

October 24, 2023

**Re: Safe Schools Improvement Act**

Dear Members of Congress,

We, the undersigned education and civil rights organizations, urge you to co-sponsor the Safe Schools Improvement Act (SSIA), sponsored by U.S. Senator Bob Casey (D-PA) and Representatives Linda Sánchez (D-CA) and Mark Takano (D-CA). SSIA will establish federal standards to protect every student from bullying and harassment in K-12 schools, regardless of actual or perceived race, color, national origin, sex, sexual orientation, gender identity, sex characteristics, disability, and religion. SSIA, which has a strong history of bipartisan support, is a necessary tool in addressing anti-LGBTQI+ discrimination. The bill provides flexibility for state and local education agencies to make schools safer for all students.

**SSIA will help remove barriers to educational opportunity and promote student achievement and well-being by:**

- Prohibiting harassment and bullying in K-12 schools with specific enumeration of students on the basis of actual or perceived race, color, national origin, sex, sexual orientation, gender identity, sex characteristics, disability, and religion.
- Creating policies at the local level that address the unique needs of communities while ensuring students, parents/guardians, and educators are informed of their schools' policy and procedures for handling bullying and harassment.
- Requiring restorative approaches to school discipline that minimize removal of students from learning communities and prevent student push-out or diversion to the school-to-prison pipeline, which disproportionately impacts LGBTQ+ youth, particularly those who are girls, transgender, nonbinary, Black, Indigenous, people of color, and people with disabilities.
- Collecting, evaluating, and reporting data on bullying and harassment to increase transparency and identify more effective ways to make schools safer and affirming for all young people, who should be able to thrive and reach their full potential.

For over 20 years, GLSEN has conducted national studies analyzing the pervasiveness and impacts of bullying and harassment based on sexual orientation, gender identity, gender expression, sex characteristics, and other personal identity traits.

**Among elementary school students**, GLSEN [found](#):

- Most (75%) said that students at their school are bullied with at least some regularity. Of these, 23% believed the bullying they witnessed to be based on gender expression, such as when a boy who acts or looks "too much like a girl" or a girl who acts or looks "too much like a boy."<sup>\*\*</sup>
- More than one in four (26%) reported hearing others say hurtful things based on another student's race or ethnic background.<sup>\*</sup>
- 36% reported being bullied or called names at some point while in school.<sup>\*</sup>
- Those who reported being bullied were four times as likely as other students to say they do not want to go to school because they feel afraid or unsafe.<sup>\*</sup>

**LGBTQI+ young people experience higher rates of bullying than their non-LGBTQI+ peers.**<sup>†</sup> Bullying is particularly severe for those who are transgender, nonbinary, Black, Indigenous, people of color, and people with disabilities.

**Among LGBTQI+ middle and high school students**, GLSEN [found](#):

- 76% were verbally harassed in the past year because of their sexual orientation, gender expression and gender.<sup>‡</sup>

- Four out of five LGBTQI+ students (82%) report feeling unsafe in school because of at least one of their personal characteristics, with 68% of students reporting feeling unsafe because of their sexual orientation, gender identity and/or gender expression.<sup>‡</sup>
- Students of color commonly experience multiple forms of victimization - 40% of both Black and Asian American/Pacific Islander students, 41% of Indigenous students, and 42% of Latinx students reported bullying based on both their sexual orientation and their race.<sup>§</sup>
- When asked about online harassment from their peers during the school day, 36.6% of LGBTQI+ students reported harassment based on their sexual orientation, 31.8% reported harassment based on their gender expression, and 30.3% reported harassment based on their gender.<sup>‡</sup>
- Nearly two-thirds (62%) of LGBTQI+ students who were harassed or assaulted in school did not report the incident to school staff out of fear that nothing would be done.<sup>‡</sup>

**Recent studies suggest that the harm of bias-motivated harassment and bullying is especially severe.\*\***

GLSEN's National School Climate Surveys have consistently found an association between anti-LGBTQI+ victimization and a range of adverse educational outcomes, including increased absences, lowered GPAs, and a decreased likelihood of pursuing post-secondary education.<sup>‡</sup> Anti-LGBTQI+ harassment, assault, and discrimination is also associated with lower self-esteem and higher levels of depression.<sup>‡</sup> The Trevor Project's 2023 study of LGBTQI+ youth mental health found that 41% of LGBTQI+ youth seriously considered attempting suicide in the past year, with trans and nonbinary youths experiencing higher rates of attempted suicide.<sup>††</sup> These findings underscore the intimate connection between safe, LGBTQI+ inclusive schools and student success and wellbeing.

**Students who hold multiple marginalized identities experience starker disparities.** GLSEN found that LGBTQI+ youth of color who experience both racist and anti-LGBTQI+ victimization were most likely to skip school due to feeling unsafe, report the lowest levels of school belonging, and experience the highest levels of depression, compared to those who experience one or neither form of victimization.<sup>‡</sup> The Trevor Project found that 22% of Native/Indigenous LGBTQI+ youth, 18% of Middle Eastern/Northern African youth, 16% of Black LGBTQI+ youth, and 15% of Latinx LGBTQI+ youth reported attempting suicide in the past year, which is substantially higher than the already high rates reported by their white LGBTQI+ peers (11%).<sup>††</sup> By requiring enumeration of race, color, national origin, sex, sexual orientation, gender identity, sex characteristics, disability, and religion, SSIA will paint a more complete picture of the diverse experiences of LGBTQI+ students. This will further empower educators to make informed policy choices that foster positive school climates for students at the intersection of two or more marginalized identities.

**Currently, many schools fail to respond effectively to the victimization of LGBTQI+ students.** According to the 2021 National School Climate Survey, three out of five (60%) LGBTQI+ students who reported harassment or assault said that school staff did nothing or told them to ignore it. Our survey also found that 16% were told to change their behavior (e.g. "act less gay", changing the way they dressed), 12% were blamed because of their LGBTQI+ identity, and 7% were disciplined after reporting their victimization to school staff.<sup>‡</sup> LGBTQI+ youth of color and LGBTQI+ youth with disabilities may be more likely to be disciplined for reporting victimization given racial and other disparities in disciplinary action: Black, Native American/Alaskan Native, Latinx, Arab American/Middle Eastern/North African, and multiracial LGBTQI+ youth experience more school disciplinary action than white LGBTQI+ youth.<sup>‡</sup> LGBTQI+ youth with disabilities are also more likely to experience disciplinary action than LGBTQI+ youth without disabilities.<sup>‡‡</sup>

**SSIA supports effective responses to bullying using proven strategies, including enumeration.** GLSEN's National School Climate Surveys have consistently found that LGBTQI+ students who reported having an enumerated policy at their school experienced less anti-LGBTQI+ victimization than those who reported having a generic policy or no anti-bullying policy. LGBTQI+ students who indicated that they had an enumerated anti-bullying policy were more likely to report bullying and were also far more likely to say that staff responses were effective than those in schools with only generic policies.<sup>‡</sup> If not enumerated, LGBTQI+ students may be unaware or confused that school policies protect them from bullying and harassment. There is evidence of the positive impact of enumeration from the perspective of educators, too. Educators in schools with enumerated anti-bullying policies reported higher levels of comfort addressing bullying based

on sexual orientation (78% v. 54%) and gender expression (72% v. 52%) than educators in schools with no anti-bullying policy.<sup>§§</sup>

We thank you for your consideration of co-sponsoring SSIA, which will make schools safer for all students, and we welcome the opportunity to connect further on this bill. If you have any questions, please contact Brian Ditmeier of GLSEN at [brian@glSEN.org](mailto:brian@glSEN.org) and Jennifer Pike Bailey of the Human Rights Campaign at [jennifer.bailey@hrc.org](mailto:jennifer.bailey@hrc.org).

Sincerely,

GLSEN  
Human Rights Campaign

*Joined by:*

Advocates for Youth  
American Association of University Women  
American Atheists  
American Federation of Teachers  
American Psychological Association Services  
American School Counselor Association  
Asian Americans Advancing Justice (AAJC)  
Association of Latino Administrators and Superintendents (ALAS)  
Autistic Self Advocacy Network  
California LGBTQ Health and Human Services Network  
CenterLink: The Community of LGBTQ Centers  
Committee for Children  
Council of Administrators of Special Education  
EducateUS  
Education Law Center  
Education Reform Now  
Equality California  
Equality Federation  
Family Equality  
Fenway Health  
Girls Inc.  
GLMA: Health Professionals Advancing LGBTQ+ Equality  
interACT: Advocates for Intersex Youth  
Kentucky Youth Law Project, Inc.  
Lambda Legal  
Lives in the Balance  
Los Angeles LGBT Center  
Movement Advancement Project  
National Association of Councils on Developmental Disabilities  
National Association of School Psychologists  
National Association of Secondary School Principals (NASSP)  
National Center for Learning Disabilities  
National Center for Lesbian Rights  
National Center for Transgender Equality  
National Education Association  
National Parents Union  
National PTA  
National Women's Law Center  
Organizations Concerned About Rural Education  
Parent Advocacy Consortium

PFLAG National  
Physicians for Reproductive Health  
Q Youth Foundation  
Silver State Equality – Nevada  
Somos Familia Valle  
State Innovation Exchange Action (SIX Action)  
Teach For America  
The Arc of the United States  
The Center for Sexuality & Gender Diversity  
The Education Trust  
The Source LGBT+ Center  
The Trevor Project  
TNTP  
Trans Formations Project  
TransFamily Support Services  
Transgender Resource, Advocacy and Network Service  
TransYouth Liberation  
True Colors United  
Union for Reform Judaism  
Unitarian Universalist Association  
URGE: Unite for Reproductive and Gender Equity  
Whitman-Walker Institute

## **Endnotes**

\* GLSEN and Harris Interactive (2012). Playgrounds and Prejudice: Elementary School Climate in the United States, A Survey of Students and Teachers. New York: GLSEN.

[https://www.glsen.org/sites/default/files/2020-04/Playgrounds\\_Prejudice.pdf](https://www.glsen.org/sites/default/files/2020-04/Playgrounds_Prejudice.pdf)

† Johns, M. M., Lowry, R., Haderxhanaj, L. T., Rasberry, C. N., Robin, L., Scales, L., Stone, D., & Suarez, N. A. (2020). Trends in Violence Victimization and Suicide Risk by Sexual Identity Among High School Students - Youth Risk Behavior Survey, United States, 2015-2019. *MMWR supplements*, 69(1), 19–27.

<https://doi.org/10.15585/mmwr.su6901a3>.

Earnshaw, V. A., Reisner, S. L., Juvonen, J., Hatzenbuehler, M. L., Perrotti, J., & Schuster, M. A. (2017). LGBTQ Bullying: Translating Research to Action in Pediatrics. *Pediatrics*, 140(4).

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5613818/>

‡ Kosciw, J. G., Clark, C. M., & Menard, L. (2022). The 2021 National School Climate Survey: The experiences of LGBTQ+ youth in our nation's schools. New York: GLSEN.

<https://www.glsen.org/sites/default/files/2022-10/NSCS-2021-Full-Report.pdf>

§ Truong, N. L., Zongrone, A. D., & Kosciw, J. G. (2020). Erasure and resilience: The experiences of LGBTQ students of color, Asian American and Pacific Islander LGBTQ youth in U.S. Schools. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-AAPI-2020.pdf>.

¶ Truong, N. L., Zongrone, A. D., & Kosciw, J. G. (2020). Erasure and resilience: The experiences of LGBTQ students of color, Black LGBTQ youth in U.S. Schools. New York: GLSEN.

<https://www.glsen.org/sites/default/files/2020-06/Erasure-and-ResilienceBlack-2020.pdf>. Zongrone, A. D., Truong, N. L., & Kosciw, J. G. (2020). Erasure and resilience: The experiences of LGBTQ students of color, Latinx LGBTQ youth in U.S. Schools. New York: GLSEN.

<https://www.glsen.org/sites/default/files/2020-06/Erasure-and-ResilienceLatinx-2020.pdf>. Zongrone, A. D., Truong, N. L., & Kosciw, J. G. (2020). Erasure and resilience: The experiences of LGBTQ students of color, Native and Indigenous LGBTQ youth in U.S. Schools. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-Native-2020.pdf>.

\*\* Russell, S.T., Sinclair, K.O., Poteat, V.P., & Koenig, B.W. (2012). Adolescent health and harassment based on discriminatory bias. *American Journal of Public Health*, 102(3): 493–495.

Birkett, M., Newcomb, M.E., & Mustanski, B. (2015). Does it get better? A longitudinal analysis of psychological distress and victimization in lesbian, gay, bisexual, transgender, and questioning youth. *Journal of Adolescent Health*, 56(3):280–285.

†† The Trevor Project. (2023). 2023 U.S. national survey on the mental health of LGBTQ young people.

[https://www.thetrevorproject.org/survey-2023/assets/static/05\\_TREVOR05\\_2023survey.pdf](https://www.thetrevorproject.org/survey-2023/assets/static/05_TREVOR05_2023survey.pdf)

‡‡ Palmer, N. A., Greytak, E. A., Kosciw, J. G. (2016). Educational exclusion: Drop out, push out, and school-to-prison pipeline among LGBTQ youth. New York: GLSEN. [https://www.glsen.org/sites/default/files/2019-11/Educational\\_Exclusion\\_2013.pdf](https://www.glsen.org/sites/default/files/2019-11/Educational_Exclusion_2013.pdf).

§§ Greytak, E.A., Kosciw, J.G., Villenas, C. & Giga, N.M. (2016). From Teasing to Torment: School Climate Revisited, A Survey of U.S. Secondary School Students and Teachers. New York: GLSEN. [https://www.glsen.org/sites/default/files/2019-12/From\\_Teasing\\_to\\_Torment\\_Revised\\_2016.pdf](https://www.glsen.org/sites/default/files/2019-12/From_Teasing_to_Torment_Revised_2016.pdf).