



The University of Georgia®

Franklin College of Arts and Sciences

FACULTY SENATE

**Request for support for the Fair Employment Practices Act and for the inclusion of “gender identity and expression” in the NDAH and EO policies at UGA**

January 23, 2014

Dear University Council,

We hope this letter finds you well.

The Franklin College of Arts and Sciences views diversity as a strength that is critical to UGA’s excellence in teaching, research, and service. Diversity is supported by actively working to create and sustain an inclusive work and learning environment in which different voices and perspectives are heard as well as valued, and in which academic freedom is an equal opportunity.

We strive to identify and dismantle the barriers that keep our college and institution from mirroring the increasingly diverse local and global communities we seek to serve. It is with these principles in mind that we write this letter to convey our support for the Fair Employment Practices Act and for the inclusion of “gender identity and expression” as a separate category of prohibited discrimination in the “Non-Discrimination and Anti-Harassment” and “Equal Opportunity” policies at the University of Georgia.

The legislation has bipartisan support and would amend state labor laws to add safeguards from discrimination in public employment based on sexual orientation and gender identity. All 174,000 employees working for the State of Georgia would be protected from discriminatory hiring and firing practices. If the legislation, introduced by Representative Karla Drenner in 2011, passes, Georgia would join twenty-one states that protect public employees based on sexual orientation and twelve states that protect based on gender identity.

In adding “gender identity and expression” to our policies at UGA we would be joining many of our peer and aspirational institutions, including Georgia Tech.

We ask that you join us in supporting these resolutions to ensure that the entire University of Georgia community feels valued and protected. Please draft letters or resolutions in support of this legislation to exemplify the flagship’s commitment to diversity. Our resolutions regarding these matters (attached) were passed unanimously at our meeting of November 12<sup>th</sup>, 2013.

Sincerely,

The Franklin College Faculty Senate  
Dana Bultman, President 2013-14

**FRANKLIN COLLEGE FACULTY SENATE RESOLUTION**  
**To express support for the Fair Employment Practices Act**

WHEREAS, Franklin College views faculty, staff, and student diversity and inclusion to be core values of our work and learning environment; and

WHEREAS, within the Franklin College, diversity is a strength that is critical to excellence in the teaching, research, and service that we provide and it is supported by actively working to create and sustain an inclusive work and learning environment in which different voices and perspectives are heard as well as valued; and

WHEREAS, the diversity of the Franklin College staff, students, and faculty creates opportunities for intellectual stimulation, learning, growth, and innovation that subsequently enable our students to become effective leaders as well as engaged and responsible citizens; and

WHEREAS, Franklin College strives to identify and dismantle the often invisible barriers that keep our college and institution from mirroring the increasingly diverse local and global communities we seek to serve; and

WHEREAS, the Fair Employment Practices Act would amend state labor laws to add safeguards from discrimination in public employment based on sexual orientation and gender identity; and

WHEREAS, all employees working for the State of Georgia would be protected from discriminatory hiring and firing practices; and

WHEREAS, if passed, this legislation, would allow Georgia to join twenty-one states that protect public employees based on sexual orientation and twelve states that protect based on gender identity.

NOW, THEREFORE BE IT RESOLVED BY THE FRANKLIN COLLEGE FACULTY SENATE of the University of Georgia that we, in our responsibility to recommend ways to improve conditions of employment for the Faculty of the College, hereby support the Fair Employment Practices Act; and

BE IT FURTHER RESOLVED that the Franklin College Faculty Senate urges the University Council to draft a resolution in support of the Fair Employment Practices to exemplify the flagship's commitment to diversity.

## FRANKLIN COLLEGE FACULTY SENATE RESOLUTION

### To express support for the inclusion of “gender identity and expression” as a separate category of prohibited discrimination in the “Non-Discrimination and Anti-Harassment” and “Equal Opportunity” policies at the University of Georgia

WHEREAS, the terms gender identity and gender expression are distinct from the term “sexual orientation” and “sex” is defined as a person’s actual or perceived gender identity, self-image, appearance, behavior, or expression, regardless of whether that identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the person’s gender at birth [1]; and

WHEREAS, case law continues to reinforce the understanding that discrimination based on gender identity or expression is a form of prohibited sex-based discrimination under Title VII, yet discrimination against transgender people is still very common; and

WHEREAS, the results of a national survey, which are consistent with other studies of anti-transgender bias, starkly demonstrate the necessity for legal protection against discrimination due to one’s gender identity [2]; and

WHEREAS, inclusion of “gender identity or expression” as a separate category of prohibited discrimination is the best, most direct, and clearest way to establish that transgender individuals are protected from discrimination at the University of Georgia; and

WHEREAS, three University System of Georgia institutions (Georgia Institute of Technology, Clayton State University and Georgia Perimeter College) already have this category listed in their policies; and

WHEREAS, eight out of twelve of our peer institutions include “gender identity” and/or “expression” in their Non-Discrimination or Equal Opportunity Policy; and

WHEREAS, eleven out of twelve of our aspirational institutions include “gender identity” and/or “expression” in their Non-Discrimination or Equal Opportunity Policy; and

WHEREAS, the Board of Regents’ mission statement claims, “Each institution in the University System of Georgia will be characterized by cultural, ethnic, racial, and **gender diversity** in the faculty, staff, and student body, supported by practices and programs that embody the ideals of an open, democratic, and global society.

NOW, THEREFORE BE IT RESOLVED BY THE FRANKLIN COLLEGE FACULTY SENATE of the University of Georgia that, in our responsibility to recommend ways to improve conditions of employment for the Faculty of the College, hereby support the inclusion of “gender identity and expression” as a separate category of prohibited discrimination in policies at the University of Georgia.

<sup>1</sup> “Transgender” describes an individual whose gender identity (one’s internal psychological identification as a man or woman) does not match the person’s sex at birth

<sup>2</sup> National Gay and Lesbian Task Force and the National Center for Transgender Equality, Executive Summary, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, February 3, 2011, available at [http://www.thetaskforce.org/reports\\_and\\_research/ntds](http://www.thetaskforce.org/reports_and_research/ntds)