryland's Story



# The Genderbread Person

by [www.ItsPronouncedMetrosexual.com](http://www.ItsPronouncedMetrosexual.com)



## Gender Identity

← Woman Genderqueer Man →

Gender identity is how you, in your head, think about yourself. It's the chemistry that composes you (e.g., hormonal levels) and how you interpret what that means.

## Gender Expression

← Feminine Androgynous Masculine →

Gender expression is how you demonstrate your gender (based on traditional gender roles) through the ways you act, dress, behave, and interact.

## Biological Sex

← Female Intersex Male →

Biological sex refers to the objectively measurable organs, hormones, and chromosomes. Female = vagina, ovaries, XX chromosomes; male = penis, testes, XY chromosomes; intersex = a combination of the two.

## Sexual Orientation

← Heterosexual Bisexual Homosexual →

Sexual orientation is who you are physically, spiritually, and emotionally attracted to, based on their sex/gender in relation to your own.

# Additional Terminology

- Gender dysphoria
- Cisgender
- Non-binary
- Pronouns - he/him, she/her, they/them,



# Gender Transitions

- Social - pronouns, clothing/appearance, use of preferred name
- Legal - name change, gender marker change, identification documents
- Medical - hormone therapy, surgeries



# Estimated Population of Transgender Americans



- 0.6% U.S. Citizens (or 1.4 million adults)
- Arkansas - Estimated 13,400 - rank 18
- Age:
  - 18-24 = 1,850
  - 25-64 = 9,150
  - 65+ = 2,300

Flores, A.R., Herman, J.L., Gates, G.J., & Brown, T.N.T. (2016). *How Many Adults Identify as Transgender in the United States?* Los Angeles, CA: The Williams Institute.

# U.S. Transgender Survey - Executive Summary



- Largest survey examining the experiences of transgender people in the United States
- 27,715 respondents (50 states, D.C., American Samoa, Guam, Puerto Rico, and U.S. military bases overseas)
- Statistics on Discrimination in the Workplace, Education, Homelessness, Restrooms/Public Accommodations, and Healthcare, among other areas.

James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). Executive Summary of the Report of the 2015 U.S. Transgender Survey. Washington, DC: National Center for Transgender Equality.

	U.S. Population (27,715)	Arkansas (222)
All IDs had preferred name and gender	11%	10%
None of their IDs had preferred name and gender	More than 2/3	64%
Problem in past year with insurance due to being transgender	25%	29%
Reported that a professional, such as a psychologist, counselor, or religious advisor, tried to stop them from being transgender	Not provided.	11%
Saw healthcare provider in past year and had negative experience related to being transgender (included refusal, harassed, or having to teach provider about how to treat transgender people)	33%	35%
Respondents who had been a part of a spiritual or religious community who left due to rejection	19% (42% of those found welcoming spiritual community)	X



	U.S. Population (27,715)	Arkansas (222)
Respondents experienced serious psychological distress in the month before completing the survey (based on the Kessler 6 Psychological Distress Scale)	39% (compared with only 5% of the U.S. population)	X
Attempted suicide in their lifetime	40% (nearly nine times the rate in the U.S. population (4.6%))	X
Attempted suicide in the past year	7% (nearly twelve times the rate in the U.S. population (0.6%))	X
Verbally harassed in the past year because of being transgender	46%	X
Physically attacked in past year because of being transgender	9%	X
Sexually assaulted at some point in their lifetime	47% (10% in past year)	X





# Suicide Rates in the U.S. - CDC Study

- Nearly 45k lost to suicide in 2016
- Suicide rates went up more than 30% in half of states since 1999
  - Arkansas - Increase 36.8%
- More than half of people who died by suicide did not have a known mental health condition.

[\[https://www.cdc.gov/vitalsigns/suicide/index.html\]](https://www.cdc.gov/vitalsigns/suicide/index.html)

# Suicide Rates in the U.S. - CDC Study



- Many contributing factors among those with and without mental health conditions:
  - Relationship problem (42%)
  - Problematic substance use (28%)
  - Crisis in the past or upcoming two weeks (29%)
  - Criminal legal problem (9%)
  - Physical health problem (22%)
  - Loss of housing (4%)
  - Job/Financial problem (16%)

# Legal Issues for Transgender Individuals

- Employment discrimination
- Harassment
- Hate crimes
- Transitioning in school/workplace
- Name changing
- Access to healthcare
- Insurance
- Access to benefits
- Housing
- Parental rights
- Among others...





# Federal Laws - Protection

- No federal laws that clearly prohibit discrimination based on gender identity
- In recent years a series of court decisions and some agencies take the position that federal laws against discrimination based on “sex” apply to discrimination based on gender identity (including gender non-conforming, or because he or she fails to conform to gender stereotypes).
  - **Title VII of the Civil Rights Act of 1964**
  - **The Civil Service Reform Act of 1978**
  - **Executive Order 13087** (federal employment)
  - **Executive Order 13672** (federal contractors)
  - **Fair Housing Act** (non-conformity)
  - Among others including healthcare laws

# Title IX Litigation and Guidance



- Prohibits discrimination “on the basis of sex” in educational programs and activities that receive financial assistance from federal government
- Interpretation left to executive - “authorized and directed to effectuate the [statute] by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of [its] objectives. . . .”



# State Laws - Protection

- At least 18 states have laws that prohibit discrimination against transgender people, and at least 200 cities and counties have banned gender identity discrimination
- Arkansas
  - A.C.A. 14-1-403(A) - A county, municipality, or other political subdivision of the state shall not adopt or enforce an ordinance, resolution, rule, or policy that creates a protected classification or prohibits discrimination on a basis not contained in state law.
  - A.C.A 16-123-401, et seq. - Religious Freedom Restoration Act
  - Obergefell v. Hodges (2015) - legalized same-sex marriage in the United States.
  - Name change - only requires “good reason”
  - Gender marker can be changed on ID - does not require additional documentation

# Title XI - Obama Administration



- Protection extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and OCR accepts such complaints for investigation.
- 2016 Dear Colleague Letter - Schools must:
  - Provide an environment free of sex-based harassment,
  - Honor transgender students' preferred names and pronouns,
  - Permit all students to participate in sex-segregated activities and use sex-segregated facilities (including bathrooms, locker rooms, and overnight accommodations) in accordance with their gender identity, and
  - Protect transgender students' privacy by avoiding non-consensual disclosure of their gender status.

# Title IX - Trump Administration



- Feb. 2017 Dear Colleague Letter
  - Rescinded 2016 Dear Colleague Letter
  - Access to sex-segregated facilities should be left to the states and local school districts to decide
  - Primary role of the States and local school districts in establishing educational policy



**James 2:1-5** - My brothers and sisters, believers in our glorious Lord Jesus Christ must not show favoritism. Suppose a man comes into your meeting wearing a gold ring and fine clothes, and a poor man in filthy old clothes also comes in. If you show special attention to the man wearing fine clothes and say, “Here’s a good seat for you,” but say to the poor man, “You stand there” or “Sit on the floor by my feet,” have you not discriminated among yourselves and become judges with evil thoughts? Listen, my dear brothers and sisters: Has not God chosen those who are poor in the eyes of the world to be rich in faith and to inherit the kingdom he promised those who love him?



**Mark 12:30-31** - And you shall love the Lord your God with all your heart and with all your soul and with all your mind and with all your strength. The second is this: 'You shall love your neighbor as yourself.' There is no other commandment greater than these."