



HRC ISSUE BRIEF: SAFE SCHOOLS AND COMMUNITIES

THE PROBLEM

Lesbian, gay, bisexual and transgender (LGBT) people are increasingly living open lives and speaking publicly about their families, their relationships and the discrimination they face. In addition, studies have shown that the average age of “coming out” or identifying as LGBT is steadily dropping. This openness has begun to pave the pathway toward full equality. However, it has also made LGBT individuals and their families the targets of bullying, harassment, discrimination and violence.

Bullying and harassment deprives students of equal educational opportunities

LGBT students, as well as those who are members of LGBT families or perceived to be LGBT themselves, are subject to pervasive bullying, harassment and discrimination in schools across the country. Numerous social science studies demonstrate that bullying and harassment contributes to high rates of absenteeism, dropout, adverse health consequences and academic underachievement. When left unchecked, such discrimination can lead to, and has led to, dangerous situations for young people.

LGBT people are targets of bias-motivated crime

A hate crime occurs when the perpetrator of the crime intentionally selects the victim because of who he or she is. Hate crimes based on sexual orientation made up nearly 20% of the hate crimes that were reported to the Federal Bureau of Investigation (FBI) in 2010. Moreover, 64% of transgender individuals report being victims of physical assaults during their lifetimes. While a federal hate crime law, the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act (Shepard-Byrd Act), was enacted in 2009, work still needs to be done to prevent hate crimes from happening, and ensuring that those that do are fully reported, investigated and prosecuted.

LGBT victims of domestic violence face unique barriers to assistance

Studies indicate that LGBT people experience domestic violence at roughly the same rate as the general population. However, the LGBT community faces unique barriers to accessing domestic violence services if their relationships turn abusive. Often, service providers, law enforcement and the court system do not engage in outreach to the LGBT community, lack the cultural competency to effectively work with LGBT victims and/or do not have access to funding for LGBT-specific programming and services.

Family rejection of LGBT youth harms their achievement and health

Some LGBT youth are coming out before they reach their teens. The way a family responds to a young person's LGBT identity has a significant impact on his or her future. LGBT youth whose families affirm their identity do better in school and are less likely to engage in high risk behavior. Family rejection, on the other hand, has been linked to increased suicide attempts, higher levels of depression, illegal drug use, greater STD risk, lesser academic achievement and lower self-esteem. Family rejection has also contributed to the increase in the population of homeless LGBT youth, as rejected youth are thrown out of their homes or forced to leave to escape violence.

WHAT HAS THE OBAMA ADMINISTRATION DONE TO CREATE SAFE SCHOOLS AND COMMUNITIES FOR LGBT PEOPLE?

- The President hosted the first ever White House Conference on Bullying Prevention.
- The President and other administration officials recorded “It Gets Better” videos.
- The Department of Health & Human Services (HHS), in partnership with the Department of Education (DOE) and Department of Justice (DOJ), launched www.stopbullyingnow.com, which includes HRC's Welcoming Schools as a resource for bullying prevention.

- DOE issued guidance clarifying when student bullying may violate federal law, distributed a memo outlining key components of strong state anti-bullying laws and policies and made clear to public schools that gay-straight alliances have a right to form and meet.
- DOE and DOJ have aggressively pursued Title IX complaints filed by LGBT students experiencing harassment based on sex or sex stereotyping.
- The President signed the Shepard-Byrd Act into law and DOJ has conducted dozens of conferences across the country to assist with implementation of the Act.
- DOJ issued an opinion clarifying that the criminal provisions of the Violence Against Women Act (VAWA) related to stalking and abuse apply equally to same-sex partners. In addition, the administration supports the inclusion of LGBT provisions in the reauthorization of VAWA currently being considered by Congress.

HOW IS HRC WORKING TO CREATE SAFE SCHOOLS AND COMMUNITIES FOR LGBT PEOPLE?

- HRC has called on the administration to support the Student Non-Discrimination Act (SNDA) and is working with Congress to gain co-sponsorship for the SNDA, the Safe Schools Improvement Act (SSIA) and VAWA.
- HRC co-chairs a national hate crimes coalition that frequently meets with DOJ on issues related to implementation of the Shepard-Byrd Act.
- HRC released a guide to the Shepard-Byrd Act that includes information related to the need to continue state-level advocacy for state hate crime laws.
- HRC is working with the FBI to begin including transgender victims of hate crimes in their hate crime statistics collection efforts and has participated in training DOJ's Community Relations Service on working with the LGBT community.
- HRC has worked with a coalition of domestic violence service providers and LGBT advocates to make the reauthorization of VAWA explicitly inclusive of the LGBT community.
- HRC is introducing school districts across our nation to Welcoming Schools, an LGBT-inclusive approach to addressing family diversity, gender stereotyping, bullying and name-calling in K-5 learning environments.

DID YOU KNOW?

OVER
85%

of LGBT students report being harassed because of their sexual orientation or gender identity.¹

64%

of transgender individuals report being victim to physical assaults.²

ONLY 7%

of LGBT domestic violence victims report their victimization to law enforcement.³

85%

of domestic violence service providers working with LGBT victims have worked with victims that were denied services because they are LGBT.⁴

20-40%

of all homeless youth identify as LGBT.⁵

Highly rejected LGBT youth are **MORE THAN 8 TIMES** as likely to have attempted suicide and 3 times as likely to be at high risk for HIV and other sexually transmitted diseases.⁶

¹ Stuart Biegel & Sheila James Kuehl, *Safe at School: Addressing the School Environment and LGBT Safety through Policy and Legislation* (2010).

² National Center for Transgender Equality, National Gay and Lesbian Taskforce, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (2011).

³ National Coalition of Anti-Violence Programs, *Lesbian, Gay, Bisexual, Transgender, Queer and HIV-Affected Intimate Partner Violence* (2010).

⁴ National Coalition of Anti-Violence Programs, survey of member organizations and affiliates (2011).

⁵ National Gay and Lesbian Taskforce Policy Institute, National Coalition for the Homeless, *Lesbian, Gay, Bisexual, and Transgender Youth: An Epidemic of Homelessness* (2007).

⁶ Caitlin Ryan, *Supportive Families, Healthy Children: Helping Families with Lesbian, Gay, Bisexual & Transgender Children*. Family Acceptance Project: San Francisco State University (2009).