

**Creating a Safe, Supportive,
and Affirming School
Environment for Transgender
and Gender Expansive
Students: 2023 Legal Update
and Best Practices**

June 12, 2023

Board of Regents



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

A graphic featuring a transgender pride flag (pink, light blue, and white stripes) on a white brick wall background. Several words are written in blue and purple capital letters across the stripes: "PEACE", "DIGNITY", "HOPE", "UNITY", "INCLUSION", "EQUALITY", and "JUSTICE". At the bottom, several hands in black and maroon are reaching up towards the flag.

PEACE DIGNITY HOPE
UNITY INCLUSION EQUALITY
JUSTICE



Updates

- **Laws**
- **School Climate Support**
- **Transitioning at School**
- **Privacy and Confidentiality**
- **Best Practices**
- **Resources**



Common Language

- **LGBTQ+ - Lesbian, Gay, Bisexual, Transgender, Queer or Questioning**
 - The “+” (plus) is used to be inclusive of all gender identities and sexual orientations that may not fall neatly into the other five initials.
- **TGE – Transgender and Gender Expansive**



Strengthening Legal Protections

- [The New York State Human Rights Law \(HRL\)](#), amended by the [Gender Expression Non-Discrimination Act \(GENDA\)](#) in 2019, expressly prohibits discrimination by educational institutions against students and applicants based on their actual or perceived sex and gender identity or expression
- [New York State Education Law §3201-a](#)
- [The Dignity for All Students Act](#)
- [Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681–1688](#)



Privacy and Confidentiality

- Student Safety
- School Records
- Name Changes



School Climate for LGBTQ Students

56%

**OF LGBTQ+ STUDENTS
SURVEYED REPORTED
HARASSMENT BASED ON
THEIR GENDER EXPRESSION**

GLSEN National Survey 2019

- **“A LOT OF TEACHERS DON’T SHUT DOWN NEGATIVE OR TRANSPHOBIC CONVERSATIONS.”**
- **“THE ADMINISTRATORS WHO PERSONALLY CHANGED MY NAME IN THE SYSTEM HAVE DEAD-NAMED ME AND MISGENDERED ME.”**
- **“TEACHERS DON’T SAY MUCH OF ANYTHING WHEN ‘LITTLE’ MICROAGGRESSIONS HAPPEN.”**
- **“TAKING A NEUTRAL GROUND IS NOT INHERENTLY A GOOD THING.”**

Transitioning at School

- Create a culture of acceptance and respect for all students
- Normalize and accept pronouns and name changes



Best Practices

- Non-gendered language & activities
- Student-centered supportive clubs
- Inclusive instruction & curriculum
- Visible displays of support
- Policies & Practices that specifically address LGBTQ students





Resources for Schools

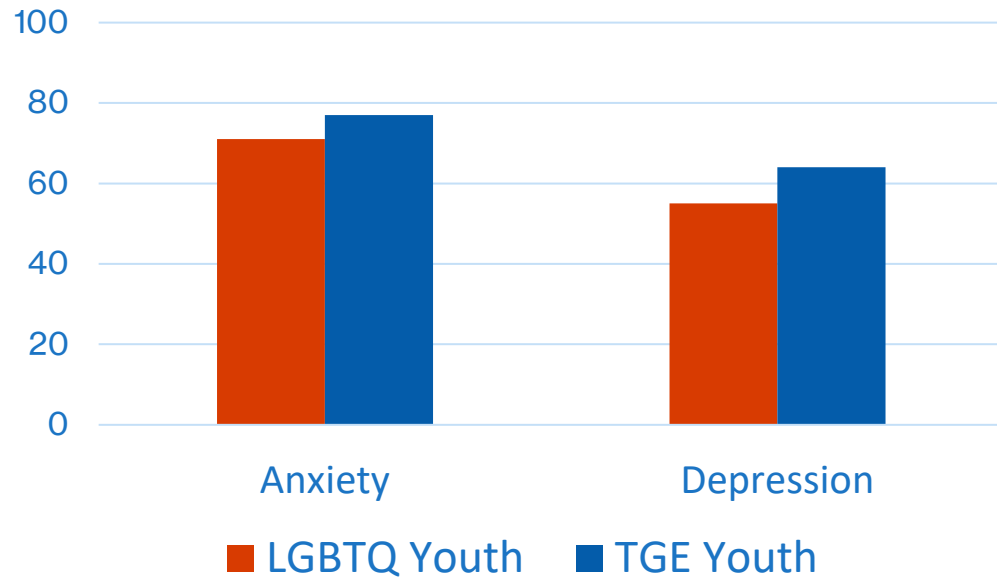
“Help transgender kids because it helps all kids.”

New York State Parent



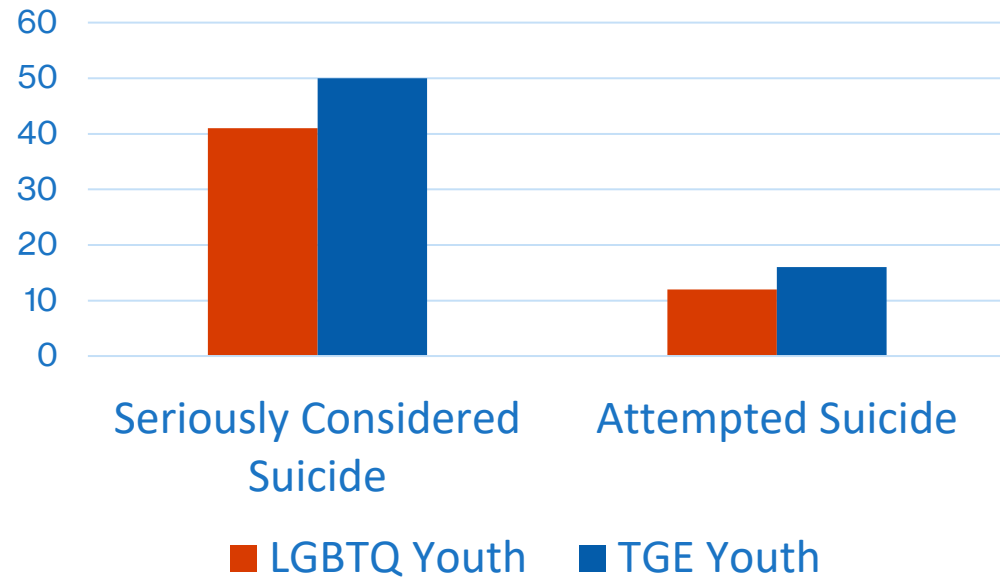
Insights into LGBTQ Mental Health

Symptoms Reported by
New York LGBTQ Youth



Insights into LGBTQ Mental Health

Suicide Statistics Reported by
New York LGBTQ Youth



[2022 Trevor Project National Survey on LGBTQ Youth Mental Health New York](#)

NY Student Input



“I’M GLAD WE ARE MAKING A CHANGE AND MAKING SCHOOLS BETTER FOR PEOPLE WHO WILL COME AFTER US. BUT IT IS A LITTLE FRUSTRATING THAT NOTHING WAS DONE BEFORE NOW.”

“I AM EXCITED TO BE THE CHANGE. BUT IT’S TAKING SO MUCH TIME OUT OF OUR LIVES.”

“I WANT OTHERS TO KNOW IT’S NOT WRONG TO THINK YOU WERE BORN THE WRONG GENDER, OR TO LIKE PEOPLE OF ALL GENDERS.”

“JUST BE POLITE TO EVERYBODY. TREAT SOMEONE LIKE A PERSON, AND NOT LIKE THEY’RE STRANGE OR OUT OF PLACE. SMALL THINGS LIKE THAT WILL GO A LONG WAY.”

Supports Save Lives

40%

**OF LGBTQ YOUTH WHO
REPORTED HAVING AT LEAST
ONE ACCEPTING ADULT IN
THEIR LIVES WERE LESS
LIKELY TO ATTEMPT SUICIDE**



[Trevor Project Accepting Adults Reduce Suicide Attempts Among LGBTQ Youth](#)

Professional Development

- **Continuous professional development on LGBT competencies**
- **Train in cultural responsiveness and legal protections**
- **Consult with local LGBTQ+ youth organizations**



Lived Experience

**A NYS student
shares her lived
experience**



Arrowood Law
Pride for Youth
Northwell Health
Empire Justice Center
New York State Association of School
Psychologists
New York Civil Liberties
New York City Department of Education
Capital Region BOCES Counsel
Offices of LGBTQ Health Services-NYSDOH
Office of Children and Family Services
Riverstone Consulting
Trevor Project
Pride Center of Rockland County
NYSED Office of Counsel
NYSED Office of Education Management
NYSED Office of Student Support Services



2023 LEGAL UPDATE AND BEST PRACTICES

EDUCATION

RESPECT

SAFETY

Thank you!

PEACE

DIGNITY

HOPE

Questions?

HUMANITY

INCLUSION

EQUALITY

JUSTICE