



Ontario Undergraduate Student Alliance

The Ontario Undergraduate Student Alliance is a non-partisan advocacy organization that represents the interests of approximately 150,000 undergraduate and professional, full-time and part-time university students at eight student associations across Ontario.

POLICY BRIEF: TWO SPIRIT AND LGBTQ+ STUDENTS

Students pursuing post-secondary education should never face discrimination, harassment, or exclusion on their campuses. Yet on many Ontario university campuses, Two Spirit and LGBTQ+ students face such realities and are marginalized because of who they are. In some cases, these students become the targets of deliberate, hate-motivated actions, and in other instances, the blame lies in ignorance or apathy. It is OUSA's hope that the recommendations provided in this paper will contribute to improving access to and safety in postsecondary education for Two Spirit and LGBTQ+ students.

THE PROBLEM

Identity Erasure

Students are concerned that support services are siloed based on singular identities, and often fail to consider marginalized and intersecting communities. This is compounded by the fact that students with multiple marginalized identities may choose to identify with one reference group, which can lead to internalized homophobia and isolation from identity groups.

Negative Campus and Community Climate

Students also have concerns regarding campus and community climate and safety. First, there is no centralized database where students can go to access information on institutional policies, procedures, and climate as it relates to their communities; institutions often lack specific data and information as it relates to LGBTQ+ communities on their campuses; and the data and information that is collected by individual institutions are often outdated, limited, and/or not reported on consistently.

Additionally, students are concerned that Two Spirit and LGBTQ+ students do not always have access to appropriate academic, service-oriented, and physical accommodations to support their identities and experiences, as decisions around programming do not adequately incorporate lived experiences of these communities. There are further barriers, as the quantity and quality of accessibility services vary depending on the geographic location of the university and many students do not have access to materials about Two Spirit and LGBTQ+ resources and education in their first language. Further, there are no minimum training and education requirements for students or for academic and administrative or support staff when it comes to inclusivity and awareness of Two Spirit and LGBTQ+ communities on university campuses.

Students are concerned about safety when interacting with campus security personnel and police. Two Spirit and LGBTQ+ students may experience oppressive or traumatic interactions with campus security personnel or police as a result of larger systemic and historic oppressions; Two Spirit and LGBTQ+ students who occupy further marginalized identities may experience greater physical or emotional barriers as a result of police brutality; and trans people experience higher rates of police brutality. Adding to these concerns is the lack of appropriate training for campus security personnel and police to address institutionalized stigmatization, marginalization, and oppression experienced by Two Spirit and LGBTQ+ students during interactions with law enforcement, and there is minimal research to show the effectiveness of local police on campuses.

Another aspect of campus climate and safety is recognition on campus. Students are concerned that universities often do not dedicate permanent physical space for Two Spirit or LGBTQ+ groups, and those that do often lack the ability to continue operating them. A lack of consistent promotion, information, and awareness about Two Spirit and LGBTQ+ identities contributes to the ongoing stigmatization, marginalization, and oppression of Two Spirit and LGBTQ+ students. Those LGBTQ+ specific spaces and services that do exist often have little knowledge of Two Spirit identity or the unique concerns of Indigenous communities and often lack representation from racialized students and communities. Students are also concerned that intersex individuals may be more hesitant to seek help from LGBTQ+ services if they do not identify as LGBTQ+ as well as being intersex, and international, immigrant, and refugee students may fear being outed to their communities due to usage of LGBTQ+ services.

There are also barriers to participating in athletics or recreational activities, as many aspects of athletics can create barriers for, or negatively impact, Two Spirit and LGBTQ+ students who may have fluid or non-binary gender identities, and many of Ontario's universities and recreational facilities are not adequately equipped with gender-neutral washrooms or change rooms.

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Where they do exist, they are not always well-signed or easily accessible. This is particularly concerning as people who are trans or gender non-conforming often experience societal prejudice which may result in harassment, discrimination, and safety concerns and lack of access to safe washroom space can lead to health concerns. Further, menstrual product disposal units and infant change tables are often not accommodated for in male-designated or gender-neutral washrooms.

Finally, students are concerned about safety and comfort in student housing. Two Spirit and LGBTQ+ students are often forced to apply for housing arrangements that are based on binary divisions of gender, and trans students choosing to begin their transition when they come to university may no longer identify with the gender they identified in their residence applications. Two Spirit and LGBTQ+ students can experience ongoing harassment and other forms of violence in residence spaces because of their identity, and when looking for a new place to live as a result of a gender transition may be especially financially vulnerable – these students are also more at risk of experiencing precarious housing and/or homelessness. The specific housing needs and/or accommodations of Two Spirit and LGBTQ+ students may not be recognized and supported by university administrators. This can be even more of a challenge for international LGBTQ+ students who may rely exclusively on residence support systems. Students are further concerned that there is a lack of protection against discrimination in cases where a student lives in a dwelling with the owner or the owner's family and shares a bathroom or kitchen facility with them.

Gaps in Health and Wellness Services

Students are concerned that members of the LGBTQ+ community may have their identities treated as illnesses and have practitioners treat without consideration of the harms of pathologizing. This is also a concern for intersex individuals who may be more hesitant to seek medical care due to a history of infringement on dignity and autonomy by medical practitioners. Some LGBTQ+ identities may be at greater risk for having their identities pathologized.

There are also barriers to accessing safe healthcare where students are attending post-secondary institutions away from their home. Two Spirit and LGBTQ+ students can become isolated from their health care supports as a result of attending post-secondary institutions in a different region and may lose access to their preferred care provider. Transferring medical records and history can take time, a process which is a burden on students.

Students are also concerned about mental health risks – Two Spirit and LGBTQ+ students struggling with their identity are at higher risk for developing mental health issues. Yet, the counsellors working for Good2Talk: Post-Secondary Student Helpline do not have standardized training to support these students.

Students are further concerned about the disjointed and hard-to-navigate system of services that can create barriers to access for Two Spirit and LGBTQ+ students. In addition to being difficult to navigate, on-campus health care providers often do not have appropriate training and knowledge to support the diverse needs these students, and inadequate campus resources can force students off campus to seek additional support, or cause students to abandon help seeking behaviour. Community resources and supports for Two Spirit and LGBTQ+ students are not well-promoted on university campuses and Two Spirit and LGBTQ+ students may not feel the information provided to them is sufficient, especially as health care providers often do not have the knowledge or practice to bridge LGBTQ+ and Indigenous health care.

There are also barriers to wellness that result from lack of coverage as not all students have equal access to affordable and necessary medication, including those requiring medication to combat HIV and/or AIDS. OHIP and UHIP lack comprehensive coverage to support Two Spirit and LGBTQ+ students, which may force Two Spirit and LGBTQ+ students to pay for necessary medical procedures that they cannot afford. Further, UHIP does not provide the same coverage as OHIP and international students are not able to opt-in to OHIP. This is complicated by the fact that campus clinics are not readily identified as public or private, which can compromise the OHIP billing process and negatively impact Two Spirit and LGBTQ+ students who are rostered with their family physician. (Students often come to campus unaware of the nature of their relationship with their family physician, putting them at risk of being penalized if they access services from a private clinic.)

Further, Two Spirit and LGBTQ+ students that are not covered by OHIP may not know that they can get free and anonymous STI testing at sexual health clinics, and students with disabilities are given access to even fewer resources as they are often not seen as sexual beings which contributes to disproportionately high rates of sexual violence.

Ineffective Policies

Students are also concerned about the inadequate protection and support offered through provincial policies, specifically concerning financial aid and sexual violence prevention and response. LGBTQ+ students are at a higher risk for sexual violence, harassment, and gender-based violence. These risks are heightened even further for those with intersecting identities and given that they are more likely to experience financial insecurity. Two Spirit and LGBTQ+ students who are estranged from their families may still be classified as "dependent students" when applying for OSAP funding and may not receive appropriate financial aid to support the cost of their post-secondary education. Financial precarity can have negative impacts on physical and

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mental health as well as academic success and campus involvement.

Lack of Research and Information

One of the challenges of supporting and advocating for Two Spirit and LGBTQ+ students is a lack of research and information available. Students are concerned that there is a lack of awareness on many campuses about the history as well as the issues, realities, and challenges that Two Spirit and LGBTQ+ students continue to face. Often the unique experiences of LGBTQ+ students are lumped together leading to erasure. There is also limited research about the barriers faced by certain identities under the LGBTQ+ umbrella, and research tends to ignore intersex students as well as Two Spirit and LGBTQ+ students with intersecting identities, which can mean that, for students such as international, immigrant, and refugee students who identify as LGBTQ+, post-secondary institutions may not adequately address their needs.

Research gaps continue to exist, in part because there is inadequate provincial funding allocated to research work that explores Two Spirit and LGBTQ+ student issues and students conducting research on Two Spirit and LGBTQ+ student experiences and campus climate who are unable to locate an appropriate supervisor may be unwilling, less successful, or unable to complete this research.

Students are not only concerned about the lack of research, but also with how information is collected. Asking non-binary, questioning, and trans individuals to repeatedly mark their legal gender identity or being asked to indicate sex when gender is the more appropriate question on documentation can be dysphoric and harmful. There is also no standard method across universities to address name changes/pronoun use on administrative documentation. Using gendered language on documentation is exclusionary to trans, non-binary, intersex, dysphoric, and questioning individuals. There are also no frameworks in place to ensure the collection of administrative data that includes data on race, religion, ethnicity, identity, or cultural demographics, is done in a fair, equitable, and ethical manner.

Ineffective Training and Education

Two Spirit and LGBTQ+ students participating in academic and support spaces can face stigmatization, marginalization, and oppression due to their identities, and instructors often teach in academic spaces lacking an awareness or understanding of the diversity of the student population and how to support that diverse population. This is further challenging as stigmatization, marginalization, and oppression contribute to a lack of representation of the Two Spirit and LGBTQ+ communities in faculty positions. Administrative staff may not have the appropriate training to respectfully interact with Two Spirit and LGBTQ+ students or have the tools to connect students to the resources they need. Students are further concerned that organizations may

use “Positive Space” stickers to indicate allyship without any training or education about the lived experiences of Two Spirit or LGBTQ+ students.

Lack of Pre- and Post-University Supports

Students are concerned about the ineffectiveness of supports provided to improve attitudes towards and experiences of Two Spirit and LGBTQ+ students as they move into and out of post-secondary. Lack of proactive education can reinforce existing systemic oppression, and Two Spirit and LGBTQ+ youth can experience stigmatization, marginalization, and oppression at all educational levels. As students begin their post-secondary career, it can be difficult, confusing, and isolating particularly for those without adequate support to express their identity. Universities may not have the resources necessary to increase education and awareness about Two Spirit and LGBTQ+ issues including among alumni, and Two Spirit and LGBTQ+ students may be discouraged from becoming meaningful and engaged alumni in response to a negative post-secondary experience.

RECOMMENDATIONS

In response to these concerns, students have proposed a number of recommendations that they believe the provincial government should adopt in order to support the experiences of Two Spirit and LGBTQ+ students on post-secondary campuses.

Recognizing Intersecting Identities

Students recommend that MCU encourage institutions to connect various student resources to capture all student needs and that they develop resources targeted to support specific intersecting identities within Two Spirit and LGBTQ+ student communities.

Improving Campus and Community Climate and Safety

Students ask that the provincial government establish a Committee on Two Spirit and LGBTQ+ Students that is responsible for advising and supporting the Ministry of Colleges and Universities on Two Spirit and LGBTQ+ student issues and priority areas. Prior to the creation of the Advisory Committee, the provincial government should conduct comprehensive consultation and engagement with Two Spirit and LGBTQ+ students and advocate on policy decisions. The Advisory Committee should be composed of one representative from MCU and student representatives from university campuses across the province; specifically, student representatives who identify as members of the LGBTQ+ community or as Two Spirit. These members should be supported with relevant resources in order to do the following:

- advise the Council of Ontario Universities (COU) in the development of relevant frameworks mandating clear minimum standards for training and education for students, academic, and administrative staff;

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- provide guidance and insight to regular review of the Centralized Accessibility Database to ensure that the information made available reflects the current needs of Two Spirit and LGBTQ+ post-secondary student communities;
- be constituted annually and consulted semi-annually to inform, and guide policy developments targeted at improving inclusivity and climate for Two Spirit and LGBTQ+ post-secondary students;
- be utilized by MCU to provide consultation and feedback on relevant metrics and performance criteria as they relate to the assessment of Two Spirit and LGBTQ+ inclusivity and awareness on post-secondary campuses.
- be consulted during the development of any relevant materials that pertain to Two Spirit and LGBTQ+ post-secondary student concerns.

In addition to establishing an Advisory Committee, MCU, in collaboration with COU, should provide envelope funding to institutions for the recruitment and retention of individuals with lived experience into frontline support roles within university accessibility and accommodation services. The Council of Senior Administrative Officers Committee under the COU should help develop and facilitate the creation of policies or practices that ensure Student Accessibility Services, or their equivalents, address intersecting identities through an anti-oppression lens in academic accommodations. MCU should also consult with the Advisory Committee to develop appropriate education and training resources for all frontline staff members in university accessibility and accommodation services. MCU should consult with individuals with lived experiences in Two Spirit and LGBTQ+ communities as well as academic researchers to establish minimum accommodation and accessibility standards. Students also ask that the provincial government provide grant funding to incentivize the expansion of resources for Two Spirit and LGBTQ+ students in all students' first languages, including students with visual impairments.

Students also ask that the provincial government take steps to address concerns related to campus security personnel and police. They recommend that the provincial government: task the Ontario Association of College and University Security Administrators (OACUSA) with developing accessible incident reporting tools for Two Spirit and LGBTQ+ students; mandate campus security personnel and police utilize gender-neutral language during any investigations and/or incident reporting;

mandate that the Ministry of Children, Community and Social Services work with the Advisory Committee to identify issues relating to interactions between campus security personnel and police and Two Spirit and LGBTQ+ communities; work with the Ontario Provincial Police and OACUSA with developing minimum standards to address the issues identified by the Advisory Committee; work with the Ministry of Municipal Affairs and the Ministry of the Solicitor General to establish a protocol for how campus security engages with police and community enforcement stakeholders; work with the Ministry of Municipal Affairs and the Ministry of the Solicitor General, in collaboration with the partners utilized for the *Best Practices in Policing and LGBTQ+ Communities in Ontario* report, to develop joint training and educational opportunities for local police to improve their interactions with Two Spirit and LGBTQ+ students and review and update police training courses to include information about the historical oppression of Two Spirit and LGBTQ+ communities and the discrimination these communities continue to face; support COU and OACUSA to consult with student groups to revise current campus security personnel and police training initiatives to include intersecting identity training; task the Attorney General with opening a special inquiry into the state of policing and the justice system in relation to Two Spirit and LGBTQ+ communities. At the same time, the Higher Education Quality Council of Ontario (HEQCO) should conduct research on the effectiveness of police on campus and their effect on Two Spirit and LGBTQ+ students as well as racialized students.

Campus spaces, washrooms, change rooms, and athletic spaces can create barriers for safety and participation by Two Spirit and LGBTQ+ students. Students therefore ask that the provincial government: make funding available for the establishment of permanent, physical spaces for Two Spirit and LGBTQ+ students on university campuses as well as the ongoing costs associated with staffing and maintaining these spaces; provide grant funding to support Indigenous-led initiatives for Indigenous students identifying as Two Spirit or under the LGBTQ+ umbrella; provide envelope funding to pride groups and services to accommodate all identities, including intersex persons, and encourage gender-neutral spaces where applicable; work with the various governing and regulatory bodies that make up university athletics in Ontario to develop minimum standards for inclusive and accessible athletic and recreational spaces; support Ontario University Athletics with investigating Two Spirit and LGBTQ+ student experiences with, and attitudes towards, university athletics to identify potential barriers to Two Spirit and LGBTQ+ student involvement; mandate that all institutions have gender-neutral washrooms and that all new institutions and infrastructural expansions dedicate spaces, including in recreational facilities, for gender-neutral washrooms and change rooms that are easily accessible for all students; mandate that universities display information about the location of gender-neutral

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washrooms in an accessible manner, and that menstrual disposal units and infant change tables be available in all washrooms. MCU should provide capital funding as an incentive for institutions to renovate existing buildings to provide gender-neutral accessible washrooms.

Housing is a particular area of concern for Two Spirit and LGBTQ+ students, and as such, students ask that the provincial government: engage with leading advocates and establish best practices that ensure Two Spirit and LGBTQ+ representation and safety within university residences; provide universities with envelope funding to develop emergency bursaries for LGBTQ+ students in precarious housing situations ; make grant funding available for institutions to ensure that reservation of residence spaces for accommodations does not increase the cost of living for Two Spirit and LGBTQ+ students; and amend the *Ontario Human Rights Code* to ensure that the right to be free of discrimination applies to tenants who share bathroom and kitchen facilities with their landlord or fellow tenants. Additionally, MCU should work with institutions to incorporate solutions to address concerns raised by the Advisory Committee as they relate to residence life staff. Any strategic residence plans should consider the unique needs of Two Spirit or LGBTQ+ students who may be Indigenous, belong to a visible minority, or live with a disability.

Enhancing Health and Wellness

Two Spirit and LGBTQ+ students have unique health needs that the provincial government must support. To this end, students ask that MCU provide funding to institutions to implement training for all counsellors that addresses the needs of Two Spirit and LGBTQ+ students with intersecting identities based on standards developed by Rainbow Health Ontario and set standards for how information about on-campus sexual health resources and access must be displayed and promoted to students.

Student also ask that the MCU work with the Ministry of Health to: provide mandatory training for on-campus practitioners on the history and current experiences of Two Spirit and LGBTQ+ students with specific awareness to the needs of asexual and intersex students; ensure that all Two Spirit and LGBTQ+ students, physicians, and practitioners, have access to Ontario Telemedicine Network services; increase referrals and integration between community health care agencies and campus clinics; develop awareness resources targeting promotion of appropriate community resources on university campuses; provide all front-line care workers with cultural sensitivity training in consultation with Indigenous elders and Indigenous advocates who identify as Two Spirit or under the LGBTQ+ umbrella; engage with leading advocates, such as Rainbow Health Ontario, to expand and promote the coverage available to international students seeking medical procedures

in support of their identity, until international students are able to opt into OHIP; broaden OHIP coverage to include medications targeting and preventing HIV/ AIDS; and encourage promotion of sexual health clinic availability.

The Ministry of Health should: work with Rainbow Health Ontario to develop training for medical and administrative staff to support the higher rates of physical health, mental health, and sexual health concerns among the LGBTQ+ population; partner with the Canadian Medical Association to include inclusive and intersectional training on the unique health concerns of Two Spirit and LGBTQ+ students in residency requirements; and mandate campus physicians receive intersectional training on Two Spirit and LGTBQ+ health issues on a regular basis.

Students also ask that the provincial government: expand OHIP and UHIP to cover prescription drugs of all kinds; extinguish the Trillium Drug Program and expand the Ontario Drug Benefits program to include eligibility for Ontarians across their lifespan to receive Hormone Replacement Therapy treatment; develop grant funding for sexual health resource centres to work with Two Spirit and LGBTQ+ advocacy groups around education addressing sexuality from an accessibility lens; and expand the Good2Talk: Post-Secondary Student Helpline to include resources and support for LGBTQ+ students.

Strengthening Policies

The provincial government should amend the *Sexual Violence and Harassment Action Plan Act* to: ensure that gender-neutral language is used in post-secondary institutions' sexual violence policies; include an appeal process that allows for appeals based on infringement on the safety of the students during the complaint process; adopt a third-party reporting protocol for disclosures of sexual violence that is available for Two Spirit and LGBTQ+ students. Additionally, the Women's Campus Safety Grant should be renamed to a gender-neutral title that continues to focus on campus safety.

The provincial government should also provide envelope funding to universities to develop emergency funds accessible to Two Spirit and LGBTQ+ students that may experience financial crises and amend the OSAP eligibility process to allow students to declare independent status where they have been out of secondary school for fewer than six years but are estranged from the persons they are dependent on.

Improving Research and Information

Students are asking the provincial government to support knowledge dissemination, research, and data collection frameworks in order to increase knowledge of Two Spirit and LGBTQ+ student needs. To this end, MCU should work with Two Spirit and LGBTQ+ advocacy groups to

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create a website to act as a comprehensive resource for prospective students and mandate that this website be included on all existing student resource and application websites. The provincial government should also mandate that all institutions display accurate information about Two Spirit and LGBTQ+ communities in a prominent, accessible, and respectful way.

The provincial government should work with HEQCO to conduct research on the quality of education as it relates to Two Spirit and LGBTQ+ students, particularly as they relate to concepts of bisexual, pansexual, and transphobias and erasure. Students asked that HEQCO be tasked with investigating marginalized identities under the LGBTQ+ umbrella in order to identify and report on the unique barriers faced by these students, specifically, research on the needs of racialized LGBTQ+ students. The provincial government should also provide grant funding for further research on international, immigrant, and refugee Two Spirit and LGBTQ+ students and students who are intersex to better assess their needs.

Students are also asking for the elimination of barriers to name change processes. They recommend the provincial government work with COU and the Council of Senior Administrative Officers to identify barriers and use this information to set standards for clear and transparent processes for students to change names and pronouns on all university documentation, including the confidential protection of student identity information.

Regarding data collection and dissemination, the Advisory Committee should: provide feedback and consultation relating to user demand and support MCU on the publication, usage, and distribution of data collected for the purposes of addressing campus inclusivity and awareness; annually review the Centralized Accessibility Database to ensure that the information available accurately reflects the current needs of the communities it seeks to support; and work with LGBTQ+ organizations to support the dissemination of resources and inform the creation of a resource library, cataloguing information as it relates to Two Spirit and LGBTQ+ student post-secondary experiences.

Finally, students are asking for funding to support their research efforts. Specifically, they ask that MCU: work with the Tri-Council of federal research agencies to make specific grant funding available for researchers whose work focuses on Two Spirit and LGBTQ+ student identities and experiences and who seek to support/recruit/retain future student researchers; provide research grants that mirror both the financial contributions and programmatic intent of programs available at the federal level; and provide envelope funding targeting the education of the broader campus student population.

Enhancing Training and Education

There is a need for the provincial government to support training and education on Two Spirit and LGBTQ+ student needs. The provincial government should collaborate with the Ontario Confederation of University Faculty Associations (OCUFA) to develop faculty training, in consultation with Two Spirit and LGBTQ+ students, on Two Spirit and LGBTQ+ issues and inclusivity in academic spaces. OCUFA should also develop a tiered training model on Two Spirit and LGBTQ+ issues. COU's Accessible Campus working group should create and disseminate toolkits to institutions to ensure administrators understand the barriers that students with disabilities who identify as Two Spirit or LGBTQ+ face.

The provincial government should provide institutions with envelope funding for: resources to provide training on inclusion of Two Spirit and LGBTQ+ students on campus; international student support centres; the conversion of existing campus spaces to positive spaces; bystander intervention and sensitivity training for student leaders, staff, and volunteers; training for all student-facing administrative roles. Students also ask that all new programs and cyclical reviews approved by the MCU be evaluated with an anti-oppression lens before approval.

Pre- and Post-University Support

Students also believe that the provincial government should support students as the enter and exit post-secondary education. As such, the MCU should work with the Ministry of Education to: develop and provide an appropriate educational curriculum that adequately addresses Two Spirit and LGBTQ+ identities, issues, and histories; develop best practices around promoting and encouraging allyship within school spaces; revise the Private Schools Policies and Procedures Manual to provide Two Spirit and LGBTQ+ students with the knowledge and preparation they need to be healthy, to thrive, and to feel represented and safe; amend all primary and secondary Health and Physical Education curriculums to take an intersectional lens; and develop guidelines to support mentorship programs connecting Two Spirit and LGBTQ+ secondary and post-secondary students. Students also ask that the provincial government maintain Ontario's Equity and Inclusive Education Strategy and recommend that the MCU work with Two Spirit and LGBTQ+ advocates to support Two Spirit and LGBTQ+ students adjusting to post-secondary education.

The MCU should also develop best practice guidelines to support improved relationships between university advancement and alumni relations offices and Two Spirit and LGBTQ+ students and student groups, and work with appropriate community agencies to develop guidelines for alumni relations to improve interactions with Two Spirit and LGBTQ+ alumni.