

**The Commonwealth of  
Massachusetts  
Commission on Gay, Lesbian,  
Bisexual, and Transgender Youth**

**Annual Recommendations  
to the Great and General Court  
and Executive Agencies  
FY2012**



**Arthur Lipkin, Chair  
Edward Byrne, Vice Chair**



## Letter from the Chair

Fiscal circumstances continue to limit advancement toward the Commission's goals, but not our resolve to promote the health, safety, and happiness of GLBT youth in Massachusetts, particularly GLBT youth of Color and transgender youth.

Despite the budget squeeze, and with the outstanding help of Vice Chair Ed Byrne, the Executive Committee, and the rest of the Commission, we have made significant progress over the last year (See Appendix A).

The Oversight Team was particularly pleased with the detailed responses to the Commission's June 2009 recommendations that we received from the Department of Elementary and Secondary Education and the Department Public Health. We include in this Annual Report each agency's self-assessment grid and explanatory narrative. Their thoughtfulness and candor are good signs of a healthy relationship with the Commission, but we still are not persuaded that a significant number of our key proposals are beyond reach -- even in tough budgetary times.

We continue to demand of both departments that more targeted and efficacious interventions be devised for GLBT youth of color and transgender youth, who suffer disproportionate harm in our schools and communities. GLBT youth generally in Massachusetts cannot afford the consequences of program stagnation. Serious evaluation and refocusing are demanded, even more so when funds are short.

On another note, the Commission is very grateful to DPH for providing the administrative support that has been indispensable to our functioning.

As in the past, the challenges we face - both budgetary and institutional - can be surmounted. To move forward and expand on the initiatives we have begun, we yet again need to spur our determination and hone our capacities -- both of which tasks have been energetically undertaken for 2011.

Sincerely,

Arthur Lipkin, Ed.D.  
Chair, Massachusetts Commission on GLBT Youth

## **I. History and Structure of the Commission**

The Massachusetts Commission on Gay, Lesbian, Bisexual, and Transgender Youth was created by the General Court in 2006 (Act of Jul. 1, 2006, Ch. 139 §4, codified in Mass. Gen. Laws Ch. 3 §67). Up to 50 commissioners may be appointed, representing twelve Public Education, Public Health and GLBT organizations, and fourteen state regions. The Commission's leadership includes a Chair who appoints an Executive Committee which meets monthly. All members meet quarterly as a full body and monthly in functional teams.

## **II. Mandate**

The work of the Commission is to eliminate the disparities between GLBT youth populations and non-GLBT youth populations. The Commission adopts a public health approach, which focuses on the root causes of disease and injury in GLBT youth populations in Massachusetts. The scope of Commission activities includes:

- Reviewing current research, identifying disparities and disseminating that information publicly;
- Researching best practices for programs and services for GLBT youth populations;
- Making policy recommendations to state agencies: including MA Department of Public Health (DPH) and Department of Elementary and Secondary Education (DESE);
- Supporting, testifying and crafting legislative initiatives to redress disparities;
- Advocating for increased funding to support programs for GLBT youth populations;
- Recommending targeted use of state agency funds to best improve the public health of GLBT youth populations, and
- Serving as the connecting point regarding policy targeting GLBT youth populations in the Commonwealth, through its diverse organizational and regional representation.

## **III. Introduction**

The Commission's goal is to improve the health and safety of youth and students who are gay, lesbian, bisexual or transgender. The Commission is committed to the elimination of disparities in access to services and in service outcomes for GLBT populations in all life arenas, including health, education, social services, housing, and jobs. Information from providers serving the GLBT populations, from youth themselves, and from such surveillance data as exist indicate that youth who are GLBT are a vulnerable population, and that all youth who are transgender and all youth of color are particularly vulnerable (Consolacion, Russell, and Sue, 2004; Garofalo, DeLeon, Osmer, Doll, and Harper, 2006; Gutierrez, 2004; Harper, Jernewall, and Zea, 2004; McCready, 2004; O'Donnell, O'Donnell, Wardlaw, and Stueve, 2004).

The Commission has developed the following recommendations to the Great and General Court and to key state departments as ways of making the state more responsive to the needs of GLBT populations. As part of its work, the Commission will monitor and report on the implementation of these recommendations. Certain items, such as designated funding within the state budget, are easy to track. The Commission will track designated funds within the budget, meet with respective agencies to track progress, request written reports from agencies to assess implementation barriers and offer assistance when needed.

#### **IV. Terms and Definitions Regarding Priority Populations**

##### **Youth/Students of Color**

The Commission defines youth of color broadly, to include those groups that have a specific, racialized, and longstanding relationship to systems of racism in the United States. We also encourage the inclusion of groups of color with ethnic and cultural backgrounds, which position them for experiences of racism.

When discussing GLBT youth/students as a population, it is important to recognize that young people of color may not fit or define themselves according to "commonsense" or prevailing definitions of gay, lesbian, bisexual or transgender (Silenzio 2003, 867-871). When using the term GLBT, the Commission is referring to more than sexual identity or behavior per se, as youth, particularly those who are more vulnerable due to poverty, neglect, abuse, cognitive, emotional or physical disability or chronic illness may not have fully developed sexual identity. Questioning youth are also included in the GLBT definition.

Defining and measuring GLBT youth populations can be difficult with most instruments relying on sexual identity, sexual orientation, sexual behavior, or a combination of the three. (Robin, Brener, Donahue, Hack and Goodenow 2002, 349-355) (Austin, Conron, Patel, and Freedner 2007, 55-65) While the Commission urges the continued use of the term "GLBT", it recognizes that this term should not be read to suggest only youth/students identifying as GLBT, but also include youth/students who would be represented by broader measures such as orientation and same-sex sexual behavior. We believe that a broader understanding of this term takes into account the complexity of sexual identity development and allows for more culturally specific descriptions of populations than a reliance on identity alone. (Rosario, Schrimshaw, and Hunter 2008) (Rosario, Schrimshaw, and Hunter 2004) (Harper, Jernewall, and Zea 2004).

##### **Transgender and Gender Nonconforming Youth/Students**

The Commission recommends the consistent use of as broad a definition of transgender as practicable. Gender norms are complexly influenced by broader cultural norms and those cultural norms affect self perception and perception by others. Additionally,

transgender is a relatively new and rapidly evolving term, with no set standards for social science measurements and survey instruments. Because of these factors, we recommend that transgender should be defined to include both identity and behavioral measures around gender, including gender expression and identity closely attached to gender expression. This avoids what the Commission believes is a dangerous risk of excluding transgender youth/students of color and other gender non-conforming youth/students with the application of a narrower definition of transgender. Such an inclusive definition is, for instance, needed to ensure that professionals interact with these youth in an appropriate manner and provide appropriate care.

## **Commission Recommendations for Fiscal Year 2012**

### **V. Letter to Commissioner Chester Regarding Proposed Anti-Bullying Legislation (DESE)**

Re: Proposed Anti-Bullying Regulations

Dear Commissioner Chester:

The MA Commission on GLBT Youth thanks the DESE for its hard work in preparing regulations pertaining to the Commonwealth's recently enacted anti-bullying legislation. We understand that the regulations that have been published to date are confined to the notification and enforcement aspects of anti-bullying policy. However, we are disappointed that other mandates of the law (e.g., research-based prevention, professional development, monitoring and compliance) are not yet available for public scrutiny, considering that DESE must provide cost estimates for professional development to the legislature by August 31, 2010.

Insofar as parental and law enforcement notification are concerned, the Commission seeks assurances that schools will be discreet in reporting any details of the bullying incident that might "out" a targeted GLBT student to his or her parents/guardians or to the public. Since anti-GLBT harassment is based on perceived sexual orientation and gender identity, the question of whether a target identifies as GLBT is, to some degree, beside the point. To the extent that such victimization has grave negative impact on targets who do identify as GLBT, the school should not compound the injury by putting a student who is not out to parents/guardians and others at risk of further harm.

**We ask that the following language be added to Section 5 (g):**

**“To respect the target’s privacy, school authorities will exercise discretion in reporting the basis of bullying that stems from perceived sexual orientation and gender identity to parents/guardians and others involved in the incident.”**

The Commission regards prevention as the keystone of the DESE's ongoing efforts in addressing bullying; we wish to address three key issues at this time:

- Anti-GLBT bullying is endemic in our schools and must be tackled head-on.
- GLB students of color and transgender students are at great risk of negative health outcomes associated with being bullied.
- Reducing anti-GLBT bullying requires changing the culture of the school by addressing homophobia and transphobia directly in and out of the classroom.

We attach a research brief prepared by Dr. Paul Poterat of the Lynch School of Education at Boston College, an expert on school bullying. (See attachment.) Study after study has documented both the prevalence of anti-GLBT bullying in America's schools and the negative impact upon the health and well-being of its victims. Moreover, the intersection of disparaged identities (e.g., black lesbian) has been shown to have an exacerbating effect on already poor health outcomes.

The Commission is pleased that the anti-bullying law requires that professional development include:

- developmentally appropriate strategies to prevent bullying incidents;
- developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment.

**We call on DESE, under Section 13 of Chapter 92 of the Acts of 2010 (i.e., Monitoring and Compliance), to ensure that professional development include pertinent research on youth development; on racism, homophobia, and transphobia; and on GLBT victimization and its consequences.**

Such professional development will equip educators to carry out the curricular mandate of the legislation: "age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school." The Commission believes that any successful anti-bullying curriculum must explicitly address the underlying causes of anti-GLBT bullying and must have an understanding and accepting school community as its goal.

**We call on DESE, under Section 13 of Chapter 92 of the Acts of 2010 (i.e., Monitoring and Compliance), to monitor all ensuing anti-bullying curricula to ensure the developmentally appropriate inclusion of racism, homophobia, and transphobia.**

The Commission looks forward, as always, to assisting DESE in realizing its goals in the ongoing anti-bullying campaign.

## VI. Schematic Self-Evaluation: Department of Public Health

### Implementation of MA Commission on GLBT Youth Recommendations

Responses of the Massachusetts Department of Public Health

#### Implementation Status

Recommendation to DPH Regarding GLBT Programming	F	P	NOT	NM
1. Reduce disparities based on race and ethnicity				
a. Youth of color should be a primary focus of youth programming		X		
b. Establish new targeted criteria for future funding to address recommendations				X
c. Ensure funded programs demonstrate cultural competency		X		

Recommendation to DPH Regarding GLBT Programming	F	P	NOT	NM
2. Address transgender youth				
a. Ensure transgender youth are a strong focus of DPH activities		X		
b. Establish new targeted criteria for future funding to address recommendations				X
c. Ensure funded programs demonstrate cultural competency		X		

Recommendation to DPH Regarding GLBT Youth Surveillance	F	P	NOT	NM
3. Surveillance				
a. Develop and use consistent definition of transgender		X		
b. Ensure transgender populations are measured		X		
c. Use multiple measures to identify GLBT youth	X			
d. Insure GLBT Youth measured in every setting, not just school (include race and ethnicity measures in data collection)		X		
e. Investigate use of existing data sources for surveillance		X		
f. Maintain privacy of GLBT youth. All surveillance must be HIPPA Compliant.	X*			
g. Develop partnerships with EOHHS agencies to ensure consistency in aggregated data			X	
h. Dedicate research and staff resources to improving data collection and surveillance		X		

F: FULLY IMPLEMENTED    P: PARTIALLY IMPLEMENTED    NOT: NOT IMPLEMENTED  
 NM: NOT MEASURABLE

**Implementation Status**

<b>Recommendation to DPH Regarding GLBT Programming</b>	F	P	NOT	NM
4. Homelessness				
a. Identify scope and severity of the problem in GLBT Youth		X		
b. Develop plan to include homeless in DPH efforts to improve public health surveillance of GLBT youth		X		
c. Create 3-5 year plan to ensure services to meet needs of GLBT homeless youth		X		

<b>Recommendation to DPH Regarding GLBT Programming</b>	F	P	NOT	NM
5. Currently funded programs óSafe Spaces and the GLBT Youth Group Network of MA				
a. Designate a DPH contact for the GLBT Youth Group Network of MA		X		
b. Describe and cite youth development models that serve as the basis for Safe Space and the GLBT Youth Group Network programs		X		
c. Work with a capacity builder to provider technical assistance and training to funded programs		X		
d. Develop and institute evaluation protocols to measure impact of current programs			X	
e. Incorporate these programs into violence prevention strategy		X		
f. If funding allows, prioritize resources to: 1) transgender youth of color; 2) programs targeting GLBT youth of color; 3) programs targeting transgender youth in general; 4) to other funded GLBT programs		X		

<b>Recommendation to DPH Regarding MCGLBTY Administration</b>	F	P	NOT	NM
6. Commission Administration				
a. Provide consultant expenses for a full time executive director and part-time assistant		X		
b. Cover costs of mandatory full Commission meetings	X			
c. Cover costs of 3 trainings a year for Commissioners	X			

**F: FULLY IMPLEMENTED    P: PARTIALLY IMPLEMENTED    NOT: NOT IMPLEMENTED  
NM: NOT MEASURABLE**

## VII. Schematic Self-Evaluation: Department of Elementary and Secondary Education

### Implementation of MA Commission on GLBT Youth Recommendations

Responses from the Massachusetts Department of Elementary and Secondary Education

#### Implementation Status

Recommendation to DESE Regarding GLBT Programming	F	P	NOT	NM
1. Eliminating Barriers based on race and ethnicity		X		
a. Make students of color a primary focus of GLBT student programming		X		
b. Establish new targeted criteria for future funding to address health disparities based on race and ethnicity		X		
c. Ensure funded programs demonstrate cultural competency				

2. Address Transgender and Gender Non-conforming student needs				
a. Ensure that transgender students are a strong focus of DESE activities		X		
b. Establish new targeted criteria for future funding to address transgender students experiencing the most harassment, violence, etc		X		
c. Ensure funded programs demonstrate cultural competency		X		

3. Surveillance				
a. Ensure data on sexual minority status, race and ethnicity are included and broken out in YRBS reports		X		
b. Continue work with DPH on Surveillance recommendations C-K below		X		
c. Develop and use consistent definition of transgender	X			
d. Ensure transgender populations are measured		X		
e. Use multiple measures to identify GLBT youth		X		
f. Insure GLBT youth measured in every setting, not just school (include race and ethnicity measures in data collection)			X	
g. Investigate use of existing data sources for surveillance		X		
h. Maintain privacy of GLBT youth. All surveillance must be HIPAA Compliant	X			
i. Develop partnerships with EOHHS agencies to ensure consistency in aggregated data		X		
j. Dedicate research and staff resources to improving data collection and surveillance		X		

**F: FULLY IMPLEMENTED    P: PARTIALLY IMPLEMENTED    NOT: NOT IMPLEMENTED  
NM: NOT MEASURABLE**

**Implementation Status**

<b>Recommendation to DESE Regarding GLBT Programming</b>	F	P	NOT	NM
4. Expand Scope of Programs beyond Focus on Suicide and Violence				
a. Expand focus to all the needs of GLBT, including substance abuse and sexual activity	X			
5. Expand Scope of Programs to Include Elementary and Middle Schools				
a. Include elementary and middle schools in Safe Schools Program as a foundation for prevention			X	
6. Safe Schools Program			X	
a. Hire full time coordinator by 9/1/09			X	
b. Focus on needs of GLBT students of color (i.e. through training and funding)			X	
c. Delineate criteria by which Safe Schools programs are evaluated by 10/30/09.			X	
d. Determine which populations served by the GSA approach and which not, focusing on racial and ethnic disparities by 1/31/10			X	
e. Ensure diverse spectrum of GLBT Students receive support in context of programs focused on race and ethnicity by 6/30/10			X	
f. Ensure GSA and other group advisors are adequately trained and mentored on issues of sexuality and gender by 6/30/10			X	
g. Establish reliable directory of GSAs and other relevant groups as well as a listserv to support their work by 11/15/09			X	
7. Explicit Inclusion of Bisexual and Transgender Students				
a. Ensure addition of the terms "bisexual" and "transgender": in all mention of "gay and lesbian" in curricula, regulations, grant opportunities and training materials by 9/1/09	X			
<b>Recommendation to DESE Regarding GLBT Programming in conjunction with MA Board Of Elementary &amp; Secondary Education</b>	F	P	NOT	NM
8. Access to Equal Opportunity Regulations				
a. The Commission will work with the Board of ESE to revise 603 C.M.R. 26.00 et.seq. or create new regulations that comprehensively affirms students based on race, sex, sexual orientation, gender identity and expression			X	
9. Curriculum Frameworks				
a. Review the MA Curriculum Frameworks and the Vocational Technical Education frameworks to ensure adequate inclusion of GLBT related content. Consult with the Commission before any public hearings held on frameworks.		X		
10. Teacher Licensure Standards				
a. Ensure that DESE licensure standards protect the welfare of all GLBT students			X	

**F: FULLY IMPLEMENTED    P: PARTIALLY IMPLEMENTED    NOT: NOT IMPLEMENTED  
NM: NOT MEASURABLE**

## VIII. Narrative Self-Evaluations from DPH and DESE

### Massachusetts Department of Elementary and Secondary Education Narrative

**Recommendation 1: Eliminating barriers based on race and ethnicity.** To the extent that our resources permit, we are meeting this recommendation. (a) For the past few years, ESE's HIV/STD/Pregnancy Prevention Program has provided trainings for school staff across the state on "Healthy Lesbian, Gay, Bisexual and Questioning Youth." These trainings were developed by the American Psychological Association, funded by CDC, to improve skills of school nurses, counselors, psychologists, and social workers in their work with sexual minority students. The training curriculum includes a component on the intersection of sexual orientation and racial/ethnic identities, and priority in registering for these trainings is given to staff in ethnically diverse school districts. (b) Currently, other than some resources in the HIV Program budget for these trainings, there is no funding at ESE for any program that directly addresses the needs of sexual minority youth. However, the PREP grant application that ESE is submitting with the Department of Public Health for pregnancy prevention and "preparation for adulthood" is targeting high risk districts and will focus on ethnic minority and LGBT students, who, as recent research has demonstrated, have higher than average rates of pregnancy involvement. Any RFRs related to the PREP funding will include the stipulation that awards will be based in part on districts' ability to meet the needs of these youth. (c) In addition to the APA trainings and upcoming PREP programming, ESE's HIV Program also conducts a Sexuality Education Summer Institute that has an explicit focus on helping health teachers understand and address the needs of the diverse students and various subcultures within their particular schools. There is explicit instruction in the Summer Institute on ensuring that sexuality education instruction be appropriate for LGB and gender non-conforming as well as heterosexual and gender-conforming youth.

*ESE's Office for Career/Vocational Technical Education is responsible for monitoring school districts and public two-year colleges that have career/vocational technical education programs. Monitoring is accomplished pursuant to the federal Vocational Education Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap as required by the United State Department of Education – Office for Civil Rights. In addition, ESE's Office for Career/Vocational Technical Education is responsible for monitoring under the provisions contained in the federal Carl D. Perkins Career and Technical Education Improvement Act P.L.109-270 including the sections addressing equal access and nondiscrimination based on gender and status as a student, or would-be student, in career/vocational technical education programs that would prepare them for additional training, including registered apprenticeships, and ultimately careers that are nontraditional for their gender. In addition to monitoring, ESE provides technical assistance and professional development on these important topics through an 'equity team' from ESE's Office for Career/Vocational Technical Education.*

**Recommendation 2: Addressing transgender and gender non-conforming student needs.** To the extent that our resources permit, we are meeting this recommendation. (a) As a first step in understanding the needs of transgender students, we added a new question to the 2010 School Health Profiles Questionnaire, a survey sent to middle and high school principals every other year. This question, developed after reviewing research literature in the field and in consultation with the APA Office of LGBT Concerns and with DPH's Gender Measures Project Advisory Group, is:

“Transgender persons are those whose gender identity (inner self-concept) is different from their birth or biological sex. For example, a student who was born biologically male might self-identify as female, dress and act feminine, and ask to be treated as female. Similarly, a student born biologically female might self-identify as male, dress and act masculine, and ask to be treated as male. Alternatively, a transgender person might not self-identify as either male or female, as those terms are currently defined. *To your knowledge, have there been any transgender students attending your school in the past two years? If yes, how many transgender students in your school in the past two years?*”

Our Profiles surveys have been sent out for data entry, but results will give us one rough indication of the prevalence of transgender students in Massachusetts secondary schools. A logical next step, if any funding becomes available, would be to conduct individual or focus group interviews with principals reporting any transgender students to get more detailed information about how those students are treated in the school and about any issues that have come up related to those youth. (b) Federal funding for the Safe and Drug-Free Schools Program is in its final few months. Although there is no other current funding of any kind at ESE to address victimization and school violence, it would certainly be possible, if funding becomes available, to stipulate that programs to prevent school violence address the heightened victimization risk of transgender and other gender-nonconforming students. (c) See answer to Recommendation 1, above. Both the APA Healthy LGBTQ Students trainings and the Sexuality Education Summer Institute address ethnic/racial disparities and issues of gender non-conformity.

**Recommendation 3: Surveillance.** To the extent that our resources permit, we are meeting this recommendation. (a) The Massachusetts Youth Risk Behavior Survey has collected data on sexual orientation identity and on sex of sexual partners since 1995. Although there were staff resources in many past years to produce a very detailed YRBS report that included some analyses of sexual minority youth, in 2007 and again in 2009, we only produced a summary report that gave basic trends for all youth. To respond to the need for reporting on Massachusetts sexual minority youth, ESE and DPH staff met with Commission members in April 2010 to discuss the development of a special report on sexual minority youth. Since then, the report has been outlined in detail and some sections written. We look forward to producing a first-ever final report on sexual minority youth in Massachusetts. (b) We will continue to work with DPH on surveillance recommendations. (c) After reviewing research literature in the field and in consultation with the APA Office of LGBT Concerns and with DPH's Gender Measures

Project Advisory Group, we did develop a definition of transgender: "Transgender persons are those whose gender identity (inner self-concept) is different from their birth or biological sex. For example, a student who was born biologically male might self-identify as female, dress and act feminine, and ask to be treated as female. Similarly, a student born biologically female might self-identify as male, dress and act masculine, and ask to be treated as male. Alternatively, a transgender person might not self-identify as either male or female, as those terms are currently defined." (d) As a first step, we have surveyed middle and high school principals about transgender students in their schools. (e) We use both a sexual orientation identity question and a gender of sexual partners question on our Youth Risk Behavior Survey to identify sexual minority youth. (f) ESE is only able to measure GLBT youth in the school setting. The responsibility of measuring these youth in out-of-school settings must be shouldered by other agencies or groups. (g) ESE staff continue to investigate the use of other existing data sources to supplement our own YRBS and Profiles data. (h). All student surveillance related to GLBT youth is HIPAA compliant. We collect no information from students that would permit identification of sexual orientation in any individuals. (i) We are coordinating our efforts with the new Youth Survey Group at the Department of Public Health. To our knowledge, no other EOHHS agencies collect information related to GLBT status among youth. (j) We have a full-time staff person whose job responsibilities focus primarily on the Youth Risk Behavior Survey and the School Health Profiles, and because of her extensive follow-up we have very high response rates for both of these surveys.

**Recommendation 4: Expanding the scope of programs beyond focus on suicide and violence.** To the extent that our resources permit, we are meeting this recommendation.

(a) The APA training and Sexuality Education Summer Institute discussed in Recommendation 1 both address the need to support LGBTQ in having healthy relationships and reducing HIV/STD/pregnancy risk. Unfortunately, aside from the dwindling few dollars left in the Safe and Drug-Free Schools, there are no resources for programming of any kind on school violence.

As the commission is aware, the development of the model plan for bullying prevention and intervention was inclusive of the concerns related to LGBTQ students. We appreciated your comments and feedback during that development.

**Recommendation 5: Expanding the scope of programs to include elementary and middle schools.** (a) We include middle school staff in both the APA training and the Sexuality Education Summer Institute. Including elementary and middle schools in the Safe Schools Program is not possible because there is no funded programming or staff resources for that program.

**Recommendation 6: Safe Schools Program.** There are no state resources to support the Safe Schools Program. However, to the extent that federal Carl D. Perkins Career and Technical Education Improvement Act P.L.109-270 fund use permits, ESE's Office for Career/Vocational Technical Education provides technical assistance and professional

development to give schools tools to support students to make career decisions that are not limited by gender, sexual orientation or perceived sexual orientation.

**Recommendation 7: Explicit inclusion of bisexual and transgender students.** The terms "bisexual" and "transgender" are now included in the APA training and discussion of these youth are included in the Sexuality Education Summer Institute. The revision to the Massachusetts Health Curriculum Frameworks is moving ahead and we will include the terms in the revision.

**Recommendation 8: Regarding access to equal opportunity regulations.** With the understanding that gender does not need to limit career choices, and equipped with resources to improve the school climate around sexual orientation, ESE's Office for Career/Vocational Technical Education provides technical assistance and professional development to give schools tools to support students to make career decisions that are not limited by gender, sexual orientation or perceived sexual orientation.

**Recommendation 9: Regarding curriculum frameworks.** The Coordinated School Health Program has received permission to begin the process of revising the Massachusetts Comprehensive Health Curriculum Frameworks. Applications to for membership in the Frameworks revision group are currently being accepted, and Commission members are encouraged to apply. Also, a survey asking for public commentary on the current (1999) Frameworks has been posted via the Commissioner's Update; Commission members are invited to submit comments and recommendations regarding the current Frameworks.

**Recommendation 10: Regarding teacher licensure standards.** Revised draft standards and performance indicators for principal and superintendent licensure to reflect the concerns of the Commission. They will be brought to DESE for consideration in early 2011. Licensure overhaul originally slated for 2010-2011 was removed from RTTT. The Commission's recommendations will inform licensure overhaul when it is undertaken, currently slated for 2011-2012.

### **Massachusetts Department of Public Health Narrative**

**Recommendation 1: Safe Spaces for GLBTQ Youth** prioritize youth of color in the most recent procurement (FY08) and the funded programs work particularly with Asian Pacific Islander, African American, and Latino youth. The Safe Spaces provider meetings are racially and ethnically diverse and have recently been joined by a few peer leaders that represent a younger adult population. All of the GLBTQ work being done by Safe Spaces providers is multicultural in terms of staffing, populations served and the approaches used.

In FY10 funding was transferred to the Department for Youth at Risk and the Division of Violence and Injury Prevention chose to focus some of this funding towards GLBT Youth. The so-called "youth at risk" grants fund an additional three programs that work predominantly with youth of color.

In addition two contracts were awarded by the Bureau of Infectious Disease, Office of HIV/AIDS to a network of programs serving GLBT youth; the majority of these funds went to two organizations serving primarily youth of color.

The Department wishes to discuss further with the Commission the operationalization of recommendation 1.b., and to what degree the Commission seeks to establish firm funding or service delivery targets vs. programmatic principles to ensure the prioritization of GLBT youth of color.

All MDPH funded programs have in their contracts requirements for developing and maintaining cultural competency of staff serving their respective priority populations, inclusive of race/ethnicity, language, country of origin, sexual identity, and socio-economic class. In addition, a number of programmatic units conduct periodic training of community-based staff in specific strategies for improving their level of cultural competency.

**Recommendation 2:** The current Safe Spaces for GLBT Youth procurement funds two Transgender-specific programs. (Please see Recommendation #1 for comments regarding support for culturally competent work.) Similarly, each of the OHA-funded GLBT youth programs include specific services for and outreach to transgender youth. (Please see comment on Recommendation 1.b. which also applies to Recommendation 2. b.)

**Recommendation 3:** The development and expansion of programmatic and surveillance data collection around GLBT youth has been a major focus of the Department's work since the issuance of the Commission's recommendations.

Regarding 3.a. and b., the Department contracted with Kerith Conron to assist Department staff in the development of assessment tools to collect information about transgender identity on standardized surveys. Despite efforts to test this survey item at a large scale (beyond the focus group and small pilot testing already conducted) limitations of item space on the MA YRBS and concerns about falling school participation on the YHS compelled a more cautious approach to including this item on the 2010-2011 administrations of these surveys.

Regarding 3. c., due to additional resources provided by the Office of HIV/AIDS, four new items were included on the YHS, inclusive of two items measuring same-sex sexual behavior (both "sexual intercourse" and "sexual contact"). These two items identify the sex/gender of lifetime sexual partners. These items closely parallel items on the YRBS,

and will ideally yield a larger sample of school-aged youth reporting same-sex sexual behavior for real-time analysis (rather than waiting for multiple administrations to collect sufficient sample size for analysis). These items supplement an existing item which surveys students on sexual identity.

Regarding 3. d., multiple MDPH program areas collect service delivery data tied to a broad range of demographic markers, including GLBT identity. For example, the Office of HIV/AIDS recently revised its standard data collection tool to routinely collect transgender status at the client level in addition to its historic focus on same-sex sexual behavior as an exposure mode. Work in Massachusetts has encouraged the CDC and other federal partners to recommend or require transgender status be collected in a routine manner. As a result, service delivery data serve as a supplementary source of information about GLBT youth in community settings. The Department will continue to promote this level of demographic data collection throughout its service units.

Regarding 3. e., the Department has explored numerous surveillance systems, and as yet the universality and quality of reporting of sexual identity by clinical providers is minimal. As work outlined in 3. d. above suggest, disease and other public health reporting systems are due for substantial reconsideration as potential sources of information about GLBT individuals, but will be dependent on the cooperation and skills of community-based providers to accurately and sensitively elicit and report this information to MDPH.

Regarding 3.f., the Department can assure the Commission that all of its datasets are completely confidential and protective of the privacy of all residents, including GLBT youth. However in the grid this response is asterisked, because as a hybrid entity under HIPAA, a number of MDPH's data collection and reporting activities operate under the public health carve-out exemption in this statute. Nonetheless, state law and Department policy hold MDPH staff to confidentiality standards (and related severe consequences for intentional and unintentional breaches of data security) that exceed the standards of federal law.

Regarding 3. g., despite the leadership role of the Department among EOHHS agencies around data standards that address the knowledge base about GLBT youth, we are unable to report significant progress among our sister agencies toward expanding data collection and data sharing in this area.

Regarding 3. h., as noted above, significant cross-Bureau resources have been deployed not only to ensure consistent GLBT youth data collection on population surveys, but more recently the Department has consolidated its surveying efforts into a single Bureau (Bureau of Health Information, Statistics, Research and Evaluation) with financial contributions from five Bureaus. This resource base is intended to ensure the timely administration of the YHS and to support the Department of Elementary and Secondary Education in the timely analysis and reporting out of data from the YRBS.

**Recommendation 4:** Staff within the Division of Violence and Injury Prevention are working with external stakeholders to understand and respond to the issue of GLBT youth homelessness and consider the Division and Department's role in responding. DPH is not the primary state agency charged with addressing homelessness and all of our efforts will be coordinated with those agencies.

**Recommendation 5:** The Safe Spaces for GLBTQ Youth Program utilizes positive youth development approaches that engage GLBTQ youth in shared decision making, youth leadership and peer to peer support that builds the developmental assets of youth and socially supports and affirms GLBTQ identities including race, ethnicity, gender expression, national origin, language, sexual orientation, socio-economic background, age, religion and abilities.

The Safe Spaces Program continues to provide funding to the GLBT Youth Support Project which provides technical assistance and capacity building to youth serving organizations.

Like other Division-funded programs, Safe Spaces collects data from each provider as part of the effort to evaluate provider progress toward meeting stated performance measures. (We anticipate that the data tool may change in FY11.) Safe Spaces has not chosen to utilize scarce programmatic resources to fund a substantial evaluation effort, but is working with a university partner to explore the development of an evaluation project that will look at evaluated developmental assets in terms of how well they address GLBT youth.

**Recommendation 6:** Funds from the Division of Violence and Injury Prevention and the Office of HIV AIDS have continued to support Commission Administration and the Bureau of Substance Abuse Services have provided in-kind support through space, computer and phone use.

## **IX. Commission Response to DPH Self-Assessment**

### **1. Eliminating Disparities Based on Race and Ethnicity for GLBT Youth**

The Commission commends the targeting of youth of color in its youth at risk grants and in its HIV/AIDS programs. We welcome the opportunity to discuss further the tools DPH uses to identify racial/ethnic sub-populations most at risk and to tailor its programs to meet the needs of those groups.

We also commend the department for taking socio-economic class into its cultural competency matrix; but again, we would like to discuss the means used to assess SES and the ways in which it affects program content.

## **2. Addressing Transgender and Gender NonConforming Youth Needs**

The Commission commends DPH for its targeted grants to two Transgender-specific programs. We would like to know more detail about how these programs determine which youth are most at-risk, what steps are taken to reduce their risk behaviors, and how effective the programs are.

## **3. Surveillance**

The Commission appreciates all the work that was put into devising reliable measures of gender identity and expression; but we are frankly frustrated that neither the 2010-11 YHS nor YRBS will employ these questions. We feel that enough time has passed for this to be operational.

We also urge the department to continue to insist that clinical providers provide complete sexuality and gender identity variable in their reporting and, if needed, to provide training to providers that lack the skills to do so.

The Commission is dismayed to hear that other EOHHS agencies are lagging in this regard. (In our 2010 Recommendations, we have called on a number of those agencies to assess their services to GLBT youth.)

We are heartened by the DPH's establishing a Bureau of Health Information, Statistics, Research and Evaluation and look forward to increased availability of all three ó statistics, research, and evaluation ó regarding GLBT youth and the programs designed to serve them.

The Commission commends the department for its confidentiality guarantees and notes the public health carve-out exemption referred to in the report.

## **4. Homelessness**

The Commission understands from the DPH reports from the past several years that the responsibilities regarding prevention of GLBT youth homelessness are scattered. We would like to request information as to what the impediments are to interagency cooperation to address this serious issue.

## **5. Currently Funded Programs**

The Commission understands that the Safe Spaces for GLBTQ Youth Program utilizes positive youth development approaches, as you have described them; but without rigorous monitoring of outcomes, we are not persuaded that these methods have the intended impact on youth risk behaviors or that priority populations, (i.e.,

racial/ethnic minorities and transgender youth) are being provided evidence-based services.

The Commission believes that local university and independent research communities offer sufficient resources for the development of a research protocol that could have been implemented years ago. Thus, we strongly desire the development and implementation of a research protocol that will:

- Explain why health risk disparities persist among the GLBT youth population.
- Suggest new programmatic approaches to reduce these disparities.

## **6. Commission Administration**

The Commission is most grateful for the support afforded us by DPH in this regard.

## **X. Commission Response to DESE Self-Assessment**

### **Recommendation 1: Eliminating barriers based on race and ethnicity.**

- The Commission is encouraged by DESE's continuing support of an use of the APA's "Healthy Lesbian, Gay, Bisexual and Questioning Youth" training program and Summer Institute. We would like to know how many schools and personnel are being trained per year. We would also like assurance that gender identity and expression are included in the trainings.
- We would like assurance that these trainings and institutes are having a measurable and lasting impact in the school districts where they are taking place. If effective in reducing GLBT students' health risks, we ask that DESE expand this program to more schools with its own resources or with the help of Federal or private grants. We wish the department well in its PREP grant application.
- The Commission commends DESE on its inclusion of sexuality in its work with Career/Vocational Technical Education.

### **Recommendation 2: Addressing transgender and gender non-conforming student needs.**

- The Commission is pleased that the counting of transgender and gender non-conforming students has at last begun. We are dismayed, however, that, rather than including gender identity questions on the Youth Health Survey, the department is relying on the perceptions of principals, and further that principals will later be expected to report their impressions of how these students are treated; this is not scientifically-sound measurement of transgender and gender-

non-conforming students experiences and needs. There is no educational reason to delay self-reporting.

**Recommendation 3: Surveillance.**

- The YRBS-based report on GLB student risk agreed to in April has not been sent to the Commission (as of 12/31/10).
- Considering the interest of community-based researchers (e.g., Fenway Institute Population Center, Boston University School of Public Health), the Commission strongly urges that the YRBS data set be more readily available to legitimate outside researchers and suggest that a public private partnership with such entities be created immediately to make up for the shortage of staff/resources at DESE available for this task.

**Recommendation 4: Expanding the scope of programs beyond focus on suicide and violence.**

- As noted in Recommendation 1, the Commission urges the department to find the resources needed for expanding the impact of the APA's Healthy Lesbian, Gay, Bisexual and Questioning Youth Program and other such endeavors.
- In addition, ensuring the inclusion of substantive focus on transgender issues is urged.
- We note with alarm that DESE has not requested *any* funds for the implementation of its regulations on bullying.

**Recommendation 5: Expanding the scope of programs to include elementary and middle schools.**

- The Commission would like to know if the APA trainings for middle school staff are having a school impact. For example, have any middle school GSAs been formed as a result.
- The Commission would like to know what impact the anti-bullying regulations and DESE's technical assistance is having at the middle and elementary school levels.

**Recommendation 6: Safe Schools Program.**

- Despite continuing health risk disparities for GLBT students, the Commission sees no evidence that DESE has made Safe Schools a priority for many years.

- The Commission offers DESE its help to secure funding for the resumption of the Safe Schools Program for GLBT Students.

**Recommendation 7: Explicit inclusion of bisexual and transgender students.**

- The Commission commends DESE's progress and recommends continued care that these students are not left out of communications, programs, etc.

**Recommendation 8: Regarding access to equal opportunity regulations.**

- The Commission notes that gender identity and expression are still not covered under Access to Equal Opportunity regulations, 603 C.M.R. 26.00 et. seq.

**Recommendation 9: Regarding curriculum frameworks.**

- The Commission commends DESE for its intentions regarding Comprehensive Health Curriculum Frameworks. We would like to see a similar resolve regarding Frameworks in other curriculum areas, particularly Social Studies and Language Arts.

**Recommendation 10: Regarding teacher licensure standards.**

- The Commission commends DESE for its diligence in this area. We eagerly await publication of the draft standards in early 2011.

**XI. Commission Achievements in 2010**

- Developed and implemented a new Commission structure, based on functional groupings.
- Advocated and received a GLBT Youth Commission line item in the state budget. (Still working hard on getting the line funded for the rest of FY10.)
- Developed and executed a comprehensive plan for educating the legislature on budget needs for the support of GLBT youth programs.
- Expanded and improved our relationships with the legislators, both House and Senate, and with the Executive Office.
- Hosted summer social for elected officials and staffs of our champion legislators and fellow commissioners
- Built on an existing good relationship with DPH Commissioner Auerbach and his staff.
- Responded to cutbacks by proposing (and being granted) an Executive Secretary position to replace our Executive Director.
- Proposed and received a grant from the Boston Foundation to hire (and recently

hired) a consultant to develop a Commission Strategic Plan for organizational improvement and better fund-raising capacity.

- Participated in the revised job description for the DPH Safe Spaces Coordinator.
- Continued to advocate strongly with DPH, DESE, and, for the first time, with the Board of Education.
- Recommended and gotten language in the DESE's Anti-Bullying regulations and model program to protect GLBT students.
- Was seated on a DESE Working Group to develop GLBT youth-sensitive policies and recommendations to schools concerning parental notification about bullying incidents.
- Published our yearly recommendations and improved the format of our annual report.
- Partnered with the Heller Graduate School at Brandeis University to host a Segal Summer Fellow, who, among other contributions to our work, produced a report on youth participation on the commission and a report on commission relations with service providers.
- Initiated a formal partnership with the Fenway Institute to improve data-gathering and research possibilities regarding GLBT Youth health and welfare.
- Proposed a Spring 2011 2-day conference for commissioners, policy-makers, student leaders, GSA advisors, and possible funders on formation of a MA GSA Network, with the help of Carolyn Laub, E.D. of the CA GSA Network and the National GSA Network.
- Successfully recruited new Commissioners, including a record number of new youth Commissioners and Commissioners of Color, to bring expertise, dedication, and energy to our work.
- Conducted a Commissioner orientation.
- Reached out to and met with the Office of the Child Advocate

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