

Counseling Transgender Youth in Schools and Agencies



Presented by
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Essential Questions

How do we make our students feel safe while at school?

The Facts

- 71% of LGBT student reported being verbally harassed, 30% reported being physically harassed at school in the past year because of their gender expression and 15% were physically assaulted.
- 57% of LGBT students never reported an incident of harassment or assault to school personnel. 46% never told a family member.
- Among students who did report to school authorities, only 32% stated that an effective intervention was made by a staff member.

(GLSEN - The 2013 National School Climate Survey)

More Facts on Transgender Youth

- 80% of transgender students reported feeling unsafe at school because of their gender expression.
- 45% have thought seriously about killing themselves
- 41% of transgender youth have attempted suicide

Binary World

Schools have a history of reinforcing binary perceptions of sex and gender. Even before children enter most schools for the first time, parents or guardians are asked to check *male* or *female* boxes on registration forms. On the first day of school, teachers might shepherd students to class in boy and girl lines. Restrooms are designated for boys and girls. Everywhere there are expectations about what kind of imaginative play and dress-up is appropriate for whom, about who is naturally rambunctious and who is predestined to quiet studying. As students get older, they are subjected to gendered expectations about extracurricular activities, dating and dress—even what colleges and careers they're encouraged to pursue after graduation.

Terminology

Gender dysphoria or **gender identity disorder (GID)** is the formal **diagnosis** used by **psychologists** and **physicians** to describe people who experience significant **dysphoria** (distress) with the **sex** and **gender** they were **assigned at birth**.

(According to DSM-5)

Transgender: A term for people whose gender identity, expression or behavior is different from those typically associated with their assigned sex at birth. Transgender is a broad term and is good for non-transgender people to use. "Trans" is shorthand for "transgender." (Note: Transgender is correctly used as an adjective, not a noun, thus "transgender people" is appropriate but "transgenders" is often viewed as disrespectful.)

Transgender Man: A term for a transgender individual who currently identifies as a man (see also "FTM").

Transgender Woman: A term for a transgender individual who currently identifies as a woman (see also "MTF").

Gender Expansive: An umbrella term used to describe children and youth that expand notions of gender expression and identify beyond what is perceived as the expected gender norms for their society or context.

(National Center for Transgender Equality)

Additional Terminology

Genderqueer: A term used by some individuals who identify as neither entirely male nor entirely female.

Intersex: A term used for people who are born with a reproductive or sexual anatomy and/or chromosome pattern that does not seem to fit typical definitions of male or female. Intersex conditions are also known as differences of sex development (DSD).

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

Administration



- **Transgender**
 - Uncharted guidelines
- **Title IX**
 - **Title IX** is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.
- **Equal Access Law (Title IX)**
 - **U.S. Department of Education issued official guidance** which makes clear that **transgender students are protected from discrimination under Title IX**. Title IX is a federal civil rights law that **prohibits discrimination on the basis of sex in federally funded education programs and activities**. Specifically, the guidance states that “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.”

Case Law - Rights

- Schools must protect students who are bullied because of their sexual orientation or gender identity/expression, just as they protect students who are bullied because of race, religion, or other protected categories. See e.g. *L.W. v Toms River Regional Schools*, 189 N.J. 381 (N.J. 2007); *Flores v. Morgan Hill Unified School District*, F. 3d 1130 (9th Cir. 2003); *Nabozny v. Podlesny*, 92 F.3d 446 (7th Cir. 1995).
- Schools must address disciplinary infractions regardless of a student's sexual orientation or gender identity/expression. See e.g. *Nabozny v. Podlesny*, 92 F.3d 446 (7th Cir. 1995).

Case Law - School Records (Privacy)

1. Confidentiality of students' personal, individually identifiable information is protected by state and federal laws including; the Family Educational Rights and Privacy Act ("FERPA"), the Illinois School Student Records Act ("ISSRA"), the Health Insurance Portability and Accountability Act ("HIPAA"), and the Mental Health and Developmental Disability Confidentiality Act.
 - a. Parents and guardians are typically individuals to whom school student records information may be released. *(see 34 C.F.R. 99.3; 105 ILCS 10/2)*
 - b. All mental and developmental disabilities records, including therapist notices, are confidential. Parents and guardians of students over 12 years of age must obtain the student's written consent before being permitted to copy and inspect the student's mental health and developmental disabilities records. *740 ILCS 110.*
 - i. If a parents and guardians are denied access by the student, they may petition court for access to the records
 - ii. Parents or guardians are not to be denied access to the following information; current physical and mental condition, diagnosis treatment needs, service provided, and services needed, including medication if any. *740 ILCS 110/4.*

Case Law - School (Privacy)

1. Schools should be cautious and carefully consider whether or not to reveal students' sexual orientation or gender identity/expression to their families or anyone else without the student's permission. *Ngyon v. Wolf*, 517 F.Supp.2d 1177 (C.D. Cal. 2007).
 - a. In *Ngyon*, the District Court of California found, on summary judgement, that a student had a protected privacy right against disclosure of her sexual orientation. *517 F.Supp.2d 1177 (C.D. 2007)*. The court determined that the student's disclosure - being "out" in school - does not mean that the student forfeited her privacy right in all other contexts.
 - i. However, in determining the student's relief, the Court balanced the student's right to privacy against the school's governmental interest in divulging the information.
 - ii. The Court recognized that the right to privacy is not absolute, and may be infringed upon a showing of proper governmental interests. The school claimed it had an interest due to the disruption the student's sexual expression caused the school, the duty for the school to make disclosures in the context of a suspension notice, and the need to ensure that a student is afforded disciplinary due process.
 - iii. The court found that the school had a legitimate governmental purpose in disclosing the student's sexual orientation to her parents.
 - b. Schools have also asserted a "legitimate educational interest" in disclosing student information to parents and guardians. *See 34 C.F.R. 99.3(a)(1); 106 ILCS 10/6(2)*.

Case Law - School (Names)

1. Students should be addressed by a name and pronoun corresponding to their gender identity. The appropriate names and pronouns should be used consistently at school.
 - a. Consider that state law requires individuals to obtain a court order to legally change their names. Generally, schools should not require such stringent lengths in addressing students.
 - b. Review all forms and systems in identifying students by the correct name and pronoun - student information system, substitute forms, school official email, identification badges, etc.
 - c. However, student permanent records must include the legal name of the student and the student's gender. *105 ILCS 10/7; 23 Il. Adm. Code 375.10*

Case Law - School (Restrooms)

1. Case Law and Precedence

- a. Maine Supreme Judicial Court - Found that the school district had discriminated against the student by treating her differently solely based upon her status as a transgender girl.
- b. Colorado Division of Civil Rights determined that the school district had discriminatorily denied the student "equal terms and conditions of service of goods, services, benefits, or privileges.
- c. Cases in California and Florida siding for equal access as it relates to transgender students.

2. Most students want to use a privately locking space (Nurse's or faculty restroom)

- a. Going to the restroom
- b. Changing for Physical Education

Case Law - School (Locker Room)

1. Case Law and Precedence
 - a. Many in litigation
 - b. OCR (Office of Civil Rights) recommendations
2. Most students want to use a privately locking space (Nurse's or faculty restroom)
 - a. Using to the restroom
 - b. Changing for Physical Education
3. Using the locker room of the gender that the student identifies
 - a. Case-by-case basis
 - b. A separate dressing area may be made available
 - i. Private stall
 - ii. Separate area
 - iii. Separate changing schedule

Case Law - School (Sports)

1. IHSA

- a. School collects information
- b. School administration contacts IHSA in writing to request a ruling
- c. IHSA makes a ruling using guidance from a group of medical personnel who act in an advisory role.

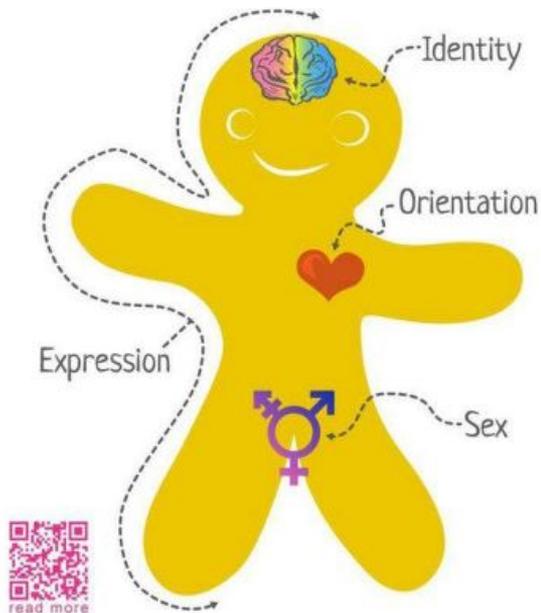
2. NCAA

- a. "Trans women" may play on women's teams as long as they have been taking hormone blockers for one year. "Trans men" may play on men's teams if they are on testosterone therapy.
- b. However, "trans men" who have started hormones may not play on women's teams.

Genderbread Person

The Genderbread Person

by www.ItsPronouncedMetrosexual.com



Gender identity is how you, in your head, think about yourself. It's the chemistry that composes you (e.g., hormonal levels) and how you interpret what that means.



Gender expression is how you demonstrate your gender (based on traditional gender roles) through the ways you act, dress, behave, and interact.



Biological sex refers to the objectively measurable organs, hormones, and chromosomes. Female = vagina, ovaries, XX chromosomes; male = penis, testes, XY chromosomes; intersex = a combination of the two.



Sexual orientation is who you are physically, spiritually, and emotionally attracted to, based on their sex/gender in relation to your own.

Social-Emotional (Personal)

- Recognizing and personal examination of, one's **Heteronormative Assumptions**, defined as “Automatic unconscious beliefs and expectations that reinforce heterosexuality and heterosexual relationships as the ideal norm” (McGeorge & Carlson (2011))
- **Humanistic**
 - Unconditional Positive Regard
- **Listen to their story.**
 - LGBTQ students simply want to tell their story about who they are, and without being told who they are.
- **Ask Questions for clarity.**
 - Never be worried about not knowing - If they can answer, they will.
 - Authentic interest is crucial in developing the therapeutic alliance.



Student Services

- **Support vs. Structure**
 - **Support**
 - Identification of gaps in support
 - Emotional vs. Psychoeducational
 - **Structure**
 - Provide or help adapt guidelines
 - Identification of student populations



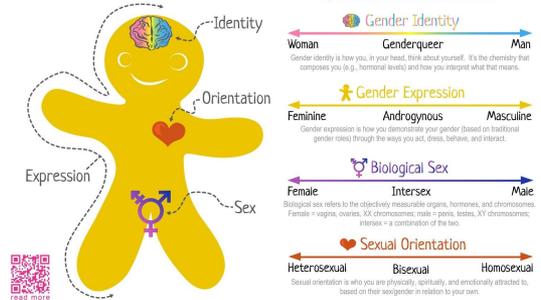
Student Services Support

- LGBT group
- Transgender Group
- Emotionally based
- Should be psychoeducational as well



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Student Services Support

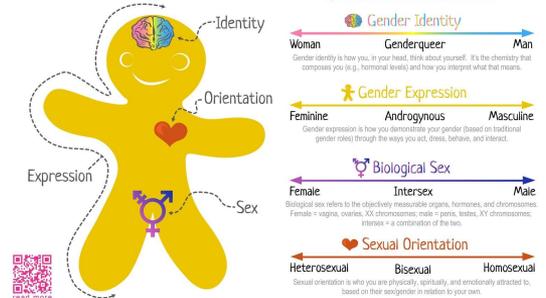
- **Group Activities**

- **Vocabulary Match**
- **Setting Exercise**
- **Breaking Stereotypes**
- **Genderbread Person**
- **Genomap**



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Vocabulary Exercise

- **Use Alphabet Soup to teach terminology**
 - Customize difficulty level based
 - Age
 - Demographic
 - Need
 - Process definition vs. personal meaning

Settings Exercise

Objective

- A 25 minute activity where students are asked to rate how safe they think it is for typical LGBT students to be out in a variety of settings.

- **Settings include:**

- On campus
- At the gym
- At a movie theater with their partner
- At a Pride parade
- In a classroom
- At a football game
- At a restaurant

- **More setting:**

- At a family event
- Living in a residence hall
- Hanging out with friends •
- At work
- As a new student at orientation
- Visiting their physician

Breaking Stereotypes

Objective

- For this activity, students will consider how their childhood experiences have affected their current gender-associated beliefs and behaviors.

Estimated time

15-20 minutes

Group Size

This activity works best with a class size of 30 or fewer, but it could be modified for larger classes by having the instructor rotate among the groups while they discuss the topic or by having teaching assistants facilitate discussion in the smaller groups.

Instructions

Have students shop online at a website such as amazon.com or toysrus.com for a child who is celebrating her or his 5th birthday. Half the class should shop for a girl and half should shop for a boy. Ask the students to search for toys they thought of themselves (and not just to search for boys or girls toys). In 5-7 minutes, they should choose a toy in the \$10-20 range. After they have chosen the toy, each student should individually answer the discussion questions. The entire class can then discuss their answers.

Discussion Questions *(Next Slide)*

Breaking Stereotypes - *continued*

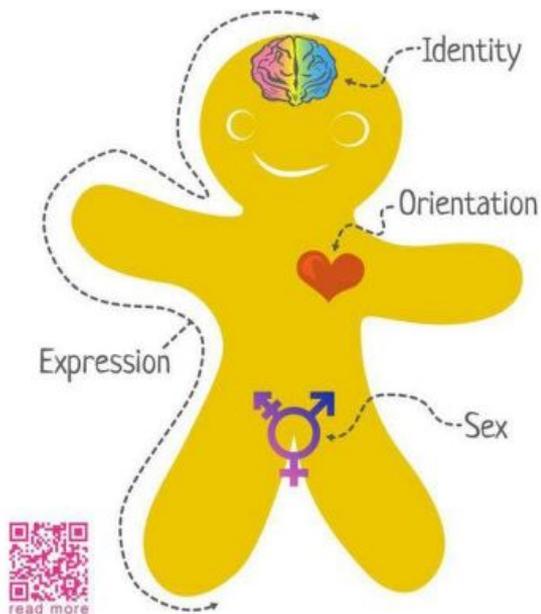
Gender Stereotypes Discussion Questions

1. Describe the process you used to select the toy you decided on. What factors influenced your decision?
2. As a child, what toys did you play with? Were these toy selections at all influenced by your parents, the media, or friends? Why or why not? Were these toys similar to or different from the toy you selected?
3. Name your favorite movie from elementary school. Describe the main character of that movie. Was it a male or a female? Were there toys available based on this character?
4. Do you think the movies targeted for today's children are more or less gender stereotypic than the movies you watched as a child? Why or why not?
5. Do you believe that the choices parents make about their children's toys or movies influence the child's beliefs about the appropriate roles for women and men or boys and girls? Why or why not?
6. Do you think children who play with toys designed for the other sex are treated differently from children who play with gender-typical toys? Why or why not?

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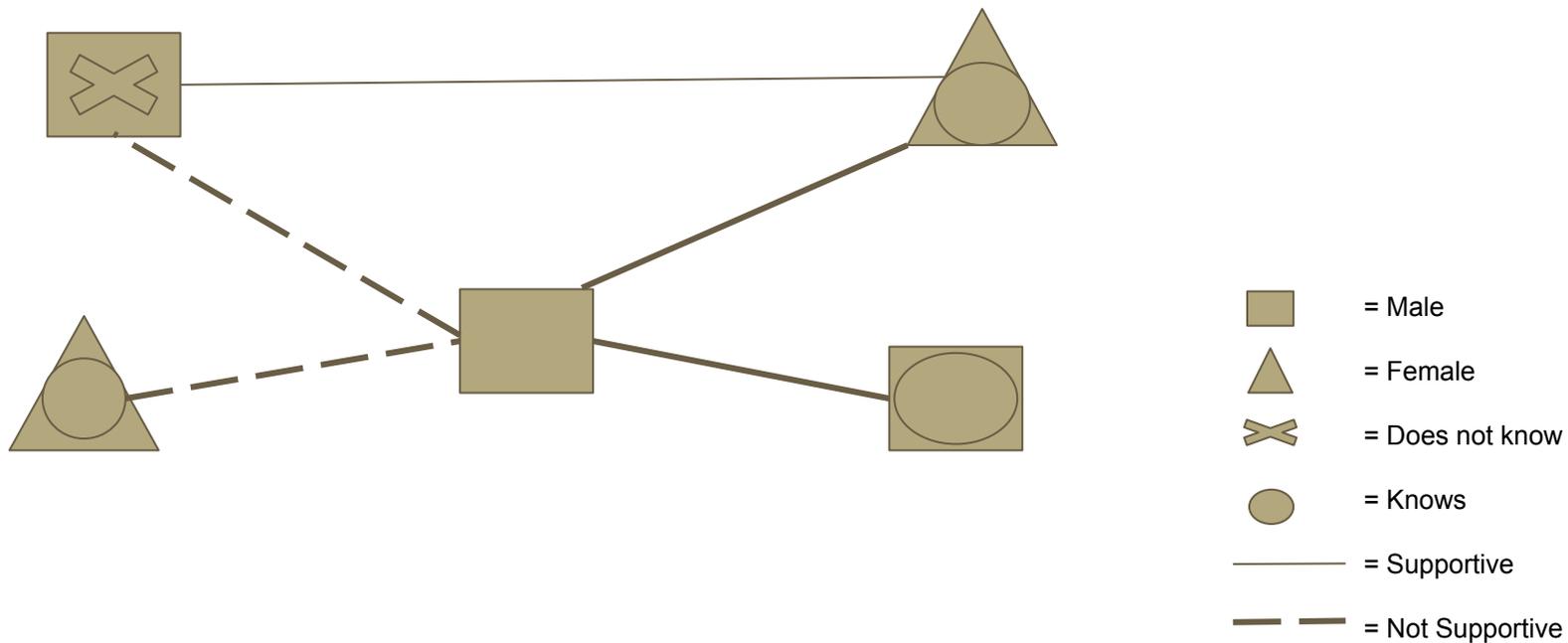


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Genogram Map



Gender Inclusive Practices in the Classroom

1. Avoid separating the class by gender. Instead use: odd or even birth date, preference: cats/dogs, etc. Always ask yourself, "Will this create a gendered space?"
2. Don't use the following phrases: "boys and girls", "ladies and gentlemen". Instead use: all students, all athletes, group 'a' or '1'.
3. Honor student preferred pronoun use
4. Mistakes in pronoun use will happen: Own it and admit your error instead of ignoring it.
5. Be intolerant of openly hostile attitudes or references towards others EVERY TIME you hear or observe them AND use them as teachable moments.

Best Practices

- Confidentiality
 - School's personnel shall not discuss a student's transgender status with anyone other than the student and the student's parent(s) or legal guardian(s), unless the information is necessary in order to accommodate the student, ensure the student's safety, or the student has given written consent.
- Yearly Team Meetings
 - Parents, student, counselor, social worker, dean, and potential teachers
 - Develop an individualized plan of accommodations and supports

Guidelines and standards for School Student Services

1. Identify if guardian is aware of the transgender student

- a. Parent doesn't know!
- b. Is parent not accepting and not supportive?
- c. Is parent accepting but not supportive?
- d. Is parent accepting and supportive?
 - i. Possible change in Student Information System
 - ii. Are outside resources being explored?

2. Clarify what the roles of the varying gender identifications

- a. Biological gender
- b. Identified gender
- c. Identified pronouns
- d. Identified "given name"
 - i. New Student ID if parent is in consent
 - ii. School System if parent is in consent
 - iii. School District Email if parent is in consent
 - iv. Yearbook

What accommodations are available and being requested

- a. General restroom requirements
 - i. Nurse Restroom
 - ii. Identified Gender Restroom
- b. Physical Education
 - i. Changing accommodations
 - ii. Identified group - when given tasks

4. If parent is in consent - an email should go to teachers notifying them of the change.

- c. Teachers should make adjustments to substitute plans
- d. Physical Education teachers should be made aware of the PE accommodations
 - i. Where is the student changing?
 - ii. How would the student like to be identified in regards to grouping of students

Consistent Communication

Hello!

As you all know, our school has many different students with diverse backgrounds and personal needs. In one of your 1st semester (and possibly 2nd as well) classes, you have a student with personal needs and requests for a successful education. Your assistance in helping the student adjust and feel comfortable is greatly appreciated and essential.

Student Profile

Student ID: **5555555555**

Legal Name: **First Name / Last Name**

Identified Name: **Preferred First Name / Legal Last Name**

Preferred Pronoun: ?

- Any documentation, such as substitute teacher rosters; field trip rosters, class lists, etc., must fully block out the student's legal first name so it is not legible and be replaced with the preferred name. Infinite Campus may change to reflect preferred name.
- Student has permission to use a restroom that may be a little further from your classroom; please accommodate their use for reasonable requests.

We will inform you of any updates as they become available. Feel free to come meet with the student's counselor/social worker with any questions.

Resources

[Chicago House](#) - Chicago House and Social Service agency serves individuals and families who are disenfranchised by HIV/AIDS, LGBTQ marginalization, poverty, homelessness, and/or gender nonconformity by providing housing, employment services, medical linkage and retention services, HIV prevention services, legal services and other supportive programs.

[Lurie Children's Adolescent Medicine](#) - Lurie Children's Division of Adolescent Medicine provides medical and mental health services for children and adolescents up to age 25. We provide a range of services for individuals, including primary care, behavioral health services, and gender and sex development care. We also provide community-based trainings and education.

[Palatine PFLAG](#) - Typically at a meeting you can expect to hear introductions from other PFLAG members, hear a speaker about LGBT topics, then a break, then the members break up into support groups where members talk about their experiences of having an LGBT loved one or being LGBT. we strive to make these meetings as welcoming as possible.

[Broadway Youth Services](#) - For more than 1,500 teens and young adults, the Broadway Youth Center (BYC) of Howard Brown Health is a haven to seek refuge, medical care, social services, clothes and other much-needed care. All of our services are for youth, ages 12 to 24. BYC sees anyone, regardless of ability to pay.

Resources

[Center on Halsted](#)- Center on Halsted is the Midwest's most comprehensive community center dedicated to advancing community and securing the health and well-being of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) people of Chicagoland. More than 1,000 community members visit the Center every day, located in the heart of Chicago's Lakeview Neighborhood.

[Howard Brown](#)- Howard Brown Health was founded in 1974 and is now one of the nation's largest lesbian, gay, bisexual, and transgender (LGBTQ) organizations. With an annual budget of over \$59 million, the agency serves more than 27,000 adults and youth each year in its diverse health and social service delivery system focused around seven major programmatic divisions: primary medical care, behavioral health, research, HIV/STI prevention, youth services, elder services, and community initiatives.

[IntraSpectrum](#) - We are committed to providing an affirming therapeutic environment for the LGBTQI (Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, and Intersex) population and beyond that supports the development of a strong professional relationship between clients and their therapists. The safety and strength clients draw from that solid therapeutic relationship allows them to feel more freedom to examine, embrace, and express who they really are.

[Family Equality](#)- Family Equality Council connects, supports, and represents the three million parents who are lesbian, gay, bisexual, transgender and queer in this country and their six million children. We are changing attitudes and policies to ensure that all families are respected, loved, and celebrated—including families with parents who are LGBTQ. We are a community of parents and children, grandparents and grandchildren that reaches across this country. For 30 years we have raised our children and raised our voices toward fairness for all families.

