

## ATTACHMENT A

# GUIDANCE FOR SERVING LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, QUESTIONING, INTERSEX, AND GENDER NON-CONFORMING YOUTH

## I. INTRODUCTION

The Commonwealth of Massachusetts is committed to providing quality services to all clients in its care. The Department of Career Services prohibits discrimination by or against an employee, volunteer, contract provider, or customer on the basis of race, creed, color, age, sex, national origin, religion, marital status, mental or physical disability, gender identity, gender expression, intersex traits, sexual orientation, Veteran status and criminal record. No person shall unlawfully discriminate against another individual in the course of their service with the Agency. The Department of Career Services is committed to respecting the dignity of all clients and providing a safe and affirming environment, regardless of individual differences.

The Department of Career Services Non-Discrimination Policy protects clients from any form of discrimination against or harassment on the basis of actual or perceived membership in or association with a member of a protected category, including those who self-identify as lesbian, gay, bisexual, transgender, questioning, queer, intersex, or gender-nonconforming (LGBTQI and GNC).

The following operational guidelines and glossary of terms establish good practices with LGBTQI and GNC clients in order to provide services in a respectful and culturally competent manner.

## II. DEFINITIONS

Understanding the terminology associated with sexual orientation and gender identity is important to providing a safe and supportive environment for individuals whose rights are protected under the law. The following terms appear in this document and are defined to assist in understanding the guidance presented. **Although these are the most commonly used terms, individuals may prefer other terms to describe their sexual orientation or their gender identity, appearance, or behavior.** The term “gender identity” is specifically defined in the Massachusetts General Laws, as amended by An Act Relative to Gender Identity (the gender identity law).

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## Commonly Used Definitions

**Bisexual:** A term describing a person who is emotionally, romantically and sexually attracted to more than one gender.

**Gay:** A term describing a person who is emotionally, romantically and sexually attracted to persons of the same gender. Sometimes used to refer to gay men only; the word *gay* is preferred to *homosexual*, which has clinical overtones that some find offensive.

**Gender expression:** The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

**Gender identity:** As defined in part at G.L. c. 4, § 7, is “a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth...”.

**Gender-nonconforming:** A term used to describe people whose gender expression differs from stereotypical expectations. The terms “gender variant” or “gender atypical” are also used.

**Intersex:** a general term describing people born with variations of internal and/or external sex anatomy, resulting in bodies that can not be classified as typically male or female.

**Lesbian:** A term describing a woman who is emotionally, romantically and sexually attracted to other women.

**Questioning:** A term describing a person, often an adolescent who is exploring or has questions about their sexual orientation or gender identity. Some questioning people eventually come out as LGBTQ; some don’t.

**Sexual orientation:** A person's emotional, romantic and sexual attraction to persons of the same and/or different gender. “Gay,” “lesbian,” “bisexual,” “asexual,” and “heterosexual / straight” are all examples of sexual orientations. A person’s sexual orientation is distinct from a person’s gender identity and expression.

**Transgender:** An umbrella term used to describe a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

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### **III. TRAINING**

In order to raise the awareness of and capacity for staff to respond to gender identity, gender expression, sexual orientation and intersex issues in all Department of Career Service locations, all Department of Career Services state and contracted provider personnel, volunteers and interns shall attend culturally competent LGBTQI and GNC training as required by Department of Career Services.

### **IV. LGBTQ and GNC LITERATURE & RESOURCES**

- A. Programs should affirm the diversity and cultural identity of the customer with respect to creating a supportive environment. It is important that educational books and other reading materials for clients interested in learning more about LGBTQI and GNC issues are available. Materials should be made available in languages other than English as needed and as funding is available.
- B. LGBTQI and GNC literature, “know your rights” material, and other visible signs should be available in the common areas, office, etc., that indicate staff are knowledgeable and open to communication on these topics.
- C. Youth should have access to supportive resources with age appropriate LGBTQI and GNC information, including a book list, website list of community resource supports, and advocacy groups.

### **V. GENERAL PROGRAM OPERATION**

#### **A. Safety.**

Safety and security for staff and customers remain paramount in all locations. The Department of Career Services recognizes that creating safe and welcoming places for LGBTQI and GNC clients provides greater safety and security for all clients. All clients, regardless of gender identity, gender expression, sexual orientation and intersex traits need to feel safe in their surroundings to achieve effective programming and positive outcomes.

#### **B. Rules.**

Rules must be maintained with dignity and respect for all clients, regardless of their gender identity, gender expression, sexual orientation, or intersex traits. Unless there is reason to the contrary, staff should not over-emphasize gender identity, gender expression, sexual orientation, or intersex traits (i.e., clients are placed in programs because of identified service and needs, not their gender identity, sexual orientation,

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gender expression or intersex traits). No state and contract provider personnel shall do or say anything to try to change a customer's sexual orientation or gender identity or disparage it. Medical and mental health professional organizations, including the National Association of Social Workers, the American Psychiatric Association, the American Psychological Association, the American Academy of Pediatrics, the American Medical Association, and the American School Counselor Association strongly condemn any attempt to "correct" or change a clients' sexual orientation, gender identity or expression.

### **C. Staff Behavior.**

All state and contracted provider personnel shall set a good example and make clients aware that any threat of violence, actual violence, or disrespectful, derogatory comments or gestures based on actual or perceived LGBTQI and GNC status will not be tolerated concerning anyone, and clients can use the grievance process for any of these concerns.

- D. All clients should be included in activities or jobs for which they qualify and/or show a positive interest in, regardless of their gender identity, gender expression, sexual orientation and intersex traits. Personnel should make information on employment protections for LGBTQ youth and legal resources available upon request of the young person or in instances where the young person is experiencing discrimination or harassment.

## **VI. LANGUAGE AND PREFERRED NAMES**

### **A. Preferred Names and Pronouns.**

All clients shall be addressed in person by their preferred name that is associated with their gender identity as well the pronouns that reflect a customer's stated gender identity. Such preferred name shall not be used if it is believed to be associated with criminal activity or vulgar connotations. A request by a customer to use gender neutral pronouns such as the singular "they", "ze/hir", or other gender neutral pronouns shall be honored, as well.

### **B. Use of preferred name/pronouns outside of Agency services.**

The Department of Career Services shall work with the customer where the customer indicates that notifying the customer's family or other third parties of the preferred name will create an unsafe environment for them. Staff shall notify the customer that considerations should be made in the event the preferred name appears where the family may see the name or it is used by staff in the presence of the family.

### **C. Use of Legal Name.**

All written documentation about a transgender customer shall utilize the customer's preferred name, and only as necessary note the customer's legal name.

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### D. Use of Gender Markers.

For Department of Career Services personnel or clients whose gender identity is not consistent with their assigned birth sex as indicated on government-issued documentation, the field for “sex” shall include the person’s asserted gender identity.

## VII. DISCLOSURE OF SEXUAL ORIENTATION OR GENDER IDENTITY

### A. Self-Identification.

A person’s sexual orientation or gender identity should never be assumed. The only way that anyone knows someone's sexual orientation or gender identity is if that person tells you.

### B. Open and Affirming Language.

All state and contract provider personnel shall create an environment that is safe and welcoming for LGBTQ and GNC clients. Youth may disclose their sexual orientation and/or gender identity when, and if, they feel ready; and when, and if, a safe environment and trusting relationship has been established.

*For example*, personnel should not assume that a customer is heterosexual. All personnel should use gender neutral pronouns when discussing dating relationships. An example may be asking a customer (if appropriate) “Are you dating someone?” or “Are you in a relationship?”

### C. Responding to Disclosure.

If a customer discloses that they are lesbian, gay, bisexual, transgender, intersex, questioning, queer, or gender non-conforming, it is important to talk with them about it in an open and understanding manner.

**DON’T** just “move on” as that may send a negative message.

**DO** thank them for telling you and ask if they want to talk about what it means to them.

**DON’T** over go over-board and give examples of how many LGBTQ friends or family members you have, or how you attended pride or that Modern Family is your favorite TV show.

**DO** keep the focus on the client, and ask them to let you know how you can be supportive in the future.

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### **D. Confidentiality.**

If a customer discloses this information to an employee, they shall ask the customer to what extent they want to disclose this information and to whom. It is important to respect a customer's confidentiality regarding their identity as LGBTQ or GNC.

Youth shall be told that information regarding their identity as LGBTQ or GNC shall not be disclosed to their parent or legal guardian without the customer's consent, whenever possible. Under no circumstances shall a customer's identity as LGBTQ or GNC be disclosed without the customer's knowledge. In addition, The Department of Career Services shall not disclose this information to outside 3<sup>rd</sup> parties such as, but not limited to, courts, schools, and service referrals.