

Curriculum Council DEI- CRSE Resource Summary 23-24

Presented by:

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**Director of DEI
ESBOCES**



Overarching Theme for DEI/CRSE Share 23-24

*Unpacking Policies and Procedures
with an Equity Lens*



NYSED and OAG 2023 Guidance on DEI and DASA

Pg. 6: (stating that a middle school's "zero tolerance" policy for tardiness that disproportionately impacted Asian American students, who were more likely to live farther from the school and use public transit in the hypothetical scenario, could violate Title VI if evidence suggested a less adverse policy could be used to achieve the school's valid goals for the policy).

ALWAYS

and learning reflect
sity, equity, and
opportunities for all
educational progress.

ive student disciplinary
practices that result in
proportionality.

effective policies and
to prevent and address
harassment in schools.

²⁰ *Id.* at 6.

²¹ *E.g.* Dep
<https://www.nysed.gov/ssa/documents/oag-sed-joint-guidance-school-discipline.pdf>
discipline
matter," w

students over white students for con
officials exceeding district policy for "use of e
are engaging in the use of electronic devices at a higher r
violation regardless of intent to discriminate); *id.* (stating that a middle school's "zero tolerance" policy for tardiness that disproportionately impacted Asian American students, who were more likely to live farther from the school and use public transit in the hypothetical scenario, could violate Title VI if evidence suggested a less adverse policy could be used to achieve the school's valid goals for the policy).

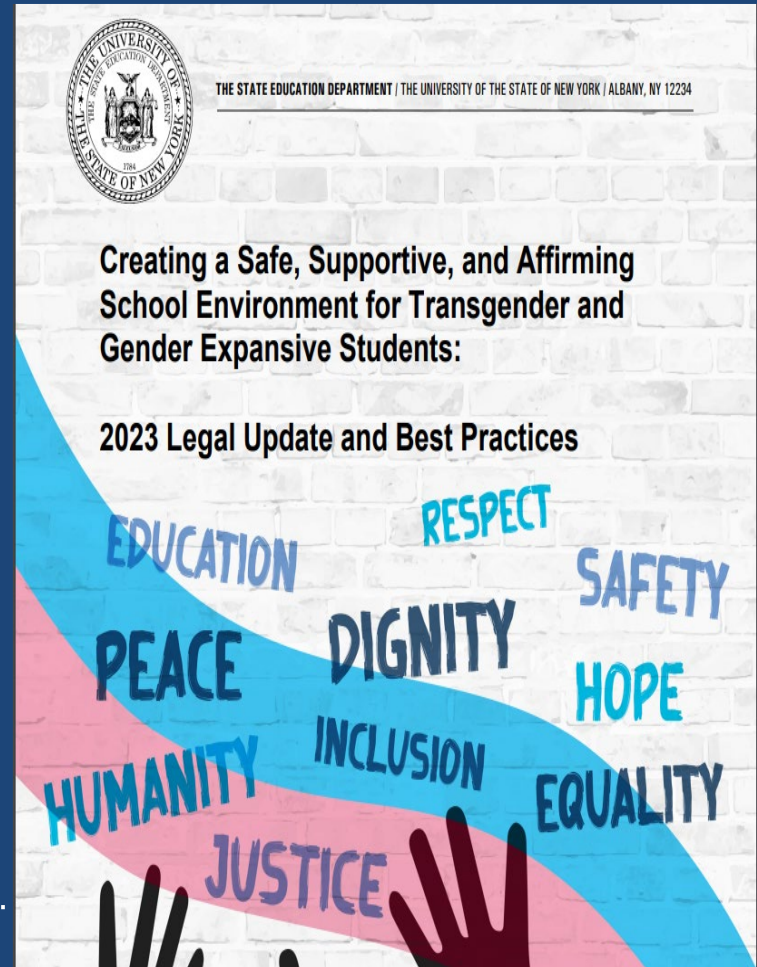
²² New York State Office of the Attorney General, New York State Education Department, and the University of the State of New York, Guidance on School Discipline Policies (Aug. 29, 2019), <https://www.p12.nysed.gov/ssa/documents/oag-sed-joint-guidance-school-discipline.pdf>

²³ N.Y. Educ. Law § 13 (Consol. 2022); *see also* Dignity Act 2016 Guidance ("DASA requires every school district 'to create policies, procedures and guidelines' that create a school environment free from harassment, bullying, and discrimination.").

²⁴ *See* N.Y. Educ. Law § 15; Regulations of the New York State Commissioner of Education ("Commissioner's Regulations") Part 100, 8 NYCRR § 100.2(jj)(viii).

NYSED Creating a Safe, Supportive, and Affirming School Environment for Transgender and Gender Expansive (TGE) Students (2023)

Pt. 1 and 2



**When you hear the term
“Title IX” What comes to
mind?**

<https://www.cnn.com/videos/us/2022/06/03/title-ix-amendment-examples-law-history-suffrage-orig.cnn>



Video Ad Feedback

**50 years of Title IX: The backlash
and success of the law**

Reviewed Terms/Definitions

Terminology

Understanding the common terminology associated with gender identity is important to providing a safe and supportive school environment for students. Although these are the most commonly used terms, students may use other terms to describe their gender identity, appearance, or behavior.

Terminology and language describing TGE and intersex individuals can differ based on region, language, race or ethnicity, age, culture, and many other factors. School staff and educators should ask students which terms they use and generally use the term the student uses to describe themselves.

Affirmed name: A name that is validated by the individual. At times you may see this referred to as chosen name.

Agender: Refers to a person who does not identify with or experience any gender. Agender is different from nonbinary because many nonbinary people do experience gender.¹⁷

Assigned name: A name that is given at birth. At times you may see this referred to as birth name.

Assigned sex at birth: The sex, male, female, or intersex, that a doctor or midwife uses to describe a child at birth based on their external anatomy¹⁸

Bisexual: A person emotionally, romantically, or sexually attracted to more than one sex, gender, or gender identity though not necessarily simultaneously, in the same way or to the same degree. Sometimes used interchangeably with pansexual.¹⁹

Cisgender: A term used to describe a person whose gender identity aligns with that typically associated with the sex assigned to them at birth.²⁰ At times you may see this referred to as cis,



56%

OF LGBTQ STUDENTS SURVEYED
REPORTED
HARASSMENT
BASED ON THEIR
GENDER
EXPRESSION.

In a 2019 national survey, most LGBTQ students in New York reported having had experienced anti-LGBTQ victimization at school. 56% of students surveyed reported harassment based on their gender expression and more than half of the LGBTQ students surveyed reported having had experienced at least one form of anti-LGBTQ discrimination at school during the prior school year.⁴³ These high rates of bullying, whether based on the actions of peers, teachers and administrators, or an overall hostile school climate, correspond to adverse health and educational consequences for TGE students.⁴⁴ A large body of research provides evidence that the ongoing stigma, stress, and systemic discrimination—which is being experienced by the majority of LGBTQ students in schools—undermines their sense of safety and has lifelong detrimental psychological, social, medical, and epigenetic effects.^{45, 46}

Studies have shown that LGBTQ youth experience much higher rates of depression, anxiety, alcohol and drug use, and lower self-esteem as compared to their non-LGBTQ peers.^{47, 48} In addition, LGBTQ students who experienced victimization due to their sexual orientation and gender expression achieved lower grade point averages than students who were less often harassed, were nearly three times as likely to have missed school in the past month, and reported a decreased sense of school belonging.⁴⁹

The mental health disparities evidenced in the data are explained by the Minority Stress Model, which suggests that LGBTQ youth are not inherently prone to negative health outcomes but are placed at higher risk because of LGBTQ-based victimization. The internalization of these experiences and anti-LGBTQ messages can produce and exacerbate negative mental health outcomes. LGBTQ youth who hold additional marginalized identities based on race, ethnicity, and/or ability face further victimization that compounds discrimination based upon their sexual orientation or gender identity.⁵⁰

Adverse Consequences for TGE Students who Experience Harassment, Assault, and/or Unjust Treatment at School

- Adverse Educational Consequences
 - Lower GPAs
 - Increased truancy
 - Increased likelihood of dropping out
 - Decreased likelihood of attending post-secondary education
- Adverse Social Consequences
 - Avoiding school functions
 - Feeling unwelcome and disconnected from others
 - Lower self-esteem
 - Increased risk of contact with the juvenile justice system
- Adverse Health Consequences
 - Higher rates of anxiety
 - Higher rates of depression
 - Higher rates of alcohol and drug use

12

A LOT OF TEACHERS DON'T
SHUT DOWN NEGATIVE OR
TRANSPHOBIC CONVERSATIONS.

SOME TEACHERS ENABLE THE
TRANSPHOBIA.

TEACHERS DON'T SAY MUCH OF
ANYTHING WHEN "LITTLE"
MICROAGGRESSIONS HAPPEN.

TAKING A NEUTRAL GROUND IS
NOT INHERENTLY A GOOD THING.

NYS Student

1. Individually: Read the bottom of pg. 11 to 13 (6-8 mins.)

2. Then at your tables discuss:

- What stands out to you?
- In your role, how can you support others in understanding this information?

NYSED Creating a Safe, Supportive, and Affirming School Environment for Transgender and Gender Expansive Students

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- **A: pg. 14- mid. 16 (stop at sub-heading)**
- **B: pg. 16 (middle)- pg. 18 (bottom)**
- **C: pg. 18 (bottom) of pg. 21 (bottom)**
- **D: pg. 21 (bottom)- pg. 24 (middle)**
- **E: pg. 24 (middle)- pg. 26 (middle)**
- **F: pg. 26 (middle)- pg. 29 (top)**
- **G: pg. 29 (top)- pg. 31**

If school personnel suspect child abuse or maltreatment of the student at home, they should report it to the State Central Registry at 1-800-635-1522.

According to a recent Human Rights Campaign report, 64% of TGE students surveyed reported their families made them feel wrong for their gender identity.⁶³ Due to parent/guardian rejection, TGE youth reported higher rates of homelessness and housing instability. According to the Trevor Project 38% transgender females, 39% transgender males, and 35% nonbinary youth reported homelessness or housing instability.

EXAMPLE: A student with the legal name Kevin comes out as a transgender girl and asks teachers to call her Kimi and use she/her pronouns. She is not out to her parents and requests that teachers and administration continue to use her legal name with her parents for the time being. The teachers call her Kimi and use she/her pronouns at school. When calling home for any reason, teachers use the name Kevin and he/him pronouns. Kimi writes "KD" on her papers to avoid her parents seeing her affirmed name.

At a planning meeting, whether the parents/guardians attend or not, the school will want to:

- discuss the school's role in supporting the student's transition;
- make resources available to the student to address questions or concerns;
- discuss, as appropriate, the timing of the transition, planning responses to questions from school staff and students, changing the student's information in school records, and any other relevant matters;
- put in place measures for supporting the student and creating a safe environment;
- update student education records with the student's affirmed name and appropriate gender marker, and not circulate records with the student's legal name to ensure consistency among teachers, school administrators, substitute teachers, and other staff (For more information see educational records.); and
- discuss with the student how the student should be referred to, e.g., appropriate pronoun use, in written communication to the student's parent/guardian. Schools will want to adopt a flexible approach, given that transgender students may not feel comfortable or safe being their authentic selves in all contexts.

A Gender Support Plan is a document that can help schools systematically address various aspects of a transgender or gender expansive student's experiences at school. It can also be used to help schools create a shared understanding among students, school staff, and parents/guardians about the ways in which the student's authentic gender will be recognized and supported at school. Students should be included in the creation of these plans, even in cases where their parents/guardians/family are supportive.

Tips for When a Student Comes Out to You

Teachers, school counselors, coaches, or other adults who are known allies will often be the first person within a school community to whom a student will come out. When a student comes out as TGE, it is recommended that the trusted individual and the student have a conversation concerning the student's needs, concerns, goals, and safety. The first questions to ask a student who has come out are, "What do you need from me?" and "How can I help you?" Each student will have different reasons for coming out to each individual.

EXAMPLES:

- José comes out as genderfluid to his math teacher because he trusts her, and just wants her to know.



Professional Discussion

1. Take notice of your table group. Reference the section you are assigned. Individually, take 6-8 mins. To review your section.
2. Next, with your colleagues at your table discuss the following:
 - a. What resonated with you?
 - b. What is your school/district already doing in this area?
 - c. What is a potential barrier you may foresee?
 - d. What is one action step you can take in your district to implement this guidance?
3. Select a spokesperson for your group to report out 2 main highlights from your discussion to share with the whole group.



ESBOCES Policy 6219 Student Gender Policy

Original development 2017

Board approved updates on 2019, 2021

Drafted update based on guidance 23-24



All students need a safe and supportive educational environment to progress academically and developmentally. Eastern Suffolk BOCES is committed to fostering a safe learning environment for all students, free from discrimination and harassment on the basis of sex, gender, gender identity, gender nonconformity, and gender expression. In accordance with applicable law, regulations, and guidelines, ESBOCES will ensure that students have equal access to all ESBOCES programs, facilities, and activities. ESBOCES will assess and address the specific needs of each student on a case-by-case basis.

Under New York State Law, Gender Expression Non-Discrimination Act (GENDA), gender identity or expression became a protected category. GENDA defines "gender identity or expression" as a person's actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristics regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender. Under the amendments, "gender identity or expression" takes on the same protected status as other categories such as age, race, creed, color, national origin, sexual orientation, military status, sex, marital status, or disability. Previously it was presumed that gender identity and gender expression were protected under existing protections, GENDA now makes this explicit.

Key Terms

Generally, ESBOCES personnel should use the language that individual students are using to describe their own gender identity or expression, appearance, or behavior. The most commonly used terms are:

cisgender — a person whose gender identity corresponds to his/her assigned sex at birth;

gender — actual or perceived sex, typically with reference to social and cultural differences rather than physiological ones;

gender expression — the ways a person conveys his/her gender identity to others, such as through behavior, appearance, clothing, hairstyle, activities, voice, and mannerisms;

gender identity — a person's inner sense or psychological knowledge of being male, female, neither, or both;

gender-nonconforming (GNC) (also referred to as **gender-variant** or **gender-atypical**) — describes someone whose gender identity or gender expression does not conform to social or stereotypical expectations of a person with that gender assigned at birth;

transgender — someone whose gender identity is different than his/her gender assigned at birth.

transition — the process by which a person socially or physically aligns his/her gender expression more closely to his/her gender identity than his/her assigned sex at birth.

Journey to Update Based on NYSED Guidance

Summer 2023

- Guidance released
- Central administration team reviewed the guidance and brainstormed next steps
 - Discussed what policies, regulations this would impact
- Share of guidance with agency leadership team at summer leadership day
- Human Resource dept. did a 1st draft update and shared with central administration team for feedback.
 - Team discussed that it needed to be shared with various stakeholder groups

Fall 2023

- Unpacking of guidance with targeted committees:
 - DASA Committee
 - Central Shared Decision Making Committee
 - Student Advisory Committees
 - Parent-Family Advisory committee

Winter 2024

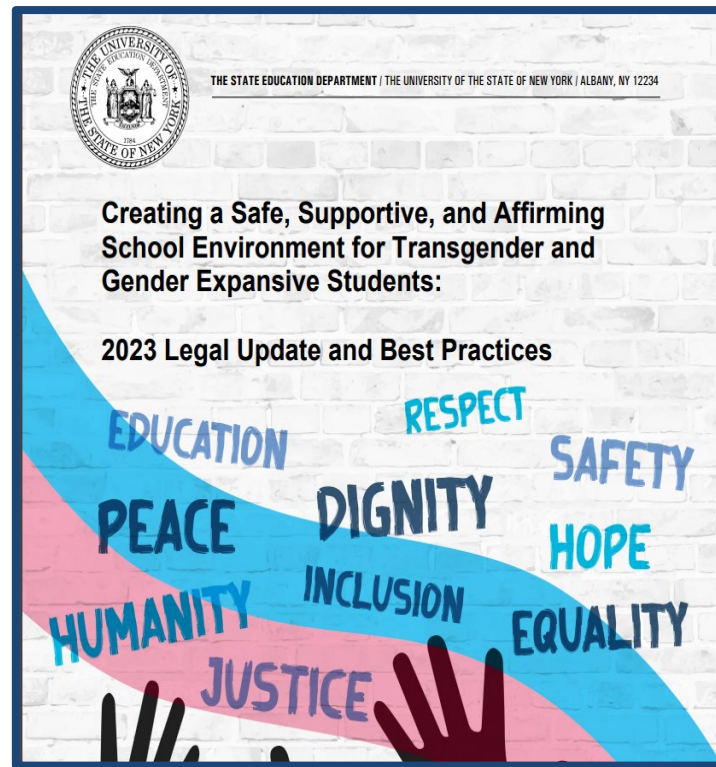
- Share of 2nd draft of Student Gender Policy update with targeted committees for feedback
- Share of 3rd draft of Student Gender Policy update with Board



NYSED Creating a Safe, Supportive, and Affirming School Environment for Transgender and Gender Expansive (TGE) Students (2023)

Impacts to districts can include:

- As you update policies and practices review use of language (i.e. pronouns, etc.)
- Development of student gender identity policies if there are none
- Development of “Gender Support Plans” w/counseling service personnel
- DASA Coordinator Training updated
- DASA Training for all staff to be updated



Curriculum Council May 2024 “Using Resources from CBO’s to Create Inclusive School Environments”



Dr. Sara Siddiqui
Executive Committee
Member
EID Holiday Coalition



Laura Harding, Esq.,
President of ERASE
Racism



Dr. Christopher Probst,
Director of Education, The
Holocaust Memorial &
Tolerance Center



Ernesto Hernandez,
Director of Programs, LI
Region, LGBT Network

Registration Open!

Long Island Summer Equity Institute 2024

Innovation, Building Bridges, & Empowering Inclusivity

July 31 and August 1, 2024

STONY BROOK UNIVERSITY
STUDENT ACTIVITY CENTER
100 NICOLLS ROAD
STONY BROOK, NY 11790



This two-day intensive summer institute will enhance participants' skill set in actionizing equitable practices within their school communities. Through workshops (*e.g. AI and equitable learning environments, revising the code of conduct policy w/an equity lens, and more*), panel discussions, and equity coach support, each participant will develop or update an equity action plan.

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\$550 per person
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MORE



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Long Island Summer Equity Institute 2024

Innovation, Building Bridges, & Empowering Inclusivity

In-Person* Sessions Overview

9 a.m.- 4 p.m. (breakfast, lunch, and networking breaks included)

Keynote Address: *Navigating the Shift to Future Ready, Equitable Learning Environments*

Presented by Jason Green, Co-CEO, LINC Learning

Day One: Innovation Sessions Include

- Leveraging Generative AI Toward Equity and Inclusion
- Powering Up Student Engagement with Generative AI
- AI-Driven Differentiation-Tailored Learning for All

Day Two: Building Bridges and Empowering Inclusivity Sessions Include

- Cultural Experience (TBA)
- Expert Panel: Analyzing the Impact of Restorative Practices in District's and Revising Code of Conduct Policies with an Equity Focus
- Superintendent's Panel: Strategies for School Leaders to Foster Inclusivity within their Communities
- Equity Coaching/Planning Sessions

*TO RECEIVE THE DEI DIGITAL BADGE PARTICIPANTS MUST COMPLETE ALL ASYNCHRONOUS PRE-INSTITUTE AND IN-PERSON INSTITUTE REQUIREMENTS FOR A TOTAL OF 14 CTLE CREDITS (OR HOURS)

ESBOCES Office of DEI

www.esboces.org/dei

Questions?

Interested in the DEI CoSer?

Phone: 631-687-3028 or

Email: esbocesdei@esboces.org

