



March 9, 2010

Lynda Jackson, Dallas Area Rapid Transit
PO Box 660163
Dallas TX 75266-0163

Dear Ms. Jackson,

We are in receipt of your letter of March 2, 2010. It remains unclear why DART's legal department inserted itself into a legal matter related to a transgender employee's basic request of a name change to the human resources department. We assume the legal authority relied upon by DART is *Littleton v. Prange*, a misapplication of Texas law, which was based on a trial court decision from Ohio and an appellate decision from Oregon that interpreted statutes vastly different from the Texas statute. The fact remains that Texas has no statutory authority that specifically forbids the issuance of an order recognizing the gender transition of transsexuals.

Regarding DART's lack of protection for its transgender employees, we appreciate the agency's intent to incorporate gender identity and gender expression in its review of its diversity strategy. Adding *gender identity* and *gender expression* to DART's nondiscrimination language would remedy this inequity and can be accomplished by adding five words: "gender identity and expression, transgender." This was the language the city of Fort Worth used last November to expand the city's nondiscrimination ordinance.

Although we support the agency's move to an inclusive strategy supporting the business case for diversity — a move echoed by nine of the Fortune Top 10 companies in America as noted in the 2010 Human Rights Campaign Corporate Equality Index, as well as the cities of Dallas and Fort Worth — we encourage DART to publicly communicate a concrete timetable to include gender identity and expression in DART's nondiscrimination policy. Additionally, we urge DART to determine and express, in a timely manner, a plan to incorporate GLBT diversity/inclusiveness training as stated in the March 2 letter. We remain open to a dialogue on these issues, and formally request a meeting with you and other key DART personnel as available in advance of the next board of directors' meeting on March 23.

Best Regards,

A handwritten signature in blue ink that reads "Cece Cox".

Cece Cox, J. D.
Associate Director, GLBT Community Services
Resource Center Dallas

A handwritten signature in black ink that reads "Rafael McDonnell".

Rafael McDonnell
Strategic Communications & Programs Manager
Resource Center Dallas

A handwritten signature in black ink that reads "Marla Compton".

Marla Compton
Coordinator, Gender Education, Advocacy and Resources (GEAR)
Resource Center Dallas

