


Supporting Children of the Rainbow: Evidence-Based Practices for LGBTQI-2S & Gender Nonconforming Students in the Public Schools



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Presentation for Ohio Association of Pupil Services Administrators - December 8, 2017 Meeting

Today's Presentation Outline

- ▶ Presentation norms & example community feedback
- ▶ Introduction
- ▶ Overview of Gender/Sexuality
- ▶ Key Terminology & Definitions
- ▶ Executive Summary
- ▶ Today's Legal Landscape
- ▶ School Intervention & Climate Considerations
- ▶ Supporting LGBTQI-2S Parents
- ▶ Anecdotal Commentary from the Field: My Two Cents
- ▶ Questions? Other Comments?



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Introduction

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Presentation & Discussion Norms

Support for LGBTQI-2S & Gender Nonconforming Students in the Public Schools

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Presentation and Discussion Norms



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Exemplar Community Feedback



Point:

- ▶ "My religious rights are being violated..."
- ▶ "Transgender/gender non-conforming students are going to..."
- ▶ "This is a parent's choice, not the school's..."
- ▶ "These are child molesters/perverts..."
- ▶ "My child has rights too..."
- ▶ "They're going to expose / watch my child..."

Counterpoint:

- ▶ Remember FERPA confidentiality expectations; you can't discuss other students just as you wouldn't discuss their children
- ▶ Some students may have extra protection under IDEA/Section 504, be mindful of civil rights
- ▶ Dispel wrong and biased information:
 - ▶ No evidence that gender non-conforming/transgender are going to molest a child; most molesters are heterosexual males and not perpetrated by those in school age chronological years
- ▶ Children can use other restrooms and locker rooms if family disagrees
- ▶ Necessity to have a safe and affirming learning environment for all students

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Presentation norms

- Overview of Gender/Sexuality
- Key Terminology & Definitions
- Executive Summary
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- Supporting LGBTQI-2S Parents
- Anecdotal Commentary from the Field: My Two Cents
- Questions & Comments

Introduction


Support for LGBTQI-2S & Gender Nonconforming Students in the Public Schools

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Introduction to LGBTQI-2S in Schools

- ▶ Increasing awareness in society over LGBTQI-2S (lesbian, gay, bisexual, transgender, questioning, intersex, two spirit) issues - hereafter, gender/sexual minorities (GSMs)
 - ▶ Highly publicized bullying cases
 - ▶ Ongoing national narratives & debates about gay rights issues such as marriage and other legal challenges (e.g. Title IX, restroom access)
 - ▶ Increased visibility of LGBTQI-2S people in media
- ▶ LGBTQI-2S students are at-risk for a number of negative academic, social, and emotional outcomes
 - ▶ e.g. Lower grade point average and higher levels of depression
 - ▶ BUT: Not identifying as LGBTQI-2S that increases risk
 - ▶ Within hostile, homophobic, and heterosexist environments that exacerbates risk



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More Introductory Comments

- ▶ Educators need to be aware, especially in gender variant (GV, do not conform to traditional gender norm expectations) students:
 - ▶ Developmental issues
 - ▶ Students' experiences of bullying and harassment in the schools
 - ▶ Within group differences
 - ▶ GV (gender variant) students are heterogeneous group, often clustered in LGB youth
 - ▶ Ethical, professional, and legal obligations
 - ▶ Function as role models and advocates
- ▶ Depathologization of transgender / gender-variant
 - ▶ DSM-5 revision of Gender Identity Disorder → Gender dysphoria



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GLSEN Experience Data (2011-2016)

- ▶ 81.9% reporting verbal harassment due to sexual orientation
- ▶ 63.9% reporting verbal harassment due to gender expression
- ▶ 38.3% reporting physical harassment due to sexual orientation
- ▶ 27.1% reporting physical harassment due to gender expression
- ▶ 56.9% report teachers report educational staff made homophobic remarks and negative remarks about gender expression
- ▶ 60.4% did not report incidents, believe school would not respond appropriately

Sequelae:

- ▶ Higher levels of depression, poorer attendance, lower GPA, and fewer intentions to attend college
- ▶ Greater health and mental health problems (anxiety, AoD, sexual risk behaviors, and suicidality)



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Overview of Sex and Gender

Support for LGBTQI-2S & Gender Nonconforming Students in the Public Schools


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Overview of Gender/Sexuality

- ▶ Sexuality is a natural part of childhood and adolescence
 - ▶ Heterosexual students → sexual identity (how one identifies physical and emotional attractions) development occurs without much consideration
- ▶ Sex = biological anatomy, binary, male/female
 - ▶ Intersex
 - ▶ Reproductive, hormonal, sexual anatomy or chromosomal pattern that does not fit traditional male/female classification. Sometimes called DSDs (differences of sex development)
- ▶ Gender = social construct, classified along continuum
 - ▶ Cisgender: self-identity conforms with the gender that corresponds to their biological sex; not transgender.
 - ▶ Cisgender male
 - ▶ Cisgender female
 - ▶ Transgender
 - ▶ A term for people whose gender identity, expression or behavior is different from those typically associated with their assigned sex at birth. Transgender is a broad term and is good for non-transgender people to use. "Trans" is shorthand for "transgender" (Note: Transgender is correctly used as an adjective, not a noun, thus "transgender people" is appropriate but "transgenders" is often viewed as disrespectful.)

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Overview cont'd



- ▶ Gender identity: one's internal feeling of maleness or femaleness
 - ▶ Occurs within first 3 years of life, aligns with biological sex, acculturated
 - ▶ Since gender identity is internal, one's gender identity is not necessarily visible to others
 - ▶ Many argue non-binary topic
 - ▶ Many other societies/cultures see more diffuse assignment of gender
 - ▶ Bugis society (one of 3 Indonesian ethnic groups)
 - ▶ Recognize 5 genders
 - ▶ Native American Two Spirit (2S)
- ▶ Gender dysphoria:
 - ▶ Gender dysphoria involves a conflict between a person's physical or assigned gender and the gender with which he/she/they identify. People with gender dysphoria may be very uncomfortable with the gender they were assigned, sometimes described as being uncomfortable with their body (particularly developments during puberty) or being uncomfortable with the expected roles of their assigned gender.
 - ▶ Not gender same as gender nonconformity
 - ▶ Diagnosable psychopathology in DSM 5

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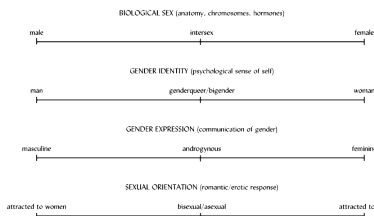
Overview cont'd

- Sexual identity development
 - How one defines his or her physical and emotional attractions
 - Self defined label
 - Fluidity and flexibility in sexual identity: "bi-queer" or "polysexual"
- Sexual orientation → defined by an individual's attractions
 - Socially defined label (e.g. heterosexual, lesbian, gay, bisexual)

		Sexual orientation	
Person's sex	male	androphilic attracted to males <small>person's sex not specified</small>	gynephilic attracted to females <small>person's sex not specified</small>
		homosexual androphilic male	heterosexual gynephilic male
	female	heterosexual androphilic female	homosexual gynephilic female
		androphilic sexual orientation not specified	gynephilic sexual orientation not specified



Diagram of Sex and Gender



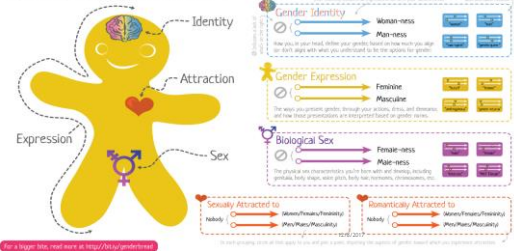
©2009 Center for Gender Society, www.gendermatters.org

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The Genderbread Person v3.3

Gender is one of those things everyone thinks they understand, but most people don't. The definition: Gender isn't binary. It's not additive. It's more about a spectrum. A lot of this is just of this. The key thing to know is that it's not an equation for gender understanding. It's about if you're happy for men. In fact, that's the idea.



For a larger file, visit <http://www.genderbread.org>

In the spirit of the original Genderbread Person, this version is licensed under the Creative Commons Attribution-NonCommercial-ShareAlike license.

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Key Terminology & Definitions cont'd

DEFINITIONS
PHRASES
TERMINOLOGY
DESCRIPTIONS
LABELS
WORDS
TAG
GLOSSARY

► **Sex Reassignment Surgery:**

- Surgical procedures that change one's body to better reflect a person's gender identity. This may include different procedures, including those sometimes also referred to as "top surgery" (breast augmentation or removal) or "bottom surgery" (altering genitalia). Contrary to popular belief, there is not one surgery; in fact there are many different surgeries. These surgeries are medically necessary for some people, however not all people want, need, or can have surgery as part of their transition. "Sex change surgery" is considered a derogatory term by many.

► **Transition:**

- The time when a person begins to living as the gender with which they identify rather than the gender they were assigned at birth, which often includes changing one's first name and dressing and grooming differently. Transitioning may or may not also include medical and legal aspects, including taking hormones, having surgery, or changing identity documents (e.g. driver's license, Social Security records) to reflect one's gender identity. Medical and legal steps are often difficult for people to afford.


► **Drag Queen:**

- Used to refer to male performers who dress as women for the purpose of entertaining others at bars, clubs, or other events. It is also sometimes used in a derogatory manner to refer to transgender women.

► **Drag King:**

- Used to refer to female performers who dress as men for the purposes of entertaining others at bars, clubs, or other events.

(National Center for Transgender Terminology, nd)




Labeling

► Western society prefers to classify as a way to better gain understanding, control, and its cognitive shortcut to understand others, concepts, events


► Sexual and gender identity are complex and intersected constructs that defy simplistic nomenclature

► Wide array of terms used to identify sexual identity:

- Bi-queer
- Polysexual
- Asexual
- Pansexual



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Presentation norms

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Executive Summary




EXECUTIVE
SUMMARY

- ▶ We do not have definitive answers about how gender identity develops
 - ▶ Parents of children 2-4 generally "know"
 - ▶ What is role/relative contribution of biologic vs environment factors
 - ▶ Not empirically linked to any one parenting style
- ▶ Gender variability (GV) can be related to a variety of issues
 - ▶ May be cross gender identification
 - ▶ Underlying psychopathology
 - ▶ Exposure to traumatic events
 - ▶ Problem solve to gain social status with other genders
 - ▶ No reliable way to distinguish GV related to normative gender expression spectrum from related to pathology/trauma
- ▶ Higher incidence of autism spectrum disorders than general population; not understood and not empirically explored

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Executive Summary
cont'd



EXECUTIVE
SUMMARY

- ▶ For most children, GV/GD doesn't persist into adolescence
 - ▶ "Desisters" → grow up to be nontransgender LGBTQ adults
 - ▶ "Persisters" → GV/GD persists into adolescence → transgender identity into adulthood (cannot determine before adolescence)
- ▶ Most stressful periods for GV/GD children
 - ▶ Entry to school: high levels of bullying, harassment, violence directed at them
 - ▶ Entry to puberty for persisters: develop secondary sex characteristics of a gender with which they do not identify
 - ▶ Supportive treatments: hormone blockers & hormone supplementation therapy
 - ▶ Sex reassignment surgery

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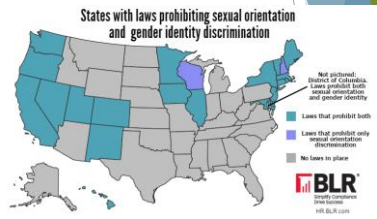
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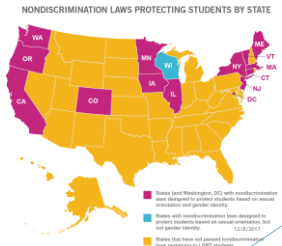
Today’s Legal Landscape

- ▶ Currently, LGBTQ-2S persons are not considered a “protected class” across most Federal statutes, so not considered a civil right’s matter or addressed in statutory law per se.
- ▶ Considerable state-by-state variability (HR BLR.com, April 2016)



Legal Landscape: National School LGBT Laws

- ▶ School-based laws LGBTQ-2S laws (GLSEN, August, 2016)



Federal Laws, LGBTQI-2S & Public Schools

- ▶ Equal Protection Clause of 14th Amendment of US Constitution
 - ▶ If school district protects any student from bullying, harassment, or discrimination, it must equally protect all students
 - ▶ LGBTQ students have sued school districts when complaints of harassment and discrimination were not treated same as non-LGBTQ students' complaints
- ▶ 1st Amendment of US Constitution
 - ▶ Protects freedom of speech: LGBTQ students have right to be out at school, express their gender identity, and have access to supportive LGBTQ materials and websites
- ▶ Equal Access Act (USC § 4071)
 - ▶ Requires if a school allows any noncurricular group or club to meet on campus, it also must allow a Gay-Straight Alliance or similar club to meet on campus

(Fisher & Kennedy, 2012; Fisher, 2014)

Legal Landscape: Ohio

- ▶ Ohio: Transgender Law Center (August 2016)
 - ▶ Total population = 11,536,304
 - ▶ Total LGBT population = 219,200
 - ▶ % LGBT to State population = 1.9%
 - ▶ % same-sex couples raising children = 18
- ▶ No non-discrimination laws across employment, housing, public accommodation, or credit/lending
- ▶ Schools: no specific legislation
 - ▶ Missing: non-discrimination laws/policies covering LGBT students
 - ▶ Missing: anti-bullying laws and policies covering LGBT students
 - ▶ Fortunately, Ohio has no statutes such as "Don't say gay," discussing LGBT accomplishments, or preventing districts from passing LGBT policies
- ▶ Protections:
 - ▶ Marriage for same-sex couples
 - ▶ Medical decision making authority for same-sex couples
 - ▶ Joint adoption for same-sex couples
 - ▶ Some limited or local statutes: Second-parent/step-parent adoption, legal recognition of de facto parents, recognition for parents using donor insemination

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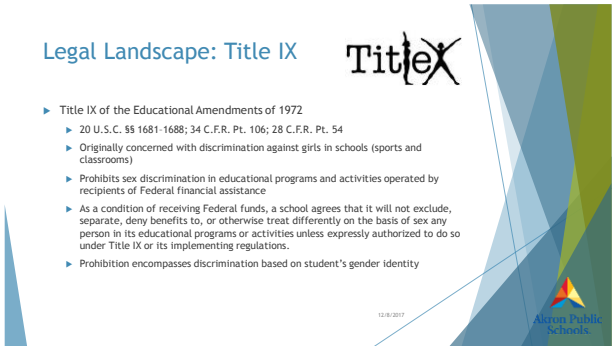
Legal Landscape: Title IX

- ▶ Title IX of the Educational Amendments of 1972
 - ▶ 20 U.S.C. §§ 1681-1688; 34 C.F.R. Pt. 106; 28 C.F.R. Pt. 54
 - ▶ Originally concerned with discrimination against girls in schools (sports and classrooms)
 - ▶ Prohibits sex discrimination in educational programs and activities operated by recipients of Federal financial assistance
 - ▶ As a condition of receiving Federal funds, a school agrees that it will not exclude, separate, deny benefits to, or otherwise treat differently on the basis of sex any person in its educational programs or activities unless expressly authorized to do so under Title IX or its implementing regulations.
 - ▶ Prohibition encompasses discrimination based on student's gender identity

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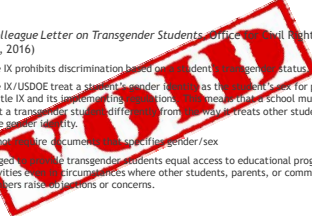





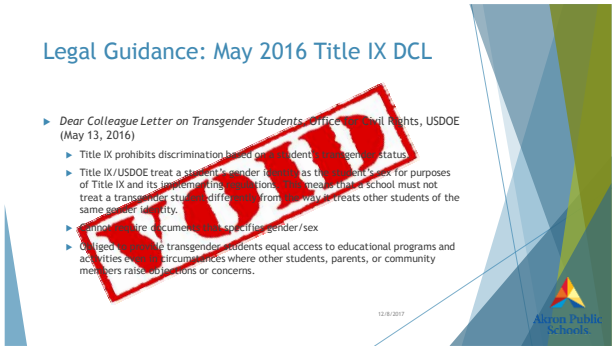
Legal Guidance: May 2016 Title IX DCL

- ▶ Dear Colleague Letter on Transgender Students: Office of Civil Rights, USDOE (May 13, 2016)
 - ▶ Title IX prohibits discrimination based on a student's transgender status
 - ▶ Title IX/USDOE treat a student's gender identity as the student's sex for purposes of Title IX and its implementing regulations. If a school treats a transgender student differently from the way it treats other students of the same gender identity...
 - ▶ Schools should not require students to disclose their gender / sex
 - ▶ Schools should ensure transgender students equal access to educational programs and activities even in circumstances where other students, parents, or community members raise objections or concerns.

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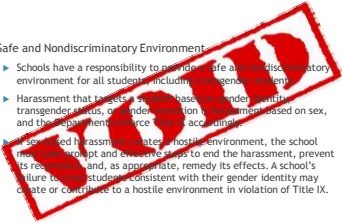


Legal: DCL Title IX Guidance

- ▶ Safe and Nondiscriminatory Environment
 - ▶ Schools have a responsibility to provide a safe and nondiscriminatory environment for all students, including transgender students.
 - ▶ Harassment that targets a student based on gender identity, transgender status, or gender expression is discrimination based on sex, and the school must take steps to end the harassment, prevent its recurrence, and, as appropriate, remedy its effects. A school's failure to do so is inconsistent with their gender identity may create or contribute to a hostile environment in violation of Title IX.

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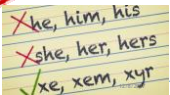
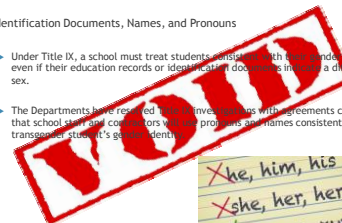


Legal: DCL Title IX Guidance

- ▶ Identification Documents, Names, and Pronouns
 - ▶ Under Title IX, a school must treat students consistently with their gender identity even if their education records or identification documents indicate a different sex.
 - ▶ The Departments have reviewed their agreements with agreements committing that school staff and contractors who use pronouns and names consistent with a transgender student's gender identity.

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Legal: DCL Title IX Guidance

- ▶ Sex-Segregated Activities and Facilities
 - ▶ Title IX's implementing regulations permit a school to provide sex-segregated restrooms, locker rooms, shower facilities, housing, and athletic facilities as long as it is not creating sex classes under certain circumstances.
 - ▶ When a school provides sex-segregated activities and facilities, transgender students must be allowed to participate in such activities and use such facilities consistent with their gender identity.
 - ▶ Restrooms and locker rooms
 - ▶ Housing
 - ▶ Athletic facilities
 - ▶ Shower facilities
 - ▶ Social functions and social events
 - ▶ Housing and economic accommodations
 - ▶ Others

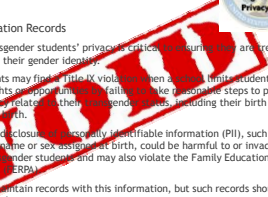

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Legal: DCL Title IX Guidance

- ▶ Privacy and Education Records
 - ▶ Protecting transgender students' privacy is critical to ensuring they are treated consistent with their gender identity.
 - ▶ The Departments may find a Title IX violation when a school limits students' educational rights or opportunities by failing to take reasonable steps to protect students' privacy relative to their gender identity, including their birth name or sex assigned at birth.
 - ▶ Unnecessary disclosure of personally identifiable information (PII), such as a student's birth name or sex assigned at birth, could be harmful to or invade the privacy of transgender students and may also violate the Family Educational Rights and Privacy Act (FERPA).
 - ▶ A school may maintain records with this information, but such records should be kept confidential.




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Legal: DCL Title Guidance

So that's settled, right?




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Legal: Challenges to DCL Title IX Guidance

- ▶ May 2016
 - ▶ 13 states and agencies joined together to sue USDOE (along with Departments of Labor, Justice Department, and EEOC) over the DCL.
 - ▶ Federal law does not explicitly prohibit discrimination on the basis of sexual orientation or gender identity, whether it's at a store, in a public park, at work, or in trying to rent a house from a landlord.
 - ▶ Many states and cities do not explicitly prohibit this, either. While courts have tried to express sympathy for the people who bring these kinds of discrimination cases, a handful of recent decisions suggest judges won't be willing, or don't feel able, to affirm LGBT discrimination claims in court until the Supreme Court – or Congress – tell them to do so.



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Legal: Challenges to DCL Title IX Guidance

- ▶ August 22, 2016
 - ▶ A federal judge in Texas has ruled that the Department of Education didn't follow proper rule-making procedures in sending a letter about bathrooms to schools.
 - ▶ Ruling alleges violations of Administrative Procedures Act
 - ▶ Whenever the executive branch decides to issue guidance on how it's interpreting a law written by Congress, it has to go through a notice-and-comment process--the public has to have a chance to weigh in on how the government is choosing to enforce the law.
 - ▶ In this case, the administration skipped that process, arguing that it wasn't obliged to go through a full comment period. The Texas court disagreed, writing that the administration failed to follow the correct steps for public review.
- ▶ March 3, 2017
 - ▶ The states which filed suit to challenge enforcement of the Obama Administration guidance voluntarily dismissed this case in light of the Trump Administration guidance, so that case is over.

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New Dear Colleague Letter: February 22, 2017

- ▶ "Withdrawal and rescind May 2016 Title IX Guidance..."
 - ▶ Rationale:
 - ▶ Did not contain "extensive legal analysis", explain how position is consistent with "express language of Title IX," and no formal public process.
 - ▶ Significant litigation regarding school restrooms and locker rooms
 - ▶ "Due regard" for primary role of States and LEAs in establishing educational policy
 - ▶ However:
 - ▶ "All schools must ensure that all students, including LGBT students, are able to learn and thrive in a safe environment."
 - ▶ In other words, still have to protect against bullying/intimidation/harassment
 - ▶ And can have locally adopted Board Policies and Administrative Guidelines
 - ▶ 14th Amendment still requires equal protection under law → likely the next challenge argument
 - ▶ Cases brought by cisgender students argue that their Constitutional right to privacy, protected by the Fourteenth Amendment to the U.S. Constitution, is abridged by permitting people who are biologically one sex to use facilities designated for the other sex.

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Other Legal Decisions in the News

- ▶ G.G. v Gloucester County School Board
 - ▶ Adopted discriminatory bathroom policy segregating transgender students from peers
 - ▶ "The decision in Gloucester should resolve the issue of whether courts must provide deference to the DOE's interpretation of Title IX. Specifically, the DOE has provided that funding recipients must 'generally treat transgender students consistent with their gender identity' which could be different than the student's sex at birth."
 - ▶ But, after repeal of Title IX guidance, Supreme Court sending back to 4th Circuit Court of Appeals
- ▶ Board of Education of Highland Local School District v USDOE
 - ▶ Sixth circuit (Ohio):
 - ▶ Affirmed the decision of the United States District Court for the Southern District of Ohio, which blocked that school district's attempt to prevent a transgender student identifying as a female from using the girls' restroom at her school. Both the lower court's decision and the Sixth Circuit decisions in Highland align with the U.S. Department of Education's ("DOE") interpretation of Title IX. Specifically, the DOE has provided that funding recipients must "generally treat transgender students consistent with their gender identity."

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Presentation norms

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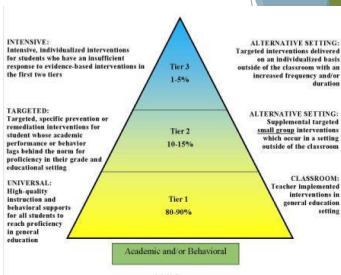
Best Practices in Supporting LGBTQI-2S Students

- ▶ Risks LGBTQI-2S students face are environmental → School-wide interventions focusing on improving school climate will have greatest impact on students' school experience
- ▶ Remember: Schools are microcosms of society; school districts have publicly elected school boards that are designed to reflect community mores within the district
- ▶ Best practices:
 - ▶ Many practices target middle and high school students as adolescence is time in which sexual identity emerges
 - ▶ Elementary school focus on recognizing family diversity and creating positive foundation for students' sexual and gender identity development
 - ▶ Interventions need to be grouped and focused on 3 tiers of intervention as scope of influence:
 - Universal
 - Targeted
 - Intensive


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School-Based Intervention within RtI Models



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Universal Tier Interventions

School Intervention & Climate Considerations

RTI (Response To Intervention)
3 Tiers of Support

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Presentation for 2017 Ohio Psychological Association Convention: The Strength to Lead, Connect & Heal

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The Real Life LGBTQI-2S Concerns for Public Education

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And...Demarcating Cognitive Distortions, Myth, and Reality

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Universal Tier: Anti-Bullying & School Climate

- Establish District-level policies that prohibit harassment, bullying, and discrimination related to gender identity and gender expression
 - Makes an immediate and significant impact in school climate
 - LGBTQ+ 25 students experience less harassment, more positive school climate and decreased absenteeism
- Intervene directly with perpetrators of violence/bullying
 - Engage in re-education and follow-up monitoring to enhance compliance with policies
 - Intervene immediately when anti-LGBT name-calling, bullying, and harassment are observed
 - Displaying visual signs of support for LGBT issues in schools
- Provide intervention/support for those targeted
 - Provide opportunities for health development, attention to diversity, counseling, and support (Scharron del Rio, 2014, p.48)
- Examples:
 - GLSEN: Model District Policy on Transgender & Gender Nonconforming Students [glsen.customer.def6.com/sites/default/files/Trans_ModelPolicy_2013.pdf](https://www.glsen.org/sites/default/files/Trans_ModelPolicy_2013.pdf)
 - Gender Spectrum www.genderspectrum.org/education/school-policies-law



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Universal Tier: Staff Professional Development


- Seek to develop awareness, knowledge, and skills
 - Deconstruction of societal gender norms,
 - Understanding basic definitions and terminology
 - Become knowledgeable about developmental issues/needs
- Develop building-level plans with teacher teams:
 - Being visible within the school as a support person
 - Responding appropriately to harassment and bullying
 - Integrating LGBTQ+ 25 topics into classroom curriculum
 - Providing affirmative therapeutic services




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Universal Tier: Curricular Content



- "Issues surrounding all dimensions of diversity, including privileging and marginalizing of diverse identities should be incorporated into the general curricula - not just when events arise" (Scharron-del Rio et al, 2014)
- Educating and exposing students to LGBT topics results in reduced harassment of LGBT youth in schools
- The inclusion of LGBT topics as an integral part of classroom instruction marks a show of support on the part of educators towards LGBT population
 - "Creating safe spaces for GV children involves the deconstruction of gender normativity and incorporating transgender and GV perspectives into the schools' general curricula for all students"
 - Expand view of gender beyond binary
- Examples: gender-complex vocabulary, concepts, pronoun options, holding class discussions addressing power dynamics using a gender-complex framework, acknowledging/respecting gender diversity of students representations of transgender, gender fluid, bigender, and other GV people (p. 47)



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Universal Tier:
Logistics: Restrooms, Dances, Sports

- Gender Neutral Facilities:
 - Schools should create gender-neutral facilities, which include bathrooms and locker rooms.
 - These facilities should be in accessible locations. Considerations for signage and the physical set-up of the facilities will be further described following the explanation of one school's journey to set up gender-neutral facilities.

(Dubois & Losoff, nd)

Considerations for Gender Neutral Facilities	
AREAS TO CONSIDER	SUGGESTIONS
Physical setup	Single stall Lockable doors with a key or a code lock Stalls and sinks Changing and custom dispensers Changing benches Stall room mirrors, lockers, chair bench Resources: signs/consultants for actual placement/building Bathrooms and locker rooms: make sure where signs call for gender-neutral facilities are safe zones
Signage	Outside the door: typical symbols for men, women, and transgender individuals Inside the door: "This bathroom is for all genders" signs Signage on the wall: "This is a gender-neutral facility. Please do not enter if you are not transgender."
Location and availability	Place bathroom and locker room locations on school website, inform students of location during orientation and provide them with contact information of staff who are responsible for gender equity Recruitment from various locations of the building without having to travel long distances

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Universal Tier
Logistics cont'd

- Restrooms and Locker Rooms
 - A school may provide separate facilities on the basis of sex, but must allow transgender students access to such facilities consistent with their gender identity.
 - A school may not require transgender students to use facilities inconsistent with their gender identity or to use individual user facilities when other students are not required to do so. A school may, however, make individual user options available to all students who voluntarily seek additional privacy.
- Athletics
 - Title IX regulations permit a school to operate or sponsor sex-segregated athletics teams when selection for such teams is based upon competitive skill or when the activity involved is a contact sport.
 - A school may not, however, adopt or adhere to requirements that rely on overly broad generalizations or stereotypes about the differences between transgender students and other students of the same sex (i.e., the same gender identity) or others' discomfort with transgender students.
 - Title IX does not prohibit age-appropriate, tailored requirements based on sound, current, and research-based medical knowledge about the impact of the students' participation on the competitive fairness or physical safety of the sport.
- Ohio High School Athletic Association has specific guidance
 - Clearance from District AD to OHSAA Commissioner's office
 - Transgender female: 1 year of hormone treatment OR demonstrator does not possess physical/physiological advantage over genetic females
- Dances
 - Students ought to be permitted to bring any partner, date, or friend that is desired

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Targeted
Tier
Interventions
School Intervention &
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Targeted Tier: Safe School Environments

- ▶ Signs & posters
- ▶ Supportive student clubs
 - ▶ Gay-Straight Alliances (GSAs)
 - ▶ Non-academic student-led school groups that support LGBTQI-2S students & heterosexual peers
 - ▶ Students who attend schools with GSAs report less victimization & greater school connectedness (Fisher, 2014)
- ▶ Gay, Lesbian, & Straight Education Network (GLSEN)
- ▶ Therapeutic places
 - ▶ Places where LGBTQI-2S students can seek refuge with school counselor / psychologist / social worker / therapist
- ▶ Safe zones
 - ▶ Offices or classrooms where there is trained staff to respond to needs of LGBTQI-2S students
- ▶ Sensitive classrooms
 - ▶ Allow students to use preferred names
 - ▶ Use correct pronouns
 - ▶ Unbiased language

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Targeted Tier: Community Resources

- ▶ Community connections are critical for providing full range of services
 - ▶ Local agencies to provide supplemental social service and advocacy supports
 - ▶ Locating LGBTQI-2S community groups, developing lists of groups
 - ▶ PFLAG
 - ▶ COLAGE
 - ▶ LGBTQI-2S social welfare groups
- ▶ Internet connections & safety
 - ▶ e.g. The Trevor Project www.thetrevorproject.org
- ▶ Physicians who treat LGBTQI-2S
- ▶ Behavioral health providers specializing in LGBTQI-2S
- ▶ Homeless and respite shelters

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Intensive Tier Interventions

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Intensive Tier:
Affirming the Dignity of LGBTQI-2S Youth

- ▶ Eliminate bias in our own attitudes and behavior
 - ▶ Need to become aware and examine policies, worldviews, and agendas privileged by our institutions, paradigms, methodologies, and epistemologies to avoid perpetuating social systems of oppression
- ▶ Educate ourselves on topic of gender diversity, including deconstruction of gender as a social construct
 - ▶ Challenge cisnormativity; privileges normative gender expression, heteronormativity, and compulsory heterosexuality
- ▶ Self-reflection with respect to own beliefs and feelings about people who challenge traditional gender norms
 - ▶ Oppressive societal systems thrive because they are normalized to the point of invisibility

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Intensive Tier:
Strengths & Resilience

"It takes honest, clarity, courage, perseverance, dignity, self-determination, creativity, intelligence, and passion to challenge traditional gender norms in schools and families" ("Transgender warriors", Chen-Hoyes, p.40)

- ▶ Depathologization:
 - ▶ LGBTQI-2S individuals are not mentally ill or in need of treatment
- ▶ Establish a safe environment
- ▶ Be a visible ally/advocate
- ▶ Enforce comprehensive nondiscrimination and anti-bullying policies
 - ▶ Deconstruction of social norms about gender
- ▶ Excitement builds as transgender and GV students gain clarity about who they are and how they will live
- ▶ School-wide activities and presentations focusing on diversity, acceptance, inclusion, bullying and character education topics reinforce positive relationships and academic excellence
- ▶ Develop a wide range of clubs, support groups, and activities

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Intensive Tier:
Supporting Identity Development & Coming Out

- ▶ Identity exploration oftentimes major theme in therapeutic work with LGBTQI-2S students
- ▶ Explore images of LGBTQI-2S people and their reactions to images to better understand and challenge students' internalized homophobia or heteronormative biases
- ▶ Sensitivity to coming out:
 - ▶ May be a mark of identity achievement
 - ▶ But, not necessarily true for students who experience familial rejection or abuse as result of disclosure
 - ▶ Weigh pros and cons of disclosure
 - ▶ Development of disclosure script
 - ▶ Just as it takes time to come to understand LGBTQI-2S identity, will take others time to come to terms with disclosure

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(Fischer, 2014, p. 198)



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Intensive Tier:
Suicide Prevention & Intervention

- ▶ Sexual orientation and gender identity do not place an individual at risk for suicide
 - ▶ Increased risk factors (e.g. victimization at school) AND lack of protective factors (e.g. family connectedness) escalate risk
- ▶ Suicide prevention/intervention strategies need to focus on reducing risk and increasing protections
- ▶ Follow recommendations for Safe School Environments
 - ▶ Inclusive school policies
- ▶ Avoid unnecessary disclosure of student's LGBTQI-2S status or gender identity



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Intensive Tier:
Rejection of Reparative Therapy

- ▶ Reparative therapy (conversion therapy) aims to change an individual's sexual orientation from LGB to heterosexual
- ▶ Denounced by every mainstream behavioral health organization; numerous community based efforts to oppose, including in Ohio (Equality Coalition), exemplars:
 - ▶ August 2009: APA Appropriate Affirmative Responses to Sexual Orientation Distress & Change Efforts
 - ▶ "Just the Facts about Sexual Orientation & Youth"
<http://www.aba.org/practicing/resources/just-the-facts.aspx>
 - ▶ American Academy of Child and Adolescent Psychiatry, 2012
http://www.aacap.org/resources/policy_and_position_statements/conversion_therapy
 - ▶ American Academy of Pediatrics, 1993
<http://pediatrics.aappublications.org/content/92/4/633.full.pdf>
 - ▶ American Counseling Association, 2013
<http://www.counseling.org/issues/advocacy/2013/01/16/ethical-issues-related-to-conversion-or-reparative-therapy>
 - ▶ National Association of School Psychologists
<http://www.nasponline.org/resources/publications/resources/diversity/lgbtq-youth>

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Supporting LGBTQI-2S Parents

Presentation norms

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Akron Public Schools

Supporting LGBT Parents within Schools

- ▶ 7 million students are being raised by parents who are LGBTQI-2S (Herbstreith, 2014)
- ▶ 20-30% of gay men and lesbians are raising children (US Census Bureau, 2010)
 - ▶ Do not differ from peers who are raised by heterosexual parents on outcomes such as mental health, well-being, academic achievement, their own sexual orientation, or other factors (Wainright et al., 2004)
- ▶ Gender and sexual minority parents face number of societal obstacles, including:
 - ▶ Harassment
 - ▶ Custody issues
 - ▶ Adoption limitations
 - ▶ Children bullied in public arenas
 - ▶ Ostracism in public schools
 - ▶ Prejudice
 - ▶ Misinformation by school personnel
 - ▶ Coming out challenges for parents


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Supporting LGBTQI-2S Parents cont'd

- ▶ Promotion of school climate
 - ▶ Language usage, identifying family beyond "mom and dad"
- ▶ Gay-Straight Alliance
- ▶ Addressing school policies
 - ▶ Diversity
 - ▶ Discrimination
 - ▶ Paperwork, family/parent identification (using "parent" instead of mom/dad)
 - ▶ Inclusive definition of family
 - ▶ Ability to make educational decisions
- ▶ Inclusive School curriculum
 - ▶ Absence of gender and sexual minorities in family discussion
 - ▶ Adding collection of library books featuring diverse array of families & by LGBTQI-2S authors
- ▶ Staff professional development
- ▶ LGBTQI-2S centered activities
- ▶ Supportive signage and posters

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Anecdotal Commentary from the field: Dr. Merkle's Two Cents



1. Public education is intended to have federal, state, and local control, all of which creates tension points
2. School are generally moderate to conservative enterprises
3. Many youth in 2017 are not opposed or concerned with gender and sexual minorities; their parents, however, are
4. Educational staff, like society, have many biases, heteronormative beliefs, and homophobic beliefs themselves
5. Human sexuality is a tenuous topic in public education, few educators have background or training
6. Working with (and winning over) teachers in building is an important first step
7. Emphasize emotional experiences and responses instead of hard data or being professorial
8. Be prepared for backlash, including media coverage
9. Hold community meetings
10. Consider bringing in outside trainers and experts but remember agendas

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Questions, Concerns, Thoughts

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