

# #TNIfriendlyEdi - Transgender, Non-binary and Intersex Friendly Educational Institution

Transgender and people of non-binary gender identities, such as genderfluid, genderqueer, gender non-conforming, agender, bigender, androgyne, third gender people including people who have intersex bodily variations, face institutional, policy level and social discrimination at educational sector.

The policy and institutional discrimination includes lack of proper policy that includes transgender, non-binary and intersex people, along addressing their specific needs.

Rukshana Kapali, a transgender woman's application to get registered was not accepted by Tribhuvan University(TU), Nepal's oldest and largest university. The authorities say that there is no such laws yet to register transgender students. The government of Nepal recognizes transgender people in terms of citizenship, but once they've taken the citizenship, many doors are still closed for them. Rukshana is struggling since March 2017 to get herself registered in TU. She has enrolled in Tri Chandra Multiple Campus in Bachelor of Arts(Sociology and Linguistics). #TransExclusionistTU is online.

Eshan Regmi, an intersex person had to face accusations of a 'fake student' and was barred from giving Lok Sewa examinations in 2068 B.S. and M.ed. in 2069 B.S.

Transgender, Non-binary and Intersex students face discrimination, harassment and bullying in educational institutions from administration, teachers as well as other students. With lack of any policy that protects Trans, Non-binary and Intersex people, many of them have to experience this on their daily basis. Schools, colleges and universities are most important areas of anyone's lives. When environment at these places do not become friendly, many trans, Non-binary and intersex people are forced or compelled to drop their education. Additionally, the policy barriers that trans, non-binary and intersex people face create unequal situation for us to access education. While education is the backbone of any individual's development, we are deprived of equal and safe access to these institutions. Due to lack of such Non-discrimination policies to transgender, non-binary and intersex people, we are unable to access any legal justice mechanism when we face any sort of discrimination, violence, stigma or maltreatment based on our gender identity and sex.

Moreover, the specific needs of trans, non-binary and intersex people have not come into the attention of the policy.

## **Demands:**

1. Amend every existing laws and policies in the education system that denies transgender, non-binary and intersex people from their fundamental rights to education.
2. Make the education law and policy gender sensitive/responsive that includes specific needs of transgender, non-binary and intersex people. Policies on education needs to be , non-binary and intersex friendly.
3. Include the gender marker 'O' in documentation of students. Legally recognize the diversity of gender and allow students to use their own gender identity terms when chosen the 'O' category. Use gender neutral terms to refer them.
4. Formulate a non-discrimination policy to transgender, non-binary and intersex people in the sector of education and in educational institutions.
5. Ministry of Education should have provision for transgender, non-binary and intersex allowing them to change their legal names of their education certificate. Such as any student who crosses the age of 16, writing an application to respective education authority for a legal name change as identifying transgender, non-binary or intersex person, should have right to do it.

## **Acknowledgment to the stakeholders:**

Transgender, Non-binary and Intersex people have a birth assigned name that is kept by their parents/guardians/caretaker which gets documented in their birth certificates and gets continued in their school. Since our society is still very cisnormative, transgender people and non-binary gender identities realize about themselves at different points of time and self-identify at different points of time in their lives. Not everyone can come out or come out at the same time of their lives. Due to this, there should be a provision that the ones who have come out and are willing to change their legal name, should be allowed to have their names, gender marker changed. Government of Nepal has recognized 'O' gender category beyond 'M' and 'F'. There should be provision to document students in the 'O' category too. People who choose 'O' category should be allowed to write their gender identity terms in a blank space beside. (Such as: Other: Transgender ; Other: Gender-fluid; Other: Intersex ; Other: Transman, Other:Agender, etc ). Use of gender neutral terms (such as child, person, grandchild, etc) should be made. People should be allowed to change their legal names and from then reflect the same in upcoming papers. Changing the names in papers before this legal process if the person is willing.

These policies are also supported by Supreme Court's Verdict 070-WO-0287.

**Queer Youth Group**