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We Cannot Escape History: The State of the Campus from an LGBT Perspective June 2009

George H. Hoemann

University of Tennessee - Knoxville, hoemann@utk.edu

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We Cannot Escape History

The State of the Campus from an LGBT Perspective June 2009

This is a time of budgetary constraint, if not crisis, for the University of Tennessee, Knoxville, and for the country as a whole. Yet even as the economy deteriorated last fall, the election of the nation's first African American president signaled a new era in our history, empowering a people too long excluded from full equality. The Obama administration has placed LGBT equality squarely on the national agenda (see http://www.whitehouse.gov/issues/civil_rights/) and the victories of marriage equality advocates in several states this spring suggest that, even as we face severe economic conditions, our national commitment to fairness, inclusion and equality is strong and growing.

Those values are also the values of the University and the change seen in other parts of the country will, sooner or later, impact this campus. The university's primary mission is the education of our students and as a land grant institution we also serve and educate the entire citizenry. Teaching – and learning – is not solely about *what* we teach, be it history or biophysics or economics, but also about *how* we teach. How we teach – how we model what we value – can be, in the end, even more important than the content of a specific curriculum or degree program. If we do not include and welcome diverse populations to our campus, then all the words we speak about equality will mean very little. Effective inclusion is greater than words alone and must also include actions. Actions require commitments of time, energy and financial resources. Where we place our treasure will conclusively teach everyone what our values are.

What Has Been Done: 2008-2009

During the academic year the commission sponsored and/or joined with other individuals or organizations in the following actions:

- Opening of Treas membership to faculty / staff domestic partners (June 2008)
- “Out on Campus: What is it like to be LGBT at UTK,” LGBT History Month Panel Forum (October 2008)
- “[Courting Equality: A Documentary History of America's First Same-Sex Marriages](#),” co-authors presentation, LGBT History Month (October 2008)
- Letter with chairs of the Commission for Blacks and Commission for Women responding to anti-diversity views of *Daily Beacon* columnist (<http://dailybeacon.utk.edu/showarticle.php?articleid=53942>) (October 2008; see Appendix I)
- Participation, SGA-sponsored campus forums (October 2008 & March 2009)
- Opening of [Voices of Diversity](#), an Online LGBT Story Archive (November 2009)
- Securing approval of Safe Zone program for LGBT students, faculty and staff (December 2008)
- “LGBT Issues Forum: A New President, Prop 8, and More!” (January 2009)
- Spring Welcoming Reception for LGBT and Ally faculty, staff and students (February 2009)
- Co-sponsored screening of the film “Milk” (March 2009)
- Location and renovation of space for OUTreach: the LGBT and Ally Resource Center (Renovation completed March 2009)
- Worked with OED and General Counsel’s office for inclusive language in discrimination complaint procedure (language finalized May 2009)
- Significant agreement that a Campus Climate survey to include demographic data on LGBT faculty, staff and students (on-going)

Growing into the Light

Last year’s report, “Through a Glass Darkly,” (see <http://lgbt.utk.edu/2008-state-of-the-campus-LGBT.doc>) noted the relative invisibility of the LGBT community at the university. During the past year, the commission’s activities as well as its members have continued the slow but necessary process of making our presence, sensibilities and perspectives known to the rest of the university. Our local actions have not occurred in a vacuum and the LGBT community’s rising national visibility, perhaps most obvious in the progress of marriage equality, has empowered our adversaries to renew their efforts to discriminate and to exclude.

Last year's report also noted that the university was not an island. The fight for full LGBT equality before the law has been termed the last great civil rights struggle. Increased LGBT equality at the national level and in other states will undoubtedly impact Tennessee and the university in the coming years (see Appendix II). The university cannot escape history.

State-mandated Discrimination

At a meeting earlier this spring with the commission chair, University of Tennessee Vice President for Human Resources Linda Hendricks and Assistant General Counsel Lela Young outlined the state-mandated discrimination (through constitutional amendment, statute and attorney general opinions) against LGBT people and, in their opinion, the subsequent inability of the university to lawfully extend employment benefits to domestic partners. Concurrently, measures introduced in the Tennessee legislature (to prohibit the mention of homosexuality in the public schools and to prevent same sex couples from adopting) and the censorship of educational, non-explicit online LGBT resources available to high school students (see <http://www.aclu.org/lgbt/youth/39616prs20090519.html>) compound anti-LGBT bias throughout the state. The University of Tennessee, Knoxville, suffers because of this state-mandated discrimination. Evidence confirms that every year the university loses top choice candidates for faculty positions, prospective students and staff hires. UTK lags behind peer and non-peer institutions in providing equal benefits, as last year's report from the commission's equity committee clearly shows (see "Benefits Research Report," at <http://lgbt.utk.edu/benefits-research-project.pdf>). The passage of the Employment Non-Discrimination Act (ENDA) at the federal level (an Obama administration legislative goal) as well as spousal benefits lawsuits that will certainly arise under the U.S. Constitution's "full faith and credit" comity clause will inevitably involve UT in legal challenges. As a state institution that receives substantial federal resources, UT will be caught between state-mandated discrimination and federally mandated equality.

Campus Climate: Not Fully Welcoming

In conjunction with legal impediments, the lack of specific, documented data regarding the number of LGBT faculty, students and staff continues the campus's laissez faire "out of sight, out of mind" approach to LGBT equality. Moreover, there were several overt anti-LGBT incidents during the academic year, including the (Jumbo-tron featured) wearing of "Gay-Tor" t-shirts during the UT-Florida football game, a fraternity hazing incident outside of Hodges Library with pledges required to wear "I am Gay" t-shirts, and an anonymous course evaluation at the end of the spring semester which read: "Fire Dr. [redacted ...] is a biased liberal fuck. And Gay." As LGBT people become more visible and as LGBT issues and perspectives are more widely presented and discussed, the university should anticipate more and greater expressions of bias. Without explicit job protection based on sexual orientation, such incidents chill faculty and staff expression, and discourage both recruiting and retention. Whether we wish to admit it or not, bias against LGBT people because they are LGBT is still sanctioned by large portions of the American population, by many of its political, social and religious leaders and, in the case of Tennessee, by constitution, statute and state administration. The UT campus reflects the larger environment, even as elements within the university strive to teach and model a better, more inclusive understanding of our common humanity. The campus must commit resources to counter the anticipated levels of bias and discrimination before they occur (see Appendix III).

Status of Previously Identified Corrective Actions

- identify and use private funds for domestic partner benefits for the non-married **[No action]**
- review and revise campus specific, non-legal policies that discriminate against non-married but partnered employees **[Trecs done; otherwise no action]**
- consult with institutions of higher learning in other states that have or are in process of extending benefits to domestic partners (e.g., Kentucky, Texas) **[No action]**
- insure that there is full LGBT representation on every committee, council, unit or task force that touches upon issues of diversity. Full representation is, frankly put, more than one token representative. The current membership of the campus's Council for Diversity and Interculturalism includes multiple members from racial and gender groups, but only one openly LGBT representative. This must be redressed in the coming year **[CDI bylaws revised to allow broader representation]**
- abandon the "stealth" tactic when dealing with LGBT issues. Not only does the "quiet approach" send a negative signal to LGBT people on campus, it is counterproductive to achieving the twin goals of an enhanced competitive profile and fulfilling our commitment to justice **[No action]**
- claim and celebrate those positive steps already taken: establishment of the commission, inclusion of sexual orientation and gender identity in UTK personnel policies, and inclusion of domestic partners in Trecs membership opportunity **[No action]**
- support and expand infusion of LGBT content in all courses touching upon diversity and multiculturalism as well as new LGBT-specific courses **[No action]**
- develop and implement a mechanism to capture the demographic reality of LGBT presence on campus **[Under discussion at Council for Diversity and Interculturalism]**
- appoint a high level administration official to work with the LGBT-Friendly Campus Climate Organization (see <http://www.campusclimateindex.org/> and questions at <http://www.campusclimateindex.org/details/overall.aspx>) **[No action]**
- implement the recommendations of the Safe Zones Task Force, including the appointment of a full time coordinator **[Report accepted and approved by Chancellor Simek – awaiting funding and implementation]**
- identify funding and physical space for an LGBT Resource Center, akin to offices already established for cognate diverse groups **[Partially Complete: Physical space located and renovated by decision of Chancellor Simek – awaiting operating budget and administrative location]**
- work with the UT Alumni Association to create and maintain LGBT affinity groups **[Preliminary discussions]**
- officially sanction the use of "flying UT" logo for OUT **[Done]**

Additional Corrective Actions

- Model the inclusiveness we teach: insure that search process addresses the need for increased diversity in all levels of employment and admission
- Fund leadership opportunities for LGBT faculty, staff and students akin to the Bryn Mawr institute for women
- Educate the Board of Trustees on the need for UT to treat everyone equally so that it can compete on a level playing field in attracting and retaining the best faculty, students and staff

Conclusion: What Are Our Values?

Since Rita Geier sued the university over forty years ago, UT has played catch-up on issues of diversity and inclusion. The university remains behind the curve regarding race and gender and has barely begun addressing LGBT issues. Words are an important and perhaps necessary first step in creating a diverse, inclusive and welcoming environment. But, indeed, “words are cheap” and now, even as the university faces economic constraints, words alone are not nearly enough. Our values guide and determine where we place our financial resources. We must acknowledge, believe and model the concept that quality education inherently is imbued with a diversity of ideas, perspectives – and people – else that education will be fatally flawed, and the university will have failed in its mission to “enrich and elevate society” (see <http://www.utk.edu/mission/>). But before that, the university must welcome its own, and protect all faculty, students and staff with equal dignity and rights. The university can choose to lead or it can, as it has in the past, choose to follow, but it cannot ignore the tidal forces that impel the nation to full equality for all.

“Fellow-citizens, we cannot escape history
We -- even we here -- hold the power, and bear the responsibility.”
(Abraham Lincoln, December 1862)

Dr. George H. Hoemann
Chair, Commission for LGBT People
June 2009

Appendix I

Letter of the chairs of the Commission for Blacks, the Commission for Women, and the Commission for LGBT People in response to the column by Anna Parker

To the Editor:

As chairs of the commissions for Blacks, for Women, and for LGBT People referred to by Ms Parker in her October 13 column in the *Beacon*, we would like to strongly disagree with what we believe are her perceptual and factual errors.

First, all three commissions include broadly-based memberships that include allies who may not themselves be black, women or LGBT. All three commissions strive to be models of inclusion rather than exclusion and advise the chancellor on campus programs, policies and services in order to promote a welcoming and affirming environment for all.

Second, the commissions do not exist to provide an "extra support" but rather to promote a level playing field in such area as benefits, salaries and the ability to attract quality faculty, staff and students to our campus.

Third, Ms Parker would do well to review the annual Faculty Salary Study, available on the website of the Office of Institutional Research and Assessment. The study provides information on the continuing problem of pay inequity as it relates to gender.

Fourth, not only are people of color underrepresented in administrative, research and faculty positions at UTK, but recent incidents on campus (nooses in trees, racial epithets in buildings/ residence halls) confirm the continuing need for the commissions and their work.

Fifth, there is no indication that the commissions or student organizations make anyone feel less welcome on campus. We believe, to the contrary, that the commissions and student organization have a positive, welcoming effect for UTK students, faculty and staff who might not otherwise feel comfortable in the overall demographics of the campus.

Finally, we find the reference to bestiality a gratuitous and egregious example of the worst type of journalistic bombast. Such rhetoric, in itself, validates the need for and the mission of each of the commissions – to ensure an open, welcoming and level climate for each of us to achieve her or his best.

Sincerely,

Dr. Jane Redmond

Chair, Commission for Blacks

Ms Pam Hindle,

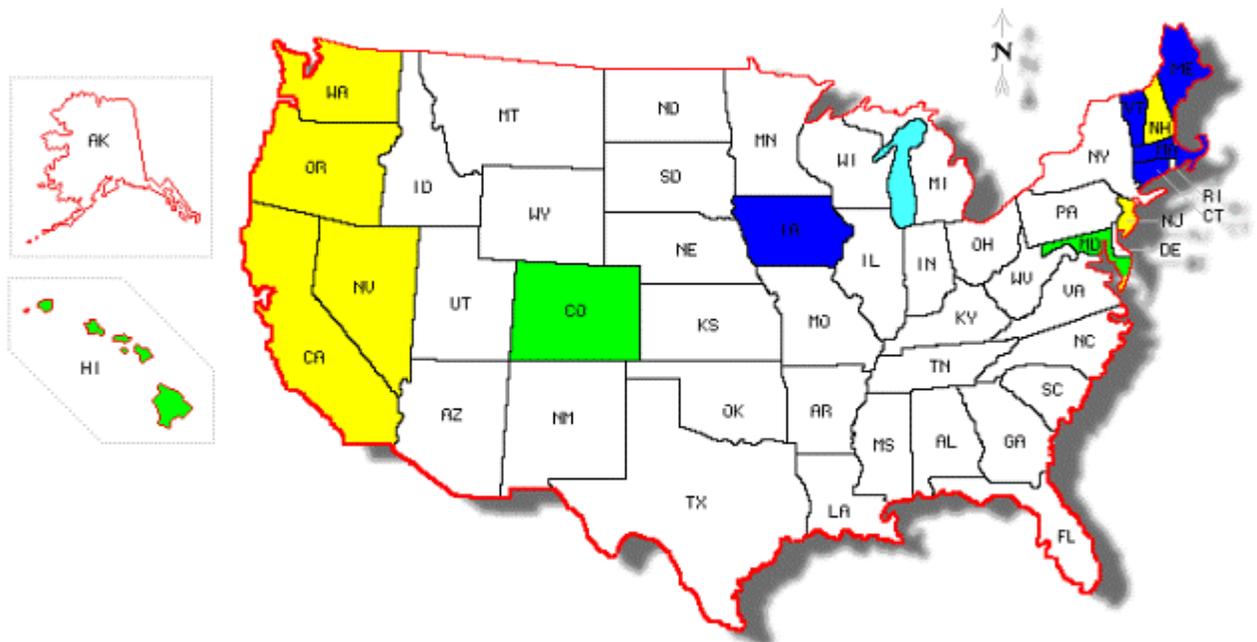
Chair, Commission for Women

Dr. George H. Hoemann

Chair, Commission for LGBT People

Appendix II Marriage Equality, Civil Unions / Domestic Partnerships, and Limited Rights by State June 2009

- - Marriage Equality
- - Civil Unions / DP
- - Limited Rights



NOTES:
Legislative Action as of 31 May 2009
(some changes to take effect later in
2009)

Appendix III
Welcoming Letter to Chancellor Cheek from the Commission's Executive Committee
[March 2009]

Dear Chancellor Cheek:

We welcome you to The University of Tennessee and appreciate your willingness to meet with the Commission. While the Commission and the campus have made good strides regarding LGBT issues in the past two years, there is still much work to be done. We believe your experience at The University of Florida, which is a considerably more inclusive institution, will be a great asset to LGBT students, faculty, and staff at The University of Tennessee, Knoxville. We hope to work with you and your administration to create programs and policies here in Knoxville that are long-standing at UF, such as a LGBT Affairs within the Dean of Students Office, a FRIENDS (Safe Zone) program, LGBT inclusive curricula like the Theories and Politics of Sexualities minor, bias incident reporting, and domestic partner benefits.

As members of UT's LGBT community we know there is work to be done by us as individuals at the grassroots level. Each day we decide to take steps toward making this campus more inclusive. Whether it is membership on a diversity committee, interrupting a homophobic joke, or educating co-workers, we are all doing our part.

The Commission's executive committee feels that an integral component is missing with regard to our progress with LGBT issues on this campus. We have yet to hear a strong and clear message from top leadership that this *is* a LGBT inclusive campus, that this *is* a campus that prohibits discrimination and harassment of LGBT individuals, that this *is* a campus where LGBT students, faculty, and staff belong, that this *is* a campus where equal treatment and benefits should be afforded to all, and that this *is* a campus, in East Tennessee and in the South, that values and welcomes lesbian, gay, bisexual and transgender students, faculty, and staff.

Once this message is received by all students and employees, we feel that the individual and collective steps that we take every day will have more impact. This synergy, we believe, will create momentum toward our ultimate goal of an inclusive campus.

So, will you, as our new Chancellor, send this message to campus and will you reinforce that message as each new opportunity arises?

Respectfully,

Members of the Executive Committee,
The Commission for LGBT People

In our role to advise on planning, implementation, and evaluation of University programs, policies, and services designed to improve the status of lesbian, gay, bisexual, and transgender people on the Knoxville Campus, the executive committee of the Commission for LGBT People recommends that:

- campus administration at all levels provide leadership by showing open and public support for LGBT people and inclusive policies at every opportunity.
- campus administration unequivocally affirm that campus employees are hired to support *all* students, faculty, and staff.
- campus administration recognize that we are failing students when we do not prepare them for a diverse and global workforce.
- campus administration at all levels cease stealth tactics taken to avoid public or political scrutiny or outcry; these tactics perpetuate institutionalized heterosexism and further oppression of the LGBT community.
- campus administration recognize that lukewarm support of LGBT inclusive policies, programs, and campus climate work against the best interest of the campus and the University.
- campus administration act boldly and with confidence when addressing LGBT issues and recognize that the University will lose prospective students, faculty, and staff due to lack of progress on LGBT and other diversity issues.
- campus administration recognize that homophobia and heterosexism, along with all institutionalized prejudices, harm not only those of the targeted group, but everyone.
- campus administration stay focused on creating LGBT inclusive policies, protecting UT's LGBT community from discrimination, and providing a welcoming campus environment for all students, faculty, and staff, and not be deterred by religious, political, or social arguments.
- campus administration avoid viewing LGBT issues in a religious, political, or moral framework, rather LGBT issues should be viewed as matters of equality and social justice.
- campus administration recommit itself to diversity, including, but not limited to issues relating to LGBT, gender, race, religion, disability, socioeconomic status, ethnicity, and national origin.
- campus administration recommit to truly changing campus climate related to diversity, and not shy away from these potentially difficult and unpopular tasks.
- campus administration recognize that thousands of LGBT students, faculty, and staff at The University of Tennessee contribute to the teaching, research, and educational missions of this institution.