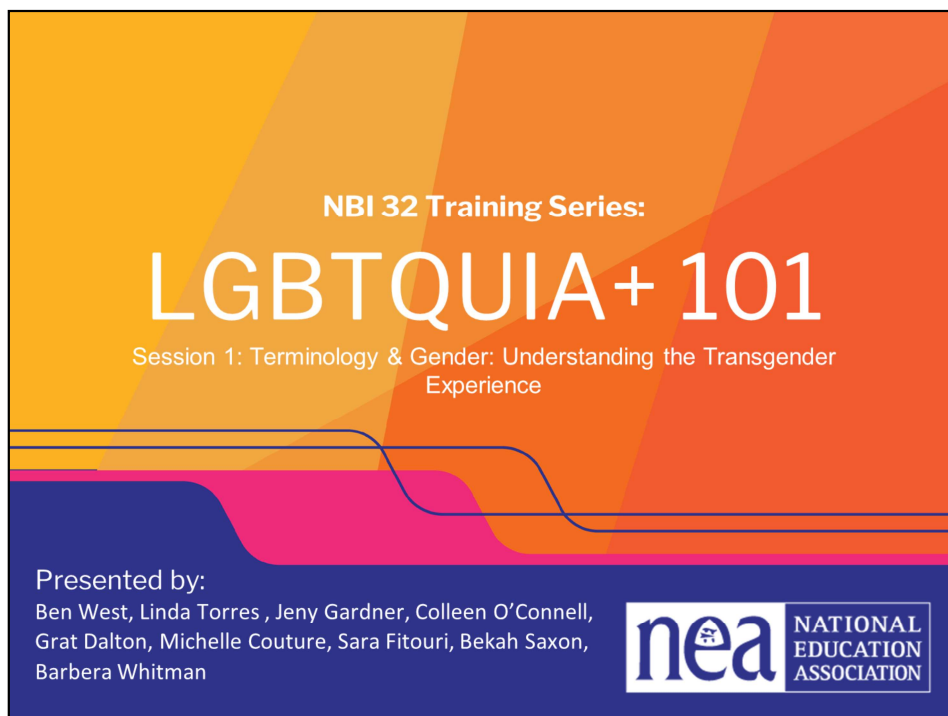




NBI 32 Training Series:

LGBTQUIA+ 101

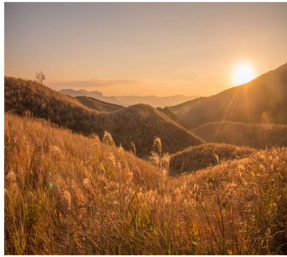
Session 1: Terminology & Gender: Understanding the Transgender Experience

Presented by:
Ben West, Linda Torres , Jeny Gardner, Colleen O'Connell,
Grat Dalton, Michelle Couture, Sara Fitouri, Bekah Saxon,
Barbera Whitman

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Land Acknowledgement



We begin by acknowledging that we meet on the traditional lands served by the Kusso and Sewee people. We honor America's First People and all elders, past, present and emerging and we are called on to learn and share what we learn about the tribal history, culture, and contributions that have been suppressed in telling the story of America. We invite you to think about the spaces you are inhabiting and the Indigenous people who came before them and were stewards of the land.

WHY PREFERRED PRONOUNS?

You can't just assume by looking.

Asking and correctly using someone's preferred pronoun is the easiest way to show your respect for their gender identity.

Wrong pronoun use can make a person feel disrespected, invalidated, dismissed, alienated, or dysphoric (or, often, all of the above.)

It is a privilege to not have to worry about which pronoun someone is going to use for you.



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 - Place tech on silent and stay checked-in
 - Share using "I" statements
 - Connect to your core values and speak from your heart
5. Expect and Accept Imperfection
6. Expect/accept non-closure – Agree to disagree

AGENDA

- Introductions
- Opening Activity
- Key LGBTQ+ Terms
- Gender Unicorn
- What does it mean to transition?

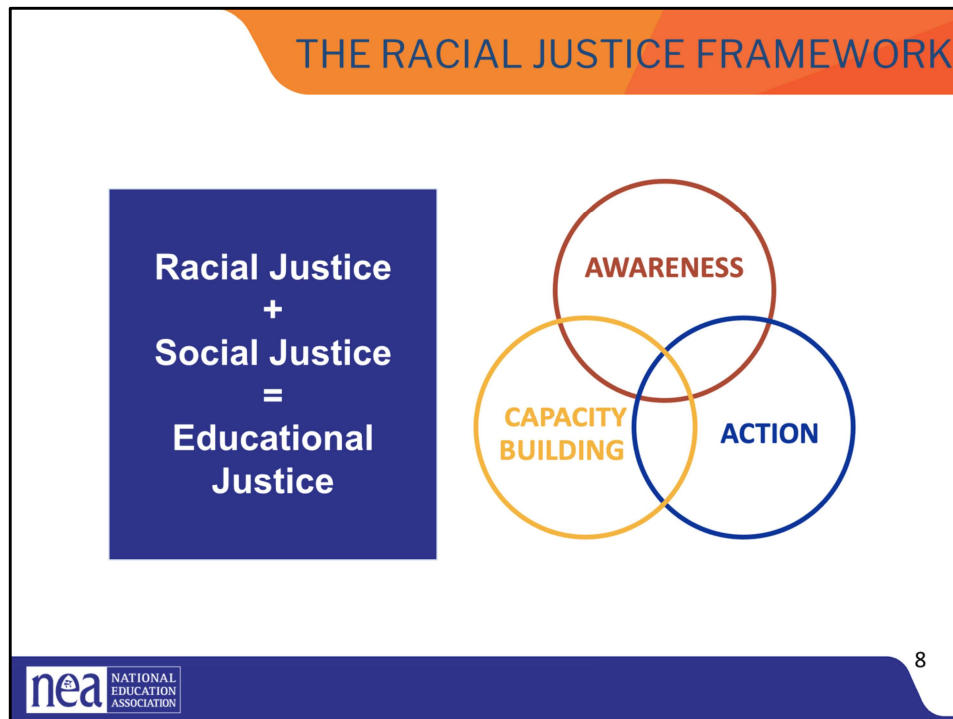
OPENING ACTIVITY



Presenter Note:

Ask each participant to switch their left and right shoes (left shoe on the right foot, right shoe on the left foot). Say it's part of the training, and then move on. DO NOT mention their shoes further. (The objective is that participants will experience a familiar but uncomfortable sensation that

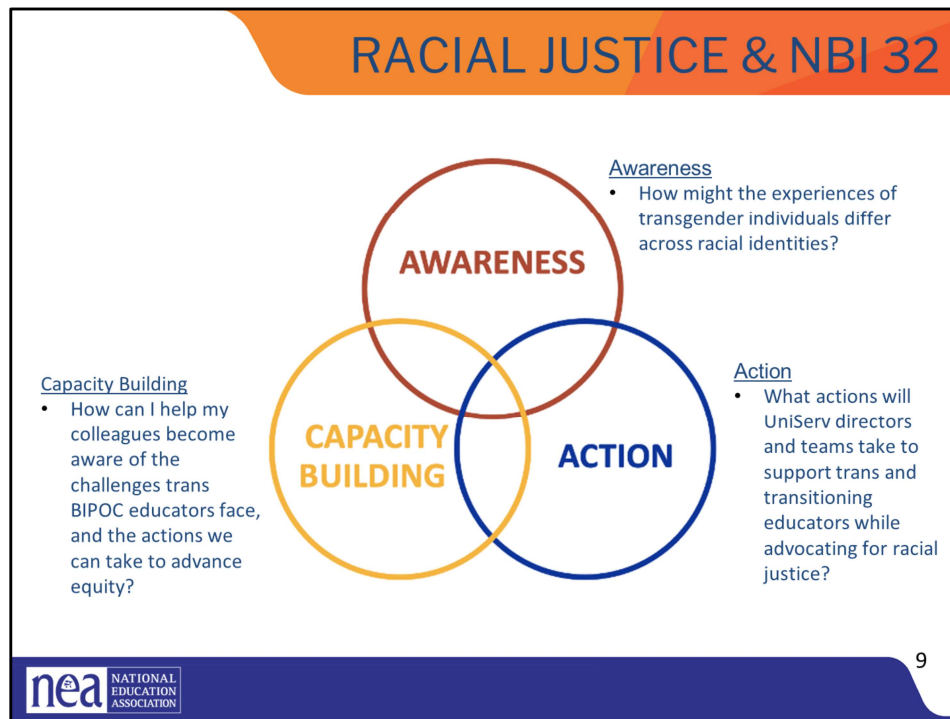
their shoes are on the opposite foot. This will help them experience, in a non-threatening way, the uncomfortable, awkward feelings or fear that transgender or gender non-conforming people may experience while they are in public.)



- When we speak of racial and social justice, we envision schools with no statistical differences in educational outcomes based on race, gender, sexual orientation, or class. **We also envision schools that are just and equitable for all educators.** This is educational justice.

- To realize this, we believe there are three requirements:
 - 1 - Develop **awareness** about the causes and impacts of institutional and structural racism in education.
 - 2 - **Capacity building**. All of us are needed to achieve the goal of educational justice. And, we need to build our individual and collective capacity to do this.
 - 3 - **Action**. We must be ready and able to take action and address inequity when we see it and partner with others.
- We can be engaged in all three requirements at the same time.

The process of creating and realizing educational justice in our schools is not linear.



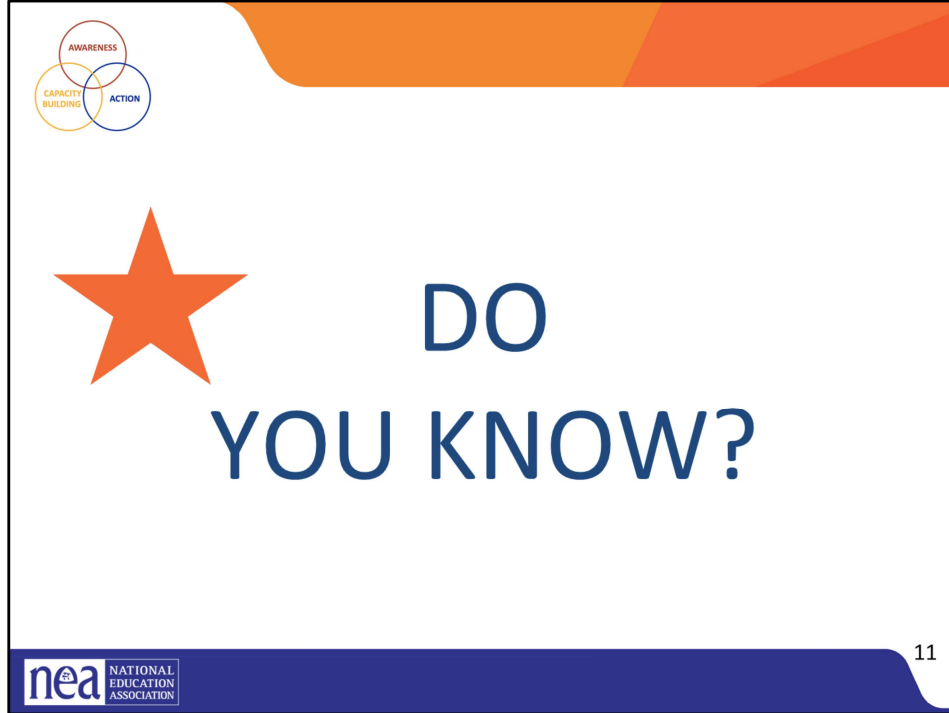
- When we think about racial justice and supportive working environments for LGBTQ+ educators, we can draw the following connections to the Racial Justice in Education Framework (*read questions on slide*).

(Presenter Note: These questions can

*be modified/tailored to better meet
the needs of your community.)*



- We'll begin with Key LGBTQ+ Terms



Suggested Survey Questions:

1. An adjective describing a person who does not identify exclusively as a woman or a man.
 - a. Gender Expression
 - b. Non-Binary
 - c. Transitioning
 - d. Bisexual

2. The idea that there are only two genders and is based on physical anatomy at birth.

- a. Gender Expression
- b. Gender Binary
- c. Gender Identity
- d. Gender Role

3. An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth.

- a. Agender
- b. Cisgender
- c. Transgender
- d. Pansexual

4. The complex interaction of culture, policy, and institutions that holds in place

inequitable outcomes and opportunities for individuals based on an individual's perceived race.

- a. Stereotype
- b. BIPOC
- c. Systemic Racism
- d. Intersectionality

5. A term that describes the clinically significant distress a person experiences when their assigned birth gender does not match their gender identity.

- a. Trauma
- b. Gender Dysphoria
- c. Non-Binary
- d. Two-Spirit

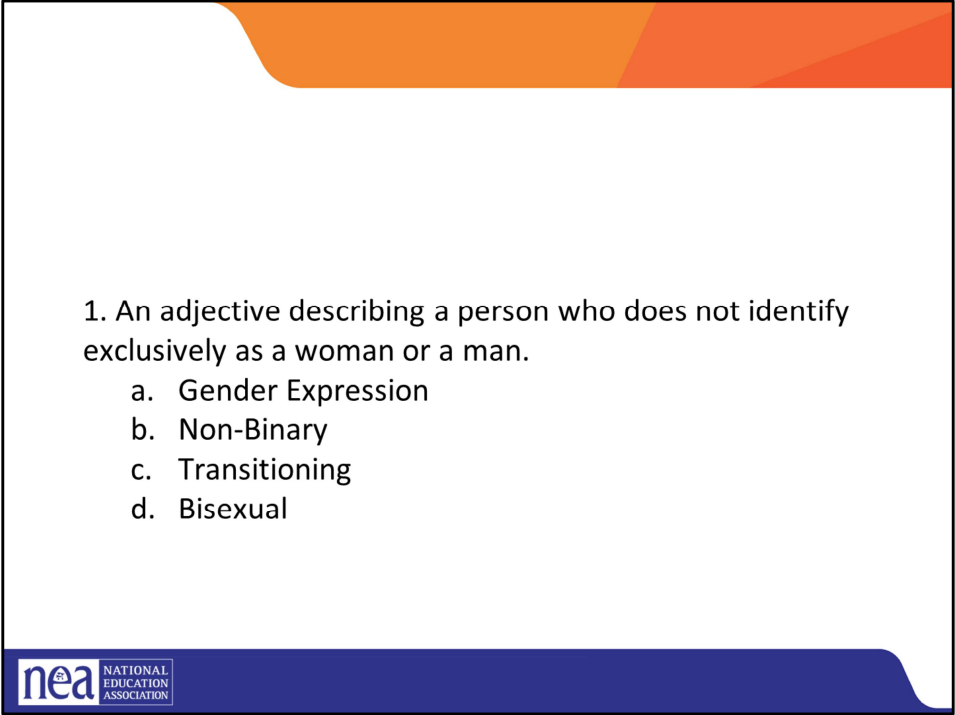
Notes:

Two-Spirit does not mean someone

who is Indigenous and gay. According to the the National Indian Health Service, “Native American two-spirit people were male, female, and sometimes intersexed individuals who combined activities of both men and women with traits unique to their status as two-spirit people. In most tribes, they were considered neither men nor women; they occupied a distinct, alternative gender status.” There are over 500 surviving Native American cultures, and attitudes about gender can be diverse. Not all cultures perceive two-spirit people the same way, and not every Native American/Alaska Native culture uses the term “two-spirit.”

(Source:

<https://www.ihs.gov/lgbt/health/twospirit/>)

- 
1. An adjective describing a person who does not identify exclusively as a woman or a man.
- a. Gender Expression
 - b. Non-Binary
 - c. Transitioning
 - d. Bisexual

B. Non Binary

The idea that there are only two genders and is based on physical anatomy at birth.

- a. Gender Expression
- b. Gender Binary
- c. Gender Identity
- d. Gender Role

Gender Binary

- 
3. An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth.
- a. Agender
 - b. Cisgender
 - c. Transgender
 - d. Pansexual

Transgender

4. The complex interaction of culture, policy, and institutions that holds in place inequitable outcomes and opportunities for individuals based on an individual's perceived race.

- a. Stereotype
- b. BIPOC
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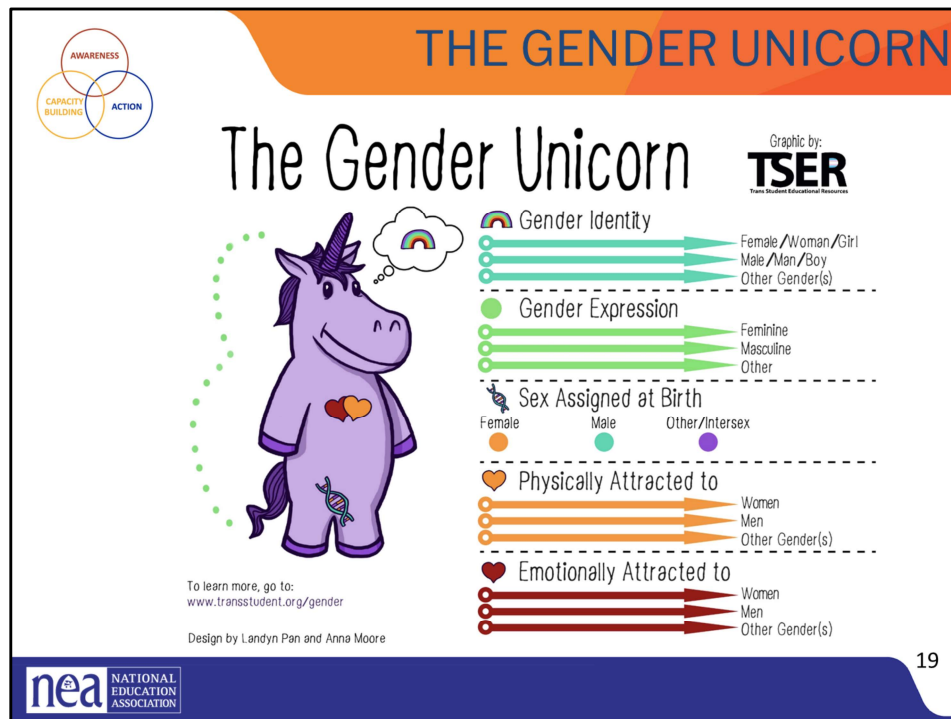
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 - b. Gender Dysphoria
 - c. Non-Binary
 - d. Two-Spirit

Gender Dysphoria

L5C8/edit?usp=sharing

BREAKOUT- 10 minutes- review the Definition handout provided. Click on the link in the chat box to open the document.

DEBRIEF: Upon return, is there a definition that your group is still struggling to understand?



- The Gender Unicorn is a popular way to help explain gender that was developed by Trans Student Educational Resources. You may be familiar with the “Genderbread Person,” but we choose not to use it. It was created by a Black trans woman, but someone else popularized it, and continues to get credit, pay and

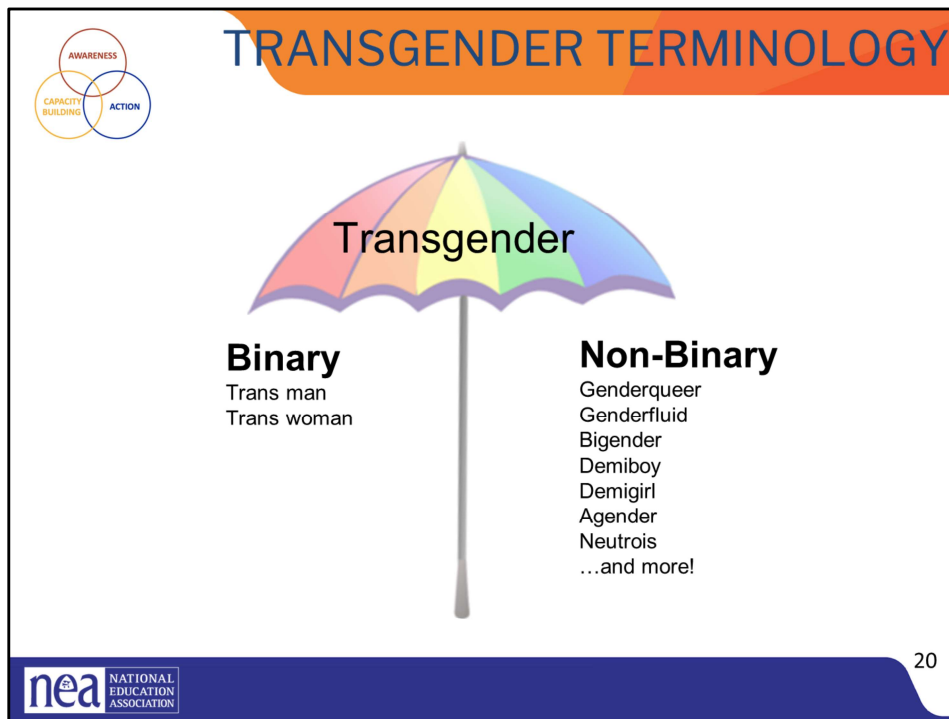
notoriety for it.

- As you see, the Gender Unicorn highlights gender identity, expression, sex assigned at birth, and physical and emotional attraction.
- Children learn that there are two groups—boys and girls—and that they fit into one or the other based on how their bodies are made. They are then socialized to accept specific gender norms and stereotypes, which are ways of behaving, based on this gender assigned at birth.
- There's increasing understanding that gender is more than a binary division. The spectrum of gender identity is becoming more widely accepted and

gender expression is more expansive.

- However, there are challenges to looking at gender beyond male and female. Across states, many laws and policies are being passed that affirm or harm individuals outside of the gender binary.

*Link to the Gender Unicorn document:
<https://transstudent.org/gender/>*



- Language in the LGBTQ+ communities changes very quickly. Language in ethnic communities changes about every ten years while language in the LGBTQ+ communities changes about every two years.

Trans men and trans women are men or women- don't need the trans as a

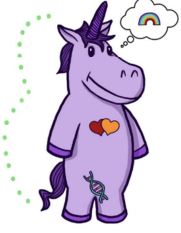
choice!- or reason to be asking for it- as if tracking it for demographic purposes

- **Transgender/Trans:** This is an umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Both binary and non-binary genders and gender expressions fall under the umbrella.
- Often, we hear transphobic comments when the appearance of Black and Brown bodies are compared to white/Eurocentric views of femininity. For example, internet conspiracy theories have

long criticized the natural muscular frame of tennis superstar Serena Williams, and even former First Lady Michelle Obama. Obviously, these comparisons are harmful, and are just one example of how hate, prejudice and fear show up.



BREAK OUT



1. Share your takeaways about gender identity, gender expression and physical and emotional attraction.
1. How does this help you understand members that may identify with different combinations of the Gender Unicorn?



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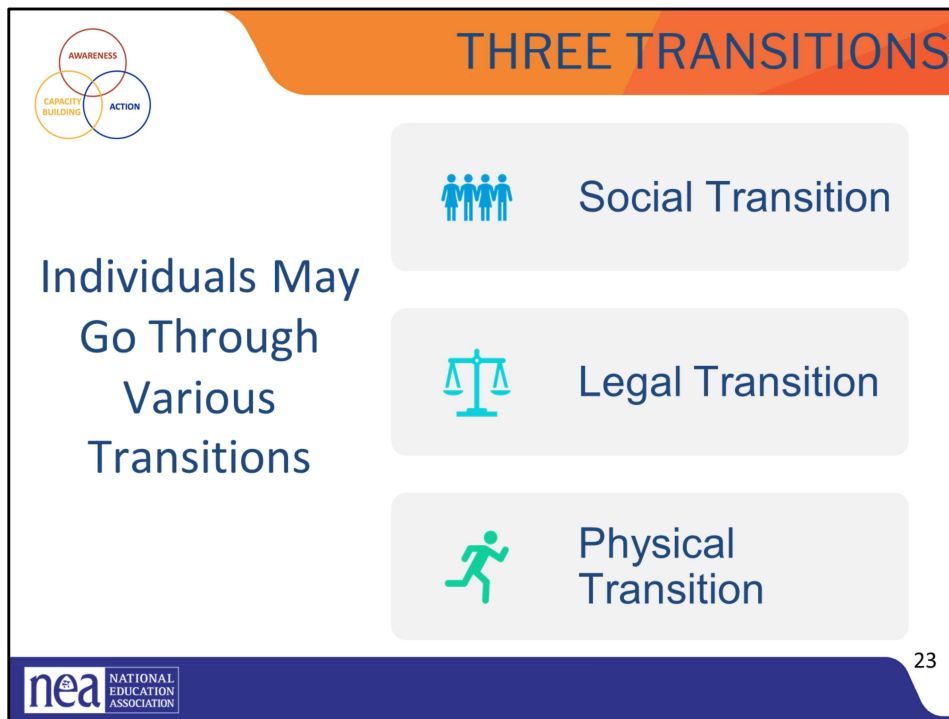
Turn & Talk - Suggested Discussion Questions:

1. Share your takeaways about gender identity, gender expression, and physical and emotional attraction. What is clearer to you?
2. How does this help you understand

members that may identify with different combinations of the Gender Unicorn? How might UniServ support this member if they're ever questioned about their different combinations?



Given all that a transgender person may be experiencing, one option is to transition. This means they align their inner identity with their external one. We're going to talk about this process and how it affects trans adults.



- Transitioning is not a simple, one-time event, and there is no “one-size-fits-all” process, checklist, or approach. Transitioning is a complex issue, and it involves a wide variety of options for an individual.
- Many factors influence a person’s decision to transition, and because of

these factors, their transition may not be linear. Transitioning is a personal decision specific to the individual, so how a person goes about transitioning can change over time and vary from person to person.

- There are 3 main types of transitions someone could go through: social, legal, and physical.



SOCIAL TRANSITION

Social transition is when a transgender person makes others aware of their gender identity.



Theo Germaine, actor in Netflix's *The Politician*
They/Them and He/His

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- Social transition is just what it sounds like—changing how you present yourself and how others see you socially. A social transition can happen at any age. A person may start their transition, pause it, move back, and move forward again. It often includes changing clothing or hairstyles. Usually, it entails changing

a name and switching pronouns—
sometimes more than once.

- A person may try on names for a while and switch from one gendered pronoun to another, only to decide that a non-binary pronoun fits better. Again, no rules.



LEGAL TRANSITION

Legal transition is when a transgender person legally changes their existing documentation to match their gender identity.

These can be done by
court order or state law.



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- A legal transition means updating documents through the legal process.
- Some parts of the legal transition can include changing gender markers on birth certificates, changing names on social security cards, driver's licenses, or passports. Legal

transitions can also have other identification components, such as school documents. Passports are the easiest documents to change.

- People cannot always experience a legal transition because of several barriers. Those barriers do not make their gender identity or their distress at being misgendered any less real.



PHYSICAL TRANSITION

Physical transition is when a transgender person undergoes medical treatments so that their sex characteristics better match their gender identity. **Before puberty, there are no medical interventions. Ever.**



Janet Mock (She/Her), Writer,
Director & Transgender Activist

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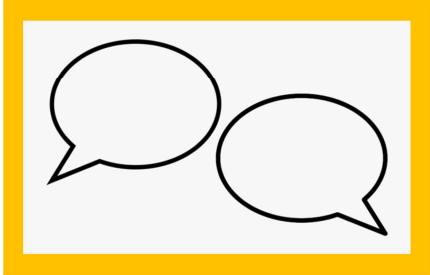
- Transgender health is a specialized area of medicine. There is no one way to have a physical transition.
- Given the specialized nature of transgender health care, we can see how problematic it is for a trans person to be told they can only access gender-segregated spaces

once they have “had a surgery.” It puts a burden on them that is impossible to overcome, denies their full identity, and creates equal-access issues. Additionally, not all trans people want to have surgery. It’s wrong to demand that another person undergo serious, invasive medical procedures to make other people comfortable.

- Keep in mind that just like you would not want to be asked about your medical procedures, we don’t ask others about theirs.



BREAK OUT



1. Based on what you know, what are some of the barriers members can face when transitioning?



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Turn & Talk: Suggested Discussion Questions:

1. Describe a time when you had to transition (e.g. moving to a new city, starting a new job, getting married, having or adopting a child, becoming a pet parent, etc.). Why did you want to make this change

and did you have support?

1. Based on what you know, what are some of the barriers members can face when transitioning?



BARRIERS TO TRANSITIONING

Not all trans people can transition as they would like to because of any number of factors, including:

- Financial cost
- Legislative rules/roadblocks
- Lack of access to competent healthcare
- Health problems
- Unhappy with options available
- Unsupportive family/family instability
- Homelessness/domestic violence
- Other personal reasons

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Here are a few examples of barriers a transgender educator might face:

- **Legislative rules/roadblocks** — In most states, a person's gender marker can only be changed on their birth certificate after permanent medical procedures have occurred. This is often

stipulated as surgery.

- **Lack of access to competent healthcare** — Trans health is still not taught in most medical schools. Often there is one class (class period...not entire course) devoted to it, if at all. Many providers are afraid to treat trans patients, and some patients travel to other states just to get competent care.
- **Health problems** — Underlying health conditions can complicate a physical transition just as they would complicate any number of other medical treatments or procedures.
- **Unhappy with options available** —

This could be surgical options, but could also affect a non-binary person who does not want to proceed with hormones that would make them look too feminine or too masculine.

And, other personal reasons.



YOUR SHOES



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Presenter Note:

Ask participants to focus on their feet. How has it felt to have their shoes on the wrong feet during today's session? What connections can they make between the uncomfortable, awkward feelings of having their shoes on the wrong feet to what transgender or gender non-

conforming people may experience while in public?

It's important to note that this activity was created by a transgender person, not because it fully captures how Gender Dysphoria feels or to even reflect one person's experience living with it. It is a very simplified exercise intended to create empathy based on feelings and emotions we can all understand: discomfort, irritation, pain, inability to focus, forced conformity, self-consciousness, embarrassment, or recognizing privilege in *not* doing the exercise.

As a reminder, as we wrap up today, it's important to note that trans

visibility does not equal the advancement of transgender rights, or progress for transgender people. The goal is liberation. Our hope is that with what we've learned today, that you too will be an advocate for trans educators across all our schools and districts.



CELEBRATING LEADERS



Geo Neptune (they/them)
Maine's First Transgender,
Nonbinary, Two-Spirit
Elected Official



Stephanie Byers (she/her)
The first openly transgender
Native American to be
elected to office in the U.S.



Chella Man (he/him)
Transgender, Jewish, Chinese
and deaf actor who works
expand how deaf & LGBTQ+
people are represented.



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- **Geo Neptune** is Maine's first transgender, nonbinary, two-spirit elected official. Also known for their artistry in basketry, beadwork and hand-poke tattooing, Geo is a 2021 winner of the United States Artists Fellow award.

- **Stephanie Byers** is a member of the Chickasaw Nation, and the first openly transgender Native American to be elected to office in the U.S. She currently serves in the Kansas House of Representatives. Prior to that, she was an educator for 29 years, and in 2019 was awarded the National Teacher of the Year award by GLSEN.
- **Chella Man** is a transgender, Jewish, Chinese, and deaf actor. He is an activist who has been involved in many campaigns to support the LGBTQ+ and disabled communities. He has been cast in many roles including the role of Jericho, a mute crime fighter who uses sign language in the DC Universe digital series, *Titans*. He works to expand the way

deaf and LGBTQ+ individuals are represented.

Sources: <https://www.glad.org/post/lgbtq-advocates-in-the-asian-american-and-pacific-islander-community/>



CELEBRATING LEADERS



Sarah McBride (she/her)
First transgender senator
(2020)



Sage Grace Dolan-Sandrino (she/her)
Afro-Latinx student and
activist who came out at
age 13



Mauree Turner (they/them)
The first publicly non-binary
U.S. state lawmaker and the
first Muslim member of the
Oklahoma Legislature (2020)



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- **Sarah McBride** is from the state of Delaware. She is our nation's first transgender senator and was elected in 2020.
- **Sage Grace Dolan-Sandrino** is currently a college student. She is an Afro-Latinx transgender activist who

came out at age 13. When her middle school wasn't supportive, she and her mom gained the help of the Human Rights Campaign to transform her school community.

- **Mauree Turner** is the first publicly non-binary US state lawmaker and the first Muslim member of the Oklahoma Legislature. They were elected in 2020.

**Thank You
For Attending!**

NBI 32 Training Series:

LGBTQUIA+ 101

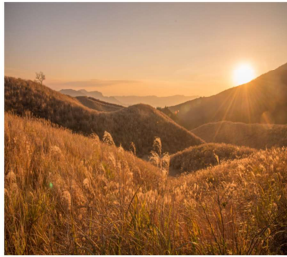
Session 2: The Employment & Legal Landscape for Transitioning & Transgender Employees

Presented by:
Ben West, Linda Torres , Jeny Gardner, Colleen O'Connell,
Grat Dalton, Michelle Couture, Sara Fitouri, Bekah Saxon,
Barbera Whitman

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AGENDA

- Introductions
- Review from yesterday's terminology convo
- Legal Framework
- Breakout Group #1
- State Laws
- Scenario Work/Breakout Groups #2
- Debrief/Closing



Suggested Survey Questions:

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inequitable outcomes and opportunities for individuals based on an individual's perceived race.

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- d. Intersectionality

5. A term that describes the clinically significant distress a person experiences when their assigned birth gender does not match their gender identity.

- a. Trauma
- b. Gender Dysphoria
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- d. Two-Spirit

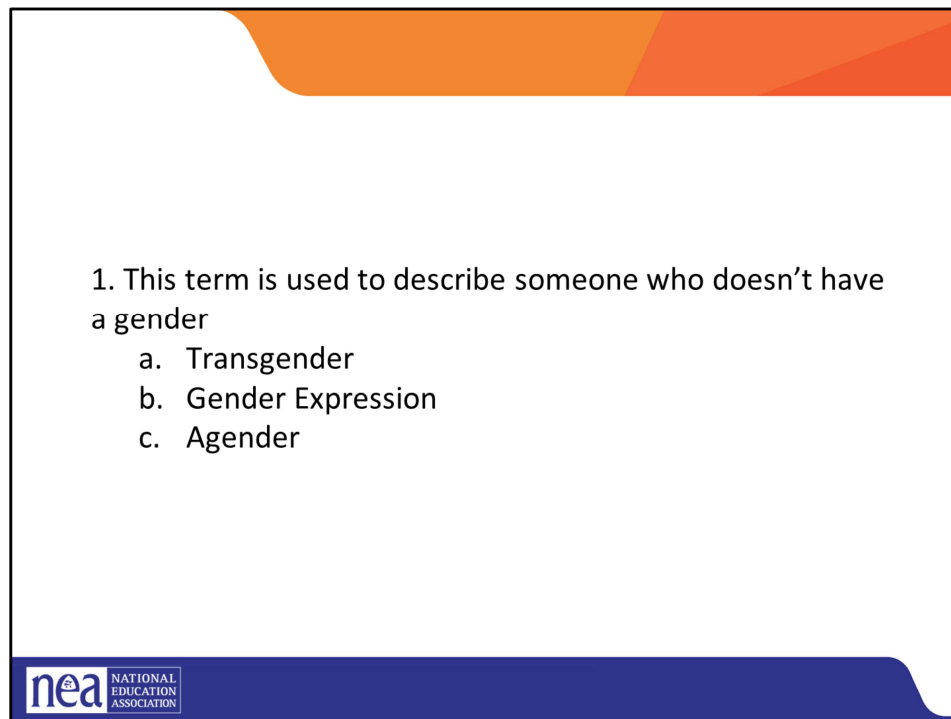
Notes:

Two-Spirit does not mean someone

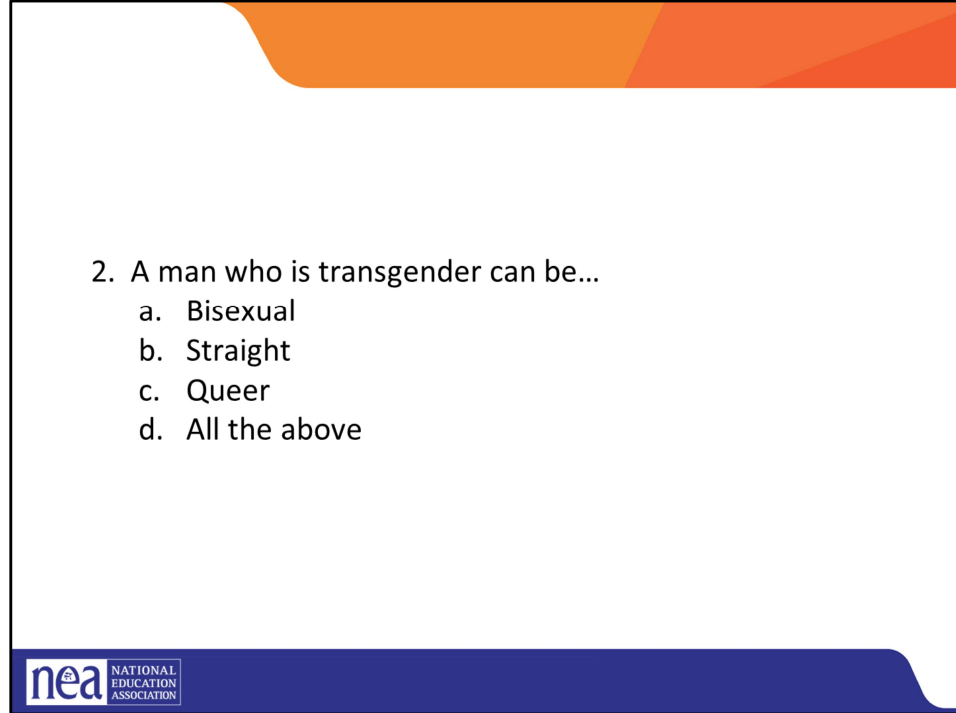
who is Indigenous and gay. According to the the National Indian Health Service, “Native American two-spirit people were male, female, and sometimes intersexed individuals who combined activities of both men and women with traits unique to their status as two-spirit people. In most tribes, they were considered neither men nor women; they occupied a distinct, alternative gender status.” There are over 500 surviving Native American cultures, and attitudes about gender can be diverse. Not all cultures perceive two-spirit people the same way, and not every Native American/Alaska Native culture uses the term “two-spirit.”

(Source:

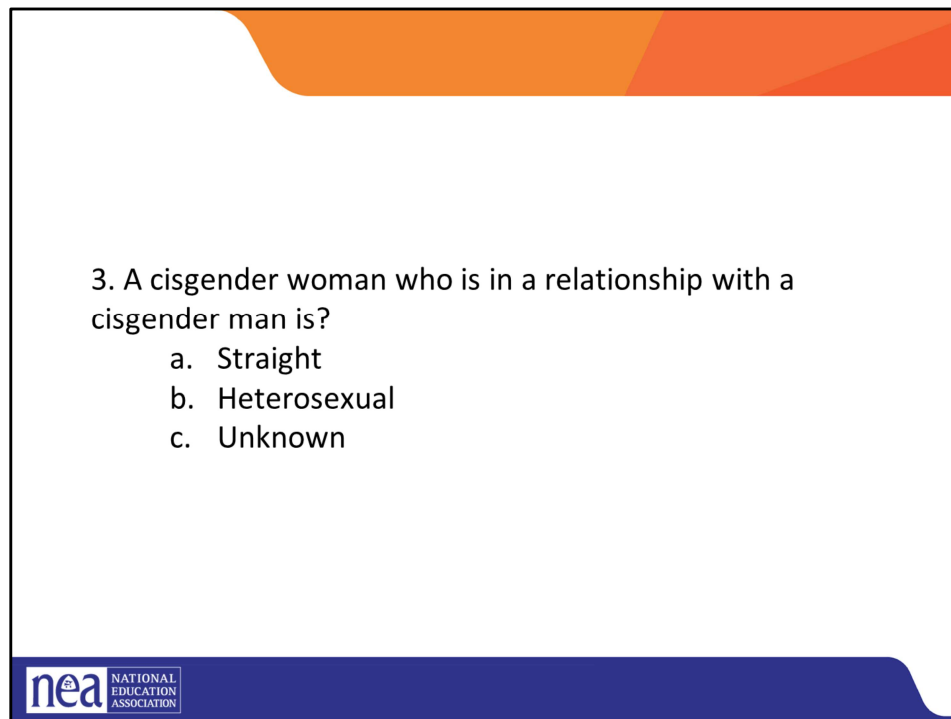
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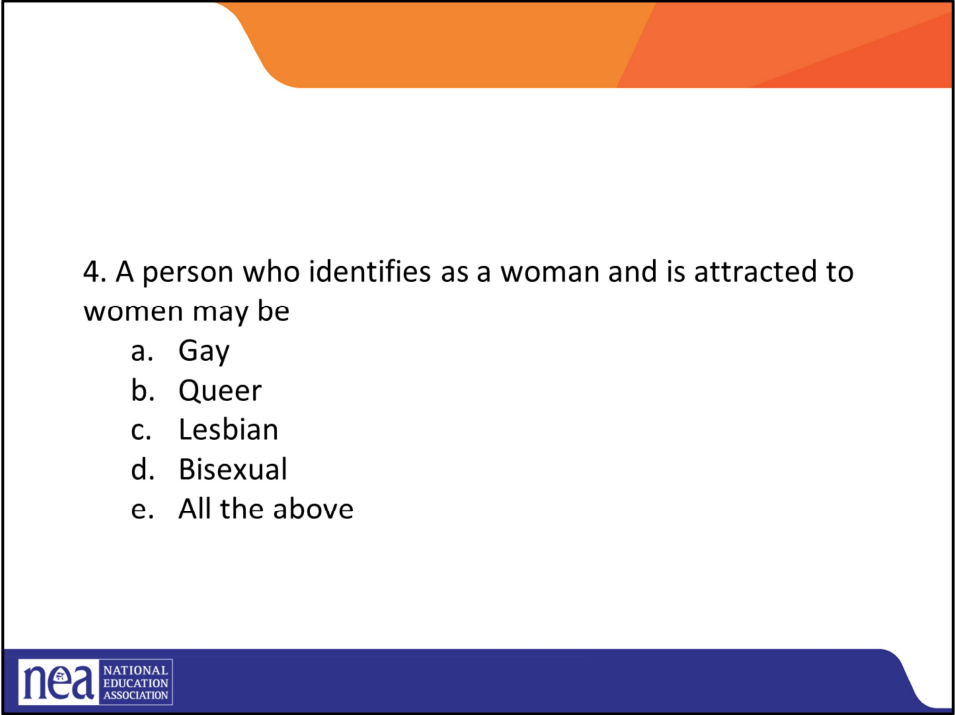
C. (Goal - dig into the difference between the absence of gender, and non-binary/binary gender identity)



d. (Goal- that gender identity is separate from sexual orientation)



C. (Goal- that identity is not the same as someone's current relationship)

- 
4. A person who identifies as a woman and is attracted to women may be
- a. Gay
 - b. Queer
 - c. Lesbian
 - d. Bisexual
 - e. All the above

e. (Goal- emphasize that there is some overlap in these terms, but that the identity someone chooses for themselves is what matters.)

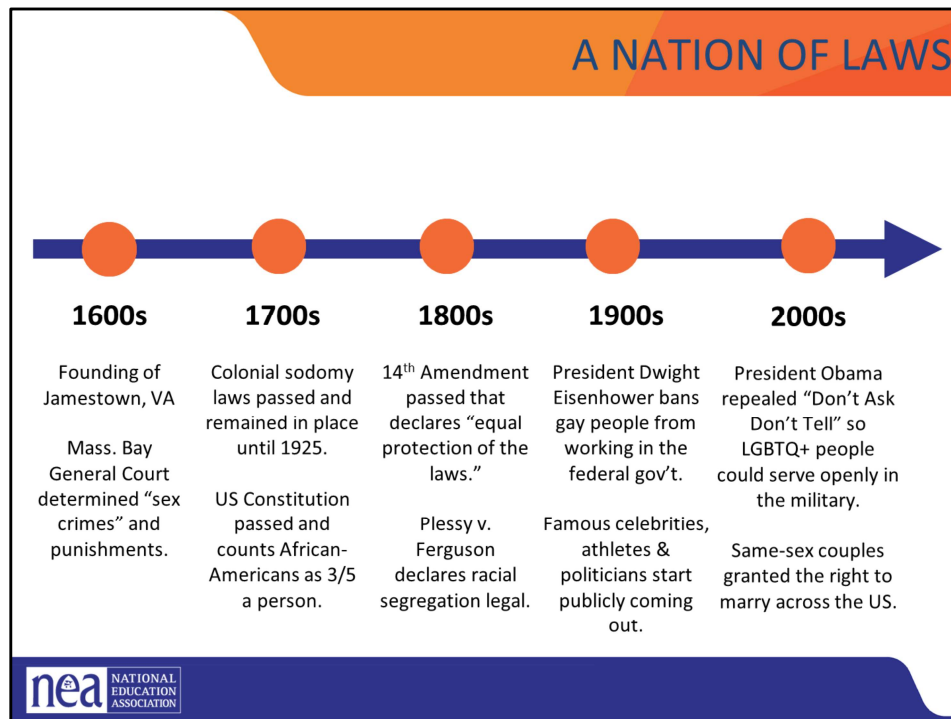
What issues might we notice in this membership form question? How could we make it more inclusive/accurate?

What is your gender?

- ☐ Female
- ☐ Male
- ☐ Transgender
- ☐ Other



GOAL- Don't ask if not needed. Ask what you mean.



The US has called itself a “Nation of Laws,” but what are the laws for? And, who do they help or harm? This timeline shows only a glimpse of how discrimination, exclusion, and beliefs in white supremacy have been a part of US laws since the earliest of colonial times. For a more comprehensive list of laws that

impact LGBTQ+ people throughout US history, please see your handout.

Highlights for further discussion:

1607 – Founding of Jamestown, VA, the first permanent English settlement in the “New World.”

1607 – Massachusetts Bay Colony was established believing they made a “covenant with God to build an ideal Christian community.”

1619 – The first enslaved Africans arrive to Jamestown, VA

1631 – The Massachusetts Bay General Court, in accordance with Puritan religious and moral beliefs, declared that the following were considered sex crimes and punishable by whipping, banishment

or execution: fornication, adultery, rape and sodomy.

1705 – The Colony of Virginia adopted the first **Blood Quantum Law**. A person's blood quantum is defined as the fraction of their ancestors, out of their total ancestors, who are documented as full-blood Native Americans. **These laws** were applied across the thirteen colonies and later the entire United States. They limited the civil rights of Native Americans and regulated who could be classified as Native American.

1714 – **Sodomy laws** were passed in the early colonies and in the colonial militia. They stayed in place until challenged in 1925.

1775 – **Population of enslaved people** in the colonies is

nearly **500,000**.

1776 – Declaration of Independence signed.

1778 – Lieutenant Gotthold Frederick Enslin of the Continental Army becomes the first documented service member to be dismissed from the U.S. military for homosexuality. Read more at U.S. History Naval Institute Blog / Timeline of Military Gay History.

1779 – Thomas Jefferson proposes Virginia law to make sodomy punishable by mutilation rather than death. It was rejected by the Virginia legislature.

1788 – U.S. Constitution adopted. Includes a three-fifths clause that counted each enslaved person as three-fifths of a person for the

purposes of congressional representation and tax apportionment.

1852 – Scottish writer **J.D.**

Bothwick reports his attendance at a “**miner’s ball**” – a men’s only dance held in Angels’ Camp in California.

1857-1861 – **James Buchanan** elected president. A lifelong bachelor, Buchanan had a long-term relationship with **William Rufus King**, who served as vice president under Franklin Pierce. The two men lived together from 1840-1853 until King’s death. Some historians suggest Buchanan, by today’s terms, was gay.

1868 – **Fourteenth Amendment**

Ratified. This is the most cited amendment in Supreme Court civil rights cases and has been the basis

for landmark civil rights cases such as Brown v. Board of Education, Roe v. Wade and Obergefell v. Hodges. Gay rights advocates cite this amendment in support of equality for future court cases.

“All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

1868 – Two-Spirit, **We'wha**, a Zuni Native American, meets with President Grover Cleveland.

Source: <https://www.lgbtqhistory.org/lgbt-rights-timeline-in-american-history/>

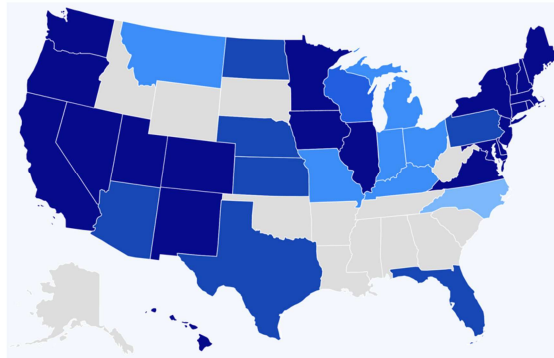
Source:

https://en.wikipedia.org/wiki/Blood_quantum_laws



A HISTORY OF BARRIERS

In 2019, Just 22 States + DC Prohibited Workplace Discrimination Based On Sexual Orientation And Gender Identity.

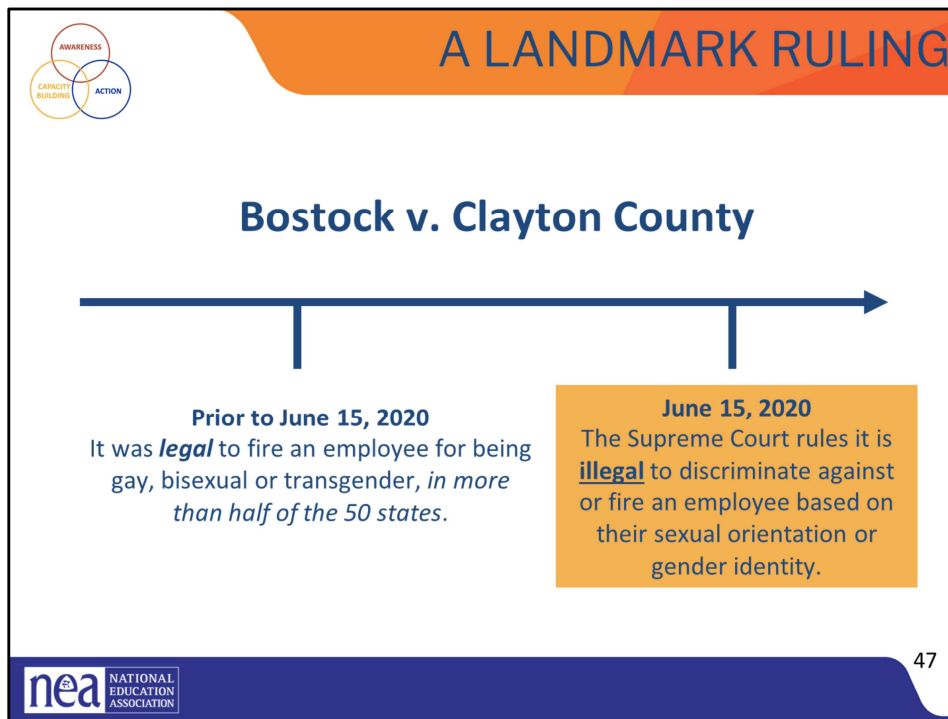


Source: Human Rights Campaign

- US history is full of barriers for BIPOC and LGBTQ+ people. Discrimination because of one's race and LGBTQ+ identity means lost wages, jobs, promotions, unfair treatment and even harassment at work. This discrimination compels many to hide their LGBTQ+ status

for fear of retribution, losing one's livelihood, support system, and more.

- Before 2019, only a handful of states (in dark blue above) provided LGBTQ+ people some protection against employment discrimination, as well as in housing and public accommodations. This meant that in all the other states (those in tan and lighter shades of blue), LGBTQ+ people could be denied jobs, health care, housing, hotels, and more. This discrimination – across the majority of the US, and nearly all of the South— was perfectly legal.



- The Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, sex, or national origin. The courts and the federal government have long refused to recognize LGBTQ+ discrimination as a form of sex discrimination. Over the past 20 years, however, federal courts and the government have at times

recognized LGBTQ+ discrimination as sex discrimination.

- It was not until June 15, 2020 that the Supreme Court finally recognized that LGBTQ+ employment discrimination is prohibited sex discrimination under Title VII of the Civil Rights Act of 1964.
- This ruling recognized that it is illegal to discriminate against or fire an employee based on their sexual orientation or gender identity. Now lower federal courts and the Biden Administration are applying that ruling to education, health care, housing, credit discrimination, and more.



THE BOSTOCK RULING

Employment Discrimination is Illegal

Title VII of the 1964 Civil Rights Act prohibits employment discrimination based on race, color, religion, sex and national origin. **Bostock interprets “sex” to include gender identity and sexual orientation.**

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- The Bostock ruling specifically states that employment discrimination on the basis of **gender identity** and **sexual orientation** is illegal.
- Title VII of the Civil Rights Act covers the full spectrum of employment decisions, including recruitment, selections, terminations, and other

actions concerning terms and conditions of employment. This is significant for the LGBTQ+ community because, as we saw, in many states it was legal to be denied an interview or a promotion, and even to be fired because of one's gender identity or sexual orientation.



THE BOSTOCK RULING

Discrimination in Educational Programs is Illegal

Title IX of the Education Amendments Act of 1972 states:
"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

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- On March 26, 2021, the Department of Justice concluded that, as a result of the Bostock ruling, Title IX of the Education Amendments Act of 1972 also prohibits sexual-orientation and gender-identity discrimination in educational institutions that receive federal funding. This means all public schools. This means that students

cannot be discriminated against in schools based on their LGBTQ+ identity.

- There have been some significant wins recently for LGBTQ+ rights in the US But while progress is being made, attacks on LGBTQ+ rights in certain states have accelerated.

Reference: Department of Justice, "Application of Bostock v. Clayton County to Title IX of the Education Amendments of 1972," March 26, 2021, <https://www.justice.gov/crt/page/file/1383026/download>



WHAT WE KNOW TODAY

- The Bostock ruling only applies to employment discrimination.
- Discrimination in other areas (e.g., housing) is still legal in many states.
- The Equality Act – a federal law currently stalled in Congress - would end discrimination across all areas for LGBTQ+ people.



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Key Notes

- Bostock only applies to employers with more than 15 employees. Employers with fewer than 15 total employees are not covered by Title VII.
- Bostock applies nationwide and protects employees from sexual orientation or gender identity

discrimination regardless of state or local laws.

- An employer covered by Title VII is not allowed to fire, refuse to hire, or take assignments away from someone (or discriminate in any other way) because customers or clients would prefer to work with people who have a different sexual orientation or gender identity. (For example, keeping LGBTQ+ employees out of public-facing positions.)
- Although accidental misuse of a transgender employee's preferred name and pronouns does not violate Title VII, intentionally and repeatedly using the wrong name and pronouns to refer to a transgender employee could

contribute to an unlawful hostile
work environment.



A WELCOMING WORKPLACE

A welcoming workplace includes:

- Non-Discrimination and a “Right to be Out”
- Right to Self-Identification
- Inclusive & Accessible Facilities
- Inclusive Employment Benefits
- Intentionally Building an Inclusive School Culture
- Inclusive Contracts & Collective Bargaining
- Visibility & Representation of Diverse Identities (e.g. race, sexual orientation, gender, ability, etc.) across all Levels
- Intentional Hiring Practices & Representation in the Workplace
- High Quality Professional Development around LGBTQ+ Identities

Often formal policies are required to enforce these features of a welcoming workplace.

51

 NATIONAL EDUCATION ASSOCIATION

5 mins break out

- Which of these stood out to you?
- Which of these have you seen done well in the schools you support? Which of these have you not seen done well?



A WELCOMING WORKPLACE

Debrief

- Which of these stood out to you?
- Which of these have you seen done well in the schools you support?
- Which of these have you not seen done well?

52

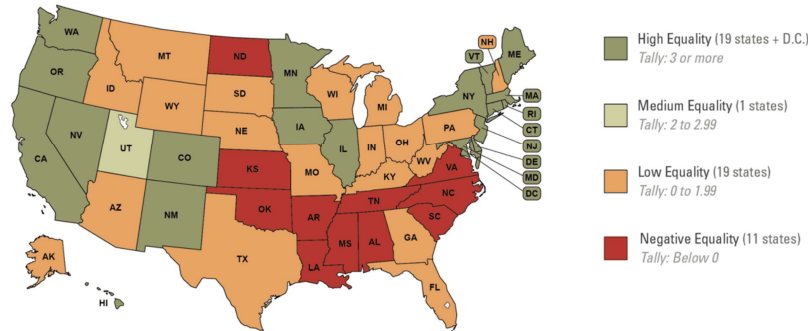
 NATIONAL EDUCATION ASSOCIATION

5 mins debrief

- Which of these stood out to you?
- Which of these have you seen done well in the schools you support? Which of these have you not seen done well?

NON-DISCRIMINATION LAWS

The Bostock ruling prohibits discrimination in employment and education, but transgender individuals still face other forms of discrimination.



- The map is already changed
- We should all feel like “red”- these are changing constantly
- Bostock only employment- not housing, credit, etc.
- The Movement Advancement Project (MAP) is an excellent resource to learn more about state laws regarding LGBTQ+ topics.

- State non-discrimination laws prohibit discrimination based on gender identity and sexual orientation in a number of areas – specifically employment, housing, public accommodations and credit.
- Transgender individuals still face discrimination as it relates to housing (it is not illegal to evict someone because they're transgender), credit and lending laws, and public accommodations. Transgender individuals can still face refusal of service, verbal harassment, or being physically attacked in many states due to their identity, and not be protected by law.

- Some states have passed laws that limit non-discrimination protections through religious exemption laws and through laws that preemptively ban cities and counties from passing their own non-discrimination legislation.

Map 2019

Source -

<https://www.lgbtmap.org/file/mapping-trans-equality-infographic-non-discrimination.png>

SCENARIO

- You are a Uniserv Director in a medium-sized conservative school district. A member reaches out to you and asks for your help. She explains to you that she is a returning employee who is transgender and began transitioning over the summer break. She is nervous about coming back in the fall and is asking for your help in navigating her return.

SCENARIO - DEBRIEF

- What additional information would you like?
- What would be your first steps?
- What resources would you use?



Q & A

THANK YOU FOR YOUR PARTICIPATION!

Please place any questions in the chat, particularly those that may help us develop and focus our larger 3-day session.

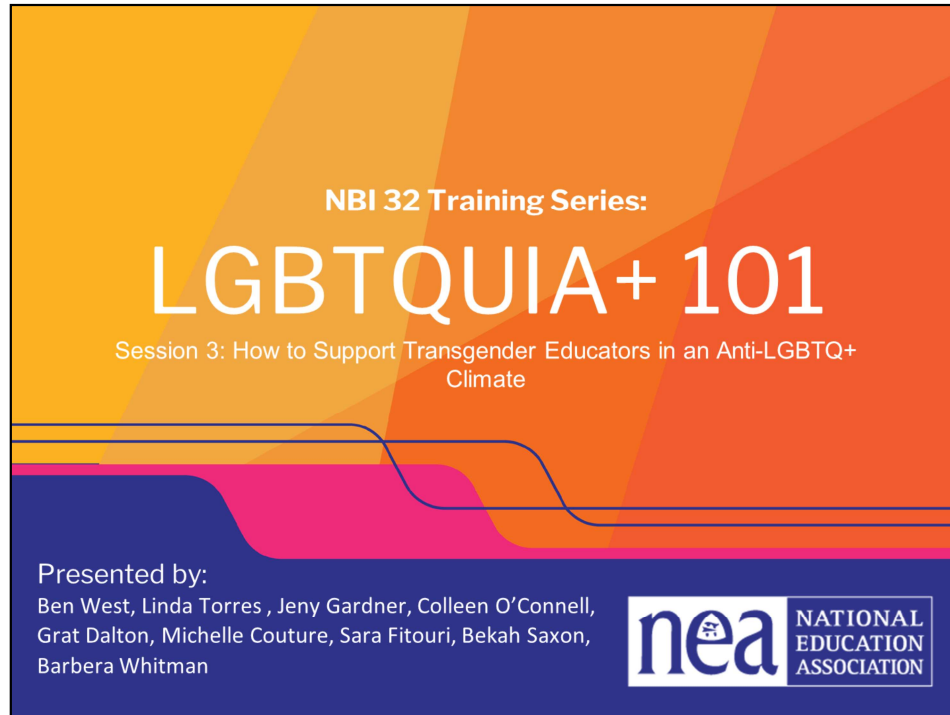
Interested in learning more?

September 27-29, 2022

Location: TBD



56

A graphic for a training series. The top half has a background of overlapping orange and yellow geometric shapes. The bottom half is a solid dark blue bar. White text is centered in the orange area, and white text and the NEA logo are in the blue bar.

NBI 32 Training Series:

LGBTQUIA+ 101

Session 3: How to Support Transgender Educators in an Anti-LGBTQ+ Climate

Presented by:
Ben West, Linda Torres , Jeny Gardner, Colleen O'Connell,
Grat Dalton, Michelle Couture, Sara Fitouri, Bekah Saxon,
Barbera Whitman

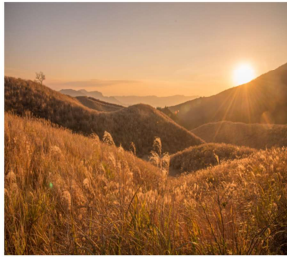
nea NATIONAL
EDUCATION
ASSOCIATION

Ben



Ben

Land Acknowledgement



We begin by acknowledging that we meet on the traditional lands served by the Chumash, Susquehannock, and Monacan people. We honor America's First People and all elders, past, present and emerging and we are called on to learn and share what we learn about the tribal history, culture, and contributions that have been suppressed in telling the story of America. We invite you to think about the spaces you are inhabiting and the Indigenous people who came before them and were stewards of the land.

Ben

Ben – Chumash

Linda – Susquehannock

Bekah - Monacan

WHY SHARE PRONOUNS?

You can't just assume by looking.

Asking and correctly using someone's pronouns is the easiest way to show your respect for their gender identity.

Wrong pronouns use can make a person feel disrespected, invalidated, dismissed, alienated, or dysphoric (or, often, all of the above.)

It is a privilege to not have to worry about which pronouns someone is going to use for you.



Ben

- encourage, forcing is not inclusive

COMMUNITY AGREEMENTS

1. Share Responsibility for the Success of Each Learning Session
2. Move up, Move back
3. Respect Confidentiality
4. Be Responsible for Building Deep Understanding
 - Be timely with your presence, your speaking, and your listening
 - Be fully present with speakers, open to new perspectives, and accept challenges
 - Place tech on silent and stay checked-in
 - Share using "I" statements
 - Connect to your core values and speak from your heart
5. Expect and Accept Imperfection
6. Expect/accept non-closure – Agree to disagree

61

Ben

WHAT'S THE SIGNIFICANCE?

660

Bekah

- *Can you guess what this number represents?*
- As of June 6, 2022, this is the number of LGBTQ+ legislation items the HRC tracked for the 2022 state legislative sessions.
 - ~152 bills are affirming and support LGBTQ+ individuals

- ~341 are harmful to LGBTQ+ individuals and/or their families
- ~143 are anti-trans (40 healthcare bans, 76 sports bans, 15 bathroom bills), ~80 are discriminatory education bills, ~34 are religious refusal bills



Bekah

- The coordinated attacks on LGBTQ+ individuals include providing people scripts that denounce teaching topics such as transgender rights, banning books from well known authors, and labeling inclusive and culturally responsive instruction as “critical race theory.” Unfortunately,

- these efforts have been effective.
- As we see in this Twitter thread, a post from an out trans person, who six months ago shared their experience of teaching in middle school, is now accused of “grooming” students by sharing their pronouns.



THE IMPACT ON UNISERV STAFF

Break Out Group-5 minutes

How does anti-LGBTQ+ and CRT legislation impact UniServ members and their work in the field?



Bekah 2:40

How does anti-LGBTQ+ and anti-CRT legislation work to impact UniServ members?

- Hostile climates
- Forced silence
- There is an “elephant” in the room
- Walking on eggshells about what to say, what if a student interprets something one way and tells their parents who complain?
- Fear of parents

- Create an environment where you're forced to ignore the current reality of many students.
- **Discuss:**
 - **Recent and pending laws will silence LGBTQ+ topics in schools, silence discussion of gender and gender identity, silence the history and lived experiences of BIPOC students (currently the majority of all public school students), while creating barriers for transgender individuals who seek to transition, and more. What will be the impact of these laws?**
 - **What is the impact of these combined efforts on UniServ staff who are BIPOC and/or LGBTQ+?**

What information was surprising to you?

How many degrees of separation exist between the work and the legislation?

Bekah 2:45



Linda

Let's talk about language. The words we use, and the meaning behind them can clarify or conveniently disguise the real intention. Let's look at how language is used in the new and proposed legislation that can create a minefield for educators - especially those who are LGBTQ+.



Linda

OVERT–Easy to identify

Don't Say Gay bills to limit discussion of LGBTQ topics in schools

These bills would limit the discussion of sexual orientation and gender identity in schools. Some are aimed at “curriculum” only and claim they do not stifle discussion in general, most include language about “age-

appropriate” and “developmentally appropriate” content without defining what those are, and some prohibit teachers and other school employees from discussing their own sexual orientation or gender identity.

Florida’s HB 1557 “limits classroom instruction by school personnel or third parties on sexual orientation or gender identity in K-3, or in a manner not age or developmentally appropriate” which is what opens it up to being used against teachers in higher grades.

Louisiana’s HB 837 would ban the discussion of SOGI in K-8th grade classrooms and ban teachers from discussing their own lives with K-12 student.

Image Source:

<https://www.businessinsider.com/florida-dont-say-gay-ron-desantis-anti-lgbtq-trans-2022-3>



ANTI-CRT & ANTI-LGBTQ+ BILLS

“...ban K-12 schools and college from teaching, including in curricula, or compelling student to adopt or affirm certain ideas about American history, race, sex or other characteristics.”



Linda

Most of these bills include language to “ban K-12 schools and college from teaching, including in curricula, or compelling student to adopt or affirm certain ideas about American history, race, sex or other characteristics.”

Some include language that prohibits “requiring or encouraging employees to attend workshops or training where such ideas are promoted.” Often the language is vague using

terms such as “controversial issues of public policy or social affairs”, “divisive concepts”, or “cynical forms of social analysis”, or “anti-American sentiments”.

Some of these bill are:

- Alabama’s HB 312
- Arizona’s HCR 2001 (a proposed amendment to the state constitution)
- Florida’s HB 7 / SB 148
- Iowa’s HB 2053
- Kansas’s HB 2662 which “bars K-12 schools from displaying, presenting, or distributing to students, any material containing “sexual conduct”. “Sexual conduct” is defined in the bill a including any discription of homosexuality.
- Kentucky’s HB 487
- Missouri’s HB 2827, which includes language about “nonindoctrination principles”
- Oklahoma’s SB 1141
- Tennessee’s SB 2290/HB 2670
- Virginia’s HB 787

Instead, they are looking to ban books that feature or highlight LGBTQ+ relationships, explicitly sexual or not.



THE IMPACT ON UNISERV STAFF

CODED LANGUAGE

- “cynical forms of social analysis”
- “divisive concepts”
- “controversial issues of public policy or social affairs”
- “anti-American sentiments”
- “Non-indoctrination principles”
- “age-appropriate”
- “developmentally appropriate”
- “obscene materials”
- “a vehicle for leftist ideas”
- “gender ideology”



Bekah

(This can be an activity)

How would you rephrase this language back to someone to help people understand what's really at stake and clarify what they're actually talking about?

For example, the complaint: “I don’t want you indoctrinating my child with your gender ideology. You’re teaching gender confusion.”

Generates this response: “We’re teaching respect for the variety of gender identities, and the variances in gender.”

Or,

“Talking about diversity, equity and inclusion is a leftist tactic to introduce divisive concepts.”
Becomes, “Discussing the different experiences of people across the US, and how our institutions impact them creates an opportunity to make our country/community better.”

Keep this tied to UniServ members:

- What is the impact of these efforts on UniServ staff who are BIPOC and/or LGBTQ+?
- What situations might this create for them?

WRAP UP:

We have seen that some of these bills will pass (Florida's already has, but several others could within the next two months). Even in states where they don't pass, the principles contained in the bills and a few other tactics are being used to intimidate educators into compliance or silence.

School boards are attempting to pass similar policies, lawsuits are being filed against schools and individual teachers, and in some places, other methods of intimidation are being used against teachers or school board members who speak up to stop them.

Let's look at some of the tactics being used to shut down conversation...

BREAKOUT (10 minutes)

How would you rephrase this language back to someone to help people understand what's really at stake and clarify what they're actually talking about?

Example, the complaint: "I don't want you indoctrinating my child with your gender ideology. You're teaching gender confusion."

Generates the response: "We're teaching respect for the variety of gender identities, and the variances in gender."

Talking about diversity, equity and inclusion is a leftist tactic to introduce divisive concepts.

Any of your own? <https://bit.ly/Breakout062722>

 **ne**a NATIONAL EDUCATION ASSOCIATION

Bekah 3:00

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DEBRIEF

What examples surprised you?

What other topics get linked to LGBTQ+ fear?

Bekah 3:15

HARMFUL BILLS PASSED IN 2022

- 11 Anti-trans sports bans — AZ, GA, IA, IN, KY, OK, SC, SD, TN, UT, LA (joining ID, TX)
- 8 curriculum censorship and/or anti-LGBTQ+ education provisions — AL, FL (3), GA (3), SD, TN
- 2 anti-trans “bathroom bills” — AL (includes “don’t say gay” provision)

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Ben

- So far in 2022, almost two dozen anti-LGBTQ+ bills have been passed and signed by governors.
- 2 bills were passed but vetoed — A Kansas anti-trans sports bill and a Wisconsin bill that would have allowed lawsuits to be filed against school districts or school officials by

parents over the use of a students'
chosen name/pronouns

- Similar bills are still pending in
North Carolina and Ohio



AFFIRMING BILLS

BUT THERE IS HOPE!

152 Bills currently exist that are AFFIRMING.

“This act prohibits discrimination based upon a person's sexual orientation or gender identity.”



Ben

This language is often the introductory sentence in bills that affirm LGBTQ+ adults in several states, including:

Missouri — SB711

Kansas — HB 2665

West Virginia — Hb 2538, HB 2697, SB 156

Missouri — SB 711, HB 1737

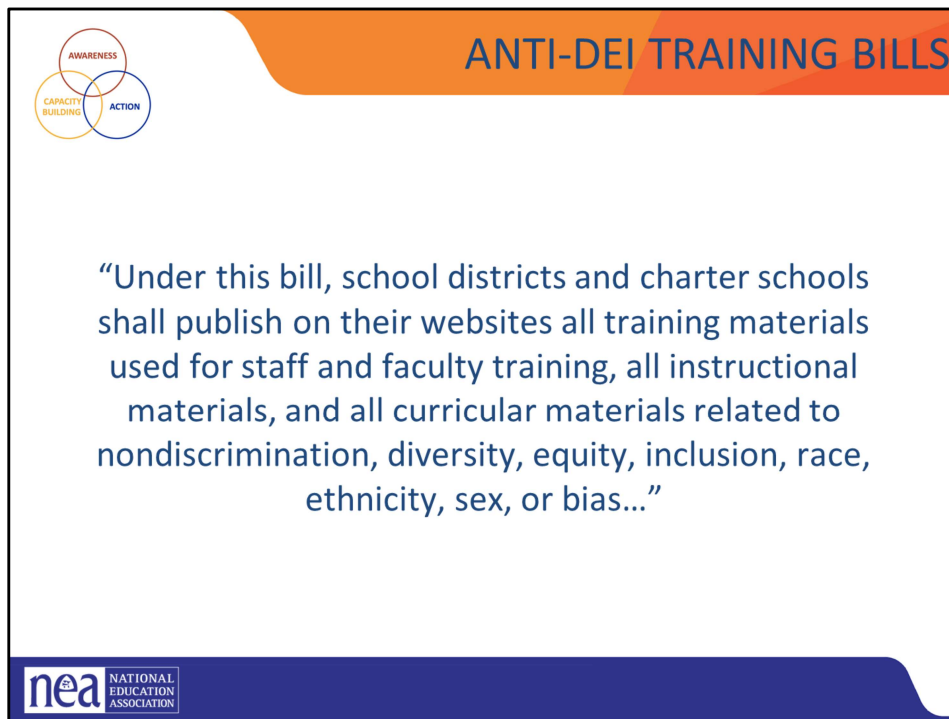
Nebraska — LB 230

Indiana — SB 128

Kentucky — HB 11, HB 15

North Carolina — H 240, S 396

Ohio — HB 208, SB 119



Linda

THIS TRANSITION IS A JUMP! Need to go from there is hope to "While there is hope, the covert attacks still exist. The good news is that these bills are overreaching in such a way that even the most LGBTQ+ hater folks will balk at the requirements. And we need to use that."

These bills are designed to force schools to publish the materials from any DEI professional development training that

educators attend.

One example, Missouri's HB 2189 says "Under this bill, school districts and charter schools shall publish on their websites all training materials used for staff and faculty training, all instructional materials, and all curricular materials related to nondiscrimination, diversity, equity, inclusion, race, ethnicity, sex, or bias, including certain information as described in the bill related to instructional materials and curricular materials."



ADDITIONAL BILLS

- Mandate the posting of a full year's lesson plans
- Mandate cameras in the classroom
- Allow teachers to misgender students
- Prohibit "certain" books in school libraries
- Limit access to public accommodations for trans people



Linda

Bills have been proposed in 17 states that would require teachers to publish their lesson plans a full year in advance to expand “parents’ rights” in knowing what students will be taught. The bills specify that every book, reading, handout, video, or activity used in lessons must be posted in addition to a general syllabi.

Additional proposed bills (listed on the slide)

highlight the length many local and state legislators will go to restrict conversations about LGBTQ+ topics, race, equity and inclusion – all in an increasingly diverse nation.

Colorado HB 1066

Indiana HB 1134

Kansas HB 2662

Michigan HB 5722

Bills to mandate cameras in the classroom

Conservative lawmakers concerned about Critical Race Theory or “gender ideology” being taught in classrooms, have introduced bills that would require cameras be placed in every public school classroom, except for PE and special education classes. Some of the bills would require teachers to wear body cameras to make sure teachers are “teaching the kids properly.”

These bills include Iowa’s HF 2177, Florida’s HB 1055.

<https://www.nbcnews.com/politics/politics-news/iowa-bill-require-cameras-public-school-classrooms-rcna14789>

Bills to protect teachers from punishment if they refuse to use a trans person's name/pronouns

These bills specify that a teacher or other employee of a public school or school district is not required to refer to a student using the student's "preferred" pronoun if the pronoun does not align with the student's biological sex. The bills also insulate the adult from liability or adverse employment action.

Tennessee HB 2633

- **"Parent Bill of Rights" — calls to allow parents to examine all lesson plans on demand and provide new ways to file complaints against teachers**

Arizona HB 2161
Kansas SB 496
New Hampshire (!!!) HB 1431
Tennessee HB 2451

- **Bills prohibiting schools and school libraries from maintaining or promoting “certain” books or “obscene materials” including books with LGBTQ protagonists or themes**

Arizona HB 2495
Oklahoma SB 1142
Tennessee HB 1944 and SB 2407

- **Educators required to out LGBTQ students or risk being fired**

Alabama HB 1/SB 10 (note that lower numbers tend to indicate priority bills)

- **Bathroom bills — limiting access to trans people in public accommodations**

Even though the “trans people in bathrooms” hysteria died down after so many bills died in 2017, bills are back this year to designate sex-segregated facilities in public accommodations. Most of these bills are labeled “emergency” bills in their states.

Alabama Alabama HB 1/SB 10, HB 322 and HR 83

Mississippi SB 2679 and SB 1164

Oklahoma SB 1249

South Dakota HB 1005

- **Birth certificate bills — limiting a person’s ability to update the gender marker on their birth certificate or other state-issued IDs**

Mississippi SB 2356

Oklahoma SB 1100

ORGANIZING AROUND BILLS

Breakout (10 minutes):

What broad legislation or policies have you heard about in your state that loosely relates to LGBTQ+ issues?

How could organizing around these issues create an environment that better supports our transgender educators and those educators that overtly support them?



Linda - 3:35

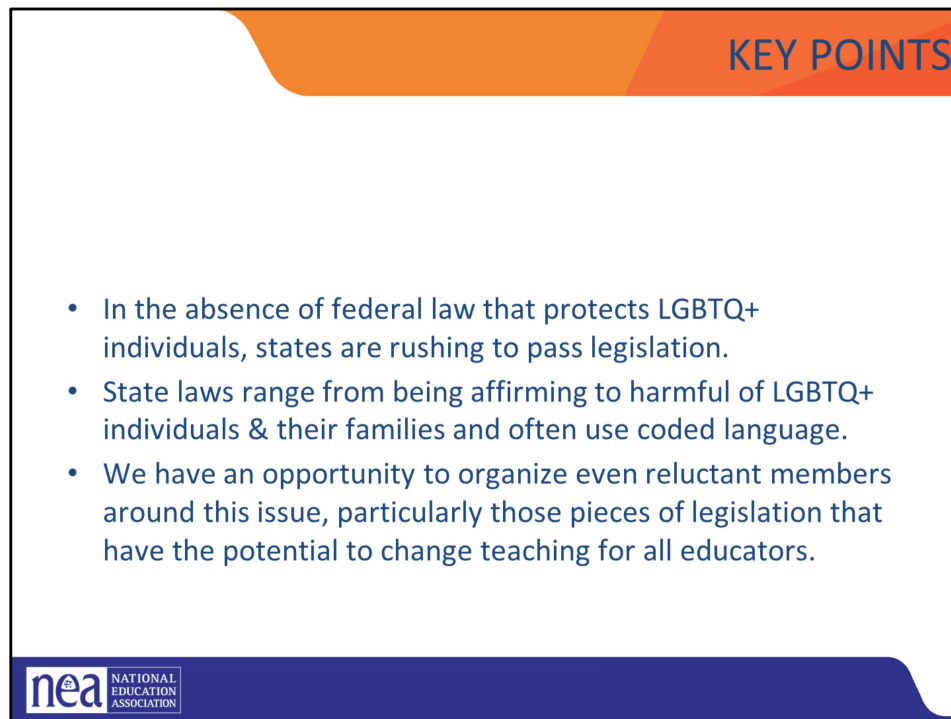
DEBRIEF

Share out what you learned?

What great ideas can you bring home to
empower your locals to organize around these
issues?



Linda - 3:45



KEY POINTS

- In the absence of federal law that protects LGBTQ+ individuals, states are rushing to pass legislation.
- State laws range from being affirming to harmful of LGBTQ+ individuals & their families and often use coded language.
- We have an opportunity to organize even reluctant members around this issue, particularly those pieces of legislation that have the potential to change teaching for all educators.

 NATIONAL EDUCATION ASSOCIATION

Bekah

- Well funded political groups have launched a coordinated and strategic approach to overwhelm and see what legislation sticks regarding harmful legislation.
- Local School boards & the public education system have become a focus for advancing anti-LGBTQ+

policies

- While children of color make up the majority of U.S. public school students, policies that affirm their histories and lived experiences are not centered in local and state legislation.



Bekah

The NEA has several resources and recommendations for legislative trackers. (See handout for full list and website links.)

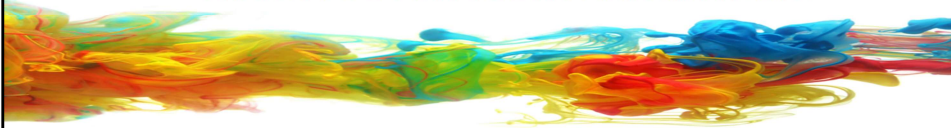
<https://www.icnl.org/usprotestlawtracker/>

<https://www.aclu.org/legislation-affecting-lgbtq-rights-across-country>



Q & A

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September 27-29, 2022
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Bekah