

Trans Justice and LGBTQ+ Rights



School Policies Addressing Trans and Non-binary Students' Rights

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Statement of the problem



Lack of LGBTQ+ non-discrimination policies being implemented and enforced in Virginia schools has disproportionately affected Transgender and Non-binary students. This negatively impacts their mental and emotional health and their ability to focus in school.



Policy Context

- **LGBTQ RIGHTS IN VA**
 - **VIRGINIA VALUES ACT**
 - **VDOE MODEL POLICIES ON THE TREATMENT OF TRANSGENDER STUDENTS**
- **ATTACKS ON LGBTQ RIGHTS**
 - **HB 753**
 - **HB 988**



Policy Formation

ACLU

GLSEN[®]



- American Civil Liberties Union of Virginia (ACLU of Virginia)
- Virginia Department of Education (VDOE)
- Gay, Lesbian and Straight Education Network (GLSEN)
- Virginia School Boards
- Virginia School Districts

Policy Analysis

Negative Impacts of Lack of Policy

- 61% OF TRANSGENDER AND NONBINARY YOUTH REPORTED BEING PREVENTED OR DISCOURAGED FROM USING A BATHROOM THAT CORRESPONDS WITH THEIR GENDER IDENTITY, WITH SCHOOL BEING THE MOST FREQUENT PLACE WHERE BATHROOM DISCRIMINATION OCCURS.
- NEARLY 15% OF LGBTQ RESPONDENTS ATTEMPTED SUICIDE IN THE PAST TWELVE MONTHS, INCLUDING MORE THAN 1 IN 5 TRANSGENDER AND NONBINARY YOUTH
- 48% OF LGBTQ YOUTH REPORTED ENGAGING IN SELF-HARM IN THE PAST TWELVE MONTHS, INCLUDING OVER 60% OF TRANSGENDER AND NONBINARY YOUTH

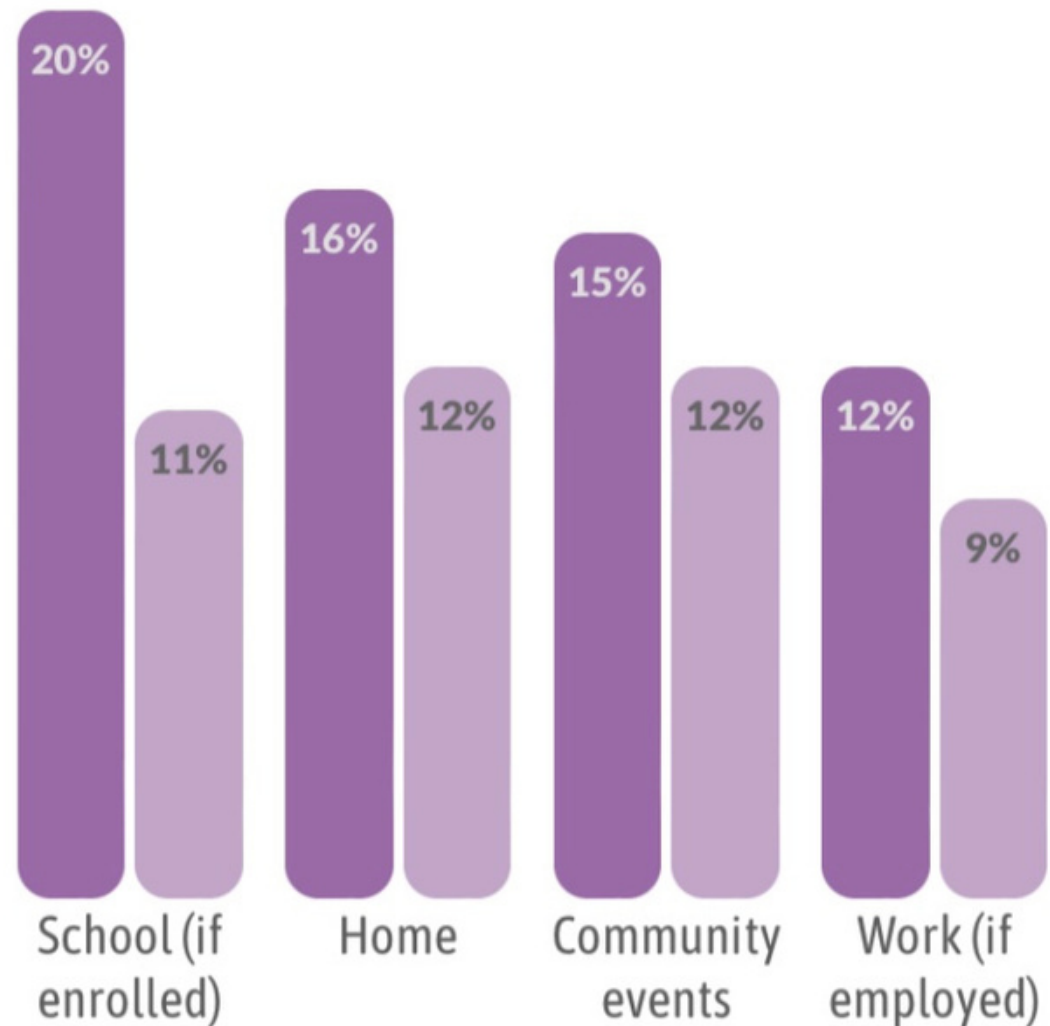
Positive Impacts of Policy

- TRANSGENDER AND NONBINARY YOUTH WHO REPORTED HAVING PRONOUNS RESPECTED BY ALL OR MOST PEOPLE IN THEIR LIVES ATTEMPTED SUICIDE AT HALF THE RATE OF THOSE WHO DID NOT HAVE THEIR PRONOUNS RESPECTED
- TRANSGENDER AND NONBINARY YOUTH WHO REPORTED HAVING AT LEAST ONE GENDER-AFFIRMING SPACE HAD 25% REDUCED ODDS OF REPORTING A SUICIDE ATTEMPT IN THE PAST YEAR

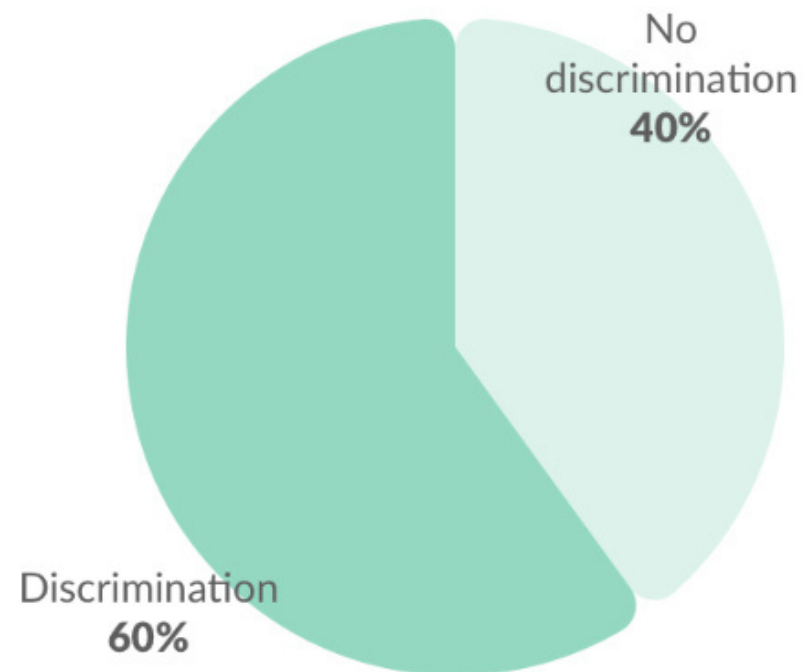


Policy Analysis: Graphs & Testimonials

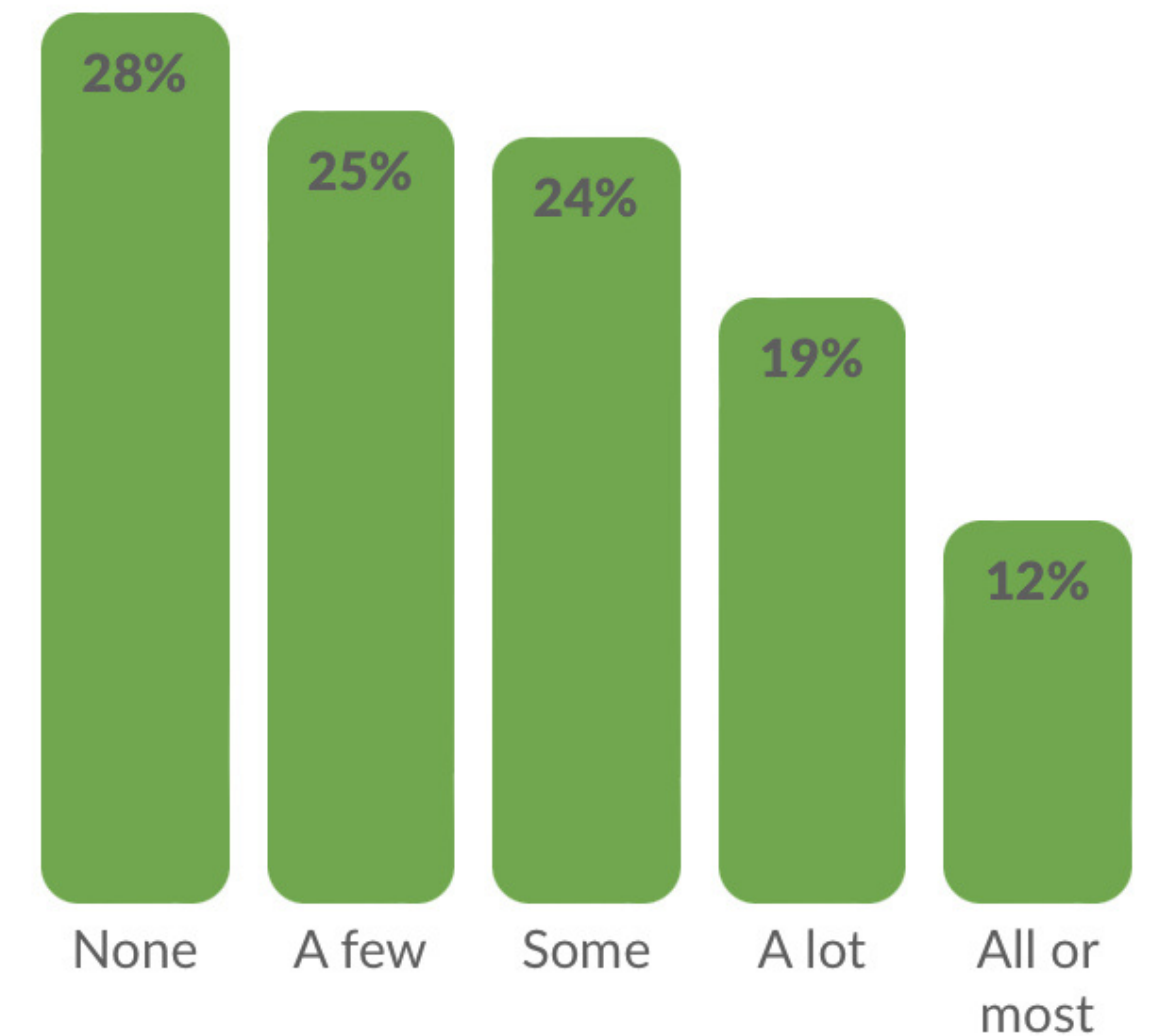
Youth who attempted suicide in the past year, comparison of whether spaces are not LGBTQ-affirming or LGBTQ-affirming:



LGBTQ youth who experienced discrimination due to either their sexual orientation or gender identity:



Youth who attempted suicide, comparison of number of people who respected their pronouns:



<https://www.thetrevorproject.org/survey-2020/?section=Introduction>

https://m.youtube.com/watch?v=My0G7g_Wydw

Policy Implications

Who is impacted?

- Communities
 - Transgender and Non-binary students
 - Parents of Trans and Non-binary students
 - All students
- Interest Groups
 - The Virginia Education Association
 - Equality Virginia
 - Alliance Defending Freedom

Perspective of Key Stakeholders

- School Boards:
 - Positive: All school boards should adopt the VDOE Model Policies that is required of them by law. This allows for Trans and Non-binary students, a marginalized group that they are supposed to serve along with the rest of the school population, to feel safe in school.
 - Negative: The adoption of these VDOE Model Policies by more school boards could be in conflict with some community member's personal beliefs and/or agenda.
- Schools/Communities:
 - Positive: Trans and Non-binary students will have a safe and affirmative environment allowing for better academic performance.
 - Negative: What many school boards have avoided or tried to block would now be implemented against what they believe is "right."

Recommendations

Cultural Competency Training : Enact a law that mandates LGBTQ+ cultural competency training sessions for school's teachers, staff, and administration.

- Specific: The VDOE standards for the sessions would give specific material that must be taught and guidelines that must be adhered to
- Measurable: Survey students to see if they feel safer or more affirmed in their school environment after teachers have undergone the training compared to before the training
- Attainable: Schools already have cultural competency classes for teachers and staff, this would be an addition to such courses
- Realistic: While it may not be politically viable at the moment, there is enough community support to make this law in a more politically attainable environment
- Timely: The soonest it could happen is by the year 2025

Recommendations

Adopt VDOE Model Policies: Implement and enforce rules in schools that prohibit the discrimination or harassment of Trans and Non-binary students

- Specific: The VDOE Model Policies give specific guidelines each school must abide by
- Measurable: Increase the number of school boards that adopt these policies
- Attainable: All Virginia schools are required by law to implement these policies
- Realistic: There has been an increase in community mobilization and organization in support for this issue, including lawsuits against schools who have not adhered to these policies
- Timely: The law requires all school districts to adopt the model policies by September 2021



References

- <https://www.thetrevorproject.org/survey-2020/?section=Introduction>
- <https://www.aclu.org/news/lgbtq-rights/your-guide-to-talking-about-attacks-on-trans-youth>
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- <https://equalityvirginia.org/what-we-do/make-equality-real/virginia-values-act/>
- <https://equalityvirginia.org/our-issues/bill-tracker/2022-bill-tracker/>
- <https://www.doe.virginia.gov/support/gender-diversity/index.shtml>
- <https://adflegal.org>
- <https://equalityvirginia.org>
- <https://www.veanea.org>

