



# LGBTQ Safety and Inclusiveness at Divisional Meetings

## Proposal and Recommendations

### **Graduate Student Council**

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# Summary

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## **Objectives:**

The American Philosophical Association (APA) purposes to include, welcome, and promote the safety of its LGBTQ+ members, including its LGBTQ+ members of color and disabled members, at Divisional Meetings. This is, moreover, a moral and institutional responsibility of the APA to its dues-paying members and to anyone who attends its meetings.

## **Problem Statement:**

The legal protections afforded to LGBTQ+ individuals in the United States vary across states. For example, some cities ensure public accommodation protections for LGBTQ+ individuals and others do not<sup>1</sup>. Some LGBTQ+ members of the APA are persons of color and risk discrimination not only for their LGBTQ+ status but also for their race/ethnicity.

In recent years, the APA has held Divisional Meetings in Saint Louis and Kansas City,<sup>2</sup> two cities in a state against which the Missouri NAACP has issued a travel advisory warning for people of color.<sup>3</sup> The warning applies not only to rural areas of Missouri, but also to urban areas such as Saint Louis and Kansas City. Moreover, the recent Eastern Division Meeting was held in Savannah, Georgia, a city with no public accommodations protections for LGBTQ+ individuals and a general failing record on LGBTQ+ equality.<sup>4</sup>

The APA has also held meetings in cities with poor records for accessibility, which undermines the full participation of disabled philosophers, including LGBTQ+ disabled philosophers. For example, the city of Atlanta is consistently ranked low on metrics regarding access for disabled persons.<sup>5</sup>

The holding of Divisional Meetings in a state that has earned a safety warning from a reputable organization unnecessarily endangers people of color, including LGBTQ+ people. Moreover, holding a Divisional Meeting in a city without public accommodation protections for LGBTQ+ individuals effectively requires those individuals to conceal their identities or face negative social, career, and possibly legal repercussions for acting in ways consistent with their identities, such as using the bathroom(s) most fitted to their gender identities. This serves further to depress the egregious underrepresentation of professional LGBTQ+ philosophers and philosophers of color.

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<sup>1</sup> See, for example:

(1) The National Conference of State Legislatures:

<http://www.ncsl.org/research/civil-and-criminal-justice/state-public-accommodation-laws.aspx>,

(2) the National Center for Transgender Equality:

<https://www.transequality.org/know-your-rights/public-accommodations>,

(3) the American Civil Liberties Union:

<https://www.aclu.org/other/past-lgbt-nondiscrimination-and-anti-lgbt-bills-across-country>.

<sup>2</sup> The 2017 Central APA Divisional Meeting was held in Kansas City, Missouri, and the 2015 Central APA Divisional Meeting was held in Saint Louis, Missouri.

<sup>3</sup> See the NPR story here:

<http://www.npr.org/2017/08/06/541929796/naacp-missouri-chapter-issues-travel-warning-for-people-of-color>.

<sup>4</sup> You can find data from Human Rights Campaign about Savannah's poor LGBTQ+ protections at

[http://assets.hrc.org/files/assets/resources/Savannah-Georgia-2016.pdf?\\_ga=2.203466640.180127513.1504811350-1211570394.1503844439](http://assets.hrc.org/files/assets/resources/Savannah-Georgia-2016.pdf?_ga=2.203466640.180127513.1504811350-1211570394.1503844439). Further, APA member Tamsin Kimoto has an article, which was featured on the APA

blog, regarding their personal experience with bathrooms at the Divisional Meeting in Savannah.

<https://blog.apaonline.org/2018/08/15/women-in-philosophy-trans-philosophers-and-the-politics-of-bathrooms/>

<sup>5</sup> <https://www.ajc.com/news/local/how-georgia-cities-fare-for-people-with-disabilities>.

## Proposed Solution

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The APA Graduate Student Council recommends to the APA's Board of Officers that:

1. The APA will have a strong preference against contracting meetings in cities that receive less than the following minimum scores on the Human Rights Campaign's Municipal Equality Index (MEI)<sup>6</sup>:
  - a) A 5/5 Sexual Orientation rating and a 5/5 Gender Identity rating in the category "Public Accommodations";<sup>7</sup>
  - b) A 10/10 rating in the category "LGBTQ+ Police Liaison or Task Force";<sup>8</sup> and
  - c) A 12/12 rating in the category "Reported 2014 Hate Crimes Statistics to the FBI."<sup>9</sup>
2. If the APA is considering a contract for a meeting in a city that does not meet these minimum MEI scores, it will first consult with appropriate local and/or national groups to understand the issues leading to those scores, whether local groups find the scores representative of the city's climate for LGBTQ+ people, and how the APA can respond to the issues underlying the low MEI scores if it does go forward with such a contract.
3. If the APA signs a contract for a meeting in a city with low MEI scores, it will undertake the following steps:
  - d) Consult with appropriate local groups to produce an LGBTQ+ guidebook for the city with suggestions for LGBTQ+-friendly businesses (including dining, housing, and entertainment).
  - e) Ensure that contact information for the APA ombudsperson concerning discrimination and harassment and the current chairs of the APA Committees on Inclusiveness in the Profession and LGBTQ+ People in the Profession is prominently displayed at the registration area and in the program.
  - f) Implement an anonymized reporting system for APA attendees to report incidences of discrimination or harassment.
  - g) Allocate additional travel funding for LGBTQ+ attendees to accommodate possible increases in individual expenses.
  - h) Undertake additional steps in consultation with local or national groups as appropriate.

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<sup>6</sup> See, for example, the Human Rights Campaign's Municipal Equality Index: <https://www.hrc.org/mei>.

<sup>7</sup> This will protect LGBTQ+ individuals from discrimination in hotels, restaurants, bathrooms, and the like.

<sup>8</sup> This will ensure enforcement of non-discrimination protections for LGBTQ+ individuals in the city.

<sup>9</sup> This serves as a check on the city's accuracy of disclosing information pertinent to the safety of LGBTQ+ individuals.

4. The APA will have a strong preference against contracting meetings in cities where there are active travel advisories from reputable local and/or national groups focusing on the safety and inclusion of people of color.<sup>10</sup>
5. If the APA is considering a contract for a meeting in a city under such an advisory, it will first consult with appropriate local and/or national groups to understand the issues leading to the advisory, whether local groups support or oppose the advisory, and how the APA can respond to the issues underlying the advisory if it does go forward with such a contract.
6. If the APA signs a contract for a meeting in a city under such an advisory, it will undertake the following steps:
  - a) Ensure that contact information for the APA ombudsperson concerning discrimination and harassment and the current chairs of the APA Committees on Inclusiveness in the Profession, Asian and Asian American Philosophers, Black Philosophers, Hispanics, and Native American and Indigenous Philosophers is prominently displayed at the registration area and in the program.
  - b) Implement an anonymized reporting system for APA attendees to report incidences of discrimination or harassment.
  - c) Allocate additional travel funding for philosophers of color to accommodate possible increases in individual expenses.
  - d) Undertake additional steps in consultation with local or national groups as appropriate.
7. The APA will have a strong preference against contracting meetings in cities and venues with poor accessibility rankings and will weight accessibility concerns equally with other strong preferences.
8. Current APA policy prohibits remote participation except in cases where a participant cannot participate in person due to a disability or due to the executive order on immigration. The policy reads as follows:

*The APA only permits remote participation as an accessibility accommodation for participants with disabilities preventing them from attending the meeting in person and for participants affected by the executive order on immigration.*

*Program participants who are unable to attend the meeting are encouraged to have a substitute present their paper in their absence.<sup>11</sup>*

We ask that the APA reconsider this policy to allow remote participation in cases where participants are unable to participate in person due to economic disprivilege. Excluding those who cannot participate in person through no financial fault of their own from remote participation at divisional meetings is tantamount to classism. Given the long history of economic oppression faced by members of the LGBTQ+ community, and

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<sup>10</sup> For instance, the 2017 NAACP travel advisory for Missouri for people of color. See <https://www.naacp.org/latest/travel-advisory-state-missouri/>

<sup>11</sup> This policy is from the APA's "Meeting FAQ" page. See <https://www.apaonline.org/general/custom.asp?page=meetingfaq#av>

especially certain subgroups within that community (e.g., LGBTQ+ persons of color), further accommodation is called for. We are aware that the APA provides a small number of travel funds for graduate students to offset the financial burdens of attending divisional meetings. However, loosening the restrictions around remote participation would further lighten the load for these students. We also realize that remote participation is exceptionally costly for the APA, and so we recognize that the APA may prefer to pursue means of including economically underprivileged philosophers at divisional meetings beyond remote participation. We encourage the APA to pursue such alternatives, and perhaps even to assign a special task force for this purpose.

It is our belief that these improvements will substantially expand the safety and career opportunities of LGBTQ+ individuals, including LGBTQ+ individuals of color.

## Justification of Selected Metrics

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The HRC Municipal Equality Index metrics used in the proposal directly assess cities on criteria relevant to the safety and wellbeing of APA meeting participants.

The **Public Accommodations** criterion assesses public accommodation law protections against discrimination based on sexual orientation and gender identity. If businesses in a city are not subject to such anti-discrimination requirements, LGBTQ+ meeting participants can legally be refused service at a hotel or restaurant during their stay. This metric also assesses whether transgender APA members enjoy legal protections to use restrooms consistent with their gender identity.

The **LGBTQ+ Police Liaison or Task Force** criterion assesses the presence of a police contact to handle complaints related to sexual orientation or gender identity in an effective and culturally competent manner. LGBTQ+ people, and especially queer people of color and trans folks, are subject to elevated rates of violence and harassment. The presence of an LGBTQ+ police liaison ensures that, if they experience a criminal offense, LGBTQ+ meeting participants will have a well-trained point of contact.

The **Hate Crimes Reporting** criterion assesses whether a city tracks and reports hate crimes based on gender identity or sexual orientation. Tracking this data is a necessary precondition to its being generally accessible to the general public. For their own safety, LGBTQ+ members of the APA must be able to find out information about the levels of anti-LGBTQ+ violence in a given city before making a decision about whether or not to attend a given meeting.

In addition to the HRC MEI, this proposal requires abiding by **travel advisories** impacting people of color. For instance, the recent Missouri NAACP travel advisory represents a local assessment of safety risks posed to black philosophers and other philosophers of color by a community group well-positioned to make such an assessment. Given that LGBTQ+ people of color represent a particularly vulnerable portion of the LGBTQ+ community, the presence of a travel advisory is an appropriate criterion to use in determining meeting locations. See “Broader Metrics on Race/Ethnicity” for further justification.

## Identification of Metrics for Cities Not Included in the HRC MEI

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Washington, D.C. is not included in the HRC MEI, but it is scored in the HRC State Equality Index (SEI) instead. The HRC SEI is a state-by-state report of statewide laws and policies that can negatively or positively affect LGBTQ+ people<sup>12</sup>.

**Method:** The HRC, in partnership with the Equality Federation, evaluates statewide LGBTQ+-related legislation and policies in five areas: Non-Discrimination Laws and Policies, Parenting Laws and Policies, Safety Laws and Policies, Youth-Related Laws and Policies, and Hate Crime Laws. Based on this evaluation, the SEI assigns states (and the District of Columbia) to one of four categories.

**1. Working Towards Innovative Equality:** “States in this category have robust LGBTQ+ non-discrimination laws that include employment, housing and public accommodations, as well as protections in the realm of credit, insurance, and jury selection. Most allow transgender people to change official documents to reflect their gender identity. Almost all bar private insurers from banning transition-related healthcare. LGBTQ+ youth are protected by anti-bullying laws, as well as innovative measures in some states that address conversion therapy, inclusive juvenile justice policies, homelessness, and sexual education.”<sup>13</sup>

**2. Solidifying Equality:** “States in this category have nondiscrimination protections, and are considered high-performing but not cutting edge on LGBTQ+ equality. Many of these states allow transgender individuals to change gender markers on official documents. Most allow second parent adoption. These states have relatively robust anti-bullying laws, but bad laws begin to crop up in this category.”<sup>14</sup>

**3. Building Equality:** “States in this category have taken steps toward more robust LGBTQ+ equality, including passing basic non-discrimination and hate crimes laws. Many of these states allow gender markers to be changed on official documents while they have very little protections for transgender health care. Some lack explicit gender identity protections, and several lack comprehensive anti-bullying laws. Bad laws are more common, so advocates work to stop bills that undermine LGBTQ+ equality, and pass more comprehensive non-discrimination laws.”<sup>15</sup>

**4. High Priority to Achieve Basic Equality:** “States in this category have many laws that undermine LGBTQ+ equality, from those that criminalize HIV and sodomy, to measures allowing religious-based discrimination against LGBTQ+ people. An overwhelming majority do not have non-discrimination laws that include sexual orientation or gender identity protections; few have hate crime laws. LGBTQ+ advocates largely work on killing bad bills, and on passing municipal protections for LGBTQ+ people.”<sup>15</sup>

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<sup>12</sup> Regarding consistency of standards, it has been asked why Washington, D.C. is designated as safer based on the SEI whereas other cities that fail MEI qualifications 1(a)-1(c) are excluded, despite high SEI ratings. There are two reasons for this. First, we believe that cities who have failed our test for MEI criteria 2a-2d are not safe locations for APA divisional meetings. Second, Washington, D.C. is a special case, in that the District of Columbia is a geographically small area, governed consistently by district-wide LGBTQ+ friendly legal protections. This is not the case in traditional states, which are comprised of counties, cities, and regions, which vary in their protections for LGBTQ+ people. For this reason, Washington, D.C. is an exception. Other cities will be held to the MEI standards outlined in “Proposed Solutions.”

<sup>13</sup> [https://assets2.hrc.org/files/assets/resources/SEI-2017-Categories\\_1.pdf](https://assets2.hrc.org/files/assets/resources/SEI-2017-Categories_1.pdf)

<sup>14</sup> Ibid.

<sup>15</sup> Ibid

Whereas the HRC MEI is more detailed, as it is based on city-specific information, the HRC SEI ranking is sufficient to determine whether the outlier case of Washington, D.C provides the protections necessary to be a safer meeting location for LGBTQ+ philosophers.

The District of Columbia currently holds the best rank the HRC SEI has to offer— "Working towards Innovative Equality." We believe that Washington, D.C. will provide adequate protections for LGBTQ+ philosophers as long as it maintains a ranking of "Solidifying Equality" or "Working Towards Innovative Equality." Both of these broad categories satisfy the non-discrimination protections desired in housing and public accommodations relevant for LGBTQ+ members of the APA. They also ensure that LGBTQ+ members would have legal recourse if they were subject to discrimination or were victim of a hate crime while attending the APA divisional meeting.

It has also been asked what, if anything, should be done regarding Canadian and other international cities. By our investigation, there are no comparable metric systems for Canadian cities. This makes it difficult for us to provide the specific criteria we are able to for American cities, where such systems are in place. Further, Canada has better federal protections for LGBTQ+ people than the United States<sup>16</sup>, and therefore poses less of a risk for LGBTQ+ philosophers. For these reasons, we simply request that the APA be responsive to any concerns regarding international cities and/or provinces, if there are any, and act accordingly.

## Broader Metrics for Race/Ethnicity

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Although there is currently no metric comparable to the HRC MEI that evaluates city safety for racial and ethnic minorities, it is important to acknowledge that LGBTQ+ philosophers of color may be particularly vulnerable in many cities. Because the metrics to evaluate these vulnerabilities do not yet exist, it is necessary to be particularly sensitive to developments that make clear when philosophers of color are likely to be put at unreasonable risk by locating meetings in a given city.

In addition to consulting with APA standing committees that serve and advocate for philosophers of color (the APA Committees on Inclusiveness in the Profession, Asian and Asian American Philosophers, Black Philosophers, Hispanics, and Native American and Indigenous Philosophers), there are several national organizations to consider consulting in the event that a travel warning is issued in a city in which the APA is considering holding a divisional meeting (for instance, the NAACP<sup>17</sup>, Black Lives Matter<sup>18</sup>, Latino Advocacy<sup>19</sup>, and Asian Americans Advancing Justice<sup>20</sup> and others).

In addition to the above recommendations, we recommend that if and when a metric comparable in content and scope to that of the HRC MEI is developed, the APA review the recommendations put forth, and adjust practices to ensure that the same standards the APA uses to promote the safety of LGBTQ+ philosophers is applied as well to philosophers of color in general, including in particular LGBTQ+ philosophers of color.

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<sup>16</sup> <http://www.equaldex.com/>

<sup>17</sup> <http://www.naACP.org/>

<sup>18</sup> <https://blacklivesmatter.com/>

<sup>19</sup> <http://www.latinoadvocacy.org/>

<sup>20</sup> <https://www.advancingjustice-aaajc.org/>



# Explanation of Potential Impacts

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## **Positive Impacts**

The HRCs ranking of cities that provide safety measures for LGBTQ+ persons can help such persons within the philosophical community have a sense of security when traveling for work-related functions. Although some the HRC metrics—such as anti-discrimination considerations in housing—may not be relevant to persons traveling to those cities, there are many metrics that are relevant for LGBTQ+ persons traveling for conferences. For instance, being sensitive to the rates of hate crimes in the cities in which we hold divisional meetings allows members of the LGBTQ+ to be more confident that they are less likely to be subject to discrimination or violence when attending divisional APA meetings. Moreover, if the APA were to include safety considerations for the LGBTQ+ community, this would be an explicit statement of support for members of this community and, specifically, for their well-being when attending meetings. This impact may be felt most significantly for those who are not passing and face the risk of retaliation and violence. Another positive impact for disabled philosophers will be accessibility: Cities with good or better access will further enable maximum participation and attendance.

## **Negative Impacts**

The negative impacts may include an increased cost for the APA in terms of limiting the cities in which the APA can be held. Such a limitation may make it more difficult to decide which locations are most accessible and affordable in the different divisions. This is a concern especially given that many cities that are sufficiently accessible and centrally located may not be well ranked across all of the HRCs metrics. One way that this may be alleviated is by looking at how cities are ranked on the more important metrics of rates of hate crime and violence against LGBTQ+ persons. By focusing on these considerations, the information provided by the HRC can be officially included in the APA's deliberation process in order to ensure the safety of attending members. Some cities chosen by the APA are both expensive and inequitably difficult for disabled individuals to navigate, and a strong preference model used against them would further limit site selection.

## **Overall**

The positive impacts for persons who are LGBTQ+ outweigh the cost of having limited choices for venue cities. Understanding the considerations for safety may increase attendance among LGBTQ+ members who may otherwise not attend on the grounds of safety. The communicative power of considering safety for LGBTQ+ persons also increases confidence by community members that the APA is inclusive and sensitive to the problems that LGBTQ+ persons face both in their lives and in the workplace.

# Cost/Benefit Analysis

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## **Benefits**

The benefits of adopting this proposal include greater inclusivity and safety for the APA's LGBTQ+ members, including LGBTQ+ persons of color.

LGBTQ+ philosophers will be able to attend divisional meetings with fewer reasonable concerns about facing discrimination.

LGBTQ+ philosophers will be afforded more equal consideration in the selection of locations for divisional meetings.

The APA's selection of divisional meetings will more closely mirror their commitment to include and protect its LGBTQ+ members.

Disabled philosophers, including LGBTQ+ disabled philosophers, will be better positioned to attend and participate in meetings held in cities and venues with greater accessibility.

## **Costs**

It may appear that the adoption of this proposal would result in selecting cities with prohibitive costs, such as large, LGBTQ+-friendly cities such as Los Angeles or New York City. However, it is doubtful that this is true. Each division of the APA has historically selected some cities meeting the criteria proposed above. For example, the Pacific Division has held meetings in San Francisco and Seattle; the Central Division has held meetings in Chicago; and the Eastern Division has held meetings in Philadelphia and Atlanta. In each of these years, none of these cities has posed prohibitive costs to their respective divisions.

It may also appear that the adoption of this proposal would result in avoiding holding divisional meetings in certain parts of the United States where the political climate is predominantly anti-LGBTQ+. However, this is false. Each division of the APA has a wealth of possible cities meeting the criteria proposed above. For example, options in the Pacific Division's region include Seattle, San Francisco, Los Angeles, San Diego, and Las Vegas. Options in the Central Division's region include Bloomington (Indiana), Chicago, Minneapolis-Saint Paul, and Denver. Options in the Eastern Division's region include Atlanta, Boston, Philadelphia, and New York City.

Finally, it may appear that the adoption of this proposal would result in an inequitable distribution of locations for divisional meetings. For example, if every Central Division meeting were held in Chicago, this would privilege those living in the Upper Midwest (e.g., Illinois, Indiana, Minnesota) over those in Southern states included in the Central Division (e.g., Texas, Louisiana). However, it is doubtful that this is true. As shown above, there is a wealth of appropriate cities for each division. Thus, the adoption of our proposal does not itself create a distributive inequity. Moreover, certain divisions have existing practices of holding a disproportionate number of divisional meetings in a single particular city. For example, the Central Division has shown a strong preference for Chicago.

## Potential Political Interpretations

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A concern has been expressed that implementing a safety and inclusiveness policy for APA divisional meetings could be interpreted as a political message directed towards the elected officials of cities and states that fail to meet the policy requirements. Underlying this concern is the idea that withholding APA business from some cities and states could be understood as a statement against the laws of those cities and states, or as means of applying pressure to change the laws of those cities and states.

Withholding business from institutions or locations is a well-known way of exerting pressure for those institutions or locations to make changes, and it is understandable that this could be one interpretation of the APA choosing not to hold meetings in some locations. However, choosing not to hold meetings in some locations does not necessarily imply that the APA is sending a political message to those locations. The APA already chooses not to hold meetings in many locations. The APA has publicly acknowledged that there are a relatively limited number of cities that are considered appropriate locations for APA divisional meetings. According to the APA website, “Few cities have hotels with enough space to accommodate APA meetings. Sites are selected based on the quantity and quality of meeting space, cost, local amenities and attractions, and the availability of airport connections.”<sup>[1]</sup> Withholding APA business from the cities that are determined to be inappropriate based on lack of availability, amenities, or accessibility is common practice, and is not interpreted as a political message about the cities’ laws or to the cities’ elected officials.

The APA website makes clear that one of the primary factors that determines a suitable location for an APA meeting is accessibility. The above quote specifies that in order to be considered appropriate for an APA meeting, a location must have easy access to meeting spaces, amenities, and transportation—all of which are fundamentally issues of accessibility. This policy implies that if a location is inaccessible to members of the APA community, it is not considered a viable option to host an APA divisional meeting.

The GSC proposal on LGBTQ+ Safety and Inclusiveness at Divisional Meetings seeks to fill a crucial gap in the issues of accessibility the APA has already affirmed as important. Holding divisional meetings in cities that do not have public accommodations protections for LGBTQ+ individuals lowers the accessibility of APA divisional meetings for LGBTQ+ philosophers. Implementing the proposal on LGBTQ+ Safety and Inclusiveness at Divisional Meetings would increase the accessibility of divisional meetings to LGBTQ+ philosophers. This greater accessibility is an extension of accessibility policies the APA already has in place with regards to the location of divisional meetings, policies the APA considers nonpolitical.

# Timeline for Implementation

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## **Planned Meetings**

All but one currently planned divisional meetings are in compliance with this policy. Contracted locations for the 2019, 2020, and 2021 calendar years include New York, Chicago, Denver, San Francisco and Portland, Oregon. While we are pleased by the broader coincidence of compliance, we desire to solidify these best practices for future, to-be-contracted locations.

## **Unplanned Meetings**

All henceforth uncontracted divisional meetings should be planned exclusively for “safe” cities, in accordance with the criteria identified in this document. These requirements should be applied at the time of site selection.