LGBTQ2SIA+ Draft Rules

581-017-XXXX Definitions

The following definitions apply to OAR 581-017-XXXX to 581-017-XXXX:

1. “LGBTQ2SIA+ Student Success Grant” means the grant established by ORS xxx-xxx
2. LGBTQ2SIA+ means a term that encompasses multiple gender identities and sexual orientations including Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Two-Spirit, Intersex, and Asexual. The plus sign (“+”) recognizes that there are myriad ways to describe gender identities and sexual orientations. It is also important to recognize that the challenges and barriers for students who identify as lesbian, gay, bisexual, queer can be different from the challenges and barriers faced by students with diverse and/or expansive gender identities and expressions.
3. Asexual means a person who does not experience sexual attraction, but could still experience other forms of attraction (e.g. emotional, intellectual).
4. Agender means a person who does not identify with a specific gender or feels neutral when it comes to their gender identity.
5. Bisexual means a person who is attracted to more than one gender.
6. Cisgender means a person who feels their gender identity and expression align with the gender they were assigned at birth or by society.
7. Community-Based Organization means a nonprofit organization that is reflective of a community or significant segments of a community it seeks to serve.
8. Community Voice means that members representing the community served by the project, including students, will be involved in co-constructing the project design, implementation, and/or providing strategic guidance in final decision-making.
9. Culturally Specific Organization means an organization that serves a particular cultural community and is primarily staffed and led by members of that community; these organizations demonstrate: intimate knowledge of lived experience of the community, including but not limited to the impact of structural and individual racism or discrimination on the community; knowledge of specific disparities, barriers or challenges documented in the community and how that influences the structure of their program or service; commitment to the community’s strength-based and self-driven thriving and resilience; ability to describe and adapt their services to the community’s cultural practices, health and safety beliefs/practices, positive cultural identity/pride, religious beliefs, etc.
10. Department means the Oregon Department of Education.
11. Disproportionate refers to unequal or inequitable differences in access and outcomes that historical and current-day White supremacy has created between certain families, children and students. What is “proportionate,” however, must also be critically analyzed and addressed in terms of its values, intent, and ideology.
12. Gay means a person who is attracted to a person of the same gender.

...
Gender Expression means the way a person expresses their gender in ways that make them feel more comfortable and aligned to who they are. Some forms of expression could be clothing, voice, cosmetics, or mannerisms.

Gender Identity means a person’s deeply held knowledge of their own gender, which can include being female, male, another gender, or no gender. Gender identity is an innate and largely inflexible part of a person’s identity. One’s gender identity can be the same or different from the gender assigned at birth. The responsibility for determining an individual’s gender identity rests with the individual.

Gender Nonconforming means a person who does not identify with a specific set of traits (behavioral, cultural, community roles) on the gender spectrum.

Intersex means an umbrella term for unique variations in reproductive or sex anatomy. Variations may appear in a person’s chromosomes, genitals, or internal organs like testes or ovaries. Some intersex traits are identified at birth, while others may not be discovered until puberty or later in life.

Lesbian means a woman and/or nonbinary identified person who is attracted to women.

Non-binary/Genderqueer means people whose gender is not exclusively male or female, including those who identify with a gender other than male or female, as more than one gender, or as no gender.

Partnership means a group of organizations, Tribes, districts or individuals who agree to work together with a common interest and shared vision. In a partnership, there is a high level of trust and 2-way communication, and differences in power and privilege are addressed. Roles and responsibilities on all sides are well-defined and developed with shared authority in decision making. There might be shared space and staff, with expectations and agreements in writing.

Pronouns means the pronoun or set of pronouns that a person identifies with and would like to be called when their proper name is not being used. Examples include “she/her/hers,” “he/him/his,” “ze/hir/hirs,” and “they/them/their.” Some people prefer no pronouns at all, or some combination such as “she/they.”

Queer means a person who does not subscribe to dominant social norms to define their sexual orientation, gender identity, or gender expression. While it is used as a neutral, or even a positive term among many LGBTQ2SIA+ people today, historically “queer” has been used as a derogatory slur. It is sometimes still used as a slur by those who do not identify as part of the community.

Questioning means the process of exploring one’s own sexual orientation or gender identity, investigating influences that may come from family, religious upbringing, and internal motivations.

Sexual Orientation means a person’s romantic and/or physical attraction to people of the same and/or another gender, such as being straight, gay, bisexual, or asexual. Transgender and gender nonconforming people may have any sexual orientation.

Student means a student enrolled in early childhood through post-secondary education who:

(a) identifies as LGBTQ2SIA+; and

(b) Has experienced disproportionate results in education due to current and historical practices and policies, as identified by the State Board of Education by rule.
(25) **Transgender**: A person who feels their gender identity and expression do not align with the sex they were assigned at birth or by society.

(26) **Two-Spirit** means a term used within some Indigenous communities, encompassing cultural, spiritual, sexual and gender identity. The term reflects complex Indigenous understandings of gender roles, spirituality, and the long history of sexual and gender diversity in Indigenous cultures. Individual terms and roles for Two-Spirit people are specific to each nation.

Stat. Auth. Section ____, House Bill ____
Stat. Implemented: ____, House Bill ____

Notes: All definitions should be in alphabetical order. Definitions are useful to: (1) Limit or extend the meaning of a word, particularly if the word is used in other than its normal sense or has several meanings. (2) Translate technical terms or words of art into common language. “XXXX” is a placeholder for numbers received from the Secretary of State’s office.

**581-017-XXXX Establishment**

(1) There is established the LGBTQ2SIA+ Success Plan Grant Program to support early learning hubs, providers of early learning services, school districts, education service districts, post-secondary institutions of education, and Community-Based Organizations who are working to design, implement, improve, expand, or otherwise revise programs and services for LGBTQ2SIA+ students.

(2) The programs and services to be provided under the Grant must implement one or more of the strategies or address one or more of the objectives included in the LGBTQ2SIA+ Student Success Plan.

(3) Subject to available funds, the Department of Education shall award Grants based on a detailed description of proposed programming or services. The programs or services may include:
   a. The scale-up of an existing program or project; and/or
   b. The implementation of a new program or project.

(4) The purpose of the Grant program is to provide funds to applicants that document an understanding of the unique needs of LGBTQ2SIA+ students, have the potential to become exemplar programs, and who create collaborative practices relating to strategies outlined in the LGBTQ2SIA+ Student Success Plan.

Stat. Auth. Section ____, House Bill ____
Stat. Implemented: ____, House Bill ____

Notes: It may not be necessary to establish the grant program by rule if the program is already established in statute.

**581-017-XXXX Eligibility**
(1) The Department will establish a process for eligible entities to apply for a LGBTQ2SIA+ Student Success Grant.

(2) To be eligible to receive a Grant, an applicant must:

(a) Be a Community-Based Organization, culturally specific organizations, early learning hub, provider of early learning services, school district, education service district, tribe, or post-secondary institution of education; and

(b) Demonstrate the proposed project primarily serves students identified by the plan and their families.

Stat. Auth. Section __, House Bill 3233
Stat. Implemented: __, House Bill 3233

Notes: In determining eligibility first review the statute that established the grant program. Eligibility must be consistent with the statute. Also review any documents that express the intent of the particular grant. These may include the enabling legislation or legislative testimony.

581-017-XXXX Criteria

(1) The Department will award Grants to eligible entities based on the following criteria:

(a) Whether the proposed project successfully implements the strategies provided in the LGBTQ2SIA+ Student Success Plan;

(b) Whether the applicant authentically and consistently engages Community Voice (aligned with the definition above) in the proposed project; and

(c) Whether the applicant demonstrates equitable distribution of Grant funds and resources in Partnership.

(2) The Department may give priority to applications that:

(a) Are led by Culturally Specific or Community-Based Organizations that represent LGBTQ2SIA+ communities;

(b) Demonstrate authentic and on-going Partnerships with Community-Based Organizations, Culturally Specific Organizations, school districts, early learning hubs, educational service districts, providers of early learning services, post-secondary institutions of education, or tribe(s);

(c) Will help ensure geographic diversity of the Grant program by including rural communities or other underserved communities with LGBTQ2SIA+ student populations; or
(d) Address a strategy or an objective of the LGBTQ2SIA+ Student Success Plan that requires additional support, as determined by the Department.

(e) Address strategies or objectives that are common across the African American/Black Student Success Plan, Latino/a/x and Indigenous Student Success Plan and/or the American Indian/Alaska Native Student Success Plan and communities.

(f) Address the intersectionality of the student populations served by the LGBTQ2SIA+ student success plan with the other student success plans within ODE.

(g) Ensure that the authentic and meaningful voice and choice of plan youth are engaged in program development, evaluation and implementation.

Stat. Auth. Section ___, House Bill ___
Stat. Implemented: ___, House Bill ___

Note: In determining the criteria for the grant, have you considered the Equity Lens adopted by the OEIB.

581-017-XXXX Funding

(1) Applicants must submit a detailed budget that explains how Grant funds will be used.
(2) Administrative costs, which include indirect costs, will be allowed as a percentage of the Grant funds disbursed as follows:
   (a) Up to five percent for school districts, education service districts, early learning hubs, or post-secondary institutions of education; or
   (b) Up to fifteen percent for tribal governments, community-based organizations, or providers of early learning services.

Stat. Auth. Section ___, House Bill 3233
Stat. Implemented: ___, House Bill 3233

Notes: In determining funding, you should review the amount available for the grant, how many recipients will be awarded the funds and determine whether there should be a minimum or maximum grant amount. You should also consider whether the grant amount should be done based on the number of students in a district. ADMw is one method of “counting” students but there are others.

581-017-XXXX Reporting

1. Grant recipients must report project or program outcomes in the manner and form required by the Department of Education.

Stat. Auth. Section ___, House Bill ___
Stat. Implemented: ____ House Bill ____