

# Support for LGBTQ Students

## Introduction

Regardless of their sexual orientation, gender identity or gender expression, every student should feel safe in every one of our schools every day. These are rights that are protected by our School Board policies and rights that affirm our commitment to mental health and academic wellness. Environments that are safe, welcoming, and inclusive increase morale, motivation and learning for all students on our campuses. Parents, guardians, and caregivers send their children to school with the expectation that they will be free from harassment, bullying and discrimination. To that end, we have policies and procedures in place to protect all students from discrimination, harassment, sexual harassment, or retaliation.

The Guide is intended to be a tool for school administrators and personnel to effectively navigate and comply with existing laws, regulations and policies while supporting LGBTQ+ students. It provides guidance to ensure that all students are treated equitably and with dignity in the school setting. This guide is designed to supplement the regular and periodic training that school personnel receive. While this guide will serve as an important resource for school personnel, it cannot address every circumstance that school personnel may encounter. School personnel are strongly encouraged to consult the administration if in doubt about the appropriateness or legality of any action related to this subject matter.

Please note that this guide does not exhaustively reference all laws and policies that may touch on issues related to the subject matters herein, as they are governed by a quickly changing area of the law. It is likely that new legal developments will require revisions to this guide. For example, there are Title IX draft regulations which are expected to move to formal rulemaking and implementation in the near future. There are also pending court cases that deal directly with the issues contemplated in this guide. This is a living document and will be reviewed by district staff and legal counsel and updated periodically to reflect the most current laws and information available to promote a safe and supportive learning environment for LGBTQ+ students and families. School administrators and personnel should be careful to only consult the most recent version of this guide.

## KNOW THE LAW AND RELEVANT AUTHORITIES

The regulations and opinions concerning this matter are new and evolving. Below are some of the federal, state, and local policies regarding this topic. This list is not intended to be all inclusive:

- The 14th Amendment of the U.S. Constitution
- First Amendment of the U.S. Constitution
- Title IX of the Education Amendment Acts of 1972
- Florida Statute 1001.42, Powers and Duties of District School Board
- Florida Statute 1014.04, Parental Rights
- Florida Statute 1006.147, Bullying and Harassment Prohibited
- Duval County School Board Policy 1.22, Equity Policy
- Duval County School Board Policy 5.09, School District Notifications of Parental Rights

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- County School Board Policy 10.10, Prohibiting Discrimination and Harassment
- Duval County School Board Policy 10.20, Anti-Bullying Policy

## TERMINOLOGY

### **Gender Expression**

External appearance of one's gender identity, usually expressed through behavior, clothing, haircut or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

### **Gender Identity**

One's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.

### **Sexual Orientation**

One's emotional, romantic, or sexual attraction to others.

## PARENTAL NOTIFICATION PROCEDURES

Florida Statute 1014.04 details a summary of rights reserved to the parent of minor children without interference from the state or any other political subdivision. Included in these rights are the right to access and review all school records relating to his/her minor child, the right to make health care decisions (unless otherwise prohibited by law), and Florida Statute 1001.42 includes rights to be notified regarding their student's mental, emotional, or physical health or well-being, or a change in related services or monitoring. See the Duval County School Board *Parental Notification of Change in Services -Procedures* at [duvalschools.org/](http://duvalschools.org/)

**Nothing contained in this support guide is intended to usurp the rights afforded to parents in the Duval County School Board *Parental Notification of Change in Services -Procedures*.**

## Support for LGBTQ Students

### SCHOOL LEVEL SUPPORT

The areas below address subjects with which school officials or families may require guidance with when supporting LGBTQ+ students. Staff in the district's Office of Equity and Inclusion are available to assist school personnel with ensuring compliance and responding to questions related to student supports in this area. For questions, schools should contact the Office of Equity and Inclusion at:

DCPS Office of Equity & Inclusion/Professional Standards  
Dr. Tameiko Grant  
(904) 390-2181  
[GrantT1@duvalschools.org](mailto:GrantT1@duvalschools.org)

#### **Official Documents**

Public school students have privacy rights against public disclosure provided by the Family Educational Rights and Privacy Act (FERPA), which provides, among other matters, that education records and personally identifiable information set forth in them are confidential against release except under certain situations. The District modifies a student's official records upon receipt of a court order reflecting a legal change in name and/or gender. If a student and parent/guardian requests official modification of the student's educational records, please contact the District's School Counseling Department at (904) 390-2090.

#### **Unofficial Documents**

Please note that a student's ID card is not considered an official student record and can be changed to the student's affirmed name when requested by the student and the parent/guardian has been notified through the district's student management system (FOCUS). Reasonable and good-faith efforts should be made with regard to these requests in order to promote consistency among teachers, substitute teachers, school administrators, and other school staff. Class and team rosters, yearbooks, school newspapers and newsletters, are also considered unofficial student records and can be changed upon request of the student and notification to the parent/guardian. This applies to all students regardless of their gender identity.

#### **Dress Code**

The Student Code of Conduct is gender neutral. Therefore, schools are required to enforce the dress requirements contained in the Student Code of Conduct equally amongst all students, regardless of sexual orientation, gender expression, or gender identity.

#### **Restrooms & Locker Rooms**

School administrators will develop a plan on a case-by-case basis that meets privacy concerns.

## **Support for LGBTQ Students**

### **Prom/Dances or Other Social Events**

The district may not exclude same-sex couples from proms, dances and other social events open to the student body. Schools may set general dress standards for prom or other social events, such as the requirement of formal attire. A school may not dictate gender specific attire.

### **Athletics**

According to Florida Statute 1006.205, athletic teams or sports designated for females, women or girls may not be open to students of the male sex. Schools should contact the district's Athletic Department with specific questions regarding the implementation of this law.

### **Overnight Field Trips**

School administrators will develop a plan on a case-by-case basis that meets privacy concerns.

### **Clubs**

All students may organize and form student clubs and organizations, so long as such clubs/organizations are organized and operated in compliance with Board Policies, including Board Policy 4.50 This includes the right for students to form and participate in a GSA (Gay-Straight Alliance or Gender and Sexuality Alliance), as they would with any other club.

### **DCPS Code of Student Conduct**

All faculty, staff, and students should feel safe to be their authentic selves at school. The district's Code of Student Conduct set standards for student conduct during the school day, at regular school-sponsored activities, during transportation on school buses and at all times and places where appropriate school personnel have jurisdiction over students, including but not limited to, school-sponsored events, field trips and athletic events. The Code of Conduct holds individuals responsible for the consequences of their actions in an equitable and reasoned way.

## **GUIDELINES FOR TRANSGENDER STUDENTS**

The dynamics concerning transgender youth in schools are complicated. As societal attitudes evolve, the District must balance competing interests, such as requests for accommodations, and concerns of students and parents for privacy and safety. In this evolving legal area, the District must provide educational access and a safe learning environment for all students free from discrimination and harassment. District officials must act on any complaint of discrimination, harassment, or bullying by a student (whether or not transgender) with the same diligence, follow through, and resolution in each instance. Contact the Office of Equity and Inclusion at (904) 390-2181 for additional information and assistance in developing a plan for a transgender student.

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### Names & Gender Pronouns

When a student has requested an unofficial document change related to a preferred name or pronoun, and parent notification has been made, school personnel will use the name and gender pronoun corresponding to that request.

### LGBTQ+ Student Support Action Steps

All of the steps below are suggested action steps if a student shares information with you regarding feelings pertaining to their sexual orientation and/or gender identity. DCPS is committed to providing a supportive environment to all students including LGBTQ students. The steps below may assist staff in providing assistance to students, however if you are uncertain how to respond to a specific situation, you are encouraged to seek guidance from your school's administrative team.

School staff must be mindful of parental notification requirements set forth in Florida Statute 1001.42 and Board Policy, where school personnel reasonably believe the student's mental, emotional or physical health is impacted. However, school personnel are permitted to withhold such information from a parent if a reasonably prudent person would believe that such disclosure would result in abuse, abandonment, or neglect as those terms are defined in Florida Statute 39.01. Disclosure by a student of their sexual orientation and/or gender identity, absent other factors does not mandate reporting the disclosure to a parent.

School personnel should reach out to their school's administrative team and staff from the district's School Behavioral Health department for guidance regarding behavioral mental health support. School-based instructional and administrative staff are required to take Youth Mental Health Training which includes signs of adolescent youth who are experiencing a mental health challenge. The training informs staff about common mental health concerns among youth and teaches staff how to recognize signs of abuse or neglect.

If a student discloses personal information regarding their sexual orientation, gender identity or expression such as coming out to you, you should:	<ol style="list-style-type: none"><li>1. Offer support but don't assume the student needs any help</li><li>2. Be a role model of acceptance</li><li>3. Appreciate the student's courage</li><li>4. Listen, listen, listen</li><li>5. Be prepared to help if a student needs it and provide a referral for appropriate support if needed</li></ol>
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## Support for LGBTQ Students

### LGBTQ+ RESOURCES

#### Crisis Hotlines

##### **Florida Department of Children and Families Abuse Hotline**

Abuse Hotline: 1-800-962-2873; [myflfamilies.com](http://myflfamilies.com)

##### **National Suicide Prevention LifeLine**

1-877-273-8255; [suicidepreventionlifeline.org](http://suicidepreventionlifeline.org)

Call 988 ( Effective July 1, 2022)

##### **The Trevor Project**

1-866-488-7386; [thetrevorproject.org](http://thetrevorproject.org) - Text 'START' to 678-678

*24/7 crisis intervention and suicide prevention for LGBTQ+ youth*

##### **United Way of Northeast Florida 2-1-1**

2-1-1 or 904-632-0600; [Nef1211.org](http://Nef1211.org) - Text 'Hello' to 211904

*Provides 24-hour comprehensive Helpline and support services for individuals in our community seeking crises intervention assistance and/or information and referrals to health and human services in Duval County.*

##### **Youth Runaway Hotline**

1-800-RUNAWAY (1-800-786-2929); [1800runaway.org](http://1800runaway.org)

*Keeps runaway, homeless and at-risk youth safe and off the streets*

#### District Resources

##### **The District's Office of Equity and Inclusion - [bit.ly/dcpsequityinclusion](http://bit.ly/dcpsequityinclusion)**

This department is charged with the responsibility of monitoring, coordinating, and recommending action aimed toward the district's policy of equal opportunity in education and employment. The department also assures the district's compliance with Federal, State and District regulations pertaining to equal opportunity and equal access.

## Support for LGBTQ Students

### **School Behavioral Health Department - [bit.ly/dcpssbhs](http://bit.ly/dcpssbhs)**

School Behavioral Health services and supports are an effective means of addressing the mental health needs of students and improving the learning environment. Comprehensive School Behavioral Health services help educators prevent and respond to crises, while fostering a school climate that supports teaching and learning. Improvement of student outcomes through social and emotional supports helps reduce the stigma associated with mental illness by building positive relationships and increasing school engagement to help concentrate on learning. Partnerships between schools, youth, families, and mental health providers can result in improved academic outcomes.

### **The District's Office of Student Discipline & Support Services – [bit.ly/dcpssdss](http://bit.ly/dcpssdss)**

District specialists offer professional learning opportunities on the topic of bullying. This includes bullying, cyber-bullying, harassment and teen dating violence as defined by section 1006.147, Florida Statutes. Training topics include prevention, notification, jurisdiction, instruction, and counseling referrals. The Bullying Prevention Hotline phone number is (904) 390-2255 or text at 390Call@duvalschools.org. Reporting forms are at schools and on the District website.

### **The Department of Health Education & Physical Education – [bit.ly/dcpshepe](http://bit.ly/dcpshepe)**

This department fosters a comprehensive health education and physical education program to motivate students to improve their health, prevent disease, and avoid or reduce health-related risk behaviors. The team works to enhance students' and the DCPS community's ability to maintain and enhance personal health and fitness, create safe environments, and manage personal and community resources. In addition to standards-based (Next Generation Sunshine State Standards) instructional support the team also works to coordinate the implementation of the Youth Risk Behavior Survey (YRBS) Bi-Annually and manage teen health centers throughout the district.

### **Other Local & National Resources**

#### **Equality Florida [eqfl.org](http://eqfl.org)**

*Statewide agency dedicated to securing full equality for Florida's lesbian, gay, bisexual, and transgender (LGBT) residents.*

#### **Florida Department of Health in Duval County [Floridahealth.gov](http://Floridahealth.gov)**

*The mission of Florida Department of Health in Duval County is to protect, prevent and improve the health of all people in Duval County through integrated state, county, and community efforts.*  
(904) 253-1000

#### **Jacksonville Area Legal Aid (JALA) [Jaxlegalaid.org](http://Jaxlegalaid.org)**

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JALA provides high quality free civil legal assistance to the economically disadvantaged in Duval County. (904) 356-8371

**JASMYN** [jasmyn.org](http://jasmyn.org)

The mission is to support and empower LGBTQ+ young people by creating safe space, providing health and wholeness services, and offering youth development opportunities, while bringing people and resources together to promote equality and human rights. Phone: (904) 389-3857 Gay Youth Information Line: (904) 389-0089

**Parents and Friends of Lesbian and Gays (PFLAG)** [pflagjax.org](http://pflagjax.org)

Promotes the health and well-being of lesbian, gay, bisexual, and transgender individuals, as well as their family and friends, through support, education, and advocacy. (904) 737-3329

**American Civil Liberties Union of Florida (ACLU)** [aclufl.org](http://aclufl.org)

Investigates and/or litigates civil liberties matters concerning individual freedom and constitutional rights. Division devoted specifically to LGBTQ+ issues.

**Gay Lesbian Straight Education Network (GLSEN)** [GLSEN.org](http://GLSEN.org)

The leading national education organization focused on ensuring safety for all students. Provides resources, research, and model policies.

**Gay-Straight Alliance Network (GSA Network)** [gsanetwork.org](http://gsanetwork.org)

A youth leadership organization linking GSAs to one another and community resources through peer support, leadership development, and training.

**Office for Civil Rights, U.S. Department of Education** [bit.ly/DOEcivilrights](https://bit.ly/DOEcivilrights)

Regional office serving Florida; can be contacted in the event of a violation.

(404) 974-9406

### **DCPS School-Based Support**

DCPS Office of Equity & Inclusion/Professional Standards

Dr. Tameiko Grant

(904) 390-2181

[GrantT1@duvalschools.org](mailto:GrantT1@duvalschools.org)