

Brigham Young University Response to the American Speech-Language-Hearing Association

March 10, 2022

BYU is grateful for this opportunity to respond to the statement ASHA released on February 11, 2022, which [ASHA continues to post on its website](#). ASHA may consider posting this BYU response on its website so that ASHA's publics can be accurately informed about [BYU's mission](#) and about how BYU's Department of Communication Disorders has complied with and continues to comply with ASHA's Code of Ethics, with ASHA's accreditation requirements, and with federal laws and regulations.

ASHA may decide to revise its February 11 statement, or at least the title of its statement, to reflect that BYU did not decide "to deny speech services for transgender clients," which implies that no transgender clients can receive services at BYU's clinic, but rather to convey that BYU made the much more narrow and religious mission-based decision to discontinue providing gender affirming voice services at its clinic.

At the outset, we want to emphasize that BYU shares ASHA's values and expectations for "scientific and clinical practice based on principles of duty, accountability, fairness, and responsibility." [Preamble, ASHA Code of Ethics](#). We also share ASHA's injunction for individual professionals to "hold paramount the welfare of persons they serve professionally or who are participants in research and scholarly activities" by providing competent services and using "every resource, including referral and/or interprofessional collaboration when appropriate, to ensure that quality service is provided." [Principle of Ethics 1, Rules A & B](#).

Clarifications to ASHA's Statement

We recognize that ASHA may have had limited information when it released its statement. The clarifications in this letter do not imply that ASHA's statement includes any intentional misrepresentations.

1. BYU did *not* require its "Department of Communication Disorders to end all voice and communication services in its Speech and Language Clinic for transgender clients."

For a period of time BYU's Department of Communication Disorders provided gender affirming voice services, which assist clients who identify as transgender in changing their verbal and non-verbal communication to correspond with their gender identity. In early January of 2022 the BYU administration determined that BYU's providing this service was not consistent with [Section 38.6.23 of General Handbook: Serving in The Church of Jesus Christ of Latter-day Saints](#).

Going forward, BYU's clinic will not provide gender affirming voice services. However, it will continue to offer assistance with the other wide variety of communication services it provides to all regardless of gender identity or expression. Further, consistent with the Code of Ethics' provisions relating to referrals and interprofessional collaboration, BYU's Office of Student Success and Inclusion and BYU's Department of Communication Disorders are providing resources for the affected individuals to assist them in receiving gender affirming voice services from another provider.

2. Contrary to ASHA's assertion that BYU is "putting its certified speech-language pathologists (CCC-SLPs) in an untenable position," BYU's CCC-SLPs are able to fully follow their obligations under ASHA's Code of Ethics and its "guidance to members, applicants, and certified individuals as they make professional decisions." [Preamble, ASHA Code of Ethics](#).

Specific to this situation, ASHA provides commentary on its website on how Principle I of its Code of Ethics applies in connection with providing [voice and communication services for transgender and gender diverse populations](#):

Rule C. Individuals shall not discriminate in the delivery of professional services or in the conduct of research and scholarly activities on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, or dialect.

The implication is that the clinician may not refuse services based on an individual's gender identity/expression **that are not related directly to gender transition** (e.g., voice disorder, cognitive-communication disorder post-stroke, etc.).

[Emphasis added.] ASHA does not require all clinics and all clinicians to provide the full range of speech-language-hearing services. It does prohibit a clinician from refusing services "based on an individual's gender identity/expression that are not related directly to gender transition." BYU's CCC-SLPs have done that and will continue to do that.

3. BYU's administration never received *any* protected health information of transgender clients, and BYU's clinic did not share that protected health information with anyone inside or outside the university.

ASHA's assertion that protected health information of transgender clients "would have been provided to the BYU Administration" is categorically false. It may reflect the untrue assumption that these clients were referred to BYU's clinic through the traditional referral process of first seeing an otolaryngologist, with the typical medical diagnosis and medical gatekeeping which that entails. BYU's clinic and its clinicians at all times followed the requirements of the Health Information Portability and Accountability Act.

4. BYU respectfully disagrees with ASHA's assertion that BYU's decision "does not align with The Church of Jesus Christ of Latter-day Saints' policies and guidelines." Although ASHA correctly quotes two portions of [Section 38.6.23 of General Handbook: Serving in The Church of Jesus Christ of Latter-day Saints](#), it does not provide the full eleven paragraphs of that handbook

section. In particular, ASHA does not acknowledge the provisions that directly address social transitioning. BYU made the decision that a Church-sponsored university within the Church Educational System should not provide this service given that Church leaders are to “counsel against social transition” and “advise that those who socially transition will experience some Church membership restrictions.”

Points of Agreement and Alignment

ASHA’s statement “strongly urges” BYU to reverse its religious mission-based decision. Even as BYU respectfully declines that invitation, we want to acknowledge that we agree with some of the points made in ASHA’s statement and with an additional component of ASHA’s Code of Ethics that speaks specifically to the intersectionality of gender identity and religious identity.

1. ASHA’s statement recognizes the important role of CAA-accredited programs and the opportunities provided to students. We agree fully with this portion of ASHA’s February 11 statement:

Students graduating from CAA-accredited programs must understand the impact of their cultural and linguistic variables on the delivery of effective care, along with the impact of those variables for their clients. CAA-accredited programs must ensure students show evidence of care, compassion, and appropriate empathy during interactions with everyone served.

BYU’s Department of Communication Disorders takes seriously, consistent with [BYU’s religious mission](#)-based policies, decisions, and practices, its responsibility to provide opportunities for BYU students to serve diverse populations, including the transgender population. BYU’s master’s degree students have been and will continue to be instructed on the role of speech-language pathologists in providing gender affirming voice care and will be able to earn clinical contact hours through Simucase. The need for these training opportunities was highlighted by a [survey](#) of just under 400 people conducted at three Communication Science and Disorders professional conferences, which found that only 20% of respondents reported having received “training for working with the transgender population” (Matthews et al., 2020).

In addition to these opportunities, BYU’s curriculum includes all core components required by ASHA’s Council on Academic Accreditation in Audiology and Speech-Language Pathology (CAA). The CAA describes the role and value of accreditation this way: “ASHA’s interest in accreditation is based on the belief that all professions that provide services to the public have an obligation to ensure, as far as possible, that services provided by its members are of high professional quality.” The [CAA Accreditation Handbook](#) then makes this important statement:

The accreditation process involves **evaluating programs in light of their own mission, goals and education models**—judging the degree to which a program has achieved those goals and objectives. Therefore, the CAA does not explicitly prescribe the processes by which the program’s outcomes should be reached; rather, it **evaluates a program’s success in achieving outcomes and goals that are consistent with its stated mission (including religious mission, if relevant)**.

[Emphasis added.] CAA's statement corresponds with federal regulations that require all accreditors to "consistently apply and enforce standards that respect the stated mission of the institution, including religious mission" and "does not use as a negative factor the institution's religious mission-based policies, decisions, and practices in the areas" of curricula, faculty, facilities, equipment, supplies, student support services, recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising. 34 CFR § 602.16(a)(1)(ii), (iii), (iv), (vi), (vii); § 602.18(a), (b)(3). BYU and its Department of Communication Disorders look forward to dialogue with CAA in connection with the clear and accurate ways BYU describes its program's goals and education models, which allow people to make intelligent and informed decisions about the quality of the program and the qualifications of the students who graduate from it.

2. BYU welcomes and supports all our students and employees who agree to abide by the tenets of the Church of Jesus Christ, including those who identify as transgender. We acknowledge the complicated realities that many individuals experience as they navigate issues surrounding gender identity and religious doctrine. The intersection of religious identity and gender identity—both at an institutional level and an individual level—is complex and nuanced. At BYU, where our religious mission is inextricably bound up in the doctrine of Jesus Christ, we simultaneously stand firm in our religious beliefs and reiterate our love and respect for each member of our campus community. We also applaud and will continue to support ongoing efforts to find common ground on these important issues as we strive to follow Jesus Christ's example of love and fairness for all of God's children.

In that regard, BYU's students, faculty, and staff in the Department of Communication Disorders have followed and will continue to follow ASHA's [Principle of Ethics IV, Rule of Ethics L](#):

Individuals shall not discriminate in their relationships with colleagues, assistants, students, support personnel, and members of other professions and disciplines on the basis of race, ethnicity, sex, gender identity/gender expression, sexual orientation, age, religion, national origin, disability, culture, language, dialect, or socioeconomic status.

Thank you for your concern for BYU's program, faculty, and students. BYU remains committed to an ongoing and productive dialogue with ASHA and the CAA.

Signed,



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