Creating LGBTQ2SIA+ Affirming Charter School Communities

December 1, 2023

access a PDF of the slides

Oregon Department of Education Staff
LGBTQ2SIA.Success@ode.oregon.gov

- Introduce ourselves
- PDF of the slides is available by scanning the QR code
- If you have any questions, raise your hand throughout the presentation.

Introductions!

- Name (pronouns)

- Role

- What is your intention for this session today?

If time, whole-group introductions. Otherwise, introduce yourself to 1-2 people next to you.

Agenda

I. **Why it Matters**

II. **Resource Overview**

III. **Diving Deeper: School Scenarios**

IV. **Developing Strategies**

V. **Closing**

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TIMING PLAN (70 minutes total)
1. Welcome, Intros, and Climate Setting (10 minutes)
2. Why it Matters (10 minutes)
3. Resource Overview (10 minutes)
4. Scenarios (20 minutes)
5. Developing Strategies (15 minutes)
6. Closing (5 minutes)

This information is not intended as legal advice and should not be taken as such; we advise you to consult with your legal counsel before making policy or process changes.

ODE is available to support with individual technical assistance following this training.

Kate

Also provide content warning about statistics and examples of discrimination

Session Norms

- Brave space
- Take care of yourself and respect the needs of others
- Remember our shared goal
- Ask in the language you have, and be open to suggestions

- **Brave Space**
  - we can't guarantee safety or how this guidance will impact folks, but we ask that you be **kind** to one another, honor each other's truths, so we can be **brave** and show up where we are at, and even make mistakes in this space.
  - understand that **discomfort** is required for growth. if we think we know everything about something, we won't learn as much or stretch our understanding
- **Take care of yourself and respect the needs of others**
  - Feel welcome to get up, use the restroom, stand, etc. at any time. If you need to take a call or answer an email, consider stepping out so you don't distract others around you who are trying to pay attention
- **Remember our goal**
  - we are all coming here from various community and cultural contexts, so while we want to honor one another's truths, we also urge folks to remember why we're all here:
  - to better understand the needs of gender expansive students so we can create gender-affirming school environments that foster safety,

- ○ belonging, and connection for all students.
- **Ask in the language you have, be open to hearing affirming corrections**
  - ○ In order to meet everyone exactly where they are at, without judgement, we will respect the language you have right now, if you are willing to be open to hearing more affirming language stated back to you. If you ask a question with an outdated term, we will answer it using the more affirming term, which will be your cue that there is new language to use. We want this to be a brave space to ask questions, learn, share knowledge, and make mistakes -- without causing harm to anyone in the process.

I. Why it Matters
LGBTQ2SIA+ Students
& Communities in Oregon

We're going to start out this update by sharing a little context for how LGBTQ2SIA+ students are doing in Oregon schools

CONTENT WARNING - After the acronym overview, we'll share 2 data slides which shares negative mental health outcomes and anti-LGBTQ2SIA+ and racially motivated violence such as bullying, suicide ideation, sexual assault, and bullying.

Oregon's LGBTQ2SIA+ Acronym Includes
Gender Identity and Sexual Orientation

LGBTQ2SIA+

Lesbian

Gay

Bisexual, Polysexual

Transgender, Nonbinary, Gender Expansive

Queer, Questioning

Two Spirit, Indigiqueer, Native LGBTQ+

Intersex

Asexual, Aromantic, Agender

Myriad of additional marginalized gender identities, expressions, and sexual & romantic orientations...

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7

As you know, we use a longer acronym here in Oregon than other states or communities might. The acronym was developed by the ad hoc advisory group who wrote the LGBTQ2SIA+ Student Success Plan, as a way to honor the multi-faceted communities in Oregon representing a range of gender identities AND sexual orientations.

Sometimes folks think of LGBTQ2SIA+ as a single identity, or may sometimes conflate gender and sexual orientation.

Identities and terminology evolve! Student may use terms not reflected here, or may change how they refer to themselves over time. The important thing is to listen to the individual and the terms and identities they want you to use.

ASK: Are there any terms on here that are new to you or that you're unfamiliar with?

LGBTQ2SIA+ Student Data: Why it Matters

About 8% of Oregon youth are transgender, unsure, or gender-expansive

8% of 6th, 8th, and 11th Graders   OHA 2020 SHS Survey

About 1 in 3 of Oregon youth state a LGB+, other, or unsure sexual orientation

34.4% of 8th Graders
28.7% of 11th Graders   OHA 2020 SHS Survey

43% of gender expansive students report seriously considering suicide

OHA 2020 SHS Survey

LGBTQ+ students are 3x as likely to miss school due to fear

LGBTQ+ students are 2-3x as likely to experience sexual assault

OSSCC 2020 Oregon Safe Schools Report

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- First and foremost, this program is charged to meet the needs of the queer and gender expansive youth in Oregon.
- The 8% of Oregon students who identify as transgender, questioning, or gender expansive and the 1 in 3 students who are queer or questioning are part of our communities and our classrooms, our school plays, our after school clubs, our bands and orchestras, our leadership programs, and our sports teams.
- In the past year, gender expansive students, educators, and administrators have been hatefully targeted in our classrooms, field trips, and school board meetings, online, during local elections, at LGBTQ2SIA+ community events, and in our public libraries.
- Within this landscape, it's not surprising that many gender expansive students report feeling unsafe in Oregon schools.
  Experiencing things such as
  - **bullying**,
  - **suicide ideation**,
  - increased **fear based absences**, and

- ○ higher instances of **sexual assault**

Sources:
- [2020 School Health Survey](#), Oregon Health Authority
- [2020 State of Safe Schools Report: Unsafe, Unseen, Unacknowledged: Addressing Hostile Educational Conditions for LGBT Youth in Oregon](#), Oregon Safe Schools and Communities Coalition (OSSCC)

LGBTQ2SIA+ Student Data: Racialized Harm

About **1 in 4** Oregon youth experience **conflict/tension** at school based on **race, ethnicity, culture,** religion, **gender, sexual orientation,** or disability

23% of 6th, 25% of 8th, and 30% 11th Graders   OHA 2020 SHS Survey

43.6% of Native and Indigenous LGBTQ students reported **missing at least one day of school** in the last month because they felt **unsafe or uncomfortable.**

93.2% heard **racist remarks**; and **62.5%** heard racist remarks **often or frequently**

GLSEN Native and Indigenous LGBTQ Youth, 2020

Students feel unsafe at school.

54.9% Latinx & **51.6% Black** LGBTQ students felt unsafe at school because of their sexual orientation,

44.2% & **40.2%** because of their gender expression, &

22.3% & **30.6%** because of their race or ethnicity.

GLSEN Latinx and Black LGBTQ Youth, 2020

Oregon Schools can be hostile and unwelcoming environments for queer and gender expansive students of color, such as American Indian/Alaska Native, Latinx/e, African American/Black, and Asian American/Pacific Islander students who experience **racism and discrimination on top of anti-transgender stigma**.

- Go over data

Sources:

- 2020 School Health Survey, Oregon Health Authority
- Native and Indigenous LGBTQ Youth in U.S. Schools, GLSEN Erasure and Resilience: The Experiences of LGBTQ Students of Color Reports, 2020
- LGBTQ+ Community Survey Results, Rogue Action Center LGBTQ+ Listening Project, 2021
- Survey of the Needs of Transgender Youth in Oregon, Oregon Health and Science University (OHSU), 2019

Prioritizing Joy and Success for Students

When LGBTQ students of color have supportive educators, they have higher self-esteem and lower levels of depression.

GLSEN LGBTQ Students of Color Reports

LGBTQ youth who live in a community that is accepting of LGBTQ people reported significantly lower rates of attempting suicide compared to those who do not.

Trevor Project LGBTQ+ Youth Mental Health Survey, 2022

Youth find moments of joy in

- Therapy & medication
- Gender-affirming clothing
- Family & parental support
- The LGBTQ community
- Accepting & affirming friends
- Hope & excitement for the future
- Happy LGBTQ elders & married couples
- Athletics & Exercise

- LGBTQ student clubs
- Art, crafting, drawing
- Learning about LGBTQ history
- Supportive teachers
- Having a safe space to express gender, gender identity, and sexuality
- All gender restrooms
- Queer role models
- Going to college

Trevor Project LGBTQ+ Youth Mental Health Survey, 2022

- Research shows that supportive educators, schools, families, friends, and communities are not only strong protective factors against suicide ideation, mental health and wellbeing, but also **sources of joy**!
- This tools we're discussing today are designed to help school districts prioritize joy alongside the day to day challenges, in order to remind our communities that this work is about unconditional care and support for students.

Sources:
- 2020 School Health Survey, Oregon Health Authority
- GLSEN Erasure and Resilience: The Experiences of LGBTQ Students of Color Reports, 2020
- LGBTQ+ Community Survey Results, Rogue Action Center LGBTQ+ Listening Project, 2021
- Survey of the Needs of Transgender Youth in Oregon, Oregon Health and Science University (OHSU), 2019

II. Resource Overview:
ODE's *LGBTQ2SIA+ Student Success Plan* and *Gender Expansive Students Guidance*

Kate

LGBTQ2SIA+ Affirming **Laws, Policies, and Guidance**

| **Federal Law**	**State Law**
Title IX prohibits discrimination based on sex, sexual orientation, and gender identity. • Resources for LGBTQI+ Students, U.S. Department of Education • Supporting Transgender Youth in School (June 2021) • Confronting Anti-LGBTQI+ Harassment in Schools (June 23, 2021)	Nondiscrimination Law (ORS 659.850) Every Student Belongs (OAR 581-022-2312) Harassment, Bullying, Intimidation (ORS 339.351-364) LGBTQ2SIA+ Student Success Program (ORS 329.847) Human Sexuality Education (OAR 581-022-2050)
Court Cases	**OCR Decisions**
• _Grimm v. Gloucester County School Board_, 972 F.3d 586 (4th Cir. 2020) • **_Parents for Privacy v. Barr_, 949 F.3d 1210 (9th Cir. 2020)** • _Doe v. Boyertown Area School District_, 897 F.3d 518 (3d Cir. 2018) • _Whitaker v. Kenosha Unified School District_, 858 F.3d 1034 (7th Cir. 2017) • _Dodds v. U.S. Department of Education_, 845 F.3d 217 (6th Cir. 2016) • _Parents vs Montgomery County Board of Education_, _8:20-3552-PWG_	• _Tamalpais Union_, 09-18-1466 (2022) • _Forsyth County Schools_, 04-22-1281 (2023) • _Rhinelander School District_, 05-22-1029 (2023)

- The work we do is founded on the various state laws, federal laws, guidance, research, and more and supports the need to address LGBTQ2SIA+ discrimination.
- At the Federal level, Title IX prohibits sex discrimination in schools. Title IX includes discrimination based on sex, sexual orientation, and gender identity. This is based off a 2020 Supreme Court decision, _Bostock_, and a 2021 Notice of Interpretation from OCR.
- Oregon Civil Rights Law & Support to districts: protects students against discrimination, and identifies sex, sexual orientation, and gender identity as protected classes (as well as race, color, religion, national origin, marital status, age or disability) ORS 659.850
- We also have various court cases that affirm LGBTQ2SIA+ student access.
- The Office of Civil Rights has recently published a number of decision related to cases of discrimination based on sexual orientation or gender identity. These also guide our actions and tell us what we can do to ensure we are not engaging in discrimination.

Additional Resources for Title IX

From OCR
- [Proposed Amendments to Title IX (June)](#) - The proposed reflects commitment to ensuring that federally funded education programs and activities are free from all forms of sex discrimination, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- [Notice of Interpretation](#) - Enforcement of Title IX with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County (June 22, 2021)
- [Fact Sheet supporting Intersex Students](#)
- [Federal Government Back-to-School Address for Transgender Students](#) (Aug. 17, 2021)
- [Supporting Transgender Youth in School](#) (June 2021)
- [Confronting Anti-LGBTQI+ Harassment in Schools](#) (June 23, 2021)

From the Whitehouse:
- [FACT SHEET: Biden-Harris Administration Advances Equality for Transgender Americans](#) (June 30, 2021)
- [White House Toolkit on Transgender Equality](#) (June 30, 2021)
- [Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#) (Jan. 21, 2021)
- [Executive Order 14021 on Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity](#) (Mar. 11, 2021)
- [Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World](#) (Feb. 4, 2021)
- [FACT SHEET: The Biden-Harris Administration Is Advancing LGBTQI+ Human Rights at Home and Across the Globe](#) (May 17, 2021)

OCR Cases
- Tamalpais Union SD, 2022
  - "OCR found that sex discrimination predicated on sex stereotyping occurred when a gender expansive student was harassed because their name, pronouns, presentation, clothing, manner of speaking, and other behavior that did not align with traditional gender roles or expectations, and when the school failed to recognize the student's reports of this behavior as sex discrimination and respond to it as such." - direct quote from GESG
- Forsyth County Schools, 2023

- A school district received complaints about inclusion of LGBTQ2SIA+ books in the school library, along with complaints that some books were "inappropriate" or "sexually explicit." The school underwent a screening process for the books.
- "...the District's responsive steps related to the book screening process were not designed to, and were insufficient to, ameliorate any resultant racially and sexually hostile environment." - Findings, pg. 6
- The district's failure to fully ameloriate the hostile environment, and the fact that the book screening process gave the impression of considering eliminating materials based on LGBTQ2SIA+ content, may have created a hostile environment for students.

- Rhinelander SD, 2023
  - OCR found that discrimination and sex-based harassment occurred against a nonbinary student when "students repeatedly mocked and targeted the student during multiple classes, while multiple teachers repeatedly used incorrect pronouns for the student and one teacher removed the student from class on the ground that the teacher could not protect the student from harassment by the other students." The school failed to recognize the conduct as sex-based harassment and discrimination and treated it simply as bullying or a classroom management issue.
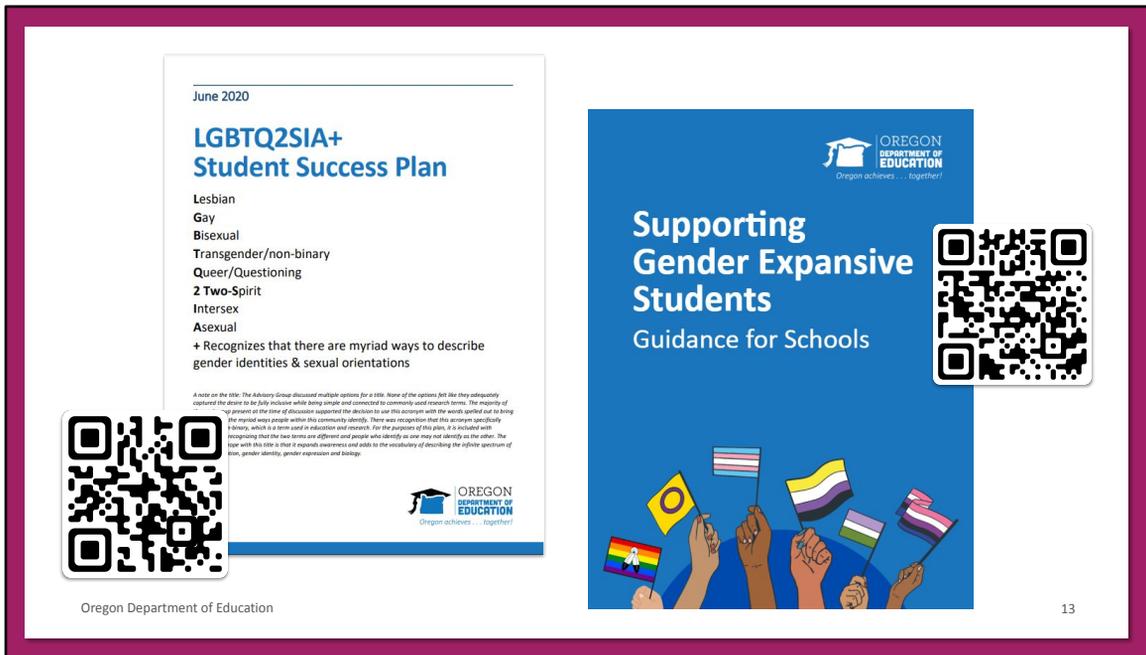
In the past several years, ODE has utilized two documents to guide our work to support LGBTQ2SIA+ students - the student success plan, and the recently updated gender expansive student guidance.

Links if needed:
- LGBTQ2SIA+ Student Success Plan link: https://bit.ly/ODE-LGB-planpdf
- Supporting Gender Expansive Students Guidance PDF link: https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Supporting-Gender-Expansive-Students.pdf
- Guidance webpage (has supplemental resource links): https://www.oregon.gov/ode/students-and-family/equity/civilrights/Pages/Gender-Identity-Guidance.aspx
- LGBTQ2SIA+ Student Success Resources Page: https://bit.ly/ODE-LGB-resources

LGBTQ2SIA+ Student Success Plan (2020)

- Adopted by the State Board of Education
- 2021 Leg session allocated $2.1M to ODE for grant program, advisory group, and 1.0 FTE staffing
- Alignment required in upcoming Student Investment Account application, via HB 2275 (2023)

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14

Chat links:

- LGBTQ2SIA+ Student Success Plan link: https://bit.ly/ODE-LGB-planpdf
- Supporting Gender Expansive Students Guidance PDF link: https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Supporting-Gender-Expansive-Students.pdf
- Guidance webpage (has supplemental resource links): https://www.oregon.gov/ode/students-and-family/equity/civilrights/Pages/Gender-Identity-Guidance.aspx
- LGBTQ2SIA+ Student Success Resources Page: https://bit.ly/ODE-LGB-resources

LGBTQ2SIA+ Student Success Plan (2020)	Domain 1: Individual Intentions & Impact	• **Supportive Educators**
		  ○ Professional Development
		  ○ Social, Emotional Support
		  ○ Inclusive Teaching Practices
		• **Supportive Peers**
		• **Supportive Families**

	Domain 2: Institutional Policies and Facilities	• **Safer Affirming Spaces**
		  ○ Facilities and activities (K-12 & higher ed)
		  ○ Access to mental health supports
		  ○ Increase visible LGBTQ2SIA+ support
		  ○ Anti-discrimination & anti-bullying policies
		• **Inclusive and Affirming Curriculum**

	Domain 3: State Accountability and Support Systems	• **Create School Climate Survey for Students, Educators, and Administrators** (ODE & OHA) ○ All districts participate in the survey • **ODE Capacity to Support Districts & Families** • **Cross-Agency Collaboration**

June 2020

LGBTQ2SIA+ Student S...

Lesbian
Gay
Bisexual
Transgender/non-b
Queer/Questioning
2 Two-Spirit
Intersex
Asexual
+ Recognizes that t
gender identities &

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19

- Across all recommendations, the intention is the same — to create environments where LGBTQ2SIA+ students have trusting relationships, feel connected to individuals and the community, and can be their full, authentic selves.
- Trust, connection and inclusion are necessary ingredients for students to succeed in reaching their full potential academically, as well as socially and emotionally.

Paste chat link below:
- LGBTQ2SIA+ Student Success Plan link: https://bit.ly/ODE-LGB-planpdf

Notes:
- The recommended Plan strategies are broken down into three domains
  - Domain 1: Individual Intentions & Impact
    - These recommendations are intended to directly address the ways in which individual educators, peers and families impact a student's experience of school.
  - Domain 2: Institutional Policies and Facilities

-
  -
    - These recommendations are focused on the spaces that serve students and address the institutional policies and decisions that can help make a space feel safe and inclusive.
  - Domain 3: State Accountability and Support Systems
    - These recommendations address the ways in which state systems can play a role in both holding institutions accountable to serving all students and provide support and guidance to proactively reduce ignorance and increase student-centered capacity across the state.

Supporting Gender Expansive Students: Guidance for Schools (2023)

- Update to Guidance for Supporting Transgender Students in 2016
- Community engagement feedback throughout process
- Re-released with 7 supplemental resources in January 2023
  - Expanded focus on all gender expansive students

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21

Notes
- In 2016, ODE released one of the first statewide guidance documents in the nation to help K-12 schools synthesize state law, federal law, and best practice in order to support transgender students. A lot has happened since then that prompted this update.
- The publication of this updated guidance comes at the request of students and their families, educators and school staff, school district leaders, school boards, healthcare providers, and community partners across Oregon.
- Over the course of about 16 months, members of ODE staff from nearly every

- office within the agency collaborated to revise this guidance based on the feedback we heard from school communities over the past 6 years.

Supporting Gender Expansive Students Guidance
Overview

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Section 1: Recommended Nondiscriminatory Practices	• **Equal Educational Access**
	• **Student Identity and Expression**
	• **Student Safety**
	• **Student Privacy**
	  ○ Includes information on Parental Notification
	• **Gender-Affirming Care in Schools**
	• **Student Records**
	  ○ Sex/Gender Marker and First Name Changes
	• **Facilities Access**
	• **Instructional Materials, Education Standards, and Opt-Out**
	• **School Programs and Activities**
	  ○ GSAs, Athletics, Travel
	• **Staff Training and Support**

Student-driven scenarios included throughout, in the gray boxes	
Section 2: Complaint Processes	• **Discrimination Complaints** ○ Covers District, State, and Federal Complaints and appeals processes • **Division 22 Complaints**
Appendix	• **Terminology** used throughout the document

Ultimate purpose: To remind school districts and community members that school districts have a legal and ethical responsibility to provide a safe and affirming educational environment for all students, including gender expansive students. The guidance outlines legal requirements, peer-reviewed research, and best practice recommendations.

Oregon and federal law prohibit discrimination based on gender identity, and require schools to have a process in place to respond to complaints of gender identity discrimination. If a gender expansive student believes they are experiencing unreasonable different treatment because of their gender identity, they can file a **discrimination complaint** with their school or district, as well as Division 22 complaints related to Division 22 OARs, such as sexuality education.

Paste chat link below:

- Main guidance PDF link:
  https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Supporting-Gender-Expansive-Students.pdf

Notes:
- **Section 1** is organized into recommended nondiscriminatory practices, rooted in legal requirements, peer-reviewed research, and best practices.
    - [Give summary of bullet points listed - <mark>see below for section summaries</mark> if needed]
    - School districts have a responsibility to provide a safe and affirming educational environment for all students, including gender expansive students.
- **Section 2** overviews the various complaint processes available to students and families through district, state, and federal discrimination complaints and appeals, as well as those related to Division 22.
- The appendix includes a glossary of terms and definitions used throughout the document.

<mark>Detailed notes per section (if needed):</mark>
- **Section 1**: Recommended Nondiscrimination Practices
    - The **Equal Educational Access section** establishes the core principle of the guidance: that publicly-funded Oregon school districts are required to provide free and appropriate public education to all students residing within their district boundaries.
    - The **Student Identity and Expression section** covers the ability of students to be referred to by the accurate names and pronouns that reflect their gender identity.
        - As soon as a student asserts their gender identity, the school should begin treating that student in alignment with their gender identity.
        - This section also discuss student self-expression, including best practices and legal requirements for school dress codes.
    - The **Student Safety section** reviews state and federal laws and policies related to gender identity discrimination, including Oregon nondiscrimination law, Title IX, and Every Student Belongs.
        - ODE also recommends creating individualized support and safety plans for gender expansive students as needed to ensure the school is providing a safe, nondiscriminatory educational environment.
    - The **Student Privacy section** provides an overview of the laws and recommendations that Oregon schools can use to ensure they are

- ○ respecting the privacy of gender expansive students.
  - ■ Nonconsensual disclose of a gender expansive student's identity or private information, also called "outing," can put a student in danger and may in some cases violate FERPA or Oregon law.
  - ■ While the privacy needs of every student will be unique, this section provides some guidelines and options schools can utilize to help them navigate confidentiality and safety.
- ○ The **Gender Affirming Care in Schools section** primarily includes social affirmation supports students often request in schools, such as gender marker updates; name and pronoun use; access to facilities, athletics, programs, and activities; gender-affirming health education; and mental health services and supports.
- ○ The **Student Records section** outlines legal requirements around data collection and student records, as well as outlines recommendations to support first name changes, transferring schools, transcripts, diplomas, and graduation ceremonies.
- ○ The **Facilities access** section reiterates students legal right in Oregon to use school facilities such as restrooms, locker rooms, and showers in a manner consistent with their gender identity.
- ○ The next section outlines legal requirements related to **Instructional Materials, Education Standards, and Opt-Out**. Some specific areas included are the Oregon instructional materials adoption process, within health and comprehensive sexuality education, physical education, social science ethnic studies, and social emotional learning framework and standards.
- ○ The **School Programs and Activities section** outlines legal requirements related to Gender-based activities, student organizations or GSAs, athletics, and travel within educational contexts.
- ○ The **Staff Training and Support section** recommends that school staff receive training or information on what constitutes gender identity discrimination and how to report it.
- ● **Section 2**: Complaint Processes
  - ○ If a gender expansive student believes they are experiencing unreasonable different treatment because of their gender identity, they can file a **discrimination complaint** with their school or district. Oregon and federal law prohibit discrimination based on gender identity, and require schools to have a process in place to respond to complaints of gender identity discrimination.
  - ○ Complaints may also be made related to **Division 22** requirements, as outlined in the Instructional Materials, Standards, and Opt Out section.
    - ■ For example, a district could receive a complaint if they are

- ■ intentionally excluding all content related to gender identity or sexual orientation from a Health Education course, when it is required by the Sexuality Education Rule in Division 22.
  - ○ Additionally, the complaint OARs were recently updated to clarify that a third party (such as a CBO) can file a complaint on behalf of a student within the school district complaint process.

Guidance Supplemental Resources Overview

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Tools for School Staff
Educators, GSA Advisors, School-Based Health and Mental Health Professionals, Administrators

❑ **Gender-Affirming Schools Action Plan** (Word, PDF)
❑ **Student Support and Safety Plan Template** (Word)
❑ **Affirming Gender, Names, and Pronouns in Student Information Systems** (PDF)
❑ **Gender Expansive Individual Education Program** (PDF)

Tools for Students, Parents, Families, and Community Based Organizations

❑ **Gender-Affirming Care Resources** (PDF)
❑ **Oregon K-12 Discrimination Complaint Process FAQ** (PDF)
❑ **Supporting LGBTQ2SIA+ Students in Oregon** (PDF)

27

These resources were developed at the request of community members.

<mark>Paste chat link below:</mark>
- Guidance webpage (has supplemental resource links): https://www.oregon.gov/ode/students-and-family/equity/civilrights/Pages/Gender-Identity-Guidance.aspx

Notes:
- Alongside the guidance, ODE is releasing a set of tools that offer districts best practices and recommendations to implement gender-affirming practices each day.
- There are resources designed to support administrators and school staff, including an action planning tool, a student support and safety plan template, a guide for changing name and gender marker within student information systems, and a document explaining the gender expansive individual education program (IEP) template updates.
- There are also several student and family-facing resources on filing discrimination complaints, accessing gender-affirming care, and asking for support in schools.

Specific needs? Check out the LGBTQ2SIA+ Student Success **Resources webpage**

What are districts and schools in Oregon expected to do?
- ❑ Laws, Rules, and Guidance
- ❑ Oregon Standards & Performance Indicators

What do the LGBTQ2SIA+ student data tell us?
- ❑ LGBTQ2SIA+ Data
- ❑ Improving LGBTQ2SIA+ Data Collections

How do we create inclusive and affirming school communities?
- ❑ Planning Tools and Frameworks for Administrators
- ❑ Inclusive Materials & Practices for Educators
- ❑ Safer Affirming Spaces: Athletics, Facilities, Activities, and Clubs
- ❑ Professional Development Opportunities

What supports are available for youth and families?
- ❑ Student & Youth Resources
- ❑ Parent, Family, & Caregiver Resources
- ❑ How to File a Complaint or Appeal

How do students and families access affirming healthcare in Oregon?
- ❑ Mental Health & Crisis Response
- ❑ Gender Affirming Care Resources

19

Paste chat link below:
- LGBTQ2SIA+ Student Success Resources Page: https://bit.ly/ODE-LGB-resources

- We are thrilled to announce we have a new resource to offer districts this year, the **Resources webpage**, developed in alignment with the Student Success Plan.
- The page has a LOT of different access points, in order to be useful to administrators, educators, school health providers, families, and students. The resources are sorted into dropdowns, based on the questions you see in these colored boxes on the screen.
- We wanted to mention this page during this webinar for applicants to consider in researching best practices and/or Oregon LGBTQ2SIA+ data to demonstrate the need for their project

VII. Everyday Examples
Scenarios for supporting students

What does this look like in schools

How would you respond to create safe, affirming school communities for LGBTQ2SIA+ students?

In pairs or small groups, discuss the scenario of your choice.

- What affirming next steps would you take?
- What actions, policies, etc. are needed at the classroom, school, or community level to address the scenario?
- Can you anticipate any challenges? How will you address them?

Utilize the LGBTQ2SIA+ Student Success Plan, the Gender Expansive Student Guidance, and/or the Gender-Affirming Schools Action Plan to brainstorm your response, if needed.

Read directions

Scenario 1: Virtual Classroom Dynamics

Ash uses they/them pronouns, which they have displayed in their virtual classroom name. A few months into the school year, Ash's parents email an administrator to say that Ash has shared they don't want to go to school because they keep getting misgendered. Ash has to repeatedly remind students, and sometimes teachers, to use they/them pronouns for them. Ash's parents enrolled them in the virtual school because they were being bullied at their old school based on their gender identity and heard this school was more LGBTQ2SIA+-friendly, but the repeated misgendering is bringing up bad memories for them.

Scenario 2: Starting a GSA

A group of 7th grade students submit a petition to the school asking to start a Rainbow Club for LGBTQ2SIA+ students. The school Principal asks for a group of staff volunteers to research best practices in order to start a club "safely and sensitively," and to make sure the club doesn't upset any families in the school community.

Scenario 3: Class Trip

A high school robotics team is going to a competition in Washington, D.C. There are 4 girls and 10 boys on the team, but only 8 students can go on the trip. One of the seniors on the team, Sofia, is a transgender girl who came out to the team last year. While most of the team was supportive, a few were not. The club's advisor teacher is talking to a colleague about the trip and mentions it would be easiest to select a group of 8 students who did not include Sofia, to avoid any uncomfortable group dynamics and to make hotel logistics easier.

22

Give a short description of each scenario

TIMING:
5-7 minutes to discuss in groups
10-15 minutes to debrief

V. Next Steps

Kate

LGBTQ2SIA+ Affirming School Communities

Everyone plays a role!

| Safer School Spaces | Supportive Peers | Supportive Educators |
| Supportive Families | Activities and School Clubs | Inclusive and Affirming Curriculum |

Angie

Everyone plays a role in supporting LGBTQ2SIA+ Affirming School Communities.

- School administrators can use it to think about policies and practices
- Individual students and families can reference to consider what supports a student may request, after coming out
- Coaches and club advisors can use it to create safe and affirming environments, like travel experiences or field trips

What can school administrators do?
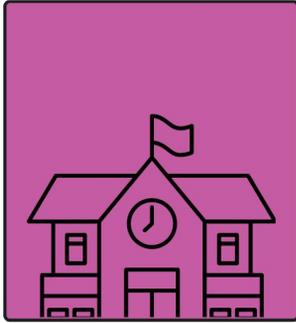
- Ensure school staff, students, and families are aware of support options available
- Review the guidance in consultation with legal counsel to discuss any needed policy or procedural updates for the school
- Consider what supportive professional development might be needed to support staff
- Consider future fiscal needs: facility updates, resources, etc.

Angie

Axis of LGBTQ2SIA+ Student Support

Proactive (Harm Prevention)

Visible pride event or celebration

Tolerant — Inclusive — Affirming

Name/gender change available in SIS system

Non-discrimination policy or statement

Reactive (Responding after Harm)

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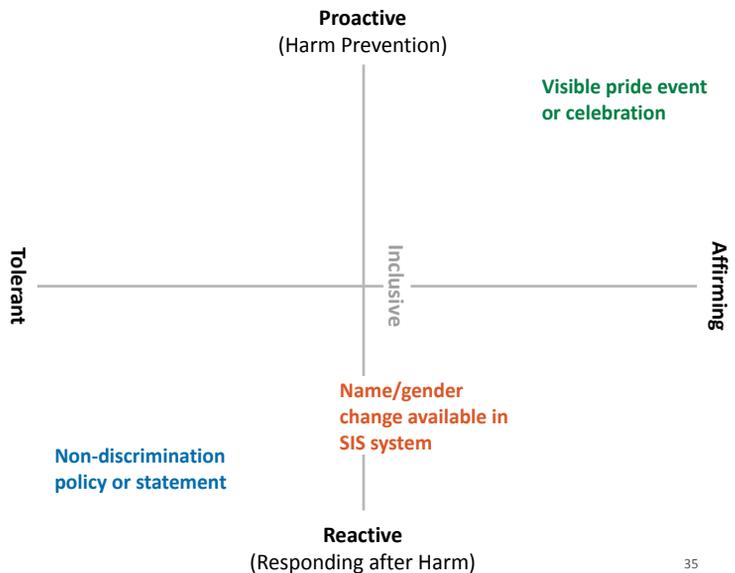
35

- Introduce this concept of the axis of student support
  - We made this quick visual tool to get you thinking about how your district might currently be offering support, so you can continue to strengthen support for affirming school communities
  - All areas of the axis are useful and often necessary for culture change and growth within a community
  - Anywhere on this axis assumes support, and in our goal of meeting districts where they are, we sometimes do have to start from tolerance, before we can get to celebrating or affirming student identities (tolerance vs. inclusion vs. affirmation)
  - We may not realize we need to support students, until a request has been made, or after bullying or another support need comes up (reactive vs. proactive)
- We're going to ask you in the next slide to reflect on what is already happening in your communities, and then map a few of the examples onto this axis so you can consider the difference between tolerance-inclusion-affirmation and between reactive and proactive or

- preventative

Examples

- Expand GSA/QSA group for Elementary students and families
- All Staff PD Training about LGBTQ2SIA+ affirming language and practices
- Create LGBTQ2SIA+ staff affinity group
- Host a Pride event for students and families
- Update dress code policy

- Create School climate survey (or take OHA Student Health Survey)
- Facilities updates for all-gender restrooms
- Curriculum & resource audit for LGBTQ2SIA+ standards, inclusive materials, inclusive subject matter, and library materials
- Create a student resource closet that includes gender-affirming clothing, supports, etc.

Kate

Reflection & Planning Worksheet

In working toward LGBTQ2SIA+ Inclusive and Affirming School Communities…

- <u>Part 1</u>: Answer the reflection questions with a few honest thoughts/examples

- <u>Part 2</u>: Map a few of the current actions your school is taking onto the axis of support

We'll ask folks to share out a few reflections with the whole group

Worksheet link:
https://docs.google.com/document/d/1IUwz8ekr8hsYBE58sL0jd-grqBH6wav91UdhYKJ-Z0k/copy

VI. FAQs and Open Q&A

Questions? Please send all questions relating to the guidance to
LGBTQ2SIA.Success@ode.oregon.gov

Time remaining - any questions?

Thank you!

access a PDF of the slides

Visit the ODE **Guidance Webpage**

Questions? Email LGBTQ2SIA.Success@ode.oregon.gov

Stay in the know. Subscribe to the LGBTQ2SIA+ Student Success Listserv

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30

Kate

- Supporting Gender Expansive Students Guidance webpage: https://www.oregon.gov/ode/students-and-family/equity/civilrights/Pages/Gender-Identity-Guidance.aspx
- Questions? Connections? Email LGBTQ2SIA.Success@ode.oregon.gov
- LGBTQ2SIA+ Student Success Listserv link to subscribe: https://public.govdelivery.com/accounts/ORED/subscriber/new?topic_id=ORED_178

How do I communicate about the Guidance to my community?

Questions? Please send all questions relating to the guidance to LGBTQ2SIA.Success@ode.oregon.gov

Public-facing communications to lean on:
- ODE Press Release, Jan 5, 2023
- Op-ed authored by Governor Kate Brown and ODE Director Colt Gill, Jan 5, 2023
- Letter from the Director and Introduction in Guidance (pg. 4-7)
- School District Communications Toolkit sent directly to all Oregon Superintendents on 1/18
- See **K-5 Messaging ideas** in Welcoming Schools Back-to-School Kit 2022-2023 School Year, by HRC Foundation

41

Kate - 3-4 minutes

Chat links:
What to say? Public-facing communications to lean on:
-ODE Press Release, Jan 5, 2023:
https://content.govdelivery.com/accounts/ORED/bulletins/340c2a0
-Op-ed authored by Gov. Kate Brown and ODE Dir. Colt Gill, Jan 5, 2023:
https://www.portlandtribune.com/townnews/education/opinion-column-oregon-schools-need-to-be-open-and-welcoming-to-all-students-including-out/article_67e1474e-8d40-11ed-9930-375fc7f5bdae.html
-Letter from the Director and Introduction in Guidance (pg. 4-7):
https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Supporting-Gender-Expansive-Students.pdf

Angie/Kate will reference the School District Comms Toolkit as needed, to answer questions, but aren't planning on sharing it otherwise.

Not mentioning this for now -

- In order to support school districts who are responding to frequently asked questions related to the guidance, a School District Communications Toolkit was developed and sent to Superintendents in late January. Districts were encouraged to use the toolkit to proactively address challenging questions from community members with the goal of success and safety for gender expansive students.
    - [If asked] We are not sharing that document widely at this time, but we encourage ODE staff to please send any and all questions to the LGBTQ2SIA.Success@ode.oregon.gov inbox, so we can help you answer them.

How can I support parents and caregivers with diverse opinions?

Questions? Please send all questions relating to the guidance to LGBTQ2SIA.Success@ode.oregon.gov

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43

- Meet families where they are through **meaningful engagement** and listening
- Research shows **supportive families** increase student success and decrease suicide ideation (source)
- Work with individual students to prioritize their **safety and privacy needs**
- **Case-by-case** supportive resources:
  - Consult legal counsel
  - Refer to Guidance sections and examples
  - Student self-determination
  - Parent, Family, & Caregiver Resources dropdown on ODE LGBTQ2SIA+ Resources page

Karin - 3-4 minutes

Chat links:
Family Acceptance Data:
https://www.lgbtmap.org/policy-and-issue-analysis/advancing-acceptance-for-parents
ODE LGBTQ2SIA+ Resources page Parent, Family, & Caregiver Resources dropdown:
https://www.oregon.gov/ode/students-and-family/equity/LGBTQ2SIAStudentEducation/Pages/LGBTQ2SIA--Resources.aspx

Speaking notes:
[Responses/language pulled from SD Comms Toolkit]

- Parent support and involvement is a priority for ODE and we believe it should be for school districts;
  - The LGBTQ2SIA+ Student Success Plan, which mirrors all the other identity-specific student success plans, lists several strategies underneath the "Supportive Families" objective, which includes

- - outreach and meaningful engagement strategies to ensure parental support and communication
- Research shows that gender expansive youth with supportive parents "report higher life satisfaction, higher self-esteem, [and] better mental health including less depression and fewer suicide attempts" than those without strong parental support.
- Direct requests for support for gender expansive students that schools and districts receive often come from parents and caregivers themselves.
  - We know not every student has a supportive home, school, and community environment, so when students request support and identify that notifying their family may be a safety concern, we do encourage schools to prioritize the student's safety within all school environments.
  - This is usually the exception, not the rule.
- Decisions should always be on a case by case basis. Districts should consider:
  - Consulting with legal counsel
  - Refer to specific guidance sections and examples for legal requirements, policy interpretation, and best practice recommendations
  - Prioritize student self-determination of safety and privacy needs - they know themselves and their home environment best
  - ODE compiled resources for districts to consider sharing with parents and caregivers in their communities, including research, local resources and support groups,

What supports can students request?

How do I file a complaint?

Questions? Please send all questions relating to the guidance to LGBTQ2SIA.Success@ode.oregon.gov

- Familiarize yourself with the **supports that should be available** to LGBTQ2SIA+ students within public schools on the supplemental resource entitled Supporting LGBTQ2SIA+ Students in Oregon

- Review the **Complaint Processes** Section 2 of the guidance, pg. 35-40

- The K-12 Discrimination Complaint Processes FAQ supplemental resource outlines Frequently Asked Questions related to filing a Discrimination complaint or appeal
  - Complaint procedures OAR was recently updated to clarify that **third parties can file a complaint** on behalf of a student/parent

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Kate - 3-4 minutes

Chat links:
Supporting LGBTQ2SIA+ Students in Oregon Link:
https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Supporting-LGBTQ2SIA-Students.pdf
K-12 Discrimination Complaint Processes FAQ Link:
https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Discrimination-Complaint-FAQ.pdf
Complaint procedures OAR:
https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=300069

Notes:
- If a gender expansive student believes they are experiencing unreasonable different treatment because of their gender identity, they can file a discrimination complaint with their school or district, as well as Division 22 complaints related to Division 22 OARs, such as inclusion of gender and sexual orientation within sexuality education.
- The complaint procedure OAR was recently updated to clarify that third

- parties can file a complaint on behalf of a student/parent

What about Student Information System (SIS) support?

Questions? Please send all questions relating to the guidance to LGBTQ2SIA.Success@ode.oregon.gov

- Review the Student Records Section 1.f. of the guidance, pg. 17-20 for records laws and policies
- The Affirming Gender, Names, and Pronouns in Student Information Systems (SIS) supplemental resource outlines best practices and common practices to consider
  - Multiple options may exist within some systems; consider what is most supportive to students
- You may need to connect with your SIS vendor to learn about system-specific options and processes

Karin - 3-4 minutes

Chat links:
Affirming Gender, Names, and Pronouns in Student Information Systems (SIS) Link:
https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/ODE-Name-Gender-Changes-SIS.pdf

What are some best practices for gender-affirming restrooms and locker rooms?

Questions? Please send all questions relating to the guidance to
LGBTQ2SIA.Success@ode.oregon.gov

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- On signage, prioritize symbols and words relating to **facilities offered**, not gender/sex (see example)
- For new construction, locker rooms could be **designated by team**, rather than gender/sex
- For retrofit improvements, consider adding **private changing spaces** to support student privacy for all genders
- Single-user restrooms or separate overnight rooming can be offered to gender-expansive students, but *not as the only option*
- Gender-neutral/all-user restrooms should be available: **at all times, unlocked, and conveniently located**
- Proactively ask gender expansive students about their **safety needs** and which room assignments, restroom, and changing facilities would be the most supportive and available during travel and away games

Kate - 3-4 minutes

Chat links:
Inclusive signage example:
https://www.instagram.com/reel/Copgzwsu8j2/?igshid=MjkzY2Y1YTY%3D

Notes:
- **Oregon state law affirms** that students have the right to use school facilities such as restrooms, locker rooms, and showers in a manner consistent with their gender identity
- Lean on "Responding to discomfort" talking points from draft Facilities resource if needed, based on questions that ask about cisgender staff/student discomfort

35

What LGBTQ2SIA+ affirming curriculum and standard supports are available?

Questions? Please send all questions relating to the guidance to LGBTQ2SIA.Success@ode.oregon.gov

LGBTQ2SIA+ Resources webpage includes supplemental materials and resources:

- LGBTQ2SIA+ Inclusive Instructional Materials Examples Resource, ODE
- Oregon Health & Sex Ed Topic Categories and Essential Questions, ODE
- Sex Ed Open Learning Collection Lessons, ODE
- Creating Safer Spaces Toolkit, Advocates for Youth (includes gender affirming language strategies for adapting materials)
- Principles for Gender Inclusive Puberty and Health Education, Gender Spectrum
- Yes! But How? LGBTQ+ Inclusion for Educators, New York City Department of Education

36

Karin - 3-4 minutes

Chat links:
LGBTQ2SIA+ Resources webpage:
https://www.oregon.gov/ode/students-and-family/equity/LGBTQ2SIAStudentEducation/Pages/LGBTQ2SIA--Resources.aspx

What professional development (PD) resources are available?

Questions? Please send all questions relating to the guidance to
LGBTQ2SIA.Success@ode.oregon.gov

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- See Professional Development dropdown on LGBTQ2SIA+ Resources webpage
- Additional **topic-specific resources** sorted by LGBTQ2SIA+ Student Success Plan strategy and Oregon laws are outlined in the Gender-Affirming Schools Action Plan (Tip: search using CTRL+F for keyword). *For example, "pronouns" lead to pg. 3:*
  - *Pronoun Resources, ODE 2021*
  - *Affirming Language Ideas (pg. 32-33)*
- Subscribe to the ODE LGBTQ2SIA+ Student Success Listserv for related and timely opportunities
- *Stay tuned for new Supporting Gender Expansive Students Guidance PD offerings*

37

Kate - 3-4 minutes

Folks asked about pronoun practice and other ready-to-go PD opportunities.

Chat links:
See Professional Development dropdown on LGBTQ2SIA+ Resources webpage:
https://www.oregon.gov/ode/students-and-family/equity/LGBTQ2SIAStudentEducati
on/Pages/LGBTQ2SIA--Resources.aspx
Gender-Affirming Schools Action Plan (PDF) link:
https://www.oregon.gov/ode/students-and-family/equity/civilrights/Documents/OD
E-Gender-Affirming-Action-Plan.pdf
LGBTQ2SIA+ Student Success Listserv link to subscribe:
https://public.govdelivery.com/accounts/ORED/subscriber/new?topic_id=ORED_178

Karin

Speaking Notes:
- Coaches and school leaders should **proactively inquire about the available facilities options *without* outing** a gender expansive student's identity.
  - <u>Why?</u> Sharing a student's identity without their permission may increase hostility, bullying, or harassment during away games or overnight trips.

What are some best practices for gender-specific programming?

Questions? Please send all questions relating to the guidance to LGBTQ2SIA.Success@ode.oregon.gov

- Review the Gender-Based Activities and Single-Sex Programs Section 1.i.i. of the guidance, pg. 31-32 for laws and policies
  - Single-sex programs should be rare in public education (see Title IX guidance)
  - When programs are single-sex or sex-segregated, clearly communicate inclusion and options for gender expansive students
- Consider naming conventions that will be welcoming to all students
  - Ex: royal court instead of prom king and queen, All Kids Code instead of Girls Who Code

Kate

Speaker Notes:

- "The most inclusive option is to eliminate or limit gender-based and single-sex programs in order to avoid creating uncomfortable or unwelcoming environments." - GESG, pg. 32
- When programs are separated, clearly communicate inclusion and options for gender expansive students.
  - Ex: Comprehensive sex education curriculum, if separating by sex: "In cases where students are separated, gender expansive students must be permitted to participate in accordance with the student's asserted gender identity, or within whichever section they are most comfortable. As a trauma-informed best practice, all students should be informed ahead of time that they will need to decide which group to attend so that gender expansive students have ample time to ask for support if needed. Schools should also be aware that some gender expansive students may not feel comfortable participating in either gender-specific group, and schools should be prepared to accommodate all students who do not feel safe or comfortable within

- gender-specific sexuality education lessons." - GESG, pg. 28