



Transgender, Gender Identity, & Gender Expression Non-Discrimination

Adopted by the American Psychological Association Council of Representatives August, 2008.

Whereas transgender and gender variant people frequently experience prejudice and discrimination and psychologists can, through their professional actions, address these problems at both an individual and a societal level;

Whereas the American Psychological Association opposes prejudice and discrimination based on demographic characteristics including gender identity, as reflected in policies including the Hate Crimes Resolution (Paige, 2005), the Resolution on Prejudice Stereotypes and Discrimination (Paige, 2007), APA Bylaws (Article III, Section 2), the Ethical Principles of Psychologists and Code of Conduct (APA 2002, 3.01 and Principle E);

Whereas transgender and other gender variant people benefit from treatment with therapists with specialized knowledge of their issues (Lurie, 2005; Rachlin, 2002), and that the Ethical Principles of Psychologists and Code of Conduct state that when scientific or professional knowledge ...is essential for the effective implementation of their services or research, psychologists have or obtain the training....necessary to ensure the competence of their services..." (APA 2002, 2.01b);

Whereas discrimination and prejudice against people based on their actual or perceived gender identity or expression detrimentally affects psychological, physical, social, and economic well-being (Bockting et al., 2005; Coan et al., 2005; Clements-Nolle, 2006; Kenagy, 2005; Kenagy & Bostwick, 2005; Nemoto et al., 2005; Resolution on Prejudice Stereotypes and Discrimination, Paige, 2007; Riser et al., 2005; Rodriguez-Madera & Toro-Alfonso, 2005; Sperber et al., 2005; Xavier et al., 2005);

Whereas transgender people may be denied basic non-gender transition related health care (Bockting et al., 2005; Coan et al., 2005; Clements-Nolle, 2006; GLBT Health Access Project, 2000; Kenagy, 2005; Kenagy & Bostwick, 2005; Nemoto et al., 2005; Riser et al., 2005; Rodriguez-Madera & Toro-Alfonso, 2005; Sperber et al., 2005; Xavier et al., 2005);

Whereas gender variant and transgender people may be denied appropriate gender transition related medical and mental health care despite evidence that appropriately evaluated individuals benefit from gender transition treatments (De Cuypere et al., 2005; Kuiper & Cohen-Kettenis, 1988; Lundstrom, et al., 1984; Newfield, et al., 2006; Pfafflin & Junge, 1998; Rehman et al., 1999; Ross & Need, 1989; Smith et al., 2005);

Whereas gender variant and transgender people may be denied basic civil rights and protections (Minter, 2003; Spade, 2003) including: the right to civil marriage which confers a social status and important legal benefits, rights, and privileges (Paige, 2005); the right to obtain appropriate identity documents that are consistent with a post-transition identity; and the right to fair and safe and harassment-free institutional environments such as care facilities, treatment centers, shelters, housing, schools, prisons and juvenile justice programs;

Whereas transgender and gender variant people experience a disproportionate rate of homelessness (Kammerer et al., 2001), unemployment (APA, 2007) and job discrimination (Herbst et al., 2007), disproportionately report income below the poverty line (APA, 2007) and experience other financial disadvantages (Lev, 2004);

Whereas transgender and gender variant people may be at increased risk in institutional environments and facilities for harassment, physical and sexual assault (Edney, 2004; Minter, 2003; Peterson et al., 1996; Witten & Eyler, 2007) and inadequate medical care including denial of gender transition treatments such as hormone therapy (Edney, 2004; Peterson et al., 1996; Bockting et al., 2005; Coan et al., 2005; Clements-Nolle, 2006; Kenagy, 2005; Kenagy & Bostwick, 2005; Nemoto et al., 2005; Newfield et al., 2006; Riser et al., 2005; Rodriguez-Madera & Toro-Alfonso, 2005; Sperber et al., 2005; Xavier et al., 2005);

Whereas many gender variant and transgender children and youth face harassment and violence in school

environments, foster care, residential treatment centers, homeless centers and juvenile justice programs (D'Augelli, Grossman, & Starks, 2006; Gay Lesbian and Straight Education Network, 2003; Grossman, D'Augelli, & Slater, 2006);

Whereas psychologists are in a position to influence policies and practices in institutional settings, particularly regarding the implementation of the Standards of Care published by the World Professional Association of Transgender Health (WPATH, formerly known as the Harry Benjamin International Gender Dysphoria Association) which recommend the continuation of gender transition treatments and especially hormone therapy during incarceration (Meyer et al., 2001);

Whereas psychological research has the potential to inform treatment, service provision, civil rights and approaches to promoting the well-being of transgender and gender variant people;

Whereas APA has a history of successful collaboration with other organizations to meet the needs of particular populations, and organizations outside of APA have useful resources for addressing the needs of transgender and gender variant people;

Therefore be it resolved that APA opposes all public and private discrimination on the basis of actual or perceived gender identity and expression and urges the repeal of discriminatory laws and policies;

Therefore be it further resolved that APA supports the passage of laws and policies protecting the rights, legal benefits, and privileges of people of all gender identities and expressions;

Therefore be it further resolved that APA supports full access to employment, housing, and education regardless of gender identity and expression;

Therefore be it further resolved that APA calls upon psychologists in their professional roles to provide appropriate, nondiscriminatory treatment to transgender and gender variant individuals and encourages psychologists to take a leadership role in working against discrimination towards transgender and gender variant individuals;

Therefore be it further resolved that APA encourages legal and social recognition of transgender individuals consistent with their gender identity and expression, including access to identity documents consistent with their gender identity and expression which do not involuntarily disclose their status as transgender for transgender people who permanently socially transition to another gender role;

Therefore be it further resolved that APA supports access to civil marriage and all its attendant benefits, rights, privileges and responsibilities, regardless of gender identity or expression;

Therefore be it further resolved that APA supports efforts to provide fair and safe environments for gender variant and transgender people in institutional settings such as supportive living environments, long-term care facilities, nursing homes, treatment facilities, and shelters, as well as custodial settings such as prisons and jails;

Therefore be it further resolved that APA supports efforts to provide safe and secure educational environments, at all levels of education, as well as foster care environments and juvenile justice programs, that promote an understanding and acceptance of self and in which all youths, including youth of all gender identities and expressions, may be free from discrimination, harassment, violence, and abuse;

Therefore be it further resolved that APA supports the provision of adequate and necessary mental and medical health care treatment for transgender and gender variant individuals;

Therefore be it further resolved that APA recognizes the efficacy, benefit and medical necessity of gender transition treatments for appropriately evaluated individuals and calls upon public and private insurers to cover these medically necessary treatments;

Therefore be it further resolved that APA supports access to appropriate treatment in institutional settings for people of all gender identities and expressions; including access to appropriate health care services including gender transition therapies;

Therefore be it further resolved that APA supports the creation of educational resources for all psychologists in working with individuals who are gender variant and transgender;

Therefore be it further resolved that APA supports the funding of basic and applied research concerning gender

expression and gender identity;

Therefore be it further resolved that APA supports the creation of scientific and educational resources that inform public discussion about gender identity and gender expression to promote public policy development, and societal and familial attitudes and behaviors that affirm the dignity and rights of all individuals regardless of gender identity or gender expression;

Therefore be it further resolved that APA supports cooperation with other organizations in efforts to accomplish these ends.

References

American Psychological Association. (2002). Ethical principles of psychologists and code of conduct. *American Psychologist*, 57, 1060-1073.

American Psychological Association. (2006). *Bylaws of the American Psychological Association*. Retrieved December 18, 2006, from <http://www.apa.org/governance/bylaws/homepage.html> (/about/governance/bylaws/index.aspx) .

American Psychological Association. (2007). *Report of the APA task force on socioeconomic status*. Washington, DC: Author.

Bockting, W. O., & Fung, L. C. T. (2005). Genital reconstruction and gender identity disorders. In D. Sarwer, T. Pruzinsky, T. Cash, J. Persing, R. Goldwyn, & L. Whitaker (Eds.), *Psychological aspects of reconstructive and cosmetic plastic surgery: Clinical, empirical, and ethical perspectives* (pp. 207-229). Philadelphia: Lippincott, Williams, & Wilkins.

Bockting, W. O., Huang, C., Ding, H., Robinson, B., & Rosser, B. R. S. (2005). Are transgender persons at higher risk for HIV than other sexual minorities? A comparison of HIV prevalence and risks. *International Journal of Transgenderism*, 3(2/3), 123-131.

Clements-Nolle, K. (2006). Attempted suicide among transgender persons: The influence of gender-based discrimination and victimization. *Journal of Homosexuality*, 51(3), 53-69.

Coan, D. L., Schraner, W., & Packer, T. (2005). The role of male sex partners in HIV infection among male-to-female transgendered individuals. *International Journal of Transgenderism*, 3(2/3), 21-30.

D'Augelli, A. R., Grossman, A. H., & Starks, M. T. (2006). Childhood gender atypicality, victimization, and PTSD among lesbian, gay, and bisexual youth. *Journal of Interpersonal Violence*, 21(11), 1462-1482.

De Cuypere, G., TSjoen, G., Beerten, R., Selvaggi, G., De Sutter, P., Hoebeke, P., Monstrey, S., Vansteenwegen A., & Rubens, R. (2005). Sexual and physical health after sex reassignment surgery. *Archives of Sexual Behavior*, 34(6), 679-690.

Edney, R. (2004). To keep me safe from harm? Transgender prisoners and the experience of imprisonment. *Deakin Law Review*, 9(2), 327-338.

Gay, Lesbian and Straight Education Network. (2004). 2003 National School Climate Survey: *The school related experiences of our nation's lesbian, gay, bisexual and transgender youth*. New York: GLSEN.

GLBT Health Access Project. (2000). *Access to healthcare for transgendered persons in greater Boston*. Boston: J. S. I. Research and Training Institute Inc.

Grossman, A. H., D'Augelli, A. R., & Slater, N. P. (2006). Male-to-female transgender youth: Gender expression milestones, gender atypicality, victimization, and parents' responses. *Journal of GLBT Family Studies*, 2(1), 71-92.

Herbst, J. H., Jacobs, E. D., Finlayson, T. J., McKleroy, V. S., Neumann, M. S., & Crepaz, N.; The HIV/AIDS Prevention Research Synthesis Team. (2008). Estimating HIV prevalence and risk behaviors of transgender persons in the United States: A systematic review. *AIDS and Behavior*, 12, 1-17.

Kammerer, N., Mason, T., Connors, M., & Durkee, R. (2001). Transgender health and social service needs in the context of HIV risk. In W. Bockting & S. Kirk (Eds.), *Transgender and HIV: Risks prevention and care* (39-57). Binghamton, NY: Haworth.

- Kenagy, G. P.(2005). The health and social service needs of transgender people in Philadelphia. *International Journal of Transgenderism*, 3(2/3), 49-56.
- Kenagy, G. P., & Bostwick, W. B.(2005). Health and social service needs of transgender people in Chicago. *International Journal of Transgenderism*, 3(2/3), 57-66.
- Kuiper, B., & Cohen-Kettenis, P. (1988). Sex reassignment surgery: a study of 141 Dutch transsexuals. *Archives of Sexual Behavior*, 17(5), 439-457.
- Lev, A. I. (2004). *Transgender emergence: Therapeutic guidelines for working with gender-variant people and their families*. Binghamton, NY: Haworth Press.
- Lundstrom, B., Pauly, I., & Walinder, J. (1984). Outcome of sex reassignment surgery. *Acta Psychiatrica Scandinavia*, 70, 289-94.
- Lurie, S.(2005). Identifying training needs of health-care providers related to treatment and care of transgendered patients: A qualitative needs assessment conducted in New England. *International Journal of Transgenderism*, 3(2/3), 93-112.
- Meyer III, W., Bockting, W., Cohen-Kettenis, P., Coleman, E., DiCeglie, D., Devor, H., et al. (2001). The standards of care for gender identity disorders, sixth version. *International Journal of Transgenderism*, 5(1). Retrieved January 15, 2007, from http://www.symposion.com/ijtsoc_2001/index.htm (http://www.symposion.com/ijtsoc_2001/index.htm) .
- Minter, S. (2003). *Representing transsexual clients: Selected legal issues*. Retrieved May 25, 2006, from: <http://www.transgenderlaw.org/resources/translaw.htm> (<http://www.transgenderlaw.org/resources/translaw.htm>)
- Nemoto, T., Operario, D., & Keatley, J. (2005). Health and social services for male-to-female transgender persons of color in San Francisco. *International Journal of Transgenderism*, 3(2/3), 5-20.
- Newfield, E., Hart, S., Dibble, S., & Kohler, L. (2006). Female-to-male transgender quality of life. *Quality of Life Research*, 15(9), 1447-1457.
- Paige, R. U. (2005). Proceedings of the American Psychological Association for the legislative year 2004: Minutes of the annual meeting of the Council of Representatives, February 20-22, 2004, Washington, DC, and July 28 and 30, 2004, Honolulu, Hawaii, and minutes of the February, April, June, August, October, and December 2004 meetings of the Board of Directors. *American Psychologist*, 60(5), Jul-Aug 2005, 436-511.
- Paige, R. U. (2007). Proceedings of the American Psychological Association for the legislative year 2006: Minutes of the Annual Meeting of the Council of Representatives, February 17-19, 2006, Washington, DC; and August 17 and 21, 2006, New Orleans, LA; and minutes of the February, June, August, and December 2006 meetings of the Board of Directors. *American Psychologist*, 62(5), Jul-Aug 2007, 400-490.
- Petersen, M., Stephens, J., Dickey, R., & Lewis, W. (1996). Transsexuals within the prison system: An international survey of correctional services policies. *Behavioral Sciences and the Law*, 14 , 219, 221-222.
- Pfafflin, F., & Junge, A. (1998). *Sex reassignment thirty years of international follow-up studies SRS: A comprehensive review, 1961-1991*. Dusseldorf, Germany: Symposium Publishing.
- Rachlin, K. (2002). Transgendered individuals' experiences of psychotherapy. *International Journal of Transgenderism*, 6(1), available at <http://www.symposion.com/ijt/> (<http://www.symposion.com/ijt/>) .
- Rehman, J., Lazer, S., Benet, A. E., Schaefer, L. C., & Melman, A. (1999). The reported sex and surgery satisfaction of 28 postoperative male-to-female transsexual patients. *Archives of Sexual Behavior*, 28(1): 71-89.
- Risser, J. M. H., Shelton, A., McCurdy, S., Atkinson, J., Padgett, P., Useche, B., et al.(2005). Sex, drugs, violence, and HIV status among male-to-female transgender persons in Houston, Texas. *International Journal of Transgenderism*, 3(2/3), 67-74.
- Rodriquez-Madera, S., & Toro-Alfonso, J. (2005). Gender as an obstacle in HIV/AIDS prevention: Considerations for the development of HIV/AIDS prevention efforts for male-to-female transgenders. *International Journal of Transgenderism*, 3(2/3), 113-122.

Ross, M. W., & Need, J. A. (1989). Effects of adequacy of gender reassignment surgery on psychological adjustment: A follow-up of fourteen male-to-female patients. *Archives of Sexual Behavior*, 18(2), 145-153.

Smith Yolanda L S; Van Goozen Stephanie H M; Kuiper Abraham J; Cohen-Kettenis Peggy T. (2005). Sex reassignment: outcomes and predictors of treatment for adolescent and adult transsexuals. *Psychological Medicine*; 35(1):89-99.

Spade, D. (2003). Resisting medicine, re/modeling gender. *Berkeley Women's Law Journal*, 18(15), 15-37.

Sperber, J., Landers, S., & Lawrence, S.(2005). Access to health care for transgendered persons: Results of a needs assessment in Boston. *International Journal of Transgenderism*, 3(2/3), 75-92. Smith Y. L. S., Van Goozen, S. H. M., Kuiper, A. J., & Cohen-Kettenis, P. T. (2005). Sex reassignment: Outcomes and predictors of treatment for adolescent and adult transsexuals. *Psychological Medicine*, 35, 89-99.

Van Kestern, P. J. M., Asscheman, H., Megens, J. A. J., & Gooren, L. J. G. (1997). Mortality and morbidity in transsexual subjects treated with cross-sex hormones, *Clinical Endocrinology*, 47, 337-342.

Witten, T. M., & Eyler, A. E. (2007). Transgender aging and the care of the elderly transgendered patient. In R. Ettner, S. Monstrey, & A. E. Eyler (Eds.), *Principles of Transgender Medicine and Surgery* (pp.343-372). New York: Haworth Press.

Xavier, J. M., Bobbin, M., Singer, B., & Budd, E.(2005). A needs assessment of transgendered people of color living in Washington, DC. *International Journal of Transgenderism*, 3(2/3), 31-48.

Please cite this policy statement as:

Anton, Barry S. (2009). Proceedings of the American Psychological Association for the legislative year 2008: Minutes of the annual meeting of the Council of Representatives, February 22-24, 2008, Washington, DC, and August 13 and 17, 2008, Boston, MA, and minutes of the February, June, August, and December 2008 meetings of the Board of Directors. *American Psychologist* 64, 372-453. doi:10.1037/a0015932

Find this article at:

<http://www.apa.org/about/policy/transgender.aspx>