

Finally Dana

A Story Of Transition and Supporting
the Transgender Community

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My Story



Gender
Basics

The Gender Unicorn

Graphic by TSER

Gender Identity
 Female/Woman/Elitri
 Male/Man/Booy
 Other Gender(s)

Gender Expression
 Feminine
 Masculine
 Other

Sex Assigned at Birth
 Female
 Male
 Other/Intersex

Physically Attracted to
 Women
 Men
 Other Gender(s)

Emotionally Attracted to
 Women
 Men
 Other Gender(s)

To learn more, go to:
www.transstudent.org/gender
 Design by Landlyn Pen and Anna Moore

Discussion/Thought Exercises

Take a moment to think about your gender identity. How do you identify today? Is this the same as the sex you were assigned at birth?

What are some ways you are expressing or showing your gender today? How might this change on a different day?

What are some ways that you break gender stereotypes?

The more all of these identities are aligned, the more cis-privilege you benefit from.

- What ways do you experience cis-privilege?

Definitions

- | | | |
|--|---|--|
| <p>Who You Are Attracted To</p> <ul style="list-style-type: none"> • Heterosexual • Homosexual • Gay • Lesbian • Bisexual • Pansexual • Queer • Asexual | <p>Who You Are</p> <ul style="list-style-type: none"> • Sex • Intersex • Gender • Gender Expression • Cisgender • Transgender • Transgender Man • Transgender Woman • Gender Non Conforming • Non-Binary | <p>Other/Slang/Acronyms</p> <ul style="list-style-type: none"> • Passing • Surgery Related (SRS, GCS, Top/Bottom Surgery, FFS) • FTM/MTS/AMAB/AFAB • Egg • Deadname • Dysphoria • Coming Out • Outing |
|--|---|--|

Supporting
Transgender
Students



The Joy Of Being One's Authentic Self

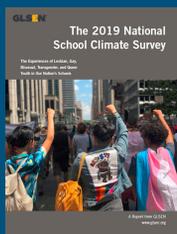


"All of us are put in boxes by our family, by our religion, by our society, our moment in history, even our own bodies. Some people have the courage to break free."

- Geena Rocero

Need Identification: GLSEN 2019 National School Climate Survey

- Feelings of Safety
- Missing School
- Discrimination
- Derogatory slurs
- Lack of Staff Intervention



Need Identification: 2015 US Transgender Discrimination Survey

- Mistreatment at School
 - Verbally Harassed
 - Physically Attacked
 - Sexually Assaulted
- Non-graduation
 - Left school because of harassment
 - Expelled
- Suicide/Self Harm
 - Risk of suicide increases when students do not graduate
- New survey will be released in 2022-2023



National Survey on LGBTQ Youth Mental health 2021

(Trevor Project)

- Suicidal Ideation
- COVID-19
- Major Depressive Disorder
- Food Insecurity
- Discrimination



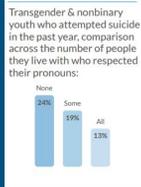
Impact of State Sanctioned Discrimination (Trevor Project, 2022)



- Aware of current events
- State laws
- Schools outing students
- Mental Health Care

Protective Factors

- Familial Support
- Changing legal documents (school system)
- Community Belongingness
- GSA involvement



"Socially transitioned transgender children who are supported in their gender identity have developmentally normative levels of depression and only minimal elevations in anxiety (Olsen et al; 2016)."

Organizational Supports for Transgender Staff

- The importance being "out"
- Maintain Confidentiality
- Use Proper Names and Pronouns
- Ensure Access to Restrooms and Other Facilities
- Address Challenged with *Other* Employees and Coworkers
- Use Proactive Methods to Uncover Discrimination
- Ensure Fair Background Checks

What can you do?



1. Create and enforces a non-discrimination/gender inclusive policy that includes gender identity.
2. Provide opportunities for staff to learn and grow
3. Support gender and sexuality alliances (GSA's) or similar
4. Adjust your language to remove the binary!
5. Compile Legitimate Resources
6. Defend your transgender staff and students
7. Advocate for transgender rights and protections at the community, state and federal level

Goal Setting

What is one thing you can do or change about your district to be more supportive of your transgender students and staff?

Thank You

"To all trans youth out there, I would like to say respect yourself and be proud of who you are. All human beings deserve equal treatment no matter their gender identity or sexuality. To be perceived as what you say you are is a basic right."

- Andreja Pejic



Further Resources

- [FinallyDana.com](https://www.FinallyDana.com)
- [What Does Allyship With Non-binary Students Look Like?](#)
- [Pronoun Guide](#)
- [Schools in Transition: A Guide for Supporting Transgender Students in K-12 Schools](#)
- [MN Transgender Health Support Groups](#)

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Any

Questions?





Exploring the Influence of Titles VII and IX in K-12 Schools

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Introduction

In 1975, Minneapolis became the first city in the United States to pass trans-inclusive civil rights protection legislation. Since then, transgender rights have moved forward with courts over the past year extending the protections of state and federal law to transgender students. In addition, with the changes in the current administration, agencies such as OCR and the Department of Education are taking new approaches. This manuscript provides an overview of state and federal civil rights laws, addresses the current legal landscape surrounding transgender student and staff rights in the K-12 setting, and identifies top areas of contention and resulting litigation.

I. Minnesota Laws Protecting Transgender Individuals

Minnesota has been at the forefront of a progressive trend toward providing state-level protections for individuals based on sexual orientation and gender identity. It began with a trans-inclusive city ordinance in 1975 and culminated in the passing of state-wide legislation a few decades later.

a. Minneapolis City Ordinance

In March 1974, the Minneapolis City Council passed a city ordinance by voting 10-0 to ban discrimination on the basis of “affectional or sexual preference.” While forward-looking for its time, the ordinance was amended the following year. This amendment broadened the reach of the ordinance by providing protections for transgender individuals. The amendment provided that discrimination on the basis of “having or projecting a self-image not associated with one’s biological maleness or one’s biological femaleness” would be barred. This policy was the first in the country to provide broad protections for, among other things, enrollment in schools and use of public services and accommodations. Emma Margolin, *How Minneapolis Became the First City in the Country to Pass Trans Protections*, MSNBC, <https://www.msnbc.com/msnbc/how-minneapolis-became-the-first-city-the-country-pass-trans-protections-msna858606>

b. Minnesota Human Rights Act

State action on this front did not come until 1993. That year, Minnesota passed the Minnesota Human Rights Act (MHRA), which became the first state-level anti-discrimination law in the nation to expressly ban discrimination against transgender individuals. The MHRA contains both employment and educational provisions that provide protections to transgender individuals.

i. Employment

The MHRA prohibits sexual orientation discrimination in the workplace. Minn. Stat. § 363.08, subd. 2. Specifically, the statute provides that it is an unfair employment practice to: “(1) refuse to hire or to maintain a system of employment which unreasonably excludes a person seeking employment; or (2) discharge an employee; or (3) discriminate against a person with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.” The statutory definition of sexual orientation includes “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or

femaleness.” Minn. Stat. § 363.03, subd. 44. Though it is a slightly older case, the Minnesota Supreme Court decision in *Goins v. West Group* provides some clarification as to the types of practices that may or may not give rise to a valid employment discrimination claim based on an individual’s sexual orientation. 635 N.W.2d 717 (Minn. 2001). In *Goins*, the court noted that an employer’s designation of employee restrooms based on biological genders does not constitute sexual orientation discrimination within the meaning of the MHRA. This notably conflicts with the interpretation of MHRA’s educational provision, which is discussed below, and remains an area of contention for activists.

Despite this, the MHRA provides a number of protections for transgender individuals in the workplace and presents an avenue through which individuals can bring sexual orientation discrimination claims against their employers.

ii. Education

Currently, the MHRA education provision, Minn. Stat. § 363A.13, subd. 1, provides, “It is an unfair discriminatory practice to discriminate in any manner in the full utilization of or benefit from any educational institution, or the services rendered thereby to any person because of ... sexual orientation.” Again, the definition of sexual orientation includes “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness.” Minn. Stat. § 363.03, subd. 44 (2000).

In a case of first impression, the Minnesota Court of Appeals considered the case of a transgender high school student who was denied use of a locker room that corresponded to the gender with which the student identified. *N.H. v. Anoka-Hennepin Sch. Dist. No. 11*, 950 N.W.2d 553 (Ct. App. Minn. 2020). The student alleged violations of both the MHRA and article I, Section 2 of the Minnesota Constitution (equal protection). With respect to the alleged MHRA violation, the school district argued that *Goins* should control. The Minnesota Supreme Court in *Goins* specifically held that “an employer’s designation of employee restroom use based on biological gender is not sexual orientation discrimination in violation of the MHRA.” *Id.* at 717. Yet, as the N.H. court noted, *Goins* only applied in the employment context. The plain language of the MHRA education provision differs from and provides a much broader prohibition against discrimination than the MHRA employment provision. The Minnesota Department of Human Rights – arguing on behalf of the plaintiff – noted that the educational and employment provisions of the MHRA differ in important ways: “(1) education is compulsory in Minnesota, Minn. Stat. § 120A.22 (2018); (2) education is a constitutional right, Minn. Const. art. XIII, § 1; (3) students should not be required to ‘shop’ among schools and districts to obtain a discrimination-free education; and (4) ‘[s]chools play a pivotal role in a young person’s development and intellectual, mental, and emotional health.’” *N.H.*, 950 N.W.2d at 561.

Ultimately, the *N.H.* court concluded that MHRA’s education provision prohibited segregating and separating transgender students with respect to locker-room use. The court noted that the plain language supported this interpretation. In particular, it found that the state legislature did not include locker-room usage among the enumerated exceptions to the MHRA’s educational provisions. *See* Minn. Stat. § 363A.23, subs. 1–2 (2018) (exempting religious or denominational institutions from certain religion- or sex-based admission-discrimination prohibitions and

exempting athletic teams from certain sex-discrimination prohibitions); *see also* Minn. Stat. § 645.19 (2018) (“Exceptions expressed in a law shall be construed to exclude all others.”). They also found federal Title IX jurisprudence to be persuasive and consistent with the court’s reading of the plain language of the MHRA. *See State v. McClenton*, 781 N.W.2d 181, 191 (Ct. App. Minn. 2010) (“[A]lthough we are not bound to follow precedent from other states or federal courts, these authorities can be persuasive.”). The court also noted that the MDHR’s interpretation of the MHRA—as discussed above—was of “great weight” and in accordance with the court’s reading. *See Minn. Mining & Mfg., Co. v. State*, 289 N.W.2d 396, 399-400 (Minn. 1979) (noting that MDHR’s interpretation of the MHRA is entitled to “great weight”). The court further noted that it could look to the Minnesota Department of Education School Safety Technical Assistance Council’s toolkit regarding transgender and gender nonconforming students for guidance.

The council was established by the Minnesota Safe and Supportive Schools Act in 2014. Minn. Stat. § 127A.051, subd. 1 (2018). In 2017, the council promulgated the above-referenced toolkit, entitled *A Toolkit for Ensuring Safe and Supportive Schools for Transgender and Gender Nonconforming Students*. The toolkit was compiled to “provide information to assist schools in establishing or amending school policies to ensure that all students are provided with a safe and supportive school environment.” It covers a wide range of school policies, including names and pronouns, athletics, homecoming, prom, and school events, dress code, restrooms, locker rooms, and hotel accommodations. While the toolkit does not create any binding legal obligations, it nevertheless provided important guidance to the *N.H.* court, and will likely continue to influence courts in subsequent decisions.

II. Protections for Transgender Individuals under Titles VII, and IX

a. Title VII

Title VII of the Civil Rights Act of 1964 provides broader protections than its Title VI counterpart. Title VII makes it “unlawful ... for an employer to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual ... because of such individual’s race, color, religion, sex, or national origin.” 42 U.S.C. § 2000e–2(a)(1). Areas that may give rise to a Title VII violation include, but are not limited to, recruiting, hiring, promoting, transferring, training, disciplining, discharging, assigning work, measuring performance, or providing benefits. It applies to employers in both the private and public sectors that have fifteen or more employees. It additionally applies to the federal government, employment agencies, and labor organizations. The Equal Employment Opportunity Commission is responsible for enforcing Title VII and related employment discrimination laws.

For many years, there was a lingering question of whether Title VII coverage could be extended to gay or transgender individuals. Slowly, federal courts began interpreting Title VII to apply to and protect transgender individuals. *See, e.g., Smith v. Cty. of Salem*, 378 F.3d 566 (6th Cir. 2004); *Shroer v. Billington*, 577 F.Supp.2d 293 (D.D.C. 2008); *Glenn v. Brumby*, 663 F.3d 1312 (11th Cir. 2011). In 2012, the EEOC issued an important decision in *Macy v. Holder*, in which it held for the first time that discrimination against transgender employees is covered by Title VII. After the EEOC’s holding, courts across the country continued to issue decisions that extended Title VII coverage to homosexual and transgender individuals.

However, it was not until the landmark decision in *Bostock v. Clayton County, Georgia* that the Supreme Court weighed in on the issue. 140 S.Ct. 1731, 207 L.Ed.2d 218 (2020). There, the Court considered the claims of three employees who were fired by their respective employers for being either homosexual or transgender. The court ultimately sided with the EEOC, holding that an employer violates Title VII, which makes it unlawful to discriminate against an individual “because of” their sex, by firing an individual for being homosexual or a transgender person.

Alito’s dissent in *Bostock* noted that the majority’s holding will have a significant impact in the Title VII and Title IX contexts and will impact school environments in a number of ways. This may include the use of shared facilities, participation in athletics, freedom of speech, and some constitutional claims. Some of these areas will be discussed in greater detail in the Title IX section below. As predicted, *Bostock* has had a profound impact on educational settings. Since the decision, which had the effect of bringing homosexual and transgender employees within the ambit of Title VII, courts have increasingly applied the reasoning and holding to the Title IX context.

b. Title IX

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688, provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.” Title IX, which was passed after Title VI, uses language that tracks that of Title VI, but prohibits discrimination on the basis of sex in education programs or activities of recipients of federal financial assistance. It is simultaneously broader than Title VI, as it has no counterpart to Title VI’s limited applicability to employment practices. Title IX is therefore capable of redressing sex discrimination in employment, admissions, as well as general educational activities, by federally funded education programs. The Department of Education’s Office for Civil Rights (OCR) is responsible for the enforcement of Title IX.

OCR’s approach to transgender issues has markedly changed during the past several presidential administrations. Under the Obama administration, there was an emphasis to enforce protections for transgender students more vigorously under Title IX. In 2016, the DOE OCR and DOJ’s Civil Rights Division jointly issued a letter instructing that discrimination based on sex encompassed “discrimination based on a student’s gender identity, including discrimination based on a student’s transgender status.”

The Trump administration reversed course on this issue prior to *Bostock*. In 2017, the DOE and DOJ withdrew the Obama administration’s letter. Following *Bostock*, the outgoing Trump administration agreed that Title IX covers individuals based on LGBTQ status. However, the Trump administration also noted that certain types of conduct could not constitute illegal discrimination, such as providing unfettered access to school facilities and participation in athletic competitions that correspond with a person’s gender identity.

The Biden administration has ushered in yet another change in the federal government’s approach to transgender issues in school environments. On his first day in office, Biden issued an executive order which directed federal agencies to implement *Bostock* and to enforce federal

prohibitions on sex discrimination against individuals based on sexual orientation and gender identity. Exec. Order 13,988, 86 Fed. Reg. 7023 (January 20, 2021).

The order itself specifically referenced Title IX. Later in 2021, the OCR issued a Notice of Interpretation regarding *Bostock*. Office of Civil Rights, Federal Register Notice of Interpretation: Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County*, <https://www2.ed.gov/about/offices/list/ocr/docs/202106-titleix-noi.pdf>. In the Notice, the OCR provided that Title IX prohibits discrimination against LGBTQ students and employees in public schools, colleges, universities, and other recipients of Department funds. This was not necessarily surprising given that Title IX is generally seen as the sister statute of Title VII. In any event, it indicated that the current administration was willing to apply the *Bostock* holding specifically in the Title IX context. In interpreting the scope of Title IX's prohibition on sex discrimination the Supreme Court and lower federal courts have often relied on the Supreme Court's interpretations of Title VII. *See, e.g., Franklin v. Gwinnett Cty. Pub. Sch.*, 503 U.S. 60, 75 (1992); *Jennings v. Univ. of N.C.*, 482 F.3d 686, 695 (4th Cir. 2007); *Frazier v. Fairhaven Sch. Comm.*, 276 F.3d 52, 66 (1st Cir. 2002); *Gossett v. Oklahoma ex rel. Bd. of Regents for Langston Univ.*, 245 F.3d 1172, 1176 (10th Cir. 2001). OCR will fully enforce Title IX to prevent discrimination based on sexual orientation and gender identity, which may include "allegations of individuals being harassed, disciplined in a discriminatory manner, excluded from, denied equal access to, or subjected to sex stereotyping in academic or extracurricular opportunities and other education programs or activities, denied the benefits of such programs or activities, or otherwise treated differently because of their sexual orientation or gender identity."

The Biden administration has not been unique in its approach to effectively apply *Bostock* in the Title IX context. The Notice, in fact, admits as much. Both before and after *Bostock*, courts across several jurisdictions have been willing to extend Title IX protections to individuals based on their LGBTQ status. This will likely continue as the administration reaffirms its commitment to enforcing protections of transgender individuals under Title IX. The discussion below includes some of the areas that may see an increase in Title IX litigation in the wake of *Bostock*.

The Biden administration is poised to make additional changes to Title IX with forthcoming revisions to the regulatory updates that were adopted in 2020 under the Trump administration. On February 18, 2022, the U.S. Department of Education announced it had sent a draft of proposed amendments to the Title IX regulations to the Office of Information and Regulatory Affairs, a division of the Office of Management and Budget that coordinates the review of all executive branch regulations. This may be a sign that new regulations will be effective and expected to be implemented potentially as soon as school year 2022-2023.

The contents of the new Notice of Proposed Rulemaking are not yet available for public review. However, the timeline appears consistent with what the Department of Education previously indicated, specifically, that regulations could be proposed and available for comment by April 2022. The regulations may go beyond updating the grievance process for instances of sexual harassment and may expressly address discrimination based on gender identity and sexual orientation. Regulatory changes may also affect students with disabilities who are protected under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act, since

students with disabilities are often disproportionately more likely to face sexual assault, sexual violence, and sexual harassment. New regulations will likely impact schools and generate a potential wave of litigation concerning the enforceability and scope of the regulations.

c. Title VII and Title IX Claims in a post-*Bostock* Legal Landscape

i. Use of Shared Facilities

One area that has seen a flurry of litigation following *Bostock* involves the use of shared facilities by transgender students. Several federal circuit courts that have examined this issue have concluded that preventing a transgender student from using a school restroom or locker room consistent with the student's gender identity violates Title IX. Many federal district courts have reached similar conclusions.

Grimm v. Gloucester Cty. Sch. Bd., 972 F.3d 586, 616 (4th Cir. 2020), as amended (Aug. 28, 2020), reh'g en banc denied, 976 F.3d 399 (4th Cir. 2020), petition for cert filed, No. 20-1163 (Feb. 24, 2021).

This high-profile case has been winding through the courts for several years. The plaintiff, Gavin Grimm, sued the school district under Title IX and the Equal Protection Clause, alleging sex discrimination based on the school's requirement that the student, a transgender male, be barred from the boys' bathrooms. Grimm had been using the boys' restroom during his sophomore year without incident. Responding in part to community pressure, the school board passed a resolution limiting the use of male and female restroom and locker room facilities to facilities matching their "biological gender, with alternative private facilities available for students with "gender identity issues." The district also refused to amend his school records despite his obtaining a court order and amended birth certificate reflecting his male gender. As a result, Grimm suffered from stigma, urinary tract infections due to bathroom avoidance, and suicidal thoughts that led to hospitalization as a result.

Grimm sued alleging violations of Title IX and the Equal Protection clause, and the federal district court granted summary judgment in his favor. On appeal, the Fourth Circuit affirmed. On the Equal Protection claim, the court applied heightened-scrutiny to a sex-based classification and held that transgender people constitute at least a quasi-suspect class. Under this scrutiny, the district policies were not substantially related to its purported interest in protecting privacy and maintaining accurate records, and therefore violated the Equal Protection Clause.

Under Title IX, the Court held that the district's restroom policy was discrimination on the basis of sex in violation of Title IX. Simply put, Grimm was prohibited worse than students with whom he was similarly situated (other boys) because he could not use the restroom corresponding with his gender. The failure to amend his records also violated Title IX.

On June 28, 2021, the Supreme Court denied certiorari on this case, bringing it to a close and leaving it as binding precedent in the Fourth Circuit (and persuasive authority elsewhere).

***Adams v. Sch. Bd. of St. Johns Cty.*, 968 F.3d 1286, 1305 (11th Cir. 2020).**

This case considered the question of whether the school district’s policy of barring Drew Adams – a transgender student – from using the boys’ restroom squared with the Equal Protection Clause and Title IX’s prohibition of sex discrimination.

Mr. Adams entered Nease High School in ninth grade, after he began transitioning and presenting as a boy. Mr. Adams’s mother informed the school that Adams was transgender, currently transitioning, and should be considered a boy student, but did not discuss Adams’s bathroom use with the school. For his first six weeks as a ninth grader, Mr. Adams used the boys’ restroom. One day, however, the school pulled Mr. Adams from class and told him he could no longer use the boys’ restroom because students had complained. These complaints came from two unidentified girl students who saw Mr. Adams entering the boys’ restroom. There were no complaints from boy students who shared bathroom facilities with Adams. Regardless, school officials gave Mr. Adams two choices: use a single-stall, gender-neutral bathroom in the school office, or use the girls’ facilities.

After these complaints, the school district barred Mr. Adams from entering the boys’ restroom and Adams brought claims under the Equal Protection Clause and Title IX. In considering the Title IX claim, the court noted that every court of appeals to consider bathroom policies akin to that of the school district noted to that such policies were violative of Title IX. The Seventh Circuit has held that “[a] policy that requires an individual to use a bathroom that does not conform with his or her gender identity punishes that individual for his or her gender nonconformance, which in turn violates Title IX.” *Whitaker ex rel. Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034, 1049 (7th Cir. 2017). The Sixth Circuit, in affirming a preliminary injunction order, stated that, under Title IX, “transgender students are entitled to access restrooms for their identified gender rather than their biological gender at birth.” *Dodds v. U.S. Dep’t of Educ.*, 845 F.3d 217, 221–22 (6th Cir. 2016)

The court also made note of the unfortunate consequences of excluding transgender students from restrooms corresponding with their gender identity. *Whitaker*, 858 F.3d at 1045–47 (affirming a finding of irreparable harm because excluding a transgender student from the boys’ restroom “stigmatized” the student and caused him “significant psychological distress” including “depression and anxiety” (quotation marks omitted)); *Dodds v. U.S. Dep’t of Educ.*, 845 F.3d 217, 221–22 (6th Cir. 2016) (per curiam) (affirming a finding of irreparable harm because excluding a young transgender student “from the girls’ restrooms has already had substantial and immediate adverse effects on [her] daily life[,] ... health[,] and well-being”); *see also Obergefell v. Hodges*, 576 U.S. 644, 135 S. Ct. 2584, 2602, 192 L.Ed.2d 609 (2015) (recognizing that “laws excluding same-sex couples from the marriage right impose stigma and injury”).

In considering the Title IX claim, the court noted that *Bostock* was of great import, despite its applicability to Title VII. Both titles prohibit discrimination on the basis of sex. Moreover, both rely on a “but for” causation standard, which *Bostock* found critical to its broader interpretation of sex discrimination. Guided by the reasoning in *Bostock*, the court held that Title IX, like Title VII, prohibits discrimination against a person because he is transgender, because this constitutes discrimination based on sex. The court also noted the policy violated Equal Protection.

Interestingly, however, the court’s decision was subsequently vacated in a later panel opinion by the same court on July 14, 2021. *Adams v. School Board of St. Johns County*, Florida, 3 F.4th 1299 (9th Cir. 2021). The revised opinion did not reach the Title IX question, and only reached one ground under the Equal Protection Clause, as opposed to the three Equal Protection rulings in the previous opinion. In dissenting from this opinion, Judge Pryor argued that the bathroom policy did not violate Title IX and, in so doing, noted that the *Bostock* holding should not be extended to this case.

A petition for a rehearing *en banc* was granted on August 23, 2021, thus vacating the previous panel opinion. There will likely be more developments in this ongoing case in the coming months.

***Parents for Privacy v. Barr*, 949 F.3d 1210, 1228 (9th Cir. 2020).**

This case concerned whether an Oregon public school district could permit transgender students to use school bathrooms, locker rooms, and showers that match their gender identity rather than their biological sex. Plaintiffs brought a challenge to the school district’s policy, alleging that it violated Title IX, as well as several constitutional rights, such as the right to privacy, the parental right to direct the education and upbringing of one’s children, and free exercise of religion.

With respect to the Title IX challenge, the plaintiffs specifically argued that the school district’s policy created a sexually harassing hostile environment. The plaintiffs focused on the third and fourth elements of a Title IX hostile environment claim, namely whether there was harassment because of sex that was so severe, pervasive, and objectively offensive that it deprived Plaintiffs of access to the educational opportunities or benefits provided by Dallas High School. The District Court rejected the plaintiffs’ Title IX challenge, which was subsequently upheld by the Ninth Circuit. In so holding, the court found that the plaintiffs failed to show any sort of discriminatory gender animus underlying the policy. And the plaintiffs failed to point to any case law where their “equal harassment” theory gave rise to a cognizable Title IX claim.

In addition, the court noted that the alleged harassment was not “so severe, pervasive, and objectively offensive to rise to the level of a Title IX” violation.” The plaintiffs did not allege that the transgender students made inappropriate comments, flaunted nudity, or physically touched them. Instead, they felt harassed by the mere presence of transgender students. This, without more, was not enough to satisfy a hostile environment sex discrimination claim.

***Whitaker By Whitaker v. Kenosha Unified School District No. 1 Board of Education*, 858 F.3d 1034, 343 Ed. Law Rep. 672 (7th Cir. 2017), cert. denied, 138 S. Ct. 1260 (2018).**

In this pre-*Bostock* decision, the Seventh Circuit considered whether the school’s unwritten bathroom policy – which prohibited a student from using the bathroom corresponding with his gender identity – violated Title IX and the Equal Protection Clause.

The case involved a transgender student who was born a female but began to identify as male during his freshman year of high school. He cut his hair, began to wear more masculine clothing, and began to use the name Ashton and male pronouns. In the fall of 2014, the beginning

of his sophomore year, he told his teachers and his classmates that he is a boy and asked them to refer to him as Ashton or Ash and to use male pronouns.

After transitioning, he was notified that the administration had decided that he could only use the girls' restrooms or a gender-neutral restroom in the school's main office. He believed that use of either would undermine his transition and draw unnecessary attention to his transgender status. He also worried that he might be disciplined if he tried to use the boys' restroom, which would hurt his chance to get into college. He tried to restrict his water intake at school to avoid having to use the restroom, but this often resulted in several side effects, including fainting and dizziness. During his junior year, he began using the boys' restroom for six months without incident. However, on one occasion, a teacher noticed him doing so, and reported him to the administration. He retained counsel and brought a claim against the school. The student moved for preliminary injunction and the school district moved to dismiss for failure to state a claim.

In reviewing his Title IX claim, the court noted that it often looks to Title VII when construing Title IX. It looked to sex-stereotyping cases, in which plaintiffs brought Title VII claims for discrimination based on their failure to conform to certain gender stereotypes. In *Price Waterhouse v. Hopkins*, for example, the Supreme Court found that the plaintiff had adequately alleged that her employer, in violation of Title VII, had discriminated against her for being too 490 U.S. 228, 109 S.Ct. 1775, 104 L.Ed.2d 268 (1989). Thus, the Court embraced a broad view of Title VII, as Congress "intended to strike at the entire spectrum of disparate treatment of men and women resulting from sex stereotypes." The court also noted that many courts have found that a transgender plaintiff can state a claim under Title VII or sex discrimination on the basis of a sex-stereotyping theory.

The court ultimately supported this sex-stereotyping theory and found that Ash has sufficiently established a probability of success on the merits of his Title IX claim. The school district subsequently filed a petition for certiorari with the U.S. Supreme Court, which was followed in January 2018 by the school's Motion to Dismiss indicating the case had been resolved in the student's favor. It was later abrogated on other grounds by *Illinois Republican Party v. Pritzker*, 973 F.3d 760 (7th Cir. 2020).

ii. Student Participation in Athletic Competitions

In 40 states and the District of Columbia, there is currently no state-level bans on transgender students participating in sports consistent with their gender identity. See *Bans on Transgender Participation in Youth Sports*, MOVEMENT ADVANCEMENT PROJECT, https://www.lgbtmap.org/equality-maps/sports_participation_bans. There are currently 16 states, including the District of Columbia) that have policies which facilitate the inclusion of transgender and non-binary students in high school athletics. See *State Athletic Association Guidance on Inclusion of Transgender and Nonbinary Students, and State Athletic Ban Legislation and Executive Orders*, GLSEN, <https://www.glsen.org/policy-maps>.

Six states currently require students to participate in athletics based on their birth certificate or sex assigned at birth. Another three states bar transgender participation unless they have undergone surgery. Additional restrictive policies exist in 16 states. Finally, there are currently 10

states that have not issued any statewide guidance on best practices regarding transgender and non-binary students in athletics.

Some states have passed legislation that bars the gender-affirming participation of transgender student athletes. This began with HB 500 in Idaho in 2020—which has been challenged in federal court in *Hecox v. Little*—and, since then, similar bills have been introduced in more than 30 states. Legislation has been enacted in Alabama, Arkansas, Florida, Mississippi, Montana, Texas, Tennessee, and West Virginia. The governor of South Dakota has also issued a state ban via executive order.

Additional states have begun to work toward codifying bans. For example, the Arizona Senate recently passed SB1165, which would ban transgender girls from playing on sports teams aligning with their gender identity from kindergarten through college. The Indiana and South Dakota state houses have each passed bills – HB1041 and SB46, respectively – which would have the same effect for K-12 students. The Georgia Senate is considering SB266, which essentially mirrors the Arizona Senate bill.

Despite these recent trends, some courts have blocked these efforts by extending Title IX protections, at least temporarily, to transgender students in this context.

***Hecox v. Little*, 479 F.Supp.3d 930 (D. Idaho 2020).**

Idaho is one of the 10 states that has enacted legislation preventing transgender individuals from participating in sports corresponding with their gender identity. On March 30, 2020, Idaho Governor Bradley Little (“Governor Little”) signed (the “Act”) into law. Idaho Code Ann. § 33-6201–6206, which categorically barred transgender women from participating in women’s sports. Plaintiffs challenged the constitutionality of the new law and sought a preliminary injunction preventing the enforcement of the Act. Defendants asserted that Plaintiffs lacked standing, that their claims were not ripe for review, that certain of their claims failed as a matter of law, and that they were not entitled to injunctive relief.

The question before the Court was whether the State of Idaho should be enjoined from enforcing a newly enacted law which precludes transgender female athletes from participating on women’s sports. The court recognized the difficulty in balancing the interests. On the one hand, as Plaintiffs noted, the Ninth Circuit has held that cisgender students do not have a legally protectable interest in excluding transgender students from single-sex spaces. *Parents for Privacy v. Barr*, 949 F.3d 1210, 1228 (9th Cir. 2020) (rejecting Title IX and constitutional claims of cisgender students based on having to share single sex restrooms and locker facilities with transgender students). On the other hand, Title IX plays an incredibly important role in addressing past discrimination against women in athletics and promoting athletic opportunity between the sexes. *Clark, ex rel. Clark v. Arizona Interscholastic Ass’n*, 695 F.2d 1126, 1131 (9th Cir. 1982).

Defendants relied extensively on the Trump Administration’s OCR Letter – Letter Demanding Enforcement Action – which opined that allowing transgender high school athletes in Connecticut to participate in women’s sports violated the rights of female athletes under Title IX. However, as the court noted, the OCR Letter itself states that “it is not a formal statement of OCR

policy and should not be relied upon, cited, or construed as such.” Moreover, the court indicated that it was likely inconsistent with the recent holding in *Bostock*. As such, it rejected the claim that the letter rendered Plaintiffs ineligible to participate in women’s sports.

While it did not spend considerable time on the Title IX question, the court granted Plaintiffs’ preliminary injunction, noting that they are likely to succeed in establishing the Act was unconstitutional as written. The injunction was appealed and is being actively litigated.

B.P.J. v. West Virginia State Board of Education, 2021 WL 3081883 (S.D. W. Va. 2021).

West Virginia has also enacted a state-wide ban on transgender women participating in women’s sports. On March 18, 2021, ten delegates in the West Virginia House of Delegates introduced House Bill 3293, strategically referred to as the “Save Women's Sports Bill.” West Virginia Governor Jim Justice signed the bill into law on April 28, 2021, and it was codified as West Virginia Code, Section 18-2-25d, entitled “Clarifying participation for sports events to be based on biological sex of the athlete at birth.”

B.P.J., an eleven-year-old transgender student, joined her elementary school's all-girl cheerleading team. B.P.J. practiced and competed with this team without incident. However, once the law went into effect, she was effectively barred from participating in girls’ sports. B.P.J., through her mother, filed this lawsuit against the West Virginia State Board of Education, the Harrison County Board of Education, the West Virginia Secondary Schools Activities Commission (“WVSSAC”), State Superintendent W. Clayton Burch, and Harrison County Superintendent Dora Stutler. She brought both Equal Protection and Title IX claims against Defendants and sought a preliminary injunction preventing enforcement of the law.

The court ultimately sided with B.P.J. and found that she would likely succeed on the merits of her Title IX claim. In particular, the court relied on the holding in *Bostock* and found that she was discriminated based on sex. Because the other elements of the preliminary injunction were satisfied, the preliminary injunction was granted, enjoining Defendants from enforcing the law against her. However, the case is still being actively litigated.

iii. Dress Codes

Another area that will be affected – as transgender and gender nonconforming individuals are increasingly brought within the ambit of Title VII and Title IX – is the establishment of dress codes by schools and employers. Some courts have begun to consider allegedly discriminatory dress codes in both school and employment contexts, and whether the enforcement of such dress codes comports with Title IX.

See Peltier v. Charter Day School, Inc., 8 F.4th 251 (4th Cir. 2021).

While this case does not directly involve transgender students, it nevertheless has important Title IX implications relating to dress codes. The dress code at issue in this case included certain requirements for both boys and girls, certain requirements for boys only and certain requirements for girls only.

Three female students sued the school and the company that manages it challenging one of the requirements applicable only to girls—that they wear skirts, jumpers, or skorts, instead of pants or shorts. They argued that the school’s dress code constituted a violation of the Equal Protection Clause and Title IX. The focus of these claims was the effect that skirts had on young girls. Plaintiffs claimed that the skirt requirement created practical problems, such as restricting their ability to move freely and comfortably. It limited their ability to stay warm in the winter. It also distracted them from their academic work. Besides these practical concerns, Plaintiffs also raised concerns about the psychological effects of this requirement. These concerns included reinforcing and solidifying gender roles, which translated to boys being put in a position of power over girls.

The court first noted that dress codes are covered by Title IX. It noted that “Congress did not list any specific discriminatory practices when it wrote Title IX.” Rather, “Congress gave the statute a broad reach” by writing a “general prohibition on discrimination, followed by specific, narrow exceptions to that broad prohibition.” As such, dress codes could not be excluded from Title IX. Second, the court considered how Title IX should be applied. There is, as the court notes, little precedent in this area of the law. However, the court found that Plaintiffs’ first two theories—whether Plaintiffs were “excluded from participation” or were “denied the benefits of” an educational program in their education at Charter Day—were self-evident from Title IX’s text. The third theory—that they were “subjected to discrimination” based on sex—was not self-evident.

The court ultimately remanded the case to the district court to determine whether there was a genuine issue of material fact as to whether the skirt requirement excluded Plaintiffs from participation, denied them education benefits or subjected them to discrimination under Title IX. A rehearing *en banc* was later scheduled in the case. Despite this, the court’s original decision to bring dress codes within the ambit of Title IX could potentially be of great significance in school environments with gender-specific dress codes.

iv. Preferred Pronouns

Lastly, the *Bostock* holding will likely affect how courts evaluate claims of involving misgendering or refusal to use an individual’s preferred pronouns in both school and employment settings. It may also give rise to a greater number of cases involving people who refuse to use a student’s preferred pronouns, whether that be for religious reasons or other personal beliefs. *See, e.g., Kluge v. Brownsburg Community Sch. Corp.*, 2021 WL 2915023 (S.D. Ind. 2021).

This issue has yet to be heavily litigated in the Title IX context, but courts appear to be at least open to claims of sex discrimination involving misgendering in the Title VII context. There have been cases in which repeated misgendering, combined with other harassing conduct, have given rise to employment discrimination and equal protection claims. *See, e.g., Monegain v. Dep’t of Motor Vehicles*, 491 F.Supp.3d 11 (2020). Despite this, it is unclear whether misgendering alone – even if repeated and intentional – can give rise to either Title VII or a Title IX claim.

***Meriwether v. Hartop*, 992 F.3d 492 (6th Cir. 2021).**

At issue in this case is a professor's decision to refuse to refer to by their preferred pronouns. After misgendering a student, that student approached the professor and told him that she used feminine pronouns. In response, the professor noted that his religious prevented him from communicating messages about gender identity that he believes are false. He also explained that he wasn't sure if he could comply with Doe's demands. After a Title IX investigation, the university dean said she would bring a formal charge against him under the university's collective bargaining agreement. He feared would be fired if he didn't comply with university policy on gender identity. He then brought several claims against the school, alleging that the university violated his rights under: (1) the Free Speech and Free Exercise Clauses of the First Amendment; (2) the Due Process and Equal Protection Clauses of the Fourteenth Amendment; (3) the Ohio Constitution; and (4) his contract with the university.

In response, intervenors from the university argued that the professor's conduct was violative of Title IX. The requirement "that the discrimination occur 'under any education program or activity' suggests that the behavior [must] be serious enough to have the systemic effect of denying the victim equal access to an educational program or activity." *Davis v. Monroe Cty. Bd. of Educ.*, 526 U.S. 629, 652, 119 S.Ct. 1661, 143 L.Ed.2d 839 (1999); see *Pahssen v. Merrill Cmty. Sch. Dist.*, 668 F.3d 356, 362 (6th Cir. 2012). The court noted that failure to use the student using feminine pronouns did not have that effect. There was no indication at that the professor's speech inhibited the student's education or ability to succeed in the classroom. The court also did not find that his conduct was so severe and pervasive that it created a hostile educational environment. In so finding, the court held that Title IX was not implicated.

***Kluge v. Brownsburg Community Sch. Corp.*, 2021 WL 2915023 (S.D. Ind. 2021).**

The court in *Kluge* reached a different result, though it involved a claim of religious discrimination rather than sex discrimination. Here, the school implemented a policy which required all staff to address students by the name that appeared in a database that the school used to record and store student information. Transgender students could change their first names in the database if they presented a letter from a parent and a letter from a healthcare professional regarding the need for a name change.

One teacher objected to referring to students by their preferred pronouns on religious grounds. He compromised by proposing to only refer to students by their last names and signed a document to that effect. Several students found this practice insulting, disrespectful, and alienating. Because he refused to change this practice, the administration suggested he resign, and he eventually agreed. He then brought a Title VII claim against the school arguing that he was discriminated based on his religious beliefs.

The court held that his Title VII claim was ultimately without merit. The public school's duty to accommodate a teacher's sincerely held religious beliefs was overcome by the policy that requires staff to use transgender students' preferred names when supported by a parent and health care provider. Because the school did not coerce his resignation by misrepresentation and could not accommodate his religious beliefs without sustaining undue hardship, and because he failed to

make a meaningful argument or adduce evidence in support of a claim for retaliation, the court granted the school’s cross-motion for summary judgment.

***Eller v. Prince George’s Cty. Pub. Sch.*, 2022 WL 170792 (D. Md. 2022).**

This case involves a much different situation than *Meriwether* and *Kluge* – one in which the court found that misgendering could be used to support a claim of sexual harassment. Jennifer Eller, a transgender woman who was assigned the sex of male at birth, was employed as a teacher within the PGCPS from 2008 to 2017. After transitioning, she was subjected to insults, threats, and physical assaults. The harassment included frequent misgendering—being referred to with names, pronouns, or terms associated with a different gender identity.

The court made two important findings in considering her Title VII claim relating to the hostile work environment. First, it noted that misgendering and sexually degrading epithets specifically targeting transgender people are sufficient to establish discrimination based on sex. Second, the repeated misgendering and targeted, transgender-specific slurs helped establish that the harassment was severe and pervasive. This suggests that repeated, intentional misgendering can, at the very least, provide support for a Title VII claim for sexual harassment.

v. Bullying

While it may not directly implicate Title VII or IX, Congress recently attempted to pass the Safe Schools Improvement Act. The SSIA, which was introduced in the House on July 9, 2021, and in the Senate on July 21, 2021, would amend Title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7101 et seq.). It would require that school districts in states that receive ESEA funds to adopt codes of conduct specifically prohibiting bullying and harassment, including on the basis of race, color, national origin, sex, disability, sexual orientation, gender identity, and religion. It would further require that states report data on bullying to the DOE, which would in turn be reported to Congress every two years. In addition to the SSIA, 21 states, Washington D.C., and Puerto Rico have passed enumerated anti-bullying laws that protect LGBTQ+ students. *See Enumerated Anti-Bullying and Harassment Laws by State*, GLSEN, <https://www.glsen.org/policy-maps>.

Conclusion

Bostock has already had a profound impact on Title VII and IX jurisprudence. While *Bostock* was itself a Title VII decision, its arguments have been increasingly extended to the Title IX context. Given its recentness, it is unsurprising that there have not been any earth-shattering developments across the education law landscape. With that said, however, it is almost certain that K-12 education will see significant changes in the coming years as courts continue to hear more Title VII and Title IX challenges relating to sexual orientation and gender identity discrimination cases. School districts should be stay abreast of these developments, as they will likely require school districts to reevaluate and update school policies, procedures, practices to ensure compliance with Title VII and IX.

WHAT MAKES UP A GENDER INCLUSION POLICY?

Purpose

Gender inclusion policies are much needed in taking the steps toward this positive change. This one pager will help you make change in your own school with the hopes of ensuring that all students have access to programming and facilities, and other procedures they need in order to feel comfortable and safe.

Who We Are

We as OutFront MN interns and as queer and allied youth, hope to provide you with the resources you need to create a more equitable and inclusive school environment. Students deserve respectful and welcoming learning environments that value students' gender identity and gender expression. Make sure to include a "Who We Are" in your own gender inclusion policy.

Other Sources to Learn From

<https://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>

<https://mps.municipalcodeonline.com/book?type=policies#name=Regulation 4000C: Preferred Name>

https://www.spps.org/site/handlers/filedownload.ashx?moduleinstanceid=3520&dataid=2292&FileName=gender_inclusion_policy_final_v3_17_15.pdf

<https://policy.umn.edu/operations/genderequity#:~:text=University%20members%20may%20access%20gender,and%20activities%2C%20and%20camp%20programs>

http://www.p12.nysed.gov/dignityact/documents/Transg_GNCGuidanceFINAL.pdf

<https://www.genderinclusiveschools.org/gender-inclusive-policy-builder-transgender>

Legal References

When we looked at other gender inclusion policies, policy writers referenced laws and other legal statutes that are in relation to their policy. This creates credibility for the policy, given that it is backed up with legal evidence.

Examples

- Minn. Stat. ch. 363A (Minnesota Human Rights Act)
- Minn. Stat. § 121A.031 (Safe and Supportive Minnesota Schools Act)
- Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
- 20 U.S.C. § 1681 et seq. (Title IX)
- 20 U.S.C. § 1701 et seq. (Equal Educational Opportunities)

Definitions

Including definitions in a gender inclusion policy ensures that everyone is on the same page when it comes to what words mean. This can be very educational to a reader, and provide clarity for confusion. Examples of words that can be defined within a gender inclusion policy include but are not limited to transgender, nonbinary, gender identity, gender expression, assigned sex, and gender non-conformity.

REFERENCES TO OTHER POLICIES

In this section, policy writers might reference other policies that may overlap with the specific policy in creation. This is helpful because it ties in other approved policies relating to the policy topic. In the Saint Paul Public School District's Gender Inclusion Policy, they cite the following policies in their district:

- 102.00 Equal Opportunity/Non-Discrimination
- 415.00 Harassment, Violence and Other Offensive Behavior
- 505.00 Bullying Prohibition

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OUTFRONT MINNESOTA | EDUCATIONAL EQUITY PROGRAM

LGBTQ+
YOUTH &
EDUCATOR
RESOURCE
GUIDE

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Orientation & Identity

What is sexual orientation?

Sexual orientation is often used to describe how people might find themselves sexually and/or romantically attracted to other people depending on the expressed *gender* of those people. In other words, which genders people finds themselves attracted to in a romantic, affectionate, or sexual way! Sexual identity is *fluid*, which means it can change over time and can be defined by YOU in any way that best represents you and how you feel!

Some terms for sexual orientation include **queer, gay, lesbian, bisexual, heterosexual, pansexual, omnisexual, asexual, ambisexual, and questioning**. Remember, this is not an exhaustive list. Because sexual orientation is a *spectrum*, there is an infinite number of sexual identities! Sexual orientation itself is not a choice, but how you choose to identify is up to you.

For more information on sexual orientation and identity visit:

- https://www.scarleteen.com/article/gender/the_rainbow_connection_orientation_for_everyone
- https://www.scarleteen.com/article/bodies/sexuality_wtf_is_it_anyway
- https://www.scarleteen.com/tags/sexual_orientation

What is gender identity?

Gender identity describes a person's own idea of if and in what sense they feel they might be a man, a woman, a mix of multiple genders, no gender, or another gender entirely. How a person identifies their gender(s) often depends on a variety of factors, like social roles, feelings, behaviors, and presentation or appearance.

Like sexuality, gender is a *spectrum*, which means there is an infinite amount of gender identities! Many people assume a person's gender based on the clothes they wear, how they act, or even what colors they like. But the idea that anatomical sex must “match” how society thinks you should present and identify your gender creates a world of confusion, conflict and imbalance for many folks, so it's important to challenge the idea that gender is binary!

Some terms for gender identity include **transgender, genderqueer, gender nonconforming, non-binary, and cisgender**. Remember, like sexual orientation, this is not an exhaustive list because there are an infinite number of gender identities!

For more information on gender orientation and identity visit:

- https://www.scarleteen.com/article/bodies/genderpalooza_a_sex_gender_primer
- https://www.scarleteen.com/trans_summer_school_whats_the_deal_with_gender
- <https://www.scarleteen.com/article/gender>
- <https://www.genderspectrum.org/resources/>
- https://assets2.hrc.org/files/assets/resources/GEreport1.pdf?_ga=2.158787386.108800851.1569101573-1477536198.1566231475
- <https://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions>

Orientation & Identity

Why do pronouns matter?

Pronouns allow us to refer to someone without having to use their name, but often the pronouns we use have gendered associations that can be harmful when used to identify someone in the wrong way. Making assumptions about what pronouns someone uses means you can mistake their gender and send harmful messages, make someone feel unsafe and unwelcome, and send the wrong message that someone must look a certain way or act a certain way to be respected. That is why it is super important that the pronouns we use for everyone we meet are the right pronouns for them.

A few examples of pronouns include **she/her/hers, they/them/theirs, ze/zir/zirs, he/him/his, and ze/hir/hirs**. But remember, these are not the only pronouns people use. There are an infinite amount of pronouns!

Asking someone what pronouns they use is a simple way to learn the most respectful and correct way to refer to them. By leading with your own pronouns you can help make any space feel more inclusive!

For more information on gender pronouns visit:

- <https://www.mypronouns.org/>
- <https://www.scarleteen.com/tags/pronouns>
- <https://www.transstudent.org/pronouns101>
- <https://www.instructionalsolutions.com/blog/how-to-use-singular-they>

Coming Out

Coming out to friends, family members, coworkers, or *anyone* can be a very liberating feeling. It can also be very scary, and sometimes even dangerous. Sometimes, it's difficult to anticipate how someone might react when you come out to them, and you don't know what to expect. Before you come out to anyone, you should think about the **risks involved (positive and negative), identify your reasons for coming out to them, and plan how you want to come out to them.** Remember, it's okay to come out at any time and for any reason!

Before you decide to come out to someone, ask yourself the following questions:

Consider HOW to come out:

- Should I do it face-to-face? Over email? Over text? A phone call?
- Where do I feel it's safest to come out?
- When do I want to come out?
- What are the actual words I'm going to use when I come out?
- Do I want someone else with me when I come out?

Plan WHAT to say:

- Can I use any past experiences coming out to others to inform how I'll do it in this situation?
- What do I actually want to say?
- Should I practice coming out first? Can I practice with a friend?
- How do I want to look, feel, and sound when I'm coming out?

Other questions to consider:

- What do I want to happen during this conversation?
- What am I afraid might happen?
- Are my fears realistic?
- What do I need to happen to be heard, understood, and accepted?

Make sure you have a plan for your emotional and physical well-being:

- How might I be feeling after I come out? Do I have access to a mental health professional if I need help coping with those feelings?
- What are my options if things don't go the way I want them to? Do I have a place to stay? Do I have a friend to talk to?
- Do I know of any LGBTQ+ spaces in my area that will support me? Where else can I find community?

Coming Out

Remember, coming out is a choice that only YOU get to make. And the best part is that there is no time limit! Even if you decide that coming out isn't in your best interest at this time, you can choose to do it at any point in your life, or not at all. Deciding not to come out doesn't make you any less a part of the LGBTQ+ community!

While coming out can be scary and could have real risks involved for some folks, remember that queer, trans, and gender nonconforming people have been around for thousands of years and aren't going anywhere now! No matter what part of your journey you're on, there is a beautiful, loving, loud, vibrant community that is out there, excited that you're a part of it!

For more information on coming out visit:

- https://www.scarleteen.com/article/relationships_sexual_identity_etc/becoming_out_a_totally_nonexhaustive_step_by_step_guide_to
- <https://www.hrc.org/resources/resource-guide-to-coming-out>
- <https://www.thetrevorproject.org/wp-content/uploads/2019/10/Coming-Out-Handbook.pdf>

Sexual Health

Am I ready to have sex?

Before you have sex, you should understand that there is no single definition of "sex," despite what our heteronormative society has conditioned us to think. The idea that vaginal intercourse is the only way to have "real" sex leaves a lot of queer, trans, and intersex people out of the conversation and perpetuates a lot of myths and uninformed risk-taking. **When we talk about "sex," we're talking about any way that people act, express, or explore their sexuality in a physical, consensual way.** People who do not or cannot have vaginal intercourse can still have active, fulfilling sex lives! There are a ton of ways to have sex, but having sex always involves some emotional and physical risks.

So, before you participate in sexual activities, there are some questions you should ask yourself:

- Do I feel emotionally and physically safe with my partner(s)?
- Am I feeling pressure to have sex from my partner(s), friends, or others?
- Do I know what I want from this sexual experience?
- Have I thought about why I want to have this experience?
- Am I prepared to take steps to eliminate the risk of unwanted pregnancies, STIs, or getting hurt in some way? Are my partner(s) on the same page about eliminating these risks?

If you answered "no" to any of these questions, you might want to press pause on sexual activities for the moment and reevaluate.

Remember, not everybody has sex or wants to have sex! Some people abstain from sex for personal or religious reasons, while some asexual folks do not have a desire for sexual experiences and choose not to have sex, but still lead fulfilling lives full of romance and intimacy. No matter how you identify sexually or the ways in which you have sex or want to have sex, it's important to communicate your wants and needs with your partner(s) so you can have a safe, informed, and fun sex life if you choose to!

Sexual Health

Consent: Yes means Yes

If you are choosing to have sex, remember that you must have consent from all parties involved. Sex without consent from everyone is NOT sex. **When we talk about consent, we're talking about an active, mutual process of freely and willingly exploring sex with another person.** When you are inviting a person to engage in any sort of sexual activity (including kissing, touching, oral sex, etc.) you absolutely must be given a clear and enthusiastic "yes." If someone is unable to give consent because they are intoxicated, ill, hurt, scared, or for any other reason, sex should not happen. **Freely and willingly exploring sex means that all parties involved do not feel manipulated, forced, or influenced into participating.**

Sometimes people think that asking for consent "ruins the mood" or is uncomfortable and awkward. But actually, asking for consent and checking in with your partner(s) is a great way to show them physical and emotional care or attraction. Plus, there are tons of ways to get consent that are not "mood-ruiners". (Check out the links below for some ideas!)

Remember, once consent has been given, it can be revoked at any time. Just because someone gives you consent once doesn't mean it's a binding contract. Also, consent isn't automatically a given just because someone is your boyfriend, girlfriend, or any sort of romantic partner! Nobody owes anybody else sex. Ever.

For more information on sexual health and consent visit:

- https://www.scarleteen.com/article/relationships/ready_or_not_the_scarleteen_sex_readiness_checklist
- https://www.scarleteen.com/article/relationships_sexual_identity_in_your_own_words/just_the_basics_ace_an_asexuality_primer
- https://www.scarleteen.com/article/abuse_assault/drivers_ed_for_the_sexual_superhighway_navigating_consent

Healthy Relationships

What defines a healthy relationship?

When we talk about relationships, we're talking about an ongoing interaction with another person. This could pertain family members, romantic and sexual partners, friends, peers, and professional colleagues. **Some factors we want to think about when we are in relationship to others are our ideas around prerequisites, boundaries, trust, equality and equity, safety, communication, conflict resolution, expectations, responsibilities, and care/love.** Many people have different ideas about these parts of relationships, so evaluating what things you can and cannot compromise when it comes to your own relationships with others is really important for your own well-being. Not all relationships are going to be perfect, but being able to navigate relationships with different types of people in a healthy, communicative, and realistic way is a valuable skill to have as you go through life!

Recognizing Abuse & Toxicity

Sometimes, our relationships with other people do not turn out like we had planned. Sometimes, ongoing behaviors that make us feel unsafe, uncomfortable, and physically or emotionally hurt are disguised as love and care. We call these behaviors "abuse". "Toxic behaviors" are often associated with abuse, as they are behaviors that may not have any immediate or direct harm on us, but do get in the way of us having a healthy, communicative, and joyful relationship with another person. Abusive behaviors do not have to be obvious or physical in order to qualify as abuse, and it can happen with sexual or romantic partners, friends, family, or even with people we don't know. Sometimes, toxic behaviors and abuse take the form of gaslighting, which is a way that people manipulate others in small, seemingly insignificant ways over time. Gaslighting is a tricky method of abuse because it makes people question their own sanity and struggle to pinpoint a single "abusive" behavior.

If you think you might be experiencing abuse or toxicity in your relationships, ask yourself some of these questions:

- Do I feel safe around this person?
- Does this person trust me? Do I trust them?
- How does this person demonstrate that they respect me? How do they show me care?
- How do we communicate? How do I feel during and after we communicate?
- Am I able to express my limits and boundaries to this person and feel safe doing so? Do they respect these boundaries when I ask them to?
- Does this person follow through on promises they make to me?
- Do we share responsibilities in our relationship?
- Do I feel like I'm able to be myself around this person? Or do I feel like I have to act a certain way?
- Do I feel like an equal with this person?
- When we have a conflict, how do we resolve it? Do we resolve the conflict? How do I feel after we resolve conflicts?

If your answers to these questions make you feel like you might be in an unsafe or abusive relationship with somebody, you have a lot of options.

Healthy Relationships

Leaving & Ending Relationships

Sometimes when we recognize an unhealthy or abusive relationship with someone, we might not know how to handle it. We aren't sure if the relationship can be repaired or if it needs to end. We might even feel unsafe having conversations around the way these relationships need to change. If you feel this way, that's okay. Leaving a relationship can be scary and make you feel sad and powerless.

If abuse is occurring, you must understand that it's not your fault, even if you don't recognize the abuse right away. A lot of the time, it's hard to process the behaviors you've been enduring and it takes a while to gather the emotions and courage it takes to leave the relationship. Not everyone can leave an abusive or toxic relationship right away: it takes emotional work, and a lot of planning. **If you or someone you know is experiencing abuse, please refer to the resources on the following pages to get in contact with an anti-violence advocate at OutFront Minnesota.**

There are occasions in which relationships can be salvaged with open communication and a commitment to actually resolving the problems occurring in the relationship. But sometimes, even if your relationship isn't abusive or toxic, things just need to end, especially if one party feels disinterested, guilty, or unhappy about the relationship.

A few things to remember when you decide to end a relationship that is abusive or isn't serving you anymore:

- You don't always need to feel 100% comfortable about leaving in order to feel like it's the best thing to do.
- You don't need to justify your reasons for leaving to anyone, especially an abusive partner, friend, or family member.
- You don't have to feel hate or anger towards the person you are leaving to know it's the best choice.
- You don't necessarily have to wait for the "right" time to end a relationship you don't want to be in.

Remember, not all relationships are perfect, but knowing your values, boundaries, needs, wants, and ideas about safety (and sticking to them) will help you navigate healthy relationships in the future and give you the courage to end certain relationships if you need to.

For more information on navigating healthy relationships visit:

- https://www.scarleteen.com/article/abuse_assault/the_scarleteen_safety_plan
- https://www.scarleteen.com/article/abuse_assault_relationships_etc/the_quiet_voice_how_i_stopped_listening_to_emotional_abuse
- https://www.scarleteen.com/article/abuse_assault_disability_pregnancy_parenting_relationships_sexual_health/reproductive

Crisis & Anti-Violence

Overview

According to the Human Rights Campaign, Americans who identify as part of the LGBTQ+ community experience more hate crimes, violence, harassment, and prejudice than cisgender, heterosexual people. Queer and trans people also face higher rates of poverty, stigma, and marginalization than cisgender, heterosexual Americans, which has led to the over-sexualization and stigmatization of our identities, which can lead to attacks from people both outside of and within the LGBTQ+ community.

What resources are available around Minnesota to help LGBTQ+ folks?

OutFront Minnesota has an Anti-Violence Program that focuses on ending violence and harassment against and within LGBTQ+ communities in Minnesota. If you or someone you know is experiencing violence, harassment, or abuse and would like to talk to a trained advocate who can connect you with resources or talk through options regarding your situation, **call 612.822.0127, Option #3, or email advocate@outfront.org. Our helpline is open from 9am-5pm Monday through Friday, with extended hours on Tuesdays and Thursdays from 5pm-9pm.** If you would like to be connected with more immediate resources or you are in a crisis situation, please contact one of the following:

- For calls concerning domestic/intimate partner violence: Day One | 1.866.223.1111
- For calls concerning sexual violence: Sexual Violence Center | 612.871.5111
- For calls about transgender support: Trans Lifeline | 877.565.8860
- If you identify as an LGBTQ+ young person: The Trevor Project | 1.866.488.7386
- For all other calls regarding general support/mental health support: NAMI | 800.550.6264

LGBTQ+ Intersectionality

What is intersectionality?

As people who all live very different experiences in the world, we all hold a lot of different identities. A person's race, class, language, gender, sexual orientation, ability, religion, ethnicity, tribe, and culture, among other things, make up their complex identity. This identity is very hard to separate into one or two categories because we all have so many unique parts of ourselves! And those unique parts of ourselves play into the way we are treated in society and the way we experience oppression or privilege. For example, someone can hold **privilege (unearned benefits given to a certain social group)** based on their gender identity, yet still experience **oppression (cruel or unjust treatment)** based on another factor, like their race, class, or ability. And all of these things are what make up our identity!

Oftentimes our society only sees one or two parts of our identities at a time and does not recognize the complexity that we hold as unique individuals. **Intersectionality is the acknowledgement that our identities intersect and that these identities/social categories impact the way a person experiences privilege and oppression.**

History of Intersectionality

The term "intersectionality" was coined in 1989 by Kimberlé Crenshaw, a professor, lawyer, and civil rights advocate, to describe how race, class, gender, and other social categories intersect and overlap with one another. **Crenshaw argues that discrimination is rarely based on *one* individual identity and people's perceptions of that identity, but rather that our society was built on a *wide range* of discriminatory systems and structures that only benefit a very small amount of people.** In other words, in order to achieve true equality for all identities, we must start seeing that our society's problems are multi-dimensional and deeply engrained into societal systems.

So, what does this mean for you? This means that as an LGBTQ+ person or ally, you must also be an ally to folks in other marginalized communities! The same discriminatory systems and ideas that affect LGBTQ+ folks *also* affect people who are black, brown, Indigenous, Latinx, Asian, disabled, poor, Jewish, Muslim, refugees, immigrants, undocumented, Hijabi, or that hold *any* identity that our society's structures were not built in favor of.

And don't worry if you don't hold any of these marginalized identities. That's okay! That just means that you are super equipped to help join in on challenging the systems that privilege some people and oppress others. We always need more allies!

LGBTQ+ Intersectionality

Why is intersectionality important?

Because we all hold complex identities and certain amounts of oppression and privilege, it is our duty to honor that complexity in the other people in our lives! If we just look at one part of a person's identity, we fail to see the other parts that make them who they are. And failing to see the intersectionality of someone's identity sometimes means that we can, even unconsciously, act in ways that make them feel hurt, invisible, or even afraid.

Understanding intersectionality allows us to be better allies and advocates to the people we care about. **An ally and/or advocate is someone who might not hold a certain identity personally, but supports people that *do* hold that identity in certain ways. More specifically, an ally provides emotional support whereas an advocate stands up for folks and speaks out and acts in support of LGBTQ+ in more visible and tangible ways.** For instance, you might identify as heterosexual or cisgender, but you can be an advocate to the LGBTQ+ community by correcting someone when they use the incorrect pronouns for another person and helping to educate others when they use homophobic/transphobic language.

Even in the LGBTQ+ community, some folks hold more power than others. For example, LGBTQ+ people who are white, able-bodied, or native English-speakers have certain privileges that others in the community do not. Intersectionality means making sure all identities are heard, seen, and supported, not just the ones that hold power. **Remember, intersectionality is not something you will completely understand in one day. It's something you'll have to practice your entire life!**

For more information on intersectionality visit:

- https://www.scarleteen.com/article/politics/intersectionality_part_1_everything_counts
- <https://www.vox.com/the-highlight/2019/5/20/18542843/intersectionality-conservatism-law-race-gender-discrimination>
- <https://everydayfeminism.com/2014/09/what-is-privilege/>
- https://www.indivisible-ma.org/wp-content/uploads/2019/11/Me_And_White_Supremacy_Workbook_FINAL_BOOK_.pdf
- <http://www.dismantlingracism.org/uploads/4/3/5/7/43579015/whitesupcul13.pdf>
- <https://www.youtube.com/watch?feature=youtu.be&v=sWP92i7JLIQ&app=desktop>
- <https://www.youtube.com/watch?v=hRiWgx4sHGg&feature=youtu.be&app=desktop>
- <https://www.youtube.com/watch?feature=youtu.be&v=8Hi6W95-fac&app=desktop>

Being an LGBTQ+ Ally/Advocate

How can I be a better ally and/or advocate?

Now that you have a better understanding of what intersectionality is, and what it means it to be an ally and/or advocate, it's time to put it into practice.

- **Don't expect LGBTQ+ folks to explain things to you or educate you!** If you are curious or interested in a certain question or topic, there are tons of resources that you can look at to get your answer that doesn't come at the expense of the community you're trying to learn about.
- **Really listen to LGBTQ+ people.** If you are an ally and/or advocate, you already have a certain privilege that LGBTQ+ folks do not. This means that you have the power to uplift LGBTQ+ voices, not that you should be speaking over them. Support LGBTQ+ people in the way they ask you to, not the way you think you should be helping.
- **Be mindful about the ways you take up space.** In many marginalized communities, it's important to have spaces that are *just* for the members of those communities. If you feel excluded as an ally and/or advocate, it might help to think about the privileges you hold that are making you feel that way!
- **Stand up for your LGBTQ+ peers!** If you hear someone using homophobic or transphobic language (this includes misgendering someone or not using their correct name), say something! It can be scary to stand up for someone else, especially when others are watching, but the privilege you hold gives you a great opportunity to be a supportive ally and/or advocate.
- **Start introducing yourself using your pronouns.** Gender pronouns are not just for transgender and non-binary folks, they're for everyone! By using your pronouns often and around non-LGBTQ+ communities, you're normalizing the idea that people's pronouns are not something to be automatically assumed. It's okay to ask for other people's pronouns too. Try it this way: "Hi! My name is _____. I use _____ pronouns. What pronouns do you use?" See? Super easy! (If you're in a safe, one-on-one setting with someone and asking their pronouns, it's always a good idea to ask if it's okay to use their pronouns in any setting. Some folks don't feel safe having their pronouns used in some settings, and you never want to out someone's identity before they do.)
- **Use inclusive language.** Words are powerful. They can also be hurtful, even if we don't mean them to be. When talking, pay attention to the words you use and the assumptions or stereotypes they hold. For example, what pronouns do you use when talking about body parts or menstrual cycles? Are your words assuming a gender binary? Be aware of how the words you use might affect the assumptions about gender and sexual orientation that other people have.

Remember, there are tons of ways to be an ally and/or advocate to the people you care about that hold identities different than your own. Ask your friends how you can be a better ally and/or advocate to them!

Being an LGBTQ+ Ally/Advocate

Making Mistakes

Part of being an ally and/or advocate to someone means making mistakes. Mistakes are an inevitable part of the learning process. Here are some tips for when those mistakes happen:

- **De-center yourself.** If you misgender someone, apologize, thank them for correcting you, and move on! If you dwell on the mistake, you begin to center yourself and your own uncomfotability and guilt instead of addressing what you're going to do to be better.
- **Use your mistakes as learning opportunities.** Mistakes are a great opportunity to educate others who may not be informed.
- **Hold yourself accountable.** After you make a mistake, do more research to educate yourself better on the topic, and then commit to making a more conscious effort in the future.

Mistakes are bound to happen, just like with any new topic. Don't dwell on the mistakes you will inevitably make, and instead focus on what you can do to help yourself and others be better allies and/or advocates in the future.

For more information on being an ally and/or advocate visit:

- <https://lgbt.umd.edu/good-practices-inclusive-language>
- <https://www.vic.gov.au/inclusive-language-guide><https://bolt.straightforequality.org/files/Straight%20for%20Equality%20Publications/3rd-edition-guide-to-being-a-straight-ally.pdf>
- <https://education.mn.gov/MDE/dse/safe/>
- <https://shoutoutjmu.com/2018/10/21/advocacy-vs-activism-vs-allyship/>
- <https://www.tolerance.org/magazine/ally-or-accomplice-the-language-of-activism>
- <https://edtrust.org/the-equity-line/educational-justice-which-are-you-an-advocate-ally-or-activist/>

Finding Community

History of LGBTQ+ Communities

Oftentimes, when people think of the history of LGBTQ+ communities, they immediately think about the Stonewall Riots of 1969, the first Pride march in 1972, or the US Supreme Court abolishing the Defense of Marriage Act in 2013. Although these are significant events in LGBTQ+ history that paved the road for the movements we have today, it's important to remember that **LGBTQ+ people have been around since the beginning of time!**

In many cultures, gender and sexuality has been open and fluid since the beginning of civilization. These topics were discussed openly in the context of art, literature, and even court. For example, the Navajo nation traditionally recognizes five different genders. In Burmese tradition, many people recognize a third gender that serves as spirit mediums. The Kanaka Maoli people of Hawaii recognize multiple genders, in which people who do not fit within a traditional gender binary serve as traditional educators, a sacred social role.

As you can see, the existence and prominence of sexuality and gender has not changed— the things that *have* changed are the legality and ideas we hold about gender and sexuality throughout time and culture. In other words, sexuality has always been diverse and fluid, but it became truly criminalized once colonial systems enforced binaries on us.

Finding LGBTQ+ Community

Being a part of the LGBTQ+ community can sometimes feel isolating and difficult amidst the struggles and obstacles that we face. But the great thing about knowing that LGBTQ+ people have been around since the beginning of time is knowing that we'll be around 'til the end of it! Wherever you find yourself, there will always be an LGBTQ+ community ready to celebrate you and your unique identity. You just have to know where to look!

You can find a directory of Minnesota-based LGBTQ+ resources, services, events, groups, and clubs by visiting:

<https://www.outfront.org/directory?location=All&directory=All&page=1>.

For more information on the history and presence of LGBTQ+ communities visit:

- http://www.pbs.org/independentlens/content/two-spirits_map-html/
- <https://www.wearenavajo.org/healthy-living/gender-identity>
- <https://www.glsen.org/lgbtq-history>
- https://queerbio.com/wiki/index.php?title=Main_Page

LGBTQ+ Inclusive Education

Overview

Although the climate of schools have changed significantly in the past few decades to include more inclusive policies, a 2017 GLSEN survey found that most **Minnesota schools are not safe spaces for LGBTQ+ students.** Many students experience homophobia and transphobia in their schools, while many reported that their schools still have discriminatory practices and policies in place. In many schools, LGBTQ+ students are prevented from using their correct name or pronouns in school, using the bathroom that aligns with their gender, wearing clothing considered "inappropriate" for their gender, discussing LGBTQ+ issues as part of the curriculum, or expressing PDA. **In fact, this same report states that less than 1 in 5 Minnesota students attended a school with an anti-bullying policy that included LGBTQ-specific protections. Similarly, fewer than 1 in 5 Minnesota schools have any policy or guidelines in place to protect transgender or gender-nonconforming students.**

Another part of the GLSEN report discusses the lack of visible support from Minnesota school faculty on behalf of the LGBTQ+ community. 98% of students could identify one staff member that is supportive of LGBTQ+ students, but only 74% could identify six or more supportive staff members. **The GLSEN report offered the following recommendations for Minnesota schools and educators:**

- Implementing more supportive and inclusive policies that protect LGBTQ+ students from harassment and bullying
- Creating and supporting GSAs across the state
- Providing professional development and training for faculty on LGBTQ+ student issues
- Increasing student access to LGBTQ-inclusive curriculum and resources

On the following pages we've included a list of resources for students and educators to use to come together and help make Minnesota schools a safer, more supportive place for LGBTQ+ students.

LGBTQ+ Inclusive Education: Resource Pages

Education Statistics, Reports, and Policies

- **GLSEN Minnesota School Climate Report**
https://www.glsen.org/sites/default/files/2019-11/Minnesota_Snapshot_2017_1.pdf
- **St. Paul Public Schools Gender Inclusion Policy**
<https://www.spps.org/genderinclusion>
- **LGBTQ Youth Report**
<https://assets2.hrc.org/files/assets/resources/2018-YouthReport-NoVid.pdf>
- **National Sexuality Education Standards**
<https://www.etr.org/healthsmart/standards/national-sexuality-education-standards/>
- **Minnesota Safe and Supportive Schools Act**
<https://education.mn.gov/MDE/dse/safe/act/058980>
- **Minnesota School Bullying Policy**
<https://www.revisor.mn.gov/statutes/cite/121A.031>
- **LGBTQ Youth Health and Wellbeing Report**
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6551982/>

Educator Toolkit: LGBTQ+ Curriculum

- **LGBTQ+ Books and Films, Historical Figures, Acronyms, and School Checklist**
<https://www.tolerance.org/sites/default/files/2018-10/TT-Best-Practices-for-Serving-LGBTQ-Students-Guide-Appendix.pdf>
- **Biographies of LGBTQ+ Historical Figures**
https://queerbio.com/wiki/index.php?title=Main_Page
- **LGBTQ History Cards, Coloring Pages, and Podcasts**
<https://www.glsen.org/lgbtq-history>
- **Gender Inclusive Biology**
<https://genderinclusivebiology.squarespace.com>
- **Books for LGBTQ+ Children and Families**
https://www.apa.org/news/press/releases/2019/05/lgbtq-children-books?utm_source=facebook&utm_medium=social&utm_campaign=apa-press-release&utm_content=pride-books

LGBTQ+ Inclusive Education: Resource Pages

LGBTQ-Inclusive Classrooms

- **Responding to Anti-LGBTQ+ Comments**
[http://www.nea.org/assets/docs/Responding%20to%20Anti-LGBTQ%20comments.pdf?
_ga=2.113024836.1152384269.1567274808-53274518.1550795458](http://www.nea.org/assets/docs/Responding%20to%20Anti-LGBTQ%20comments.pdf?_ga=2.113024836.1152384269.1567274808-53274518.1550795458)
- **Teacher's Guide to Understanding LGBTQ+ Identity**
<https://tpt.pbslearningmedia.org/collection/lgbtq-identity/#.Xn5r0C2ZNQK>
- **Online Learning Module & Model School Policies**
<https://www.thetrevorproject.org/education/>
- **Documentaries, Articles, Websites, and Training Guides**
<https://thesafezoneproject.com/resources/>
- **School Climate Surveys, Educator Networks, and Legal Guidance**
<https://neaedjustice.org/supporting-lgbtq-youth/>
- **Why Schools Struggle to Support LGBTQ Students**
<https://www.edutopia.org/article/schools-struggle-support-lgbtq-students>
- **Finding Ways to Support LGBTQ Students**
<https://educationvotes.nea.org/2019/06/24/5-things-educators-are-doing-right-now-to-support-their-lgbtq-students/>
- **Minnesota School and Staff Resources**
<https://education.mn.gov/MDE/dse/safe/res/MDE086808>
- **Transgender Student Resources**
<http://www.transstudent.org/mission>