Jen Walsh:

From the American School Counselor Association, this is, I Hear You Say, a podcast for school counselors and other leaders in education. I'm Jen Walsh, Director of Education and Training here at ASCA. Today, we're joined by Gavin Grimm, one of the experienced ed speakers at this year's ASCA Annual Conference.

Jen Walsh:

Gavin Grimm is an internationally recognized transgender rights activist, writer, and speaker. As a ninth grader in rural Virginia, Grimm took on his school board when it banned him from using the boy's restrooms. First winning a US Department of Education federal discrimination complaint, then filing a federal civil rights lawsuit with help from the American Civil Liberties Union. Grimm's case was a six and a half year rollercoaster that made it all the way to the US Supreme Court twice before concluding with a landmark victory for transgender youth in June 2021.

Jen Walsh:

Grimm is the youngest person ever elected to the ACLU National Board and was named one of Time Magazine's 100 most influential people in the world. He has testified before Congress, spoken at events like the Forbes 30 Under 30 Summit, and given keynote addresses to groups like the National Education Association. A documentary short-film about him won a Webby Award in 2018 and his story was featured in the National Geographic documentary, Gender Revolution: A Journey with Katie Couric.

Jen Walsh:

Grimm's writing has been published in the Washington Post, People Magazine, the New York Times, and Time Magazine. His first book comes out in July of 2022, If You're a Kid Like Gavin.

Jen Walsh:

Welcome, Gavin. I hear you say that growing up as a transgender kid was extremely difficult. Can you share a little bit about your experience as a transgender kid and transgender student and the education system in rural Virginia?

Gavin Grimm:

Yes, absolutely. And I want to say thank you very much for having me on. I'm excited for our conversation.

Gavin Grimm:

In saying that growing up as a transgender kid was very hard, I want to make it very clear that it was hard because the adults around me as a kid, it was the adults around me whether that was within the school system, within the lack of overall awareness or advocacy, they either did not give me what I needed as a transgender youth, or there were obstacles in place for having the access whether it was healthcare or equality at school, whatever. This was just not something that a rural Virginia town was equipped to deal with. Which is not to say that anything was okay but it is to say that that is a reality that many trans people face when they come out. They have to understand they're confronted with the reality that within their community, even now in 2022, who they are is something that can and often does stick out at some times. The consequence of our safety, of our happiness, of our ability to live our lives to the fullest. And that is to say that nothing about being trans is a bad thing or a problem. It is a society that was not built for us that we are fighting against so that we can live full and happy and equal lives.

Gavin Grimm:

So when I say that it was very difficult, I more mean to say that the adults around that child that I was at the time, failed to meet my needs as a transgender child. And really, the crux of the issues lies right there that the cis adults around me were not willing to appropriately mobilize to push back on this kind of hatred. And as a result, it spiraled into this national debate.

Gavin Grimm:

School was challenging because there was a culture of bullying and harassment. This was ... I graduated high school in 2017 and I feel like even just in that short period of time, culturally, we've come a long way as a country. But that doesn't always translate into real-world, positive differences for trans people living in places like this. I was bullied. Things were thrown at me. People would say things. They would make up these horrible, inappropriate stories about me. My genitals were free play for discussion. And this was not something that the school addressed in a meaningful way at all. It seemed to me that their perspective, more or less, was well, this kid brought the lawsuit and so he's made his bed, he's going to lay in it. A

Gavin Grimm:

And whether or not that was the motivation, as a child going through that situation, it's undeniable that I did not receive the kind of support for the bullying and harassment that I needed and deserved. And it made me feel exactly like that. It made me feel like they treated it as a natural consequence to my actions instead of a response to their failure to protect me in the first place. And I have to mention, to some degree, I've always been the nail that has to be hammered down, the nail that sticks out, even before I transitioned. I'm autistic so I didn't behave in ways that were always expected. I was just always the weird kid. I'm fat. Growing up, if you grow up being perceived as a fat girl, that is a very specific experience in society and it's a very hostile experience a lot of the time.

Gavin Grimm:

So I had been failed by my school system with a history of being harassed and bullied from elementary school on. So it wasn't surprising to me that they didn't invest the necessary resources or attention or that they didn't seem to care at all. But with the additional national pressure, I felt personally like the stakes were a lot higher. Like the danger was more serious than it had been before. And even despite that, there didn't seem to be any correlating increase in the school's sense of responsibility to keep me safe.

Jen Walsh:

You talked about this a little bit already with the lawsuit. You fought for over six years, all the way up to the Supreme Court for your constitutional right as a transgender student. In a Washington Post article from June 2021, you said your victory feels final. Does it still feel that way?

Gavin Grimm:

For the part of my case specifically, the history of how my case got filed in 2015, I believe it was, and was not resolved until 2021, that was a long process of the school board kicking the can down the road. When a decision is made in court, you've got 30 or 60 days to appeal or you can submit this kind of thing or do that. And all of it, ultimately, is an extension on time. They ran the clock out every time. I've won in the Fourth Circuit and at that point, they could have chosen to back off and say, "Okay, we've put this kid through enough." But they didn't. And they continued to kick the can down the road and therefore, this was a secure saga. So it felt final because they had no more. There was nothing more they could do to try and undermine my rights in this case. They didn't have another legal recourse, they didn't have any appeals left.

Gavin Grimm:

It does not feel final in so far as the conversation nationally or even in Virginia alone when you're talking about what's happening on the ground for trans kids. I mean there's been hundreds of anti-LGBT bills with a disproportionate attention on trans youth. Even hundreds just since this year. Or at least a significant percentage of that, overall, just this year and we're not even exactly halfway through the year in the first place.

Gavin Grimm:

This war is still being waged. I personally went to several school board meetings in several counties across the local portion of Virginia to try to advocate against similar anti-trans policies that they were considering for schools across Virginia. One of the results of my decision and my lawsuit was that schools across Virginia now had to adopt an affirming policy by a certain period of time. And so of course, in individual places, that created a lot of pushback. I believe there was issues in Fairfax. There were issues across Virginia. And I'm focusing on Virginia and really the Fourth District more broadly because that's the places where you really don't have an excuse. The law is settled with respect to what is demanded of trans equality for students in the Fourth District which is Virginia, Maryland, West Virginia, North Carolina. There's probably someone I'm missing.

Gavin Grimm:

So it's an ongoing thing. Not just in those other states, not just in states across the nation, but in Virginia specifically, there are still kids that are being denied access to that which they fundamentally deserve. And so the work is very much not over. My case, the book is closed. The work that we need to do as a community, as a nation, to make sure that equal rights are enjoyed in full, in Virginia and elsewhere, we have so much work left to do.

Jen Walsh:

It is known that having a supportive teacher, parent, or school counselor is a critical and crucial factor in reducing rates of depression and suicide among trans kids. In your experience, what can school counselors or other educators do to be more supportive of trans youth?

Gavin Grimm:

Sometimes educators, including school counselors, are put into situations that they see as maybe a little bit difficult. Maybe a kid is not out at home but in the classroom, they would really like to be referred to with a specific name and pronouns. And maybe the educator is not really sure how to navigate that or the school counselor isn't sure how to navigate that. I would say that the crux of the response here is that there's nothing wrong or illicit about respecting that child's wishes in the school environment. I would say that I understand that it might seem a little difficult, confusing, what have you, to make sure that one name is on the report card that gets sent home to keep that kid safe at home. Whereas on the roster, maybe the kid has the name that they prefer.

Gavin Grimm:

And as an educator or school counselor, that's something that's on the side of the educator or the school counselor. That's something that they have to deal with. And really the only way to deal with that is to respect what the kid needs and wants because if you are putting a child in a situation where sorry, the name that we have on the roster, the name that your teacher calls you, has to be the one on your birth certificate. Or sorry, we can't change your name in our system without getting your parent's permission.

Gavin Grimm:

These things can put children in real danger because they're faced with the circumstances of either being misgendered and dead-named at school, an environment where they spend a great portion of their lives for all of their developmental years, or being outed at home in a potentially unsafe environment. The child might be removed from school. The child might not have anymore safe places if that boat is rocked. And so I would say that when walking that sort of line that can admittedly be very tight at times, the most important thing is what the child needs and what keeps them safe.

Gavin Grimm:

And the other thing we can do as educators or as school counselors is open a dialogue, is make sure that the students are aware that you are a safe person, that it is a safe place, that they can discuss their identity and it's not potentially going to come back and harm them because it was passed onto the parents or was even passed onto other faculty that the child was not ready to tell. I mean perhaps people don't think about that as often but even outing a child who did not give you their consent to another faculty member can put a child in danger. Maybe they know the parents. You never know. And so the only way to move forward is to respect that child and what they need from the school.

Jen Walsh:

So putting the student first and their needs first?

Gavin Grimm:

Absolutely. Putting the child and their needs first. And that is something that school counselors ... In my experience, for me in Gloucester, the school counselors were the few people who really were pulling for me to be accepted and affirmed as I needed to be. And they were impeded by school administration. And there will be those situations as well. But in the privacy of the counseling office or wherever that child might be seeking a safe place, there is absolutely nothing wrong with affirming them in that moment because if that kid doesn't get affirmation for who they are at home, and they don't get it at work and they don't get it ... But they do get it at school or maybe even just with one teacher, with a couple friends, with their school counselor, that little breath of fresh air can genuinely save that child's life.

Jen Walsh:

Well that's really encouraging to hear that your school counselors were some of the most supportive folks. So what are two things that you would want school counselors to know about supporting trans students?

Gavin Grimm:

I would like school counselors to know that supporting trans students should come from a place of validation and acceptance of what they're telling you rather than a feeling of, as the counselor trying to navigate what you might feel is best for the child. I have had trans friends who experienced going to their school counselors at school and disclosing who they are and the response has been that the school counselor tries to solve the problem and basically give unwelcome advice about their gender, their presentation, how they should be navigating transition often to minimize the child's visibility as a trans student and therefore mitigate the potential backlash from staff. And where I understand why this might happen, it is crucial that as school counselors, they let the child lead, they put aside any potential, personal, maybe confusion. Maybe they don't understand.

Gavin Grimm:

And identity is very diverse. Maybe the child comes in and they have a non-binary identity that you yourself haven't heard of before. And maybe that's confusing or different or what have you. But those are feelings that you have to move through on your own and that is not something that the child needs to be confronted with. Which I think is a good rule of thumb with any relationship where an adult, especially an adult in authority is interacting with a child. And I would also say, keep yourself up-to-date. Take it upon yourself, not just with language, about gender, but especially so in these times of division and attacks against trans and queer youth. Make sure you're understanding what the language in the community is.

Gavin Grimm:

Be prepared for these conversations instead of allowing the children or requiring the children even to take the position of educator to fill in those gaps for you. And we're always going to learn more from the young people affected than we could from Google or Wikipedia or what have you. But there are so many resources out there to make sure that you are prepared for these conversations, at least to the best of your ability because they will happen. You will have kids come in and need this type of support. And if the kid comes in and they don't get the support they need, you might only have one opportunity to make a positive impact before that child comes away thinking they don't understand, they don't support. And they don't open that dialogue ever again. And so it is so crucial that for school counselors, they are aware of kind, affirming language that will open the door for that discussion rather than scare the kid off.

Jen Walsh:

I think that was a good point to learn from the students themselves but are there any specific resources that you could share that could help those that are trying to educate themselves in the process?

Gavin Grimm:

Absolutely. There are so many resources online. When I came out in 2014, there was still hardly anything. And that doesn't sound like that long ago, at least not to me. And the resources available have absolutely exploded since that time. Any of the national organizations, HRC, the Human Rights Campaign, even the ACLU, Equality Virginia to name a local Virginian example. There's so many national or even local resources that trans people and educators have already taken the time and energy to create these resources. And most often, they're free. You can go on any of these websites. The HRC website, for example, even to the ACLU website, and search around. There's search bars. There's things like that you can search in the website directory even, there's keyword searches. Or literally type into YouTube, guides, tips on dealing with trans youth in an education setting. That exact video probably exists right there.

Gavin Grimm:

I would say, make use of the resources that are already there because there are a ton of them and every single trans person had to find them on their own and they did it. Somehow, or some way, trans people found an outlet that allowed them to understand that they could be themselves. And I think that because of the volume of what is out there and available for free at the tip of your fingers, we're quickly entering a world where the excuse of ignorance is no longer sufficient. In fact, we've been there for a very long time in my opinion.

Gavin Grimm:

And so, I guess the short answer is there are lots of resources out there and I don't have one necessarily to recommend over the other because some might be for parents, some might be for educators, some might be for school counselors, and each independent role or scenario requires a different type of resource. But in many cases, all of those resources can be centralized in an easy to access space. Again, looking at the national organizations, National Center for Transgender Equality, NCTE, is another great example.

Jen Walsh:

Great. Thank you so much sharing. I know I have worked personally with a few of those organizations and they've definitely had some really great resources so thank you for sharing those.

Jen Walsh:

We are going to take a quick break to hear from our sponsor today, Xello. Xello is a modern college, career, and future readiness program that empowers your students to develop self-awareness, explore pathways, and build a meaningful plan for the future. Featuring age appropriate lessons and activities for students in kindergarten through high school, Xello helps students of all backgrounds and abilities build the essential skills they need to succeed no matter what pathway they choose to pursue. Visit xello.world/ASCA, that's X-E-L-L-O.world/A-S-C-A, to learn why over nine million students and school counselors have chosen Xello to reach their future readiness goals.

Jen Walsh:

And you are now back with Gavin. What are some tangible things that can make trans youth and students truly be free?

Gavin Grimm:

School counselors and educators have an enormous impact on the overall culture within their school. Again, one of the most important things is to educate yourself, what are the laws in your state? What are the policies in your school? And then do anything that you can. One of the things is just hanging a pride flag on your door. We don't want to live in a world where support is only implied or you only find out if that educator or school counselor is supportive once you talk to them or by word of mouth. It needs to be very apparent to the students around because it makes it a more welcoming environment in general. Have the flags on your door. Have them in your window. Have them down the hallway.

Gavin Grimm:

My middle school didn't have a gender and sexuality alliance and I tried to start one. And my school counselor at the time said, "Look, I want you to lay off this because the high school has one and if we try to start one here, it would put the one at the high school in jeopardy." And at the time, that sounded reasonable enough and you know what? In Gloucester County Virginia, that might have been the way to handle that just in the short-term because of the impact it might have had. But looking back on that, it was illegal. If any school that allows certain clubs, they're not allowed to reject things like GSAs. They're just not allowed. It is illegal. And so do the school counselors know this? Are they taking advantage of this?

Gavin Grimm:

So okay, it's illegal to refuse to have a GSA but my school doesn't have one. And it's not because we don't have queer kids so let me take initiative and say I am starting one right now, effectively immediately. Advertise it to the students. If you build it, they will come. And it's a way to make that space immediately accessible to these students. To start a school club, there's some formalities and such but the main obstacle, typically, for that kind of thing, is having an adult or educator or even school counselor who's willing to step into that position and say, "Yeah, for 30 minutes or an hour after school every day, I'm going to come ... Or every Wednesday, whatever. I'm going to come facilitate this."

Gavin Grimm:

And taking that initiative alone can turn this, it's a good idea, into a really, a safe place. A place for these kids to go. I mean we use the word safe place really often and for good reason but I just need to emphasize that safe place, when you are a kid in survival mode, living from one affirming experience to the next and not knowing where the next one will come from, to provide a safe where the child can explore or just declare who they are and they are not terrified of a consequence. Again, it can change a life, it can save a life. It's so important. And again, if your school doesn't have one, why not? What's stopping you? Even if you can't do it, what's stopping you from organizing with a teacher that you know would be sympathetic or another school counselor. I mean seriously, that example is something that could change so many kids' lives just by having that space in their school.

Jen Walsh:

Absolutely, that's a good point. While many states have passed bills targeting transgender youth this year, is there anything that makes you hopeful for progress that has been made since your time in school?

Gavin Grimm:

I am very hopeful for the future of trans equality and equity but in a guarded way. So we're moving into a broader government that it has had quite conservative elections as of recently. We have a fairly conservative Supreme Court at this point. There's a lot of reasons to be afraid and I don't want to contribute to that fear so much as accept that it's there instead of pretending like it's not. This could, depending on how the next election goes ... I mean it determines do we have the Equality Act signed into law in a month or two or does somebody take over and it takes five years or something like that? And that is to say not just of malicious leadership that would actively erode trans equality, but also of passive leadership that just doesn't do enough to make sure that we're safe. And to future-proof attacks against our rights.

Gavin Grimm:

And so this is a political issue because it's become a political issue. It shouldn't be, but it is. And so being realistic about that future, I don't feel that excited to rely on the political landscape to play out quickly and cleanly, pain-free. We get everything we want and we wash our hands after. This is going to be up and down. We're going to have wins, we're going to have losses on state and federal levels. And we have to be prepared for that. But overall, what I am seeing in this nation, even if you just break it down by numbers on demographics, the young people are more progressive. They are more in favor of LGBT equality. In fact, young people are more likely to describe themselves of some flavor of LGBTQ. And that's just because we have more awareness. More people are aware that they are allowed to be who they are, that there's another way that they can live.

Gavin Grimm:

So in the long run, we will win. I have no doubt whatsoever that there is only so long again that they can kick this can down the road. The problem is, in the meantime, it hurts a lot of people and I want to be realistic about that. But also say, truly, we are making good progress. There are rock stars out there like Chase Strangio is a necessary call-out for me right now. People who give their, not just their heart and soul, but their body, their life, to these issues. That is not going to be in vain.

Jen Walsh:

I think sometimes it can be really easy to get discouraged so I really like that obviously you're acknowledging what is going on but also acknowledging the good things that are happening as well. That's a great outlook to have. So what inspires or motivates you?

Gavin Grimm:

I am inspired and motivated by humans, by human goodness, by people who choose to do the right thing or the difficult thing or the dangerous thing because they know that we've only got one Earth, one world, to leave to our children or the next generation or the young people that are going through these things now or that will be. I believe that people in general are good. I believe that people in general want to leave the world a better place than how they found it. I believe that one of the main things that prevent people from doing that is not a lack of desire but a lack of knowledge of how to participate, a lack of access to organizing or infrastructure that would allow them to be more effective. And one of the things that inspires me so much is that structure is being build every day. Organizations, national organizations and local ones, are doing so much good work in the world to build this framework, build a visibility and an equality for trans people that we've never seen before.

Gavin Grimm:

And it makes a huge difference. And I am inspired by the young people who look at the progress that has been made and they say, "That's not enough." Because we have a lot more work to do and I am inspired that the young people, and even people who are not young, people from all walks of life, that are advocating for trans people. I am inspired that we know that we need to keep pushing and there are people that are willing to do that. Because at the end of the day, trans equality is not fully realized and I think that we have a strong community that is not going to give up until they leave a world behind that they can be satisfied will foster a healthier, safer world for the people that come next.

Jen Walsh:

Well thank you so much, Gavin, for joining us today and thank you all for listening. We hope to have you back on our next episode but until then, be sure to check out our website, schoolcounselor.org for school counselor resources. We'd also love to engage with you on all of our social media platforms. Find us on Facebook at The American School Counselor Association, Twitter @ASCATweets, and Instagram @WeAreASCA. Thanks and hear from you soon. I'm Jen Walsh and this has been I Hear You Say, the podcast from the American School Counselor Association.