

GENDER / JUSTICE

To: Governor Tim Walz
Lieutenant Governor Peggy Flanagan
Commissioner Heather Mueller
House Speaker Melissa Hortman
House Minority Leader Kurt Daudt
Senate Majority Leader Paul Gazelka
Senate Minority Leader Susan Kent

Cc: House Education Finance Chair Rep. Jim Davnie
Senate Education Chair Sen. Roger Chamberlain

From: Gender Justice

Re: Supporting Transgender and LGB Students with American Rescue Plan Act (ARPA) Funds

As COVID-19 rates continue to decline in Minnesota, students, families, and educators are looking ahead to the coming school year, eager to address the well-documented social, emotional, and educational impacts of the pandemic and distance learning on vulnerable students. With funds from the American Rescue Plan Act (ARPA), our leaders have an opportunity to support students who experienced the most severe adverse impacts during the pandemic, and this must include resources for LGBTQ+ students.

Available data clearly demonstrate that LGBTQ+ youth were uniquely vulnerable before COVID-19, and they have experienced severe adverse consequences from the pandemic.

Gender Justice is urging Governor Walz and the Minnesota Department of Education to ensure that LGBTQ+ students are prioritized and supported in the state's ARPA funding and recovery plan. The challenges faced by LGBTQ+ students are urgent, and their need for support and protection could not be more clear.

Challenges Faced by LGBTQ+ Students

Guidance issued by the U.S. Secretary of Education acknowledges that the students most adversely impacted by COVID-19 include “students from low-income backgrounds, students of color, students with disabilities, English learners, students experiencing homelessness, and students with inadequate access to technology.” LGBTQ+ youth sit squarely at the intersection of many of these backgrounds and identities, with Black, Brown, and Indigenous LGBTQ+ youth experiencing additional risks and stigma because of their identities.

- **LGBTQ+ students are disproportionately unhoused.** LGBTQ+ young people make up between 40–50% of the unhoused youth population, even though only about 10% of the youth population identifies as LGBTQ+.
- **LGBTQ+ students are disproportionately food insecure.** Half of all Indigenous LGBTQ+ young people, and more than 1 in 3 Black and Latinx LGBTQ+ young people, reported experiencing food insecurities in the last year, which in turn is a risk factor for suicide.
- **LGBTQ+ students are disproportionately struggling with stressful home environments.** Almost half of those surveyed said that COVID-19 has affected their ability to express their sexual orientations, and more than 80% of LGBTQ+ youth said that it has made their living situations more stressful.

In addition to these challenges, LGBTQ+ youth experience negative mental health outcomes at much higher rates than their non-LGBTQ+ peers, due primarily to lack of support and adverse experiences like bullying and discrimination. And during the last twelve months, LGBTQ+ students have faced additional challenges that exacerbate these longstanding mental health disparities:

- **The pressures of COVID-19 have exacerbated an already worrying landscape for LGBTQ+ students.** LGBTQ+ youth have experienced negative mental health outcomes at disproportionate rates during the pandemic. The Trevor Project found that 70% of LGBTQ+ young people reported their mental health was “poor” most or all of the time during the pandemic, and nearly half (48%) of LGBTQ young people reported they wanted counseling from a mental health professional during the past year but were unable to access care.

Here again, young LGBTQ+ people of color experience additional layers of discrimination, stigma and risk. Half of all young LGBTQ+ people of color reported experiencing discrimination based on their race or ethnicity in the past year, including 67% of Black LGBTQ+ youth and 60% of AAPI LGBTQ youth. Additionally, Black and Indigenous LGBTQ+ youth reported attempting suicide at twice the rate — 21% and 31% respectively — as their white peers (see Supplemental Data).

- **What’s more, LGBTQ+ youth are facing a coordinated, well-funded, and nationwide attack on their rights and dignity.** Across the country, a record number of bills have been introduced this year that seek to limit the rights of transgender young people and erase them from public life. More of these bills have been signed into law so far this year than in the past ten years combined.

Regardless of the success of these bills, the effect is to further erode the mental health and well-being of transgender youth and their families. This weathering effect — and the absence of resources to counter it — is clear not only in available mental health data (see below), but also in the marked increase in calls Gender Justice receives from educators and parents of transgender young people who are desperately seeking assistance and intervention.

Responding to the Needs of LGBTQ+ Students

LGBTQ+ students (and particularly transgender students), their families, and their teachers need resources, support, and training from the state, not only from a small non-profit like Gender Justice.

Fortunately, the Minnesota Department of Education has an opportunity to address the unique needs of LGBTQ+ students by directing funding from the American Rescue Plan to strengthen resources and services for LGBTQ+ students. Gender Justice is requesting that the following measures be enacted:

Update Safe and Supportive Schools Toolkit and Provide Training to all Educators and Districts

In 2017, the Minnesota Department of Education, in partnership with the Minnesota Department of Human Rights, released “[A Toolkit for Ensuring Safe and Supportive Schools for Transgender and Gender Nonconforming Students](#).” This resource was designed to provide information and guidance to educators of transgender, non-binary, and gender nonconforming students. The Toolkit was last updated on Sep. 25, 2017.

Since the Toolkit was created, Minnesota Courts have clarified that it is a violation of the Minnesota Human Rights Act and the Minnesota Constitution to require transgender students to use segregated bathrooms and locker rooms, or to prevent them from using facilities that align with their gender identity. In other words, allowing transgender students to use facilities consistent with their gender identity is no longer a recommendation as described in the Toolkit, it’s the law.¹

The Toolkit provides a framework and sets policies that dictate transgender students’ experiences at school. It is therefore imperative that this resource be updated and that educators receive training on updated guidance and state law.

Reinstate Funding for SSTAC Hotline

When our client Matt and his mother Helene needed support around Matt’s experiences with discrimination at school, they called the School Safety and Technical Assistance (“SSTAC”) Hotline. As for other families, the hotline provided Matt and Helene with an advocate when no other support was accessible to them. Unfortunately, a student like Matt today would not have even that support. Funding for the CDC grant that backed the hotline was discontinued by President Trump in 2017.

As the mental health data above demonstrates, students who are experiencing discrimination and harassment at school — and their families — need more support and advocacy, not less. With funds from the American Rescue Plan, the Minnesota Department of Education could reinstate funding for the SSTAC Hotline and make sure that transgender students know they have someone on their side.

¹ The change to Minnesota law follows a decision by the State Court of Appeals in *N.H. v. Anoka-Hennepin*, a case brought by Gender Justice on behalf of a transgender man and former high school student. The Court found that it violates both the Minnesota Human Rights Act and the Minnesota Constitution for school districts to segregate transgender students from their peers in locker room facilities.

Fund Training for All School Districts

Minnesota educators care deeply for their students, and they want training and support when it comes to addressing the concerns of transgender students in their classes and schools. Unfortunately, the Minnesota Department of Education is not currently able to respond to demand for up-to-date, trans-affirming resources made by educators, for educators.

Educators of transgender students consistently identify gaps in available training resources. When educators have contacted the Minnesota Department of Education seeking training and resources on how best to support transgender students, they have frequently been redirected to statewide non-profit organizations that have small budgets and smaller staffs, and that do not specialize in training educators. This means that the costs of developing, sharing, and implementing these critical trainings are being shouldered by community organizations, individual educators, and school administrators, rather than by the Minnesota Department of Education. This situation isn't just unacceptable; it is totally untenable for educators and their transgender students.

Conclusion

As the country slowly begins to emerge from the public health crisis of the last year, now is the time for the Minnesota Department of Education to allocate the resources needed to support schools, administrators, and educators in supporting their LGBTQ+ students. The American Rescue Plan Act, and the funds it has made available to the state of Minnesota, represent a perfect opportunity to demonstrate that Minnesota schools are safe and supportive learning environments for LGBTQ+ students.

LGBTQ-affirming practices and educational environments, as well as a support network of caring adults who respect all of their students, can ensure that Minnesota's LGBTQ+ children do not merely survive but thrive. Inclusive, welcoming, and compassionate schools give every child a better chance at success.

Sincerely,

Erin Maye Quade
Advocacy Director, Gender Justice

Supplemental Data

From the [Minnesota Department of Education Student Survey \(2019\)](#)

<i>Grade 11 (2019)</i>	Transgender GNC/GNB Students	Cisgender Students	LGB Students	Heterosexual Students	All LGBTQ Students	All Students
Do you have long-term mental health problems?	77%	25.5%	63%	21.6%	65%	26%
Self-harmed in the last 12 months	59%	14.4%	40%	11.5%	43.9%	14%
Seriously considered attempting suicide	66.7%	23.5%	58.8%	19.8%	54.9%	28.7%
	<i>39.8% in the last year</i>	<i>12.4% in the last year</i>	<i>33.7% in the last year</i>	<i>10.2% in the last year</i>	<i>29.4% in the last year</i>	<i>13% in the last year</i>
Actually attempted suicide	35.1%	8.4%	26.9%	6.3%	19.3%	10%
	<i>13.2% in the last year</i>	<i>3.2% in the last year</i>	<i>10.4% in the last year</i>	<i>2.4% in the last year</i>	<i>10.2% in the last year</i>	<i>3.4% in the last year</i>

<i>Grade 9 (2019)</i>	Transgender GNC/GNB Students	Cisgender Students	LGB Students	Heterosexual Students	LGBTQ Students	All Students
Do you have long-term mental health problems?	68%	21.9%	59%	18.6%	60%	23%
Self-harmed in the last 12 months	59%	17%	50%	13.7%	50.3%	19%
Seriously considered attempting suicide	62.2%	20.2%	55.7%	17%	62%	25.2%
	<i>45% in the last year</i>	<i>12.5% in the last year</i>	<i>37.4% in the last year</i>	<i>10.3% in the last year</i>	<i>28.6% in the last year</i>	<i>13% in the last year</i>
Actually attempted suicide	31.5%	7.4%	24.1%	5.7%	28.7%	9.1%
	<i>17.7% in the last year</i>	<i>3.7% in the last year</i>	<i>13% in the last year</i>	<i>2.6% in the last year</i>	<i>12.8% in the last year</i>	<i>4% in the last year</i>

