

Transgender Student Policy Recommendations for Virginia's K-12 Schools



Submitted to the Virginia Department of Education June 25, 2020

Introduction

The 2020 Virginia General Assembly enacted HB145/SB161 which requires the Virginia Department of Education (VDOE) to develop guidance concerning the treatment of transgender students in public schools in accordance with evidenced-based best practices and to set forth information, guidance, procedures, and standards. Specifically, the bills require:

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Voices from Virginia students, families, and educators on the importance of this work:

From a student: *“If you are going to let your personal beliefs in general get in the way of anything, you shouldn’t be there. If you are going to discriminate against a certain type of people because of how they feel about themselves, that’s not okay.”*

From an educator: *“I think a lot of teachers are scared in the moment and don’t know what to do. They need training on how to respond, what to do, and know their administration has their back.”*

From an educator: *“All schools are in this together and we don’t need to do this on our own and we can share resources.”*

From an educator: *“We need to respect student’s voices and educate staff and have accountability.”*

From an educator: *“Our GSA was just on the news this time last year. Our GSA put up some fliers and parents got mad and the fliers were taken down the next day. The day after that the kids decided to... and they came to school and were saying: Burn the gays. And they were marching down the halls saying this and there really wasn’t any action done. These kids didn’t have consequences and therefore their action went unmet.”*

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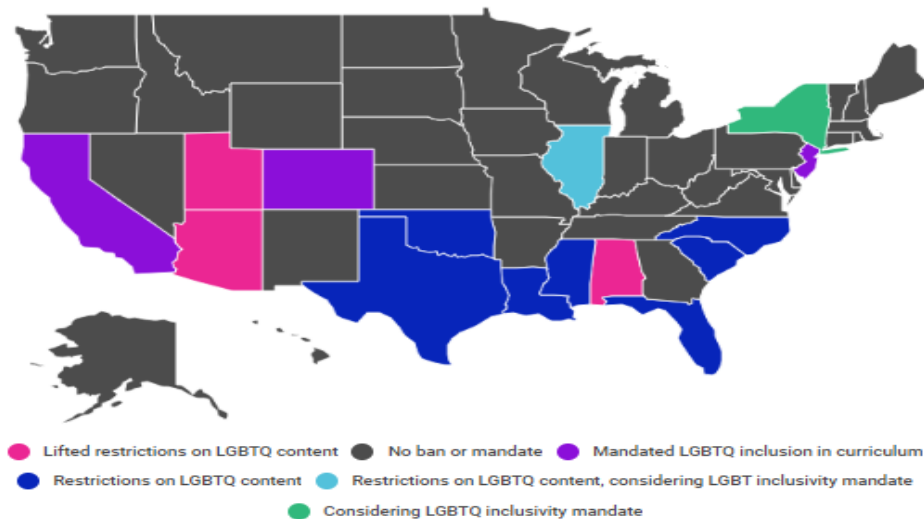
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From a parent: “*Please provide safe and affirming places for our children. Get rid of gender expectations, allow someone to change the data they were tagged with at birth- by mistake.*”

Fifteen states now have state-specific laws which protect students in K-12 schools from discrimination on the basis of sexual orientation and/or gender identity (GLSEN, 2019). GLSEN reports that schools with LGBTQ-inclusive curricula have students who are “more likely to report feelings of acceptance toward LGBTQ students and have lower rates of student absenteeism linked to feeling unsafe.” As of June 11, 2019, there were a growing number of states which offered and required LGBTQ-inclusive curricula:

LGBTQ-inclusive curriculum across the U.S.



LGBTQ-inclusive curriculum state laws
Source: State Assemblies and Senates

There are already a number of national publications which are available to assist schools in becoming inclusive of sexual and gender diverse youth. One of the first guides was published by Lambda Legal in 2009 called [Bending the Mold: An Action Kit for Transgender Students](#). Since then, there have been numerous research-based resources on how schools can and should support transgender students. [Schools In Transition A Guide for Supporting Transgender Students in K-12 Schools](#) (2015), [Speak Up at School: How to Respond to Everyday Prejudice, Bias, and Stereotypes](#) (Teaching Tolerance, 2012), [Transgender Students and School Bathrooms: Frequently Asked Questions](#) (Gender Spectrum, n.d.), [Examples of Policies and Emerging Practices for Supporting Transgender Students](#) (US Department of Education, May 2016), and [Gender Inclusive Schools FAQs](#) (National Association of School Psychologists and Gender Spectrum, 2016) provide guidance on creating gender-inclusive schools.

Virginia-based LGBTQ+ and allied organizations have developed the following guidance recommendations based on best practices nationally. We hope to work with the VDOE to develop policies that are inclusive and affirming for transgender students in Virginia.

In 2020, the American Psychological Association (APA) and National Association of School Psychologists (NASP) updated the *Resolution on Supporting Sexual/Gender Diverse Children and Adolescents in Schools*. In doing such they conclusively stated that “*all persons, including children and adolescents who are diverse in their sexuality and gender identities, expression, and/or presentation, have the inherent human right to equal opportunity and a physically and psychologically safe environment within all institutions.*” As such, we thank the VDOE for helping us to ensure that Virginia’s transgender youth are able to thrive in schools which understand, advocate for, and support them.

The following resources are provided to the Virginia Department of Education (VDOE) and local education agencies (LEAs) as guidance for the implementation of HB 145 and SB 161. The laws require school districts to adopt eight tenants of inclusive education but do not provide the level of guidance and support schools will need to meet these necessary objectives. This guide is intended to make implementing these laws accessible and feasible for school districts and educators. These recommendations are based in best practices in use in schools; on survey responses and focus groups lead by Side by Side with transgender students, parents of transgender students, and educators across Virginia; and empirically-validated practices and resources published by national LGBTQ+ organizations and experts in education and mental health.

The following organizations have provided input on and approve the following proposed guidance:

- [Equality Virginia](#)
- [Side by Side VA, Inc.](#)
- [Rainstorms to Rainbows](#)
- [FCPS Pride](#)
- [National Center for Lesbian Rights](#) (NCLR)

Respectfully,

Vee Lamneck (they/them), Executive Director, Equality Virginia

Ted Lewis (they/them), Executive Director, Side By Side

Helen Mays (they/them), Richmond Program Coordinator, Side By Side

Amy Cannava (she/her), Nationally Certified School Psychologist

Guidance Recommendations

1. Compliance with applicable non-discrimination laws

Goal: Ensure school non-discrimination policies are aligned with current Virginia law as well as federal law.

Guidance for Schools:

- Update non-discrimination policies to include sexual orientation and gender identity in line with current Virginia law which now includes the **Virginia Values Act** as of July 1, 2020. Non-discrimination policies should further note that discrimination based on sexual orientation and gender identity violate federal sex discrimination laws such as **Title IX**. Courts have consistently upheld the authority of school districts to adopt and implement policies that ensure transgender students have equal access to education, including access to sex-separated facilities and activities, as well as held that denying transgender students such access violated federal law. Although the United States Department of Education (DOE) has released several documents that conflict with those rulings, the federal courts have the ultimate authority to interpret federal law, calling into serious question the ongoing validity and enforceability of DOE's position on Title IX.
- Update all documents, including student handbooks, websites, etc. with the correct information and explicitly list sexual orientation and gender identity as protected categories.
- Develop a clear process for students to report discrimination, including anonymous reporting for students. Ensure the system in place also addresses concerns with a process that holds perpetrators of discrimination accountable. Consequences should be restorative with the purpose of improving understanding, relationships, and school climate.
- The **14th Amendment** of the US Constitution states that all citizens must be treated equally under the law.
- Attorney General Mark Herring's **2015 opinion on school boards' authority**, encouraged localities to enact nondiscrimination policies that include sexual orientation and gender identity.
- On June 15, 2020 the US Supreme Court ruled in a 6-3 decision that **Title VII of the Civil Rights Act of 1964** does include protections based on sexual orientation and gender identity. *Bostock v. Clayton County, Georgia; Altitude Express Inc. v. Zarda; R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission*. (https://www.supremecourt.gov/opinions/19pdf/17-1618_hfci.pdf). This decision also clarifies the meaning of "sex" in other federal antidiscrimination laws – many of which were modeled after Title VII – and includes transgender students. Thus, discriminating against transgender individuals in schools violates Title IX of the Education Act of 1972,
- The **Family Educational Rights and Privacy Act (FERPA)** protects personal protected information (PPI) about students in school records—including sexual orientation and gender identity—and in most circumstances prohibits release of this information without consent.
- The **First Amendment** of the U.S. Constitution protects the right of students to free speech and freedom of expression, including expression of one's gender identity. Courts have also recognized that LGBTQ people have a constitutional privacy interest in their sexual orientation and gender identity.

Why this is Important:

- Having an inclusive non-discrimination policy lays the foundation for an inclusive environment in which all students feel safe and supported in their learning while also providing legal protections for all students (*Note: School Board policies do not provide legal rights; these rights flow from state and federal law which are then utilized in School Board policies).
- A **2017 survey from GLSEN** (Gay, Lesbian, and Straight Education Network) shows that verbal harassment decreases significantly in schools with LGBTQ-inclusive anti-bullying policies. Additionally, employees of these districts are more likely to intervene when they witness instances of harassment ([Equality Virginia](#)).

Resources on writing LGBTQ-inclusive non-discrimination policies are available:

- GLSEN and NCTE [Model School Policy on Transgender and Gender Nonconforming Students: Model Language, Commentary, and Resources](#) (2018)
- Equality Virginia's [Model Policy to Address Bullying, Harassment and Intimidation](#)
- GLSEN's [Respect for All](#)
- [State Policy Guidance for Transgender and Gender Diverse Students](#) (Gender Inclusive Schools) and [Gender Inclusive Schools Policy Builder](#)

We wish to recognize the following Virginia school districts who have already passed a non-discrimination policy that includes sexual orientation and gender identity:

- [Albemarle Public Schools](#) (including policy on [Sexual Harassment](#))
- [Alexandria City Public Schools](#)
- [Arlington Public Schools](#) (including policy on [Transgender and Gender-nonconforming Students](#) to be passed in 2020)
- [Charlottesville Public Schools](#)
- [Falls Church City Public Schools](#)
- [Fairfax County Public Schools](#)
- [Loudoun County Public Schools](#)
- [Lynchburg City Schools](#) (May 2020 Updated guidance)
- [Manassas City Public Schools](#) (and [Prohibition Against Harassment and Retaliation](#))
- [Norfolk Public Schools](#) (see Freedom From Discrimination, page 20)
- [Prince William County Schools](#)
- [Richmond Public Schools](#) (see Harassment, page 4)
- [Stafford County Public Schools](#)
- [Virginia Beach City Public Schools](#)

Voices from Virginia students, families, and educators on why compliance with applicable non-discrimination laws matters:

From a parent: *“One thing for us to keep in mind—the children we really need to put policy in place for are the ones that don’t have parent support. We don’t want a kid to have to be out, and need their parents to advocate for them, for them to have their rights and be supported in schools.”*

From an educator: *“All students deserve to feel safe while at school. There needs to be a zero-tolerance policy for bullying of any kind, and staff and students need to be observant and diligent in preventing issues.”*

From a student: *“because students should be focusing on their education, and they can’t if they feel unsafe!!”*

2. Maintenance of a safe and supportive learning environment free from discrimination and harassment for all students

Goal: Ensure all students, including transgender students, are able to learn and grow in a loving and accepting community.

Guidance for Schools:

- Schools may wish to designate a point-of-contact or team of knowledgeable and affirming staff members to develop plans and procedures for transgender youth and hear concerns brought by students/families/staff. While a district-level team is also recommended should concerns not be adequately addressed at the school level, students and families should not be sent out of a school (or asked to talk to district administration) to be heard and validated.
- As part of schools regular mandated professional development, require professional development for all school staff, licensed and unlicensed, on how to best support transgender students. These trainings should encompass:
 - LGBTQ+ 101
 - How to prevent, identify, and then intervene effectively with bullying of LGBTQ youth (to include microaggressions by staff)
 - Knowledge of community/local affirming resources
 - Training in Affirmative Practices for all school based mental health staff
- Professional development can be in-house by knowledgeable staff or through outside organizations which specialize in LGBTQ+ youth:
 - [American Counseling Association](#) (in partnership with HRC)
 - [Garden State Equality](#) (New Jersey)
 - [Gender Conference East](#) (Professional and Family Tracks available)
 - [GLSEN](#)
 - [HRC's Welcoming Schools Training](#) (for Elementary)
 - [HRC's Time to Thrive](#) (Education and Mental Health Conference)
 - [Rainstorms to Rainbows](#) (LGBTQ+ Consulting and Counseling)
 - [Safe Spaces and Affirming Faces: Supporting LGBTQ Youth in Schools](#) (Grades 5-12)
 - [Safe Schools Project](#) (Santa Cruz)
 - [Safe Zone Project](#) (free, virtual)
 - [Side by Side, Inc.](#)
 - [Teaching Tolerance](#) (webinars)
 - [Understanding and Overcoming the Challenges Faced by Lesbian, Gay, Bisexual, Transgender, Questioning, and Intersex Youth](#) (Webinar Series by the National Training and Technical Assistance Center)

Voices from Virginia students, families, and educators on why maintenance of a safe and supportive learning environment free from discrimination and harassment is imperative for all students:

From an educator: “School personnel need training on how to prevent bullying, how to respond in the moment of a situation, and how to handle the postvention properly.”

From an educator: “Training, understanding, compassion, and the ability to give each kid the respect and dignity deserved.”

Additionally, it is imperative to expect and support inclusive curriculum that positively includes transgender people with age-appropriate lesson plans in all subjects and at all grade levels. [Ready, Set, Respect!](#) (GLSEN, 2016) and [Welcoming Schools](#) (HRC, 2006) provide tools to help elementary school educators ensure that all students feel safe and respected and develop respectful attitudes and behaviors. Research shows that any mention of LGBTQ people/issues in class increases individual students’ feelings of safety (Burdge, H., Sinclair, K., Laub, C., Russell, S. T. (2012). [Lessons That Matter: LGBTQ Inclusivity and School Safety](#). (Gay Straight Alliance Network and California Safe Schools Coalition Research Brief No. 14). San Francisco, CA: Gay-Straight Alliance Network). [Creating an LGBTQ-Inclusive Curriculum: A Guide for Secondary Schools](#) (Stonewall, 2017) is a guide sponsored by Pearson that delineates inclusive curricula by subject.

Examples of subject-specific curricula and lesson plans by subject:

- [Physical Education](#) (Shape America)
- **English** [Lesson Plans](#)
 - [Equity by Design](#)
- **Math**
 - [How Do We Make Math Class More Inclusive of Trans and Non-binary Identities](#) (GLSEN)
 - [Mathematical Inqu\[ee\]ry: Beyond ‘Add-Queers-andStir’ Elementary Mathematics Education](#) (Rands, 2009) - 6 Lesson Plans for 1st and 3rd-5th grades)
 - [Supporting Transgender and Gender-Nonconforming Youth Through Teaching Mathematics for Social Justice](#) (Rands, 2012)
 - [LGBTQ STEM](#)
- **History** [Lesson Plans](#)
 - California’s *Fair, Accurate, Inclusive and Respectful Act* (2011) required increased diversity in education across racial, ethnic, sexuality, and gender. [Teaching LGBT History: An Educator’s Guide](#) (2019) provides a scope and sequence for teaching as well as accompanying resources. As it relates to LGBTQ+ youth, the following was recommended by grade:
 - 2nd: Family diversity, including LGBT-headed families
 - 4th: Gender during the California Gold Rush / Charley Parkhurst
 - 5th: Westward Movement and Gender; Two-Spirit Native American Tradition

- [8th](#): Constitution (14th Amendment); Gender in Westward Movement (Charley Parkhurst); Slave Life and Families; Civil War
- [11th](#): Women's Rights (Romantic Friendships); Military (World War II, Don't Ask Don't Tell); Harlem Renaissance (1920s); Lavender Scare (1950s); Laws and Court Cases; AIDS; LGBT Rights as a Social Rights Movement; People and Organizations
- [Safe Schools Project](#) - Monthly LGBTQ+ History Topics
- [LGBTQ Rights Milestones Fast Facts](#) (CNN, May 2020)
- The following organizations are dedicated to documenting LGBTQ+ History:
 - [Rainbow History Project](#) (DC-based)
 - [Latino GLBT History](#)
 - [Making Gay History](#)
 - [Digital Transgender History Archives](#)
- **Gifted** - [LGBTQ Diversity Toolbox for Teachers of \(Gifted\) Students](#) (National Association of Gifted Children)
- **Science** [Lesson Plans](#)
 - [500 Queer Scientists](#)
 - *6 Ways I Make My Science Class LGBTQ-Inclusive as a Trans Teacher*
 - Bill Nye [Sexuality and Gender Spectrum](#)
 - Crash Course Psychology [Human Sexuality is Complicated](#)
 - [LGBTQ STEM](#)
 - [LGBTQ Science and Research Resources](#) (APA Division 44)
- **Music** [Lesson Plans](#)
 - [The ABCs of Creating the LGBTQ-Friendly Classroom](#) (National Association of Music Education, 2016)
 - [The LGBTQ Component of 21st-Century Music Teacher Training: Strategies for Inclusion from the Research Literature](#) (Garrett, 2012)
- **[Socio-Emotional Learning \(GLSEN\)](#)**
 - [ASSET: Affirmative, Supportive, Safe, and Empowering Talk](#)
 - [Best Practices for School Counselors Working with Transgender Students](#) (American Counseling Association)
 - [Gender Inclusive Schools: Counseling and Supporting Students and Families](#) (NASP and Gender Spectrum)
 - [It Gets Better: A Group Experience for LGBTQ Youth](#) (Catherine Griffith)
 - [Supporting Safe and Healthy Schools for Lesbian, Gay, Bisexual, Transgender and Queer Students: A National Survey of School Counselors, Social Workers, and Psychologists](#) (GLSEN, 2019)

NOTE: Free crisis counseling and suicide prevention is available for LGBTQ+ Youth from [The Trevor Project](#).

Additionally, it is recommended that schools:

- Provide positive LGBTQ+ books, videos, and other resources in school libraries that are developmentally appropriate, recognizing that students themselves may be LGBTQ+ or have family and friends who are. Recommended books by age group are as follows:

Grade	Title	Author
PreK	Heather Has Two Mommies (2017)	Lesléa Newman
PreK	Introducing Teddy: A Gentle Story About Gender and Friendship (2016)	Jessica Walton
PreK	Last Week Tonight with John Oliver Presents: Marlon Bundo (2018)	Jill Twill
PreK	The Great Big Book of Families (2010) Lesson Plan from Welcoming Schools	Mary Hoffman
PreK	I am Jazz (2014) Lesson Plan from Welcoming Schools	Jazz Jennings
PreK	Jacob's New Dress (2014, 2016)	Sarah Hoffman/Ian Hoffman
PreK	And Tango Makes Three (2015) Lesson Plan from Welcoming Schools	Justin Richardson, Peter Parnell
PreK	Worm Loves Worm (2016)	JJ Austrian
PreK	Red: A Crayon's Story (2015) Lesson Plan from Welcoming Schools	Michael Hall
PreK	When Aidan Became a Brother (2019)	Kyle Lukoff and Kaylani Juanita
K	Home at Last (2016)	Vera B. Williams
K	King & King (2003, 2016)	Linda de 5+Haan, Stern Nijland
K	Be Who You Are (2016) Lesson Plan from Welcoming Schools	Todd Parr
K-5	This Day in June (2015)	Gayle Pitman
3-6	The Pants Project (2017)	Cat Clarke
4-6	Riding Freedom (1998)	Pat Munoz Ryan
4-8	Drama (2014)	Raina Telgemeir
4-7	Totally Joe (2005)	James Howe
4-7	George (2015)	Alex Gino
5-7	The Boy in the Dress (2008)	David Walliams
5-7	Lily and Dunkin (2016)	Donna Gephart
5-7	Better Nate Than Ever (2013)	Tim Federle
5-9	Gracefully Grayson (2014)	Ami Polonsky
5-9	Freeing Finch (2019)	Ginny Rorby
5-9	Zenobia July (2019)	Lisa Bunker
6-12	Beyond Magenta: Transgender Teens Speak Out (2014)	Susan Kuklin
9-12	Beautiful Music for Ugly Children (2012)	Kirstin Cronn-Mills
9-12	Putting Makeup on the Fat Boy (2012)	Bill Wright
9-12	Freakboy (2013)	Kristin Elizabeth Clarke
9-12	I am J (2011)	Cris Beam

9-12	If I Was Your Girl (2016)	Meredith Russo
9-12	Rethinking Normal: A Memoir in Transition (2014)	Katie Rain Hill
9-12	Parrotfish (2007)	Ellen Whittlinger
9-12	Some Assembly Required: The Not-So-Secret Life of a Transgender Teen (2014)	Arin Andrews
9-12	Wandering Son (2003, 2013)	Takako Shamura

- Provide transgender inclusive information in family life education and discussions of human development and sexuality that is developmentally appropriate.
 - [Inclusive Sex Ed: A Comprehensive Sexual Health Education Curriculum Guide, Second Edition](#) by Jamie A. Cutter, M.Ed.
 - [Gender Terminology and Discussion Guide](#) - LGBTQ-inclusive sexual health classes need to include gender terminology. Use our visual and discussion guide to facilitate this important conversation.
 - [Rights, Respect, Responsibility: A K-12 Sexuality Education Curriculum](#) - LGBTQ-inclusive sexual health curriculum by [Advocates for Youth](#)
 - [Sex, Etc.](#) - resources written by and for high-school aged youth
 - [Full Spectrum: Educators' Guide to Implementing LGBTQ+ Inclusive Sex Ed](#)
 - [Sex Education Collaborative Professional Learning Standards for Sex Education](#) (Advocates for Youth)
 - [Sex Education Collaborative Professional Learning Standards for Sex Education Assessment Tool](#) (Advocates for Youth)
 - [Rights, Respect, Responsibility: A K-12 Sexuality Education Curriculum](#) (Advocates For Youth)
 - Inclusive websites for adolescents: [Amaze](#), [LGBTQ Youth Help](#), and [Scarleteen](#)
- Allowing and supporting LGBTQ+ student clubs such as **Gender & Sexuality Alliances** – or other student groups with a similar name or purpose - in middle schools and high schools and ensure they have the same requirements as other student clubs. Please see the **Appendix** for more information on the purpose, formation, and rationale for GSAs.

Why this is Important:

- School staff often want to support all their students, but are often lacking information on how to best support transgender students. Providing them with up-to-date, research based professional development opportunities ensures they have the tools to best support all students. This also indicates to school staff that the administration supports their efforts to create a more LGBTQ-inclusive environment. Fearing backlash from parents or the school community, school staff often hesitate to include LGBTQ topics in their curriculum until they are certain school and district administrators will support their decision to teach that information.
- An LGBTQ-inclusive curriculum benefits all students and allows students to feel safer and results in lower levels of bullying at the individual and school levels (Source: [LGBTQ-Inclusive Curricula: Why Supportive Curricula Matter](#) from *Sex Education: Sexuality, Society and Learning*, v15 n6 p580-596 2015)

- Schools may report that they are unaware of concern reported by transgender students, but these do not include the number of students who have dropped out of school, changed schools, or switched to homeschooling due to mistreatment at school. Research continues to show that while school and life is improving for LGBTQ+ youth, positive outcomes for transgender youth lags behind
 - Only 4% of gender expansive youth report being “very happy” (HRC, 2016)
 - Transgender youth are two times more likely to be taunted or mocked by family because of their identity than cisgender youth (HRC, 2018)
 - Only 3 in 5 youth have access to a school GSA (HRC, 2018)
 - Only 27% of transgender youth report that their family is “very accepting” (HRC, 2016)
 - 48% of transgender youth use drugs/alcohol; two times that as cisgender peers (HRC, 2016)
 - 1 in 3 LBGT youth report they do not have a supportive adult to talk to (HRC, 2016)
 - Only 18% of LGBT youth participate in groups outside of school (HRC, 2016)
 - 75% of transgender youth report feeling unsafe at school (GLSEN, 2015)
 - LGBTQ+ Students are 140% more likely to skip school because they are concerned about their safety (GLSEN, ASCA, ACSSW, & SSWAA, 2019)
 - Transgender youth have “significantly lower grade point averages, are more likely to miss school or drop out altogether, and less likely to plan on continuing their education.” ([Dignity for All?, 2015](#))
 - 51% of transgender youth "who were verbally harassed, physically or sexually assaulted, or expelled because of their gender identity reported having attempted suicide" ([Dignity for All?, 2015](#))
 - 50% of transgender youth who left school were or had experienced homelessness ([Dignity for All?, 2015](#))
- **Equal Access Act** of 1984 notes that, “it shall be unlawful for any public secondary school which receives Federal financial assistance...to deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting ...on the basis of the religious, political, philosophical, or other content of the speech at such meetings.” Multiple court cases have upheld that Gender & Sexuality Alliances (GSAs) are covered under the Equal Access Act of 1984. (<https://www.congress.gov/bill/98th-congress/house-bill/1310>)
- Multiple studies show that students who attend schools with **Gender & Sexuality Alliances** (sometimes referred to as Gay-Straight Alliances) have more positive school experiences, lower instances of bullying and harassment, and even higher GPAs than schools without these clubs. LGBTQ students who are not in GSAs and who have not had access to LGBTQ-inclusive lessons in school report the most negative perceptions of school safety (Burdge, H., Sinclair, K., Laub, C., Russell, S. T. (2012). Lessons That Matter: LGBTQ Inclusivity and School Safety. (Gay Straight Alliance Network and California Safe Schools Coalition Research Brief No. 14). San Francisco, CA: Gay-Straight Alliance Network). See the Appendix for further information about GSAs.
 - Having a GSA is necessary but not sufficient; administration must be visibly supportive and responsive to GSAs
 - A GSA does not make a school inclusive; schools themselves must be inclusive as opposed to relying on one room in a building to be

- GSAs, like any club should be able to advertise for meetings without fear or retaliation
- There should be equal expectations for all clubs (you cannot only expect participation with permission for GSAs)
- Allow for students to select club names

Voices from Virginia students, families, and educators on why maintenance of a safe and supportive learning environment free from discrimination and harassment is imperative for all students:

From an educator: *“I have had 3 students that I know of drop out this year. They are not feeling safe. They left the school because they are gender non-conforming and did not feel supported or safe at the school.”*

From an educator: *“There is no consistency and leaves a lot of the kids very vulnerable.”*

From a student: *“Students should be focusing on their education, and they can’t if they feel unsafe!!”*

From a student: *“Kids need to feel safe and cared for! Some families are unsafe and toxic if kids come out.”*

From a student: *“Because LGBTQ+ youth deserve the same rights afforded to everyone else.”*

From a student: *“In order to decrease youth suicide rates, schools need to be inclusive.”*

3. Prevention of and response to bullying and harassment

Goals: Ensure all students attend schools that are safe and affirming.

Guidance for Schools:

- Provide students with information on transgender people that is positive and affirming. This can be accomplished through school assemblies, inclusive curriculum, and passive programming such as bulletin boards.
- Outline a clear path for students to report bullying and harassment to school administrators.
- Avoid punitive policies such as “zero tolerance” policies that rely on suspension or expulsion related to bullying, instead focus on restorative justice models for discipline.
- This also indicates to school staff that the administration supports their efforts to create a more LGBTQ-inclusive environment. Fearing backlash from parents or the school community, school staff often hesitate to include LGBTQ topics in their curriculum until they are certain school and district administrators will support their decision to teach that information (see sample policy from [Portland Public Schools](#)).

Why this is Important:

- Cisgender students often want to be supportive of their transgender peers, however they lack the knowledge of how to be a good ally. Providing them with information and education on transgender people allows them to learn and grow and be more supportive peers.
- Punitive policies such as “zero tolerance” policies negatively impact LGBTQ+ students often leading to more LGBTQ+ students being suspended (American Psychological Association Zero Tolerance Task Force (2003) as cited by Gender Spectrum (2015)). Research also shows that the perpetrator of the bullying is in as much psychological distress as the target. Thus, “zero tolerance” policies only work to further exclude struggling students from much needed services. Not to mention that students of color and students with disabilities are also disproportionately disciplined, which feeds the school-to-prison pipeline.

Voices from Virginia students, families, and educators on why prevention of and response to bullying and harassment is imperative to all students:

From a youth: *“Teachers are uncomfortable intervening when they witness bullying”*

From a youth: *“Teachers don’t know what to say or how to react when they witness bullying”*

From a youth: *“It’s not easy for us either [...] this isn’t fun, we are struggling too.”*

From an educator: *“Having a birth name revealed in any way is harmful to the student. Whether announced over a loudspeaker, in Schoology, in the teacher roster for substitute teachers, at the security desk. This lets more people know there is something hidden about the student and opens the door for questioning whether they are valid and then they themselves question whether their existence is valid.”*

4. Maintenance of student records

Goal: Ensure student records are up to date with the most accurate information that affirms a student's identity.

Guidance for Schools:

- Provide an established, consistent, publicly available path for students to change their chosen name and pronoun within the school system with appropriate documentation.
- Provide an established, consistent, publicly available for students to change their legal name and gender marker within the school system with appropriate documentation.
- Utilize a student database that allows for a chosen/preferred or nickname field for students' chosen names. Update all reports including class rosters to pull from this chosen/preferred or nickname field prior to defaulting to legal name.
- List legal sex only where it is medically relevant or legally required.
- School records which designate a student's transgender status/identity should be maintained in a separate file from their cumulative record so as to ensure their confidentiality of Personally Protected Information (PPI) and prevent non-voluntary self-disclosure.

Why this is Important:

- On August 8, 2019 the Eastern District Court of Virginia ruled that Gloucester County School Board violated Gavin Grimm's 14th Amendment Rights as well as Title IX by not allowing him to update his official school transcript with his legal gender, which had been legally changed to male. This case has been appealed to the United States 4th Circuit Court. (<https://www.aclu.org/cases/grimm-v-gloucester-county-school-board>)
- The **Family Educational Rights and Privacy Act (FERPA)** protects personal protected information (PPI) about students in school records—including sexual orientation and gender identity—and in most circumstances prohibits release of this information without consent.
- A student's dignity and right to privacy should not ever be in question. One's transgender status is privileged information and the default should be *not* sharing unless necessary. The priority is to maintain safety in the moment, as it can be a long-term process of acceptance.
- There should be consistency in student's rights, policy, and access to needed resources across schools; a transgender student should not have to move between schools in on district or even between districts to be treated with dignity and respect.
- When students apply for college and employment their identity is often checked through the US Social Security Administration. It is important that a students' name and gender marker on school documents align with what is on file with the US Social Security Administration to avoid the student's application being flagged as fraudulent.
- If a school becomes legally required to disclose a student's transgender status, the school should give the student the opportunity to make that disclosure themselves if at all possible and practical. This would include providing the student with any support the student would need to make the disclosure in a supportive environment where they are not afraid of the consequences of disclosure and if there are consequences for such, they continue to receive the mental health support to cope with adverse consequences. For additional information, please see Transgender

Equality's [Model School District Policy on Transgender and Gender Nonconforming Students](#) pages 4 and 5.

Voices from Virginia students, families, and educators on why maintenance of school records is imperative to all students:

From a parent: *“These kids are still faced every day with their dead name...they're not fully supported if the school is not willing to go and have the name and gender changed in their system”*

From a parent: *“The teacher has to go in every day and cross my child's name out. So if there's a substitute, there's no one to do that. There's also names and sex in every single system—email, digital quizzes, SOLs, testing...it causes a lot of emotional harm for her to be anxious about this constantly coming up. She was forced to use her name, instead of an ID to get lunch, and it caused so much dysphoria that she didn't eat lunch for a long time.”*

From an educator: *“I think having some form of written policy and have that be shared with parents. Some students come out to teachers first and the teacher won't know, like do I have to tell the parent? But having a policy in place that says you honor the student's wishes the best you can.”*

5. Identification of students

Goals: Ensure transgender students are referred to in documentation, by school staff, and be their peers by the appropriate affirming chosen name and pronoun (including the choice of not using a pronoun at all).

Guidance for Schools:

- Allow transgender students to use their chosen name on non-legal records without legal intervention and provide a consistent, clear, and publicly available path for students to notify the school to update their chosen name on non-legal records.
- Ensure that all documentation which identifies students maintains their confidentiality
- Require school staff to consistently use a student’s chosen name and hold them accountable when they do not.
- Allow transgender students to use their chosen pronouns, including non-binary pronouns such as the singular form of “they,” in school without legal or medical interventions. Provide a clear path for students to notify the school to update their gender identity on non-legal records.
- Require school staff to consistently use a student’s chosen pronoun and hold them accountable when they do not.

Why this is Important:

- A 2017 study found that consistently using a transgender student’s chosen name at school, home, work, and with friends showed a 34% decrease in reported thoughts of suicide and a 65% decrease in suicidal attempts (Russell, S. et al. 2018)
- Research consistently shows that supporting students in the moment, with an understanding that gender can be fluid, is in the best interest of children. Research from the National Association of School Psychologists’ (NASP) recognized in this is their 2016 “[Gender FAQ](#).” They noted that, “Mental health and medical practitioners who have worked most extensively in the field of youth and gender have identified key factors that are most likely to predict transgender identity as children get older. These include (a) persistence, insistence, and consistency in how they convey their gender identity; (b) using declarative statements such as “I am a boy (or girl)” rather than “I want to be (wish I were) a boy (or girl)””; and (c) significant distress about their body, leading to great distress when either undergoing pubertal changes in the “wrong” gender or when forced to present themselves as a gender that does not align with their internal sense of self (Ehrensaft, 2011).” [School Psychologists](#) in particular are ethically obligated to meet youth ‘where they’re at, “which enables youth the opportunity to explore and develop at their own pace” (APA & NASP, 2015).

Voices from Virginia students, families, and educators on why accurate identification is imperative:

From a parent: *“Our kids can’t focus on their school. It ends up hurting the district because they don’t do as well. Our school went to great strides to accommodate [our kid], but without a “they” pronoun available in so many ways, they were being continually misgendered every single day.”*

From a parent: *“When [our kid] was in 4th grade, we sat down with the principal and made a gender support plan. It’s followed us since, adapted for each new school, and it’s been very positive. Part of the document also mandated that we’d sit down with the principals and teachers each year and go over the plan. It was so helpful to have a proactive measure.”*

6. Protection of student privacy and the confidentiality of sensitive information

Goals: Ensure transgender student's personal information including their legal name, gender identity, and transgender status are kept private and confidential.

Guidance for Schools:

- Do not assume that a student who is 'out' to you is out to everyone. Never assume that a student is out to their family.
- Work with students who come out as transgender to a counselor, teacher, or school official for that student to share this information with their family on their timeline.
- Never "out" or disclose a student's transgender identity without their consent or knowledge, even to their family. The priority is to maintain safety in the moment, as it can be a long-term process of acceptance. According to the National Association of School Psychologists (NASP) [Gender FAQ](#) (2015), *"Immediate resistance to a child's gender expression is not necessarily a fixed position; many of the strongest advocates of their transgender children initially experienced varying degrees of denial, confusion, and resistance before moving towards acceptance and/or celebration of their gender-expansive child. Initial lack of support can be rooted in fear, misinformation, or grief stemming from parents' perception that they have lost the child they thought they had. School psychologists can play a critical role in moving a parent in the direction of acceptance by listening to fears and concerns, while providing accurate information. Helping the parent to connect with others who might be facing similar life events can be paramount in the journey to acceptance."*
- Never share a student's gender identity, social/legal/medical transition, or their transgender status with other students or families without permission from the student and/or their family (provided the student assents to disclosure to family).
- School personnel should provide LGBTQ students with the resources and assistance students need to build family acceptance and make that disclosure (HRC and NASP, in press).
- If a student is using a chosen name, never share their legal name with other students or families as it may out the student as transgender and present safety concerns for the student.
- "Create a support plan* (see example from Gender Spectrum). The purpose of this plan is to ensure the student has the supports they need to navigate their transition at school. Developing a detailed plan—along with the student and parents—will set clear expectations and prepare the school to respond to issues that may arise during the student's transition. The topics covered in the plan will depend on the needs of the student, but should outline what information the student wants shared with members of the school community (i.e. teachers, staff, students) and the conditions under which that private information can be disclosed, if at all. *NOTE: If put into writing, these plans may be considered a student record and subject to the Family Education Rights Privacy Act (FERPA). Thus, schools should determine whether a written plan is appropriate for a student with unsupportive parents on a case-by-case basis. Regardless of whether the school develops a written plan, building family acceptance within that student's family will be a critical component to the support plan."
- Have a point of contact staff member, preferably a school counselor, school psychologist, school social worker, or administrator, for transgender students and their families to navigate the school system.

- Recognize and affirm that transgender students have the right to discuss their identity, transition, or other identifying information with whomever they choose and does not inherently give the school the right to disclose this information.
- [GLSEN](#) provides great guidance for educators on the danger in outing students (p. 14-15).

Why this is Important:

- When working with children, educator’s first goal should be to ‘do no harm.’ What educators do and say should always be in the best interest of the student.
- Schools should be “youth centered” in their approach; what this means is putting the best interest of the student at the forefront of every decision made.

Voices from Virginia students, families, and educators on why the protection of student privacy and the confidentiality of sensitive information is imperative for all students:

From a student: *“In sixth grade, I wasn’t out to anyone but my friends, a teacher had overheard and asked me to talk outside of the classroom. This teacher tried to talk me out of being trans.”*

From an educator: *“I have seen teachers inappropriately out a students {...} and they just can’t wrap their brains around why it is bad.”*

7. Enforcement of sex-based dress codes

Goal: Provide students with guidance on what to wear to school that is age-appropriate and affirms their gender identity and expression.

Guidance for Schools:

- Courts have upheld students' First Amendment Rights to free speech. While best practice is to not include dress code requirements for education, if you have a dress code it is best to focus on the item of clothing rather than the individual wearing that item. For example, "skirts worn at school must be three-inches above the knee" (not: "girls' skirts worn at school must be three-inches about the knee") or "no uncovered tank tops" (not: "girls may not wear tank tops which expose shoulders or bras").
- Remove gendered clothing requirements for special events such as school dances.
- Remove gender-specific rules for graduation and have all students graduate with the same color robes.
- If a school has uniforms, do not have different uniforms based on sex. For gendered uniforms, including physical education uniforms, all students should be allowed to wear the clothing that makes them feel the most comfortable.

Why this is Important:

- The **First Amendment** of the U.S. Constitution protects the right of students to free speech and freedom of expression, including expression of one's gender identity, which includes students' dress/attire.
- Removing gender from dress code allows students to dress in a way that expresses who they are without the limits of gender expectations. Rules should be written regarding the article of attire, not the person wearing them.
 - For example:
 - Tanks top straps must be 2 fingers width for all students
 - All shorts must be no more than three inches above the knee
 - For formal events like graduation *students* need to wear formal attire like ties, bowties, dresses, pantsuits

Voices from Virginia students, families, and educators on why the enforcement of sex-based dress codes is imperative for all students:

From a student: *"Dress code should be equal across gender identities, remove gender from dress code"*

From an educator: *"Take the gender out of the dress code and treat everyone equally."*

From an educator: *"Write a policy with guidelines on how formal an event needs to be like wearing a tie or dresses, but then allowing kids to wear what they want to wear."*

8. Student participation in sex-specific school activities and events and use of school facilities. Activities and events do not include athletics.

Goals:

- Ensure transgender students are able to use bathroom and locker room facilities that correspond to their gender identity.
- Ensure transgender students are able to participate in school activities that correspond to their gender identity.

****Note:** Schools know when students are lying to them. This does not mean that schools cannot institute reasonable expectations on separate sex facilities where there is credible concern that the student is asserting a gender identity for an improper purpose.

Guidance for Schools:

- Allow transgender students to use the bathroom that aligns with their consistent gender identity.
- Provide private single-use bathroom facilities to any student who is in need of more privacy.
- Allow transgender students to use the locker room that aligns with their consistent gender identity.
- Provide private single-use locker room facilities to any student who is in need of more privacy.
- For future school construction ensure that there are more gender neutral bathroom options and consider adapting use of multi-stall gender neutral bathrooms for all students to use. These universal design bathrooms would have private, single-use toilet stalls with near full coverage from floor to ceiling for privacy with a shared sink space. Examples were developed by Glenser (<https://www.bdcnetwork.com/blog/restroom-everyone>)

Why this is Important:

- Transgender youth are not going to the bathroom because they don't feel safe. "When gender-expansive youth can't use the restroom that aligns with their gender identity, 66% avoid using the restroom at school altogether." ([HRC, 2018](#))
- Transgender youth may avoid going to the bathroom at school because they do not feel safe, because the only single stall restroom is far away from their classrooms resulting in tardies and missed instruction, and using staff designated restrooms leads to stigmatization.
- Transgender youth who are unable to void at school can incur serious impacts on their mental and physical health (i.e., anxiety, school phobia and refusal, increased risk of bladder and kidney infections, etc.) not to mention their ability to focus on school (James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016); Herman, J. L. (2013).
- 59% of transgender survey respondents reported avoiding using public restroom facilities in the past year because they were afraid of confrontations ([National Transgender Survey, 2015](#)).

- 12% of transgender persons reported experiencing verbal harassment ([National Transgender Survey, 2015](#)).
- 1% transgender survey respondents reported being the victim of physical or sexual assault in a public restroom ([National Transgender Survey, 2015](#)).
- 39% of students said they avoided gender segregated spaces because they felt uncomfortable or unsafe due to their gender presentation ([GLSEN, 2015](#))
- 60% of transgender students reported they were forced to use a facility that matched their sex assigned at birth instead of one that aligned with their gender identity ([GLSEN, 2015](#))
- On August 8, 2019 the Eastern District Court of Virginia ruled that Gloucester County School Board violated Gavin Grimm’s 14th Amendment Rights as well as Title IX by not allowing him to use the bathroom that aligned with his consistent gender identity as a boy. This case has been appealed to the United States 4th Circuit Court. (<https://www.aclu.org/cases/grimm-v-gloucester-county-school-board>)

Voices from Virginia students, families, and educators on student participation in sex-specific school activities and events and use of school facilities, activities, and events is imperative for all students:

From a student: *“It was a struggle to use the bathroom [...] I wasn’t sure which bathroom I was supposed to use so my counselor let me use the counselor’s bathroom [...] eventually I stopped using the bathroom at school.”*

From a student: *“I just wouldn’t go to the bathroom in school because I was told to use the one I was assigned at birth, but I don’t look like that. It was really uncomfortable. I would just wait until I got home which can cause a lot of health issues and like it was hard to concentrate, but I just did not want to use the bathrooms at school.”*

Appendices

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Appendix I: Gender-Sexuality Alliances (GSAs)

Gender-Sexuality Alliances, formerly known as Gay-Straight Alliances, are student extra-curricular clubs or organizations which “*unite LGBTQ+ and allied youth to build community and organize around issues impacting them in their schools and communities.*” ([GSA Network](#)) These organizations typically take on one of the following purposes or embody all three aims: Support, Social, and/or Activist/Social Justice oriented.

- **Social GSAs** — Students meet and connect with other trans and queer students on campus
- **Support GSAs** — Students work to create safe spaces and talk about the various issues they face in school or their broader communities, such as discrimination from teachers or school administrators
- **Activist GSAs** — Students take a leadership role to improve school climate through campaigns and events that raise awareness and change policies or practices in their schools.

GSA Network recommends the following steps in starting a GSA:

1. Follow School/County Guidelines; speak to administration – may be required to file in spring preceding implementation year
2. Find an Advisor – Tada! That’s YOU!
3. Inform School Counselors about GSA – they will be able to help send students
4. Pick a meeting place and time
5. Advertise for the GSA
6. Hold First Meeting – will likely require more facilitation early on
7. Elect Student Leaders
8. Establish Ground Rules
9. Meet with Student Leaders to Plan for the Year
10. Register GSA with that National Directory (<https://gsanetwork.org/gsa-registration>)

According to a [GLSEN's 2017 Virginia State Snapshot](#):

- Only 1 in 10 (10%) attended a school with a comprehensive anti-bullying/harassment policy that included specific protections based on sexual orientation and gender identity/expression.
- Fewer than 1 in 10 (7%) had a policy or official guidelines to support transgender or gender nonconforming (trans/GNC) students.
- Fewer than 2 in 5 (37%) reported that their school administration was somewhat or very supportive of LGBTQ students.
- The vast majority (97%) could identify at least one school staff member supportive of LGBTQ students (not in Fig. 4), but fewer (63%) could identify 6 or more supportive school staff.
- Fewer than 1 in 5 (15%) were taught positive representations of LGBTQ people, history, or events (“inclusive curriculum”).
- Only 3% reported receiving LGBTQ-inclusive sex education at school (not in Fig. 4).

In Virginia, GSAs are permissible in secondary schools which includes grades 6-12. Why are GSAs needed in middle schools?

- Middle School GSAs *are* developmentally-appropriate – same-sex attractions occurring in late childhood (Savin-Williams, 2005)
- There is an uptick in bullying related to gender roles and perceived sexual orientation starting in middle school (Markow & Dancewicz, 2008)
- Schools required to “protect all students including youth, but research indicates protection not occurring effectively.” (Kosciw, Greytak, Bartkiewicz, Boesen, & Palmer, 2012)
- Reports of anti-gay comments
- Younger students are less likely (than older students) to stay friends with LGBTQ students (Poteat, Espelage, & Koenig, 2009)
- Many high schools have taken steps in the right direction, but middle schools often do not address LGBT “issues” (Kosciw et al., 2012; emphasis added)
- Middle schools with GSAs have far more positive climates than those without
- Middle school employees who were employed before the start of the school’s GSA had positive feelings about the clubs
- Any questions about the “appropriateness” or “feasibility” of a club diminished
- Significantly less bullying (V&P) at schools with GSAs
- Schools with GSAs placed a greater emphasis on school safety in climate surveys than schools without

As cited by Quasha, McCabe, & Ortiz, 2014

For more information on starting a GSA, facilitating a GSA, activities to do in GSAs, topics to discuss, and how you as a GSA facilitator can support LGBTQ youth and allies, please see resources from organizations such as [GSA Network](#), [GLSEN](#), and [Gay Straight Alliance for Safe Schools](#). For lesson plans and resources, [GLSEN's Safe Space Kit](#) was refreshed recently with more lesson plans, updated resources, and updated language. The lessons there apply more broadly to elementary, middle, and high schools.

Voices from Virginia students, families, and educators on why the availability of and support for a GSA is imperative for all students:

From a student: *“In starting a GSA, we had to give a presentation, explain the clubs function, etc. It creates a healthy safe space for people with similar identities and expressions. Why do we have to go through all of this extra effort, just for people to feel healthy and safe in school when these things should already be in place.”*

From an educator: *“Kids rely on schools to be their safe haven and when school is closed they don’t have anywhere to go. Schools look to parents to be the decision maker in everything and when parents aren’t supportive of the kid then the safety and support will not happen.”*

Appendix 2: Additional Research on Transgender Youth

- American Psychological Association & National Association of School Psychologists. (2020). [Resolution on gender and sexual orientation diversity in children and adolescents in schools](https://www.apa.org/about/policy/resolution-supporting-gender-diverse-children.pdf). Retrieved from: <https://www.apa.org/about/policy/resolution-supporting-gender-diverse-children.pdf>
- GLSEN. [Harsh Realities: The Experiences of Transgender Youth in Our Nation's Schools](#) (2009).
- Herman, J. L. (2013). [Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people's lives](#). *Journal of Public Management & Social Policy*, 19(1), 65–85.
- Human Rights Campaign Foundation (2016). [Growing Up LGBT In America](#). Human Rights Campaign, Washington, DC: <https://www.hrc.org/youth-report>.
- Human Rights Campaign Foundation. (2018). [2018 LGBTQ Youth Report](#). *Human Rights Campaign*, Washington, DC: <https://www.hrc.org/resources/2018-lgbtq-youth-report>.
- Cannava, A. (2019). [LGBTQ+ 101](#). *Rethinking Behavior*, 2(2), 20-31
- Fetner, T. et al (2015). The GSA Difference: LGBTQ and Ally Experiences in High Schools with and without Gay-Straight Alliances, *Social Sciences* 4, 563-581: <https://hdl.handle.net/10133/4962>.
- Heck, N. et al (2011). [Offsetting Risks: High School Gay-Straight Alliances and Lesbian, Gay, Bisexual, and Transgender Youth](#). *School Psychology Quarterly*, 26(2), 161-174.
- Russell, S. et al (2018). [Chosen Name Use Is Linked to Reduced Depressive Symptoms, Suicidal Ideation, and Suicidal Behavior Among Transgender Youth](#). *Journal of Adolescent Health*, 63, 503-505.
- Curriculum and Resources
 - Our Whole Lives Curriculum: <https://www.uua.org/re/owl>
 - SIECUS Standards: <https://siecus.org/resources/national-sexuality-education-standards>
 - https://www.tolerance.org/search?f%5B0%5D=facet_content_type%3Awebinar&f%5B1%5D=facet_sitewide_topic%3A6&query=
 - <https://www.glsen.org/sites/default/files/GLSEN%20Safe%20Space%20Kit.pdf>

Appendix 3: Common LGBTQ Terms and “Definitions” (Side by Side with support from NCLR)

“‘Definition’ is perhaps too strong a word; if our gender is ambiguous, then so is the rest of our existence. These definitions are approximately correct, but they are soft around the edges.” –Diane Wilson

Ally: In its verb form, ally means to unite or to form a connection between. In the LGBTQ community, allies are all those wonderful folks who have attempted to educate themselves about gender and sexuality issues, who work to reduce homophobia and transphobia in themselves, their families and communities, and who try their best to support LGBTQ people in the political, social and cultural arenas.

The LGBTQ+ Community: An umbrella term used to refer to people who self-identify as Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, and all those whose identity transcends the bounds of culturally prescribed norms for gender and/or sexuality.

Gender: A set of social, psychological, and emotional traits, often influenced by societal expectations that classify an individual as masculine or feminine. Some terms referring to gender include:

- **Cisgender:** A person whose gender identity matches the sex they were assigned at birth.
- **Gender Identity:** A person’s core and hard-wired sense of their own identity as a boy/man, woman/girl, something in between, or outside the male/female binary. Everyone has a gender identity, which may or may not align with that person’s sex assigned at birth.
- **Gender Expression:** refers to the way an individual expresses their gender according to social and cultural understandings of male and female through appearance, dress, mannerisms, speech patterns, and social interactions. Gender expression may change over time and from day-to-day and is not related to an individual’s gender identity.
- **Non-binary:** Used to describe a person who feels they do not fit within the traditional binaries of gender identity, gender expression, or sexual orientation.
- **Transgender:** a self-identifying term that describes a person whose gender identity is different than their assigned sex at birth. There are transgender people from every race, class, sexual orientation and ability. Trans is often preferable to transgender for some people.

Intersectionality: refers to the phenomenon that people experiencing multiple forms of oppression (e.g. Black women) often experience those oppressions differently than those experiencing those forms of oppression separately (e.g. Black men and white women) because, for example, racism and sexism combine to disadvantage Black women in unique ways.

Queer: a self-identifying term which can be controversial because it has been used historically as a derogatory term to identify LGBTQ people. It has been widely reclaimed by people in the LGBTQ community to represent individuals whose gender and sexuality do not conform with typical gender and sexuality identities.

Questioning: a term used to describe someone who is questioning their gender identity or sexual orientation.

Sex: refers to the cluster of biological, chromosomal and anatomical features, including genitalia, hormone levels, genes, or secondary sex characteristics, as they are present in the human body. Some terms used to refer to sex are:

- Assigned Sex: the sex one is assigned at birth, generally by a medical professional, based on an examination of external genitalia.
- Intersex: A term used for a person born with internal or external reproductive or sexual anatomy that do not align with traditional definitions of female or male.

Sexual Orientation: the culturally defined set of terms people use to describe their feelings of attraction. Sexual orientation is not static and can shift over time. Some terms referring to sexual orientation include:

- Asexual: someone who does not have feelings of sexual attraction to another person.
- Bisexual: the attraction to more than one gender, whether on an emotional, physical, and/or sexual level.
- Gay: a term used mostly by a man who is attracted to men. It is a self-identifying term that describes feelings and emotions, not behavior.
- Lesbian: a term used mostly by a woman who is attracted to women. Again, like “gay,” “lesbian” is a self-identifying term that describes feelings and emotions, not behavior.
- Pansexual: the attraction to people of all sexual orientations, gender identities, and gender expressions. Is sometimes referred to as “Pan” for short.
- Same-Gender Loving: A self-identifying term, often used by communities of color, referring to people who are attracted to other people of the same gender.

Terms and definitions were constructed with the help of:

- www.fyeahtransitioninggqs.tumblr.com (Specific Gender Identities/Expressions)
- www.Genderqueerid.com (Identities)
- List compiled with thanks and apologies to Raphael Carter, Evan Hempel and Joelle Ruby Ryan. Edited by Jack Skelton in 2007.
- Trans Bodies, Trans Selves: A Resource for the Transgender Community, Laura Erickson-Schroth, ed, New York: Oxford University Press, 2014.
- And the creative energy of Side By Side staff and volunteers
- <https://www.tolerance.org/magazine/summer-2013/the-gender-spectrum>
- <https://genderspectrum.org/articles/language-of-gender>

Appendix 4: Organization Endorsements

The following organizations have reviewed this document and support the proposed policies. Please note the call for endorsements continues and more groups are signing on every day.

- [Alliance for a Progressive Virginia](#)
- [ART 180](#)
- [Big Brothers Big Sisters](#)
- [Casa BruMar Foundation](#)
- [Equality Stafford](#)
- [Equality Virginia](#)
- [Fairfax County Department of Family Services](#)
- [Fairfax County Public Schools Pride](#)
- [GLSEN NoVA](#)
- [He She Ze and We](#)
- [Kirby Creative Clinical Solutions](#)
- [MCC of Northern Virginia](#)
- [National Center for Lesbian Rights](#)
- [NOVA Pride](#)
- [PFLAG Hampton Roads](#)
- [PFLAG Metro DC](#)
- [Rainbow Families](#)
- [Rainstorms to Rainbows](#)
- [Richmond Young Writers](#)
- [Safe Space NOVA](#)
- [Side by Side VA, Inc.](#)
- [SMYAL](#)
- [Transgender Assistance Program Virginia](#)
- [Transgender Education Association of Greater Washington, DC](#)
- [Unitarian Universalist Church of Arlington Virginia](#)