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### APPEAL NO. 18-13592-EE

\_\_\_\_\_

## IN THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_

DREW ADAMS, Plaintiff-Appellee,

V.

## THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA Defendant-Appellant.

\_\_\_\_\_

On Appeal from the United States District Court for the Middle District of Florida, Jacksonville Division District Court No. 3:17-cv-00739-TJC-JBT

\_\_\_\_\_

## APPELLANT'S APPENDIX IN SUPPORT OF INITIAL BRIEF VOLUME X

\_\_\_\_\_

Terry J. Harmon FBN 0029001 Jeffrey D. Slanker FBN 0100391 Robert J. Sniffen FBN 000795 Michael P. Spellman FBN 937975

SNIFFEN & SPELLMAN, P.A. 123 North Monroe Street Tallahassee, FL 32301 Telephone: (850) 205-1996 Fax: (850) 205-3004

Counsel for Appellant

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# DE 152-58

DEFENDANT'S EXHIBIT 228



# 7th Annual Teaching Respect For All

Creating Safe Schools for Lesbian, Gay, Bisexual & Transgender (LGBT) Students

Friday, January 16th, 2015

Duval County School Employee Planning & Thervice Day

Teacher professional development points available

8:00 AM - 3:00 PM

@the FSCI Downtown Campus, 101 West State Street, Jacksonville, FL 32202

## Registration is FREE! Register today at:

http://teachingrespectforall2015.eventbrite.com
Online registration is required

SPONSORED BY:







Contact Emily Rokosch at (904) 389-3857 or erokosch@jasmyn.org



www.jasmyn.org

Thank you for your participation in the 7<sup>th</sup> Annual Teaching Respect for All: Creating Safe Schools for Lesbian, Gay, Bisexual & Transgender Students! Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 2 of 103 PageID 9284

Teaching Respect for Air conference aims to provide current and prospective school teachers, counselors, social workers, and administrators with the knowledge and tools to successfully create a school culture where all people, including LGBT people, are respected, free to express themselves, and able to reach their full potential.

Thank you to our partners from Duval County Public Schools, Nan Worsowicz, Supervisor of School Counseling and Joni Shook, Counseling Specialist! This year's TRFA Conference is being held in collaboration with the DCPS 3<sup>rd</sup> Annual Duval County School Counseling Conference: Success by Design.

## **About our Keynote:**

## Patricia J. Martin, Johns Hopkins University Lecturer and Independent Educational Consultant

She is a nationally recognized leader in the reform of school counseling and efforts to design training opportunities to help practicing counselors become an integral part of the primary mission for schools. Pat has over 30 years of experience as a public school educator, having worked as a teacher, school counselor, supervisor of counselors, high school principal, chief educational administrator and assistant superintendent of schools in Prince George's County, Maryland.

Patricia has an extensive and productive history of involvement in national and state efforts working on issues related to large urban school districts, leadership, school counseling and academic equity for students for whom school systems have not served well in the past. She has been the developer and the manager of many institutional programs and system policies that directly impact the education and career options for these students in school districts.

### **About JASMYN:**

The Mission of the Jacksonville Area Sexual Minority Youth Network (JASMYN) is to support and empower lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth by creating safe space, providing youth development services and bringing people and resources together to promote diversity and human rights. JASMYN is a non-profit youth organization for lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth ages 13-23.

## **About JASMYN's GSA Support:**

Starting a Gay Straight Alliance or similar club in your school? JASMYN can help! Join the JASMYN GSA Network for access to GSA resource guides, LGBT Leadership retreats, Fun programs, events and more. JASMYN's GSA Network is a part of JASMYN's Student Support Program. JASMYN is a resource for ALL students thinking about or starting Gay Straight Alliances in their schools. If you would like JASMYN to visit your school or attend a GSA meeting contact Ace Canessa, JASMYN's Student Support Coordinator



# Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 3 of 103 PageID 9285 2015 Teaching Respect of Affi: Creating Safe Schools for LGBT Students

## Schedule at a Glance

7:15 AM

**Check-In & Registration** 

8:00 AM

Welcome &

Nan Worsowicz, Supervisor of School Counseling

**Opening Remarks** 

Cindy Watson, Executive Director, JASMYN

Keynote

Patricia J. Martin

9:15 – 10:15 AM

**Break Out Sessions** 

Room A2103 - Tipping the Scales Toward Resiliency: What the YRBS LGB Data Tells Us About Supporting LGBT Students

Room A2105 - LGBT 102: Policies and Best Practices working with LGBTQ Youth

Room A2104 - GSA 101: Activating, organizing & supporting a Gay Straight Alliance

Room A2106 - LGBT College Student Panel: Listen and learn from UNF students talking about their path to higher education and the support services they needed in high school to make it to college

10:25 - 11:40 AM Break Out Sessions

Room A2106 - LGBT Student Panel: Listen and learn from LGBT youth & HIV positive youth talk about how HIV impacted and affected their lives

Room A2103 Supporting Transgender/Gender Nonconforming students

Room A2104 GSA 101: Activating, organizing & supporting a Gay Straight Alliance

Room A2105 Teaching Respect for All Feature Film: Laverne Cox presents: the t word

11:40 - 12:40

Lunch & Resource Fair (A wrist bands lunch 11:40-12:10, B wrist bands lunch 12:10-12:40)

12:50 - 1:50 PM

**Break Out Session** 

Room A2103 Tipping the Scales Toward Resiliency: What the YRBS LGB Data Tells Us About Supporting LGBT Students

Room A2106 LGBT College Student Panel: Listen and learn from UNF students talking about their path to higher education and the support services they needed in high school to make it to college

Room A2104 Sustaining your GSA: Creating a culture of student leaders in your Gay Straight Alliance

Room A2105 LGBT 102: Policies and Best Practices working with LGBTQ Youth

2:00 - 3:00 PM

**Break Out Session** 

Room A2106 LGBT Student Panel: Listen and learn from LGBT youth & HIV positive youth talk about how HIV impacted and affected their lives

Room A2104 Sustaining your GSA: Creating a culture of student leaders in your Gay Straight Alliance

Room A2103 Supporting Transgender/Gender Nonconforming students

Room A2105 Teaching Respect for All Feature Film: Laverne Cox presents: the t word

3:15-5:00 PM Optional Networking and Social at Fionn MacCool's @ The Landing (2 Independent Drive #176, JAX, FL 32202)



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## **Teaching Respect for All Break Out Session Descriptions & Locations**

Tipping the Scales Toward Resiliency: What the YRBS LGB Data Tells Us About Supporting LGBT Students

**Room A2103** 

Cindy Watson, Executive Director, JASMYN

The biannual Youth Risk Behavior Survey (YRBS) asked Duval Country students to identify their sexual orientation for the first time in 2013. The data reveals that students who identify as gay, lesbian, bisexual or unsure report higher risks of bullying, suicide, violence, substance use and sexual behavior. This workshop will explore the factors that drive higher rates of risk for sexual minority students, and will engage educators in developing strategies to effectively support LGBT students that help them be safe, resilient and academically successful.

## LGBT 102: Policies and Best Practices working with LGBTQ Youth

**Room A2105** 

Emily Rokosch, Director of Operations, JASMYN

The workshop will increase awareness and understanding of lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth and their health risks, and promote safe space for LGBTQ youth. The training will help agencies & classrooms create best practices and implement policies in environments that discourage bullying / rejection and promote acceptance of LGBTQ in youth development programs and other community settings.

## GSA 101: Activating, Organizing & Supporting a Gay Straight Alliance

Room A2104

Randy Lessen, DCPS Teacher

In this workshop participants will learn about what a GSA is and how it benefits the entire school environment, how to help your students start a GSA, what GSA model is right for your school and how to overcome obstacles supporting students to start a GSA and your school or organization.

LGBT Student Panel: Listen and learn from LGBT youth & HIV positive youth talk about how HIV impacted and affected their lives

**Room A2106** 

Sabrina Cluesman, Assistant Director of Services, JASMYN

**JASMYN Youth Leaders** 

Did you know 1 in 13 Black/Gay/Bisexual men in Duval County has HIV? Did you know that school age youth 13-29 make up 30% of all new HIV infections among men? Did you also know for Black Transgender women the rates of HIV are even higher? Join us as we listen to the young people, dialogue on the challenges of the HIV epidemic in Jacksonville and discuss how we can mobilize for change both in the schools and in Jacksonville.



Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 5 of 103 PageID 9287 Supporting Transgender/Gender/Noncomfoired in 252-58 Page: 7 of 118

### **Room A2103**

MJ Cranston, HIV Testing Coordinator, JASMYN Bradley, Case Manager, JASMYN Alyx, JASMYN Youth Leader

This workshop will increase participants awareness of key terminology and concepts relating to gender identity and expression, increase awareness of barriers transgender students face that impact academic success and review best practices and policies for gender inclusive schools.

## Sustaining your GSA: Creating a Culture of Student Leaders in your Gay Straight Alliance Room A2104

## Jardyn Lake, Student Support Coordinator, JASMYN

Now that you have a GSA...how can you keep your students engaged, support emerging student leaders, and grow your GSA. Participants will be introduced to tools and resources to help facilitate engaging and fun GSA meetings including fundraising ideas, group activities and setting up a safe and welcoming environment for all participants.

## LGBT College Student Panel & Experience Room A2106

## Timothy Jefferson, Assistant Director of Programs, JASMYN

Listen and learn from out LGBTQ college students talking about their path to higher education, their High School experience coming out as LGBT and the support services they needed to graduate and continue their educational success.

## Teaching Respect for All Feature Film: Laverne Cox presents: the t word Room A2105

## Facilitated by: Ace Canessa, Outreach Specialist, JASMYN

"Actress and trans advocate Laverne Cox presents an eye-opening documentary about seven brave transgender youth who are showing the world what it means to defy expectations and live their lives - and truth - as authentically as possible."

In this breakout, we will explore the ways Laverne Cox's short documentary about young trans lives can be used as a tool in the classroom, as a way to discuss the oppressions trans folks face, while also looking at their daily lives.



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## Visit www.jasmyn.org for more information

## Stay Involved!

**Upcoming Community Events to Support JASMYN** 

February 22, 2015 @ 2:30 PM
Warm The New JASMYN House Party

April 18, 2015 @ 7:30 AM 4<sup>th</sup> Annual Strides for Pride 5K Run/Walk

## **Support LGBT Youth!**

**Upcoming LGBTQ Youth Events** 

May 15, 2015 @ 7:00 PM Annual LGBTQ Youth Prom

April 18, 2015 @7:00 PM

4<sup>th</sup> Annual Strides for Pride 5K Run/Walk @ 7:30 AM

REGISTRATION IS OPEN!

## Thank you for believing in LGBTQ Youth!



# all children all families

Achieving Safety, Permanency and Well-Being by Improving Practice with LGBT Youth and Families

## All Children - All Families Benchmarks of LGBT Cultural Competency

Agencies that demonstrate they have achieved these ten benchmarks will be designated "Leaders in Supporting and Serving LGBT Youth & Families" and awarded the **Seal of Recognition**.



### Client Non-Discrimination

- 1a. Client non-discrimination policy explicitly prohibits discrimination based on "sexual orientation."
- 1b. Client non-discrimination policy explicitly prohibits discrimination based on "gender identity."
- 1c. Client non-discrimination policy explicitly prohibits discrimination based on "gender expression."
- Client non-discrimination policy is communicated to staff and clients.

## 2 Employment Non-Discrimination

- 2a. Employment non-discrimination policy explicitly prohibits discrimination based on "sexual orientation."
- 2b. Employment non-discrimination policy explicitly prohibits discrimination based on "gender identity."

### 3 Organizational Partnerships and Non-Discrimination

- 3a. Agency employs best efforts to limit or avoid partnerships with organizations and service providers that engage in discriminatory practices or perpetuate biased policies which harm the LGBT community.
- 3b. Agency employs best efforts to require organizational partners, collaborators or contractors to meet its own LGBT-inclusive non-discrimination standards.

## 4 Agency Forms

All agency-controlled forms and internal documents use LGBT-inclusive language related to family and relationship status (e.g., "partner" instead of "spouse," "parent 1" and "parent 2" rather than "mother" and "father").

## 5 Staff Training

- 5a. All agency employees (including clerical staff, top management and any other employees who have direct contact with clients) receive comprehensive training required to work effectively and competently with LGBT clients.
- Agency social workers, managers and administrators receive role-specific training in working effectively and competently with LGBT clients.
- 5c. Agency provides staff in-service trainings focused on supporting LGBT clients at least once a year. This training addresses specific skills in order to enhance cultural competency working with LGBT clients.

## 6 Staff Advocates

Agency has on staff one or more advocates for LGBT clients. This advocate (sometimes called ombudsperson or champion) is identified to all staff and clients and is charged with resource collection and dissemination, advocacy, support and intervention specifically for LGBT clients.

## Client Advisory Boards & Community Expertise

- 7a. Agency client advisory boards (youth and adult) or similar entities (groups that regularly provide client-based feedback, guidance and advice to agency leaders and managers) include members who identify as LGBT or as allies to the LGBT community and/or demonstrate how they will engage the voice of LGBT clients and allies in a meaningful way.
- 7b. Agency has access to an expert in competent practice and delivery of service to the LGBT community.

## 8 Agency Environment & External Communications

- 8a. Visual cues throughout common areas communicate support and inclusion of LGBT resource families and/or LGBT and ally youth (e.g. posters, magazines, brochures).
- 8b. Agency's external communications (website, printed materials, etc.) explicitly and consistently reflect its commitment to working with and welcoming LGBT clients and their families.
- 8c. Agency actively recruits for LGBT resource families.

## 9 Training and Support for Resource Families

- 9a. Agency includes LGBT-specific examples and exercises in all family training (e.g., MAPP and PRIDE, or other similar training). Trainings are inclusive of LGBT-headed families and provide information on creating a safe and affirming environment for LGBT youth.
- 9b. Trainers are prepared to deliver this content and create a safe space for all families.
- 9c. Agency provides LGBT-inclusive ongoing support and education to existing resource families and other caregivers (including birth families and foster/birth siblings whenever applicable).

## 10 Client Services & Referrals

- 10a. Agency has in place ongoing efforts to address LGBT-inclusion and cultural competence across all services.
- 10b. Agency identifies and utilizes a list of LGBT-competent referrals for outside client services.
- 10c. Agency has a process in place to identify safe and affirming resource families for LGBT youth.
- 10d. Agency has had placements/finalized adoptions with several LGBT foster or adoptive parents; and/or provided foster/adoption services to LGBT families within the past year.

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# Self-Assessed Checklist for Personnel Providing Services and Supports to LGBTQ Youth and Their Families

RATING SCALE: Please select A, B, or C for each item listed below:

A = I do this *frequently*, or the statement applies to me to a *great degree* 

B = I do this occasionally, or statement applies to me to a moderate degree

C = I do this *rarely or never*, or statement applies to me to a *minimal* degree or *not at all*.

## PHYSICAL ENVIRONMENT, MATERIALS, AND RESOURCES

	CIOAL ENVIRONMENT, MATERIALS, AND RESOURCES			
1	I display pictures, posters and other materials that are inclusive of LGBTQ youth and their families served by my program/agency.	Α	В	С
2	. I ensure that LGBTQ youth and families across diverse racial, ethnic, and cultural groups:			
	<ul> <li>Have access to magazines, brochures, and other printed materials that are of interest to them.</li> <li>are reflected in media resources (e.g., videos, films, CD's,</li> </ul>	Α	В	С
	DVD's, websites) for health and behavioral health prevention, treatment, or other interventions.	A	В	С
3.	I ensure that printed/multimedia resources (e.g. photos, posters, magazines, brochures, videos, films, CD's, websites) are free of biased and negative content, language, or images about people who are LGBT.	A	В	С
4.	I screen books, movies, and other media resources for negative stereotypes about LGBTQ persons before sharing them with youth and their parents/families served by my program/agency.	A	В	С
COM	MUNICATION PRACTICES			
5.	I attempt to learn and use key words and terms that reflect 'youth culture' or LGBTQ youth culture, so that I communicate more effectively with youth during assessment, treatment, or other interventions.	_		
	daming docooding it, treatment, or other interventions.	Α	В	C

	6.	I understand and respect that some youth may:			
		<ul> <li>choose not to identify as LGBT or prefer to use other terms to identify themselves.</li> </ul>	Α	В	С
		<ul> <li>abandon use of all terms associated with sexual orientation/ gender identity or expression so as to remain "label free"</li> </ul>	A	В	С
	7.	I understand and apply the principles and practices of linguistic Competencies as they relate to LGBTQ populations within my program/ Agency, including the use of:  • preferred gender pronoun(s).  • preferred proper names.  • terms that reflect self-identity about sexual orientation/gender Identity.	A	В	С
	8.	I advocate for the use of linguistically appropriate terminology for LGBTQ populations within:  • my program/agency.  • systems that serve children, youth, and their families.  • Professional and community organizations with which I am associated with.	A	В	С
٧	'AL	JES AND ATTITUDES			
	9.	I avoid imposing values that may conflict or be inconsistent with those of LGBTQ culture or groups.	Α	В	С
	10	O. In group therapy or treatment situations, I discourage the use of "hate speech" or slurs about sexual orientation/gender identity or expression by helping youth to understand that certain words can hurt others.	A	В	С
	1	1.I intervene appropriately when I observe others (i.e., staff, parents, family members, children, and youth) within my program/agency behave or speak about sexual orientation/gender identity or expression in ways that are insensitive, biased, or prejudiced.	A	В	C
	1	2.I understand and accept that family may be defined differently by LGBTQ Youth (e.g., extended family members, families of choice, friends, partners, fictive kin, godparents).	A	В	C

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13.I accept that LGBTQ youth, parents/family members may not always agree about who will make decisions about services and support for the youth.	A	В	(
14.I recognize that LGBT identity has different connotations (negative, neutral, positive) within different racial, ethnic, and cultural groups.	A	В	C
15.I accept that culture heavily influences responses by family members and others to youth who are LGBTQ, and to the provision of their care, treatment, services, and supports.	A	В	C
16.I understand and respect that LGBTQ youth may conceal their sexual orientation/gender identity or expression within their own racial, ethnic, or cultural group.	A	В	C
17.I accept and respect that LGBTQ youth may not express their gender according to culturally-defined societal expectations.	A	В	С
18.I understand that age and life cycle factors including identity development, must be considered when interacting with LGBTQ youth and their families.	A	В	С
19.I recognize that the meaning or value and behavioral health Prevention, intervention, and treatment may vary greatly among LGBTQ youth and their families.	A	В	С
20.I understand that family members and others may believe that LGBTQ identity among youth is a mental illness, emotional disturbance/disability, or moral/character flaw.	A	В	С
21.I understand the impact of stigma associated with mental illness, behavioral health services, and help-seeking behavior among LGBTQ youth and their families within cultural communities (e.g. communities defined by race or ethnicity, religiosity or spirituality, tribal			
affiliation, and/or geographic locale).	Α	В	С

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	l accept that religion, spirituality, and other beliefs may Influence how families :			
	<ul> <li>Respond to a child or youth who identifies as LGBTQ.</li> <li>View LGBTQ youth culture.</li> </ul>	A A	B B	C C
	Approach a child or youth who is LGBTQ.	A	В	С
23.	I ensure that LGBTQ youth:			
	Have appropriate access to events and activities conducted by by program/agency.  The state of the state	Α	В	С
	<ul> <li>Participate in training (i.e. panel presentations, workshops, seminars, and other forums).</li> </ul>	Α	В	С
	<ul> <li>Participate on advisory boards, committees, and task forces.</li> </ul>	Α	В	С
	I ensure that members of "families of choice" identified by LGBTQ youth:			
	<ul> <li>Have appropriate access to event and activities conducted By my program/agency.</li> </ul>	A	В	С
	<ul> <li>Participate in training (i.e. panel presentations, workshops, Seminars, and other forums).</li> </ul>	A	В	С
	<ul> <li>Participate on advisory boards, committees and task forces.</li> </ul>	Α	В	С
	Before visiting or providing services and supports in the home setting, I seek information on acceptable behaviors, courtesies, customs, and expectations that are unique to: LGBTQ youth and their families LGBTQ headed families	A A	B B	C
26.	I confer with LGBTQ youth, family members, key community informants, cultural brokers, and those who are knowledgeable about LGBTQ youth experience to:			
•	create or adapt service delivery models implement services and supports evaluate services and supports plan community awareness, acceptance, and engagement initiatives.	A A A	B B B	C
27	I advocate for the periodic review of the mission, policies, and procedures of my program/agency to ensure the full inclusion of all individuals regardless of their sexual orientation/gender identity or expression.	A	В	C

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28.	I keep abreast of new developments in the research and practice literatures about appropriate interventions and approaches for working with LGBTQ youth and their families.	Α	В	C
	I accept that many evidence-based prevention and intervention approaches will require adaptation to be effective with LGBTQ youth and their families.	Α	В	С

### **HOW TO USE THIS CHECKLIST**

This checklist is intended to heighten the awareness and sensitivity of personnel to the importance of cultural diversity and cultural competence in human settings. It provides concrete examples of the kinds of values and practices that foster such an environment. There is no answer key with correct responses.

If, however, you frequently responded "C", you may consider advocating for values-based policies, and implementing practices that promote a diverse and culturally and linguistically competent service delivery system for LGBTQ children/youth and their families who require health, behavioral health, or other services and supports.

Fisher, Sylvia K., Poirier, Jeffrey M., Blau, Gary M. 2012. Improving Emotional & Behavioral Outcomes for LGBT Youth: A Guide for Professionals. Baltimore, Maryland: Paul H. Brooks Publishing Co.

Adapted from Goode, T.D. (2009). Promoting Cultural Diversity and Cultural Competency: Self- Assessment Checklist for Personnel Providing Behavioral Health Services and Supports to Children, Youth and Their Families. Washington, DC: National Center for Cultural Competence (NCCC), Georgetown University Center for Child and Human Development (GUCCHD). © 2009 NCCC GUCCHD

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Cindy Watson, Executive Director Emily Rokosch, Director of Operations

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## What to expect today!

About JASMYN

**LGBTQ Basics & Statistics** 

Agency Assessment

Benchmarks for LGBT Cultural Competency

Resources

Questions



## JASMYN - Health Services



Onsite STD Clinic

HIV Testing & Counseling

Health Education & Outreach

Risk Reduction Counseling

900000

## JASMYN - Safety Net

Drop-In Center

Youth Development Programming

Support Groups

Food & Personal Hygiene Pantry

Case Management

Crisis Intervention



C00000

## JASMYN - Advocacy

Corporate Roundtable

Foster Care Consultation

Gay Straight Alliance Support

LGBT Diversity Trainings

Community Roundtables



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## Why LGBTQ Cultural Competency

## Family Rejection

- oMore than 8 times as likely to have attempted suicide
- Nearly 6 times as likely to report high levels of depression
- More than 3 times as likely to use illegal drugs
- More than 3 times as likely to be at high risk for HIV and STDs.

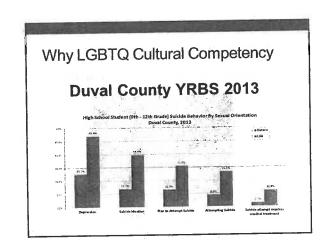
## Why LGBTQ Cultural Competency

## High Risk

 30-40% of homeless youth identify as LGBT

- Gay and Bisexual youth are at higher risk for HIV and STI's
  - Encounter bullying and harassment in schools
  - High risk for substance use/abuse





Self –Assessment Checklist for Personnel Providing Services and Supports the LGBTQ Youth and Their Families

L=Lesbian G= Gay B= Bisexual T= Transgender

There is no wrong or right answer!



### About the 10 Benchmarks

HUMAN RIGHTS CAMPAIGN

Human Rights Campaign (HRC)

All Children All Families is a project of the Human Rights Campaign Foundation. It provides a framework for agencies to achieve safety, permanency and wellbeing by improving their practice with lesbian, gay, bisexual and transgender youth and families.

Achieving Safety, Permanency and Well-Being by Improving Practice with LGBT Youth and Families

"Leaders in Supporting and Serving LGBT Youth & Families" and awarded the Seal of Recognition

### Client Non-Discrimination

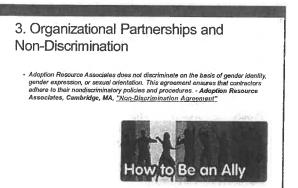
- No person shall, on the basis of a person's actual or perceived identity with regard to race, color, religion, gender, age, marital status, disability, sexual orientation, political or religious beliefs, national or ethnic origin, veteran status, or any other distinguishing physical or personality characteristics, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity or in any employment conditions or practices conducted by this School District, except as provided by law. DCPS Non-Discrimination Policy
  - The Division will not preclude a person from being a foster perent based solely on their culture, religion, race, ethnicity, gender, sexual orientation, gender identity or gender expression, affectional orientation, or maritatival union or domestic partnership status. New Jaresy Dept. of Children and Families, Division of Child Protection and Permanency, Trenton, NJ, "Be a Foster Parent".

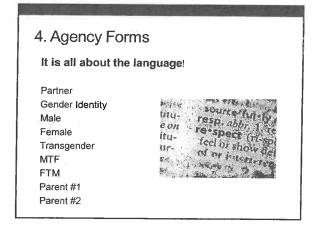
## Employment Non-Discrimination

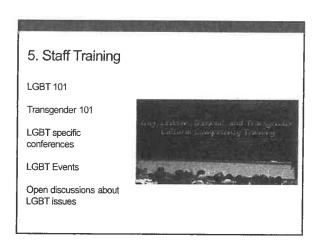
- All Employees are protected and may file a discrimination complaint if they perceive that they have been discriminated against based on race, color, religion, national origin, ancestry, physical disability, mental disability, medical condition, marital status, gender identity, age (persons at least 40 years old), sex (including pregnancy and conduct of a sexical nature), sexual orientation, denial of reasonable accommodation, and Family Medical Leave Act (FMLA). Los Angeles County Department of Children and Family Services, Pasadena, CA, "Non-Discrimination Policy"
- The policy of JASMYN is to provide equal employment opportunity to all qualified employees and applicants for employment regardless of race, sex, age, sexual orientation, gender identity and expression, religion, national origin, (isability, marital status, or any other category protected by law. JASMYN prohibits discrimination based on actual or perceived race, sex, age, sexual orientation, gender identity and expression, religion, national origin, disability, marital status, or any other category protected by law in employment and in all client programs and services. JASMYN

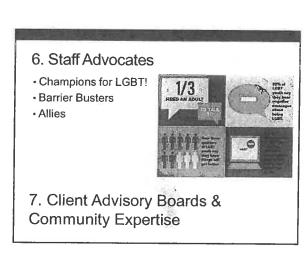
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1/14/2015

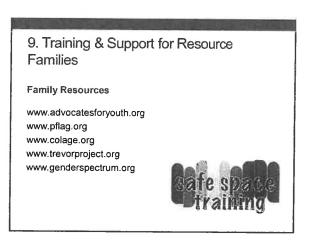












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### 10. Client Services & Referrals

- Are the agencies you refer clients to safe for LGBT youth?
- Is there a LGBT Ally at the organization?
- Is everyone informed about LGBT inclusive policies?



### Additional Resources

- · Family Acceptance Project: http://familyproject.sfsu.edu/
- Human Rights Campaign All Children All Families: http://www.hrc.org/resources/entry/all-children-all-families-about-the-initiative
- · GLSEN: http://www.glsen.org/
- National Best Practices serving homeless LGBT Youth http://www.f2f.ca.gov/res/pdf/NationalRecommended.pdf
- CWLA Best Practices: http://www.nclrights.org/wpcontent/uploads/2013/07/bestpracticeslgbtyouth.pdf
- APA Best Practices LGBT: https://www.apa.org/pi/lgbt/resources/promoting-good-practices.aspx

### Questions?

Cindy Watson Executive Director cwatson@jasmyn.org 904-389-3857 Emily Rokosch Director of Operations erokosch@jasmyn.org 904-389-3857 ex 212



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## TOP 10 WAYS JASMYN CAN SUPPORT YOUR GAY STRAIGHT ALLIANCE (GSA)

- We can bring resources & information about JASMYN to your GSA! Who we are – What we do - How you can get involved!
- 2. We can bring a button maker to help you create GSA Pride.
- You can organize a GSA Field Trip to visit the JASMYN house!
- 4. We can provide educational programming to help you educate your school on LGBT issues. Ex: LGBTQA Bingo, GSA Trivia, & GSA 101: Your Rights & Responsibilities.
- 5. You can visit our website for great GSA resources. www.jasmyn.org
- 6. You can participate in our Annual JASMYN Prom!
- 7. We can provide safe space stickers to your teachers & school administrators.
- 8. You can join JASMYN on Facebook for updates and information about what is happening.
- 9. You can call our Gay Youth Information Line for support or give the number to a friend: (904)389-0089.
- 10. We can connect you with other great LGBT community resources.

## FUN THINGS TO DO AS A GSA!

### **Movie Night**

Show an LGBT themed film or documentary at your next meeting. Have a discussion about it afterward!

### Host a BBQ or Picnic

Work with the JASMYN GSA Network to involve the other GSAs in your area for a potluck picnic or BBQ.

### Plan a Pride Dance or go to a LGBTQ dance in your area

Dances can be a great way to bring GSA members together and reach out to the school community, and Pride Proms are the highlight of the year's social activities for many GSAs. You don't have to plan your own! JASMYN hosts a Gay Prom every year

### **Plan Outdoor Activities**

Meet at a park to play frisbee, softball, flag football, or whatever you want. These activities can be combined with a BBQ and are a great way to network and socialize with other GSAs. Or plan a hiking or camping trip.

### **Arts and Crafts**

Get together after school or during lunch and make your own pride gear, a banner to use in marches, personalized buttons, or art to display in the library and display cases. **Ask to borrow JASMYN's button maker** 

### Hold a Pride Party (or any party!)

Who needs a good excuse to party?! Make it your GSA Coming Out Party. Be creative with food and decorations — The possibilities are endless. Ex: "I'm a Queen you're a Queen" Ice Cream Social!!!

#### Host a Bake Sale.

Raise awareness about your GSA while making some extra money for GSA events.

### Plan or go to local rallies, LGBT events or lobbying events

It is always exciting to actively make change! There are always rallies and lobbying events you can find out about or learn from others on how to plan your own!

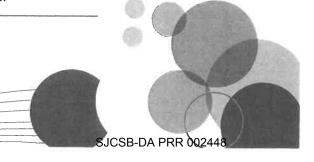
### Host an awareness day at your school

Bring speakers, host workshops, have entertainment, and raise awareness about LGBTQQ issues at your school! Awareness days can be anytime or around LGBT specific events such as Ally Week,

Day of Silence, Harvey Milk Day or Transgender Day of Remembrance.



923 Peninsular Place Jacksonville, FL 32204 904-389-3857 • www.jasmyn.org





AMERICAN PSYCHOLOGICAL ASSOCIATION

# Answers to Your Questions About Transgender Individuals and Gender Identity

### What does transgender mean?

Transgender is an umbrella term used to describe people whose gender identity (sense of themselves as male or female) or gender expression differs from that usually associated with their birth sex. Many transgender people live part-time or full-time as members of the other gender. Broadly speaking, anyone whose identity, appearance, or behavior falls outside of conventional gender norms can be described as transgender. However, not everyone whose appearance or behavior is gender-atypical will identify as a transgender person.

## What is the difference between sex and gender?

Sex refers to biological status as male or female. It includes physical attributes such as sex chromosomes, gonads, sex hormones, internal reproductive structures, and external genitalia. Gender is a term that is often used to refer to ways that people act, interact, or feel about themselves, which are associated with boys/men and girls/women. While aspects of biological sex are the same across different cultures, aspects of gender may not be.

## What are some categories or types of transgender people?

Transsexuals are transgender people who live or wish to live full time as members of the gender opposite to their birth sex. Biological females who wish to live and be recognized as men are called female-to-male (FTM) transsexuals or transsexual men. Biological males who wish to live and be recognized as women are called male-to-female (MTF) transsexuals or transsexual women. Transsexuals usually seek medical interventions, such as hormones and surgery, to make their bodies as congruent as possible with their preferred gender. The process of transitioning from one gender to the other is called sex reassignment or gender reassignment.

Cross-dressers or transvestites comprise the most numerous transgender group. Cross-dressers wear the clothing of the other sex. They vary in how completely they dress (from one article of clothing to fully cross-dressing) as well as in their motives for doing so. Some cross-dress to express cross-gender feelings or identities; others cross-dress for fun, for emotional comfort, or for sexual arousal. The great majority of cross-dressers are biological males, most of whom are sexually attracted to women.

Drag queens and drag kings are, respectively, biological males and females who present part-time as members of the other sex primarily to perform or entertain. Their performances may include singing, lip-syncing, or dancing. Drag performers may or may not identify as transgender. Many drag queens and kings identify as gay, lesbian, or bisexual.

Other categories of transgender people include androgynous, bigendered, and gender queer people. Exact definitions of these terms vary from person to person, but often include a sense of blending or alternating genders. Some people who use these terms to describe themselves see traditional concepts of gender as restrictive.

## Have transgender people always existed?

Transgender persons have been documented in many Western and non-Western cultures and societies from antiquity until the present day. However, the meaning of gender variance may vary from culture to culture.

## Why are some people transgender?

There is no one generally accepted explanation for why some people are transgender. The diversity of transgender expression argues against any simple or unitary explanation. Many experts believe that biological factors such as genetic influences and prenatal hormone levels, early experiences in a person's family of origin, and other social influences can all contribute to the development of transgender behaviors and identities.

## How prevalent are transgender people?

It is difficult to accurately estimate the prevalence of transgender people in Western countries. As many as 2-3% of biological males engage in cross-dressing, at least occasionally. Current estimates of the prevalence of transsexualism are about 1 in 10,000 for biological males and 1 in 30,000 for biological females. The number of people in other transgender categories is unknown.

## What is the relationship between transgender and sexual orientation?

People generally experience gender identity and sexual orientation as two different things. Sexual orientation refers to one's sexual attraction to men, women, both,

Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 21 of 103 PageID 9303 or neither, whereas gender identity reference one's sense of 12/2 ments 1 treatment with cross sex hormones, surgical of oneself as male, female, or transgender. Usually people who are attracted to women prior to transition continue to be attracted to women after transition, and people who are attracted to men prior to transition continue to be attracted to men after transition. That means, for example, that a biologic male who is attracted to females will be attracted to females after transitioning, and she may regard herself as a lesbian.

### How do transgender people experience their transgender feelings?

Transgender people experience their transgender feelings in a variety of ways. Some can trace their transgender identities or gender-atypical attitudes and behaviors back to their earliest memories. Others become aware of their transgender identities or begin to experience gender-atypical attitudes and behaviors much later in life. Some transgender people accept or embrace their transgender feelings, while others struggle with feelings of shame or confusion. Some transgender people, transsexuals in particular, experience intense dissatisfaction with their birth sex or with the gender role associated with that sex. These individuals often seek sex reassignment.

### What should parents do if their child appears to be transgender or gender-atypical?

Parents may be concerned about a child who appears to be gender-atypical for a variety of reasons. Some children express a great deal of distress about their assigned gender roles or the sex of their bodies. Some children experience difficult social interactions with peers and adults because of their gender expression. Parents may become concerned when what they believed to be a "phase" does not seem to pass. Parents of gender-atypical children may need to work with schools and other institutions to address their children's particular needs and to ensure their children's safety. It is often helpful to consult with a mental health professional familiar with gender issues in children to decide how to best address these concerns. In most cases it is not helpful to simply force the child to act in a more gender-typical way. Peer support from other parents of gender variant children may also be helpful.

### How do transsexuals transition from one gender to the other?

Transitioning from one gender to another is a complex process. People who transition often start by expressing their preferred gender in situations where they feel safe. They typically work up to living full-time as members of their preferred gender, by making many changes a little at a time.

Gender transition typically involves adopting the appearance of the desired sex through changes in clothing and grooming, adoption of a name typical of the desired sex, change of sex designation on identity docu-

alteration of secondary sex characteristics to approximate those of the desired sex, and in biological males, removal of facial hair with electrolysis or laser treatments. Finding a qualified mental health professional to provide guidance and referrals to other helping professionals is often an important first step in gender transition. Connecting with other transgender people through peer support groups and transgender community organizations is also very helpful.

The Harry Benjamin International Gender Dysphoria Association (HBIGDA), a professional organization devoted to the treatment of transgender people, publishes The Standards of Care for Gender Identity Disorders, which offers recommendations for the provision of sex reassignment procedures and services.

### Is being transgender a mental disorder?

A psychological condition is considered a mental disorder only if it causes distress or disability. Many transgender people do not experience their transgender feelings and traits to be distressing or disabling, which implies that being transgender does not constitute a mental disorder per se. For these people, the significant problem is finding the resources, such as hormone treatment, surgery, and the social support they need, in order to express their gender identity and minimize discrimination. However, some transgender people do find their transgender feelings to be distressing or disabling. This is particularly true of transsexuals, who experience their gender identity as incongruent with their birth sex or with the gender role associated with that sex. This distressing feeling of incongruity is called gender dysphoria.

According to the diagnostic standards of American psychiatry, as set forth in the Diagnostic and Statistical Manual of Mental Disorders, people who experience intense, persistent gender dysphoria can be given the diagnosis of Gender Identity Disorder. This diagnosis is highly controversial among some mental health professionals and transgender people. Some contend that the diagnosis inappropriately pathologizes gender variance and should be eliminated. Others argue that, because the health care system in the United States requires a diagnosis to justify medical or psychological treatment, it is essential to retain the diagnosis to ensure access to care.

## What kinds of mental health problems do transgender people face?

Transgender people experience the same kinds of mental health problems that nontransgender people do. However, the stigma, discrimination, and internal conflict that many transgender people experience may place them at increased risk for certain mental health problems. Discrimination, lack of social support, and inadequate access to care can exacerbate mental health problems in transgender people, while support from

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peers, family, and helping professionals may act as protective factors.

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Consequently, transgender people in most cities and states can be depied housing or employment, lose cut

## What kinds of discrimination do transgender people face?

Antidiscrimination laws in most U.S. cities and states do not protect transgender people from discrimination based on gender identity or gender expression. Consequently, transgender people in most cities and states can be denied housing or employment, lose custody of their children, or have difficulty achieving legal recognition of their marriages, solely because they are transgender. Many transgender people are the targets of hate crimes. The widespread nature of discrimination based on gender identity and gender expression can cause transgender people to feel unsafe or ashamed, even when they are not directly victimized.

## How can I be supportive of transgender family members, friends, or significant others?

• Educate yourself about transgender issues.

 Be aware of your attitudes concerning people with gender-atypical appearance or behavior.

 Use names and pronouns that are appropriate to the person's gender presentation and identity; if in doubt, ask their preference.

 Don't make assumptions about transgender people's sexual orientation, desire for surgical or hormonal treatment, or other aspects of their identity or transition plans. If you have a reason to need to know, ask.

Don't confuse gender dysphoria with gender expression: Gender-dysphoric males may not always appear stereotypically feminine, and not all gender-variant men are gender-dysphoric; gender-dysphoric females

may not always appear stereotypically masculine, and not all gender-variant women are gender-dysphoric.

• Keep the lines of communication open with the transgender person in your life.

• Get support in processing your own reactions. It can take some time to adjust to seeing someone who is transitioning in a new way. Having someone close to you transition will be an adjustment and can be challenging, especially for partners, parents, and children.

 Seek support in dealing with your feelings. You are not alone. Mental health professionals and support groups for family, friends, and significant others of transgender people can be useful resources.

## Where can I find more information about transgender issues?

American Psychological Association 750 First Street, NE Washington DC, 20002 202-336-5500 lgbc@apa.org (e-mail) www.apa.org/pi/lgbc/transgender

The Harry Benjamin International Gender Dysphoria Association, Inc.
World Professional Association of Transgender 1300 South Second Street, Suite 180
Minneapolis, MN 55454
612-624-9397
612-624-9541 (fax)
hbigda@hbigda.org (e-mail)

FTMInternational (FTM means Female-to-Male) 740A 14th St. #216 San Francisco, CA 94114 877-267-1440 info@ftmi.org (e-mail) www.ftmi.org

Gender Public Advocacy Coalition 1743 Connecticut Ave., NW Fourth Floor Washington, DC 20009 202-462-6610 gpac@gpac.org (e-mail) www.gpac.org

www.hbigda.org

National Center for Transgender Equality 1325 Massachusetts Ave., Suite 700 Washington, DC 20005 202-903-0112 202-393-2241 (fax) www.nctequality.org

Parents, Families, and Friends of Lesbians and Gays (PFLAG) Transgender Network (TNET) 1726 M Street, NW Suite 400 Washington, DC 20036 202-467-8180 info@pflag.org (e-mail) www.pflag.org/TNET.tnet.0.html

Sylvia Rivera Law Project 322 8th Avenue 3rd Floor New York, NY 10001 212-337-8550 212-337-1972 (fax) www.srlp.org

Transgender Law Center 870 Market Street Room 823 San Francisco, CA 94102 415-865-0176 info@transgenderlawcenter.org (e-mail) www.transgenderlawcenter.SdQSB-DA PRR 002451 Case: 18-13592 Date Filed: 12/27/2018 Page: 25 of 118



Washington, DC 20002-4242

Office of Public Communications 202-336-5700 TDD: 202-336-6123 www.apa.org

Printed 2006

This brochure was written by the APA Task Force on Gender Identity, Gender Variance, and Intersex Conditions: Margaret Schneider, PhD, University of Toronto; Walter O. Bockting, PhD, University of Minnesota; Randall D. Ehrbar, PsyD, New Leaf Services for Our Community, San Francisco, CA; Anne A. Lawrence, MD, PhD, Private Practice, Seattle, WA; Katherine Louise Rachlin, PhD, Private Practice, New York, NY; Kenneth J. Zucker, PhD, Centre for Addiction and Mental Health, Toronto, Ontario, Canada. Produced by the APA Office of Public and Member Communications.

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## Case 18-13592 Pate Filed: 12/27/2018 Page: 26 of 118 estions

AMERICAN PSYCHOLOGICAL ASSOCIATION

# FOR A BETTER UNDERSTANDING OF SEXUAL ORIENTATION & HOMOSEXUALITY

ince 1975, the American Psychological Association has called on psychologists to take the lead in removing the stigma of mental illness that has long been associated with lesbian, gay, and bisexual orientations. The discipline of psychology is concerned with the well-being of people and groups and therefore with threats to that well-being. The prejudice and discrimination that people who identify as lesbian, gay, or bisexual regularly experience have been shown to have negative psychological effects. This pamphlet is designed to provide accurate information for those who want to better understand sexual orientation and the impact of prejudice and discrimination on those who identify as lesbian, gay, or bisexual.

### What is sexual orientation?

Sexual orientation refers to an enduring pattern of emotional, romantic, and/or sexual attractions to men, women, or both sexes. Sexual orientation also refers to a person's sense of identity based on those attractions, related behaviors, and membership in a community of others who share those attractions. Research over several decades has demonstrated that sexual orientation ranges along a continuum, from exclusive attraction to the other sex to exclusive attraction to the same sex. However, sexual orientation is usually discussed in terms of three categories: heterosexual (having emotional, romantic, or sexual attractions to members of the other sex), gay/lesbian (having emotional, romantic, or sexual attractions to members of one's own sex), and bisexual (having emotional, romantic, or sexual attractions to both men and women). This range of behaviors and attractions has been described in various cultures and nations throughout the world. Many cultures use identity labels to describe people who express these attractions. In the United States the most frequent labels are lesbians (women attracted to women), gay men (men attracted to men), and bisexual people (men or women attracted to both sexes). However, some people may use different labels or none at all.

Sexual orientation is distinct from other components of sex and gender, including biological sex (the anatomical, physiological,

and genetic characteristics associated with being male or female), gender identity (the psychological sense of being male or female), and social gender role (the cultural norms that define feminine and masculine behavior).

Sexual orientation is commonly discussed as if it were solely a characteristic of an individual, like biological sex, gender identity, or age. This perspective is incomplete because sexual orientation is defined in terms of relationships with others. People express their sexual orientation through behaviors with others, including such simple actions as holding hands or kissing. Thus, sexual orientation is closely tied to the intimate personal relationships that meet deeply felt needs for love, attachment, and intimacy. In addition to sexual behaviors, these bonds include nonsexual physical affection between partners, shared goals and values, mutual support, and ongoing commitment. Therefore, sexual orientation is not merely a personal characteristic within an individual. Rather, one's sexual orientation defines the group of people in which one is likely to find the satisfying and fulfilling romantic relationships that are an essential component of personal identity for many people.

## How do people know if they are lesbian, gay, or bisexual?

According to current scientific and professional understanding, the core attractions that form the basis for adult sexual orientation typically emerge between middle childhood and early adolescence. These patterns of emotional, romantic, and sexual attraction may arise without any prior sexual experience. People can be celibate and still know their sexual orientation—be it lesbian, gay, bisexual, or heterosexual.

Different lesbian, gay, and bisexual people have very different experiences regarding their sexual orientation. Some people know that they are lesbian, gay, or bisexual for a long

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Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 25 of 103 PageID 9307 Ctime before the pactually pursue relationships 18 among lesbian gay and bisexual people.

with other people. Some people engage in sexual activity (with same-sex and/or other-sex partners) before assigning a clear label to their sexual orientation. Prejudice and discrimination make it difficult for many people to come to terms with their sexual orientation identities, so claiming a lesbian, gay, or bisexual identity may be a slow process.

# What causes a person to have a particular sexual orientation?

There is no consensus among scientists about the exact reasons that an individual develops a heterosexual, bisexual, gay, or lesbian orientation. Although much research has examined the possible genetic, hormonal, developmental, social, and cultural influences on sexual orientation, no findings have emerged that permit scientists to conclude that sexual orientation is determined by any particular factor or factors. Many think that nature and nurture both play complex roles; most people experience little or no sense of choice about their sexual orientation.

# What role do prejudice and discrimination play in the lives of leshian, gay, and bisexual people?

Lesbian, gay, and bisexual people in the United States encounter extensive prejudice, discrimination, and violence because of their sexual orientation. Intense prejudice against lesbians, gay men, and bisexual people was widespread throughout much of the 20th century. Public opinion studies over the 1970s, 1980s, and 1990s routinely showed that, among large segments of the public, lesbian, gay, and bisexual people were the target of strongly held negative attitudes. More recently, public opinion has increasingly opposed sexual orientation discrimination, but expressions of hostility toward lesbians and gay men remain common in contemporary American society. Prejudice against bisexuals appears to exist at comparable levels. In fact, bisexual individuals may face discrimination from some lesbian and gay people as well as from heterosexual people.

Sexual orientation discrimination takes many forms. Severe antigay prejudice is reflected in the high rate of harassment and violence directed toward lesbian, gay, and bisexual individuals in American society. Numerous surveys indicate that verbal harassment and abuse are nearly universal experiences

Also, discrimination against lesbian, gay, and bisexual people in employment and housing appears to remain widespread.

The HIV/AIDS pandemic is another area in which prejudice and discrimination against lesbian, gay, and bisexual people have had negative effects. Early in the pandemic, the assumption that HIV/AIDS was a "gay disease" contributed to the delay in addressing the massive social upheaval that AIDS would generate. Gay and bisexual men have been disproportionately affected by this disease. The association of HIV/AIDS with gay and bisexual men and the inaccurate belief that some people held that all gay and bisexual men were infected served to further stigmatize lesbian, gay, and bisexual people.

## What is the psychological impact of prejudice and discrimination?

Prejudice and discrimination have social and personal impact. On the social level, prejudice and discrimination against lesbian, gay, and bisexual people are reflected in the everyday stereotypes of members of these groups. These stereotypes persist even though they are not supported by evidence, and they are often used to excuse unequal treatment of lesbian, gay, and bisexual people. For example, limitations on job opportunities, parenting, and relationship recognition are often justified by stereotypic assumptions about lesbian, gay, and bisexual people.

On an individual level, such prejudice and discrimination may also have negative consequences, especially if lesbian, gay, and bisexual people attempt to conceal or deny their sexual orientation. Although many lesbians and gay men learn to cope with the social stigma against homosexuality, this pattern of prejudice can have serious negative effects on health and well-being. Individuals and groups may have the impact of stigma reduced or worsened by other characteristics, such as race, ethnicity, religion, or disability. Some lesbian, gay, and bisexual people may face less of a stigma. For others, race, sex, religion, disability, or other characteristics may exacerbate the negative impact of prejudice and discrimination.

The widespread prejudice, discrimination, and violence to which lesbians and gay men are often subjected are significant mental health concerns. Sexual prejudice, sexual orientation discrimination, and antigay violence are major



Case: 18-13592 Date sources of stress for lesbian, gay, and bisexual people. Although social support is crucial in coping with stress, antigay attitudes and discrimination may make it difficult for lesbian, gay, and bisexual people to find such support.

## is homosexuality a mental disorder?

No, lesbian, gay, and bisexual orientations are not disorders. Research has found no inherent association between any of these sexual orientations and psychopathology. Both heterosexual behavior and homosexual behavior are normal aspects of human sexuality. Both have been documented in many different cultures and historical eras. Despite the persistence of stereotypes that portray lesbian, gay, and bisexual people as disturbed, several decades of research and clinical experience have led all mainstream medical and mental health organizations in this country to conclude that these orientations represent normal forms of human experience. Lesbian, gay, and bisexual relationships are normal forms of human bonding. Therefore, these mainstream organizations long ago abandoned classifications of homosexuality as a mental disorder.

# What about therapy intended to change sexual orientation from any to straight?

All major national mental health organizations have officially expressed concerns about therapies promoted to modify sexual orientation. To date, there has been no scientifically adequate research to show that therapy aimed at changing sexual orientation (sometimes called reparative or conversion therapy) is safe or effective. Furthermore, it seems likely that the promotion of change therapies reinforces stereotypes and contributes to a negative climate for lesbian, gay, and bisexual persons. This appears to be especially likely for lesbian, gay, and bisexual individuals who grow up in more conservative religious settings.

Helpful responses of a therapist treating an individual who is troubled about her or his same-sex attractions include helping that person actively cope with social prejudices against homosexuality, successfully resolve issues associated with and resulting from internal conflicts, and actively lead a happy and satisfying life. Mental health professional organizations call on their members to respect a person's (client's) right to self-determination; be sensitive to the client's race, culture, ethnicity, age, gender, gender identity, sexual orientation, religion, socioeconomic status, language, and disability status when working with that client; and eliminate biases based on these factors.

## Date Filed: 12/27/2018 Page: 28 of 118 What is "coming out" and why pping is it important?

The phrase "coming out" is used to refer to several aspects of lesbian, gay, and bisexual persons' experiences: self-awareness of same-sex attractions; the telling of one or a few people about these attractions; widespread disclosure of same-sex attractions; and identification with the lesbian, gay, and bisexual community. Many people hesitate to come out because of the risks of meeting prejudice and discrimination. Some choose to keep their identity a secret; some choose to come out in limited circumstances; some decide to come out in very public ways.

Coming out is often an important psychological step for lesbian, gay, and bisexual people. Research has shown that feeling positively about one's sexual orientation and integrating it into one's life fosters greater well-being and mental health. This integration often involves disclosing one's identity to others; it may also entail participating in the gay community. Being able to discuss one's sexual orientation with others also increases the availability of social support, which is crucial to mental health and psychological well-being. Like heterosexuals, lesbians, gay men, and bisexual people benefit from being able to share their lives with and receive support from family, friends, and acquaintances. Thus, it is not surprising that lesbians and gay men who feel they must conceal their sexual orientation report more frequent mental health concerns than do lesbians and gay men who are more open; they may even have more physical health problems.

# What about sexual orientation and coming out during adolescence?

Adolescence is a period when people separate from their parents and families and begin to develop autonomy. Adolescence can be a period of experimentation, and many youths may question their sexual feelings. Becoming aware of sexual feelings is a normal developmental task of adolescence. Sometimes adolescents have same-sex feelings or experiences that cause confusion about their sexual orientation. This confusion appears to decline over time, with different outcomes for different individuals.

Some adolescents desire and engage in samesex behavior but do not identify as lesbian, gay, or bisexual, sometimes because of the stigma associated with a nonheterosexual orientation. Some adolescents experience continuing feelings of same-sex attraction but do not engage in any sexual activity or may engage in heterosexual behavior for varying lengths of time. Because of the

many youths experience same-sex attraction for many years before becoming sexually active with partners of the same sex or disclosing their attractions to others.

For some young people, this process of exploring same-sex attractions leads to a lesbian, gay, or bisexual identity. For some, acknowledging this identity can bring an end to confusion. When these young people receive the support of parents and others, they are often able to live satisfying and healthy lives and move through the usual process of adolescent development. The younger a person is when she or he acknowledges a nonheterosexual identity, the fewer internal and external resources she or he is likely to have. Therefore, youths who come out early are particularly in need of support from parents and others.

Young people who identify as lesbian, gay, or bisexual may be more likely to face certain problems, including being bullied and having negative experiences in school. These experiences are associated with negative outcomes, such as suicidal thoughts, and highrisk activities, such as unprotected sex and alcohol and drug use. On the other hand, many lesbian, gay, and bisexual youths appear to experience no greater level of health or mental health risks. Where problems occur, they are closely associated with experiences of bias and discrimination in their environments. Support from important people in the teen's life can provide a very helpful counterpart to bias and discrimination.

Support in the family, at school, and in the broader society helps to reduce risk and encourage healthy development. Youth need caring and support, appropriately high expectations, and the encouragement to participate actively with peers. Lesbian, gay, and bisexual youth who do well despite stress—like all adolescents who do well despite stress—tend to be those who are socially competent, who have good problem-solving skills, who have a sense of autonomy and purpose, and who look forward to the future.

In a related vein, some young people are presumed to be lesbian, gay, or bisexual because they don't abide by traditional gender roles (i.e., the cultural beliefs about what is appropriate "masculine" and "feminine" appearance and behavior). Whether these youths identify as heterosexual or as lesbian,

Cstigmal as sociated with same sex attraction 2018 gap an bis equal the gencounter prejudice and discrimination based on the presumption that they are lesbian, gay, or bisexual. The best support for these young people is school and social climates that do not tolerate discriminatory language and behavior.

## At what age should lesbian, gay, or bisexual youths come out?

There is no simple or absolute answer to this question. The risks and benefits of coming out are different for youths in different circumstances. Some young people live in families where support for their sexual orientation is clear and stable; these youths may encounter less risk in coming out, even at a young age. Young people who live in less supportive families may face more risks in coming out. All young people who come out may experience bias, discrimination, or even violence in their schools, social groups, work places, and faith communities. Supportive families, friends, and schools are important buffers against the negative impacts of these experiences.

## What is the nature of same-sex relationships?

Research indicates that many lesbians and gay men want and have committed relationships. For example, survey data indicate that between 40% and 60% of gay men and between 45% and 80% of lesbians are currently involved in a romantic relationship. Further, data from the 2000 U.S. Census indicate that of the 5.5 million couples who were living together but not married, about 1 in 9 (594,391) had partners of the same sex. Although the census data are almost certainly an underestimate of the actual number of cohabiting same-sex couples, they indicate that there are 301,026 male samesex households and 293,365 female same-sex households in the United States.

Stereotypes about lesbian, gay, and bisexual people have persisted, even though studies have found them to be misleading. For instance, one stereotype is that the relationships of lesbians and gay men are dysfunctional and unhappy. However, studies have found same-sex and heterosexual couples to be equivalent to each other on measures of relationship satisfaction and commitment.

A second stereotype is that the relationships of lesbians, gay men and bisexual people are unstable. However, despite social hostility toward same-sex relationships, research shows



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that many lesbians and gay men form durable relationships. For example, survey data indicate that between 18% and 28% of gay couples and between 8% and 21% of lesbian couples have lived together 10 or more years. It is also reasonable to suggest that the stability of same-sex couples might be enhanced if partners from same-sex couples enjoyed the same levels of support and recognition for their relationships as heterosexual couples do, i.e., legal rights and responsibilities associated with marriage.

A third common misconception is that the goals and values of lesbian and gay couples are different from those of heterosexual couples. In fact, research has found that the factors that influence relationship satisfaction, commitment, and stability are remarkably similar for both same-sex cohabiting couples and heterosexual married couples.

Far less research is available on the relationship experiences of people who identify as bisexual. If these individuals are in a same-sex relationship, they are likely to face the same prejudice and discrimination that members of lesbian and gay couples face. If they are in a heterosexual relationship, their experiences may be quite similar to those of people who identify as heterosexual unless they choose to come out as bisexual; in that case, they will likely face some of the same prejudice and discrimination that lesbian and gay individuals encounter.

## Can leshians and gay men be good parents?

Many lesbians and gay men are parents; others wish to be parents. In the 2000 U.S. Census, 33% of female same-sex couple households and 22% of male same-sex couple households reported at least one child under the age of 18 living in the home. Although comparable data are not available, many single lesbians and gay men are also parents, and many same-sex couples are part-time parents to children whose primary residence is elsewhere.

As the social visibility and legal status of lesbian and gay parents have increased, some people have raised concerns about the well-being of children in these families. Most of these questions are based on negative stereotypes about lesbians and gay men. The majority of research on this topic asks whether children raised by lesbian and gay parents are at a disadvantage when compared to children raised by heterosexual parents. The most common questions and answers to them are these:

Do children of lesbian and gay parents have more problems with sexual identity than do children of

heterosexual parents? For instance, do these children develop problems in gender identity and/or in gender role behavior? The answer from research is clear: sexual and gender identities (including gender identity, gender-role behavior, and sexual orientation) develop in much the same way among children of lesbian mothers as they do among children of heterosexual parents. Few studies are available regarding children of gay fathers.

Do children raised by lesbian or gay parents have problems in personal development in areas

other than sexual identity? For example, are the children of lesbian or gay parents more vulnerable to mental breakdown, do they have more behavior problems, or are they less psychologically healthy than other children? Again, studies of personality, self-concept, and behavior problems show few differences between children of lesbian mothers and children of heterosexual parents. Few studies are available regarding children of gay fathers.

Are children of lesbian and gay parents likely to have problems with social relationships? For

example, will they be teased or otherwise mistreated by their peers? Once more, evidence indicates that children of lesbian and gay parents have normal social relationships with their peers and adults. The picture that emerges from this research shows that children of gay and lesbian parents enjoy a social life that is typical of their age group in terms of involvement with peers, parents, family members, and friends.

Are these children more likely to be sexually abused by a parent or by a parent's friends or

**acquaintances?** There is no scientific support for fears about children of lesbian or gay parents being sexually abused by their parents or their parents' gay, lesbian, or bisexual friends or acquaintances.

In summary, social science has shown that the concerns often raised about children of lesbian and gay parents—concerns that are generally grounded in prejudice against and stereotypes about gay people—are unfounded. Overall, the research indicates that the children of lesbian and gay parents do not differ markedly from the children of heterosexual parents in their development, adjustment, or overall well-being.

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against lesbian, gay, and bisexual people?

Lesbian, gay, and bisexual people who want to help reduce prejudice and discrimination can be open about their sexual orientation, even as they take necessary precautions to be as safe as possible. They can examine their own belief systems for the presence of antigay stereotypes. They can make use of the lesbian, gay, and bisexual community—as well as supportive heterosexual people—for support.

Heterosexual people who wish to help reduce prejudice and discrimination can examine their own response to antigay stereotypes and prejudice. They can make a point of coming to know lesbian, gay, and bisexual people, and they can work with lesbian, gay, and bisexual individuals and communities to combat prejudice and discrimination. Heterosexual individuals are often in a good position to ask other heterosexual people to consider the prejudicial or discriminatory nature of their beliefs and actions. Heterosexual allies can encourage nondiscrimination policies that include sexual orientation. They can work to make coming out safe. When lesbians, gay men, and bisexual people feel free to make public their sexual orientation, heterosexuals are given an opportunity to have personal contact with openly gay people and to perceive them as individuals.

Studies of prejudice, including prejudice against gay people, consistently show that prejudice declines when members of the majority group interact with members of a minority group. In keeping with this general pattern, one of the most powerful influences on heterosexuals' acceptance of gay people is having personal contact with an openly gay person. Antigay attitudes are far less common among members of the population who have a close friend or family member who is lesbian or gay, especially if the gay person has directly come out to the heterosexual person.

### Suggested Bibliographic Citation:

American Psychological Association. (2008). Answers to your questions: For a better understanding of sexual orientation and homosexuality. Washington, DC: Author. [Retrieved from www.apa.org/topics/sorientation.pdf.]

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residue and discrimination WHERE CAN I FIND MORE INFORMATION ABOUT HOMOSEXUALITY?

## American Psychological **Association**

Lesbian, Gay, Bisexual, and Transgender Concerns Office 750 First Street, NE. Washington, DC 20002 E-mail: lgbc@apa.org http://www.apa.org/pi/lgbc/

## • Mental Health America

(formerly the National Mental Health Association)

2000 N. Beauregard Street, 6th Floor Alexandria, VA 22311

Main Switchboard: (703) 684-7722 Toll-free: (800) 969-6MHA (6642)

TTY: (800) 433-5959 Fax: (703) 684-5968

http://www.nmha.org/go/home

### What Does Gay Mean? How to Talk With Kids About Sexual Orientation and Prejudice

An anti-bullying program designed to improve understanding and respect for youth who are gay/lesbian/bisexual/ transgender (GLBT). Centered on an educational booklet called What Does Gay Mean? How to Talk with Kids About Sexual Orientation and Prejudice, the program encourages parents and others to communicate and share values of respect with their children.

## American Academy of Pediatrics (AAP)

Division of Child and Adolescent Health 141 Northwest Point Blvd. Elk Grove Village, IL 60007 Office: (847) 228-5005 Fax: (847) 228-5097 http://www.aap.org

> Gay, Lesbian, and Bisexual Teens: Facts for Teens and Their Parents

This brochure was created with editorial assistance from the APA Committee on Lesbian, Gay, Bisexual, and Transgender Concerns. Produced by the Office of Public and Member Communications

The American Psychological Association 750 First Street, NE Washington, DC 20002

Office of Public and Member Communications 202.336.5700

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# 7th Annual Teaching Respect For All

Creating Safe Schools for Lesbian, Gay, Bisexual & Transgender (LGBT) Students

Friday, January 16th, 2015

Duval County School Employee Planning & Inservice Day

Teacher professional development points available

8:00 AM - 3:00 PM

@the FSCI Downtown Campus, 101 West State Street, Jacksonville, FL 32202

## Registration is FREE! Register today at:

http://teachingrespectforall2015.eventbrite.com
Online registration is required

SPONSORED BY:







DUVAL COUNTY
PUBLIC SCHOOLS

Contact Emily Rokosch at (904) 389-3857 or erokosch@jasmyn.org



www.jasmyn.org

Thank you for your participation in the 7<sup>th</sup> Annual Teaching Respect for All: Creating Safe Schools for Lesbian, Gay, Bisexual & Transgender Students!

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Teaching Respect for All conference all sto previde current and prospective school teachers, counselors, social workers, and administrators with the knowledge and tools to successfully create a school culture where all people, including LGBT people, are respected, free to express themselves, and able to reach their full potential.

Thank you to our partners from Duval County Public Schools, Nan Worsowicz, Supervisor of School Counseling and Joni Shook, Counseling Specialist! This year's TRFA Conference is being held in collaboration with the DCPS 3<sup>rd</sup> Annual Duval County School Counseling Conference: Success by Design.

## **About our Keynote:**

## Patricia J. Martin, Johns Hopkins University Lecturer and Independent Educational Consultant

She is a nationally recognized leader in the reform of school counseling and efforts to design training opportunities to help practicing counselors become an integral part of the primary mission for schools. Pat has over 30 years of experience as a public school educator, having worked as a teacher, school counselor, supervisor of counselors, high school principal, chief educational administrator and assistant superintendent of schools in Prince George's County, Maryland.

Patricia has an extensive and productive history of involvement in national and state efforts working on issues related to large urban school districts, leadership, school counseling and academic equity for students for whom school systems have not served well in the past. She has been the developer and the manager of many institutional programs and system policies that directly impact the education and career options for these students in school districts.

### **About JASMYN:**

The Mission of the Jacksonville Area Sexual Minority Youth Network (JASMYN) is to support and empower lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth by creating safe space, providing youth development services and bringing people and resources together to promote diversity and human rights. JASMYN is a non-profit youth organization for lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth ages 13-23.

## **About JASMYN's GSA Support:**

Starting a Gay Straight Alliance or similar club in your school? JASMYN can help! Join the JASMYN GSA Network for access to GSA resource guides, LGBT Leadership retreats, Fun programs, events and more. JASMYN's GSA Network is a part of JASMYN's Student Support Program. JASMYN is a resource for ALL students thinking about or starting Gay Straight Alliances in their schools. If you would like JASMYN to visit your school or attend a GSA meeting contact Ace Canessa, JASMYN's Student Support Coordinator



## Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 32 of 103 PageID 9314 2015 Teaching Respect for All: Creating Safe Schools for LGBT Students

### Schedule at a Glance

7:15 AM

**Check-In & Registration** 

8:00 AM

Welcome &

Nan Worsowicz, Supervisor of School Counseling

**Opening Remarks** 

Cindy Watson, Executive Director, JASMYN

Keynote

Patricia J. Martin

9:15 - 10:15 AW

**Break Out Sessions** 

Room A2103 - Tipping the Scales Toward Resiliency: What the YRBS LGB Data Tells Us About Supporting LGBT Students

Room A2105 - LGBT 102: Policies and Best Practices working with LGBTQ Youth

Room A2104 - GSA 101: Activating, organizing & supporting a Gay Straight Alliance

Room A2106 - LGBT College Student Panel: Listen and learn from UNF students talking about their path to higher education and the support services they needed in high school to make it to college

10:25 - 11:40 AM Break Out Sessions

Room A2106 - LGBT Student Panel: Listen and learn from LGBT youth & HIV positive youth talk about how HIV impacted and affected their lives

Room A2103. Supporting Transgender/Gender Nonconforming students

Room A2104 GSA 101: Activating, organizing & supporting a Gay Straight Alliance

Room A2105 Teaching Respect for All Feature Film: Laverne Cox presents: the t word

11:40 - 12:40

Lunch & Resource Fair (A wrist bands lunch 11:40-12:10, B wrist bands lunch 12:10-12:40)

12:50 - 1:50 PM

Break Out Session

Room A2103 Tipping the Scales Toward Resiliency: What the YRBS LGB Data Tells Us About Supporting LGBT Students

Room A2106 LGBT College Student Panel: Listen and learn from UNF students talking about their path to higher education and the support services they needed in high school to make it to college

Room A2104 Sustaining your GSA: Creating a culture of student leaders in your Gay Straight Alliance

Room A2105 LGBT 102: Policies and Best Practices working with LGBTQ Youth

2:00 - 3:00 PM

**Break Out Session** 

Room A2106 LGBT Student Panel: Listen and learn from LGBT youth & HIV positive youth talk about how HIV impacted and affected their lives

Room A2104 Sustaining your GSA: Creating a culture of student leaders in your Gay Straight Alliance

Room A2103 Supporting Transgender/Gender Nonconforming students

Room A2105 Teaching Respect for All Feature Film: Laverne Cox presents: the t word

3:15-5:00 PM Optional Networking and Social at Fionn MacCool's @ The Landing (2 Independent Drive #176, JAX, FL 32202)



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## Teaching Respect for All Break Out Session Descriptions & Locations

Tipping the Scales Toward Resiliency: What the YRBS LGB Data Tells Us About Supporting LGBT Students

Room A2103

Cindy Watson, Executive Director, JASMYN

The biannual Youth Risk Behavior Survey (YRBS) asked Duval Country students to identify their sexual orientation for the first time in 2013. The data reveals that students who identify as gay, lesbian, bisexual or unsure report higher risks of bullying, suicide, violence, substance use and sexual behavior. This workshop will explore the factors that drive higher rates of risk for sexual minority students, and will engage educators in developing strategies to effectively support LGBT students that help them be safe, resilient and academically successful.

### LGBT 102: Policies and Best Practices working with LGBTQ Youth

**Room A2105** 

**Emily Rokosch, Director of Operations, JASMYN** 

The workshop will increase awareness and understanding of lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth and their health risks, and promote safe space for LGBTQ youth. The training will help agencies & classrooms create best practices and implement policies in environments that discourage bullying / rejection and promote acceptance of LGBTQ in youth development programs and other community settings.

## GSA 101: Activating, Organizing & Supporting a Gay Straight Alliance

Room A2104

Randy Lessen, DCPS Teacher

In this workshop participants will learn about what a GSA is and how it benefits the entire school environment, how to help your students start a GSA, what GSA model is right for your school and how to overcome obstacles supporting students to start a GSA and your school or organization.

## LGBT Student Panel: Listen and learn from LGBT youth & HIV positive youth talk about how HIV impacted and affected their lives

**Room A2106** 

Sabrina Cluesman, Assistant Director of Services, JASMYN

**JASMYN Youth Leaders** 

Did you know 1 in 13 Black/Gay/Bisexual men in Duval County has HIV? Did you know that school age youth 13-29 make up 30% of all new HIV infections among men? Did you also know for Black Transgender women the rates of HIV are even higher? Join us as we listen to the young people, dialogue on the challenges of the HIV epidemic in Jacksonville and discuss how we can mobilize for change both in the schools and in Jacksonville.



Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 34 of 103 PageID 9316 Supporting Transgender/Gerage Noneth Filed 12/13/17 Page: 36 of 118

### **Room A2103**

MJ Cranston, HIV Testing Coordinator, JASMYN Bradley, Case Manager, JASMYN Alyx, JASMYN Youth Leader

This workshop will increase participants awareness of key terminology and concepts relating to gender identity and expression, increase awareness of barriers transgender students face that impact academic success and review best practices and policies for gender inclusive schools.

## Sustaining your GSA: Creating a Culture of Student Leaders in your Gay Straight Alliance Room A2104

## Jardyn Lake, Student Support Coordinator, JASMYN

Now that you have a GSA...how can you keep your students engaged, support emerging student leaders, and grow your GSA. Participants will be introduced to tools and resources to help facilitate engaging and fun GSA meetings including fundraising ideas, group activities and setting up a safe and welcoming environment for all participants.

## **LGBT College Student Panel & Experience**

### **Room A2106**

## Timothy Jefferson, Assistant Director of Programs, JASMYN

Listen and learn from out LGBTQ college students talking about their path to higher education, their High School experience coming out as LGBT and the support services they needed to graduate and continue their educational success.

## Teaching Respect for All Feature Film: Laverne Cox presents: the t word Room A2105

## Facilitated by: Ace Canessa, Outreach Specialist, JASMYN

"Actress and trans advocate Laverne Cox presents an eye-opening documentary about seven brave transgender youth who are showing the world what it means to defy expectations and live their lives - and truth - as authentically as possible."

In this breakout, we will explore the ways Laverne Cox's short documentary about young trans lives can be used as a tool in the classroom, as a way to discuss the oppressions trans folks face, while also looking at their daily lives.



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# Visit www.jasmyn.org for more information

# Stay Involved!

**Upcoming Community Events to Support JASMYN** 

February 22, 2015 @ 2:30 PM
Warm The New JASMYN House Party

April 18, 2015 @ 7:30 AM 4<sup>th</sup> Annual Strides for Pride 5K Run/Walk

# **Support LGBT Youth!**

**Upcoming LGBTQ Youth Events** 

May 15, 2015 @ 7:00 PM Annual LGBTQ Youth Prom

April 18, 2015 @7:00 PM

4<sup>th</sup> Annual Strides for Pride 5K Run/Walk @ 7:30 AM

REGISTRATION IS OPEN!

# Thank you for believing in LGBTQ Youth!

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# LGBTQ 102 / Policies and Best Practices for Youth Programs



Cindy Watson, Executive Director Emily Rokosch, Director of Operations



#### What to expect today!

About JASMYN

LGBTQ Basics & Statistics

Agency Assessment

Benchmarks for LGBT Cultural Competency

Resources

Questions



#### **JASMYN - Health Services**



Onsite STD Clinic

HIV Testing & Counseling

Health Education & Outreach

Risk Reduction Counseling



#### JASMYN - Safety Net

Drop-In Center

Youth Development Programming

Support Groups

Food & Personal Hygiene Pantry

Case Management

Crisis Intervention





#### JASMYN - Advocacy

Corporate Roundtable

Foster Care Consultation

Gay Straight Alliance Support

**LGBT Diversity Trainings** 

Community Roundtables





## Why LGBTQ Cultural Competency

# Family Rejection



- More than 8 times as likely to have attempted suicide
- Nearly 6 times as likely to report high levels of depression
- More than 3 times as likely to use illegal drugs
- More than 3 times as likely to be at high risk for HIV and STDs.



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#### Why LGBTQ Cultural Competency

#### High Risk

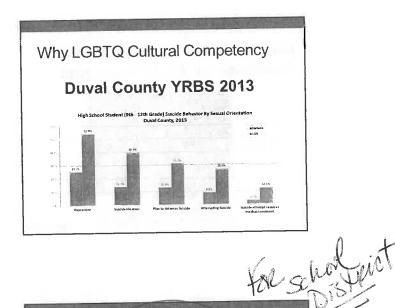
o 30-40% of homeless youth identify as LGBT

 Gay and Bisexual youth are at higher risk for HIV and STI's

> o Encounter bullying and harassment in schools

o High risk for substance use/abuse





Self –Assessment Checklist for Personnel Providing Services and Supports the LGBTQ Youth and Their Families

L=Lesbian G= Gay B= Bisexual T= Transgender

There is no wrong or right answer!



#### About the 10 Benchmarks



Human Rights Campaign (HRC)

All Children All Families is a project of the Human Rights Campaign Foundation. It provides a framework for agencies to achieve safety, permanency and wellbeing by improving their practice with lesbian, gay, bisexual and transgender youth and families.

Achieving Safety, Permanency and Well-Being by Improving Practice with LGBT Youth and Families

"Leaders in Supporting and Serving LGBT Youth & Families" and awarded the Seal of Recognition

#### 1. Client Non-Discrimination

- No person shall, on the basis of a person's actual or perceived identity with regard to race, color, religion, gender, age, marital status, disability, sexual onentation, political or religious beliefs, national or ethnic origin, veteran status, or any other distinguishing physical or personality characteristics, be excluded from participation in, be denied the enefits of, or be subjected to discrimination under any education program or activity or in any employment conditions or practices conducted by this School District, except as provided by law. DCPS Non-Discrimination Policy
  - The Division will not preclude a person from being a foster parent based solely on their culture, religion, race, ethnicity, gender, sexual orientation, gender identity or gender expression, affectional orientation, or matrial/cuvil union or domestic partnership status New Jersey Dept. of Children and Families, Division of Child Protection and Permanency, Trenton, NJ, "Bo a Foster Parent".

#### 2. Employment Non-Discrimination

- All Employees are protected and may file a discrimination complaint if they perceive that they have been discriminated against based on race, color, religion, national origin, ancestry, physical disability, mential disability, medical condition, martial status, gender identity, age (persons at least 40 years old), see (including pregnancy and conduct of a sexual nature), sexual orientation, denial of reasonable accommodation, and Family Medical Leave Act (FMLA). Los Angeles Country Department of Children and Family Services, Pasadena, CA, "Non-Discrimination Policy"
- The policy of JASMYN is to provide equal employment opportunity to all qualified employees and applicants for employment regardless of race, sex, age, sexual orientation, gender dentity and expression, religion, national origin, disability, marital status, or any other category protected by law JASMYN prohibits discrimination based on actual or perceived race, sex, age, sexual orientation, gender identity and expression, religion, national origin, disability, marital status, or any other category protected by law in employment and in all client programs and services. JASMYN

Jew overtation, gender identh

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Adoption Resource Associates does not discriminate on the basis of gender identity, gender expression, or sexual orientation. This agreement ensures that contractors adhere to their nondiscriminatory policies and procedures - Adoption Resource Associates, Cambridge, MA, "Non-Discrimination Agreement".



ing, Lesinon, Bisexual, and Transgender Cultural Competency Training

#### 4. Agency Forms

It is all about the language!

Partner

Gender Identity

Male

Female

Transgender

MTF FTM

Parent #1

Parent #2

Will Sa

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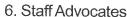
**LGBT 101** 

Transgender 101

LGBT specific conferences

LGBT Events

Open discussions about LGBT issues



- · Champions for LGBT!
- Barrier Busters
- Allies



7. Client Advisory Boards & Community Expertise

8. Agency Environment & External Communications







SAFE SPACE FOR EVERYONE

9. Training & Support for Resource Families

Family Resources

www.advocatesforyouth.org

www.pflag.org

www.colage.org

www.trevorproject.org

www.genderspectrum.org

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#### 10. Client Services & Referrals

- Are the agencies you refer clients to safe for LGBT youth?
- · Is there a LGBT Ally at the organization?
- Is everyone informed about LGBT inclusive policies?



#### Additional Resources

· Family Acceptance Project: http://familyproject.sfsu.edu/

1/14/2015

- · Human Rights Campaign All Children All Families: http://www.hrc.org/resources/entry/all-children-allfamilies-about-the-initiative
- · GLSEN: http://www.glsen.org/
- · National Best Practices serving homeless LGBT Youth http://www.f2f.ca.gov/res/pdf/NationalRecommended.pdf
- · CWLA Best Practices: http://www.nclrights.org/wpcontent/uploads/2013/07/bestpracticeslgbtyouth.pdf
- · APA Best Practices LGBT: https://www.apa.org/pi/lgbt/resources/promoting-goodpractices.aspx

#### Questions?

Cindy Watson **Executive Director** cwatson@jasmyn.org 904-389-3857

**Emily Rokosch** Director of Operations erokosch@jasmyn.org 904-389-3857 ex 212



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## Self-Assessed Checklist for Personnel Providing Services and Supports to LGBTQ Youth and Their Families

RATING SCALE:	Please select A, B, or C for each item listed below:  A = I do this <i>frequently</i> , or the statement applies to me to B = I do this <i>occasionally</i> , or statement applies to me to C = I do this <i>rarely or never</i> , or statement applies to me degree or <i>not at all</i> .	a <b>mode</b>	rate de	ee egree
PHYSICAL ENVIR	ONMENT, MATERIALS, AND RESOURCES			
	cures, posters and other materials that are inclusive buth and their families served by my program/agency.	Α	В	С

- 2. I ensure that LGBTQ youth and families across diverse racial, ethnic, and cultural groups: • Have access to magazines, brochures, and other printed materials that are of interest to them. Α В C are reflected in media resources (e.g., videos, films, CD's, DVD's, websites) for health and behavioral health prevention, treatment, or other interventions. В Α C 3. I ensure that printed/multimedia resources (e.g. photos, posters, magazines, brochures, videos, films, CD's, websites) are free of biased
- 4. I screen books, movies, and other media resources for negative stereotypes about LGBTQ persons before sharing them with youth and their parents/families served by my program/agency. В C

and negative content, language, or images about people who are LGBT.

#### COMMUNICATION PRACTICES

5. I attempt to learn and use key words and terms that reflect 'youth culture' or LGBTQ youth culture, so that I communicate more effectively with youth during assessment, treatment, or other interventions. C В

B

C

6. Tunderstand and respect that some youth may.			
choose not to identify as LGBT or prefer to use other terms	Α	В	С
to identify themselves.   abandon use of all terms associated with sexual orientation/	^	D	
gender identity or expression so as to remain "label free"	A	В	С
<ul> <li>7. I understand and apply the principles and practices of linguistic Competencies as they relate to LGBTQ populations within my program/ Agency, including the use of:</li> <li>preferred gender pronoun(s).</li> </ul>			
<ul> <li>preferred proper names.</li> <li>terms that reflect self-identity about sexual orientation/gender ldentity.</li> </ul>	Α	В	С
<ul> <li>8. I advocate for the use of linguistically appropriate terminology for LGBTQ populations within:</li> <li>my program/agency.</li> <li>systems that serve children, youth, and their families.</li> </ul>			
<ul> <li>Professional and community organizations with which I am associated with.</li> </ul>	Α	В	С
VALUES AND ATTITUDES			
<ol><li>I avoid imposing values that may conflict or be inconsistent with those of LGBTQ culture or groups.</li></ol>	Α	В	С
10. In group therapy or treatment situations, I discourage the use of "hate speech" or slurs about sexual orientation/gender identity or expression by helping youth to understand that certain words can hurt others.	A	В	C
11.I intervene appropriately when I observe others (i.e., staff, parents, family members, children, and youth) within my program/agency behave or speak about sexual orientation/gender identity or expression in ways			
that are insensitive, biased, or prejudiced.	Α	В	C
12.I understand and accept that family may be defined differently by LGBTQ Youth (e.g., extended family members, families of choice,			
friends, partners, fictive kin, godparents).	Α	В	C

13.I accept that LGBTQ youth, parents/family members may not always agree about who will make decisions about services and support for the youth.	Α	В	
14.I recognize that LGBT identity has different connotations (negative,		_	·
neutral, positive) within different racial, ethnic, and cultural groups.	Α	В	(
15.I accept that culture heavily influences responses by family members and others to youth who are LGBTQ, and to the provision of their care, treatment, services, and supports.	Α	В	C
16.I understand and respect that LGBTQ youth may conceal their sexual orientation/gender identity or expression within their own racial, ethnic, or cultural group.	Α	В	C
17.I accept and respect that LGBTQ youth may not express their gender according to culturally-defined societal expectations.	A	В	C
18.I understand that age and life cycle factors including identity development, must be considered when interacting with LGBTQ youth and their families.	A	В	С
19.I recognize that the meaning or value and behavioral health Prevention, intervention, and treatment may vary greatly among LGBTQ youth and their families.	Α	В	С
20.I understand that family members and others may believe that LGBTQ identity among youth is a mental illness, emotional disturbance/disability, or moral/character flaw.	A	В	С
21.I understand the impact of stigma associated with mental illness, behavioral health services, and help-seeking behavior among LGBTQ youth and their families within cultural communities (e.g. communities defined by race or ethnicity, religiosity or spirituality, tribal			
affiliation, and/or geographic locale).	Α	В	С

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22. I accept that religion, spirituality, and other beliefs may			
<ul><li>Influence how families:</li><li>Respond to a child or youth who identifies as LGBTQ.</li></ul>	Α	В	С
<ul> <li>View LGBTQ youth culture.</li> </ul>	Α	В	С
<ul> <li>Approach a child or youth who is LGBTQ.</li> </ul>	Α	В	С
22 Languiro that LCRTO vouth:			
<ul><li>23.I ensure that LGBTQ youth:</li><li>Have appropriate access to events and activities</li></ul>			
conducted by by program/agency.	Α	В	С
Deticinate in training (i.e. panel procentations, workshops			
seminars, and other forums).	Α	В	С
<ul> <li>Participate on advisory boards, committees, and</li> </ul>			
task forces.	Α	В	С
task forces.			
24.1 ensure that members of "families of choice" identified by			
LGBTQ youth:			
<ul> <li>Have appropriate access to event and activities conducted</li> </ul>			
By my program/agency.	Α	В	С
<ul> <li>Participate in training (i.e. panel presentations, workshops,</li> </ul>			
Seminars, and other forums).	Α	В	С
<ul> <li>Participate on advisory boards, committees and task forces.</li> </ul>	Α	В	С
25. Before visiting or providing services and supports in the home			
setting, I seek information on acceptable behaviors, courtesies,			
customs, and expectations that are unique to:	Α	В	C
<ul><li>LGBTQ youth and their families</li><li>LGBTQ headed families</li></ul>	A	В	C
LGBTQ fleaded faithlies			
26. I confer with LGBTQ youth, family members, key community informants, cultural brokers, and those who are knowledgeable about LGBTQ youth			
experience to:			
<ul> <li>create or adapt service delivery models</li> </ul>	Α	В	C
<ul> <li>implement services and supports</li> </ul>	Α	В	C
evaluate services and supports	A	B B	
<ul> <li>plan community awareness, acceptance, and engagement initiatives.</li> </ul>	A	Б	
27. I advocate for the periodic review of the mission, policies, and	A	В	C
procedures of my program/agency to ensure the full inclusion of all individuals regardless of their sexual orientation/gender identity or expression.			

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	literatures about appropriate interventions and approaches for working with LGBTQ youth and their families.	Α	В	C
29.	I accept that many evidence-based prevention and intervention	Δ	B	_

approaches will require adaptation to be effective with LGBTQ youth and their families.

#### **HOW TO USE THIS CHECKLIST**

This checklist is intended to heighten the awareness and sensitivity of personnel to the importance of cultural diversity and cultural competence in human settings. It provides concrete examples of the kinds of values and practices that foster such an environment. There is no answer key with correct responses.

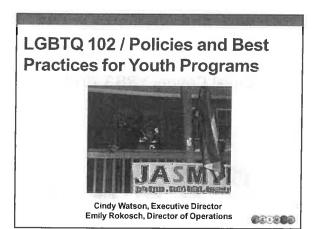
If, however, you frequently responded "C", you may consider advocating for values-based policies, and implementing practices that promote a diverse and culturally and linguistically competent service delivery system for LGBTQ children/youth and their families who require health, behavioral health, or other services and supports.

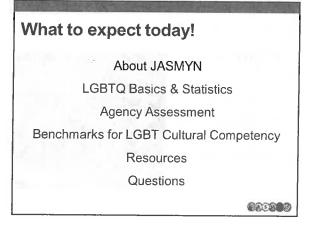
Fisher, Sylvia K., Poirier, Jeffrey M., Blau, Gary M. 2012. Improving Emotional & Behavioral Outcomes for LGBT Youth: A Guide for Professionals. Baltimore, Maryland: Paul H. Brooks Publishing Co.

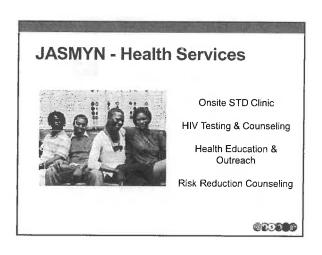
Adapted from Goode, T.D. (2009). Promoting Cultural Diversity and Cultural Competency: Self- Assessment Checklist for Personnel Providing Behavioral Health Services and Supports to Children, Youth and Their Families. Washington, DC: National Center for Cultural Competence (NCCC), Georgetown University Center for Child and Human Development (GUCCHD). © 2009 NCCC GUCCHD

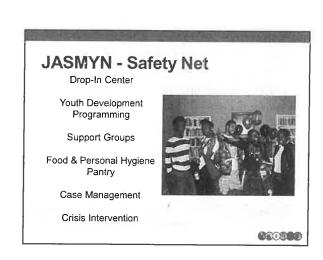
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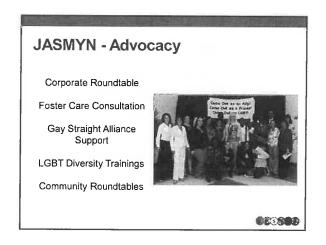
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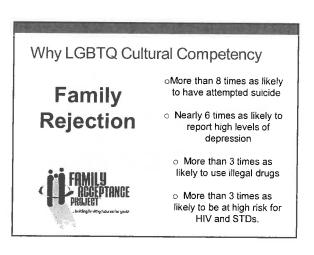






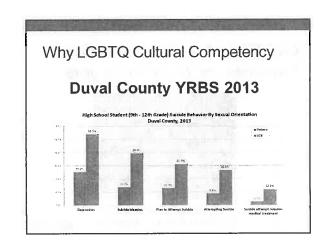






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# Why LGBTQ Cultural Competency High Risk o 30-40% of homeless youth identify as LGBT o Gay and Bisexual youth are at higher risk for HIV and STI's o Encounter bullying and harassment in schools o High risk for substance use/abuse



Self –Assessment Checklist for Personnel Providing Services and Supports the LGBTQ Youth and Their Families

L=Lesbian G= Gay B= Bisexual T= Transgender

There is no wrong or right answer!

#### About the 10 Benchmarks



Human Rights Campaign (HRC)

All Children All Families is a project of the Human Rights Campaign Foundation. It provides a framework for agencies to achieve safety, permanency and wellbeing by improving their practice with lesbian, gay, bisexual and transgender youth and families.

Achieving Safety, Permanency and Well-Being by Improving Practice with LGBT Youth and Families

"Leaders in Supporting and Serving LGBT Youth & Families" and awarded the Seal of Recognition

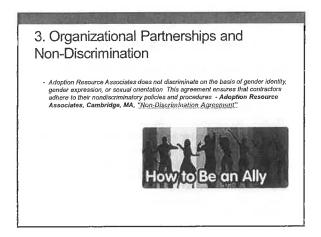
#### Client Non-Discrimination

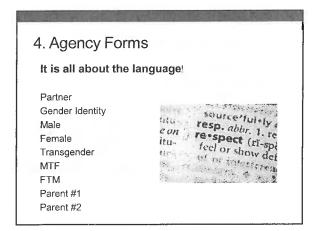
- No person shall, on the basis of a person's actual or perceived identify with regard to race, color, religious being, gender, age, marital status, disability, sexual orientation, political or religious beliefs, national or ethnic origin, veteran status, or any other distinguishing physical or personality characteristics, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity or in any employment conditions or practices conducted by this School District, except as provided by law. DCPS Non-Distrination Policy.
  - The Division will not preclude a person from being a foster parent based solely on their culture, religion, race, ethnicity, gender, sexual orientation, gender identity or gender expression, affectional orientation, or manial/avil union or domestic partnership status. \*New Jersey Dept. of Children and Families, Division of Child Protection and Permanency, Trenton, NJ, "Bo a Foster Parent".

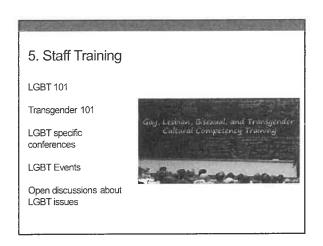
#### Employment Non-Discrimination

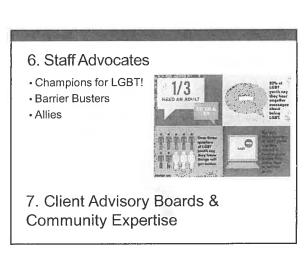
- All Employees are protected and may file a discrimination complaint if they perceive that they have been discriminated against based on race, color, religion, national origin, ancestry, physical disability, mental disability, medical condition, marital status, gender identity, age (persons at least 40 years old), sex (including pregnancy and conduct of a sexual nature), aexual orientation, denial of reasonable accommodation, and Family Medical Leave Act (FMLA) - Los Angeles County Department of Children and Family Services, Pasadena, CA, "Non-Discrimination Policy"
- The policy of JASMYN is to provide equal employment opportunity to all qualified employees and applicants for employment regardless of race, sex, age, sexual orientation, gender identity and expression, religion, national origin, disability, marital status, or any other category protected by law JASMYN prohibits discrimination based on actual or perceived race, sex, age, sexual orientation, gender identity and expression, religion, national origin, disability, marital status, or any other category protected by law in employment and in all client programs and services. JASMYN

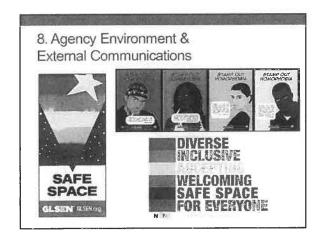
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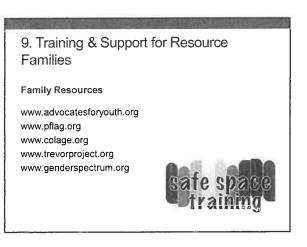












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#### 10. Client Services & Referrals

- Are the agencies you refer clients to safe for LGBT youth?
- Is there a LGBT Ally at the organization?
- Is everyone informed about LGBT inclusive policies?



#### Additional Resources

- · Family Acceptance Project: http://familyproject.sfsu.edu/
- Human Rights Campaign All Children All Families: http://www.hrc.org/resources/entry/all-children-all-families-about-the-initiative
- · GLSEN: http://www.glsen.org/
- National Best Practices serving homeless LGBT Youth http://www.f2f.ca.gov/res/pdf/NationalRecommended.pdf
- CWLA Best Practices: http://www.nclrights.org/wpcontent/uploads/2013/07/bestpracticeslgbtyouth.pdf
- APA Best Practices LGBT: https://www.apa.org/pi/lgbt/resources/promoting-good-practices.aspx

#### Questions?

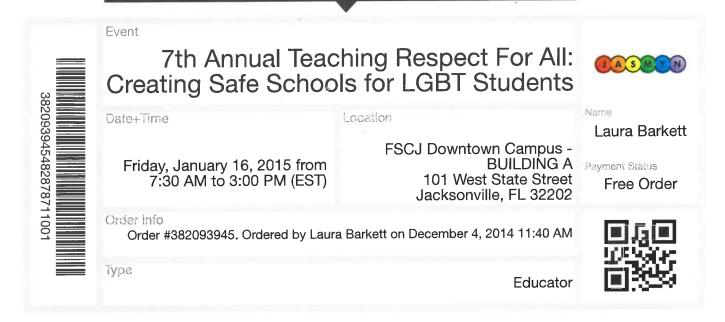
Cindy Watson Executive Director cwatson@jasmyn.org 904-389-3857 Emily Rokosch Director of Operations erokosch@jasmyn.org 904-389-3857 ex 212



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Please print and bring this ticket with you.



Thank you for your registration! If you have questions about the conference or your ticket please contact Emily Rokosch at (904)389-3957 ext 212 or email eroksoch@jasmyn.org

382093945482878711001

The Jacksonville Area Sexual Minority Youth Network is a non-profit youth services organization for lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth ages 13-23, in Jacksonville, Florida. JASMYN's mission is to support and empower lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth by creating safe space, providing youth development services and bringing people and resources together to promote diversity and human rights.

For more information on JASMYN please visit WWW. JASMYN.ORG



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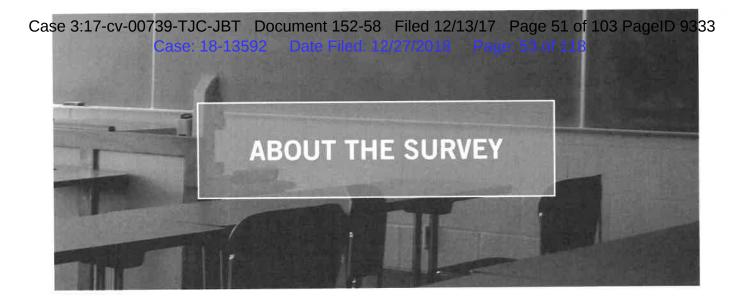
# The 2013 National School Climate Survey

**EXECUTIVE SUMMARY** 



Key Findings on the Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation's Schools

SJCSB-DA PRR 002479



In 1999, GLSEN identified that little was known about the school experiences of lesbian, gay, bisexual, and transgender (LGBT) youth and that LGBT youth were nearly absent from national studies of adolescents. We responded to this national need for data by launching the first National School Climate Survey, and we continue to meet this continued need for current data by conducting the study every two years. Since then, the biennial National School Climate Survey has documented the unique challenges LGBT students face and identified interventions that can improve school climate. The survey documents the prevalence of anti-LGBT language and victimization, such as experiences of harassment and assault in school. In addition, the survey examines school policies and practices that may contribute to negative experiences for LGBT students and make them feel as if they are not valued by their school communities. The survey also explores the effects that a hostile school climate may have on LGBT students' educational outcomes and well-being. Finally, the survey reports on the availability and the utility of LGBT-related school resources and supports that may offset the negative effects of a hostile school climate and promote a positive learning experience. In addition to collecting this critical data every two years, we also add and adapt survey questions to respond to the changing world for LGBT youth. For example, in the 2013 survey we added a question about hearing negative remarks about transgender people (e.g., "tranny"). The National School Climate Survey remains one of the few studies to examine the school experiences of LGBT students nationally, and its results have been vital to GLSEN's understanding of the issues that LGBT students face, thereby informing our ongoing work to ensure safe and affirming schools for all.

PHOTO CREDIT: Photography on this page under Creative Commons license, Clint Gardner.

Quotes throughout are from students' responses to open-ended questions in the survey.

Visit glsen.org/nscs for the full 2013 National School Climate Survey.

In our 2013 survey, we examine the experiences of LGBT students with regard to indicators of negative school climate:

- Hearing biased remarks, including homophobic remarks, in school;
- Feeling unsafe in school because of personal characteristics, such as sexual orientation, gender expression. or race/ethnicity;
- Missing classes or days of school because of safety reasons:
- Experiencing harassment and assault in school; and
- Experiencing discriminatory policies and practices at school.

#### We also examine:

 The possible negative effects of a hostile school climate on LGBT students' academic achievement. educational aspirations, and psychological well-being;

- Whether or not students report experiences of victimization to school officials or to family members and how these adults address the problem; and
- How the school experiences of LGBT students differ by personal and community characteristics.

In addition, we demonstrate the degree to which LGBT students have access to supportive resources in school. and we explore the possible benefits of these resources:

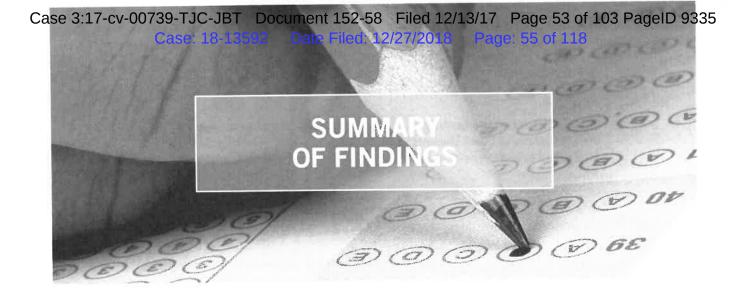
- · Gay-Straight Alliances (GSAs) or similar clubs;
- School anti-bullying/harassment policies;
- Supportive school staff; and
- Curricula that are inclusive of LGBT-related topics.

Given that GLSEN has been conducting the survey for over a decade, we also examine changes over time on indicators of negative school climate and levels of access to LGBT-related resources in schools.

## **METHODS**

The 2013 National School Climate Survey was conducted online. To obtain a representative national sample of lesbian, gay, bisexual, and transgender (LGBT) youth, we conducted outreach through national, regional, and local organizations that provide services to or advocate on behalf of LGBT youth, and conducted targeted advertising on the social networking sites, such as Facebook and Reddit. To ensure representation of transgender youth, youth of color, and youth in rural communities, we made special efforts to notify groups and organizations that work predominantly with these populations.

The final sample consisted of a total of 7,898 students between the ages of 13 and 21. Students were from all 50 states and the District of Columbia and from 2,770 unique school districts. About two thirds of the sample (68.1%) was White, slightly less than half (43.6%) was cisgender female, and over half identified as gay or lesbian (58.8%). Students were in grades 6 to 12, with the largest numbers in grades 10 and 11.



## HOSTILE SCHOOL CLIMATE

Schools nationwide are hostile environments for a distressing number of LGBT students, the overwhelming majority of whom routinely hear anti-LGBT language and experience victimization and discrimination at school. As a result, many LGBT students avoid school activities or miss school entirely.

#### SCHOOL SAFETY

- 55.5% of LGBT students felt unsafe at school because of their sexual orientation, and 37.8% because of their gender expression.
- 30.3% of LGBT students missed at least one entire day of school in the past month because they felt unsafe or uncomfortable, and over a tenth (10.6%) missed four or more days in the past month.
- Over a third avoided gender-segregated spaces in school because they felt unsafe or uncomfortable (bathrooms: 35.4%, locker rooms: 35.3%).
- Most reported avoiding school functions and extracurricular activities (68.1% and 61.2%, respectively) because they felt unsafe or uncomfortable.

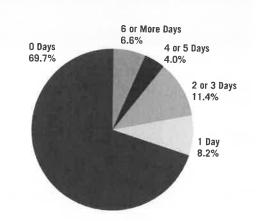
#### ANTI-LGBT REMARKS AT SCHOOL

- 71.4% of LGBT students heard "gay" used in a negative way (e.g., "that's so gay") frequently or often at school, and 90.8% reported that they felt distressed because of this language.
- 64.5% heard other homophobic remarks (e.g., "dyke" or "faggot") frequently or often.
- 56.4% heard negative remarks about gender expression (not acting "masculine enough" or "feminine enough") frequently or often.
- A third (33.1%) heard negative remarks specifically about transgender people, like "tranny" or "he/she," frequently or often.
- 51.4% of students reported hearing homophobic remarks from their teachers or other school staff, and 55.5% of students reported hearing negative remarks about gender expression from teachers or other school staff.

# HARASSMENT AND ASSAULT AT SCHOOL

- 74.1% of LGBT students were verbally harassed (e.g., called names or threatened) in the past year because of their sexual orientation and 55.2% because of their gender expression.
- 36.2% were physically harassed (e.g., pushed or shoved) in the past year because of their sexual orientation and 22.7% because of their gender expression.
- 16.5% were physically assaulted (e.g., punched, kicked, injured with a weapon) in the past year because of their sexual orientation and 11.4% because of their gender expression.
- 49.0% of LGBT students experienced electronic harassment in the past year (via text messages or postings on Facebook), often known as cyberbullying.
- 56.7% of LGBT students who were harassed or assaulted in school did not report the incident to school staff, most commonly because they doubted that effective intervention would occur or the situation could become worse if reported.
- 61.6% of the students who did report an incident said that school staff did nothing in response.

Frequency that LGBT Students Missed Days of School in the Past Month Because of Feeling Unsafe or Uncomfortable



# DISCRIMINATORY SCHOOL POLICIES AND PRACTICES

- 55.5% of LGBT students reported personally experiencing any LGBTrelated discriminatory policies or practices at school (see below), and almost two thirds (65.2%) said other students had experienced these policies and practices at school.
- 28.2% of students reported being disciplined for public displays of affection that were not disciplined among non-LGBT students.
- 18.1% of students were prevented from attending a dance or function with someone of the same gender.
- 17.8% of students were restricted from forming or promoting a GSA.
- 17.5% of students were prohibited from discussing or writing about LGBT topics in school assignments.
- 15.5% of students were prevented from wearing clothing or items supporting LGBT issues 9.2% of students reported being disciplined for simply identifying as LGBT.
- Some policies particularly targeted transgender students:
  - 42.2% of transgender students had been prevented from using their preferred name (10.8% of LGBT students overall);
  - 59.2% of transgender students had been required to use a bathroom or locker room of their legal sex (18.7% of students overall); and
- 31.6% of transgender students had been prevented from wearing clothes considered inappropriate based on their legal sex (19.2% of students overall).

## EFFECTS OF A HOSTILE SCHOOL CLIMATE

A hostile school climate affects students' academic success and mental health. LGBT students who experience victimization and discrimination at school have worse educational outcomes and poorer psychological well-being.

#### EFFECTS OF VICTIMIZATION

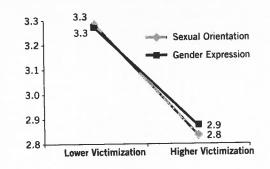
- LGBT students who experienced higher levels of victimization because of their sexual orientation:
  - Were more than three times as likely to have missed school in the past month than those who experienced lower levels (61.1% vs. 17.3%);
  - Had lower grade point averages (GPAs) than students who were less often harassed (2.8 vs. 3.3);
  - Were twice as likely to report that they did not plan to pursue any post-secondary education (e.g., college or trade school) than those who experienced lower levels (8.7% vs. 4.2%); and
  - Had higher levels of depression and lower levels of self-esteem.
- LGBT students who experienced higher levels of victimization because of their gender expression:
  - Were more than three times as likely to have missed school in the past

- month than those who experienced lower levels (58.6% vs. 18.2%);
- had lower GPAs than students who were less often harassed (2.9 vs. 3.3);
- Were twice as likely to report that they did not plan to pursue any postsecondary education (e.g., college or trade school; 8.2% vs. 4.2%); and
- Had higher levels of depression and lower levels of self-esteem.

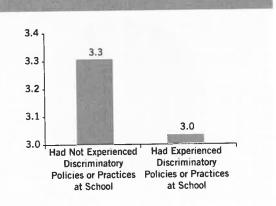
#### EFFECTS OF DISCRIMINATION

- LGBT students who experienced LGBT-related discrimination at school were:
  - More than three times as likely to have missed school in the past month as those who had not (42.3% vs. 13.8%);
  - Had lower GPAs than their peers (3.0 vs. 3.3); and
  - Had lower self-esteem and higher levels of depression.

Academic Achievement and Severity of Victimization (LGBT Students' Mean Reported Grade Point Average)



Academic Achievement and Experiences of Discrimination (LGBT Students' Mean Reported Grade Point Average)



# LGBT-RELATED SCHOOL RESOURCES AND SUPPORTS

Students who feel safe and affirmed have better educational outcomes. LGBT students who have LGBT-related school resources report better school experiences and academic success. Unfortunately, all too many schools fail to provide these critical resources.

#### **GAY-STRAIGHT ALLIANCES**

# AVAILABILITY AND PARTICIPATION

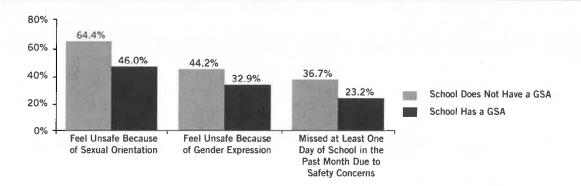
- Only half (50.3%) of students said that their school had a Gay-Straight Alliance (GSA) or similar student club.
- Although most LGBT students reported participating in their GSA at some level, almost a third (32.3%) had not.

#### UTILITY

- Compared to LGBT students who did not have a GSA in their school, students who had a GSA in their school:
  - Were less likely to hear "gay" used in a negative way often or frequently (67.2% compared to 81.1% of other students);
- Were less likely to hear homophobic remarks such as "fag" or "dyke" often or frequently (57.4% vs. 71.6%);

- Were less likely to hear negative remarks about gender expression often or frequently (53.0% vs. 59.6%);
- Were more likely to report that school personnel intervened when hearing homophobic remarks—20.8%
   vs. 12.7% said that staff intervene most of the time or always;
- Were less likely to feel unsafe because of their sexual orientation (46.0% vs. 64.4%);
- Experienced lower levels of victimization related to their sexual orientation and gender expression.
   For example, 19.0% of students with a GSA experienced higher levels of victimization based on their sexual orientation, compared to 36.2% of those without a GSA; and
- Felt more connected to their school community.

#### Presence of Gay-Straight Alliances and Feelings of Safety and Missing School



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# INCLUSIVE CURRICULAR RESOURCES

#### AVAILABILITY

- Only 18.5% of LGBT students were taught positive representations about LGBT people, history, or events in their schools; 14.8% had been taught negative content about LGBT topics.
- Less than half (44.2%) of students reported that they could find information about LGBT-related issues in their school library.
- Less than half of students (45.3%)
  with Internet access at school reported
  being able to access LGBT-related information online via school computers.

#### UTILITY

- LGBT students in schools with an LGBT- inclusive curriculum:
  - Were less likely to hear "gay" used in a negative way often or frequently (54.7% compared to 78.5% of other students);
  - Were less likely to hear homophobic remarks such as "fag" or "dyke" often or frequently (46.3% vs. 68.7%);

- Were less likely to hear negative remarks about gender expression often or frequently (43.5% vs. 59.2%);
- Were less likely to feel unsafe because of their sexual orientation (34.8% vs. 59.8%);
- Were less likely to miss school in the past month (16.7% of students with an inclusive curriculum missed school in past month because they felt unsafe or uncomfortable compared to 32.9% of other students);
- Were more likely to report that their classmates were somewhat or very accepting of LGBT people than other students (75.2% vs. 39.6%); and
- Felt more connected to their school community.
- LGBT high school seniors were more likely to be interested in studying STEM (Science, Technology, Engineering, or Math) or Social Science in college if their relevant high school classes had included positive LGBT content (35.8% vs. 18.5% for STEM majors; 29.0 vs. 19.7% for Social Science majors).

#### SUPPORTIVE EDUCATORS

#### **AVAILABILITY**

- Almost all LGBT students (96.1%) could identify at least one staff member supportive of LGBT students at their school.
- Less than two thirds of students (61.0%) could identify at least six supportive school staff.
- Only 38.7% of students could identify 11 or more supportive staff.
- Over a quarter (26.1%) of students had seen at least one Safe Space sticker or poster at their school (these stickers or posters often serve to identify supportive educators).

#### UTILITY

- LGBT students with many (11 or more) supportive staff at their school:
- Were less likely to feel unsafe than students with no supportive staff. (36.3 % vs. 74.1%);
- Were less likely to miss school because they felt unsafe or uncomfortable (14.7% vs. 50.0%);
- Felt more connected to their school community;
- Had higher GPAs than other students (3.3 vs. 2.8); and
- Were less likely to not plan on attending college (3.0% vs. 12.0%).
- Students who had seen a Safe Space sticker or poster in their school were more likely to identify school staff who were supportive of LGBT students and more likely to feel comfortable talking with school staff about LGBT issues.

#### COMPREHENSIVE BULLYING/ HARASSMENT POLICIES

#### **AVAILABILITY**

 Although a majority (82.1%) of students had an anti-bullying policy at their school, only 10.1% of students reported that their school had a comprehensive policy (i.e., that specifically enumerate both sexual orientation and gender identity/expression).

#### UTILITY

- Students in schools with a comprehensive policy:
  - Were less likely to hear "gay" used in a negative way often or frequently (59.2% compared to 77.1% of students with a generic policy and 80.2% of students with no policy);
  - Were less likely to hear homophobic remarks such as "fag" or "dyke" often or frequently (50.4% compared to 66.4% of students with a generic policy and 72.4% of students with no policy);
  - Were less likely to hear negative remarks about gender expression often or frequently (41.7% compared to 57.6% of students with a generic policy and 62.3% of students with no policy); and
  - Were more likely to report that staff intervene when hearing homophobic remarks.

"I am so glad to have teachers who are cool with students being LGBT. If it weren't for them. I know I would've dropped out of high school."

# CHANGES IN SCHOOL CLIMATE FOR LIGHT YOUTH OVER TIME

School climate for LGBT students has improved somewhat over the years, yet remains quite hostile for many. Increases in the availability of many LGBT-related school resources may be having a positive effect on the school environment.

# CHANGES IN INDICATORS OF HOSTILE SCHOOL CLIMATE

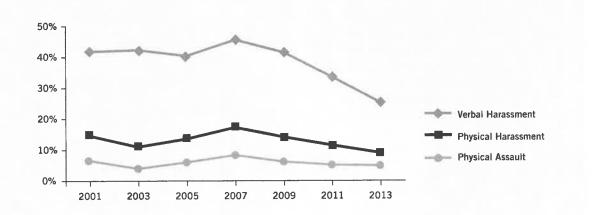
#### HARASSMENT AND ASSAULT

- LGBT students in the 2013 survey experienced lower verbal and physical harassment based on sexual orientation than in all prior years, and lower physical assault based on sexual orientation since 2007.
- Changes in harassment and assault based on gender expression were similar to those for sexual orientation verbal and physical harassment were lower than in all prior years of the survey, and physical assault has been decreasing since 2007.

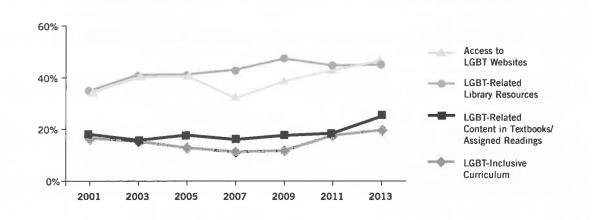
#### ANTI-LGBT REMARKS

- LGBT students in the 2013 survey reported a lower incidence of homophobic remarks than in all prior years. The percentage of students hearing these remarks frequently or often has dropped from over 80% in 2001 to about 60% in 2013.
- Although the expression "that's so gay" remains the most common form of anti-LGBT language heard by LGBT students, its prevalence has declined consistently since 2001.
- In 2013 the prevalence of hearing negative remarks about gender expression was at its lowest levels.

Frequency of Harassment and Assault Based on Sexual Orientation Over Time
Percentage of LGBT Students who Experienced Event Often or Frequently in the
Past School Year (Based on Estimated Marginal Means)



#### Availability of Curricular Resources Over Time Percentage of LGBT Students who Report Having Resources in School (Accounting for Covariates)



#### CHANGES IN AVAILABILITY OF LGBT-RELATED SCHOOL **RESOURCES AND SUPPORTS**

#### GAY-STRAIGHT ALLIANCES

• The percentage of LGBT students reporting that they have a GSA in their school was higher in 2013 than in all prior survey years.

#### CURRICULAR RESOURCES

- The percentage of LGBT students reporting positive representations of LGBT people, history, or events in their curriculum was significantly higher in 2013 than in all prior survey years.
- The percentage of students with access to LGBT-related Internet resources was higher in 2013 than in all prior survey years.
- More students also had access to LGBT-related content in their textbooks than in all prior survey years.

 The percentage of students with LGBT-related resources in their school library has not changed noticeably in recent survey years.

#### SUPPORTIVE EDUCATORS

• A higher percentage of LGBT students reported having supportive school staff in 2013 than in all prior survey years.

#### ANTI-BULLYING/ HARASSMENT POLICIES

• More LGBT students reported having an anti-bullying/harassment policy at their school in 2013 than in all prior survey years, including a modest increase in the percentage of students reporting that their school had a comprehensive policy, i.e., one that included protections based on sexual orientation and gender identity/expression.

# DEMOGRAPHIC AND SCHOOL CHARACTERISTIC DIFFERENCES IN LGBT STUDENTS' SCHOOL EXPERIENCES

LGBT students are a diverse population, and although they share many similar experiences, their experiences in school vary based on their personal demographics, the kind of school they attend, and where they live.

#### DIFFERENCES IN LGBT STUDENTS' SCHOOL EXPERIENCES BY PERSONAL DEMOGRAPHICS

#### RACE OR ETHNICITY

- Overall, Asian/South Asian/Pacific Islander students experienced
   the lowest frequencies of victimization based on sexual orientation and gender expression.
- White/European American LGBT students experienced lower frequencies of victimization based on race/ethnicity than all LGBT youth of color groups.

#### GENDER IDENTITY

- Compared to other LGBT students, transgender, genderqueer, and other non-cisgender students faced the most hostile school climates.
- Cisgender female students experienced the lowest frequencies of anti-LGBT victimization.

#### GENDER NONCONFORMITY

 Gender nonconforming cisgender students (students whose gender expression did not align to traditional gender norms) experienced worse school climates compared to gender conforming cisgender students.

"I hate my school's discrimination of me for being transgender.

Kids would spit on me, kick me, call me a dyke, and push me
down the stairs. An administrator told me 'you should expect to
be treated that way."

SJCSB-DA PRR 002490

#### DIFFERENCES IN LGBT STUDENTS' SCHOOL EXPERIENCES BY SCHOOL CHARACTERISTICS

#### SCHOOL LEVEL

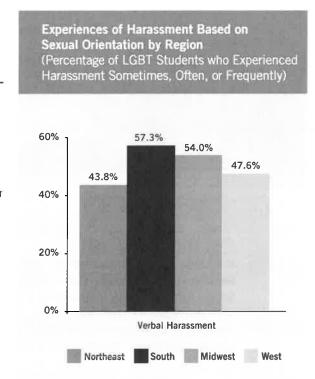
- LGBT students in middle school were more likely than students in high school to hear anti-LGBT language in school.
- Students in middle school reported higher frequencies of victimization based on sexual orientation and gender expression than students in high school.
- Students in middle school were less likely to have access to each LGBT-related school resource: GSAs, supportive educators, inclusive curriculum, and comprehensive anti-bullying/harassment policies; the disparity between middle and high school students was greatest for GSAs (7.5% for middle school students vs. 58.5% for high school students).

#### SCHOOL TYPE

- LGBT students in private, non-religious schools were less likely to hear anti-LGBT biased language than students in other schools.
- Students in public schools experienced higher frequencies of victimization based on sexual orientation and gender expression compared to students in private or religious schools.
- Overall, students in private schools had greater access to LGBT-related resources and supports in school than students in other schools.

#### REGION

- Students in the Northeast and the West reported hearing "gay" used in a negative way less frequently than students in the South and the Midwest.
- Overall, LGBT students from schools in the Northeast and the West reported significantly lower levels of victimization



based on sexual orientation and gender expression than students from schools in the South and the Midwest.

 In general, students in the Northeast were most likely to report having LGBT-related resources at school, followed by students in the West. Students in the South were least likely to have access to these resources and supports.

#### SCHOOL LOCALE

- Students in rural/small town schools reported the highest frequency of hearing anti-LGBT language at school.
- Students in rural/small town schools experienced higher frequencies of victimization in school based on sexual orientation and gender expression.
- Students in rural/small town schools were least likely to have LGBT-related school resources or supports, particularly GSAs and supportive school personnel.

It is clear that there is an urgent need for action to create safe and affirming learning environments for LGBT students. Results from the 2013 National School Climate Survey demonstrate the ways in which school-based support—such as supportive staff, anti-bullying/harassment policies, curricular resources inclusive of LGBT people, and GSAs—can positively affect LGBT students' school experiences. Based on these findings, we recommend:

- Increasing student access to appropriate and accurate information regarding LGBT people, history, and events through inclusive curricula and library and Internet resources;
- Supporting student clubs, such as GSAs, that provide support for LGBT students and address LGBT issues in education:
- Providing professional development for school staff to improve rates of intervention and increase the number of supportive teachers and other staff available to students;
- Ensuring that school policies and practices, such as those related to dress codes and school dances, do not discriminate against LGBT students; and
- Adopting and implementing comprehensive bullying/harassment policies that specifically enumerate sexual orientation, gender identity, and gender expression in individual schools and districts, with clear and effective systems for reporting and addressing incidents that students experience.

Taken together, such measures can move us toward a future in which all students have the opportunity to learn and succeed in school, regardless of sexual orientation, gender identity, or gender expression.

"I firmly believe that it does not just 'get better.' I am an example of someone who went out of their comfort zone to change their school environment for future LGBT students. I am graduating my high school this year and leaving it a very different place."

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## **LEARN MORE**

The full 2013 National School Climate Survey report goes into greater depth on the issues highlighted in this Executive Summary and explores a number of other topics, including:

- Experiences of harassment and assault and feelings of safety based on race/ethnicity, religion and disability;
- Frequency of sexual harassment, relational aggression, cyberbullying, and property damage;
- Relationship between being out (i.e., open about one's sexual orientation or gender identity) and students' school experiences and well-being;
- LGBT students' future education plans, including relevant factors for those who plan to drop out and intended college majors for those choose to continue on to higher education.
- Experiences of school discipline and involvement in the criminal/ juvenile justice system due to school disciplinary actions.
- LGBT students' housing status, and educational outcomes for homeless LGBT students.

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# GLSEN

GLSEN (the Gay, Lesbian & Straight Education Network) is the leading national education organization focused on ensuring safe schools for all students. Established in 1990, GLSEN envisions a world in which every child learns to respect and accept all people, regardless of sexual orientation or gender identity/expression. GLSEN seeks to develop school climates where difference is valued for the positive contribution it makes to creating a more vibrant and diverse community.

For more information on our educator resources, research, public policy agenda, student leadership programs or development initiatives, visit www.glsen.org.

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GLSEN
90 Broad Street, 2nd Floor, New York, NY 10004
Ph: 212-727-0135 | Fax: 212-727-0254 | www.glsen.org

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# So you wanna START A GSA

A GAY-STRAIGHT ALLIANCE, OR GSA, IS A CLUB FOR LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUESTIONING STUDENTS AND STRAIGHT ALLIES.

There are lots of different kinds of GSAs. GSAs can be social clubs (some GSAs host dances and movie nights), support groups (some GSAs provide a safe place for LGBTQ students and their allies to talk about problems), educational outposts (some GSAs organize guest speakers or create displays for National Coming Out Day) or advocacy groups (some GSAs participate in GLSEN's National Day of Silence or push for sexual orientation and gender identity to be added to their school's nondiscrimination policy).

Talk with your friends, reach out to other students and decide what you'd like your GSA to focus on. There are more than 3,000 GSAs in schools nationwide, and there is lots of information available about forming a GSA. No matter what its focus is, your GSA can play an important role in addressing homophobia and anti-transgender discrimination and can help create a safe space for LGBTQ students. Read on to learn about the basics of forming a GSA.

#### YOUR LEGAL RIGHT TO FORM A GSA

In public secondary schools, GSAs can't be discriminated against or held to different standards than other student clubs — it's the law. Under a federal law called the Equal Access Act, secondary schools that receive federal money and allow meetings of other noncurricular student clubs (which means clubs that don't directly relate to classes at your school) are prohibited from discriminating against any student group based on its viewpoint. The Constitution's free speech clause also provides protection to student organizations, including GSAs. Lambda Legal and other civil rights organizations have successfully





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SO YOU WANNA START A GSA

gone to court on behalf of students against a number of school districts — in California, Florida, Georgia, Indiana, Kentucky, Minnesota and Utah — that have broken the law by refusing to allow GSAs to meet on the same terms as other groups. These successful lawsuits make it more likely that schools will live up to their legal obligations.

Public secondary schools are covered by the Equal Access Act if they allow even one noncurricular club to meet at the school. If your school is covered (most public secondary schools are), then you have a legal right to form a GSA and a legal right to have that GSA be treated just like other student clubs at your school. So, if other clubs at your school are allowed to post displays on the bulletin boards, make announcements and use classrooms for meetings, your GSA can too.

Some schools have tried to prevent GSAs from forming by requiring students to get their parents' permission to join a club. But even if these parental consent rules are supported by the local school board or by state law, the Equal Access Act requires that the rules be evenhandedly applied to all student groups. In other words, schools can't single out GSAs for stricter membership rules.

#### **GETTING STARTED**

#### FIND OUT HOW TO START A CLUB IN YOUR SCHOOL

Different schools have different rules for clubs. Always follow the rules — if you don't, it can be used as an excuse to discriminate against your group. Look in your student handbook, talk to a student government rep or ask a school administrator to guide you on your school's regulations and policies. Be sure to find out if you'll need written permission to start the club or whether you'll need to get a teacher or school advisor to come to the meetings. You may also need to register with the school administration or write a constitution or mission statement.

#### DO SOME RESEARCH

Find out if other schools in your area have GSAs, and call or email their advisors or leaders. (For an up-to-date list of GSAs across the country, visit the Gay, Lesbian and Straight Education Network at www.glsen.org.) Also try to determine how safe it is for students to be out at your school. This will help you arrange an appropriate meeting place and determine the safest ways to let people know about the group.

#### FIND A PLACE TO MEET

In general, you'll want to find a place that is private and relatively quiet. Some students might feel a little afraid or uncomfortable about attending a meeting. They may worry that others will harass them if they join the group. As you know, homophobia and transphobia are still a reality in many schools, and that should be taken into account when selecting a meeting space. Whether you decide to meet in a classroom or away from the school entirely, the meeting space must make GSA members feel safe.

#### SPREAD THE WORD

At first you may want to advertise the GSA by word of mouth only, so you won't be bothered by people who might not be supportive of the group. Tell LGBT-friendly teachers, guidance counselors, school social workers and the school nurse. They may know other students who are interested in attending the meeting and may be in a position to encourage them to go. They might also want to come to a meeting as a guest speaker or serve as the club's advisor. Tell anyone else you think will be helpful or who can let other students know about the GSA. Try to identify at least a couple of students who you know will attend the first meeting.



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SO YOU WANNA START A GSA

# Anthony Colin

When Anthony Colin founded the gay-straight alliance in his Southern California high school, he had no idea that he'd have to battle to keep it. First the school board denied the GSA's application to become a recognized student club. This meant that the GSA couldn't have meetings at the school like other student clubs could. Then the school board told the students involved in the GSA that it would only reconsider the group's application if the group changed its name. With Lambda Legal's help, Anthony and his friends sued the school district. The GSA won the right to meet while the lawsuit proceeded and ultimately won the right to meet at the school, use the school's public address system to make announcements and be featured in the school yearbook, just like other student clubs.

#### HOLD THE FIRST MEETING

Have snacks. Food can help break the ice and may encourage students who were "just stopping by" to stay. Once people have settled in, begin with introductions and a discussion of why you organized the meeting. Share any information you've learned about GSAs in your area. Before deciding on your goals, give everyone a chance to talk about why they came and what they would like the GSA to do. Many groups establish ground rules over their first few meetings. At a minimum, everyone at the meeting should agree to confidentiality and respect.

Don't be too discouraged if the first meeting is not well attended or if it doesn't go exactly as you planned. Getting even a few people in the room is a victory! It may take a few meetings for more people to feel comfortable attending and for the group to really get established. Anyone who does come can help spread the word for the next meeting.

#### STAY IN TOUCH

Find a way to keep in touch with everyone. Be sure to collect email addresses or phone numbers and to set the next meeting date.

#### ASK FOR VOLUNTEERS

Keeping a club going can be a lot of work. One way to address this challenge is to get others involved in sharing responsibilities right from the start. You may want to select co-chairs or form committees, so more people can be responsible for keeping the group going.

For help forming a GSA at your school, contact the Gay, Lesbian and Straight Education Network (GLSEN) at 212-727-0135 or studentorganizing@glsen.org.

If your school isn't allowing your GSA to meet, or if you have other questions about your legal rights, contact Lambda Legal's Help Desk at 1-866-542-8336 or email legalhelpdesk@lambdalegal.org.



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#### JASMYN Gay Straight Alliance (GSA) \$250 Mini Grants 2014-2015

## Application Deadline January 30th 2015

Attention all high school and middle school students! Does your school have a Gay Straight Alliance (GSA) or similar school club? If YES – JASMYN has an amazing opportunity for you to complete the project you have always wanted to do, host the event you have dreamed of, make a difference in your school, and raise awareness around LGBT issues and more.

Here is the deal. JASMYN is giving out **TEN \$250 mini grants** to local GSA's or similar student clubs for the 2014 – 2015 school year. Imagine what your club could do with \$250!

Time is limited and so are the mini grants. Review and submit the application to our Student Support Coordinator, Ace Canessa at acanessa@jasmyn.org or call 904-389-3857 with questions about the application.

Below you will find the mini grant requirement check list and mini grant application. Please read over the mini grant checklist before you apply. Questions about ANYTHING - Call JASMYN (904) 389-3857 and ask for Ace.

#### What is a JASMYN Gay Straight Alliance (GSA) mini grant?

We are VERY excited to be able to support GSA's reach their goals, strengthen their clubs, and make a difference in their schools! One of the biggest obstacles we have been told and noticed working with fabulous GSA's is \$\$\$\$! We hope these mini grants will encourage local GSA's and their members to dream BIG and REACH farther than ever before to promote the safety, well-being, visibility and health for ALL students at their schools. The other thing we have learned and noticed is that our local GSA's are extremely creative, energetic and overall FABULOUS and \$250 can create change and make a huge impact.

#### What can my GSA mini grant be used for?

Your GSA project can be almost anything you dream up (see the few exceptions below)! Examples of projects you could create include but are not limited to: T-shirt awareness campaign, day of silence activities, photo art project, videos, film festivals, awareness event, etc. The goal of the \$250 mini grant is for YOU and YOUR GSA to dream big and make a difference for all students on campus. If you have any questions or are hitting a creative block, check out the websites of these amazing organizations for some inspiration:

Gay Lesbian & Straight Educations Network (GLSEN) http://www.glsen.org/

GSA Network: http://www.gsanetwork.org/

Advocates For Youth: http://www.advocatesforyouth.org/

Frameline: http://www.frameline.org/



## Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 70 of 103 PageID 9352

Case: 18-13592 Date Filed: 12/27/2018 Page: 72 of 118 JASMYN GSA Mini Grant Check List

- ✓ Your school must have an established GSA to apply (by established we mean that your club must already be registered with your school,
- √ Have a school advisor for the club & already met at least one time in the 2014-201 school year
- ✓ After the project is completed, members must commit to presenting their successes and challenges at a date TBA before the end of the 2014-2015 school year.

# Before completing the application review the following items JASMYN's mini grant cannot support:

- ✓ Field trips to the movies, clubs, coffee shops or other forms of entertainment.
- ✓ \$\$\$ for computers, TV's, or other forms of electronics (clubs may request equipment support from JASMYN).
- ✓ \$\$\$ for YOU;) your club members cannot be paid with the scholarship.
- ✓ \$\$\$ for someone else! You cannot pay someone with the scholarship.

What are the days/times of your GSA meeting:

How many students are in your GSA (circle one):

5-10 11-15 16-25, 26 or more

#### 2014-2015 JASMYN Mini Grant Application

Now that you have gone over the checklist & what to avoid when applying for the mini grant. Please fill out the application below! Remember this application has to be emailed to <a href="mailto:acanessa@jasmyn.org">acanessa@jasmyn.org</a> or mailed to <a href="mailto:JASMYN">JASMYN</a> by Friday, January 30, 2015 and you will need your advisors support and signature.

JASMYN by Friday, January 30, 2015 and you will need your advisors support and signature.
ABOUT YOU: Name and age(s) of student(s) filling out the application:
School:
Email:
Phone:
Position(s) in your GSA or similar club:
ABOUT YOUR GSA: GSA or similar clubs name:
Sponsors name and job title at school:
Sponsors email:
How long has your GSA been active:

JASMYN

#### Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 71 of 103 PageID 9353

## Case: 18-13592 Date Filed: 12/27/2018 Page: 73 of 118 Let's hear about your DREAM GSA Project! 2014-2015 GSA Mini-Grant Application

1) Please describe the project your GSA would like to create or participate in:
2) What steps would you take (an action plan) for making your project successful?:
3) What support would you need from your GSA members, your school, your advisor and or JASMYN? (example: permission to use school property, name, space in the JASMYN house, technology support, etc.)
4) How would you complete your project by the end of May 2015? If you can – give us a timeline. Like "We would start working on the project by the first week of February, we will set our project date or time by the end of February and we will complete our project on May 2nd!" This is an example – but the more specific you can be the better.



## The Impact of Homophobia and Racism on GLBTQ Youth of Color



As members of more than one minority group, GLBTQ<sup>†</sup> youth of color face special challenges in a society which often presents heterosexuality as the only acceptable orientation *and* in which nonwhites have disproportionately higher rates of negative sexual outcomes. Economic and cultural disparities, as well as sexual risk taking and other risk-taking behavior, make these youth vulnerable to HIV, pregnancy, and sexual violence. Holistic, culturally competent health care is essential to their well-being.

Sexual identity *formation* is not significantly influenced by cultural factors; that is, studies have shown no significant differences between white youth and youth of color in mean age of being "out to self" (16 for young women, 15 for young men); age coming out to others (17 for young women and young men); or age of first homosexual sexual experience (17 for young women, 16 for young men). 1.2.3 Black and Latino youth also did not differ from white youth in acceptance of their own sexuality. But while GLBTQ youth of color develop similarly to white youth, they must bear the twin burdens of racism and homphobia.

#### GLBTQ Youth of Color Face Challenges in a Homophobic Society

- After coming out to their family or being discovered, many GLBTQ youth are thrown out of their home, mistreated, or made the focus of their family's dysfunction.<sup>4</sup>
- Youth of color are significantly less likely to have told their parents they are GLBTQ: one study found that while about 80 percent of GLBTQ whites were out to parents, only 71 percent of Latinos, 61 percent of African Americans, and 51 percent of Asians and Pacific Islanders (APIs) were out to parents.<sup>1</sup>
- One study found that African American same-sex attracted youth were more likely to have low self esteem and experience suicidal thoughts than their counterparts of other ethnicities. African American same-sex attracted young men were also more likely to be depressed.<sup>5</sup>
- In a large survey of attendees of Black Pride events, over half reported that their church or religion viewed homosexuality as "wrong and sinful."
- In many Latino communities, *machismo* and Catholicism contribute to homophobic attitudes that hamper efforts to reach Latino gay and bisexual youth with HIV prevention information.<sup>7</sup>
- Asian American and Pacific Islander GLBTQ youth often feel that they have shamed their families when they diverge from cultural expectations to marry and have children.8
- GLBTQ youth of color report feeling pressure to choose between their ethnic and their sexual identities; these youth are less likely to be involved in gay social and cultural activities than their white counterparts.<sup>2,3</sup>

#### Racism Coupled with Homophobia Leads to Negative Sexual Outcomes

- Young men of color (ages 15-22) who have sex with men are at disproportionate risk of acquiring HIV: research shows HIV prevalence at 16 percent for blacks and seven percent for Latinos, compared to only three percent for whites. Meanwhile, one study of young men who have sex with men found that African Americans engaged in more behaviors that put them at risk for HIV than do white men. Latino and multi-ethnic young men also have an elevated risk compared to young white men. Researchers have characterized the increasing rates of HIV and sexual risk behavior among young API men who have sex with men as "an epidemic."
- In one study, more than half of ethnic minority transgender youth had experienced forced sex, while almost 60 percent had traded sex for money or resources. The researcher characterized ethnic minority transgender youth as "at extreme risk of acquiring HIV." 12

<sup>\*</sup> GLBTQ stands for gay, lesbian, bisexual, transgender, or questioning.

<sup>†</sup> Homosexuality/"being gay" refers to persistent emotional and physical attraction towards people of the same gender; bisexuality, towards people of both genders. Same-sex sexual behavior may not reflect either a homosexual or a bisexual identity.

#### Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 73 of 103 PageID 9355

- One study showed that Orbitle: bisex 1121 50000 lesbitant technique females 7 were 1 about pasalikely as the temposexual peers to have had intercourse, they reported twice the rate of pregnancy as heterosexual and questioning young women (12 percent vs. five to six percent respectively).13 Research has also shown that most women who identify as lesbians had sex for the first time as teenagers, and experienced first sexual intercourse with men.14
- Research has found that while black men who identify as homosexual do not have difficulty getting their partners to wear condoms, black men who have sex with men but identify as straight have great difficulty getting their male partners to wear condoms.15

#### GLBTQ Youth of Color Are At High Risk for Homelessness and Harassment

- A disproportionate number of GLBTQ youth are homeless: one nationwide report found that while only about three to five percent of the population is estimated to be GLBTQ, 42 percent of homeless youth are GLBTQ.16 An estimated 65 percent of homeless people are members of racial minorities.<sup>17</sup>
- A nationwide study of homophobia in schools found that the majority of GLBTQ youth of color had experienced victimization in school because of either race or sexual identity in the last year, while half reported being victimized because of both race and sexual identity.18 More than a third of GLBTQ youth of color had experienced physical violence because of their orientation.19

#### GLBTQ Youth of Color Need Culturally Competent Education, Programs, and Health Care

- A recent study of GLBTQ youth who received gay-sensitive HIV prevention education in school showed they engaged in less risky sexual behavior than similar youth who did not receive such instruction.20
- Researchers recommend that HIV prevention messages for Latino and African American gay and bisexual men not only be culturally competent, but also address the larger social, health, and psychological issues which affect them.<sup>21, 22</sup>
- Researchers who worked with GLBTQ Latina and African American women stressed the importance of affordable, nonjudgmental health care, as well as the need for services accessible to those who speak little or no English.23
- A study of 758 young African American men who have sex with men found that those who carried condoms and reported that their peers normally use condoms were less likely to have had unprotected anal intercourse. Therefore, researchers recommend strengthening social norms for condom use among these young men.<sup>24</sup>

#### References

- Grov C and Bimbi DS. Race, ethnicity, gender, and generational factors associated with the coming out process among gay, lesbian, and bisexual individuals. Journal of Sex Research 2006; 43(2) 115-121
- <sup>2</sup>Rosario M et al. Ethnic/racial differences in the coming out process of lesbian, gay, and bisexual youths: a comparison of sexual identity development over time. Cultural Diversity and Ethnic Minority Psychology 2004; 10(3): 215-228.
- <sup>3</sup>Dube E and Savin-Williams RC. Sexual identity development among sexual minority male youths. Developmental Psychology 1999; 35 (6): 1389-1398
- 4Savin-Williams RC. Verbal and physical abuse as stressors in the lives of lesbian, gay male, and bisexual youths: associations with school problems, running away, substance abuse, prostitution, and suicide. J Consult Clin Psychol 1994; 62:261-69.
- <sup>5</sup>Consolacion et al. Sex, race/ethnicity, and romantic attractions: multiple minority status adolescents and mental health. Cultural Diversity and Ethnic Minority Psychology 2004; 10(3): 200-
- Battle, J et al. Say It Loud I'm Black and I'm Proud: Black Pride Survey 2000. National Gay and Lesbian Task Force, 2000.
- United States Conference of Mayors. HIV Prevention Programs Targeting Gay Bisexual Men of Color. [HIV Education Case Studies] Washington, DC: The Conference, 1996.
- \*Wade S et al. Cultural expectations and experiences: three views. Open Hands 1991 (Winter):9-10.
- 9Harawa NT et al. Associations of race/ethnicity with HIV prevalence and HIV-related behaviors among young men who have sex with men in 7 urban centers in the United States. Journal of Acquired Immune Deficiency Syndrome 2004; 35(5): 526-536.
- <sup>10</sup>Celentano DD. Race/ethnic differences in HIV prevalence and risks among adolescent and young adolescent men who have sex with men. Journal of Urban Health 2005; 82(4): 610-21.
- <sup>11</sup>Choi KH et al. An opportunity for prevention. Sexually Transmitted Diseases 2004; 31(8) 475-480.
- <sup>12</sup>Garofalo R et al. Overlooked, misunderstood, and at risk: exploring the lives and HIV risk of ethnic minority male-to-female transgender youth. *Journal of Adolescent Health* 2006; 38(3):
- <sup>13</sup>Saewyc EM et al. Sexual intercourse, abuse and pregnancy among adolescent women: does sexual orientation make a difference? Fam Plann Perspect 1999; 31:127-131.
- <sup>14</sup>Bailey et al. Sexual behaviour of lesbians and bisexual women. Sexually Transmitted Infections 2003, 79: 147-150.
- 15 Essien et al. Reported condom use and condom use difficulties in street outreach samples of men of four racial and ethnic backgrounds. Int J STD Aids 2005; 16(11): 739-743
- 16 Lesbian, Gay, Bisexual, and Transgender Youth: An Epidemic of Homelessness. Washington DC: National Gay and Lesbian Task Force, 2006.
- 17Who Is Homeless? Washington, DC: National Coalition for the Homeless, 2006. Accessed from http://www.nationalhomeless.org/publications/facts/Whois.pdf on May 25, 2007
- <sup>18</sup>Kosciw J. The 2003 National School Climate Survey. New York, 2004: Gay, Lesbian, and Straight Education Network
- 19 School-related experiences of LGBT Youth of Color: Findings from the 2003 National School Climate Survey. GLSEN, 2003
- <sup>20</sup>Blake SM et al. Preventing sexual risk behaviors among gay, lesbian, and bisexual adolescents: the benefits of gay-sensitive HIV instruction in schools. Amer J Public Health 2001; 91:940-
- <sup>21</sup>Brooks et al. Preventing HIV among Latino African American gay and bisexual men in a context of HIV-related stigma, discrimination, and homophobia: perspectives of providers. AIDS Patient Care STDS 2005; 19(11) 737-744.
- <sup>22</sup>Celentano DD et al. Race/ethnic differences in HIV prevalence and risks among adolescent and young adult men who have sex with men. Journal of Urban Health 2005, 82(4): 610-621 <sup>23</sup>Arend ED. The politics of invisibility: homophobia and low-income HIV-positive women who have sex with women. Journal of Homosexuality 2005; 49(1): 97-122.
- <sup>24</sup>Hart T et al. Predictors of risky sexual behavior among young African American men who have sex with men. American Journal of Public Health 2004; 94(7): 1122-1123.



Written by Emily Bridges, MLS

Advocates for Youth © June 2007

CDC FACT SHEET

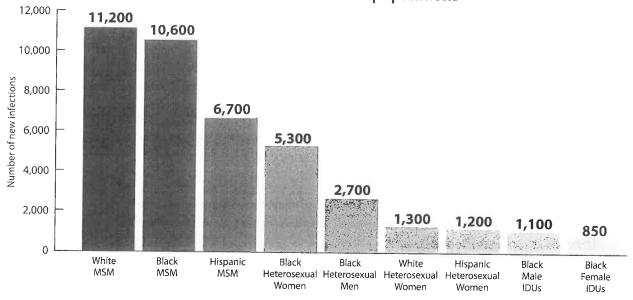
## HIV among Gay and Bisexual Men

Gay and bisexual men — referred to in CDC surveillance systems as men who have sex with men (MSM)<sup>1</sup> — of all races continue to be the risk group most severely affected by HIV. CDC's most recent data show that between 2008 and 2010, the number of new infections among MSM increased 12 percent, with an even steeper increase among the youngest MSM. These data clearly show the urgent need to expand access to proven HIV prevention programs for gay and bisexual men, and to develop new approaches to fight HIV in this population.

#### A Snapshot

- Overall, MSM including those who inject drugs account for more than half of the 1.2 million people living with HIV in the United States (59%, or an estimated 712,500 persons) and approximately two-thirds of all new HIV infections each year (66%, or an estimated 31,400 infections).
- Comparing 2008 to 2010, there was a 12 percent increase in the number of new infections among MSM. Among the youngest MSM those aged 13 24 new infections increased 22 percent, from 7,200 infections in 2008 to 8,800 in 2010.
- While CDC estimates that only 4 percent of men in the United States are MSM, the rate of new HIV diagnoses among MSM in the United States is more than 44 times that of other men (range: 522–989 per 100,000 MSM vs. 12 per 100,000 other men).²
- White MSM continue to represent the largest number of new HIV infections among MSM (11,200), followed closely by black MSM (10,600) and Hispanic MSM (6,700).

Figure 1. Estimated New HIV Infections in the United States, 2010, for the Most-Affected Subpopulations



<sup>&</sup>lt;sup>1</sup> The term men who have sex with men is used in CDC surveillance systems because it indicates the behaviors that transmit HIV infection, rather than how individuals self-identify in terms of their sexuality.

<sup>3</sup> Purcell D et al. Estimating the population size of men who have sex with men in the United States to obtain HIV and syphilis rates. The Open AIDS Journal 2012; 6(Suppl 1: M6): 114–123.



U.S. Department of Health and Human Services

Centers for Disease Control and Prevention

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- Young, black MSM are severely affected and now account for more new infections in the United States (4,800 in 2010) than any other subgroup by race/ethnicity, age, and sex.
- In a study of MSM in 20 major U.S. cities in 2011, nearly one in five MSM participating in the study was infected (18 percent). While MSM of all races and ethnicities were severely affected, black MSM were particularly impacted.
- CDC estimates that, nationally, about 15 percent of MSM living with HIV (or 108,300 men) do not know they are infected.
  Data suggest that young MSM and MSM of color are least likely to know they are infected.
- Even among MSM who have been diagnosed with HIV, across-the-board gaps in HIV care challenge prevention efforts.
  - In 2010, among MSM diagnosed with HIV, 78 percent were linked to care within three months of diagnosis, but only 51 percent were retained in care.
  - In large part because many were not in care, 50 percent of MSM diagnosed with HIV were prescribed antiretroviral therapy and only 42 percent achieved viral suppression (i.e., the virus is under control at a level that helps keep people healthy and reduces the risk of transmitting the virus to others).
  - Young MSM and African-American MSM were the least likely to receive care and treatment.
- AIDS continues to claim the lives of too many MSM. Since the beginning of the epidemic, more than 350,000 MSM with AIDS have died.

#### **Complex Factors Increase Risk**

- **High prevalence of HIV:** The existing high prevalence of HIV among gay and bisexual men means MSM face a greater risk of being exposed to infection with each sexual encounter, especially as they get older. For young black MSM, partnering with older black men (among whom HIV prevalence is high) may also lead to increased risk.
- Lack of knowledge of HIV status: Studies show that individuals who know they are infected take steps to protect their partners. Yet many MSM are unaware of their status and may unknowingly be transmitting the virus to others. Additionally, some MSM may make false assumptions or have inaccurate information about their partner's HIV status. It is critical to ensure that sexually active MSM get tested for HIV at least annually, or more frequently as needed.
- Social discrimination and cultural issues: For some MSM, social and economic factors, including homophobia, stigma, and lack of access to health care may increase risk behaviors or be a barrier to receiving HIV prevention services.
- **Substance abuse:** Some MSM use alcohol and illegal drugs, contributing to increased risk for HIV infection and other STDs. Substance use can increase the risk for HIV transmission through risky sexual behaviors while under the influence and through sharing needles or other injection equipment.

If you are a member of the news media and need more information, please visit www.cdc.gov/nchhstp/Newsroom or contact the News Media Line at CDC's National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention: 404-639-8895 or NCHHSTPMediaTeam@cdc.gov.

#### American Psychological Association

## FOR A BETTER UNDERSTANDING OF SEXUAL ORIENTATION & HOMOSEXUALITY

ince 1975, the American Psychological Association has called on psychologists to take the lead in removing the stigma of mental illness that has long been associated with lesbian, gay, and bisexual orientations. The discipline of psychology is concerned with the well-being of people and groups and therefore with threats to that well-being. The prejudice and discrimination that people who identify as lesbian, gay, or bisexual regularly experience have been shown to have negative psychological effects. This pamphlet is designed to provide accurate information for those who want to better understand sexual orientation and the impact of prejudice and discrimination on those who identify as lesbian, gay, or bisexual.

What is sexual orientation?

Sexual orientation refers to an enduring pattern of emotional, romantic, and/or sexual attractions to men, women, or both sexes. Sexual orientation also refers to a person's sense of identity based on those attractions, related behaviors, and membership in a community of others who share those attractions. Research over several decades has demonstrated that sexual orientation ranges along a continuum, from exclusive attraction to the other sex to exclusive attraction to the same sex. However, sexual orientation is usually discussed in terms of three categories: heterosexual (having emotional, romantic, or sexual attractions to members of the other sex), gay/lesbian (having emotional, romantic, or sexual attractions to members of one's own sex), and bisexual (having emotional, romantic, or sexual attractions to both men and women). This range of behaviors and attractions has been described in various cultures and nations throughout the world. Many cultures use identity labels to describe people who express these attractions. In the United States the most frequent labels are lesbians (women attracted to women), gay men (men attracted to men), and bisexual people (men or women attracted to both sexes). However, some people may use different labels or none at all.

Sexual orientation is distinct from other components of sex and gender, including biological sex (the anatomical, physiological,

and genetic characteristics associated with being male or female), gender identity (the psychological sense of being male or female), and social gender role (the cultural norms that define feminine and masculine behavior).

Sexual orientation is commonly discussed as if it were solely a characteristic of an individual, like biological sex, gender identity, or age. This perspective is incomplete because sexual orientation is defined in terms of relationships with others. People express their sexual orientation through behaviors with others, including such simple actions as holding hands or kissing. Thus, sexual orientation is closely tied to the intimate personal relationships that meet deeply felt needs for love, attachment, and intimacy. In addition to sexual behaviors, these bonds include nonsexual physical affection between partners, shared goals and values, mutual support, and ongoing commitment. Therefore, sexual orientation is not merely a personal characteristic within an individual. Rather, one's sexual orientation defines the group of people in which one is likely to find the satisfying and fulfilling romantic relationships that are an essential component of personal identity for many people.

## How do people know if they are lesbian, gay, or bisexual?

According to current scientific and professional understanding, the core attractions that form the basis for adult sexual orientation typically emerge between middle childhood and early adolescence. These patterns of emotional, romantic, and sexual attraction may arise without any prior sexual experience. People can be celibate and still know their sexual orientation—be it lesbian, gay, bisexual, or heterosexual.

Different lesbian, gay, and bisexual people have very different experiences regarding their sexual orientation. Some people know that they are lesbian, gay, or bisexual for a long

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Grae Before the 5 92 tually other still color of 18 to 18 among the bian, gay and bisexual people. with other people. Some people engage in sexual activity (with same-sex and/or othersex partners) before assigning a clear label to their sexual orientation. Prejudice and discrimination make it difficult for many people to come to terms with their sexual orientation identities, so claiming a lesbian, gay, or bisexual identity may be a slow process.

#### What causes a person to have a particular sexual orientation?

There is no consensus among scientists about the exact reasons that an individual develops a heterosexual, bisexual, gay, or lesbian orientation. Although much research has examined the possible genetic, hormonal, developmental, social, and cultural influences on sexual orientation, no findings have emerged that permit scientists to conclude that sexual orientation is determined by any particular factor or factors. Many think that nature and nurture both play complex roles; most people experience little or no sense of choice about their sexual orientation.

#### What role do prejudice and discrimination play in the lives of lesbian, gay, and bisexual people?

Lesbian, gay, and bisexual people in the United States encounter extensive prejudice, discrimination, and violence because of their sexual orientation. Intense prejudice against lesbians, gay men, and bisexual people was widespread throughout much of the 20th century. Public opinion studies over the 1970s, 1980s, and 1990s routinely showed that, among large segments of the public, lesbian, gay, and bisexual people were the target of strongly held negative attitudes. More recently, public opinion has increasingly opposed sexual orientation discrimination, but expressions of hostility toward lesbians and gay men remain common in contemporary American society. Prejudice against bisexuals appears to exist at comparable levels. In fact, bisexual individuals may face discrimination from some lesbian and gay people as well as from heterosexual people.

Sexual orientation discrimination takes many forms. Severe antigay prejudice is reflected in the high rate of harassment and violence directed toward lesbian, gay, and bisexual individuals in American society. Numerous surveys indicate that verbal harassment and abuse are nearly universal experiences

Also, discrimination against lesbian, gay, and bisexual people in employment and housing appears to remain widespread.

The HIV/AIDS pandemic is another area in which prejudice and discrimination against lesbian, gay, and bisexual people have had negative effects. Early in the pandemic, the assumption that HIV/AIDS was a "gay disease" contributed to the delay in addressing the massive social upheaval that AIDS would generate. Gay and bisexual men have been disproportionately affected by this disease. The association of HIV/AIDS with gay and bisexual men and the inaccurate belief that some people held that all gay and bisexual men were infected served to further stigmatize lesbian, gay, and bisexual people.

#### What is the psychological impact of prejudice and discrimination?

Prejudice and discrimination have social and personal impact. On the social level, prejudice and discrimination against lesbian, gay, and bisexual people are reflected in the everyday stereotypes of members of these groups. These stereotypes persist even though they are not supported by evidence, and they are often used to excuse unequal treatment of lesbian, gay, and bisexual people. For example, limitations on job opportunities, parenting, and relationship recognition are often justified by stereotypic assumptions about lesbian, gay, and bisexual people.

On an individual level, such prejudice and discrimination may also have negative consequences, especially if lesbian, gay, and bisexual people attempt to conceal or deny their sexual orientation. Although many lesbians and gay men learn to cope with the social stigma against homosexuality, this pattern of prejudice can have serious negative effects on health and well-being. Individuals and groups may have the impact of stigma reduced or worsened by other characteristics, such as race, ethnicity, religion, or disability. Some lesbian, gay, and bisexual people may face less of a stigma. For others, race, sex, religion, disability, or other characteristics may exacerbate the negative impact of prejudice and discrimination.

The widespread prejudice, discrimination, and violence to which lesbians and gay men are often subjected are significant mental health concerns. Sexual prejudice, sexual orientation discrimination, and antigay violence are major



sources of stress for lesblan, Say, and Bis Qual Date Filed: 12/27/2018 Page: 80 of 118 people. Although social support is crucial in coping with stress, antigay attitudes and discrimination may make it difficult for lesbian, gay, and bisexual people to find such support.

#### is homosexuality a mental disorder?

No, lesbian, gay, and bisexual orientations are not disorders. Research has found no inherent association between any of these sexual orientations and psychopathology. Both heterosexual behavior and homosexual behavior are normal aspects of human sexuality. Both have been documented in many different cultures and historical eras. Despite the persistence of stereotypes that portray lesbian, gay, and bisexual people as disturbed, several decades of research and clinical experience have led all mainstream medical and mental health organizations in this country to conclude that these orientations represent normal forms of human experience. Lesbian, gay, and bisexual relationships are normal forms of human bonding. Therefore, these mainstream organizations long ago abandoned classifications of homosexuality as a mental disorder.

#### What about therapy intended to change sexual orientation from aay to straight?

All major national mental health organizations have officially expressed concerns about therapies promoted to modify sexual orientation. To date, there has been no scientifically adequate research to show that therapy aimed at changing sexual orientation (sometimes called reparative or conversion therapy) is safe or effective. Furthermore, it seems likely that the promotion of change therapies reinforces stereotypes and contributes to a negative climate for lesbian, gay, and bisexual persons. This appears to be especially likely for lesbian, gay, and bisexual individuals who grow up in more conservative religious settings.

Helpful responses of a therapist treating an individual who is troubled about her or his samesex attractions include helping that person actively cope with social prejudices against homosexuality, successfully resolve issues associated with and resulting from internal conflicts, and actively lead a happy and satisfying life. Mental health professional organizations call on their members to respect a person's (client's) right to selfdetermination; be sensitive to the client's race, culture, ethnicity, age, gender, gender identity, sexual orientation, religion, socioeconomic status, language, and disability status when working with that client; and eliminate biases based on these factors.

#### is it important?

The phrase "coming out" is used to refer to several aspects of lesbian, gay, and bisexual persons' experiences: self-awareness of same-sex attractions; the telling of one or a few people about these attractions; widespread disclosure of same-sex attractions; and identification with the lesbian, gay, and bisexual community. Many people hesitate to come out because of the risks of meeting prejudice and discrimination. Some choose to keep their identity a secret; some choose to come out in limited circumstances; some decide to come out in very public ways.

Coming out is often an important psychological step for lesbian, gay, and bisexual people. Research has shown that feeling positively about one's sexual orientation and integrating it into one's life fosters greater well-being and mental health. This integration often involves disclosing one's identity to others; it may also entail participating in the gay community. Being able to discuss one's sexual orientation with others also increases the availability of social support, which is crucial to mental health and psychological well-being. Like heterosexuals, lesbians, gay men, and bisexual people benefit from being able to share their lives with and receive support from family, friends, and acquaintances. Thus, it is not surprising that lesbians and gay men who feel they must conceal their sexual orientation report more frequent mental health concerns than do lesbians and gay men who are more open; they may even have more physical health problems.

#### What about sexual orientation and coming out during adolescence?

Adolescence is a period when people separate from their parents and families and begin to develop autonomy. Adolescence can be a period of experimentation, and many youths may question their sexual feelings. Becoming aware of sexual feelings is a normal developmental task of adolescence. Sometimes adolescents have same-sex feelings or experiences that cause confusion about their sexual orientation. This confusion appears to decline over time, with different outcomes for different individuals.

Some adolescents desire and engage in samesex behavior but do not identify as lesbian, gay, or bisexual, sometimes because of the stigma associated with a nonheterosexual orientation. Some adolescents experience continuing feelings of same-sex attraction but do not engage in any sexual activity or may engage in heterosexual behavior for varying lengths of time. Because of the many youths experience same-sex attraction for many years before becoming sexually active with partners of the same sex or disclosing their attractions to others.

For some young people, this process of exploring same-sex attractions leads to a lesbian, gay, or bisexual identity. For some, acknowledging this identity can bring an end to confusion. When these young people receive the support of parents and others, they are often able to live satisfying and healthy lives and move through the usual process of adolescent development. The younger a person is when she or he acknowledges a nonheterosexual identity, the fewer internal and external resources she or he is likely to have. Therefore, youths who come out early are particularly in need of support from parents and others.

Young people who identify as lesbian, gay, or bisexual may be more likely to face certain problems, including being bullied and having negative experiences in school. These experiences are associated with negative outcomes, such as suicidal thoughts, and highrisk activities, such as unprotected sex and alcohol and drug use. On the other hand, many lesbian, gay, and bisexual youths appear to experience no greater level of health or mental health risks. Where problems occur, they are closely associated with experiences of bias and discrimination in their environments. Support from important people in the teen's life can provide a very helpful counterpart to bias and discrimination.

Support in the family, at school, and in the broader society helps to reduce risk and encourage healthy development. Youth need caring and support, appropriately high expectations, and the encouragement to participate actively with peers. Lesbian, gay, and bisexual youth who do well despite stress—like all adolescents who do well despite stress—tend to be those who are socially competent, who have good problem-solving skills, who have a sense of autonomy and purpose, and who look forward to the future.

In a related vein, some young people are presumed to be lesbian, gay, or bisexual because they don't abide by traditional gender roles (i.e., the cultural beliefs about what is appropriate "masculine" and "feminine" appearance and behavior). Whether these youths identify as heterosexual or as lesbian,

cstigma associated with same sex attractions 018 gay or bisexual they encounter prejudice and discrimination based on the presumption that they are lesbian, gay, or bisexual. The best support for these young people is school and social climates that do not tolerate discriminatory language and behavior.

#### At what age should lesbian, gay, or bisexual youths come out?

There is no simple or absolute answer to this question. The risks and benefits of coming out are different for youths in different circumstances. Some young people live in families where support for their sexual orientation is clear and stable; these youths may encounter less risk in coming out, even at a young age. Young people who live in less supportive families may face more risks in coming out. All young people who come out may experience bias, discrimination, or even violence in their schools, social groups, work places, and faith communities. Supportive families, friends, and schools are important buffers against the negative impacts of these experiences.

#### What is the nature of same-sex relationships?

Research indicates that many lesbians and gay men want and have committed relationships. For example, survey data indicate that between 40% and 60% of gay men and between 45% and 80% of lesbians are currently involved in a romantic relationship. Further, data from the 2000 U.S. Census indicate that of the 5.5 million couples who were living together but not married, about 1 in 9 (594,391) had partners of the same sex. Although the census data are almost certainly an underestimate of the actual number of cohabiting same-sex couples, they indicate that there are 301,026 male samesex households and 293,365 female same-sex households in the United States.

Stereotypes about lesbian, gay, and bisexual people have persisted, even though studies have found them to be misleading. For instance, one stereotype is that the relationships of lesbians and gay men are dysfunctional and unhappy. However, studies have found same-sex and heterosexual couples to be equivalent to each other on measures of relationship satisfaction and commitment.

A second stereotype is that the relationships of lesbians, gay men and bisexual people are unstable. However, despite social hostility toward same-sex relationships, research shows



## Answers to Your Questions About Transgender Individuals and Gender Identity

Filed: 12/27/2018

#### What does transgender mean?

Transgender is an umbrella term used to describe people whose gender identity (sense of themselves as male or female) or gender expression differs from that usually associated with their birth sex. Many transgender people live part-time or full-time as members of the other gender. Broadly speaking, anyone whose identity, appearance, or behavior falls outside of conventional gender norms can be described as transgender. However, not everyone whose appearance or behavior is gender-atypical will identify as a transgender person.

## What is the difference between sex and gender?

Sex refers to biological status as male or female. It includes physical attributes such as sex chromosomes, gonads, sex hormones, internal reproductive structures, and external genitalia. Gender is a term that is often used to refer to ways that people act, interact, or feel about themselves, which are associated with boys/men and girls/women. While aspects of biological sex are the same across different cultures, aspects of gender may not be.

## What are some categories or types of transgender people?

Transsexuals are transgender people who live or wish to live full time as members of the gender opposite to their birth sex. Biological females who wish to live and be recognized as men are called female-to-male (FTM) transsexuals or transsexual men. Biological males who wish to live and be recognized as women are called male-to-female (MTF) transsexuals or transsexual women. Transsexuals usually seek medical interventions, such as hormones and surgery, to make their bodies as congruent as possible with their preferred gender. The process of transitioning from one gender to the other is called sex reassignment or gender reassignment.

Cross-dressers or transvestites comprise the most numerous transgender group. Cross-dressers wear the clothing of the other sex. They vary in how completely they dress (from one article of clothing to fully cross-dressing) as well as in their motives for doing so. Some cross-dress to express cross-gender feelings or identities; others cross-dress for fun, for emotional comfort, or for sexual arousal. The great majority of cross-dressers are biological males, most of whom are sexually attracted to women.

Drag queens and drag kings are, respectively, biological males and females who present part-time as members of the other sex primarily to perform or entertain. Their performances may include singing, lip-syncing, or dancing. Drag performers may or may not identify as transgender. Many drag queens and kings identify as gay, lesbian, or bisexual.

Other categories of transgender people include androgynous, bigendered, and gender queer people. Exact definitions of these terms vary from person to person, but often include a sense of blending or alternating genders. Some people who use these terms to describe themselves see traditional concepts of gender as restrictive.

### Have transgender people always existed?

Transgender persons have been documented in many Western and non-Western cultures and societies from antiquity until the present day. However, the meaning of gender variance may vary from culture to culture.

#### Why are some people transgender?

There is no one generally accepted explanation for why some people are transgender. The diversity of transgender expression argues against any simple or unitary explanation. Many experts believe that biological factors such as genetic influences and prenatal hormone levels, early experiences in a person's family of origin, and other social influences can all contribute to the development of transgender behaviors and identities.

## How prevalent are transgender people?

It is difficult to accurately estimate the prevalence of transgender people in Western countries. As many as 2-3% of biological males engage in cross-dressing, at least occasionally. Current estimates of the prevalence of transsexualism are about 1 in 10,000 for biological males and 1 in 30,000 for biological females. The number of people in other transgender categories is unknown.

## What is the relationship between transgender and sexual orientation?

People generally experience gender identity and sexual orientation as two different things. Sexual orientation refers to one's sexual attraction to men, women, both,

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or neither, whereas gender then they leters to or letters led: 12/27/2010 eathers with 3cm st. sex hormones, surgical of oneself as male, female, or transgender. Usually people who are attracted to women prior to transition continue to be attracted to women after transition, and people who are attracted to men prior to transition continue to be attracted to men after transition. That means, for example, that a biologic male who is attracted to females will be attracted to females after transitioning, and she may regard herself as a lesbian.

#### How do transgender people experience their transgender feelings?

Transgender people experience their transgender feelings in a variety of ways. Some can trace their transgender identities or gender-atypical attitudes and behaviors back to their earliest memories. Others become aware of their transgender identities or begin to experience gender-atypical attitudes and behaviors much later in life. Some transgender people accept or embrace their transgender feelings, while others struggle with feelings of shame or confusion. Some transgender people, transsexuals in particular, experience intense dissatisfaction with their birth sex or with the gender role associated with that sex. These individuals often seek sex reassignment.

#### What should parents do if their child appears to be transgender or gender-atypical?

Parents may be concerned about a child who appears to be gender-atypical for a variety of reasons. Some children express a great deal of distress about their assigned gender roles or the sex of their bodies. Some children experience difficult social interactions with peers and adults because of their gender expression. Parents may become concerned when what they believed to be a "phase" does not seem to pass. Parents of gender-atypical children may need to work with schools and other institutions to address their children's particular needs and to ensure their children's safety. It is often helpful to consult with a mental health professional familiar with gender issues in children to decide how to best address these concerns. In most cases it is not helpful to simply force the child to act in a more gender-typical way. Peer support from other parents of gender variant children may also be helpful.

#### How do transsexuals transition from one gender to the other?

Transitioning from one gender to another is a complex process. People who transition often start by expressing their preferred gender in situations where they feel safe. They typically work up to living full-time as members of their preferred gender, by making many changes a little at a time.

Gender transition typically involves adopting the appearance of the desired sex through changes in clothing and grooming, adoption of a name typical of the desired sex, change of sex designation on identity docualteration of secondary sex characteristics to approximate those of the desired sex, and in biological males, removal of facial hair with electrolysis or laser treatments. Finding a qualified mental health professional to provide guidance and referrals to other helping professionals is often an important first step in gender transition. Connecting with other transgender people through peer support groups and transgender community organizations is also very helpful.

The Harry Benjamin International Gender Dysphoria Association (HBIGDA), a professional organization devoted to the treatment of transgender people, publishes The Standards of Care for Gender Identity Disorders, which offers recommendations for the provision of sex reassignment procedures and services.

#### Is being transgender a mental disorder?

A psychological condition is considered a mental disorder only if it causes distress or disability. Many transgender people do not experience their transgender feelings and traits to be distressing or disabling, which implies that being transgender does not constitute a mental disorder per se. For these people, the significant problem is finding the resources, such as hormone treatment, surgery, and the social support they need, in order to express their gender identity and minimize discrimination. However, some transgender people do find their transgender feelings to be distressing or disabling. This is particularly true of transsexuals, who experience their gender identity as incongruent with their birth sex or with the gender role associated with that sex. This distressing feeling of incongruity is called gender dysphoria.

According to the diagnostic standards of American psychiatry, as set forth in the Diagnostic and Statistical Manual of Mental Disorders, people who experience intense, persistent gender dysphoria can be given the diagnosis of Gender Identity Disorder. This diagnosis is highly controversial among some mental health professionals and transgender people. Some contend that the diagnosis inappropriately pathologizes gender variance and should be eliminated. Others argue that, because the health care system in the United States requires a diagnosis to justify medical or psychological treatment, it is essential to retain the diagnosis to ensure access to care.

#### What kinds of mental health problems do transgender people face?

Transgender people experience the same kinds of mental health problems that nontransgender people do. However, the stigma, discrimination, and internal conflict that many transgender people experience may place them at increased risk for certain mental health problems. Discrimination, lack of social support, and inadequate access to care can exacerbate mental health problems in transgender people, while support from

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peers, family, and helping professionals may act as pro- Consequently, transgender people in most cities and tective factors.

#### What kinds of discrimination do transgender people face?

Antidiscrimination laws in most U.S. cities and states do not protect transgender people from discrimination based on gender identity or gender expression.

states can be denied housing or employment, lose custody of their children, or have difficulty achieving legal recognition of their marriages, solely because they are transgender. Many transgender people are the targets of hate crimes. The widespread nature of discrimination based on gender identity and gender expression can cause transgender people to feel unsafe or ashamed, even when they are not directly victimized.

#### How can I be supportive of transgender family members, friends, or significant others?

- Educate yourself about transgender issues.
- Be aware of your attitudes concerning people with gender-atypical appearance or behavior.
- Use names and pronouns that are appropriate to the person's gender presentation and identity; if in doubt, ask their preference.
- Don't make assumptions about transgender people's sexual orientation, desire for surgical or hormonal treatment, or other aspects of their identity or transition plans. If you have a reason to need to know, ask.
- Don't confuse gender dysphoria with gender expression: Gender-dysphoric males may not always appear stereotypically feminine, and not all gender-variant men are gender-dysphoric; gender-dysphoric females

- may not always appear stereotypically masculine, and not all gender-variant women are gender-dysphoric.
- Keep the lines of communication open with the transgender person in your life.
- Get support in processing your own reactions. It can take some time to adjust to seeing someone who is transitioning in a new way. Having someone close to you transition will be an adjustment and can be challenging, especially for partners, parents, and children.
- Seek support in dealing with your feelings. You are not alone. Mental health professionals and support groups for family, friends, and significant others of transgender people can be useful resources.

#### Where can I find more information about transgender issues?

American Psychological Association 750 First Street, NE Washington DC, 20002 202-336-5500 lgbc@apa.org (e-mail) www.apa.org/pi/lgbc/transgender

The Harry Benjamin International Gender Dysphoria Association, Inc.

World Professional Association of Transgender 1300 South Second Street, Suite 180

Minneapolis, MN 55454

612-624-9397

612-624-9541 (fax)

hbigda@hbigda.org (e-mail)

www.hbigda.org

FTMInternational (FTM means Female-to-Male)

740A 14th St. #216

San Francisco, CA 94114

877-267-1440

info@ftmi.org (e-mail)

www.ftmi.org

Gender Public Advocacy Coalition 1743 Connecticut Ave., NW Fourth Floor

Washington, DC 20009

202-462-6610

gpac@gpac.org (e-mail)

www.gpac.org

National Center for Transgender Equality 1325 Massachusetts Ave., Suite 700 Washington, DC 20005 202-903-0112 202-393-2241 (fax) www.nctequality.org

Parents, Families, and Friends of Lesbians and Gays (PFLAG) Transgender Network (TNET)

1726 M Street, NW

Suite 400

Washington, DC 20036

202-467-8180

info@pflag.org (e-mail)

www.pflag.org/TNET.tnet.0.html

Sylvia Rivera Law Project

322 8th Avenue

3rd Floor

New York, NY 10001

212-337-8550

212-337-1972 (fax)

www.srlp.org

Transgender Law Center

870 Market Street

Room 823

San Francisco, CA 94102

415-865-0176

info@transgenderlawcenter.org (e-mail)

www.transgenderlawcenter.SJCSB-DA PRR 002511

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Printed 2006

This brochure was written by the APA Task Force on Gender Identity, Gender Variance, and Intersex Conditions: Margaret Schneider, PhD, University of Toronto; Walter O. Bockting, PhD, University of Minnesota; Randall D. Ehrbar, PsyD, New Leaf Services for Our Community, San Francisco, CA; Anne A. Lawrence, MD, PhD, Private Practice, Seattle, WA; Katherine Louise Rachlin, PhD, Private Practice, New York, NY; Kenneth J. Zucker, PhD, Centre for Addiction and Mental Health, Toronto, Ontario, Canada. Produced by the APA Office of Public and Member Communications.

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Case: 18-13592 Date Filed: 12/27/2018 Page: 86 of 118 GLSEN and National Center for Transgender Equality: Model District Policy on Transgender and Gender **Nonconforming Students** 

#### http://transequality.org/PDFs/Trans\_ModelPolicy\_2014.pdf

This document outlines best practices for schools to ensure that all students are safe, included and respected in school, regardless of their gender identity or expression.

#### NCAA Inclusion of Transgender Athletes

#### http://www.ncaa.org/sites/default/files/Transgender\_Handbook\_2011\_Final.pdf

This resource provides best practice and policy recommendations for intercollegiate athletic programs to provide transgender student-athletes with fair and equal opportunities to participate. In addition to specific policy recommendations for college athletics, the resource provides guidance for implementing these policies to ensure the safety, privacy, and dignity of transgender student-athletes as well as their teammates. Specific best practice recommendations are provided for athletic administrators, coaches, student-athletes and the media.

#### Gender Spectrum & HRC: Supporting and Caring for Our Gender Expansive Youth

http://www.scribd.com/doc/240595076/Supporting-and-Caring-for-Our-Gender-expansive-Youth This report outlines lessons learned from the Human Right's Campaign's youth survey and focuses on three questions: (1) how youth define their gender; (2) the relationship between young people's gender and their personal well-being at home, in school, and in their communities; (3) how can parents, youth-serving professionals, and organizations create more gender-inclusive environments for youth.

#### ACLU and GLSEN: Know Your Rights: A Guide for Trans and Gender Nonconforming Students https://www.aclu.org/files/assets/transstudent\_kyr\_20120508.pdf

This guide from the American Civil Liberties Union and the Gay, Lesbian, Straight Education Network provides information for trans and gender nonconforming students about their legal rights at school regarding harassment, dress code, dates for prom and other formal dances, and more.

#### NCTE: Transgender and Gender Non-Conforming Students: Your Rights at School http://transequality.org/Resources/KnowYourRightsSchools\_April2014.pdf

This brochure outlines the rights trans and gender nonconforming students have in schools under Title IX and how to file formal complaints.

#### GLSEN: Model District Policy on Transgender and Gender Nonconforming Students http://glsen.org/sites/default/files/Trans\_ModelPolicy\_2013.pdf

A model school policy on how to treat transgender students, containing vocabulary definitions, commentary on discrimination, federal protection, parental involvement, dress code, and how to deal with any media attention and privacy policies.

#### TLC: Transgender and Gender Non-Conforming Youth Recommendations For Schools http://www.transgenderlaw.org/resources/tlcschools.htm

This resource from the Transgender Law Center provides recommendations for addressing the severe discrimination and harassment transgender and gender non-conforming youth face in school.

#### GLSEN: Harsh Realities: The Experiences of Transgender Youth in Our Nation's Schools http://glsen.org/learn/research/national/report-harsh-realities

This 2009 report documents the school experiences of 295 transgender middle and high school students and finds that these students face extremely high levels of victimization, even more so than their cisgender lesbian, gay, and bisexual peers.

#### **GLSEN Supporting Transgender and Gender Nonconforming Students** http://www.glsen.org/article/educators-support-trans-and-gnc-students

Video of GLSEN webinar on best practices for educators working with transgender and gender nonconforming students.

#### **Trans Student Educational Resources**

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http://transstudent.org/ Trans Student Educational Resources is a youth-led organization dedicated to transforming the educational environment for trans and gender nonconforming students through advocacy and empowerment.

#### INJUSTICE AT EVERY TURN

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31. Rtl Processes: Academic and Behavior One Mentoring Program	24. Group Counseling: The Problem Solving Approach						16.Peer Mediation (Repeat Session)	8. Peer Mediation	A3040H					

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## Special thanks to the following agencies for showcasing the services they provide to the students and families of our district.

#### 2015 Resource Fair Participants

Big Brothers/Big Sisters of Northeast Florida

Child Guidance Center

Communities in Schools of Jacksonville

daniel, Inc.

Florida Youth Challenge

Jacksonville Children's Commission/JCC

Jacksonville Job Corps

**JASMYN** 

Mental Health America, Inc./Federation of Families of NEFL

Operation New Hope

PFLAG/ Parents, Families and Friends of Lesbian, Gay, Bisexual and Transgendered Individuals

Public Health Department

River Region Human Services

The Players Center for Child Health at Wolfson Children's Hospital /Kid Care

Vocational Rehabilitation

Youth Crisis Center/YCC



Jacksonville Area Sexual Minority Youth Network (JASMYN) ★ Safe Space ★ Social Outlet ★ Somebody Who Cares ★

JASMYN's mission is to support and empower lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth by creating safe space, providing youth development services and bringing people and resources together to promote diversity and human rights.

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## JASMYN

offers support and opportunities for LGBTQ youth ages 13-23 "JASMYN has
changed my life by
helping me understand
that I am not alone and
that I have a voice that
needs to be heard"
-Youth, 17

"Coming to
JASMYN means
I have a fighting
chance – it gives
me hope"

Youth, 19

MISSION: to support and empower lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth by creating safe space, providing youth development services and bringing people and resources together to promote diversity and human rights.

VISION: to create a world where young people are respected, valued, and empowered to be themselves.

#### JASMYN PROGRAM & SERVICES:

#### **SAFETY NET SERVICES:**

Drop-In Center
Youth Development Programming
Support Groups
Street Smart
Gender Connections
Food & Personal Hygiene Pantry
Case Management
Comprehensive Risk Counseling Services
Gay Youth Information Line

#### **HEALTH SERVICES:**

Onsite STD Clinic
HIV Testing & Counseling
Linkage to HIV Care
Health Education & Outreach
Risk Reduction Counseling

## ADVOCACY SERVICES & COMMUNITY IMPACT:

Corporate Roundtables
Foster Care Consultation
Gay Straight Alliance Support
LGBT Diversity Trainings
Community Roundtables

## helped me learn to love myself no matter what."

"JASMYN has

## SINCE 1998 JASMYN HAS SUPPORTED AND EMPOWERED OVER 25,000 LGBTQ YOUTH

- ★ Youth looking for a supportive community
- ★ Youth bullied by their peers
- ★ Youth making a difference in their schools
- ★ Youth suffering from isolation
- ★ Youth developing into leaders

Jacksonville Area Sexual Minority Youth Network

★ Youth vulnerable to HIV/AIDS/STDs

HOW TO CONTACT JASMYN:

Mailing address: PO Box 380103 Jacksonville, FL 32205 Location: 923 Peninsular Place Jacksonville, FL 32204

Phone: 904-389-0089

Safe Space · Social Outlet · Somebody Cares

jasmyn.org



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## TOP 10 WAYS JASMYN CAN SUPPORT YOUR GAY STRAIGHT ALLIANCE (GSA)

- We can bring resources & information about JASMYN to your GSA! Who we are – What we do - How you can get involved!
- 2. We can bring a button maker to help you create GSA Pride.
- 3. You can organize a **GSA Field Trip** to visit the JASMYN house!
- 4. We can provide educational programming to help you educate your school on LGBT issues. Ex: LGBTQA Bingo, GSA Trivia, & GSA 101: Your Rights & Responsibilities.
- 5. You can visit our website for great GSA resources. www.jasmyn.org
- 6. You can participate in our Annual JASMYN Prom!
- 7. We can provide safe space stickers to your teachers & school administrators.
- 8. You can join JASMYN on Facebook for updates and information about what is happening.
- 9. You can call our Gay Youth Information Line for support or give the number to a friend: (904)389-0089.
- 10. We can connect you with other great LGBT community resources.

#### FUN THINGS TO DO AS A GSA!

#### **Movie Night**

Show an LGBT themed film or documentary at your next meeting. Have a discussion about it afterward!

#### Host a BBQ or Picnic

Work with the JASMYN GSA Network to involve the other GSAs in your area for a potluck picnic or BBQ.

#### Plan a Pride Dance or go to a LGBTQ dance in your area

Dances can be a great way to bring GSA members together and reach out to the school community, and Pride Proms are the highlight of the year's social activities for many GSAs. You don't have to plan your own! JASMYN hosts a Gay Prom every year

#### **Plan Outdoor Activities**

Meet at a park to play frisbee, softball, flag football, or whatever you want. These activities can be combined with a BBQ and are a great way to network and socialize with other GSAs. Or plan a hiking or camping trip.

#### Arts and Crafts

Get together after school or during lunch and make your own pride gear, a banner to use in marches, personalized buttons, or art to display in the library and display cases. Ask to borrow JASMYN's button maker

#### Hold a Pride Party (or any party!)

Who needs a good excuse to party?! Make it your GSA Coming Out Party. Be creative with food and decorations – The possibilities are endless. Ex: "I'm a Queen you're a Queen" Ice Cream Social!!!

#### Host a Bake Sale.

Raise awareness about your GSA while making some extra money for GSA events.

#### Plan or go to local rallies, LGBT events or lobbying events

It is always exciting to actively make change! There are always rallies and lobbying events you can find out about or learn from others on how to plan your own!

#### Host an awareness day at your school

Bring speakers, host workshops, have entertainment, and raise awareness about LGBTQQ issues at your school! Awareness days can be anytime or around LGBT specific events such as Ally Week,

Day of Silence, Harvey Milk Day or Transgender Day of Remembrance.



923 Peninsular Place Jacksonville, FL 32204 904-389-3857 • www.jasmyn.org





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## JASMYN's HIV & STI Health Clinic

FREE AND CONFIDENTIAL HIV and STI testing, counseling, education, treatment and linkage for LGBTQ youth 13-23 years old

Twice a month on Thursdays

Check our website for dates and times

www.jasmyn.org

On-site medical and clinical staff in a safe and supportive environment

### At JASMYN Clinic you can access:

- Linkage to Care for HIV Positive Youth
- STI testing (Syphilis, Gonorrhea, and Chlamydia)
- STI treatment and or linkage to other community resources
- Rapid HIV Testing and counseling using Clearview blood tests that can be read in 15 minutes
- Risk Reduction Counseling
- Education and Linkage to Care
- Case management

923 Peninsular Place • Jacksonville, FL 32204 www.jasmyn.org • 904 • 389 • 0089 Case 3:17-cv-00739-TJC-JBT Document 152-58 Filed 12/13/17 Page 92 of 103 PageID 9374 Date Filed: 12/27/2018

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Issue 4, 2015 5275 Sunset Drive Miami, FL 33143 www.yesinstitute.org

"Alone we can do so little; Together we can do so much."

- Helen Keller

### Education Weekend January 15–18, 2016



erhaps you've heard a lot of buzz already about our innovative communication and education curriculum, but often think, "Well, I'm too busy. I'll go to the next one".

Sounds reasonable. But why delay having access to tools right now to deal with communication breakdowns with your family, your loved ones, or co-workers? In just a few days, you can generate authentic and powerful conversations on the topics of gender and orientation, and other

conversations where you get stuck over "right vs. wrong" points of view.

Start the new year with our education on gender that provides paradigm shifts and insights about how to be authentic in your communication, not only with others, but with yourself. As Shakespeare wrote, "To thine own self be true."

Call us to register today at 305-663-7195 or www.yesinstitute.org/register

#### Holiday Giving

This season, consider investing in the work of YES Institute. 92% of every dollar goes directly to our suicide prevention and community education programs.

yesinstitute.org/donate

#### Gender Continuum

Fri., January 15, 2016, 9am-5pm

#### Communication Solutions™

Saturday & Sunday January 16 & 17, 2016, 12pm-6pm

#### Deciphering the Matrix of Orientation

Mon., January 18, 2016, 9am-5pm

Register Today! 305-663-7195 yesinstitute.org/education Case: 18-13592 Date Filed: 12/27/2018 Page: 95 of 118

### Federal Executives Grapple with Policy Changes



Joseph Zolobczuk, YES Institute Executive Director of Education & Janet Dapprich, VA Health Education.

"You know, you're ruining your career."

"Why is the government wasting their money taking care of those people?"

"I feel like spitting on you."

hese and other comments were received by federal employees working to abide by new federal workplace policy mandates, including acknowledgment of LGBT Pride Month in June. Government administrators now face diversity and inclusion challenges with the national passage of marriage equality along with high numbers of transgender clients coming forward within particular federal programs.

The South Florida Federal Executive Board, one of 10 intergovernmental executive leadership assemblies, invited YES Institute and Janet Dapprich from the Miami Veterans Administration (VA) Hospital LGBT Program to co-present at their 6th Annual Quad Conference. Held at US Southern Command Army Headquarters in Doral, a variety of federal administrators and leaders from various departments attended our sessions.

Janet Dapprich, MS Ed., Veteran Health Education Coordinator for Miami VA Healthcare System and outgoing LGBT Special Emphasis Coordinator, shared about her experience spearheading the Miami VA Hospital climate shift over the past three years.

Thanks to the training I received from YES Institute's Communication Solutions™, I learned the importance of beginning this initiative as an open dialogue – first and foremost. We assured our people we were not asking them to change their personal values or beliefs. This is a conversation about keeping all our Veterans safe.

- Janet Dapprich, Veteran Health Education Coordinator

The rate of suicide-related events among transgender Veterans is more than 20 times higher than rates for the general VA population (Blosnick, et al., 2013), which has an already increased suicide risk, due to post-war trauma. Due to VA policy changes and patient advocacy efforts in recent years, increased access to treatment for this underserved population is so essential and critical to Veteran care.

Umut Dursun, MA, shared, "As a US Marine serving under Don't Ask Don't Tell, I was in constant fear of being dishonorably discharged. I loved serving my country. And the irony was I could serve as long as I told a lie about myself every day. I was up for reenlistment, but instead chose to complete active duty after four years. Inauthenticity wears at you like a cut that won't heal."

Your ability to present in such an interesting way produced one of the most memorable presentations in the conference's history. I personally appreciated how both of you engaged participants in an open dialogue.<sup>39</sup>

 Jacqueline Arroyo, Executive Director of South Florida Federal Executive Board

YES Institute has consulted and presented to agencies across four federal branches, including employees under the US Department of Justice, US Department of Homeland Security, SAMHSA's TA Network with US Department of Health & Human Services, and several VISN-8 region hospitals with US Veteran's Affairs.

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### **School Districts Training Demand Increases**



Tommy Murrell, YES Institute speaker, sharing about his experiences with gender. n the first few weeks of this school year YES Institute received 40 new calls regarding gender transitioning children from Miami-Dade and Broward County public schools. Remarkably, a majority of these cases involve elementary-aged students.

Gladys Duran, TRUST Program District Chair and the new LGBTQ Student Support person with Division of Student Services for Miami-Dade County Public Schools (MDCPS), invited YES Institute to present to school counselors and teachers in October on transgender and gender expressive students.

Thanks to the efforts of Dally Pelaez and other committed members of the Student Services team, MDCPS faculty can register for professional development courses with YES Institute. If you are a teacher and would like to participate in our education courses, contact our office at 305-663-7195 for registration details.

De Palazzo, Diversity and LGBTQ Coordinator with the Office of Diversity, Prevention and Intervention with Broward

County Public Schools (BCPS), invited YES institute to present to school psychologists on transgender students along with psychologist Dr. Deborah Grayson.

The school psychologists gave a standing ovation to the YES Institute speakers. A grandmother, a father, and a transgender student spoke authentically about their painful and triumphant life experiences, leaving the audience requesting more. 29% of all YES Institute dialogues and courses in 2015 occurred in Broward County. We are coordinating additional professional development for BCPS faculty in the coming months.



De Palazzo (right) with Broward County Public Schools addressing school psychologists.

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## The Village People: Spotlight on Miami Shores



Miami Shores Police Department officers

iami Shores is the first city in South Florida to invite YES Institute to make gender and orientation human relations training available for all of their village employees. Over 100 employees attended one of three sessions which included members of the Miami Shores Police Department, Code Enforcement, Libraries, Parks & Recreation, and numerous additional program managers and administrative officers.

Knowing we can refer to YES Institute as a resource when dealing with domestic situations, especially with parents and children, is a help to us.

Village police officer

While the employees shared about how these topics come up in the workplace, the city staff also shared and opened up how these topics impact their personal lives as parents as well.

It was good to hear my coworkers communicating about these issues, as not all of them know I identify as bisexual.

- Village employee

It was inspiring to see such committed and professional village employees working hard to build a welcoming community for all people. We look forward to continuing to fulfill requests for our work in Miami Shores.

I was not looking forward to this training. I thought I was going to be lectured at how to 'be nice to different people.' Instead, I got this was about my experience. You won me over."

Village employee



Lucy Hernandez, Executive Director of Administration with Village of Miami Shores employees.

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### **Nursing Leadership on Gender & Orientation**

atient care practices continue to advance in today's medical profession. In keeping with these changes, The Joint Commission, one of the leading healthcare accrediting bodies in the US, produced a field guide to assist providers in ensuring equitable care environments for patients impacted by gender and orientation.

Healthcare leaders recognize that a policy document alone can't truly shift an entire organizational culture. Administrators and continuing education leaders bring in YES Institute to open an authentic dialogue with staff. Providers have the opportunity to listen and interact with guest speakers impacted by gender and orientation who share about their experiences in healthcare settings.

Evan McEwing, RN, BSN, CCRP, who is currently completing his doctoral-level internship with YES institute this semester shared, "My partner was admitted to a South Florida hospital for 10 hours of neurosurgery. After 12 hours, waiting for a phone call, I returned searching frantically for him. I was treated like I didn't exist. The first nurse turned and walked away when I asked for his room. The second nurse said, grimacing, "What do you mean by your 'partner'?' After two hours of being ignored by staff, I finally came across a third nurse who took the time to help me find him. As a nursing professional myself, I hope no one ever has to experience the anguish I did."



Joseph Zolobczuk, YES Institute Executive Director of Education with Bascom Palmer Eye Institute staff.

#### Nicklaus Children's Hospital

icklaus Children's Hospital, formerly known as Miami Children's, continues to invite YES Institute to present to their nursing staff and psychology interns. Invited by the Nursing Education department, YES Institute conducted an inservice with regards to the new Joint Commission updates in October. Over the years, we've developed a referral partnership with Pediatric Endocrinology and Psychology for youth deeply impacted by gender and orientation topics.

While I've served numerous gay and lesbian youth patients, the idea of having a transgender patient was very confronting for me. I was greatly impressed with the transgender young adult speaker. I now feel more comfortable and better equipped to support transgender patients.

- Nurse's aide at Nicklaus Children's Hospital

#### **Bascom Palmer Eye Institute**

ascom Palmer, ranked as the #1 eye hospital in the United States, provided an opportunity for 50 of their ambulatory,

operating room, and inpatient nursing staff to receive an inservice from YES Institute:

Your interactive presentation provided a fascinating review of gender theory and the current medical and public health disparities research on intersex (DSD), transgender and gay populations. Thank

you for addressing our staff on these important topics. ""

- Hilda Brito, RNBC, MSN, Director of Nursing Programs & Staff Development Case: 18-13592 Date Filed: 12/27/2018 Page: 99 of 118

#### Kia Ora means "Hello!" "Be Well!" "Welcome!" in the Māori language

e thank dear friend Joseph W. Blount for renewing his Kiaora Society membership at the Philanthropist level. Joseph's laudable support over the years allows YES Institute to impact the lives of countless youth and families and provides a solid foundation for our work

We acknowledge longtime friend Daniel Lewis who renewed at the Luminary level. Daniel's stalwart contributions to our work for numerous years played a large part in YES Institute achieving it's nineteenth year of service.

YES Institute thanks our continuing Visionaries Ruth Admire and Lee Osiason for their bold contributions through The Ruth Anderson Foundation and the Osiason Educational Fund. Longtime friends and Kiaora members, F. Lynn Leverett & Lane W. Park renewed their commitment and support at the Visionary level.

We recognize The Miami Foundation for their support of YES Institute as Champions. We welcome and thank our newest Leader, the Gay & Lesbian Lawyer Network Charitable Fund at Our Fund, and renewing Leaders Patricia Dowd-Davis & Gary Davis.

YES Institute graciously welcomes new Kiaora Mentors, Theresa Galivan & Helen Ocariz, The Robert S. Wennett & Mario Cader-Frech Foundation, and Joseph Zolobczuk. We heartily acknowledge our renewing Mentors this season: Dr. Patrick Abuzeni & Angela Patt, Sam Blum, Olga & Ignacio del Valle, Marisa di Giovanni, Liebe & Seth Gadinsky, Randall R. Gluss, Robert J. Hedigan, Linda Marraccini, Marsh & McLennan LLC Company, Tanya D. Pages, Scott Prosan, Bill Ross, Lee Schrager, Tim Wagoner, Laura White, Dr. Terilee Wunderman, and an Anonymous Donor.

#### YES Institute Young **Professionals Society**

#### Yuppies \$500

Kristin Boxleitner Umut Dursun Jennie Lopez Jared Payne SpectrUM

#### Yipsters \$250

Brandon Behr Athena Hadjixenofontos Caro Hernandez Brittney & Kara McCabe Evan McEwina Deanna Saunders Stephanie Yahn

#### Kiaora Society

to YES Institute annually.

Marta Weeks Exemplary - \$500,000

Philanthropist - \$150,000

Trustee - \$50,000

Luminary- \$25,000

Visionary - \$10,000

Champion - \$5,000

Mentor - \$1,000

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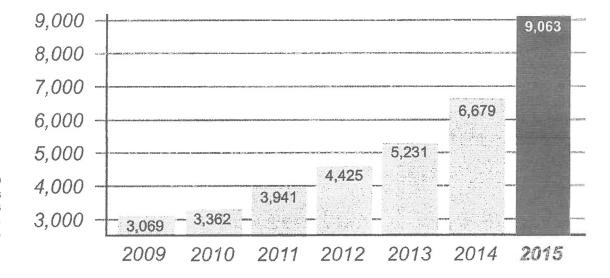
#### YES Institute Poised to LEAP into 20th Year

ineteen years ago, our founders Connie Barden and Martha Fugate envisioned a community in which all youth could grow up as healthy individuals free of suicide, violence, and discrimination. Their vision continues to fuel our passion to have this be a reality in the lives of the people we serve.

Since 2009, the total number of people served in YES Institute dialogues and courses has increased nearly 200%. In 2015, 29% of all YES Institute dialogues and courses occurred in Broward County. Over the past seven years, we've impacted more than 35,000 people in our

communication and education work. Next year we anticipate reaching even more.

To manage this unprecedented demand we have committed to our new LEAP initiative (Leadership Education Apprentice Program). This new program provides highly intensive and ongoing training to develop dialogue facilitators and course leaders. LEAP will allow us to ramp up our capacity to meet the high demand for our education. We're currently training 10 new leaders in two classroom sessions each week. If you are interested in joining this program, please contact Joseph at 305-663-7195.



Total reached from 2009 to present. (Note: Includes special initiatives – 1,238 additional with 2014 YGRC initiative, and 2,905 additional with 2015 Delaware initiative.)

### Joseph W. Blount Educational Fund Challenge

hanks to the enormous generosity of Joseph Blount, for every donation received by December 31, 2015 your tax-deductible contribution will be matched up to \$100,000 by the Joseph W. Blount Educational Fund. We thank Joseph for the opportunity for donors to make an even greater impact with their contributions this holiday season.

Our Kiaora Society has allowed YES Institute to continue the work that is critical to protecting youth from suicide, violence, and discrimination. Kiaora Society members contribute \$1,000 or more annually. You can make your contribution in full or structure it monthly or quarterly. I invite

you to learn more about our work and support it financially.

Please call 786-301-3940 or email eva@yesinstitute.org to inquire today. All contributions through the end of the year have double the impact! You can also contribute online at yesinstitute.org/donate. Happy holidays and a prosperous new year!

Ever

Eva Leivas-Andino,
Director of Donor Development

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## Religious Leaders Open Hearts, Give Voice to Gender

Religious communities, much like schools and PTA's, are grappling with cultural and legal changes that have occurred in 2015 on gender and orientation. Faith leaders are often confronted with managing millenniums-old religious traditions amidst the rapidly shifting attitudes across all segments of American society in the current century.

#### Temple Beth Am

abbi Rachel Greengrass of Temple Beth Am hosted a special evening titled, "Transgender: Tradition & Transformation". Led by facilitators from YES institute, the Hon. Judge Scott Bernstein addressed some of the legal hurdles for transitioning youth and adults, while Dr. Terilee Wunderman spoke about the mental health and well-being of youth and familles dealing with gender.

The stars of the evening were the Behr family, who drove from Orlando to speak at Temple Beth Am, sharing their experiences about their child's journey with gender. The Behr family touched and enlightened the congregation with their story of courage, strength, and love.

Lois, mother of Brandon shares, "I can't even begin to express my gratitude for inviting us to share our story with the congregation and the community. As Jews, it is our responsibility to make the world a better place. The more educated people are with these topics, the better off the world will be."

We know firsthand the work done by the staff and volunteers of YES Institute saves lives and relationships by opening up the conversation around gender and identity.

- Lois Behr

#### Riviera Presbyterian Church

iviera Presbyterian Church (RPC), which houses YES Institute, welcomes new minister Rev. Martha Shiverick and Daniel Morales, RPC's new Director of University Ministries. Pastors Martha and Danny along with the church's leadership continue to forward the charge of "welcoming people of all backgrounds, and identities, affirmed and celebrated as part of God's beautiful creation." Daniel serves as a leader and openly gay religious role model for the student body at University of Miami, helping college students navigate life's challenges.

RPC is actively investigating the possibility of transforming their church restrooms to gender neutral facilities. For many transgender youth and adults, using the restroom can be a terrifying experience so difficult that many withhold from using public facilities for the entire 8-hour school and work days. We applaud Riviera for this initiative.

If you are interested in opening up a dialogue with your faith community on the topics of gender and orientation, consider scheduling a Community Dialogue by calling 305-663-7195.



Joseph Zolobczuk, YES Institute Executive Director of Education, Robert & Lois Behr, Hon. Scott Bernstein, Brandon Behr and Dr. Terilee Wunderman.

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#### Norman Edelcup Sunny Isles Beach K-8

hile much ado about the lives of transgender celebrities was sensationalized in the media this past year, television isn't a meaningful substitute for authentic dialogue, quality education, and grassroots engagement for students and parents in local communities.

In April, YES Institute was invited by the PTA of Norman Edeicup Sunny isles Beach K-8 school to provide education on student bullying, gender and orientation stigma, and emerging awareness about transgender students. "I am glad my 12-year old heard this talk today," wrote one mother. "We just had a conversation last night about this. She is gay and I've known for a year now. I am very supportive, however, I worry for her safety." - Parent/Teacher

After parents remarked how this session was one of the most interesting and important educational talks they've experienced, the PTA along with school officials made arrangements to have YES Institute present to their 3rd and 4th grade students.

Today I learned that you could be yourself. And not to make fun of others and no name callina. 33 - 3rd grade student

"Girls can do anything boys can do. I also learned that bullying is really bad because it can hurt people's feelings." - 4th grade student

While society and culture begin to adjust to the reality of transgender youth, teachers and parents are now struggling with communication. One parent remarked, "What do I say to my eight year-old child about 'transgender' when they ask me questions? I barely understand this myself." Other parents are concerned with "the age-appropriateness of these conversations."



anxieties dissipated as parents and school administrators engaged in authentic conversation together. A bright future for student safety and well-being are now well underway at Sunny Isles Beach K-8.

These auestions and

#### **Archimedean Academy Upper Conservatory**

ot only do public school third graders have questions on gender topics, but so do charter and private high school students as well. YES Institute was honored to be invited to present to Archimedean Academy, where math and science classes are taught in the Greek language, and their school ranks among the top 20 most academically challenging high schools in the US.

National studies show 80% of youth hear daily comments such as, "That's so gay," and, "Dude, you're a fag!" Messages such as these have implications for all students and are connected to an insidious cycle of bullying through gender stereotypes. Studies also show 87% of "bullies" are prior targets of bullying by others.

<sup>66</sup>I learned that no matter what other people think of me and say to me, I now know who I truly am. This opened a necessary conversation in our school. 53 - High school student

In the environment of rigorous academic courses of study, students can do without the added pressure of contending with gender-based harassment. YES Institute speakers shared how their experiences were marred by anti-gay bullying, which lead to depression, low self-esteem and poor attendance.

661 learned to redefine and accept what it means to be male, female, or transitioning. What someone identifies as shouldn't be stigmatized by society. 39 - High school student

<sup>66</sup>As a mother, it opened my eyes to the need for dialogue with my child about gender and orientation."

- Teacher/Parent

The work of YES Institute supports public and private school teachers, parents, and counselors in the effort to ensure learning environments are safe and welcoming for all students.

Students engaging in a gender puzzle activity.

### Opening Dialogue and Education Across Delaware

I would drive up to school and stop the car. I cried in the parking lot for half an hour before I could compose myself to teach my classes for the day. All the time I would be thinking, which student is going to be next?



n 2012, the State of Delaware experienced a high number of student suicide deaths and attempts. Epidemiologists from the US Centers for Disease Control were brought in to conduct an in-depth investigation into the factors contributing to the high rate of suicides throughout the school districts.

This hits home here at Polytech.

This is personal for us. I don't think we have healed and I am sitting here with tears. I had two of the students who committed suicide. This is a very long process.

- Faculty member



Joseph Zolobczuk, YES Institute Executive Director of Education, presenting to students and faculty.



Umut Dursun, MA, YES Institute Community Liaison, addressing Delaware students.

Several of the suicides were correlated with family rejection of their child's sexual orientation. Officials have anecdotally shared that suicide attempts this past school year included both gender and orientation factors. While successful intervention and prevention efforts have been implemented across the state since 2012, there has not been a coordinated effort to address gender and orientation topics directly with schools, teachers, and parents until this September.

YES Institute was invited by the Delaware Department of Services for Children, Youth and Their Families (DSCYF) to connect with school districts, principals, PTAs, school counselors, parents and system of care mental health providers in a week-long visit that directly engaged thousands of middle and high school students, their parents, and school officials. We also conducted two mental health provider workshops in Kent and New Castle Counties.

In the coming months, YES Institute will be working on an evaluation report and continuing to engage with stakeholders about how to continue to empower communities in Delaware to have conversations on gender and orientation. Faculty from select schools will also be participating in our Education Weekend in Miami, in January 2016.

I learned how early in the child's development is the realization of who they are and how crucial our support is for them to fulfill their real 'selves'.

- Licensed Clinical Social Worker

Funding for this trip was made possible through the Substance Abuse Mental Health Services Administration (SAMHSA) Technical Assistance Network. SAMHSA is a federal agency under the Department of Health & Human Services.

### **Meet the New Executive Directors**



Lucy Hernandez, LCSW, Executive Director of Administration, and Joseph Zolobczuk, MS Ed., Executive Director of Education.



The Source For Knowledge On Gender & Orientation

#### Mission

To prevent sulcide and ensure the healthy development of all youth through powerful communication and education on gender and orientation.

**Phone** 305-663-7195

Website yesinstitute.org

**Address** 5275 Sunset Drive Miami, FL 33143

ear Friends,

We are excited to introduce ourselves as the new leadership team of YES Institute! This summer the Board of Directors, in partnership with our founders and staff, came to the realization that shared leadership would best suit the needs of our growing organization. With two executive directors at the helm, we are poised to fulfill the high demand for our work and the exponential growth anticipated for our future.

#### Joseph

I have served on the staff of YES Institute since 1996, and today I'm absolutely thrilled to be fulfilling our mission in a new capacity. I feel privileged to have directly worked with our beloved mentors and co-founders Martha Fugate and Connie Barden, in the early years of then called Project YES. I've experienced the power that authentic, heart-centered dialogue and quality education makes in the lives of the countless youth and families we serve. In 2012,

I completed my graduate work at University of Miami, School of **Education & Human Development** studying Community & Social Change. As Executive Director of Education, I am relentlessly committed to delivering the very best programs and providing access to communication and education that make our community safe and welcoming for all.

#### Lucy

Having worked in the foster care community for 20 years, I am excited to continue serving youth and families as the newest member of YES Institute. Born to Cuban immigrants and raised in South Florida, I graduated from Florida International University with a Masters Degree in Social Work. In child welfare, I fulfilled a desire to be the voice for children who were abused and neglected. I attended

YES Institute's Communication Solutions™ in April where I discovered a new passion. Where I once was a voice for children, I discovered how I can empower youth to use their own voice. I am ecstatic to be serving as the Executive Director of Administration, where I will fuse my years of expertise with fresh eyes as we look ahead to the future of YES Institute.

We are both honored to be a part of such an amazing organization with a powerful mission. Please enjoy reading about the accomplishments that are a direct result of supporters like you. We celebrate with you as we look forward to 2016 and the 20th Anniversary of YES Institute.

Lucy and Joseph

Rucy & Joseph

Issue 4, 2015

THE SOURCE FOR KNOWLEDGE ON GENDER AND ORIENTATION™

# Revision

re (ri) n. 1. anew, again vision (vizh'en) n. 1. the manner in which one sees or conceives of something

#### Initiating Dialogue Across State of Delaware

Youth suicide in the state reveal stigma around orientation as a stressor. YES Institute heeds the call and trains 2,900 people statewide.

See page 3

#### Schools in Transition: Educating 3rd Graders

Parents and PTA members of Sunny Isles Beach K-8 ask, "How can we educate about transgender students with 8 year-olds?"

See page 4

#### Religious Leaders Open Doors, Open Hearts

Temple Beth Am and Riviera
Presbyterian Church lead in
addressing gender and orientation
topics in faith communities.

See page 5







SJCSB-DA PRR 002532

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## DE 152-59

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DEFENDANT'S EXHIBIT 237



**U.S. Department of Justice** *Civil Rights Division* 

**U.S. Department of Education** *Office for Civil Rights* 

### Dear Colleague Letter Notice of Language Assistance

If you have difficulty understanding English, you may, free of charge, request language assistance services for this Department information by calling 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), or email us at: <a href="mailto:Ed.Language.Assistance@ed.gov">Ed.Language.Assistance@ed.gov</a>.

**Aviso a personas con dominio limitado del idioma inglés:** Si usted tiene alguna dificultad en entender el idioma inglés, puede, sin costo alguno, solicitar asistencia lingüística con respecto a esta información llamando al 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), o envíe un mensaje de correo electrónico a: <a href="mailto:Ed.Language.Assistance@ed.gov">Ed.Language.Assistance@ed.gov</a>.

**給英語能力有限人士的通知**:如果您不懂英語,或者使用英语有困难,您可以要求獲得向大眾提供的語言協助服務,幫助您理解教育部資訊。這些語言協助服務均可免費提供。如果您需要有關口譯或筆譯服務的詳細資訊,請致電 1-800-USA-LEARN (1-800-872-5327) (聽語障人士專線: 1-800-877-8339),或電郵: Ed.Language.Assistance@ed.gov。

**Thông báo dành cho những người có khả năng Anh ngữ hạn chế:** Nếu quý vị gặp khó khăn trong việc hiểu Anh ngữ thì quý vị có thể yêu cầu các dịch vụ hỗ trợ ngôn ngữ cho các tin tức của Bộ dành cho công chúng. Các dịch vụ hỗ trợ ngôn ngữ này đều miễn phí. Nếu quý vị muốn biết thêm chi tiết về các dịch vụ phiên dịch hay thông dịch, xin vui lòng gọi số 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), hoặc email: Ed.Language.Assistance@ed.gov.

영어 미숙자를 위한 공고: 영어를 이해하는 데 어려움이 있으신 경우, 교육부 정보 센터에 일반인 대상 언어 지원 서비스를 요청하실 수 있습니다. 이러한 언어 지원 서비스는 무료로 제공됩니다. 통역이나 번역 서비스에 대해 자세한 정보가 필요하신 경우, 전화번호 1-800-USA-LEARN (1-800-872-5327) 또는 청각 장애인용 전화번호 1-800-877-8339 또는 이메일주소 Ed.Language.Assistance@ed.gov 으로 연락하시기 바랍니다.

Paunawa sa mga Taong Limitado ang Kaalaman sa English: Kung nahihirapan kayong makaintindi ng English, maaari kayong humingi ng tulong ukol dito sa inpormasyon ng Kagawaran mula sa nagbibigay ng serbisyo na pagtulong kaugnay ng wika. Ang serbisyo na pagtulong kaugnay ng wika ay libre. Kung kailangan ninyo ng dagdag na impormasyon tungkol sa mga serbisyo kaugnay ng pagpapaliwanag o pagsasalin, mangyari lamang tumawag sa 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339), o mag-email sa: Ed.Language.Assistance@ed.gov.

Уведомление для лиц с ограниченным знанием английского языка: Если вы испытываете трудности в понимании английского языка, вы можете попросить, чтобы вам предоставили перевод информации, которую Министерство Образования доводит до всеобщего сведения. Этот перевод предоставляется бесплатно. Если вы хотите получить более подробную информацию об услугах устного и письменного перевода, звоните по телефону 1-800-USA-LEARN (1-800-872-5327) (служба для слабослышащих: 1-800-877-8339), или отправьте сообщение по адресу: Ed.Language.Assistance@ed.gov.

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**U.S. Department of Justice** *Civil Rights Division* 

U.S. Department of Education
Office for Civil Rights

n re

February 22, 2017

Dear Colleague:

The purpose of this guidance is to inform you that the Department of Justice and the Department of Education are withdrawing the statements of policy and guidance reflected in:

- Letter to Emily Prince from James A. Ferg-Cadima, Acting Deputy Assistant Secretary for Policy, Office for Civil Rights at the Department of Education dated January 7, 2015; and
- Dear Colleague Letter on Transgender Students jointly issued by the Civil Rights Division of the Department of Justice and the Department of Education dated May 13, 2016.

These guidance documents take the position that the prohibitions on discrimination "on the basis of sex" in Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 et seq., and its implementing regulations, see, e.g., 34 C.F.R. § 106.33, require access to sex-segregated facilities based on gender identity. These guidance documents do not, however, contain extensive legal analysis or explain how the position is consistent with the express language of Title IX, nor did they undergo any formal public process.

This interpretation has given rise to significant litigation regarding school restrooms and locker rooms. The U.S. Court of Appeals for the Fourth Circuit concluded that the term "sex" in the regulations is ambiguous and deferred to what the court characterized as the "novel" interpretation advanced in the guidance. By contrast, a federal district court in Texas held that the term "sex" unambiguously refers to biological sex and that, in any event, the guidance was "legislative and substantive" and thus formal rulemaking should have occurred prior to the adoption of any such policy. In August of 2016, the Texas court preliminarily enjoined enforcement of the interpretation, and that nationwide injunction has not been overturned.

In addition, the Departments believe that, in this context, there must be due regard for the primary role of the States and local school districts in establishing educational policy.

In these circumstances, the Department of Education and the Department of Justice have decided to withdraw and rescind the above-referenced guidance documents in order to further and more completely consider the legal issues involved. The Departments thus will not rely on the views expressed within them.

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Please note that this withdrawal of these guidance documents does not leave students without protections from discrimination, bullying, or harassment. All schools must ensure that all students, including LGBT students, are able to learn and thrive in a safe environment. The Department of Education Office for Civil Rights will continue its duty under law to hear all claims of discrimination and will explore every appropriate opportunity to protect all students and to encourage civility in our classrooms. The Department of Education and the Department of Justice are committed to the application of Title IX and other federal laws to ensure such protection.

This guidance does not add requirements to applicable law. If you have questions or are interested in commenting on this letter, please contact the Department of Education at ocr@ed.gov or 800-421-3481 (TDD: 800-877-8339); or the Department of Justice at education@usdoj.gov or 877-292-3804 (TTY: 800-514-0383).

Sincerely,

/s/

Sandra Battle
Acting Assistant Secretary for Civil Rights
U.S. Department of Education

/s/

T.E. Wheeler, II

Acting Assistant Attorney General for Civil Rights

U.S. Department of Justice

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## DE 152-60

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## Defendant's Exhibit 238 (Video - Not Scanned - Filed Separately)

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## DE 152-61

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#### Office of the Attorney General Washington, A. C. 20530

October 4, 2017

#### **MEMORANDUM**

TO:

UNITED STATES ATTORNEYS

HEADS OF DEPARTMENT COMPONENTS

FROM:

THE ATTORNEY GENERAL

SUBJECT:

Revised Treatment of Transgender Employment Discrimination Claims

Under Title VII of the Civil Rights Act of 1964

Title VII of the Civil Rights Act of 1964 makes it unlawful for employers to discriminate in the employment of an individual "because of such individual's . . . sex." 42 U.S.C. § 2000e-2(a) (prohibiting discrimination by private employers and by state and local governments); 42 U.S.C. § 2000e-16(a) (providing that personnel actions by federal agencies "shall be made free from any discrimination based on . . . sex"). Title VII's prohibition of sex discrimination is a strong and vital principle that underlies the integrity of our workforce.

The question of whether Title VII's prohibition on sex discrimination encompasses discrimination based on gender identity per se, including discrimination against transgender individuals, arises in a variety of contexts. In a December 15, 2014, memorandum, Attorney General Holder concluded that Title VII does encompass such discrimination, based on his view that Title VII prohibits employers from taking into account "sex-based considerations." Memo. at 2; see also id. at 1 n.1 (defining "gender identity" and "transgender individuals").

Although federal law, including Title VII, provides various protections to transgender individuals, Title VII does not prohibit discrimination based on gender identity per se. This is a conclusion of law, not policy. The sole issue addressed in this memorandum is what conduct Title VII prohibits by its terms, not what conduct should be prohibited by statute, regulation, or employer action. As a law enforcement agency, the Department of Justice must interpret Title VII as written by Congress.

Title VII expressly prohibits discrimination "because of . . . sex" and several other protected traits, but it does not refer to gender identity. "Sex" is ordinarily defined to mean biologically male or female. See, e.g., Etsitty v. Utah Transit Auth., 502 F.3d 1215, 1221-22 (10th Cir. 2007); Hively v. Ivy Tech Cmty. Coll., 853 F.3d 339, 362 (7th Cir. 2017) (en banc) (Sykes, J., dissenting) (citing dictionaries). Congress has confirmed this ordinary meaning by expressly prohibiting, in several other statutes, "gender identity" discrimination, which Congress lists in addition to, rather than within, prohibitions on

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discrimination based on "sex" or "gender." See, e.g., 18 U.S.C. § 249(a)(2); 42 U.S.C. § 13925(b)(13)(A). Furthermore, the Supreme Court has explained that "[t]he critical issue, Title VII's text indicates, is whether members of one sex are exposed to disadvantageous terms or conditions of employment [or other employment actions] to which members of the other sex are not exposed." Oncale v. Sundowner Offshore Servs., Inc., 523 U.S. 75, 80 (1998). Although Title VII bars "sex stereotypes" insofar as that particular sort of "sex-based consideration[]" causes "disparate treatment of men and women," Price Waterhouse v. Hopkins, 490 U.S. 228, 242, 251 (1989) (plurality op.), Title VII is not properly construed to proscribe employment practices (such as sex-specific bathrooms) that take account of the sex of employees but do not impose different burdens on similarly situated members of each sex, see, e.g., Jespersen v. Harrah's Operating Co., Inc., 444 F.3d 1104, 1109-10 (9th Cir. 2006) (en banc).

Accordingly, Title VII's prohibition on sex discrimination encompasses discrimination between men and women but does not encompass discrimination based on gender identity *per se*, including transgender status. Therefore, as of the date of this memorandum, which hereby withdraws the December 15, 2014, memorandum, the Department of Justice will take that position in all pending and future matters (except where controlling lower-court precedent dictates otherwise, in which event the issue should be preserved for potential further review).

The Justice Department must and will continue to affirm the dignity of all people, including transgender individuals. Nothing in this memorandum should be construed to condone mistreatment on the basis of gender identity, or to express a policy view on whether Congress should amend Title VII to provide different or additional protections. Nor does this memorandum remove or reduce the protections against discrimination on the basis of sex that Congress has provided all individuals, including transgender individuals, under Title VII. In addition, the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act and the Violence Against Women Reauthorization Act prohibit gender identity discrimination along with other types of discrimination in certain contexts. 18 U.S.C. § 249(a)(2); 42 U.S.C. § 13925(b)(13)(A). The Department of Justice has vigorously enforced such laws, and will continue to do so, on behalf of all Americans, including transgender Americans.

If you have questions about this memorandum or its application in a case, please contact your Civil Chief or your Component's Front Office.

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## DE 152-62

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## Defendant's Exhibit 254 (Under Seal per Doc. 158)

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## DE 152-63

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## Defendant's Exhibit 255 (Under Seal per Doc. 158)