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Navigating University Bureaucracy for Social Change: Transgender & Gender-Nonconforming Students

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Introduction

In large university structures, bureaucracy serves to provide academic support and foster student success. Additionally, some argue that with the increasing view of universities as businesses, bureaucracy is ever-growing to serve as the 'customer support' for their students. Due to pressures for large university campuses to accommodate more and more students, the bureaucratic offices to serve those students are ever-increasing and ever-diversifying. Regardless of how one may view the purpose of bureaucracy, it has been lauded as an inefficient and frustrating necessity to navigating higher education.

This paper will contain an analysis of a large Southern university campus, using the University of South Carolina (Columbia) as the campus of study. This paper will also focus on transgender and gender-nonconforming students as an oppressed subpopulation within large university structures.

For the purpose of clarity in this paper, the following definitions will be used:

Transgender: An adjective to describe a person who does not identify with their assigned gender at birth (AGAB). May be abbreviated as "trans."

Cisgender: An adjective to describe a person who does identify with their assigned gender at birth. May be abbreviated as "cis."

Gender-Nonconforming: An adjective to describe a person who may or may not identify as transgender, who does not meet (and may push against) conventional standards for what a particular gender looks like. May be abbreviated as "GNC."

Sex: A noun to describe biological, chromosomal, and hormonal characteristics used to assign people to categories male or female. Intersex people also exist and are not strictly

male or female due to anomalies in their internal/external sex organs, their hormones, and/or their chromosomes.

Gender: A noun used to describe the socially constructed roles and aspects of people, typically according to the assigned sex at birth. Gender is a personal identity that is not strictly tied to sex, and many genders exist outside of the man/women gender binary.

Nonbinary: An adjective used to describe any gender that is outside the gender binary of man/woman. A nonbinary gender includes many genders such as genderqueer, gender-fluid, agender, and many others.

Transphobia: A noun used to describe the fear and/or hatred of transgender people solely for the fact that they are transgender or perceived as transgender.

Homophobia: A noun used to describe the fear and/or hatred of lesbian, gay, bisexual, or queer people solely for their non-heterosexual orientation or perceived non-heterosexual orientation.

Misgender: A verb that describes interacting with a transgender person and using incorrect gendered language and pronouns that invalidates their gender identity. This can be intentional or unintentional.

It is difficult to estimate the number of transgender students that attend the University of South Carolina (USC). The Williams Institute¹ reports that approximately 0.6% of adults in the U.S. identify as transgender. Although this is likely to be underreported and may not be

¹ Flores, A. R., Herman, J. L., Gates, G. J., & Brown, T. N. T. (2016). How Many Adults Identify as Transgender in the United States? (pp. 13). Los Angeles, CA: The Williams Institute.

indicative of campus environments, we can estimate that of USC's total enrolled (~33,000 as of 2014)², approximately 200 students enrolled at USC identify as transgender.

Although some may argue that university bureaucracies have more obstructions than benefits for anyone, transgender students face significant obstacles compared to their cisgender peers in their efforts to live and learn at large Southern university campuses.

On the USC campus, few resources exist to specifically serve transgender students. In the Office of Multicultural Student Affairs (OMSA), exists LGBT Programs, led by the LGBT Program Director and LGBT Peer Advocates, who serve as outreach leaders in the program. Two student organizations exist for transgender students: The Trans Student Alliance (TSA) and Individuals Respecting Identities and Sexualities (IRIS).

Large universities, although they do serve to financially grow, exist to further education. In order for a university to be effective for all students, a campus would need to be welcoming of all students, especially a diversity of minority students. In seeking to understand how a university attempts to create an inclusive campus, one can view the importance of equity on campus and in learning opportunities. Although equality for students is frequently cited as a goal, equity may be a more effective goal for creating inclusive learning environments. *Equality* is the concept of making a level playing-field for all, whereas *equity* is the concept of making a leveling a playing-field for those who need it. With equality, everyone receives the same resources, whereas with equity, people who need more receive more.

Transgender and gender-nonconforming (TGNC) students face enormous risks and disparities.

² "Welcome." University of South Carolina. Accessed March 25, 2017. <http://www.sc.edu/>.

According to the 2013 GLSEN National School Climate Survey, of all transgender high school students:

- *75.2% felt unsafe at school*
- *73.6% were verbally harassed*
- *32.5% were physically harassed*
- *16.2% were physically assaulted*
- *63.4% avoided restrooms*
- *52.1% avoided locker rooms*

Kosciw, J. G., Greytak, E. A., Palmer, N. A., & Boesen, M. J. (2014). The 2013 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools. New York: GLSEN.

According to National LGBTQ Task Force, National Transgender Discrimination Survey "Injustice at Every Turn" (2011):

- *46% felt uncomfortable seeking help from police*
- *41% have attempted suicide*
- *90% have experienced discrimination at work*
- *50% had to teach their medical providers about transgender care*
- *19% have been refused medical care because of their gender identity*

Grant, J. M., Mottet, L. A., Tanis, J., Harrison, J., Herman, J. L., & Keisling, M. (2011). Injustice at Every Turn. A Report of the National Transgender Discrimination Survey (pp. 228). Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force.

For transgender students in the South, national experiences are both reflected and augmented. Southern transgender students experience difficulties in the following (which is not an exhaustive list): housing; health services (general, physical, mental); student IDs; transphobia; harassment/violence; safety/security; misgendering; absence of trained

faculty, staff, medical professionals; curriculums perpetuating invisibility; police brutality and incarceration; homelessness; job discrimination; difficulties with state law; family and peer acceptance; binary sexual health education and restrictions; and bathrooms.

Large university campuses have the unique roles as being microcosms of greater society for students. Universities such as the University of South Carolina have aspects that affect students ranging from food, housing, healthcare, identification, education, police/law, employment, etc. More than one third of LGBTQ students have seriously considered leaving their educational institution due to not feeling accepted/respected/safe³.

Some transgender and gender-nonconforming students hope to enact social change on their university campuses. Navigating university bureaucracy to serve oneself can be challenging enough, but attempting to make system-wide changes can often be perceived as nearly impossible.

The goal of this project is to map out how one may navigate bureaucracy at the University of South Carolina to make social change for TGNC students. Hopefully the findings from this research can serve as a model for students to enact other types of social change on their large Southern university campuses.

Barriers that TGNC Students Face at the University of South Carolina

Southern transgender and gender-nonconforming students face unique obstacles while attending a four-year university. The campus of study for this research is the South Carolina flagship public university, the University of South Carolina's Columbia campus. In order to better understand the sui generis barriers faced on this campus, I spoke to the board of leadership of USC's Trans Student Alliance.

³ Rankin, Susan R. Campus Climate for Gay, Lesbian, Bisexual, and Transgender People: A National Perspective. PDF. The Policy Institute of the National Gay and Lesbian Task Force, April 2003.

Housing

The University of South Carolina currently has twenty-seven residence halls⁴ and requires all freshmen to live on campus. The standard policy for residence halls is immensely gendered and based on assumptions of sexuality. There is no gender-neutral housing available on campus and housing is assigned based on sex assigned at birth⁵. One Hall, 650 Lincoln, privately owned and university partnered, is gender-neutral but it is not technically a campus residence hall and it is very costly. Additionally, nonbinary and binary transgender students are excluded from gendered residence halls, such as women's only halls such as Women's Quad and Patterson Hall, whose practices only benefit cisgender women. Student roommates and suitemates are regulated by the university based on sex assignment at birth. Study-abroad and class trips typically also apply these gendered housing rules. This is done based on the assumption that if people of the "opposite" sex (though there is more than two sexes) live together that they will have sexual relations. Not only is this presumptuous of sexual orientation and enforcing strict and negative norms surrounding sex, it also excludes transgender people from living with a roommate whom they may feel more comfortable with.

Due to a lack of understanding of transgender people and their lived experiences by both students and the university bureaucracy, transphobia is rampant on USC's campus. This assertion is based on the complaints received by USC's Trans Student Alliance; this is a quality that innumerable environments and institutions share globally. Frequently, a transgender student's roommate can be transphobic and this fact can place a transgender or gender-nonconforming student in a space where physical and emotional abuse can and does occur.

⁴ "U of SC Housing." University Housing - Virtual Tour. Accessed March 25, 2017.

<http://www.housing.sc.edu/virtualtour/index.php>.

⁵ "Trans at UofSC." OMSA. Accessed March 25, 2017. <https://www.sa.sc.edu/omsa/trans-at-uofsc/>.

Additionally, university housing may place a transgender or gender-nonconforming person alone, supposedly for their own safety. However, not only does this practice result in considerably more expensive housing, but not all residence halls have single rooms available. Being placed in a single room without having the choice to live with another resident can be extraordinarily othering during the college experience, recall freshman are required to live on campus. For incoming freshmen, there is no way to indicate gender identity (if their government identification does not reflect their gender identity) on housing applications, therefore dorm placement is based solely on the assigned gender at birth. For students who are not freshmen, off campus housing can be an option. However, low socioeconomic status⁶ and lack of familial financial support⁷ is extremely common among transgender young people. According to USC's Trans Student Alliance, numerous transgender individuals are left with few options besides to live on campus due to having a scholarship that only covers university housing. Additionally, low socioeconomic status and a lack of an affirming government identification, many transgender people do not drive due to not having a car or not having a driver's license⁸. These factors and others contribute to transgender students relying upon on-campus housing, which in turn fails to serve them.

University Identification and Official Documentation

The University of South Carolina strictly only uses a student's government name on their student identification cards and other official documentation. USC requires a legal name change in order to change the student's name on these documents. However, in order to make a legal name change and gender marker change requires money, the time, the resources, and the circumstances. Name and gender marker changes are expensive,

⁶ Grant, Jaime M., Ph.D., Lisa A. Mottet, J.D., Justin Tanis, D.Min., Jody L. Herman, Ph.D., Jack Harrison, and Mara Kiesling. Injustice at Every Turn A Report of the National Transgender Discrimination Survey. PDF. National Center for Transgender Equality.

⁷ Stoltzer, Rebecca L., Jody L. Herman, and Amira Hasenbush. Transgender Parenting: A Review of Existing Research. PDF. The Williams Institute, October 2014.

⁸ Paying an Unfair Price: The Financial Penalty for Being Transgender in America. PDF. Movement Advancement Project and Center for American Progress, February 2015.

requiring a lawyer and legal fees. They are also dependent on the person's place of birth and the level of trans-acceptance of the judge.

Additionally, there is no option to use one's "preferred"⁹ name, or chosen name, on their student identification card (CarolinaCard). It is, however, possible to change one's name on Blackboard, the online educational resource, and on the student email. This ability to change one's name online is not commonly known and appears to be a loophole in the USC system. Additionally, the banner system is not implemented with "preferred" name and can only be changed with funding by the university. The university is very unlikely to make these changes when transgender students are a minority and appear to not be a priority. The system for student email has the ability to change one's name, but the email address itself cannot be changed without legal name change. This policy results in students who do have a legal name change losing access to their old email and possibly important content. From the beginning, the university does not allow freshmen to indicate their "preferred" name. In the application process, potential students are prompted to give their legal name and gender. Once accepted, the university does not give any other opportunity to change one's name unless there is a legal name change. Additionally, in order for a student to change the photo on their Carolina Card, it is at the cost of the student (seventy dollars to replace a Carolina Card).

Similar to government identification and official documentation, the university has no way to indicate gender pronouns or a gender that is nonbinary. However, university documentation holds a significant amount of information about a student, from their field of study and grades, to their disciplinary records, to their health and counseling records, but fails to include anything about gender identity, nonbinary gender, or pronouns.

Identification plays an enormous role in the lives of transgender and gender-nonconforming students. When identification does not reflect a student's gender

⁹ Preferred name implies that it merely a preference, whereas most trans people view their chosen name as their true/real name.

identity, that student faces gender dysphoria, a lack of validation of their gender, and continual misgendering. When identification does not reflect a student's gender expression, the student experiences issues in receiving services from the student health center, acquiring food in cafeterias using their meal plan, going to student events, and interacting with USC police.

All students at the University of South Carolina receive a diploma with their legal name on it. For transgender and gender-nonconforming students, this diploma may not reflect their "preferred" name and can potentially dangerously out them at workplaces in the future. One solution discussed by the Trans Student Alliance has been that two diplomas could be issued, one with the legal name and one with the "preferred" name. Additionally, if students attend commencement exercises, then the name read is not always their "preferred" name.

Restrooms

With a slew of anti-trans bathroom bills throughout the country in the past year, restroom usage for transgender and gender-nonconforming people remains a controversial issue. Transgender students using gendered restrooms may feel threatened, unsafe, and harassed. Some TGNC students may feel more comfortable in the restroom with which they identify, but a majority of TGNC people report preferring gender neutral restrooms. In one 2013 report by the Williams Institute¹⁰, seventy percent of the statistical sample reported being denied restroom access, being harassed while using the restroom, and experiencing instances of physical and sexual assault. At USC, there is a general lack of gender neutral restrooms. Annually, students organizations such as IRIS (Individuals Respecting Identities and Sexualities) and the Trans Student Alliance hold a "bathroom brigade" where they count gender neutral stalls on campus and even cover old signs to

¹⁰ Herman, J. L. (2013). Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people's lives. *Journal of Public Management & Social Policy*, 19(1), 65-80.

make certain single restrooms are gender neutral¹¹. From this activity, students have calculated that it takes 7+ minutes to walk from the library at the heart of campus to the closest gender neutral restroom -- if one knows where it is. There are no gender neutral restrooms in several major buildings on campus, including the library. The few single occupancy restrooms on campus are frequently gendered unnecessarily and there is almost no public knowledge of the location of these single stall restrooms. The Trans Student Alliance shared with me a spreadsheet of their research into campus restrooms and the group is planning to upload this content onto REFUGE, a web and mobile app that lists gender-neutral stalls available in the vicinity. Many of the gender neutral stalls on campus are inside of dorms and are inaccessible to students who do not have access to that residence hall. Also, men's restrooms on campus generally do not have sanitary disposals in them, making it difficult to accommodate all students. Troublingly, some students with the Trans Student Alliance have reported that other students or staff may tell TGNC students which restrooms to use. It is important to stress that a TGNC student can use either a gendered or gender neutral restroom. Because South Carolina's own bathroom bill, Senate Bill 1203, did not pass this past spring, TGNC people are allowed to use any restroom they choose. This fact, however, does not make restrooms safe for transgender students. Transgender students may feel unsure if they are supported by the administration in using the restroom of their choice and the university does not explicitly state its stance on the issue.

Additionally, when South Carolina Senator, Lee Bright, proposed an anti-trans bathroom bill, S.1203, during Spring session 2016, the University's silence on the matter was deafening to TGNC students. State law prohibiting transgender people from accessing restrooms and public accommodations would have enormous ramifications on a public university's campus and policies. Transgender students and community members statewide joined together, forming a coalition, Trans United of South Carolina¹². Trans

¹¹ Trans Student Alliance. Bathroom Brigade Tally 2016. May 2016. Raw data. University of South Carolina, Columbia.

¹² Wilson, Ryan. "South Carolina LGBT Advocates Rally Against Anti-Trans Bill." Human Rights Campaign. Accessed April 16, 2017. <http://www.hrc.org/blog/south-carolina-lgbt-advocates-testify-and-rally-against-anti-transgender-bi>.

United of South Carolina fought the bathroom bill with no support from USC administrators.

Student Health Services

Transgender and gender-nonconforming people face numerous inequalities in health care from discrimination and denial of care to a lack of competent providers¹³. At USC, Student Health Center fees are included as a part of tuition for every student. Therefore, the need for the student health center to be inclusive and accessible is critical in serving all of USC's populations. Transgender students have complained that both staff and health professionals do little to respect "preferred" name or pronouns and frequently use government name. Although government name is important for billing purposes and medical records, the name of the student does not have an impact on the actual condition of their health. Students have requested an option to make note of "preferred" names and transgender status. The Trans Student Alliance shared an anecdote with me regarding an incident with a transgender person being refused service at the Student Health Center because their identification photo and name did not reflect the gender presentation of the student standing before them. This incident reflects both a failure of USC's identification system and a failure of student health services.

The Trans Student Alliance also shared that they feel looked down upon by staff and professionals and often feel that they are treated as an object or ridiculed (reporting staring and pointing). Holistically, student health includes psychiatry and women's health. Transgender students have reported that psychiatrists (and therapists in partnered counseling center) are not trans-competent. In Women's Care, transgender students have reported that there is a large misconception that women have female sex organs,

¹³ Grant, Jaime M., Ph.D., Lisa A. Mottet, J.D., Justin Tanis, D.Min., Jody L. Herman, Ph.D., Jack Harrison, and Mara Kiesling. National Transgender Discrimination Survey Report on Health and Health Care. PDF. National Center for Transgender Equality and the National Gay and Lesbian Task Force, October 2010.

excluding transgender men (who are men who may have female sex organs), transgender women (who are women who may have male sex organs), and nonbinary transgender people (who may have female sex organs, but are not women). Ideally, Women's Care would be renamed to something more inclusive of transgender individuals. Transgender students report that the general medicine clinic, women's care, psychiatry, and sexual trauma services can all be incredibly invasive and insensitive in discussing transgender bodies. Ideally, health care providers would use non-gendered language to refer to bodily functions (ex. Chest instead of breasts) to make transgender patients feel more comfortable¹⁴.

Additionally, the Student Health Center is capable of prescribing hormone replacement therapy (HRT) to transgender and gender-nonconforming students through their employed physicians and nurse practitioners. The protocols¹⁵ for prescribing HRT are simple and can be done by any general practitioner. However, although the Student Health Center is capable of prescribing HRT, it does not currently provide any services related to hormone replacement therapy, including the use of hormone blockers.

Recent initiatives towards a more inclusive student health center have been made. The student health center held an open house in August 2016 for LGBTQ students to talk with providers about their needs. According to the most recent updates on USC's OMSA web page, "Trans at UofSC¹⁶" and the LGBTQ Student Health Support Guide¹⁷, transgender students can now change their name and pronouns in the electronic medical system, minimizing the potential for misgendering. Additionally, gynecological care is advertised as being discreetly available to female-to-male trans men. As stated by these web pages, "there are trans friendly providers in addition to the Counseling & Psychiatry department

¹⁴ Providing Inclusive Services and Care for LGBT People: A Guide for Health Care Staff. PDF. National LGBT Health Education Center - A Program of Fenway Institute.

¹⁵ Protocols for the Provision of Hormone Therapy. PDF. Callen Lorde Community Health Center.

¹⁶ "Trans at UofSC." OMSA. University of South Carolina. Accessed March 25, 2017.
<https://www.sa.sc.edu/omsa/trans-at-uofsc/>.

¹⁷ "LGBTQ Support." Student Health Services. University of South Carolina. Accessed March 25, 2017.
<https://www.sa.sc.edu/shs/lgbtqsupport/>

having groups specifically designed for the LGBTQ community's needs¹⁸ and if students have further questions, they may contact Student Health. The recent improvements were much-needed and hopefully the university will be able to continue making these changes to ameliorate their damaged rapport with transgender students.

Classroom and Campus Environment

Cultural sensitivity training is not required for most of the faculty, staff, and students at the University of South Carolina. Neither full-time or part-time faculty are required to complete any form of cultural sensitivity training. Resident assistants, depending on their assigned position, are not always required to be trained as a Safe Zone Ally. Many positions in the administration also do not require any training or demonstration of cultural competence of any kind. Although some staff with the Student Health Center and the Counseling Center are minimally trained, their competence in transgender care leaves a lot to be desired, according to members of the Trans Student Alliance, as well as according to my own experiences.

Safe Zone Allies are faculty, staff, and/or students who complete a Safe Zone Ally workshop through the Office of Multicultural Student Affairs and choose to be an "ally" at the end of it. Training is also done through the university's human resources. Those who choose, join the Safe Zone Ally Network and display stickers or posters to their offices or items to indicate that it is a safe zone for LGBTQ+ people. However, the Safe Zone Ally Network has some pretty serious limitations. Firstly, the overall training is very limited in its content and length. One 2-hour training is not enough to claim cultural competence. Additionally, there is no standard in which only LGBTQ+ people teach the trainings, and other staff sometimes give the trainings with little insight into the lives of LGBTQ people. Additionally, choosing to be an ally and applying a decal does not make one an ally. Some

¹⁸ *Ibid*

members of IRIS, the LGBTQ student organization on campus, have cited a lack of understanding, even from faculty, staff, and students with the decal displayed.

Within the classroom, professors and fellow students may misgender a student intentionally or through ignorance. It is the burden of the TGNC student to advocate for themselves regarding their name and pronouns. However, members of the Trans Student Alliance have shared that many professors can be incredibly transphobic and may treat TGNC students differently than other students, invade their privacy, and out them as transgender. Harassment and transphobic comments or anti-LGBT attitudes by students are often left uncommented upon by professors, or even protected as “just an opinion” or “free speech.”

Although there is a name/pronoun request form to give instructors that one may get through the Office of Multicultural Students Affairs, it is not advertised and is therefore not public knowledge, leaving TGNC students to educate faculty, staff, and other students at their own emotional expense and risk of danger. According to GLSEN¹⁹, TGNC students nationally express constant worry for their physical and emotional safety due to othering, misgendering, harassing, and assaulting that occurs from both other students and faculty/staff as well. With no public support from administration, faculty, staff, or students, USC TGNC students are left wondering: are we really supported?

University Police & Behavioral Intervention

Discussions of police overreach and brutality have been forefront in the public consciousness and the University of South Carolina has not been excluded from these conversations. USCPD has no official policies on how to handle cases including

¹⁹ Kosciw, Joseph G., Ph.D., Emily A. Greytak, Ph.D., Noreen M. Giga, MPH, Christian Villenas, Ph.D., and David J. Danischewski, MA. The 2015 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation's Schools. PDF. GLSEN.

transgender students although they have made initiatives towards LGBTQ inclusivity and competency with annual block trainings on the LGBTQ Community provided by Richland County Sheriff's Department²⁰. However, transgender students report that interactions with USCPD have been insensitive, othering, and sometimes openly transphobic²¹. Nationally, transgender people report higher rates of incidences of police discrimination and harassment²². The National Center for Transgender Equality²³ states that:

In a country that incarcerates more of its people than any other in the world, transgender people are more likely to be stopped and questioned by police, engage in survival crimes such as sex work, end up behind bars, and more likely to face abuse behind bars. Being transgender or gender non-conforming in an American jail or prison often means daily humiliation, physical and sexual abuse, and fear of reprisals for using the legal remedies to address underlying problems.

On the scale of a university's social microcosm, university police have the same power as any other police force in addition to ramifications from the university's student conduct office. Transgender and gender-conforming students are one of the most at-risk populations at the University of South Carolina. With increased reporting of police overreach amongst transgender populations²⁴, several TGNC students at the university report that they would rather not receive help from university police due to the potential for retraumatization.

²⁰ Information was obtained through outreach via telephone with USCPD.

²¹ Information was obtained through outreach in-person with executives from the Trans Student Alliance.

²² Mallory, Christ, Amira Hasenbush, and Brad Sears. Discrimination and Harassment in Law Enforcement. Report. Williams Institute, UCLA.

²³ "Police, Jails & Prisons." National Center for Transgender Equality. Accessed March 20, 2017. <http://www.transequality.org/issues/police-jails-prisons>.

²⁴ Grant, Jaime M., Ph.D., Lisa A. Mottet, J.D., Justin Tanis, D.Min., Jody L. Herman, Ph.D., Jack Harrison, and Mara Kiesling. National Transgender Discrimination Survey Report on Health and Health Care. PDF. National Center for Transgender Equality and the National Gay and Lesbian Task Force, October 2010.

Additionally, USCPD is one of five offices involved in a “Behavioral Intervention Team,” or BIT, used to discipline students with reported “behavioral” issues. Typically, a BIT referral is filed by a fellow student or faculty member when they are concerned for the safety and wellbeing of the student or others due to mental health. USC’s Trans Student Alliance stated that an inordinate number of its members have had BIT referrals filed against them. At USC, a BIT referral results in action taken by the Office of Student Conduct, USC Counseling and Psychiatry, Student Health Services, Residence Life, and Law Enforcement²⁵. Frequently, due to the stigma attached to being TGNC in our culture, transgender and gender-nonconforming people face greater struggles with depression and suicidality²⁶. With these higher risk factors, TGNC students at USC tend to be subjected to punitive action through the Behavioral Intervention Team “for their own good.” These actions can include required (and expensive) counseling and psychiatry, removal from on-campus housing, insensitive questions from USPD, academic registration holds, and mandatory registration with the Office of Student Disability Services. Although many of these measures can be beneficial for a student struggling with their mental health, several transgender students have found that referrals were filed by people in their lives who misunderstand the psychological impact of being transgender in South Carolina. The BIT is used to protect students who are a harm to themselves or others. BIT referrals have been misused by fellow students and faculty to report a transgender student whose behavior is considered “erratic²⁷” due to transition or difficulties feeling accepted at their educational institution. Although the Behavioral Intervention Team has likely helped many feel safer, it can also be used as a tool against at-risk populations and the consequences of such must be kept in consideration.

²⁵ "Who is on the BIT?" Behavioral Intervention Team. University of South Carolina, n.d. Web. 25 Mar. 2017.

²⁶ Brian S. Mustanski, Robert Garofalo, and Erin M. Emerson. Mental Health Disorders, Psychological Distress, and Suicidality in a Diverse Sample of Lesbian, Gay, Bisexual, and Transgender Youths. *American Journal of Public Health*: December 2010, Vol. 100, No. 12, pp. 2426-2432.

²⁷ "What should I be concerned about?" Behavioral Intervention Team. University of South Carolina, n.d. Web. 25 Mar. 2017.

Available University Resources

The University of South Carolina has made strides in recent months to update its materials and resources for transgender students. On its website, there are pages dedicated to “Trans at UofSC” and “LGBTQ Resources.” Previously, all resources were incredibly outdated. At the 2016 President’s Inclusion Forum, USC President, Harris Pastides, and the Office of Diversity and Inclusion gave their updates on the progress made towards student demands for inclusivity. At this forum, the page for LGBTQ students listed only external resources at area non-profits and incorrectly stated that Counseling Services had been trained by SC Equality when they had been trained by a domestic violence organization, not an LGBTQ one. Since then, resources have been updated and staff training is slowly gaining prevalence.

However, there is no university-wide policy that requires faculty and staff to be trained in LGBTQ cultural competency. Although the Office of Multicultural Student Affairs offers Safe Zone Ally training, it is considered optional for most employees of USC. Additionally, Safe Zone Ally trainings do not adequately cover transgender students, as they are geared more towards understanding the LGBTQ population as a whole, not specifically transgender students. OMSA offers a Trans Advocacy workshop, but it is infrequently requested, and if less than seven people register, then the workshop is cancelled²⁸. Individual professors may request an LGBTQ 101 presentation from LGBT Programs’ LGBT Peer Advocates. However, it is entirely optional and requested almost entirely by U101 classes and 100-level WGST courses -- resulting in the information being inaccessible to students outside of those classes. The trainings offered by LGBT Peer Advocates are not trans-specific, are frequently taught by cisgender queer students or cisgender heterosexual allies, and can be on a time limitation as low as fifty minutes.

²⁸ "Trans Advocacy Workshops." OMSA. Accessed March 25, 2017.
<https://www.sa.sc.edu/omsa/safezone/trans-advocacy-workshops/>.

USC's Office of Multicultural Student Affairs advertises being able to send a letter notifying a professor and/or TA of a student's status as transgender. Students may fill out an online form with their name and course information and OMSA will reach out to the instructors with tips on how to respect their transgender student, including which name and pronouns to use, a basic explanation of being transgender, and best practices²⁹.

Legal and Policy Implications

Certain interpretations of the law have allowed for the creation of policies that have benefited transgender and gender-nonconforming people. However, with the new Trump administration in effect since mid-January, the previous interpretations are up in the air. Continued shake-ups in White House National Security³⁰ have left political scientists apprehensive regarding other national offices and appointments, as relating to the continued state of transgender students' rights in public institutions.

Schools

Among several amendments to the Higher Education Act of 1965 signed into law by Nixon in 1972, Title IX is perhaps the most well-known and most influential, especially for transgender and gender-nonconforming students. The Higher Education Act of 1965 was created to give students and educational institutions the financial means necessary to assist in accessing higher learning; the United States government provides public universities and colleges with the financial resources to provide assistance to students.

²⁹ "Trans at UofSC." OMSA. University of South Carolina. Accessed April 4, 2017.
<https://www.sa.sc.edu/omsa/trans-at-uofsc/>.

³⁰ Collins, Kaitlan. "After Reports Of An Administration Shakeup, White House Issues A Blistering Response." The Daily Caller. Accessed April 10, 2017.
<http://dailycaller.com/2017/04/07/white-house-refutes-reports-of-administration-shakeup/>.

Title IX is well-known primarily due to its impact on college sports, but the amendment has a much broader implication in terms of gender equality in higher education³¹.

Although there are no explicit laws protecting transgender students, Title IX has been interpreted as protecting the rights of TGNC students on the basis of outlawing gender-based discrimination. Under the Obama administration in 2013, the Department of Education began intervening on the issue so by 2014, the DOE had issued guidance asserting that protection from gender discrimination under Title IX was a right allotted to TGNC students. According to the “Dear Colleague” letter³² of May, 13, 2016, the Department of Education and the Department of Justice issued “significant guidance” that supported TGNC students’ rights through interpretation of Title IX. The letter asserts,

“As a condition of receiving Federal funds, a school agrees that it will not exclude, separate, deny benefits to, or otherwise treat differently on the basis of sex any person in its educational programs or activities unless expressly authorized to do so under Title IX or its implementing regulations.⁴ The Departments treat a student’s gender identity as the student’s sex for purposes of Title IX and its implementing regulations. This means that a school must not treat a transgender student differently from the way it treats other students of the same gender identity. The Departments’ interpretation is consistent with courts’ and other agencies’ interpretations of Federal laws prohibiting sex discrimination.³³”

The letter asserts four categories in which TGNC students are protected on the basis of preventing sex discrimination: (1) transgender students have the right to a safe and nondiscriminatory environment, (2) a school must treat students consistent with their gender identity even if their education records or identification documents indicate a

³¹ "Title IX Protections for Transgender Students." Findlaw. Accessed April 10, 2017.

<http://education.findlaw.com/discrimination-harassment-at-school/title-ix-protections-for-transgender-students.html>.

³² Dear Colleague Letter on Transgender Students (2016). Department of Education and Department of Justice.

³³*ibid*

different sex, (3) when a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in activities and access facilities consistent with their gender identity, (4) a school cannot limit students' educational rights or opportunities by failing to take reasonable steps to protect students' privacy related to their transgender status, including their birth name or sex assigned at birth³⁴.

However, in 2017, with new appointments to all federal agencies and departments, the Trump administration issued a new set of guidelines³⁵, effectively overturning any protections that specified trans student safety from the Obama administration. The office of the controversial Secretary of Education, Betsy DeVos, issued guidance withdrawing the protections of the previous "Dear Colleague" letter of 2016, stating that "the Departments thus will not rely on the views expressed within [the previous guidance]."³⁶ Whereas previous guidance allowed for TGNC students to use facilities and participate in activities in accordance with their gender identity, new guidelines back away from any promises to transgender students on the basis of safety. Although DeVos's press release reaffirms her supposed commitment to the safety of all students, including LGBT students, she defers interpretation of Title IX to individual cases to be handled at the state-level.

As a majority of schools receive some kind of federal funding, Title IX's prohibition of sex-based discrimination is wide. As the the discussion of transgender people increases publicly, as does the discussion on how transgender students can be classified under the law. Recent lawsuits have come forward regarding how and whether Title IX applies to TGNC students.

³⁴ *Ibid*

³⁵ Dear Colleague Letter on Transgender Students (2017). Department of Education and Department of Justice.

³⁶ "U.S. Secretary of Education Betsy DeVos Issues Statement on New Title IX Guidance." U.S. Secretary of Education. February 22, 2017. Accessed April 10, 2017.

<https://www.ed.gov/news/press-releases/us-secretary-education-betsy-devos-issues-statement-new-title-ix-guidance>.

In 2014, the DOE resolved a complaint³⁷ that alleged harassment by a transgender student in California. The student, a transgender girl (born male, identifies as female), alleged that the school district did not take action against harassment, did not permit her to wear makeup, and insisted that she transfer to another district rather than helping her.

According to the Department of Education³⁸:

“Prior to the conclusion of OCR's investigation, the District requested to resolve this complaint through a voluntary agreement. Under the terms of the voluntary agreement, the District will ensure that gender nonconforming and transgender students can participate fully in the District's programs and activities in a safe, educational environment.”

In 2015, the justice department sided with a transgender student, Gavin Grimms, who sued his school district when the district did not permit Grimms to use the restroom congruent with his gender.³⁹ Since then, the Supreme Court of the U.S. has declined to hear the case and remanded the case back to the 4th Circuit. The 4th Circuit declined to expedite the case so it can be decided when he is still a student.

Although there have been changes in federal policies, some states have passed laws that protect transgender students and their rights. For example, California passed a law in 2013⁴⁰ that allows TGNC students to use school facilities and to participate in sports teams based on his or her identified gender, regardless of the gender listed on the student's school records, thus going further than directives under the Obama administration. California, Colorado, Connecticut, the District of Columbia, Illinois, Iowa,

³⁷ "U.S. Department of Education's Office for Civil Rights Announces Resolution of Civil Rights Investigation of California's Downey Unified School District." U.S. Department of Education. October 14, 2014. Accessed April 10, 2017. <https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-civil-rights-investigation-californias-downey-unified-school-district>.

³⁸ *Ibid*

³⁹ Shapiro, T. Rees. "Justice Dept. sides with transgender student, says bathroom policy is illegal." The Washington Post. July 01, 2015. Accessed April 10, 2017. https://www.washingtonpost.com/local/education/justice-dept-sides-with-transgender-student-says-bathroom-policy-is-illegal/2015/07/01/f05b5a22-201c-11e5-84d5-eb37ee8eaa61_story.html?utm_term=.25152565a98b.

⁴⁰ "Title IX Protections for Transgender Students." Findlaw. Accessed April 10, 2017. <http://education.findlaw.com/discrimination-harassment-at-school/title-ix-protections-for-transgender-students.html>.

Maine, Massachusetts, Minnesota, New Jersey, Oregon, Vermont and Washington State have such laws (note that South Carolina is not among these states).

When the 2016 “significant guidance” was released by the Obama administration, transgender students were increasingly seeing small victories in relation to their fair and equal access to education. However, with the Trump administration rescinding the 2016 significant guidance, TGNC students are left wondering if we will see progress undone. As educational policies continue to be debated regarding the rights of TGNC students, we can surely expect more lawsuits and disputes regarding the interpretation of Title IX, both on a federal level and on a state level.

Although Title IX’s reach is debated regarding TGNC students, the National Center for Transgender Equality (NCTE), asserts that transgender students have the following rights⁴¹:

- Trans students have the right to be treated according to the gender they identify with. Schools cannot require them to provide legal or medical evidence in order to have your gender respected.
- Trans students have the right to be called by the name and pronouns consistent with their gender identity.
- Trans students have the right not to be bullied or harassed because they are transgender or gender non-conforming. If school administrators become aware of bullying or harassment they must take action to end it.
- Trans students have the right to equal educational opportunities regardless of their gender, including their gender identity or expression, or their race, nationality, or disability. This includes not being punished or excluded from school activities or events because they are transgender or gender non-conforming.
- Trans students have the right to dress and present themselves in a way that is consistent with their gender identity, so long as they follow rules for how to dress

⁴¹ "Know Your Rights: Schools." National Center for Transgender Equality. Accessed April 10, 2017.
<http://www.transequality.org/know-your-rights/schools>.

that apply to all students. This includes how they dress at school every day as well as for dances, graduation, and other school events.

- Trans students have the right to use restrooms, locker rooms, and other facilities that are consistent with their gender identity, and can't be forced to use separate facilities.
- Trans students have the right to privacy concerning their transgender status and gender transition. Any such information kept in school records must be kept private and not shared without their permission unless the school has a legitimate reason that it not based on gender bias.
- Trans students have the right not to be harassed or discriminated against based gender stereotypes, including stereotypes about sexual orientation.
- Trans students have the right to join or start a Gay-Straight Alliance or Pride Alliance, and to have their group treated like other student groups.

Although some schools and individual a part of school administration genuinely care about transgender students, having legal and policy implications is crucially important to ensuring the safety and security of transgender people.

Public Accommodations

Public accommodations are locations and businesses that provide goods and services to the public, such as restaurants, hospitals, gas stations, hotels and shops. Civil rights laws on both the state and and federal level prevent certain businesses that are classified as public accommodations from discriminating against customers on certain grounds.

Establishments that are classified as public accommodations must grant access to all facilities open to the public as well. Federal nondiscrimination laws prevent discrimination based on grounds such as race, national origin, disability, and religion, but does not include sex, gender identity, or sexual orientation. However, a majority of states (excluding South Carolina), prohibit discrimination based on sex in public accommodations and

interpret such as including transgender people. Many state agencies and courts have upheld these interpretations. Some states and localities go further by prohibiting discrimination based on sexual orientation and gender identity in public accommodations⁴². South Carolina does not have any statewide protections based on sexual orientation or gender identity. However, in Richland County, Charleston County, and Myrtle Beach, there are protections in public accommodations and employment on the basis of sexual orientation and gender identity. Various cities have these protective laws on the books, but only for sexual orientation, not gender identity.

Protections for public accommodations do not always cover restrooms, but for establishments that are classified as public accommodations, denial of access to a public restroom based on gender may be interpreted as discrimination based on sex and/or gender. Some state and local laws (and the interpretations of those laws) are explicit in the protections covering public restrooms. However, in some states, the laws have been interpreted to not protect the right of transgender individuals in accessing public restrooms. Most states do not have any official guidance regarding transgender access to restrooms. However, one may file a complaint with the Office of Civil Rights (OCR) if a public accommodation discriminates against someone on the basis of sex and/or gender.

Lastly, establishments that are categorized as public accommodations could be better covered under other civil rights laws. For example, where theater customers are covered under public accommodations laws, theater employees are covered under employment laws. Other public accommodations may fall under other laws, such as healthcare, as well.

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⁴² "Public Accommodations." National Center for Transgender Equality. Accessed April 10, 2017. <http://www.transequality.org/know-your-rights/public-accommodations>.

⁴³ *Ibid*

Housing

Federal regulations coming from Housing and Urban Development (HUD) explicitly provide protections on the basis of sex, gender identity, and sexual orientation. These protections apply to government-assisted housing only, such as section 8 housing, homeless shelters, and rental vouchers.⁴⁴ HUD regulations protecting sexual orientation and gender identity have not yet been rescinded. Federal regulations protecting housing do not explicitly apply to university housing. However, one may hope that universities will take into account that these guidelines exist to better serve transgender individuals and will follow suit.

Certain state nondiscrimination laws explicitly protect tenants on the basis of sexual orientation and gender identity, but South Carolina does not. South Carolina offers housing protections on the basis of sexual orientation and gender identity in Columbia, Charleston, Richland County, and Myrtle Beach. Various other cities have protections on the basis of sexual orientation only.

It is illegal for housing providers to discriminate because someone is transgender or perceived as gender-nonconforming. The following types of discrimination are illegal on the basis of sex and/or gender: refusing to admit someone to a homeless shelter; telling someone housing is unavailable when it is available; setting different terms, conditions, or privileges for sale or rent of space; providing separate or different services or facilities; denying someone a mortgage loan; denying someone property insurance; conducting property appraisals discriminatorily; and harassing, coercing, intimidating, or interfering with someone exercising fair housing rights.⁴⁵

⁴⁴ "Housing and Homeless Shelters." National Center for Transgender Equality. Accessed April 10, 2017. <http://www.transequality.org/know-your-rights/housing-and-homeless-shelters>.

⁴⁵ *Ibid*

Survivors of Violence

The Violence Against Women Act (VAWA), covers *all survivors* of intimate partner violence, sexual assault, stalking, or domestic violence, regardless of gender, gender expression, sexual orientation, or sex. VAWA applies when seeking any of the following programs or services: police, prosecutors, courts, rape crisis centers, domestic violence shelters, housing, legal aid, hotlines or counseling, support groups, and education programs. According to the National Center for Transgender Equality, “If a program or agency accepts any VAWA funds for anything it does, it cannot discriminate against LGBT people in anything it does. VAWA also prohibits discrimination based on race, national origin, religion, or disability.”⁴⁶

University of South Carolina Policy

Policy Relating to Gender Identity

The University of South Carolina Office of Equal Opportunity Programs issued a memorandum on June 1, 2016 that included “transgender status” as a protected class. However, “transgender status” is absent from the following USC nondiscrimination policies: Sexual Harassment (EOP 1.02)⁴⁷, Discriminatory Harassment (EOP 1.03)⁴⁸, Non-discrimination Policy (EOP 1.04)⁴⁹, and the student non-discrimination/non-harassment policy (STAF 6.24)⁵⁰. None of these policies have been updated since October of 2014.

⁴⁶ “Survivors of Violence.” National Center for Transgender Equality. Accessed April 10, 2017. <http://www.transequality.org/know-your-rights/survivors-violence>.

⁴⁷ Gist, Bobby. EOP 1.02 Sexual Harassment. PDF. Columbia: University of South Carolina Equal Opportunity Programs, March 14, 2014.

⁴⁸ Gist, Bobby. EOP 1.03 Discriminatory Harassment. PDF. Columbia: University of South Carolina Equal Opportunity Programs, March 14, 2014.

⁴⁹ Gist, Bobby. EOP 1.04 Non-discrimination Policy. PDF. Columbia: University of South Carolina Equal Opportunity Programs, March 14, 2014.

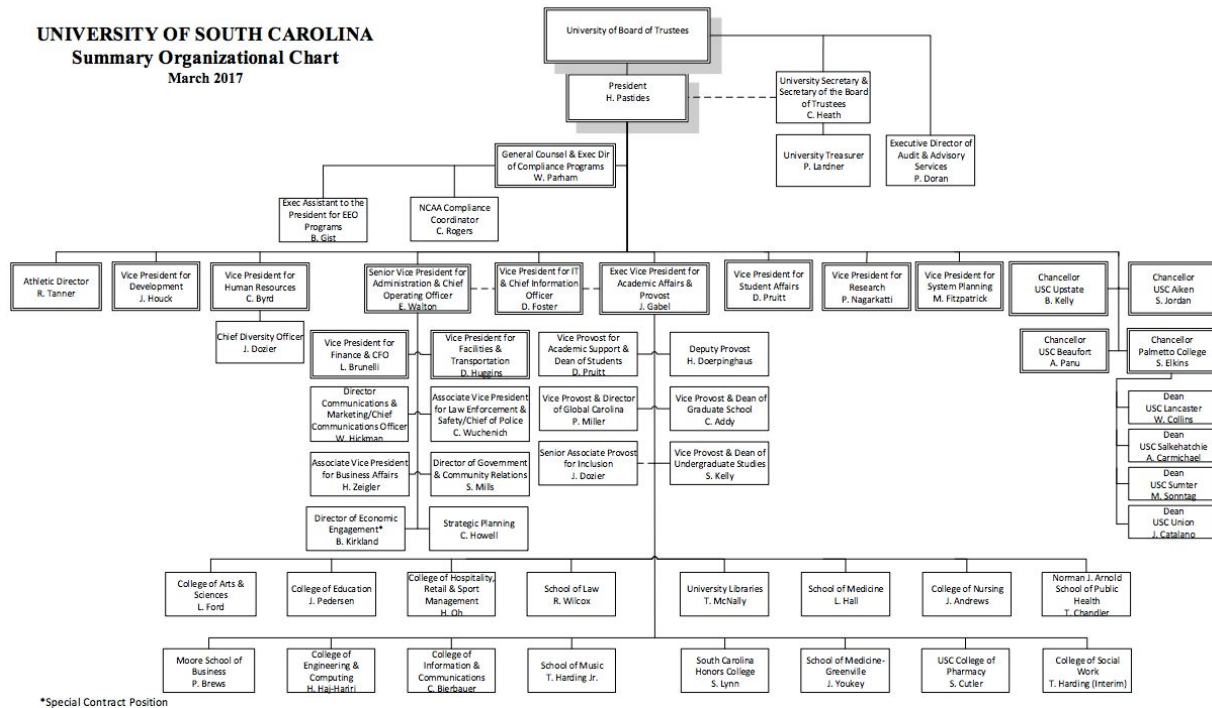
⁵⁰ Gist, Bobby. STAF 6.24 Student Non-discrimination/Non-harassment Policy. PDF. Columbia: University of South Carolina Equal Opportunity Programs, March 14, 2014.

Navigating University Bureaucracy

University of South Carolina

The University of South Carolina is a large southern public university whose bureaucratic structure is necessary for the order and processing of its many students, programs, and offices. For a better understanding of how social change is made at USC, I met with Dr. John Dozier, the Chief Diversity Office at USC, who is also the second reader on this thesis. According to Dr. Dozier, social change is enacted on several levels, but the primary decision makers at the university end up having the final say. These main decision makers include the USC President, who answers to the Board of Trustees, which answers to state legislators. South Carolina state legislature is involved in the decision making process at the university due to the fact that the flagship school is a public institution. Along this chain of command includes the offices that answer directly to the President of the university. Associate Provosts and Deans answer to Chancellors and Provosts, who answer to the President. The Vice Presidents also answer to the President and below the Vice Presidents include the Associate Vice Presidents, the Vice President of Student Affairs, and Directors. Under the Vice President of Student Affairs includes the Associate Vice Presidents of Housing, Student Life, Enrollment Management, and others. Lastly, it is the responsibility of the Chief Diversity Officer to report to several offices of Provosts, Chancellors, Vice Presidents, and the President.

The summary organizational chart for the University of South Carolina, as of March 2017.



"University of South Carolina Summary Organizational Chart." Chart. Offices and Divisions. March 2017. Accessed April 10, 2017.

From my conversations with USC's Chief Diversity Officer, the most evident necessity to enacting change is through political alliances. Political alliances do not merely describe the partnerships made on a legislative or international level. An alliance describes an agreement for cooperation between two or more parties on a common agenda. As my educational background is in political science and women's and gender studies, I have learned that every interaction is political. "The personal is political" was even the rallying cry of the student movement in the second wave of feminism in the 1960s. In this case, the bodies of transgender students are politicized; a topic of debate and political bartering. And the daily labor required of the university bureaucracy is contingent on employees' ability to complete tasks in relation to each other. The most effective manner of navigating

bureaucracy of any kind is through political alliances: favors are owed, friendships are formed, power dynamics are established, and a system of quid pro quo is utilized.

Interestingly, although the university bureaucratic structure exists for a united purpose of the running the university, the theory of the balance of power is applicable to the university offices. In international relations, the balance of power theory states that national security is stronger when power is distributed so that no one state is powerful enough to dominate all others. This balance of power factors in the idea of security dilemmas. In international relations, the security dilemma (or spiral model), refers to a situation in which a state seeks to improve its security by increasing its power, but that the act of increasing power can lead to other states increasing their power in response, thus creating heightened danger for all states, as everyone is more armed⁵¹. In the case of university bureaucracy, varying offices within the organizational map have a balance of power, each operating independently and yet in reliance with other offices and programs. As some offices grow and expand, other offices must grow in response, not only to fulfill the increased demand for labor, but also to maintain the balance of power amongst offices. In Patricia Weitsman's *Review: The Dynamics of Alliance Formation and Management: Alliance Politics* by Glenn H. Snyder, one can observe the political effectiveness of forming alliances. Alliance commitments allow political beings to deter the negative effects of game theory and mutually benefit while achieving goals. Through an understanding of "thick theory," we can see how structural realism, bargaining theory, and rational choice are combined to explain and predict the actions of those in a political alliance.⁵² Structural realism⁵³ finds that power is the most important factor political relations, bargaining theory finds that parties will seek to find a mutually beneficial resolution, and rational choice theory finds that parties will always make the logical and rational choice. In seeking to understand bureaucracy, one can acknowledge that various offices are cogs in a system that behaves according to "thick theory." However, there are more to alliances than a simplistic view of

⁵¹ Weitsman, Patricia A. "The Dynamics of Alliance Formation and Management." *Mershon International Studies Review* 42, no. 2 (1998): 366-68. doi:10.2307/254433.

⁵² *Ibid*

⁵³ Waltz, Kenneth N. 1979. *Theory of international politics*. Reading, Mass: Addison-Wesley Pub. Co.

the roles of offices and their balance of power. University offices are run by individuals; these individuals form alliances not merely through their offices, but through their relationships with coworkers in other offices.

Enacting Social Change

Navigating university bureaucracy to enact social change for TGNC students is not nearly as simplistic as creating an organizational map that traces the offices that will serve a movement's needs; social change comes from forming political alliances and relationships with offices at the university. A commonly agreed upon messaging strategy for transgender storytelling⁵⁴ includes the humanizing of transgender individuals. TGNC students can influence university bureaucracy not just by threatening legal action and policy implications, but also further incentivizing the university's employees to care about TGNC students as the humans we are.

Once university bureaucratic offices gain an understanding of the disparities that TGNC students face within the university's microcosm, then they will have the motivation to seek change on behalf of students. University action is frequently taken when threatened with the possibility for a negative public image⁵⁵, whether that be through legal action or media messaging strategy. If TGNC students seek to affect social change at the university level, then forcing the university's hand comes through the humanizing of transgender people, thus imposing a potential negative public image. With the public and the individuals in university offices sympathetic towards transgender rights (or acting in fear of their own reputation), students can make the final push in demanding change on campus.

⁵⁴ Hattaway, Doug. "Meet My Child: Strategic Storytelling Can Change the Narrative About Transgender Issues." The Huffington Post. May 13, 2016. Accessed April 10, 2017. http://www.huffingtonpost.com/doug-hattaway/meet-my-child-strategic-s_b_9957802.html.

⁵⁵ "5 tips for enacting social change from Appalachian's Ombuds Office." 5 tips for enacting social change from Appalachian's Ombuds Office / Diversity and Inclusion at Appalachian / Appalachian State University. Accessed April 10, 2017. <http://diversity.appstate.edu/news/id/184>.

At the University of South Carolina, policy decisions are made by building community around an idea or issue⁵⁶. Relationships are built amongst students, faculty, staff, alumni, and the university's Diversity Committee. Once social change is seen as effective for the progress of the public good, university administrators begin considering potential questions that may arise out of a change in policy. Student movements are the most successful, not only when they organize and make noise, but also when they build confidence and encourage personal capital in the situation. In the end, enacting effective social change at USC is proving that these changes are what is best for the larger USC community. If policy change has implications that improve life for TGNC students and cisgender students alike, the university decision makers are most likely to remain committed to creating those changes. For example, the Trans Student Alliance at USC has been pushing for the university to allow student identification to show gender-affirming names. What helped university administrators understand the potential positive impact of changing identification policies was to understand that its implications went further than just to TGNC students. International students are impacted by the ability of their identification to reflect their name in a manner that is not western-centric and inaccurate. One issue with requiring broader implications is that it means that the university simply may not care about transgender students because we are a small subpopulation. Ideally, policy change would be made any time a student is not best served by the policy. Unfortunately, the incentive to enact change is small when those it would benefit is few.

When the Office of Diversity and Inclusion decides to make an official recommendation for policy change at the University of South Carolina, gaining support is necessary to show the decision-makers that these changes are necessary. The points of access to gaining support do not necessarily have to do with what's best for transgender students, unfortunately. These access points include: illustrating congruence with USC values, understanding the full economic factors, enforcing legal compliance, seeking the greatest impact and implications, and gaining the largest amount of support numerically (the

⁵⁶ Information was obtained through interview with USC Chief Diversity Officer.

number of students, faculty, and staff committed to making these changes). Power is understood through what risk means, even calculated risk. The university wants to calculate whether the benefits outweigh the risks when changing policy, especially considering that the public flagship university carries a lot of social and political capital within the state of South Carolina as a whole.

Interest Groups and Social Movements

Media & Messaging

In terms of studying interest groups and social movements, one of the most powerful tools in grassroots organizing is social media. Establishing a cohesive message is necessary and rallying behind one topic can gain more momentum, though it tends to leave out other important issues. One example of this is the messaging strategy of the the Human Rights Campaign, a national LGBTQ rights organization. Although LGBTQ people face significant issues besides marriage inequality, the organization decided to throw its entire weight behind the issue of achieving national marriage equality in the U.S. The organization was ultimately successful (national marriage equality came to the U.S. via SCOTUS ruling in June 2015), but one may critique the organization now for being unprepared to alter its messaging after its one-topic issue was resolved. A movement must have long term goals in addition to its daily messaging. For example, teachers' associations continue to push to educate the public on how little they are paid and how much they do for shaping young minds.

In organizing a nonviolent campaign, Dr. Martin Luther King Junior outlined four main steps: (1) Collection of the facts to determine if injustices exist (evidence and fact work best in the court of public opinion), (2) Negotiation (talk with the oppressors in government, show evidence of injustice, and negotiate solution), (3) Self-purification (willing to go through what it takes for a nonviolent protest, creating workshops to prepare people to

accept physical brutality without response), and (4) Direct action (nonviolent protest in the form of civil disobedience and business boycotts).

For a grassroots campaign to maximize success, special attention must be paid by the media. Many protest organizers spend much of their efforts securing favorable media coverage. If media coverage is absent, it is virtually impossible to affect the issue agenda, as the media defines the issue at stake and the terms of policy debate. The media has the power to label participants as grassroots campaigners or as political protesters. Protesters can be cast as bravely standing on principle or merely as breaking the law; their efforts may be cast as noble or silly. Despite the important role that media plays in interest groups, they're not always neutral. Some interest groups receive more attention and the media will report as to whether groups are 'right' or 'wrong.'

Certain interest groups receive more attention and this is partially a reflection of the unbalanced relationship between the press and elected officials. The press does not have to report on political news in order to fill air time. However, social media can be very powerful and create a buzz on its own outside of what major networks decide to cover. Members of Congress spend a lot of time talking to media outlets in order to sway constituencies, reflecting the first rule in politics that people in power want to stay in power. The media has a strong amount of influence and thus to avoid conflicts of interest, the media sets up walls of separation: separating a media outlet's business and financial offices from the editorial and reporting side supposedly improves integrity and prevents financial stakes from clouding reporting.

However, the messaging of a movement can easily be twisted by opponents; the key to progressing a movement is to predict one's opponent's rebuttal and be prepared to defend one's cause. One significant example of a movement's messaging gone wrong is the near century-long failure to pass the Equal Rights Amendment (ERA). The proposed ERA states one that "equality of rights under the law shall not be denied or abridged by the

United States or by any state on account of sex" and has been introduced in every Congressional session after 1923. In 1972, the amendment finally garnered enough support to pass in Congress. Initially, it appeared promising when half of the 38 required states ratified it in the first year and a majority of Americans in the polls approved the idea. However, a small opposition began making exaggerated and false claims: that all public bathrooms would be forced to become unisex, that the ERA would require women to be drafted (the involuntary draft had ended and was unlikely to be reinstated), that it would require abortion on demand (SCOTUS had already ruled on *Roe v. Wade*), and that it would erode women's "special protections" in marriage (these never existed and were further eroded by emerging economic and social forces). A sunset clause was added that the ERA must be passed by 1983. Although 35 of 38 required states have ratified it, it did not happen by 1983 and has not happened yet. Thus, although the ERA had a significant amount of public support, it never passed. This failure of the ERA to pass can be attributed to opponents of the amendment planting seeds of doubt and spreading misinformation. The instances where the intentional spreading of misinformation are numerous and widespread; most notably impacting the 2016 presidential election through "fake news."

Lobbying

Because the University of South Carolina is a public school and its Board of Trustees is controlled by the state legislature, lobbying not only the school for social change, but also the state government itself is plausible. Why lobby the government when students and organizations could potentially reach agreements on their own? People do not always cooperate and governments can force change. Getting ahead of potential discriminatory legislation is an effective way for organizers to be proactive. Students can lobby university officials and government officials alike even when there is no crisis to react to. Sometimes, the only choice is to seek remedy from the government when changes aren't being made. However, in the South, one must keep in mind that many state legislatures will be more

politically conservative than the universities themselves. In the far past, churches served as the most powerful adjudicators of economic and social disputes. However this role shifted to the federal and state governments due to colonization post-New Deal. The gravitation toward government in lobbying is largely facilitated by two additional factors: (1) the U.S. government structures increase points of access (local, state, or national efforts to pass legislation; local, state, or national bureaucracy to enact policy; local, state, or national courts to enforce a law is already on the books) and (2) the scope of government has increased over time and continues to expand. National and state government pass legislation affecting more and more people's lives and as government becomes more involved in more issues, interest groups are more likely to seek solutions from government in areas they are already involved in. It is James Madison who argued that it is in human nature to lobby and that government officials should expect it and be prepared for its onslaught.

Collective Action Problems

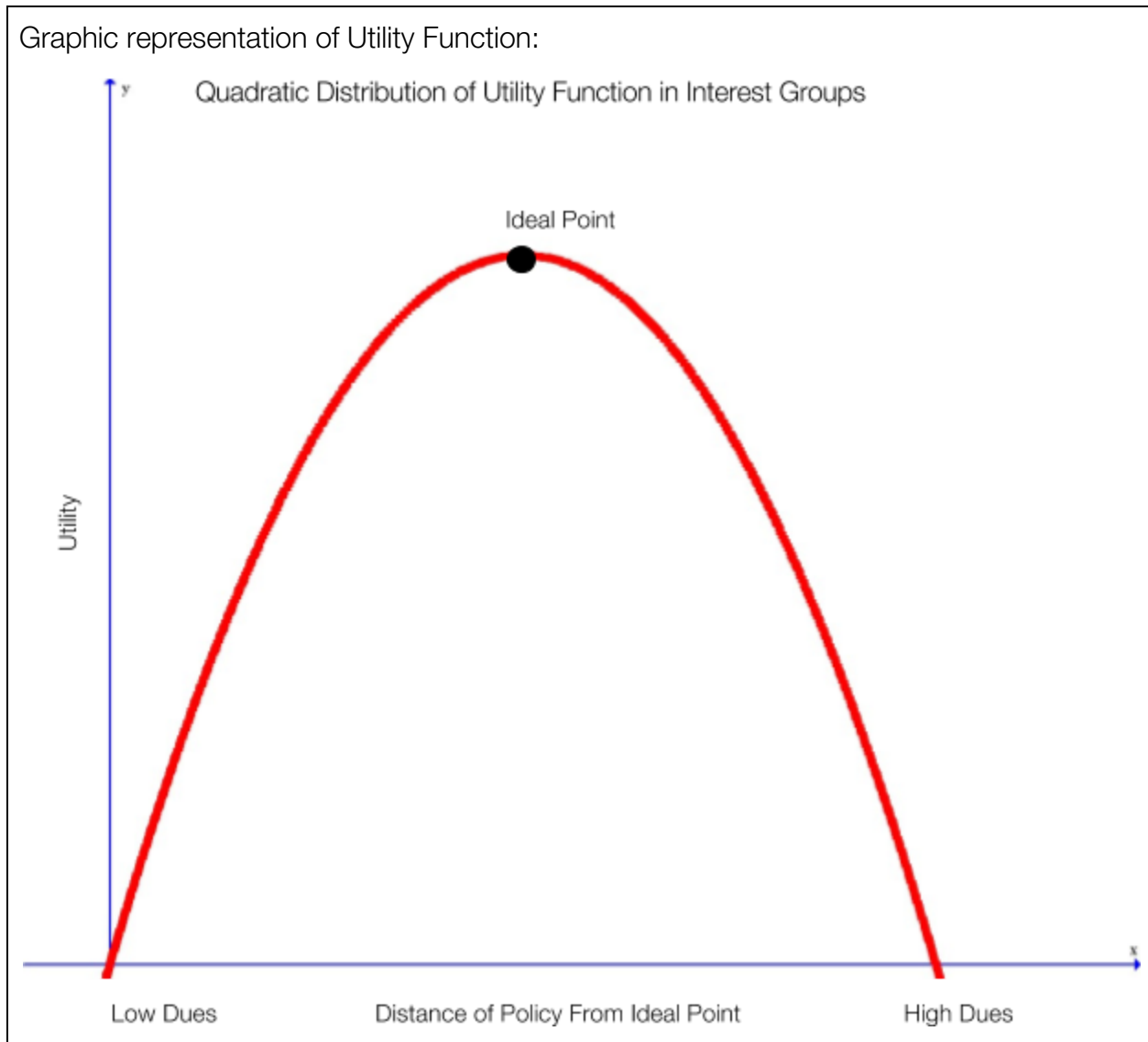
Collective action problems can be summarized as the idea that getting people to cooperate to take action on an agreed problem is difficult. A collective action problem is a catchall phrase for the coordination and free-riding problems associated with collective action. Coordination problems come from the difficulties in coordinating large groups of people, frequently volunteers. Free-riding problems also occur where individuals can receive the benefits from a collective activity whether or not they helped to pay for it, leaving them with no incentive to contribute. For example, in higher education, most, if not all students can benefit from progressive social change, as their campus climate is improving. However, college students are busy and new to the political scene and it is difficult to coordinate with varying schedules to take action on what are growing problems in higher education. Any benefits derived from actions to improve higher education are received by all students, whether they participate or not and further, their willingness to participate declines after graduation.

According to David B. Truman's theory of pluralism, groups are most fundamental part of the human existence. Group association starts in the family until where biological ties are less important than daily social interactions and routine association with non family members introduces groups in society and our role in them. The more frequently a person interacts with a group, the more important that group becomes. Group affiliations, with family as most important, structure our ideology, education, recreation, friends, and most aspects of human existence.

In order for interest groups to form, there are two conditions: that the group has (1) shared attitudes and (2) claims upon others. The government and other large bureaucratic structures have an important role in the distribution of costs of public projects, as studied systematically by social scientist Ronald Coase. If property rights are well established and negotiation costs are low, the government has a small role. Truman's theory hangs on the belief that humans are only truly human when interacting in groups.

Disturbance theory notes that the creation and elimination of interest groups is linked to social, economic, technological, or political disturbances, therefore leading to the spontaneous formation of groups. Economic disturbances led to creation of the Tea Party, Occupy, and current movements to improve wage inequality. Political disturbances, like changes in political parties, spur interest group movements in support of and opposition to those parties. Actions by politicians, like passage of Health Care Law, also spur interest groups in support of and in opposition to the laws. Truman's proliferation hypothesis suggests that increasing complexity and interdependence in society leads to the natural development of more and more groups. Pluralist theory builds upon this with the idea that political power is distributed among a wide and diverse array of interest groups who compete.

Overcoming collective action issues can be nearly impossible for interest groups and social movements. Social choice theory is a field of study that examines the means by which individuals' preferences can be aggregated or combined into some sort of group choice. A movement may have a distinct member base. In some organizations, collective action issues are ameliorated through the enforcement of group dues. Many groups at USC, from Greek life to IRIS, avoid collective action issues through the payment of dues. If members joined because of social pressure or coercion, may prefer smaller budgets with less money allotted for social gatherings. If people joined for solitary benefits, they may feel that an organization with meager budgets would be of little use. If the fees are too high, then the costs of participating make other things unaffordable and group membership unattractive. If fees are too low, then the group is ineffective and unrewarding. The utility function of a group is a graphical representation of someone's preferences, represented by a parabolic curve.



Any area on a graph that is inside a utility function curve is something a member is willing to accept; this is known as the “satisfaction function,” “utility function,” or “tolerance interval.” The ideal point is a graphical representation of any given individual’s ideal preference. According to Black’s Median Voter Theorem, if all members have single-peaked preferences, then the median voter’s ideal points is the unique equilibrium. If everyone has a single preference, the person in the middle is most likely to get their way.

Assumptions of Black's Median Voter Theorem:

- The policy is unidimensional. Only one topic is being considered.
- The number of members in group is odd. It is impossible to have a tie because the median always exists.
- All individuals participate in voting. There are no abstentions.
- All voting is sincere. If people say they have a genuine preference, they will vote based on desire to see that outcome. They will not vote strategically to get an outcome that is close to but not exactly their preference.
- Preferences are single-peaked and symmetric.

All assumptions of Black's Median Voter Theorem exist only in a vacuum. Therefore, opportunities for unravelling occur. Unravelling is when the compromise choice is so unacceptable to some of the member that they decide it is better to leave the group than it is to stay. Unravelling is always possible in group decision making and social interest groups are particularly at risk of unravelling. Because group members can simply exit, the media member's ideal point cannot be guaranteed. Constant potential for unravelling forces group leaders to be concerned about both the policy stance of the group and the impact of that stance in membership levels. For example, the GOP cares less about overturning same-gender marriage but some members are leaving the party due to anger that the group cares less about an issue the individual still cares about.

Avoiding unravelling entirely is impossible. However a group can avoid unravelling through selective incentives and solitary rewards by focusing on the positive benefits the people enjoy (the potential for social progress may be this). A group can also avoid unravelling through sorting mechanisms in which members are sorted by difference in willingness to pay in dues or in time commitments. Many groups allow members to join at varying levels. Therefore, the less one pays in dues or in time commitments, the less likely they are to be upset about any given decision. Furthermore, a group can avoid unravelling through the utilization of decision making through super majorities. Super majorities require more than

50% of voters to make a decision, making it harder to change the status quo. Although many social movements intend on changing a society's broader status quo, they are motivated to maintain their own internal status quo because anyone in group can be presumed to find the status quo acceptable, but difficulties arise in predicting reactions to change.

Recent Movements for Social Change on U.S. University Campuses

In fall of 2015, at least fifty student protests were held regarding the current state of social policy on university campuses. These protests were spurred by and in solidarity with the protests held at the University of Missouri. Of these protests, fourteen campuses were involved in the southeast; twelve of which were large public southern universities like USC. According to a Mother Jones's article, "Campus Protests are Spreading Like Wildfire,"⁵⁷

"The movement at Mizzou has sparked solidarity protests across the country—and fired up student organizers elsewhere to make their own demands about ending systemic racism. At a number of schools, organizers are calling for the resignations of top administrators who they say haven't done enough to respond to racism on campus. Many plans envision new racial-justice curricula, and some protesters are asking their colleges to hire administrators with titles like "Diversity Officer." Most are demanding that colleges hire more faculty from underrepresented groups—not just black and Latino professors, but female, queer, and non-gender-binary black and Latino professors, and those who study identity and culture. And nearly every list of demands includes mandatory sensitivity training for faculty and staff."

⁵⁷ Pauly, Madison, and Becca Andrews. "Campus protests are spreading like wildfire." Mother Jones. Accessed April 10, 2017. <http://www.motherjones.com/politics/2015/11/missouri-student-protests-racism>.

Map of university protests in fall of 2015



Pauly, Madison, and Becca Andrews. "Campus protests are spreading like wildfire." Mother Jones. Accessed April 10, 2017.
<http://www.motherjones.com/politics/2015/11/missouri-student-protests-racism>.

The University of Missouri saw massive student demonstrations in protest of the systemic racism the university perpetuated. The protests were seen as successful because they drew the public eye to the social issues at the university, putting pressure on school administrators to make changes. As a result of the protests and the increased dialogue surrounding racism at Mizzou, university system president Tom Wolfe resigned. Wolfe's decision to resign ultimately came after Mizzou graduate student Jonathan Butler led a hunger strike after weeks of protests over university inaction.⁵⁸

Students at the University of Alabama wrote a letter outlining the "unresolved tensions surrounding race, class, gender, and sexual orientation" experienced on campus and

⁵⁸ Rios, Edwin. "Here's how campus racism just blew up into the biggest story in America." Mother Jones. November 9, 2015. Accessed April 10, 2017.
<http://www.motherjones.com/politics/2015/11/university-of-missouri-president-resigns-racism-football-hunger-strike>.

university inaction over their grievances. The letter called upon the school to create an Office of Diversity that would oversee reform in the university's hiring practices and curriculum.

Students at the University of South Carolina also held protests at their flagship Columbia campus in fall of 2015. USC's protests were led by a student initiative called USC 2020 Vision, referring to the year 2020, the deadline by which their demands were to be met. The students issued twelve demands, ranging from recognizing the university's history of using slave labor to calling for gender neutral housing and restroom facilities⁵⁹ to a wider range of health and counseling services. Students staged a walkout and marched from Longstreet Theatre to Osborne Administration Building, which houses both the Office of Diversity and Inclusion as well as the Office of the President.⁶⁰

⁵⁹ Crawford, Ben, and Patrick Ingraham. "Student group USC 2020 Vision plans walk-out, issues list of demands." The Daily Gamecock. November 16, 2015. Accessed April 10, 2017.

<http://www.dailygamecock.com/article/2015/11/student-group-plans-walkout>.

⁶⁰ "USC 2020 Vision Protest Group Leads Walk Out." Odyssey. November 16, 2015. Accessed April 10, 2017.

<https://www.theodysseyonline.com/2020-vision-university-south-carolina-marches-campus>.

Full list of USC 2020 Demands

Demands for Our 2020 Vision

- 1) We demand that our university acknowledge that this institution was built on the backs of enslaved Africans. Further, we expect that this acknowledgement is included in tours, especially areas like the garden directly behind the president's house where slaves were once housed. This acknowledgement should be reflected in markers on historic buildings. Additionally, we expect that the university will raise the plaque marking the AAAS tree to increase its visibility.
- 2) We demand that our university improve and expand minority recruitment efforts in order to increase racial diversity on our campus. We also call for the creation of a minority scholars program through the South Carolina Honors College.
- 3) We demand that our university provide gender neutral housing and restrooms that are accessible and convenient. We call for our university to create a streamlined process for changing gender markers and names within university databases and records. We require that university personnel use personal gender pronouns as indicated by the individual. Additionally, we ask that our university provide informed, comprehensive health and mental health care that meets the specific needs of transgender students and ensure that all health and mental health care providers are competent on transgender issues.
- 4) We demand that our university acknowledge gender identity and expression as protected classes under Title IX.
- 5) We demand that a transparent and independent investigation be launched into the following university administrators: the Executive Assistant to the President for Equal Opportunity Programs; the Associate Vice President for Student Affairs and Academic Support, Student Life and Development; and the Vice President for Student Affairs, Vice Provost and Dean of Students.
- 6) We demand that our university increase the funding allocated to the Office of Multicultural Student Affairs. Additionally, we require that OMSA be housed in a new cultural center that celebrates all identities. As campus continues to grow, it is imperative that support for all students continues to grow.
- 7) We demand that our university increase funding for the Counseling Center, so that there are more appointments that are available and more appointments provided free of charge to each student.
- 8) We demand that all faculty and staff, especially those who engage students on a regular basis, participate in a mandatory diversity training provided by the Office of Diversity and Inclusion. This training should be intersectional and representative of a wide variety of identity groups.
- 9) We demand that our university institute a policy of transparency through data collection and dissemination on the topics of admissions and enrollment, campus sexual assault, sexual harassment, and hazing by providing existing statistics in a communicable way and conducting new research to better identify its problems on campus.
- 10) We demand that our university provide a social justice minor and cognate to expand its current offerings to undergraduate students.
- 11) We demand that the Office of Student Disability Services be renamed the Office of Accessibility and Accommodation Services. Additionally, we call for the advancement of student knowledge of this office through new student orientation, residence life, the counseling center, psychiatric services, and student health services.
- 12) We demand that USC Homecoming be made more inclusive to accurately reflect and celebrate the diversity that exists and continues to grow within our campus, our alumni, and our community. As it stands, Homecoming is just for some, but we all want something to come home to.

#2020Vision

The Daily Gamecock. "Correction: Attached are @USC2020Vision's list of demands in full: <https://t.co/JARICZ1izU>." Twitter. November 15, 2015. Accessed April 10, 2017.
https://twitter.com/thegamecock/status/666126274516111361/photo/1?ref_src=twsrc%5Etfw&ref_url=http%3A%2F%2Fwww.dailygamecock.com%2Farticle%2F2015%2F11%2Fstudent-group-plans-walkout.

Although the movement was compared to Mizzou's, USC 2020 Vision leaders say that USC's situation is unique.

"'We have heard our university question, 'Could this be Mizzou?' over the past week,' the organization said in a press release. 'The answer is no. We stand with Mizzou, but our needs are different. Some of our demands need no additional explanation. Others do. While we recognize the existence of racial tensions on our campus, it would be irresponsible to ignore the lived struggles of all minority groups. With this list, we stand together.'"⁶¹

Of the twelve demands, two demands directly related to transgender students at USC. However all demands potentially relate to transgender students, as we must acknowledge that transgender students can also be of a racial/ethnic minority, be of low socio-economic class, have disabilities, and be a part of many other intersecting marginalizations. Demands three and four directly relate to the rights of transgender students at USC.

USC 2020 Vision Demands 3 and 4:

- 3) We demand that our university provide gender neutral housing and restrooms that are accessible and convenient. We call for our university to create a streamlined process for changing gender markers and names within university databases and records. We require that university personnel use personal gender pronouns as indicated by the individual. Additionally, we ask that our university provide informed, comprehensive health and mental health care that meets the specific needs of transgender students and ensure that all health and mental health care providers are competent on transgender issues.
- 4) We demand that our university acknowledge gender identity and expression as protected classes under Title IX.

The Daily Gamecock. "Correction: Attached are @USC2020Vision's list of demands in full: <https://t.co/JARICZ1izU>." Twitter. November 15, 2015. Accessed April 10, 2017.
https://twitter.com/thegamecock/status/666126274516111361/photo/1?ref_src=twsrc%5Etfw&ref_url=http%3A%2F%2Fwww.dailygamecock.com%2Farticle%2F2015%2F11%2Fstudent-group-plans-walkout.

⁶¹ Crawford, Ben, and Patrick Ingraham. "Student group USC 2020 Vision plans walk-out, issues list of demands." The Daily Gamecock. November 16, 2015. Accessed April 10, 2017.
<http://www.dailygamecock.com/article/2015/11/student-group-plans-walkout>.

Since these demands have been made, the university has made genuine effort to make some of the changes. Increased visibility is helpful for transgender students to be better served and the university has updated its “Trans at UofSC” page, as cited earlier.

However, there has been no changes to university identification and records, no changes to gender neutral housing, no changes to gender neutral restrooms, and no updates to university policy regarding “transgender status” since 2014.

How do we measure the success of a major recent social movement at the University of South Carolina? Were the changes made? How could a future social movement be more successful? One way to answer these questions is to understand whether or not USC 2020 Vision made the appropriate political alliances necessary to make changes. In terms of social justice and political radicalism, these alliances should be ideally unnecessary in making the social climate healthier for all marginalized students. However, in terms of making changes, maintaining a more open line of communication may have resulted in greater success for the movement. It is unfortunate that backdoor politicking is necessary to enact change, but one critique administration had of the USC 2020 Visionaries was that their demands were made with little negotiation and little understanding as to how the bureaucratic decision making system worked. One reason that Mizzou’s student movement in fall of 2015 may be seen as more successful than USC’s 2020 Vision is because Mizzou students more successfully told a story; the Missouri students wove a narrative and created media messaging that humanized the main figures of the movement. USC 2020 somewhat failed in their message’s ability to tug the heartstrings and humanize the experiences of marginalized students. The personal lived experiences of marginalized people should not be manipulated or capitalized upon, but rather should be shared with the intention that others will be able to sympathize with a movement’s demands.

In Conclusion

Goals

The goals of this thesis were to formally understand the disparities that transgender and gender-nonconforming students face at the University of South Carolina, to make understanding university bureaucracy easier for TGNC students, to explain the importance of political alliances and messaging strategies, and to eventually to be able to apply the information above more broadly to navigating university bureaucracy for any type of social change in any comparable university. Through the compilation of this information, it is my hope that future students at the University of South Carolina will be able to better plan social movements and become the ideal model for social change in large southern public universities.

Ideal Models

What does an ideal model look like? If anything, this research has shown that social movements are dependent on all the individual players in the situation, from the administrators, to reporters from various media outlets, to the students themselves. An ideal model for a social movement would be very dependent on the opinion of the organizers and the administrators alike. Some social movements measure their success based on the amount of public support and the minimization of backlash. However, in topics as sensitive as transgender rights, significant backlash is expected and frequently, TGNC people face so many disparities that there is little to lose in organizing for progress. From a politically radical perspective, an ideal movement may be one with significant civil disobedience that brings the most attention possible from decision-makers, thus forcing responsive action that results in reformation or revolution. From a more politically moderate or centrist perspective, an ideal movement may be one that works with decision-makers to make progress behind the scenes, working within an existing system rather than changing it. For many radical organizers, myself included, the options for an ideal model for social

change is whether one wants to entirely reform the existing system, or to revolutionize community members to deconstruct the system and begin anew. Something to consider in organizing is that not all organizers are homogenous in their lived experiences, beliefs, or ideals; and to me, homogeneity is not the goal in organizing for justice and diversity anyways.

New Goals

In order to encourage future student activism, students need to stay well-informed as to what rights and opportunities they do and do not have. Knowing the full story as to what discrimination the university perpetuates or ignores is critical to understanding how much progress is needed. Appalachian State University's Ombud's Office gives tips to student organizers on how to be effective: (1) educate yourself, (2) identify organized groups that support your concerns, (3) engage in the legislative process, (4) start a campus chapter of a national or international organization, and (5) expect a long-term effort.⁶² Students can stay engaged by keeping an open dialogue with their administration as to what changes they consider meaningful and necessary.

Dissemination

This research will be shared with the Trans Student Alliance as a part of their collection of information for the betterment of transgender USC students. An abstract of this research will be submitted for consideration to the Creating Change conference to be held in 2018 in Washington D.C. A presentation of this information will be shared with my students at the Harriet Hancock LGBT Center where I serve as the Youth OUTLOUD Coordinator, writing and managing curriculum for LGBT+ youth ages 12-19. It is my hope that these middle and high school students have access to knowledge about social justice organizing

⁶² "5 tips for enacting social change from Appalachian's Ombuds Office." 5 tips for enacting social change from Appalachian's Ombuds Office / Diversity and Inclusion at Appalachian / Appalachian State University. Accessed April 10, 2017. <http://diversity.appstate.edu/news/id/184>.

before they exit high school, as some of them will be future university student activists. The findings of my research will be open to the public domain.

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