



# Supporting Transgender Students Through Equity & Inclusion

**Dr. Glenn Lungarini, Executive Director, CAS-CIAC**

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# The Influence of Law-Makers



## Anti-LGBTQ Legislation in 2021

As of May 2021, of the more than 60 legislative bills proposed, seventeen anti-LGBTQ bills have been enacted into law surpassing 2015 (15 anti-LGBTQ bills enacted) as the worst year for anti-LGBTQ legislation in recent history (Ronan, 2021).

# Are Transgender High School Females Dominating Girl's Sports?



## 14 CT Female State Open Sprint Events from 2017-2020

	1 <sup>st</sup> Place Ranking	2 <sup>nd</sup> Place Ranking	3 <sup>rd</sup> Place Ranking	4 <sup>th</sup> to 10 <sup>th</sup> Ranking
Cisgender Female	9 (64.3%)	12 (85.7%)	12 (85.7%)	94 (95.9%)
Transgender Female	5 (35.7%)	2 (14.3%)	2 (14.3%)	4 (4.1%)

# Inclusionary State and Federal Law

## Conn. Gen. Stat. § 46a-64(a)

It shall be a discriminatory practice in violation of this section: (1) To deny any person within the jurisdiction of this state full and equal accommodations in any place of public accommodation, resort or amusement because of race, creed, color, national origin, ancestry, **sex, gender identity** or expression, marital status, age, lawful source of income, intellectual disability, mental disability or physical disability, including, but not limited to, blindness or deafness of the applicant, subject only to the conditions and limitations established by law and applicable alike to all persons; (2) **to discriminate, segregate or separate on account of** race, creed, color, national origin, ancestry, **sex, gender identity or expression**, marital status, age, lawful source of income, intellectual disability, mental disability, learning disability or physical disability, including, but not limited to, blindness or deafness.

## Conn. Gen. Stat. § 46a-51(21) Defining Gender Identity

*"Gender identity or expression" means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.*



## Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation

"Section 1. Policy. Every person should be treated with respect and dignity and should be able to live without fear, no matter who they are or whom they love. **Children should be able to learn without worrying about whether they will be denied access to the restroom, the locker room, or school sports.**

These principles are reflected in the Constitution, which promises equal protection of the laws. These principles are also enshrined in our Nation's anti-discrimination laws, among them Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e et seq.). **In *Bostock v. Clayton County*, 590 U.S. \_\_\_\_ (2020), the Supreme Court held that Title VII's prohibition on discrimination "because of . . . sex" covers discrimination on the basis of gender identity and sexual orientation. Under *Bostock's* reasoning, laws that prohibit sex discrimination – including Title IX of the Education Amendments of 1972– prohibit discrimination on the basis of gender identity or sexual orientation**, so long as the laws do not contain sufficient indications to the contrary." (President Biden, January 2021)

Federal Register Notice of Interpretation: Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County* (June 16, 2021)

Suzanne B. Goldberg  
Acting Assistant Secretary for Civil Rights

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U.S. Department of Education  
Notice of Interpretation: Enforcement of Title IX...  
(June 2021)

***Title IX Prohibits Discrimination Based on Sexual Orientation and Gender Identity.***

Consistent with the Supreme Court's ruling and analysis in *Bostock*, ***the Department interprets Title IX's prohibition on discrimination "on the basis of sex" to encompass discrimination on the basis of sexual orientation and gender identity.*** As was the case for the Court's Title VII analysis in *Bostock*, this interpretation flows from the statute's "plain terms." See *Bostock*, 140 S. Ct. at 1743, 1748-50. Addressing discrimination based on sexual orientation and gender identity thus fits squarely within OCR's responsibility to enforce Title IX's prohibition on sex discrimination.

U.S. Department of Education  
Notice of Interpretation: Enforcement of Title IX...  
(June 2021)

*OCR will fully enforce Title IX to prohibit discrimination based on sexual orientation and gender identity in education programs and activities that receive Federal financial assistance from the Department.*

Gloucester  
County  
School Board  
v. Grimm  
June 28, 2021

“**Issue:** Whether Title IX or the equal protection clause requires schools to let transgender students use multi-user restrooms designated for the opposite biological sex, even when single-user restrooms are available for all students regardless of gender identity.”

(<https://www.scotusblog.com/case-files/cases/gloucester-county-school-board-v-grimm/>)

“**SCOTUS:** Petition for certiorari denied on June 28, 2021. Justice Thomas and Justice Alito would grant the petition for a writ of certiorari.”

(<https://www.scotusblog.com/case-files/cases/gloucester-county-school-board-v-grimm/>)

75% of LGBTQ youth reported that they had experienced discrimination based on their sexual orientation or gender identity at least once in their lifetime.  
(The Trevor Project, 2021)

## Common Feelings of Black LGBTQ Youth

Grief

Sense of Helplessness

Sense of Hopelessness

Disconnecting from White Allies

Rage

Desire to Escape

Fear

Numbness

\*The Trevor Project (2021)  
<https://www.thetrevorproject.org/2020/06/01/supporting-black-lgbtq-youth-mental-health/>

42% of LGBTQ youth seriously considered attempting suicide in the past year, including more than half of transgender and nonbinary youth. (The Trevor Project, 2021).

### **Empower minority LGBTQ+ students too...**

Feel emotions without judgement.

Work to decrease emotional intensity.

Pivot to action.

Seek support.

\*The Trevor Project (2021) <https://www.thetrevorproject.org/2020/06/01/supporting-black-lgbtq-youth-mental-health/>

13% of LGBTQ youth reported being subjected to conversion therapy, with 83% reporting it occurred when they were under age 18. (The Trevor Project, 2021)



LGBTQ youth who had access to spaces that affirmed their sexual orientation and gender identity reported lower rates of attempting suicide. (The Trevor Project, 2021)

**The Trevor Project (2021) Supporting Strategies for Black and Brown LGBTQ+ Youth**

Check-in with black and brown LGBTQ+ youth.

Use your platform to empower student voice and educate.

Take a break from news and social media

Learn the difference between sympathy and empathy.

\*The Trevor Project (2021) <https://www.thetrevorproject.org/2020/06/01/supporting-black-lgbtq-youth-mental-health/>

Transgender and nonbinary youth who reported having pronouns respected by all the people they lived with attempted suicide at half the rate of those who did not have their pronouns respected by anyone with whom they lived. (The Trevor Project, 2021)



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