

**UW-Milwaukee Faculty Senate Resolution:**

**Opposition to Discrimination Against Transgender Members of the UW-Milwaukee Community and Their Families**

WHEREAS the University of Wisconsin System antidiscrimination policy expressly prohibits discrimination on the basis of gender identity or expression [<https://www.wisconsin.edu/regents/policies/discrimination-harassment-and-retaliation/>]; AND

WHEREAS UW-Milwaukee takes particular pride in having been ranked as a top LGBT-friendly campus [<http://UW-Milwaukee.edu/news/UW-Milwaukee-named-one-best-campus-especially-lgbtq-students/>, <https://UW-Milwaukee.edu/chancellor/chancellors-update-in-support-of-UW-Milwaukees-transgender-community/>]; AND

WHEREAS gender transition as a resolution of the experience of gender dysphoria is affirmed and supported by the American Psychological Association, the American Medical Association, and numerous other professional groups who care for transgender people; AND

WHEREAS after many years of advocacy within and outside of the UW System, affirmed by the Final Rule to Improve Health Equity under the Affordable Care Act issued by the U.S. Department of Health and Human Services concluding that medical insurance exclusions of coverage for medical transition-related services constitutes impermissible sex discrimination, in 2016 the Employee Trust Fund (ETF) instructed medical insurers contracting to serve Wisconsin state employees to remove the ban on coverage for medical transition services, commencing on January 1, 2017; AND

WHEREAS after the outcome of the 2016 presidential election, ETF voted to reverse itself and instruct medical insurers contracting to cover state employees to reinstate the ban on coverage for medical transition services starting February 1, 2017 [[etf.wi.gov/boards/agenda-items-2017/gib0208/item4.pdf](http://etf.wi.gov/boards/agenda-items-2017/gib0208/item4.pdf)]; AND

WHEREAS the negative outcomes of this rescission of health care benefits for transgender people include:

- (1) Financial harm to UW-Milwaukee employees and their family members who are transgender, who must bear the full costs of any medical transition services such as hormones and surgeries that they access; and
- (2) The psychological harm of persistent gender dysphoria to UW-Milwaukee employees and their family members when medical transition services are desired, but cannot be afforded without insurance coverage; and
- (3) Preventing transgender individuals from choosing to reduce via medical transition the physical and social risks of harassment, exclusion from facilities, TSA surveillance when flying, etc. that transgender people face due to having bodies that do not conform to social expectations for a person of their identified genders; AND

WHEREAS not only do transgender UW-Milwaukee employees and family members suffer individually, but the University suffers due to an impaired ability to recruit and retain excellent staff who happen to be transgender or have transgender spouses or children; AND

WHEREAS the rescission of health care coverage for transgender medical care for Wisconsin state employees, including UW-Milwaukee employees, has drawn national negative attention in news and social media, and from the medical profession [<http://www.nejm.org/doi/full/10.1056/NEJMp1702427>]; AND

WHEREAS after the rescission of coverage for transition-related care took effect on February 1, 2017, ETF directed that employees and their family members who had already gender transitioned be informed that they must provide additional documentation to ETF or their gender markers would be reverted for benefits purposes (including their gender markers as provided to medical providers, for retirement, disability, and all other benefits);

NOW, THEREFORE, BE IT RESOLVED that the UW-Milwaukee Faculty Senate unequivocally opposes the rescission of coverage for medical care related to gender transition from the insurance plans offered to UW-Milwaukee and other state employees, and the assertion that UWM employees or their family members who have already gender transitioned must provide additional documentation to ETF or face being detransitioned for benefits purposes.

FURTHERMORE we call upon the Chancellor to oppose the rescission of medical benefits and the assertion that ETF can require additional documentation of a previously-acknowledged gender transition or reverse acknowledgment of that individual's gender transition if it is not provided. We call upon the Chancellor to coordinate with the chancellors of other UW-System schools in jointly advocating that these actions are in violation of UW-System guarantees of protection against discrimination based upon gender identity or expression, and detrimental both to our schools and our state.