

Inclusion Benefits All Students

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Dedication

To all the LGBTQIA+ youth out there, you are supported, and you belong

Acknowledgements

I am grateful to my friends in the advocacy world. Together, we have worked to make changes. Together with my “green shirt” friends with a passion to protect our LGBTQIA+ youth we found ways to advocate for our youth and support each other using our different strengths. Their belief in me gave me the confidence needed to find new ways to advocate for our youth. My more recent “Caring” friends helped me to develop better tools for advocacy and helped me to see that with a caring county, things can be better for our youth.

I am grateful for the support of my study group, the ability to talk ideas through our projects has been amazing. I am so proud of us for completing this step in our journey. I look forward to seeing your future accomplishments.

Family is a large part of who I am, from the family I grew up with, to the biological family I met later, and the family I chose. To my longest friend, my chosen sister, I am proud of this beginning of our second life. I am grateful for the support of my husband who serves as my proofreader and sounding board, and I am so proud and inspired by my children for their creativity, dreams, hard work, and perspective.

Abstract

Years after the school adjustments because of COVID-19, students are still recovering from learning loss. Students with the least resources were impacted the most (NAEP Long-Term n.d.). Another challenge for students in the wake of COVID-19, is the rise of anti-LGBTQIA+ (Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersexual, Asexual) “parental rights” legislation aimed at excluding LGBTQIA+ students. Maslow’s Hierarch of Needs dictates that humans are best able to reach their full potential after their basic needs are met, such as safety and belonging. The use of “parental rights” as a tool to remove the rights of others is not new, it has a history going back to defending segregation in schools. The right for LGBTQIA+ student inclusion is determined by federal, state, and local laws and policies. Students and families struggle to understand what rights they have, and how to get the support they need. A list of recommendations for those operating schools on a state and county level will be provided, in addition to suggestions for parents, and a student “Bill of Rights.” Student’s bill of rights includes a right to a free public education, a right to express who they are and what they believe, and a right to be included and to participate in school activities.

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Introduction

The impact of the COVID-19 pandemic is still being felt by our students four years later. Teachers and students forced to shift to virtual school, then back to in person has resulted in learning loss. In 2022, the National Assessment of Educational Progress, NAEP, observed the largest average score drop in reading since 1990, and the first drop in average mathematics score ever. The decrease in average scores were more pronounced in lower-performing percentiles. Students with more supports, such as full time access to a computer or tablet, high speed internet access, a quiet place and a teacher available to help more frequently, were more likely to be high performers (*NAEP Long-Term Trend*, n.d.). This finding is supported by Maslow's (1943) Hierarchy of Needs, a theory that a person can only reach their full potential after a hierarchical list of needs are met (Maslow, 1943). The post COVID-19 rise in legislature and policies under the guise of conservative values harming our youth by intentionally excluding certain groups making it difficult to get their needs met. These Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersexual, Asexual, (LGBTQIA+) students experience struggle in a K12 school environment when compared to other students include systemic issues, lack of inclusion, and a higher rate of bullying (Russell et al., 2021) resulting in difficulties getting their needs of safety, belonging and esteem met. Bullying of LGBTQIA+ youth does not just harm LGBTQIA+ students, students witnessing the bullying are also harmed. Witnesses to bullying at school are more likely to have anxiety and depressive symptoms (Midgett & Dumas, 2019). Resources to support LGBTQIA+ students can be challenging to find due to the difficulty in finding information about local, state, and federal laws and resources. Toolkits will be provided to help students, families, caregivers, and school system personnel navigate this complicated topic.

Literature Review

Understanding the real-life impact of anti-LGBTQIA+ related policies is crucial for our LGBTQIA+ students and possibly lifesaving. Anti-LGBTQIA+ laws and policies cause LGBTQIA+ students to undergo difficulties in a K12 school environment when compared to other students. Lee et al. (2024) discovered an increase in suicide attempts in transgender and nonbinary students following enactment of anti-transgender laws when compared to states that did not enact anti-transgender laws. The Trevor project (2024) found that higher rates of recent anxiety, recent depression, consideration of suicide and suicide attempts are higher in schools with anti-LGBTQIA+ policies than schools with no anti-LGBTQIA+ policies (Nath et al., 2024). This has implications for LGBTQIA+ students' ability to feel safe, feel comfortable expressing their identity, and see themselves reflected in school curriculum (*Anti-LGBTQ+ School Policies...*, 2024). Negative effects of the anti-LGBTQIA+ discussions, policies, bills, and laws were reported by a recent Trevor project poll. Most (86%) transgender and nonbinary youth respondents reported the debates over anti-trans bills harmed their mental health. Additionally, 45% of trans youth surveyed reported they were the target of cyberbullying. Transgender and nonbinary youth reported at a rate of 1 in 3 that they felt unsafe to go to medical facilities. LGBTQIA+ youth (75%) have stress or anxiety from threats of violence against LGBTQIA+ spaces. LGBTQIA+ students are concerned about policies requiring parent notification if a student requests to use a different name/pronoun or if they identify as LGBTQIA+. Another issue worrying LGBTQIA+ students is the exclusion of LGBTQIA+ topics in the classroom. LGBTQIA+ students are also concerned with the banning of books with LGBTQIA+ topics in school libraries (*Anti-LGBTQ+ School*, 2024; Lee et al., 2024). It is not only the students that are afraid, but parents are also afraid for their children, wanting to protect them from a world that is

frequently anti-LGBTQIA+. Broadfoot (2024) interview of twenty parents dealing with their fears for their children, including risks of suicide and physical attack. Parents speaking in support of LGBTQIA+ youth are called “groomers” and “pedophiles.” Parents are worried when their child comes out that they may not have support from other members of their family (Broadfoot, 2024). Anti-LGBTQIA+ legislation is scaring parents, more than three-quarters of the LGBTQIA+ parents surveyed by Goldberg and Abreu (2023) were concerned with Florida’s Parental Rights in Education Act. They are concerned their children will not be able to talk about their families and this will foster more anti-LGBTQIA+ feelings (Goldberg & Abreu, 2023)

Historical and Current Context

Parent rights’ groups advocating to influence educational policies is not a new phenomenon. Schultz (2022) provided a history of parent groups, beginning when parent groups watched schools for communist infiltration in the 1950s. This period was also the start of desegregation, causing some families to enroll their children in private schools to avoid integrated schools. Courts have supported parents’ rights to direct their education, when balanced with the state’s obligation to protect children’s welfare, as a part of a state’s constitutional duty to democratize school children. Sex and gender identity began to be an issue in the 1990s, when evangelical conservatives began fighting sexual education in schools, in response to the growing acceptance of LGBTQIA+ rights, claiming concern about morals taught in schools. In the early 2000s, parents began to pull their kids from public schools to use private or home school options. Concerns about the parent rights groups include the harm to the students they are fighting to exclude, students of color and/or LGBTIQIA+ students. The fight for “parents’ rights” implies parents do not have rights already (Schultz, 2022).

Post COVID-19 and the George Floyd murder, groups have arisen with the claim to defend parent rights. One example is Moms for Liberty, a group founded in 2021 for "unifying, educating and empowering parents to defend their parental rights", first to fight measures put in place in response to COVID-19, then shifting to advocating for laws opposing LGBTQIA+ and racially inclusive school curriculum (Roush, 2023). Some examples include Critical Race Theory (CRT), Diversity, Equity and Inclusion (DEI), book banning and removal of rights for LGBTQIA+ students (Stewart, 2023). The parents' rights groups use misinformation and gaslighting to push their agenda (Miller et al., 2023) and use toxic rhetoric, such as calling allies to LGBTQ student's "groomers" (Block, 2022). As the groups have grown, so has the number of anti-LGBTQIA+ bills introduced in state legislatures, which more than doubled from 2020 (77) to 2021 (154), and increased slightly from 2021 (154) to 2022 (180). In the United States, the number of anti-LGBTQIA+ bills nearly tripled from 2022 to 2023, from 180 to 510. As of November 15, 2024, there were 558 anti-LGBTQIA+ bills introduced in 2024 (*Mapping Attacks on LGBTQ Rights in U.S. State Legislatures in 2024*, 2024). The attacks are not just on a federal or state level, students in the same state can have vastly different experiences depending on which county they live in. Comparing two local school systems, issues are managed quite differently. An affirming school system may choose to not require parent notification but have a "goal to be as inclusive of parents and families as possible" and provide guidance for teachers to ask students their pronouns compared to another school system that requires parent notification, and state "Staff will not unilaterally solicit students with regards to gender identity or pronoun usage on forms" (*Gender-Inclusive Guidelines – HCPSS*, n.d.; *Student Services - CCPS*). In a state where book banning based on "partisan or doctrinal disapproval" is prohibited by the "Freedom to Read Act" and protections from retaliation are provided from school or public library employees (*Legislation - HB0785*, n.d.), county governments are

finding ways around the law. After months of contentious debate, a county public library system received funding restrictions on their budget, after the president of the county Board of Commissioners expressed anger at library officials that supported the Freedom to Read Act (Greenfield, 2024). In the same school system, two books were excluded from the Family Life Curriculum because they acknowledged that families could have two moms or two dads (Alspach, 2024a), preventing all students to have an accurate education.

Organizational Factors

Schools are a part of school systems frequently referred to as Local Education Agencies (LEA) which are typically run by a county Board of Education (BOE). The Maryland State Department of Education works collaboratively with local education agencies and other stakeholders to provide “the promise of an excellent and equitable education for all students, especially those who have been historically underserved” (*About the Maryland State Department of Education*, n.d.). The superintendent is appointed by the Maryland State Board of Education (*Carey M. Wright Ed.D.*, n.d.). The State Board members are appointed by the governor, and approved by the Senate (*Maryland State Board of Education Overview*, n.d.). County Board of Education’s are composed of elected members and their responsibilities include creating and implementing policies for the operation of local schools, in addition to approving curriculum (*Board of Education of Carroll County Handbook, 2023; Handbook – Board of Education – HCPSS*, n.d.). BOE’s appoint and set the salary for the county superintendent giving them a lot of power. School boards elections are becoming increasingly polarized despite most states prohibition of party affiliation (Bennett & Norris, 2023). BOEs are not immune to the impact of the discussions around LGBTQIA+ legislation and policies, they feel the pressure of “Parents’ Rights” groups advocating under the label of “traditional conservative values” and groups advocating for inclusion.

Funding for Maryland schools is based on the Blueprint for Maryland’s Future requirements, which strongly emphasizes equity and diversity. “Equity is not an add-on, but instead must be a running thread in the Department (Maryland State Department of Education) and everything it does”(*Blueprint in Action*, 2022). Diversity is included in one of the policy areas, “High Quality and Diverse Teachers and Leaders” (*Blueprint - Maryland State Department of Education*, n.d.)

Policy/Legal Landscape

LEA/BOE responsibilities include creating and implementing policies for the operation of local schools, and approving curriculum (*Board of Education of Carroll County Handbook*, 2023; *Handbook – Board of Education – HCPSS*, n.d.). For schools to update policies, they must navigate the legal and political factors that impact the organizational landscape. LEAs are responsible for following the educational policy and standards set by the Maryland Department of Education State Board. The State Board also interprets the true meaning and intent of the law (*Maryland State Board of Education*, n.d.). Any institution that receives federal funds is also required to follow policies of the U.S. Department of Education, such as the prohibition of discrimination (*An Overview of the U.S. Department of Education*, n.d.). The layers of local, state, and federal policies and guidelines combine in different ways to shape the educational policies that impact students. This results in students in an affirming county enjoying different rights than students in a hostile county. In one example of an affirming county, the LEAs are willing to work with groups that advocate for an inclusive and safe environment, such as Community Allies of Rainbow Youth (CARY) in Howard County, Maryland. CARY has established short-and long-term goals for the creation of a safe and affirming school environment. Goals include an inclusive curriculum, staff training, a priority of hiring openly LGBTQIA+ faculty and staff, creation of an LGBTQIA+ advisory

board and goals for improving the school climate. Schools meeting listed criteria to be safe and affirming receive a Rainbow Ribbon from CARY (*Our Goals*, n.d.). Using an example of a non-affirming county, policies can include a flag policy created with the intent to prohibit Pride flags, a refusal to include books that acknowledge a family can have two moms or dads or the creation of a health curriculum that excludes most mentions of LGBTQIA+ topics and the impact of race and health care (Alspach, 2024b; Goodnight, 2022; Smith, 2023). The laws and policies both on a state level, interpreted by the Maryland Department of Education Board, and on a federal level, the U.S. Department of Education, furthermore LEAs schools' policies are all influenced by political movements at that time. Constituents advocate on a local, state, and federal level in support of or against legislation or policies. Extremist groups, such as "Parent Rights" groups have "weaponized public policy" in an attempt to oppress the civil rights of the LGBTQIA+ community (Peele, 2023). Mayo (2021) provided a compelling argument that groups focusing on parental rights, claiming to be based on conservative religious rights, is really a cover for transphobia by hiding concerns under religious based parental right claims. Another argument used to weaponize education and as a cover for transphobia is "local control," the idea that a local area can ignore state and federal laws if the local community does not support them, such as LGBTQIA+ inclusion. The use of the phrase "local control" is not a recent idea, it has a historical basis, going back to the beginning of public schools. It was a key factor in the desegregation arguments in the 1950s-to 1970s. Brace (2023) described how the legal argument for "local control" began as an argument against desegregation, in an attempt to subvert inclusion. For example, *Milliken v. Bradley* is a landmark case from 1974 in which the U.S. Supreme Court prioritized local control to the extent that the "tradition of local control" was so important that segregation was allowed if it was not an explicit policy of a school district. This was seen as weakening the federal courts' ability to integrate schools. Local control has frequently

perpetuated inequity, such as funding differences based on race, and the use of local control to “dehumanize and devalue certain groups and their experiences” (Novick, 2023).

LGBTQIA+ student protections are dependent on Federal, state, and local laws and policies, which can be difficult to understand, leaving people unsure of their rights.

Theoretical Framework

A common request from teachers is “Maslow before Blooms,” referring to Maslow’s Hierarchy of Needs and Benjamin Bloom’s use of taxonomy for ordering the “complexity of learning outcomes,” from the most basic of understanding, memorization of facts, to a full understanding of a topic. When teachers promote Maslow before Bloom, they recognize students need to have their basic needs met before they can learn reach their full potential and fully engage in learning (Siddiqi & Wuori, 2020). The first need in Maslow’s hierarchy is physiological needs, which include food, water, and sleep. After physiological needs are met, the next level in the hierarchy is safety. Students feeling safe from not only physical harm, but from emotional, can move on to the next level, love, affection, and belonging, followed by esteem and then the final goal of self-actualization (Maslow, 1943). LGBTQIA+ students are often unsafe in their school. Russell et al. (2021) listed several strategies for creating safer schools for our LGBTQIA+ youth. Policies explicitly state that bullying and harassment will not be tolerated, listing the identity characteristics that are often subjected to bullying and harassment. Policies that include best practices help the teachers with the implementation of these policies. Training school personnel on the needs of LGBTQIA+ needs will also make schools safer; teachers are more likely to intervene if they have training. Another strategy by Russell (2021) is the encouragement of LGBTQIA+ school-based clubs. These clubs promote an inclusive environment for all students and have been associated with positive results for all students (Russell et al., 2021). Students that have physiological,

safety, and belonging needs met are able to move on to Maslow's next need of esteem which includes self-worth, recognition, accomplishment, and respect. Maslow's two categories within the esteem stage are self-esteem and esteem from others. Hamilton (2021) suggested that students are less likely to take risks in the classroom if they are feeling low self-esteem. School personnel can build self-esteem in students by recognizing student accomplishments and placing less focus on the right answer, instead supporting the learning process. School personnel should make efforts to support positive peer interactions in multiple ways (Hamilton, 2021).

Recommendations

Students' requests

The Trevor project heard from more than 18,000 LGBTQ+ young people ages 13 to 24 across the United States (the term LGBTQ+ was used in place of LGBTQIA+) young people how people can show their support and acceptance (Nath et al., 2024).

Trust students are the best ones to know who they are

The vast majority (88%) of the LGBTQ+ young people asked for trust that they know who they are. School policies should recognize that students are the best ones to know their own identity and provide opportunities for students to share their identity.

Stand up for our LGBTQIA+ youth, include them

Another way the LGBTQ+ youth asked for people to show their support was by standing up for the LGBTQ+ youth. School policies should stand up for our LGBTQ+ youth, by including them, with policies that explicitly state that our LGBTQ+ youth are included and accepted as they are. School systems can work to develop a climate that fosters respect, compassion, and openness by focusing on the learning opportunities provided when fostering

inclusive interactions.

Recommended approach to inclusion

The All-Inclusive Multicultural approach (AIM), as described by Stevens (2008) is a multicultural approach that emphasizes that all identities are important, including majority member groups. An AIM approach could be applied to policies and curriculum in schools. Curriculum under the AIM approach would not limit topics about minority identity groups to “their” month but throughout the year while still working to make the non-minority groups feel valued. History classes would include all perspectives and identity groups. A diverse group of authors would be included in literature class. Policies are modified to recognize a variety of ways that people are different. A common example is dress codes. Dress codes that are not specific to gender or take religion into account. School schedules that allow for religious holidays. Policies should recognize students’ needs vary.

Maslow before Blooms

Maslow suggested a hierarchy of needs to be met in order to reach your full potential, with physiological needs being the most basic level of need. Schools have free and reduced lunch programs for students that are experiencing economic hardship. The next level is safety, policies to make students feel secure and free of fear. In addition to nondiscrimination statements, policies should list expectations for student behavior. Explicitly listing that students of all sexual orientation, gender identity and expressions will be included and affirmed. Teachers should be trained to watch for issues and check in with students regularly. Teachers should be prepared to manage situations when they witness bullying. A list of consequences for bullying/harassment behavior should be included with the policies. Students should be taught strategies for responses when they witness bullying. When a student feels safe, they can work on the next level of needs for love and belonging. Inclusive

curriculum will help with belonging. Students that see examples of themselves in pictures on the walls, and people like them in school curriculum will feel belonging. School programs to foster belonging will also be helpful. When a student feels they belong, they can work on feeling respected and building self-esteem.

Justification for bill of rights

The United States of America's founding fathers believed in the importance of education for a democracy. Thomas Jefferson stated in an 1818 report to the Board of Commissioners for the University of Virginia to the Virginia General Assembly that education is necessary "To give to every citizen the information he needs... for the transaction of his own business...to understand his duties to his neighbors and country...to know his rights" (*Founders Online*, n.d.). It can be challenging for a student to know their rights. Making an LGBTQIA+ student bill of rights that is easily understandable and accessible will show that all students have the right to be who they are, sending a strong message to allies and critics alike.

Student Bill of Rights

Legal basis of Student Bill of Rights

Students are protected by both Federal and State laws. The First Amendment of the United States Constitution protects students right to free speech, free press, and peaceable assembly (*First Amendment*, n.d.). Students' constitutional rights still apply while in school. Maslow's needs for safety and love/belonging is protected by certain Federal protections, in addition to the First Amendment for students include Title IX of the Education Amendments of 1972, Equal Access Act (1984) and the Family Educational Rights and Privacy Act (FERPA) (*What Is FERPA? | Protecting Student Privacy*, n.d.). Title IX protects students from discrimination and harassment based on sex (*20 U.S. Code § 1681 - Sex*, n.d.). The

Equal Access Act protects extracurricular clubs, requiring equal access for all student groups, meaning a student-group is allowed to form Gay-Straight Alliances and similar organizations (*20 U.S. Code § 7905 - Equal Access to Public School Facilities*, n.d.). In addition to federal protections, some of which are under national debate, some states like Maryland have codified an education policy that prohibits “discrimination against or discipline of students, a prospective student, or their parents or guardians on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability” , providing an additional layer of protection if Federal protections are removed (Georges et al., 2024).

Right to a Free Public Education

Federal and state laws along with local policies combine to provide students with protection to create a safe learning environment. Without a safe learning environment, students would be unable to take advantage of their free public education. LGBTQIA+ students’ safety is threatened when they are subjected to discrimination and harassment. Student privacy is protected by the Family Educational Rights and Privacy Act (FERPA). .A “Dear Colleague” letter written by the U.S. Department of Education stated that “Nonconsensual disclosure of personally identifiable information (PII), such as a student’s birth name or sex assigned at birth, could be harmful to or invade the privacy of transgender students and may violate FERPA” (U.S. Department of Education, 2016, p. 5). Violation of a students’ privacy can be a safety issue if they are forced to come out due to accidental exposure.

Right to Express Who They Are and What They Believe

Courts have supported students’ constitutional right to free speech which allows students to express who they are, not only their religious beliefs, but other facets of their

identity. Courts have supported students' rights to express their opinion as long as the functioning of the school is not disrupted ("Know Your Rights," n.d.). Speech that is intended to harass, discriminate, or harm students is not protected. Students have a right to express themselves free from intimidation and hostility. Students have the right to choose if they wish to disclose their sexual orientation, gender identity and/or expression. Students have the right to bring a same-sex date to a school event. Students cannot be restricted from dressing according to their gender identity. Students have the right to use a name and pronoun that corresponds with their gender identity, this includes the right to be addressed by their name and pronoun. Students have a right to a safe learning environment free of violence, discrimination, and disrespectful behavior. These rights are a part of a student's ability to safely express who they are without harassment or discrimination is essential under Maslow's 2nd tier in his hierarchy of needs, the need for safety.

Right to be Included and to Participate in School Activities

The third tier of Maslow's hierarchy of needs is the need for love and belonging. Students' right to belong, to be included and participate in school activities meets this need. The First Amendment, Title IX, Equal Access act, along with Maryland state laws protect a student's right of inclusion and to participate in school activities. Students that are included will feel like they belong in schools. Students have the right to an inclusive environment, with an inclusive curriculum and access to inclusive materials in the school library. Students' right to participate in school activities includes the right to participate in noncurricular clubs, a school cannot prohibit a Gay-Straight Alliance, or Gender-Sexuality Alliance from forming, or restrict their activities when compared to other groups at the school. Students have the right to participate in activities that correspond with their gender identity. Students have the right to use restrooms and locker rooms that correspond with their sex or their gender

identity. Students also have the right to access a non-stigmatizing individual user option if they need additional privacy.

Guidelines for Schools Administration, Teachers, Staff and Parents

Support for all students will be demonstrated from the state level, down to the county. Currently, the state provides guidelines for “Safe and Supportive Schools for All Students: Creating Inclusive Spaces for LGBTQIA+ Youth”(Safe and Supportive Schools for All Students: Creating Inclusive Spaces for LGBTQIA+ Youth, n.d.), but it is not clear if the guidelines are suggestions, or enforceable. Everyone benefits from clear policies that explicitly state how to be safe and supportive for LGBTQIA+ youth, along with a framework for how to execute the policy. It is not enough to state there is a nondiscrimination policy and students are allowed to use their preferred name and pronoun, explicit steps for how the policy is to be executed is necessary, by providing required information to be collected on forms. The nondiscrimination policy should state that students have the right to express who they are and what they believe therefore teachers cannot be prohibited from providing opportunities for students to share their pronoun or preferred name. State enforceable policies should set requirements for county school systems to provide protections of student privacy by allowing legal names to be “hidden” in the student record system. The state should be responsible for holding county school systems accountable for nondiscrimination policies. This could include a clearly labeled website with details of how to report claims, and to whom to report. State staff should be trained in protections offered by state and federal laws and remedies available. Staff must also be informed of common misconceptions about inclusion, LGBTQIA+ students’ needs, and CRT so they can properly respond to concerns. State and county wide ethics codes should hold teachers and staff accountable for nondiscrimination policies with consequences for actions. Currently, county Title IX officer

report either indirectly, or directly to local Boards of Education. This means local BOEs do not have oversight. The creation of a Title IX officer that does not report to anyone in the county would be able to provide oversight to local Boards of Education.

County school systems policies should not only include students' rights but give suggestions for how to support those rights. Teachers and staff must receive training in how the various federal, state, and local laws and policies protect our LGBTQIA+ youth. School systems would create policies protecting LGBTQIA+ students from sex and gender-based discrimination in schools. The policy should include: name and pronoun usage, bathroom and gender-segregated facilities, athletics and physical education, overnight field trips, affirmation and support, nondiscrimination, and training and professional development (Recommendations for Supporting LGBTQIA+ Students, 2023, pp. 4–5). Policies for name and pronoun usage including an ability for the record system to protect a students' legal name and an option to "hide" the legal name in the student's record. Teachers must be encouraged to provide students with the opportunity to share their preferred name and pronoun in "getting to know you" questionnaires at the beginning of the school year. Policies should allow students to participate in activities that correspond with their gender identity should be included in classroom rules and in the rules for various noncurricular groups. Policies regarding students' privacy would focus on protecting a student's privacy and giving them the right to determine how or if their private information is shared. This would include training teachers and staff on techniques to protect privacy. Teachers' training should include how to support students in discussions about gender identity, expression, and sexual orientation. This training would also be included in annual professional training in the needs of LGBTQIA+ students. Another topic for training is the protection provided by Title IX, the Equal protection clause, and state laws.

Inclusive curriculum can help students' feelings of belonging and help students feel

valued by others. Inclusive curriculum recognizes more than one perspective. Curriculum must both be a mirror and a window, a mirror into a student's identity, and a window into others. This is also true for school libraries. When students are included, they feel like they belong. Students that belong can move on to Maslow's esteem need, to feel esteem for themselves and accepted by others. Once students meet their self-esteem needs, they are able to move on to self-actualization and students are fully motivated to reach their full potential.

Parent resources would include educational opportunities for parents to learn about the issues and needs of LGBTQIA+ students. School systems will provide handouts to parents that include students' bill of rights, and anti-discrimination and harassment policies. School systems should provide a web page with a list of resources available for students and families. This would include mental health resources, student rights, and accountability measures such as options to report any discrimination and harassment claims. Suggestions for information to be shared on the website is available in the appendix.

Closing

Our founding fathers recognized the importance of education, as discussed by Black (2020), James Madison stated, "a popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy"; Thomas Jefferson believed that the government "derives their just powers from the consent of the governed", believing education to be required to give the consent. Education is essential for a democracy. All students have access to a free public education, but in order to fully take advantage of this benefit, they need to feel safe and included. The protections for our LGBTQIA+ students are complex and layered, making it difficult to protect our LGBTQIA+ students. They need protection from parent rights groups seeking to dehumanize them. They need a clear list of

policies to protect them. Anti-LGBTQIA+ policies harm all students. Excluding LGBTQIA+ students do not prepare all students for life after school. Protecting LGBTQIA+ students helps everyone. It is the right thing to do.

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Appendix (Supplemental information)

Student Rights

Students are protected by both Federal and State laws.

The First Amendment of the United States Constitution protects students right to free speech, free press, and peaceable assembly (*First Amendment*, n.d.).

Title IX of the Education Amendments of 1972,

Equal Access Act (1984)

Family Educational Rights and Privacy Act (FERPA)

Maryland: COMAR 13A.01.07. Nondiscrimination in Education

Student Bill of Rights

Right to a Free Public Education

Right to Express Who They Are and What They Believe

- Speech that is intended to harass, discriminate, or harm students is not protected.
- Students have a right to express themselves free from intimidation and hostility.
- Students have the right to choose if they wish to disclose their sexual orientation, gender and/or expression.
- Students have the right to bring a same-sex date to a school event.
- Students have the right to dress according to their gender identity.
- Students have the right to use a name and pronoun that corresponds with their gender identity, this includes the right to be addressed by their name and pronoun.
- Students have a right to a safe learning environment free of violence, discrimination, and disrespectful behavior.

Right to be Included and to Participate in School Activities

- Students have the right to an inclusive environment, with an inclusive curriculum and access to inclusive materials in the school library.
- Students' right to participate in school activities includes the right to participate in noncurricular clubs, a school cannot prohibit a Gay-Straight

Alliance, or Gender-Sexuality Alliance from forming, or restrict their activities when compared to other groups at the school.

- Students have the right to participate in activities that correspond with their gender identity.
- Students have the right to use restrooms and locker rooms that correspond with their sex or their gender identity.
- Students also have the right to access a non-stigmatizing individual user option if they need additional privacy.

State Recommendations

Provide enforceable policies for counties to adhere to that support an inclusive environment.

Provide clear policies with explicit support for LGBTQIA+ youth.

Protect student privacy.

Allow legal names to be “hidden” in the student record system.

Hold county school systems accountable for nondiscrimination policies.

Website listing how to report discrimination.

Train staff

Federal and state laws protecting student rights.

Common misconceptions about inclusion

LGBTQIA+ student needs

Ethics code holding teachers and staff accountable for nondiscrimination.

County School System Recommendations

Policies not only list students’ rights, but suggestions for supporting student rights.

Policies should include:

- Name and pronoun usage.
- Bathroom and gender-segregated facilities
- Athletics and physical education

- Overnight field trips
- Affirmation and support
- nondiscrimination training and professional development,

Training

Federal, state, and local legal protections for students

Inclusive School libraries

Parent resources

- Educational opportunities to gain experience about the issues and needs of LGBTQIA+ students.
- Student Bill of Rights
- List of resources
 - Mental health
 - Student rights
 - Accountability measures
 - Options for report

Useful links

Nondiscrimination reporting

The Department of Education's (Department's) Office for Civil Rights (OCR)

<https://www.ed.gov/laws-and-policy/civil-rights-laws/file-a-complaint/ocr-discrimination-complaint-form>

State of Maryland: Nondiscrimination in Education Procedure

<https://marylandpublicschools.org/about/Pages/education-nondiscrimination.aspx>

Local: Contact Title IX officer for the school system

<https://marylandpublicschools.org/about/Documents/Equity-Assurance/Title-IX-Coordinators-A.pdf>

Other resources for parents

PFLAG is the nation's largest organization dedicated to supporting, educating, and advocating for LGBTQ+ people and those who love them <https://pflag.org/>

GLSEN works to ensure that LGBTQ students can learn and grow in a school environment free from bullying and harassment. <https://www.glsen.org/>

Transgender Children & Youth: Understanding the Basics

<https://www.hrc.org/resources/transgender-children-and-youth-understanding-the-basics>