

# Positively Supporting Transgender Youth at Summer Camp

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Embrace Civility in the Digital Age

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As our society has steadily gained a greater understanding and acceptance of those with a same-sex orientation, the concerns of another sexual minority have also become more obvious--those who have a gender identity that does not conform to expectations based on their gender at birth.

It appears that the greater acceptance of sexual minorities is having an effect of an increasing number of gender non-conforming young people embracing the reality of these differences at an earlier age.

Transgender youth are among the most vulnerable youth in your community. They are kids and teens. They deserve to be able to have a welcoming and happy time participating in day or residential summer camps.

Some studies have shown suicide rates of up to eight times the rate for gender typical students. The 2007 National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network found that 87% of transgender students had been verbally harassed in the past year because of their gender expression, more than a quarter had been physically assaulted, and more than half (54%) who were victimized did not report the events to school authorities.

These traumatic experiences negatively affected the youth in school as almost half (47%) skipped school at least once in the past month because they felt unsafe or uncomfortable, their GPAs dropped to an average of 2.5. Additionally, as noted in other studies, many become at-risk for developing depression and suicidal tendencies. The evidence is overwhelming that transgender and gender non-conforming youth need active school support and protection for their physical, mental, and educational well-being. Harassment and bullying very likely contribute to suicide attempts; poor school attendance; poor achievement; possible involvement with substance abuse; and a host of other negative outcomes.

The parents or guardians of transgender youth, and the youth themselves, are increasingly insisting that

schools treat these youth in accord with their identity and expression, regardless of their gender at birth. The responses of schools have varied. In situations where schools have not responded in a responsible manner, corrections are often sought through civil rights agency enforcement or the courts. The U.S. Department of Education Office for Civil Rights has taken the clear position that Title IX of the Education Acts requires that schools not engage in discriminatory actions based on gender orientation or identity.

The responses of some parents or guardians, when schools have done the right thing by embracing a student's gender identity or expression, have also varied. Sometimes a parent or guardian overreacts in anger at the school, claiming that their child faces risks due to the school's actions. Most times, the situations that appear to cause the greatest concerns to parents are that a gender non-conforming child is allowed to use the student restroom for the gender they are expressing. Often the comments made by parents reflect a profound lack of understanding of the medical basis of this condition and its associated risks or, more specifically, lack thereof.

While to date, most of the issues in this area have involved schools, clearly as more young people "come out" at a younger age, this is an issue that summer camps will need to address. This article will provide some clarifications related to terminology, discuss the legal ramifications from the summer camp perspective, and propose steps summer camps can take to fully support inclusion and reduce the potential of controversy.

## Definitions

A focus on definitions is helpful in gaining a greater understanding of the issues.

- Assigned Sex: a young person's legally assigned sex at birth.
- Gender Identity. How a young person identifies one's own gender, or inner sense of being a boy or

a girl, or somewhere in between these identities, regardless of the young person's assigned sex at birth. This includes a young person's gender-related identity, appearance, expression, or behavior. Gender identity does not equate to sexual orientation or preference.

- **Gender Expression.** How a young person expresses gender identity or the characteristics and behaviors that people use to identify another person's gender.
- **Gender Non-Conforming.** Having gender-related characteristics and/or behaviors that do not conform to stereotypical or traditional expectations associated with physical gender.
- **Preferred Name and Pronouns.** The name and pronouns with which a young person identifies and prefers others to use.
- **Transgender.** An umbrella term used to describe young people whose gender expression and/or gender identity is different from their assigned sex at birth, regardless of any gender-related medical or surgical treatment they may or may not have received. This can include transsexual, transgender, cross-dressing, androgynous, and other young people whose appearance or characteristics are perceived to be gender-atypical.
- **Transgender Boy (Female-to-Male/FTM).** A young person who was assigned the female sex at birth, but identifies as a boy and uses/prefers masculine pronouns.
- **Transgender Girl (Male-to-Female/MTF).** A young person who was assigned the male sex at birth, but identifies as a girl and uses/prefers feminine pronouns.
- **Transition.** The personal process a transgender/transsexual young person undergoes to begin to live as their self-identified gender.

### **Gender Non-Conforming Youth**

Sometimes, young people will express their non-conforming gender identity at a pre-school age through their choice of toys and clothes. Other times, non-conforming gender identity can emerge in the time just before or during early puberty. Young people may more abruptly announce that they have a different identity or more gradually try out a different identity. The changes associated with entering puberty very often cause an increased urgency and anxiety regarding gender identity.

Depending on their family of origin, young people who are gender non-conforming may have an open relationship and discussions with their parents or guardians. Alternatively, this may be a situation that could lead to estrangement from the family and therefore the young person may choose to withhold this information from his or her parents or guardians.

Gender non-conforming youth are at high risk of harassment by peers. The 2007 National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN) found that 87% of transgender students had been verbally harassed in the past year because of their gender expression, more than a quarter had been physically assaulted, and more than half (54%) who were victimized did not report the events to school authorities. This harassment can contribute to extremely negative outcomes, including depression, anxiety, psychosomatic illness and even suicidal behavior. Some studies have shown suicide rates of up to eight times the rate for gender typical students.

### **Legal Ramifications**

There is limited case law in this area, and none directly on point in relation to summer camps and gender non-conforming youth or staff.

The term "sex" in Title VII of the Civil Rights Act of 1964 has been interpreted by both the Equal Employment Opportunities Commission and the U.S. Department of Justice to extend to claims of discrimination based on an individual's gender identity, including transgender status. Thus summer camps, may not discriminate against employees based on such status under federal law.

Because Title II of the Civil Rights Act applies to only race, color, religion, and national origin, and the Americans with Disabilities Act applies only to individuals with disabilities, it does not appear that these federal laws would apply to gender non-conforming youth.

It is more likely that summer camp situations would involve an interpretation of state-level civil rights statutes and possibly city or county ordinances. State civil rights statutes prohibit discrimination or segregation based on protected class status in places of public accommodation. Places of public accommodation are businesses or buildings that are open or offer services to the general public.

As of the writing of this document, it appears that 22 states, plus the District of Columbia and Puerto Rico ban discrimination based on sexual orientation and 19

states, plus the District of Columbia and Puerto Rico ban discrimination based on gender expression. However, at the federal level, the term “sex” has been interpreted as also applying to sex role stereotyping, thus including both discrimination based on sexual orientation or identity, thus this could also occur at a state level.

Under the 2000 *Boy Scouts of America v. Dale* decision, the U.S. Supreme Court held that the constitutional right to freedom of association allows a private organization to exclude a person from membership “when the presence of that person affects in a significant way the group’s ability to advocate public or private viewpoints.”

Under this ruling it would appear that only those youth organizations that have specifically espoused a strongly held viewpoint regarding gender identity, as an issue distinct from sexual orientation, would be able to meet this standard. Without such clearly expressed viewpoint, youth organizations would be subject to enforcement of civil rights provision regarding public accommodation in the states that have included gender orientation in their civil rights statute.

### **Ensuring Positive Camping Experiences for Gender Non-Conforming Youth**

Realize that the younger generation has grown up in an environment where sexual diversity is openly acknowledged and accepted. Among 18 to 32 year olds support for same-sex marriage is at 70 percent. It is reasonable to conclude that if concerns are expressed, such concerns will come from parents or guardians, not your campers. The manner in which your camp staff approach the situation, with a focus on inclusion, will also be an important factor.

There are two possible ways that gender non-conforming youth might become evident in a summer camp situation. Parents or guardians who are fully supportive of their child’s non-conforming gender identity will provide this information to the camp directors at the time of exploring a possible camping experience for their child. In other situations, young people who are gender non-conforming may not have disclosed this to their parents or guardians, but may feel as though the co-ed camp environment is one in which they can act more freely in accord with their identity.

The public bathroom, dressing, and sleeping arrangements are likely to cause the greatest concern both for the gender non-conforming young person

and possibly for some campers. The extent of these concerns may also vary based on the age of the campers. During early puberty, when all young people are experiencing a change in hormones and thinking of themselves in new ways, are likely the time when situations may be more highly emotionally charged.

### **Recommendations**

The following guidelines are recommended for summer camps. However, it should be noted, that it is highly probable that summer camps will be doing a fair amount of “learning while doing” in the next few years as they strive to find the right path for their organization and the young people it serves. The objectives to be served by these guidelines are:

- Ensure the safety and emotional well-being of the gender non-conforming youth while they enjoy the summer camping experience you offer.
- Assist all campers in expanding their understanding of the values of diversity and inclusion.
- Reduce the likelihood of an angry response from another camper and/or his or her parent or guardian or, if this occurs, use this as an opportunity to be a clear, calm voice in your community for the importance of achieving unity by embracing diversity and supporting all youth in having a fun and enriching summer camp experience.

The following are recommended guidelines.

- Enunciate your policy of inclusion at the highest level within your organization. Fortunately, most of the major youth organizations in this country have already expressed policies that support inclusion of all sexual minorities. This includes 4-H, Camp Fire, Girl Scouts, Boys & Girls Clubs, and the YMCA. Currently, the Boy Scouts of America have a policy that embraces the inclusion of boys who are homosexual, but apparently has not expressed any viewpoint or policy on the issue of gender identity. Attending summer camp is a privilege, not a right. Parents who disapprove of your policy on inclusion can freely select another summer experience for their child.
- Ensure all staff members are prepared to articulate your organization’s policy in a brief, clear, and positive statement. Girl Scouts of Colorado established a great precedent when questions were raised about the admission of a transgender girl. “Girl Scouts is an inclusive organization, and we accept all girls in kindergarten through 12th grade

as members. If a child lives life as a girl and the family brings the child to participate in Girl Scouts, Girl Scouts of Colorado welcomes her. Girl Scouts of Colorado respects the privacy of all girls and families we work with. When a family requests membership for their daughter, we do not require proof of gender, we respect the decisions of families.”

- Place a high priority on promoting positive youth relations within your camp environment and reducing the potential for bullying or harassment against any camper for any reason. Implement strategies to help young people build their self-confidence and respond effectively if treated badly, stop themselves from being hurtful and make amends if they are, and step in to help if they witness hurtful situations. Ensure all camp personnel know how to intervene effectively in hurtful situations in a way that promotes acceptance, resilience, and restoration.
- Provide personal privacy options for all campers in rest room facilities, locker/shower rooms, and cabins. Transgender youth should be allowed to use locker room, shower, and toilet facilities in accord with their gender identity or not. However, within these facilities should be private enclosed changing areas, shower areas, and toilets. When requested by the transgender youth, access to separate facilities should be provided, but transgender should not be required to use these facilities. F-M trans boys are at greater risk in boy’s restrooms because of the general lack of use of stalls. There are other young people who will appreciate personal privacy options. This includes young people who are obese, early or late developers, those with physical disabilities, and those who are simply shy, as well as young people who might have concerns regarding the presence of transgender youth at camp. This may require building modifications, which may take some time to accomplish. Strategically placed port-a-potties may be an interim step.
- Carefully arrange for cabin assignments. Many camps will have return campers. Use insight about these campers to select campers for the transgender youth’s cabin who are most likely to embrace diversity and inclusion. Additionally inquire whether the transgender youth might have a friend who could be encouraged to come to camp.
- Plan for higher level of staff support for the transgender youth. Given the degree to which gender non-conforming youth are harassed, a higher level of staff support should be provided. Select a highly skilled and experienced counselor to be responsible for this camper. Arrange for the child’s counselor to reach out to the child and family at least several weeks before the camp session, preferably a face-to-face meeting. Anticipate the possibility of homesickness that may be related to being apart from his or her “protectors” and discuss strategies to deal with this. During the camp session, the child’s counselor should check in regularly with the camper to ensure everything is okay.
- Assure the parents or guardians of the camp’s commitment to their child’s privacy, but also discuss the current degree of public knowledge about their child’s status in the community and how the family, especially the child, would like the camp to handle the situation if the child’s transgender status becomes known. If there is a possibility of viral transmission of information about this camper’s status by other campers, it is best to be aware of the possibility of this upfront. Make sure to determine the approaches that the family has used and feels comfortable using to explain their child’s status to others, so that camp staff can emulate this approach if the news does emerge.
- Ensure your staff have an accurate understanding of gender non-conforming youth, your organization’s policy on inclusion, and that all counselors have practiced a positive response if questions are raised or if knowledge of the child’s situation becomes public. Ensure that staff are prepared to convey an attitude of “this is no big deal, we embrace diversity and inclusion, and everyone is here to have fun.” More specifically, your counselors could say, “For some people, who are a boy on the outside and a girl on the inside (or vice versa), they are changing their outside to match their inside.”
- Have plans in place if a camper initiates gender non-conforming behavior while at camp. This may occur in situations where the young person does not feel that he or she can express him or herself at home or is exploring alternatives. If this situation arises, a staffing meeting should likely be held to discuss positive approaches. Provide a

higher level of staff support to this youth, because such behavior could possibly lead to harassment.

- Prepare in advance a brief positive response if a parent or guardian raises concerns, especially in public. Use this as an opportunity to communicate your organizations positive values of acceptance and inclusion. Do not engage in any public arguments. Recognize that the majority of your community will support your decisions and that public objections will be short-lived. Say something like: “Camp \_\_\_ provides an inclusive environment where we embrace diversity. All campers are accorded personal privacy and are treated in accord with the gender they are expressing. Our most important focus is on ensuring that all campers have a safe, fun, and enriching experience while they are with us.”

The summer camp community can create positive environments where transgender youth are fully welcomed and can have great fun!

### **Helpful References**

The Transgender Student: A Handbook for Families and Professional by Stephanie Brill and Rachel Pepper.

Helping Your Transgender Teen: A Guide for Parents by Irwin Krieger.

Gender Born, Gender Made: Raising Healthy Gender-Nonconforming Students by Diane Ehrensaft PhD.

Responsive School Practices to Support Lesbian, Gay, Bisexual, Transgender, and Questioning Students and Families (School-Based Practice in Action) by Emily S. Fisher and Kelly S. Kennedy.

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### **About the Author**

Nancy Willard, M.S., J.D. has degrees in special education and law. She taught emotionally disturbed students, worked in the area of computer law and then shifted to educational technology planning. As students started using the Internet, Nancy found there was a need for professional insight that combined expertise in youth risk, technology use, and legal issues.

Nancy was the author of the first book ever published that addressed issues of cyberbullying, Cyberbullying and Cyberthreats: Responding to the Challenge of Online Social Cruelty, Threats, and Distress (2007,

Research Press). Along this path, Nancy realized that it is impossible to address issues of bullying using a 20th Century “rules and punishment” approach.

Nancy has dedicated the last several years conducting an in-depth analysis of research documenting the concerns associated with current bullying prevention approach, which has shown no indications of effectiveness at the secondary level, as well as research associated with building youth resilience, influencing positive behavior, and increasing positive peer intervention.

Nancy promotes a 21st Century approach by focusing on ensuring a positive climate, engaging young people as full participants in building positive relations, increasing youth capacity to independently prevent and resolve hurtful situations, and strategies for adults to better resolve negative incidents in a positive and restorative manner.

### **Proudly Announcing: Powerfully Promoting Positive Relations in Youth Organizations**

Embrace Civility in the Digital Age proudly announces the availability of new, research-based resources for Summer Camps. The outcomes expected from these resources include:

- Campers will promote positive relations while at camp. Campers will gain insight and skills to promote positive relations everywhere!
- Camp personnel know how to help young people build their self-confidence and respond effectively if treated badly, stop themselves from being hurtful and make amends if they are, and step in to help if they witness hurtful situations.
- Camp personnel intervene effectively in hurtful situations in a way that promotes acceptance, resilience, and restoration.

These resources include:

- 50+ page downloadable, reproducible book for leadership staff, packed full with the research insight that provides the foundation for the recommended powerfully positive strategies.
- Six short videos for professional development for leadership staff to accompany the book.
- Slideshow & Handout for camp counselors that provides a more brief overview of the critical issues of increasing youth resilience, helping young people acknowledge wrongdoing and remedy the harms, encouraging witnesses to step in to help, as well as practical, effective strategies to promote positive relations, increase youth

skills, and intervene effectively when hurtful incidents arise at camp.

- Be a FRIEND! Summer Camp Activity Guide. (Youth organizations can also pilot the implementation of more extensive activities.
- An Accountability Agreement that can be used for intervention in more serious situations.

### **Preview the Resources**

These resources can be previewed at:

<http://embracecivility.org>.

### **Summer Camp ~ Special Introductory Price**

These resources are available for summer 2015 at the very low introductory price of \$5/per adult camp employee. The videos will be available on a private YouTube channel throughout the summer.

Money Back Guarantee! We are so sure organizations will value this insight we are willing to offer an incredible Money Back Guarantee. Organizations will have until Labor Day! 2015 to request a no-hassle, full refund.

Continuing development of these resources will support their use in after-school, youth athletic teams, and other youth organization settings. Resources enhanced for these purposes will be available fall 2015. The amount paid for the current use of the resources for summer camps will be credited to the organization for any future acquisitions.