

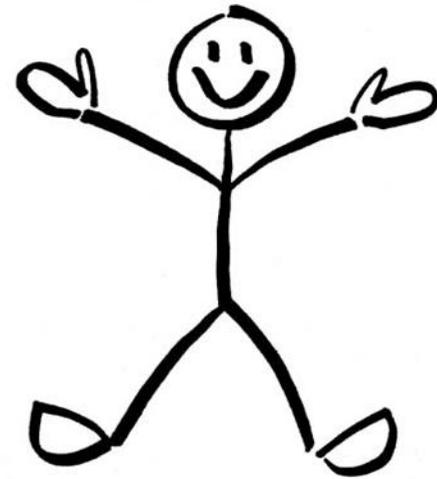
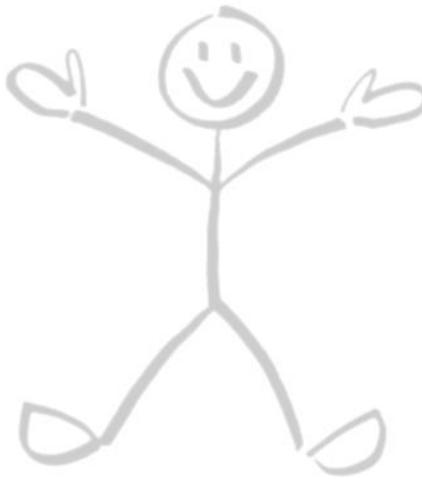
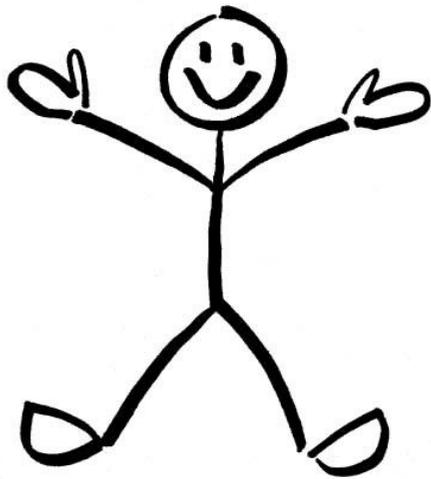
# STATE BOARD OF EDUCATION PRESENTATION

## *STATEMENT AND GUIDANCE ON SAFE AND SUPPORTIVE LEARNING ENVIRONMENTS FOR LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUESTIONING (LGBTQ) STUDENTS*

MARCH 8, 2016

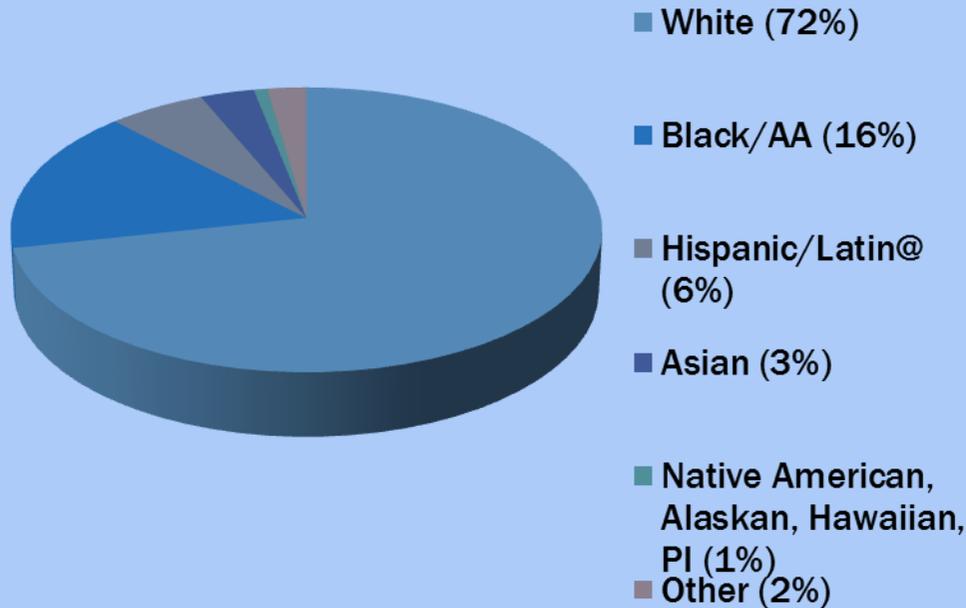
Coordinated School  
Health and Safety  
Programs

# ELEVEN THOUSAND STUDENTS



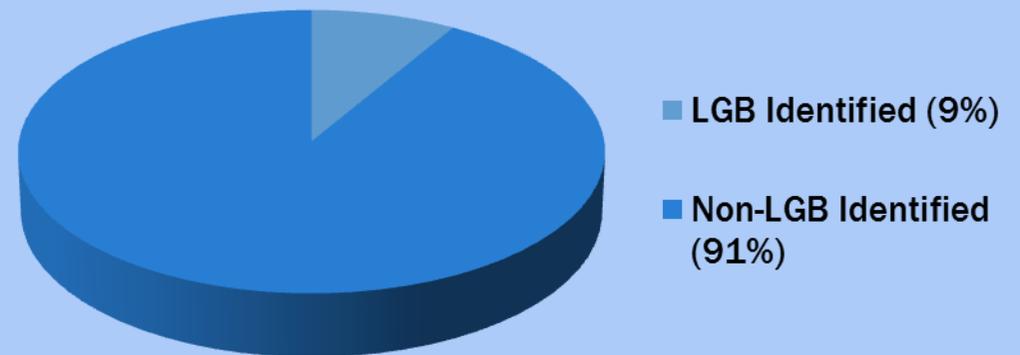
# MICHIGAN HIGH SCHOOL STUDENT DEMOGRAPHICS

## Michigan Public High School Students by Race/Ethnicity



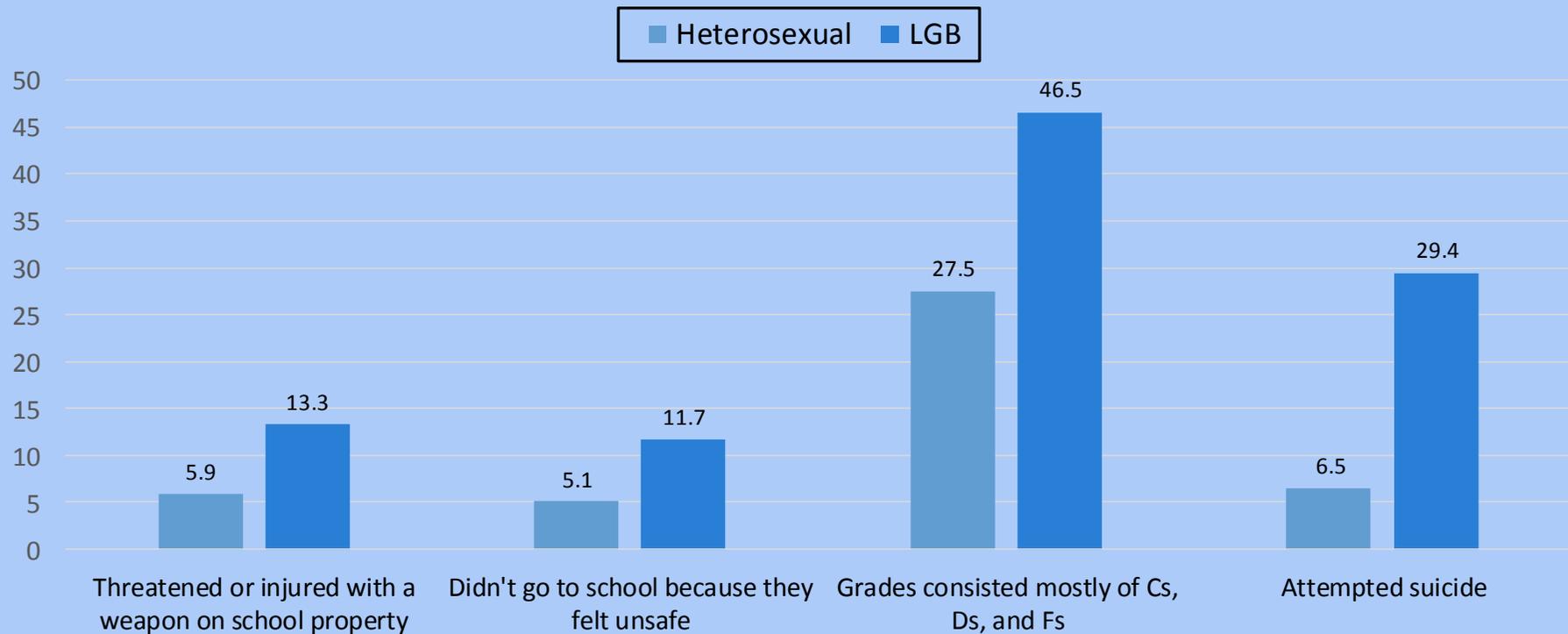
## Michigan Public High School Students by Sexual Orientation\*

*\*Transgender and Questioning Students not included*



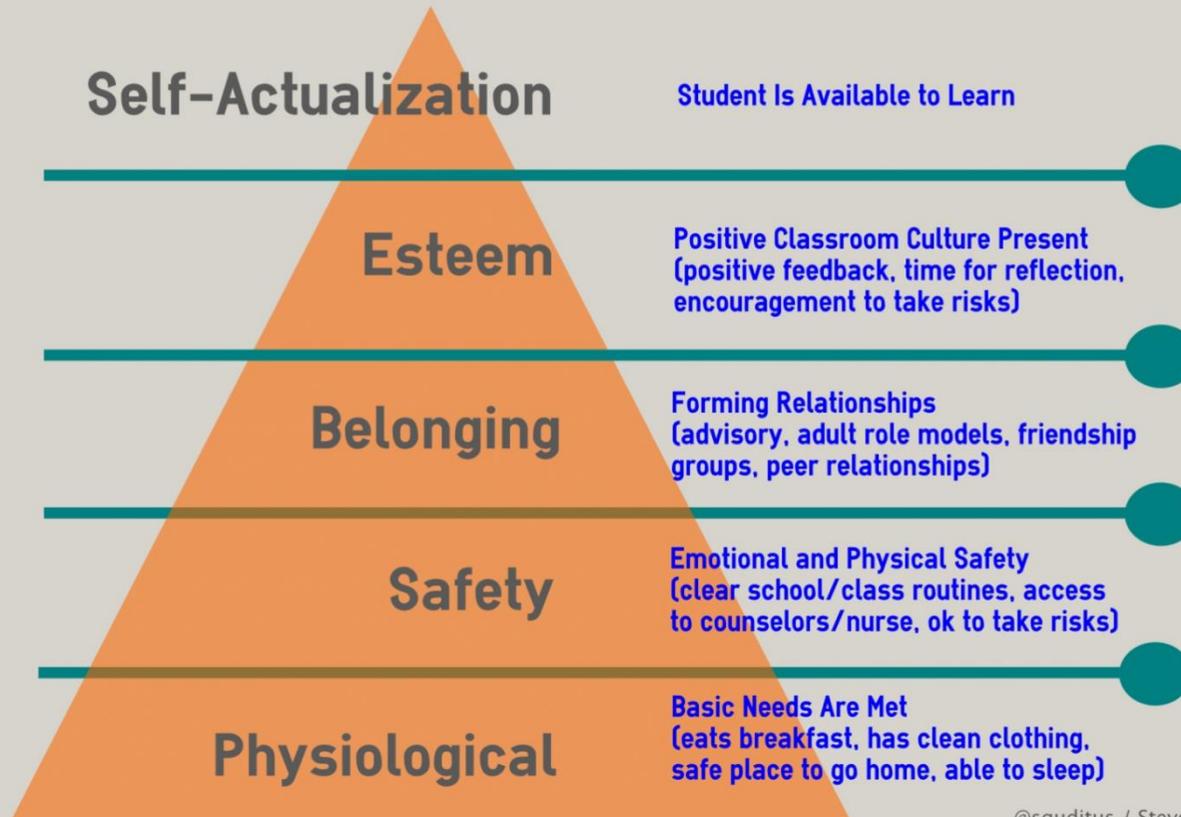
# DATA FROM MICHIGAN YOUTH RISK BEHAVIOR SURVEY (YRBS)

Percent of Heterosexual and Lesbian, Gay, or Bisexual (LGB) Students Who Reported Certain Behaviors or Experiences in the Last Year



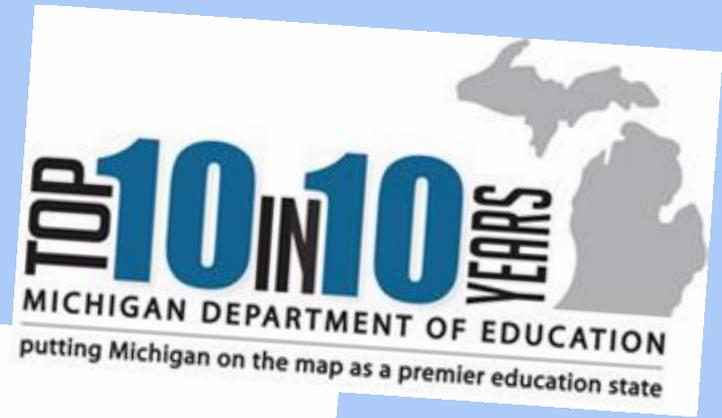
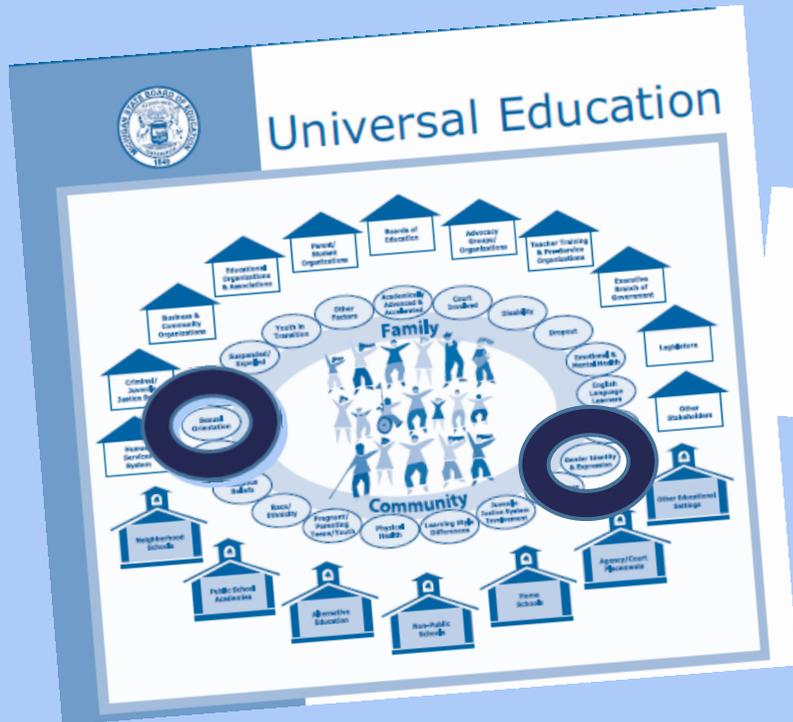
# BEDROCK OF STUDENT SUCCESS

## Maslow's Hierarchy of School Needs



@sguditus / Steve Guditus

# SOLID FOUNDATION FOR LGBTQ GUIDANCE



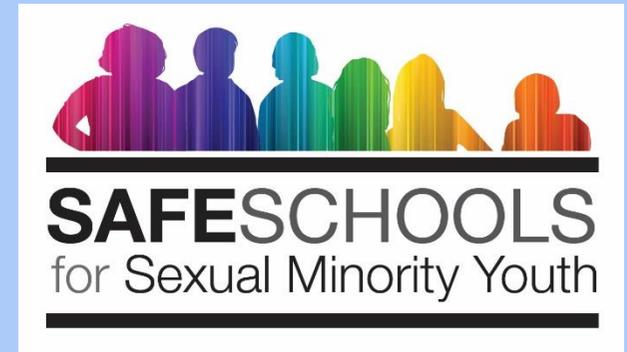
MICHIGAN STATE BOARD OF EDUCATION  
MODEL CODE OF STUDENT CONDUCT 2014

## Michigan Passes Anti-Bullying Law

The long-debated 'Matt's Safe School Law' was signed into law by Gov. Rick Snyder on Dec. 6, 2011, making Michigan the 48th state to have an anti-bullying law.

# MDE SAFE SCHOOLS FOR SEXUAL MINORITY YOUTH INITIATIVE

- **State-Level Workgroup**
- **Resource Guide**
- **Regional Workshops**
  - *A Silent Crisis: Creating Safe Schools for Sexual Minority Youth*
  - *Planning for Action: Next Steps in Creating Safe Schools for Sexual Minority Youth*
- **Technical Assistance**



# STATE LAWS

## Matt Epling Safe School Law

- Requires schools to have an anti-bullying policy
- No enumeration
- No required training

## Elliot-Larsen Civil Rights Act

- Does not currently include sexual orientation, gender identity, or gender expression
- Does include religion, race, color, national origin, age, sex, height, weight, or marital status
- Individuals who identify as LGBT are not protected from discrimination in employment, public accommodation, or housing

# FEDERAL LAWS

## OFFICE FOR CIVIL RIGHTS (OCR) AND TITLE IX

OCR enforces Title IX, which has been interpreted to bar discrimination on the basis of gender identity and expression.

“Title IX's sex discrimination prohibition extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity and OCR accepts such complaints for investigation.... the actual or perceived sexual orientation or gender identity of the parties does not change a school's obligations.”

# PROCESS FOR DEVELOPING STATEMENT

## State Board of Education Statement and Guidance on Safe and Supportive Learning Environments for Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) Students

The State Board of Education (SBE) is committed to promoting a safe, supportive, and inclusive learning environment for all students and ensuring that every student has equal access to educational programs and activities. Due to a variety of factors, the school experience can be significantly more difficult for students with marginalized identities. Despite widespread efforts, lesbian, gay, bisexual, transgender, and questioning (LGBTQ) students continue to face challenges that threaten their health, safety, and learning opportunities in schools.

A number of terms are used in this document that may not be commonly known. A short list of definitions is included below to facilitate a shared understanding. It is not an all-inclusive list.

- **Biological sex: assigned at birth**—a person's biological sex is a combination of bodily characteristics, including chromosomes, hormones, internal and external genitalia, and secondary sex characteristics. At birth, infants are assigned a sex, usually male or female, based solely on the appearance of their external anatomy.
- **Gender identity**—a person's deeply held internal sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth.
- **Gender expression**—the manner in which a person represents or expresses gender to others, often through one's name, pronouns, behavior, clothing, haircut, activities, voice, mannerisms, and other distinctive cultural markers of gender.
- **Transgender**—an adjective describing a person whose gender identity or expression is different from their biological sex assigned at birth.
- **Gender nonconforming (GNC)**—an umbrella term for people whose gender expression differs from stereotypical expectations of the biological sex they were assigned at birth. GNC people may identify as girls, boys, neither girls nor boys, or some other gender.
- **Sexual orientation**—a person's emotional, romantic, and/or sexual attraction to other people. Sexual orientation is not the same as gender identity.
- **Questioning**—a person's process of exploring and discovering their own sexual orientation and/or gender identity.

Research indicates that LGBTQ students, nationally and in Michigan, are targeted with physical violence and experience a hostile school environment more frequently than their non-LGBTQ peers.

- Data from the 2015 Michigan Youth Risk Behavior Survey (YRBS) show that students who identify as lesbian, gay, or bisexual (LGB), 6.4 percent of all high school students, are 2.3 times more likely to be threatened or injured with a weapon on school property than their non-LGB peers, and they are 2.3 times more likely to skip school because they feel unsafe. Forty-one percent of LGB students report being bullied on school property, and they are 4.2 times more likely to attempt suicide.
- According to a national report, 26 percent of transgender students were physically assaulted, (e.g., punched, kicked, or injured with a weapon) in school in the past year because of their gender expression.
- Overall, LGBTQ students who are bullied and harassed are more likely to experience depression and anxiety, feel excluded from the school community, and experience lower academic achievement and stunted educational aspirations.
- Lesbian, gay, bisexual, and transgender (LGBT) students are over-represented in the unaccompanied homeless youth population, creating significant barriers to health, safety, and school success.
- The adverse health and educational consequences for transgender students are even greater than those for LGB students.

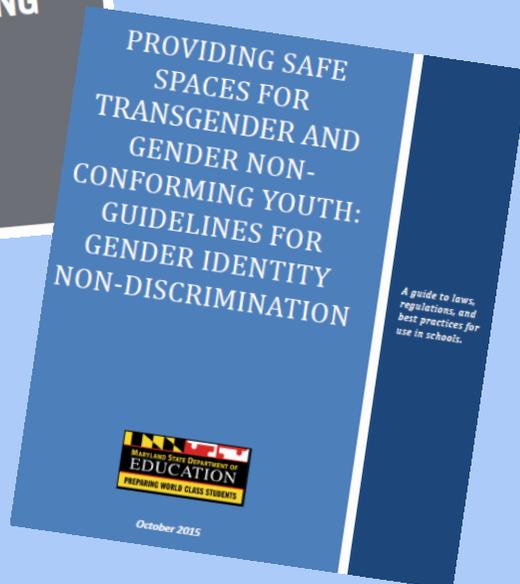
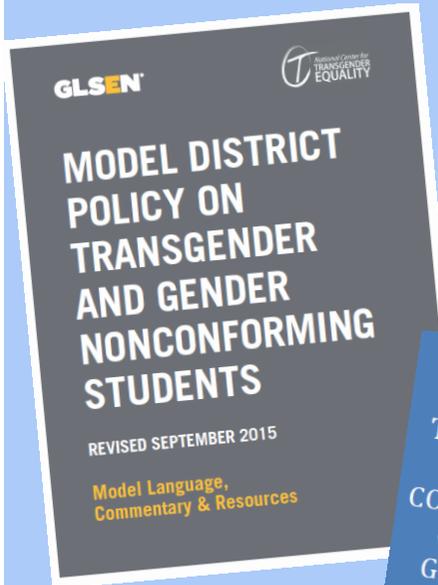
Discussions with national partners

Discussions with major policy and law firms

Review existing statements and policies

Research record keeping, name changes

# POLICY AND GUIDANCE DOCUMENTS ACROSS THE COUNTRY

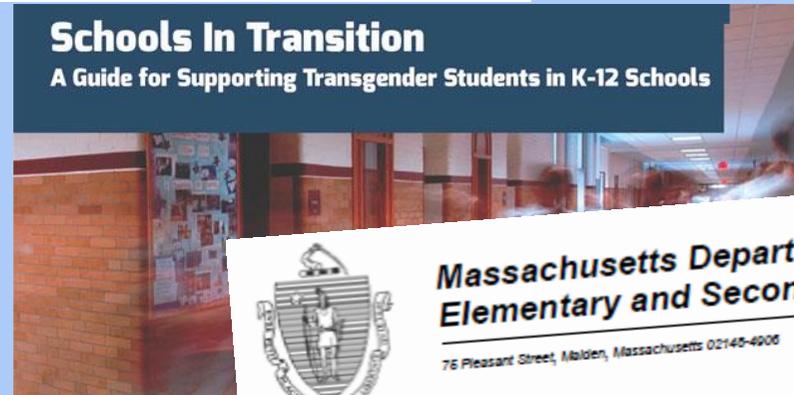


THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / AI

### Guidance to School Districts for Creating a Safe and Supportive School Environment For Transgender and Gender Nonconforming Students JULY 2015



### Administrative Regulation 5161 GENDER IDENTITY AND GENDER NON- CONFORMITY - STUDENTS



### Massachusetts Department of Elementary and Secondary Education

76 Pleasant Street, Malden, Massachusetts 02148-4908

Telephone: (781) 338-3000  
TTY: N.E.T. Relay 1-800-439-2370

### Guidance for Massachusetts Public Schools Creating a Safe and Supportive School Environment

### Nondiscrimination on the Basis of Gender Identity

# STAKEHOLDER INPUT

- Michigan Association of School Administrators (MASA)
- Michigan Association of School Boards (MASB)
- Michigan Association of Secondary School Principals (MASSP)
- Michigan Elementary and Middle School Principals Association (MEMSPA)
- Michigan Education Association (MEA)
- Michigan Association of School Psychologists (MASP)
- Michigan Association of School Social Workers (MASSW)
- Michigan School Counselor Association (MSCA)
- Michigan Association of School Nurses (MASN)
- Society of Health and Physical Educators (SHAPE-Michigan)
- Michigan High School Athletic Association (MHSAA)
- School administrators and educators
- Pediatricians
- Clinical psychologists
- Higher education
- Special education
- Early childhood
- Pupil accounting
- Parents
- Students
- Community organizations
- Legal counsel supporting school districts

# **SAFE AND SUPPORTIVE LEARNING ENVIRONMENTS FOR LGBTQ STUDENTS: OVERALL RECOMMENDATIONS (PAGES 3-4)**

- 1. Adopt and implement enumerated and inclusive policies**
- 2. Provide professional development opportunities**
- 3. Support formation of Gay-Straight Alliances**
- 4. Provide family engagement and support**
- 5. Encourage respect across the curriculum**
- 6. Provide information in school libraries**
- 7. Collect and review data**
- 8. Designate building-level staff**

# GUIDANCE TO SUPPORT TRANSGENDER AND GENDER NONCONFORMING STUDENTS (PAGES 5-6)

1. Names and pronouns
2. Student records
3. Privacy
4. Restrooms
5. Locker rooms
6. Physical education
7. Interscholastic sports
8. Dress code
9. Gender-based activities



**Seven-year-old transgender student in second grade at  
Cornerstone Elementary School in Dexter Community Schools**

*Photo included with permission from Tchoryk family.*