



## POSITION STATEMENT: LGBTQ+ STUDENTS AND EDUCATORS

### ► PURPOSE

To affirm support for the rights, safety, and identity of all LGBTQ+ students, educators, and school leaders; acknowledge historic marginalization and institutional bias associated with LGBTQ+ individuals; state the association's opposition to legislation and policies that discriminate against LGBTQ+ individuals; and provide recommendations for federal, state, and local policymakers and school leaders on how to better support LGBTQ+ students and educators in the K–12 education system.

### ► ISSUE

Even after years of progress, LGBTQ+ children and young adults still face high rates of harassment, bullying, and discrimination at school. According to the Human Rights Campaign's analysis of the 2019 Youth Risk Behavior Surveillance from the Centers for Disease Control and Prevention, 31% of LGBTQ+ youth, 43% of transgender youth, and 40% of questioning youth have been bullied at school, compared to 16% of their non-LGBTQ+ peers. Fifty-four percent of LGBTQ+ youth, 61% of transgender youth, and 61% of questioning youth are battling symptoms of depression, compared to 29% of non-LGBTQ+ youth. And 35% of LGBTQ+ youth, 45% of transgender youth, and 40% of questioning youth have seriously considered attempting suicide, compared to 13% of non-LGBTQ+ youth. Negative and unsafe school environments lead to adverse academic and social-emotional outcomes including school dropout, self-harm, and even suicide.

Creating an inclusive school also means creating an inclusive workplace where all employees are safe, accepted, and free from discrimination or harassment. In a landmark ruling in June 2020, the U.S. Supreme Court affirmed in *Bostock v. Clayton County* that LGBTQ+ employees, including educators and school



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## ► ISSUE—CONTINUED

staff, are protected under Title VII of the Civil Rights Act of 1964 from discrimination at work based on sexual orientation or gender identity. While the court's decision helped cement a legal protection basis for LGBTQ+ employees and educators, the reality is that discrimination and harassment still exist in many workplaces. The same as it is for the students in the building, it's also incumbent for school leaders to take intentional actions to eliminate stigma, discrimination, and harassment against staff, promote an LGBTQ+ affirming workplace, and ensure that all educators and employees have equal pay, benefits, and opportunity for promotion and advancement.

## ► NASSP GUIDING PRINCIPLES

The Professional Standards for Educational Leaders (PSEL) state that "effective educational leaders strive for equity of educational opportunity and culturally responsive practices to promote each student's academic success and well-being," which includes LGBTQ+ students.

NASSP has developed [\*Building Ranks™: A Comprehensive Framework for Effective School Leaders\*](#), a guide to the systems-based framework that affirms it is the principal's responsibility to guarantee that each person in the school is known, valued, treated justly, and receives the individualized, high-quality education that is necessary to succeed in a global society.

Students should be able to enter school free of judgment from school officials, educators, and their peers. Therefore, the principal must provide an affirming school environment where each student is treated fairly, respectfully, and with an understanding of each student's identity, culture, and context.

Principals influence the school culture in profound ways, specifically in the values they emphasize and the behaviors they reinforce.

The principal's primary responsibility is to create and sustain a school environment in which each student and educator is known, accepted, cared for, and encouraged to be an active and responsible member of the school community.

The principal also must support a school environment where diversity is valued and where students and educators from diverse backgrounds and identities are affirmed, supported, and assured equitable educational opportunities and access to school and community-based support services.

School leaders must create environments where the well-being and safety of everyone in the learning community is nurtured and all students have an equitable opportunity to learn and thrive. To fully achieve that goal, school leaders must take intentional action to promote education and advocacy that furthers positive social-emotional and academic development for each student and proactively works to eliminate bias, discrimination, and harassment based on sexual orientation, gender identity, and gender expression.

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## ► NASSP GUIDING PRINCIPLES—CONTINUED

NASSP has previously adopted position statements on [transgender students](#), [culturally responsive schools](#), and [racial justice and educational equity](#) that offer recommendations for policymakers and school leaders to promote student equity, address all forms of bias and discrimination, and help each student achieve their greatest potential.

## ► RECOMMENDATIONS FOR FEDERAL POLICYMAKERS

- Enact legislation to further clarify and strengthen anti-bullying and nondiscrimination laws that specifically protect individuals based on actual or perceived sexual orientation, gender identity, and gender expression in K–12 schools.
- Periodically review and update guidance that strongly affirms the protections LGBTQ+ students are afforded under Title IX and provide schools with recommendations on best practices to ensure they are not discriminating against LGBTQ+ youth, their parents or guardians, and school employees.
- Prioritize funding under the Higher Education Act for partnership grants that prepare school leaders, teachers, and other educators to create a culturally responsive climate for diverse populations, including LGBTQ+ and other underrepresented students.
- Fully fund Title IV, Part A of the Elementary and Secondary Education Act to improve school conditions for student learning through school-based mental health services, bullying and harassment prevention programs, and schoolwide positive behavioral interventions and supports.
- Through the Civil Rights Data Collection, collect and report annual data on the race, ethnicity, gender or gender identity, and sexual orientation of teachers and school leaders in all public schools and the enrollment and completion rates for candidates of underrepresented populations in teacher and leader preparation programs to identify gaps in retention strategies.
- Promote policies for student information records that respect LGBTQ+ students' need for privacy throughout the preK–20 education continuum.

## ► RECOMMENDATIONS FOR STATE POLICYMAKERS

- Enact state legislation to strengthen anti-bullying and nondiscrimination laws that specifically protect individuals based on actual or perceived sexual orientation, gender identity, and gender expression in K–12 schools; and clarify reporting and investigation requirements for incidents of bullying or harassment.
- Adopt or adapt the PSEL to ensure that principal certification and licensure requirements include a focus on equity and cultural responsiveness that is inclusive of LGBTQ+ students.

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## ► RECOMMENDATIONS FOR STATE POLICYMAKERS—CONTINUED

- To support safe and welcoming school environments, school-based interventions, and LGBTQ+ mental health and wellness services for students and their families, increase the number of school-based mental health professionals to reach the nationally recommended ratios to students: 250:1 for school counselors, 500–700:1 for school psychologists, and 400:1 for school social workers.
- Oppose any attempt to introduce or pass legislation aimed at discriminating against LGBTQ+ students and school staff, including bills aimed at restricting the use of restrooms or locker rooms and participation in sports and other school activities that correspond with a student or staff member's gender identity.
- Oppose legislation aimed at banning professional learning on equity and inclusion for school leaders, educators, and school staff.
- Align and adjust records policies to eliminate provisions that prevent school leaders from respecting a student's gender identity on their formal record.

## ► RECOMMENDATIONS FOR DISTRICT LEADERS

- Develop and implement comprehensive anti-bullying and nondiscrimination policies that specifically protect individuals based on actual or perceived sexual orientation, gender identity, and gender expression. Educate school staff, students, and parents/guardians about these policies, expectations of student behavior, how to report violations, and the consequences for policy violations. Work with building-level administrators to address students who violate policies and provide support for students who are targets of bullying and harassment.
- Provide ongoing professional development for principals, teachers, and other school staff. Identify local expert trainers to educate school staff about LGBTQ+ issues, addressing anti-LGBTQ+ bias and stigma, knowing how to recognize and intervene when LGBTQ+ related harassment and bullying occur, and developing skills and strategies to serve as supportive allies.
- Ensure that school counselors, school psychologists, and school social workers receive specialized training on understanding and responding to the needs of LGBTQ+ students.
- Work with building-level administrators to adopt or further develop inclusive curricula with accurate and unbiased information on LGBTQ+ people, history, and events and LGBTQ+ inclusive sexual health education that includes HIV education and prevention.
- Work with building-level administrators to adopt anti-bias curriculum and social-emotional learning programs in K–12 classrooms that are LGBTQ+ inclusive, and that embrace diverse family structures, including students with LGBTQ+ parents/guardians.
- Widely disseminate the district's anti-bullying and nondiscrimination policies and also make them readily accessible to students and parents/guardians on the district and schools' websites, in student and parent/guardian handbooks, and in policy manuals available in school offices.

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## ► RECOMMENDATIONS FOR DISTRICT LEADERS—CONTINUED

- Ensure district forms and communications are respectful and inclusive of diverse family structures and gender identities, including using gender-neutral language and acknowledging gender-neutral pronouns such as “they/them.”
- Review the GLSEN Model Local Education Agency Policy on Transgender and Nonbinary Students and revise district policies if needed.
- Follow the National Educational Leadership Preparation program standards in preparing and evaluating school leaders, especially the recommendations provided in Standard #3: Equity, Inclusiveness, and Cultural Responsiveness.
- In the annual notices sent to all parents and guardians at the beginning of the school year, include a disclosure stating that the district allows students to participate in sex-segregated school programs and activities consistent with their gender identity or expression.
- Develop policies and protocols for maintaining correct data for transgender students in the district student information system regardless of the student’s legal name or assigned sex at birth.
- Provide support for the unique privacy needs of transgender or nonbinary students so they can comfortably participate in field trips, overnight trips, and other school activities.

## ► RECOMMENDATIONS FOR SCHOOL LEADERS

- In coordination with district leaders, implement comprehensive anti-bullying and nondiscrimination policies that specifically protect individuals based on actual or perceived sexual orientation, gender identity, and gender expression. Educate school staff, students, and parents/guardians about these policies, expectations of student behavior, how to report violations, and the consequences for policy violations. Intervene with students who violate policies and provide support for students who are targets of bullying and harassment.
- Model and set expectations for students, staff, and parents/guardians about how to build a positive school culture where all students feel included and respected, regardless of their sexual orientation, gender identity, or gender expression.
- Use LGBTQ+ and gender-inclusive language in school communications and signage including using identity-affirming pronouns for all students and staff.
- Work with teachers and other school staff to develop inclusive curricula with accurate information on LGBTQ+ people, history, and events, and LGBTQ+ inclusive sexual health education, including HIV education and prevention.
- Work with teachers and other school staff to adopt anti-bias curriculum and social-emotional learning programs in K–12 classrooms that are LGBTQ+ inclusive and embrace diverse family structures, including students with LGBTQ+ parents/guardians.

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## ► RECOMMENDATIONS FOR SCHOOL LEADERS—CONTINUED

- Partner with local community groups and identify local expert trainers to educate school staff about LGBTQ+ issues, addressing anti-LGBTQ+ bias and stigma, knowing how to recognize and intervene when LGBTQ+ related harassment and bullying occur, and developing skills and strategies to serve as supportive allies.
- Actively support student leaders' efforts to establish a Gender and Sexuality Alliance (GSA) or similar LGBTQ+ support clubs and work with teachers and other advisers to support them.
- Proactively address gender and anti-LGBTQ+ bias among staff and students, and ensure that all incidents of discrimination, harassment, or violence are thoroughly investigated and that appropriate actions are taken.
- Regularly administer an LGBTQ+ inclusive and confidential school climate survey of students, parents/guardians, and school personnel, and use the data to improve school conditions for all stakeholders.
- Diagnose inequitable practices and structures for any instances with negative influence on certain groups of students or staff. The diagnostic process should include using data and individual conversations to examine formal school policies or inherent staff biases.
- Critically examine your own identity and privileges, how they have shaped your experiences, and how they may impact teaching and learning of LGBTQ+ students in the school. Consider utilizing resources like Harvard's Project Implicit bias test and encouraging staff to do the same.
- Display a poster or sticker to show students, staff, and parents/guardians that your office is an LGBTQ+ affirming space and encourage staff to do the same for their office or classroom.
- Familiarize yourself with Title IX guidance and state and district policies regarding LGBTQ+ students and consult your school or district attorney should you have any questions or concerns.
- Familiarize yourself with local and national resources for LGBTQ+ students and their parents/guardians, including the nearest PFLAG chapter or LGBTQ+ community center.
- Remind your staff, students, parents/guardians, and community members of the need to support the rights of all students—including LGBTQ+ students—and that diminishing those rights runs contrary to the values of the school. Those rights include a student's sexual orientation or gender identity or expression, which should be respected especially regarding:
  - Privacy: Unless a student chooses to disclose certain information, their transgender status, legal name, or sex assigned at birth is confidential medical information and considered "personally identifiable information" under the Family Educational Rights Privacy Act (FERPA). Disclosure of that information to other school staff or parents/guardians could violate the school's obligations under FERPA or constitutional privacy protections.
  - Name and pronouns: All school staff should use the student's chosen name and pronouns, including gender-neutral

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## ► RECOMMENDATIONS FOR SCHOOL LEADERS— CONTINUED

pronouns such as “they/them,” which is a sign of respect to the student and affirms their gender identity. Documents with the student’s birth name should not be circulated, and principals should follow the lead of other school districts that have found solutions to comply with record keeping and reporting requirements while also meeting their obligations to safeguard the student’s privacy.

- **Dress:** LGBTQ+ students have the right to dress in a manner consistent with their gender identity or gender expression as long as it complies with the school or district dress code. It is recommended that schools and districts adopt gender-neutral dress codes that respect all gender identities, cultural dress or hairstyles, religious dress, and disabilities.

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