

2023 Public Policy Agenda

About GLSEN

GLSEN is the leading national organization on LGBTQ+ issues in K-12 education systems. Since 1990, GLSEN has worked to create safe and inclusive schools for all people, regardless of sexual orientation, gender identity, and/or gender expression. Each year, GLSEN programs and resources reach millions of students and educators in K-12 schools, via action at the national, state, and local level, increasing awareness, resourcing advocates, and improving school conditions for LGBTQ+ young people.

About GLSEN's Public Policy Agenda

GLSEN advocates for equitable outcomes for LGBTQ+ students—particularly those who are transgender, nonbinary, intersex, BIPOC, people with disabilities—and all communities that experience marginalization in K-12 schools. We work with state-based advocates to advance our vision of positive school transformation where every young person can at minimum feel safe and ultimately experience schools as places of liberation.

Our theory of change is grounded in our support for truly adequate funding for public education that is allocated using the lens of intersectional equity, inclusive of LGBTQ+ communities, and that provides resources to implement the four core supports we have identified in over 20 years of research:

1. GSAs (Gay Straight Alliances or Gender and Sexuality Alliances) and other student networks that facilitate youth leadership;
2. Supportive educators and other networks of adult allies;
3. Inclusive curriculum that allows all young people to see their full selves reflected in classrooms and to learn about people who are different than themselves;
4. Comprehensive policies that prohibit victimization, including discrimination, bullying, harassment, and punitive discipline that increases the risk of criminalization and youth entering the school to prison pipeline.

To align and fulfill the purpose of our mission it is critical that our public policy agenda center the priorities that young people have identified as crucial to their ability to thrive in K-12 learning communities and beyond. The 2023 Public Policy Agenda is informed by several youth-led policy platforms, including GLSEN's **National Student Council**, the platform adopted by **A New Deal for Youth**, and the Southern Coalition for Social Justice's **Liberate to Educate Policy Platform**, developed within the Coalition's Youth Justice Project.

Young people are calling out for transformative change that liberates and decriminalizes our youth by supporting economic justice and opportunity, healing and wellbeing, justice and safe communities, democracy and civic engagement, environmental justice, and immigration justice¹.

This transformative change includes:

- Support for "legislation that would greatly affect the lives of lesbian, gay, bisexual, transgender, nonbinary, queer, intersex, asexual, women/femme, undocumented, non-monogamous, disabled/neurodivergent, religiously marginalized, gender marginalized, class marginalized, color marginalized, incarcerated/justice involved, HIV affected, housing disprivileged, and BIPOC Americans."²

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- Liberated school environments that put an end to harmful and exclusionary discipline practices and curricula that erases the contributions and lives of people who are LGBTQ+, BIPOC, people with disabilities, or who hold other marginalized identities. They demand inclusive and culturally relevant curriculum, mental health supports and safe spaces, and restorative practices that ensure that youth do not end up in the school-to-prison or foster-care-to-prison pipeline.³

GLSEN's public policy agenda is intended to help answer these calls with the following federal, state, and local advocacy priorities.

Federal

Legislation

Pass the **Safe Schools Improvement Act (SSIA)** to require states to ensure that school districts adopt a proven strategy to prevent and address bias-based bullying in schools by enumerating race, color, national origin, sex, sexual orientation, gender identity, disability, and religion in locally-tailored anti-bullying policies. SSIA would also improve data collection on bias-based bullying.

Pass the **LGBTQI+ and Women's History Education Act** to require and fund the Smithsonian Museum of American History to develop resources for educators teaching history inclusive of LGBTQ+ people across the multiple identities they hold.

Pass the **Equality Act**, which would provide essential civil rights protections to all LGBTQ+ youth and educators across multiple dimensions of their lives and experiences.

Pass a suite of legislation grounded in civil rights principles and endorsed by the Leadership Conference on Civil and Human Rights to advance safe, healthy, and inclusive school climates. In addition to SSIA, this includes:

- The **Counseling Not Criminalization in Schools Act** supports evidence-based, trauma informed staff and restorative practices by reallocating federal dollars that currently promote law enforcement presence in schools despite evidence of their disparate and negative impact on LGBTQ+ students, particularly those who are BIPOC and people with disabilities.
- The **Protecting our Students in Schools Act** will prohibit corporal punishment and establish a federal grant program to assist states and school districts in improving school climates.
- The **Ending PUSHOUT Act** will provide grants to support states and schools transitioning away from unfair and discriminatory school discipline practices, strengthen Civil Rights Data Collection for LGBTQ+ students, and establish a taskforce to better understand the problem of student pushout, especially as it impacts girls of color, including lesbian, bisexual, transgender, and queer girls.

Pass the **LGBTQI+ Data Inclusion Act** so that the experiences of all Americans, including LGBTQ+ students and educators, are accurately represented in federal data collection efforts and research can continue to inform best practices and effective, efficient uses of federal funding.

Pass the **Full-Service Community School Expansion Act** to provide additional wraparound supports, including mental and emotional health programs, that are accessible to LGBTQ+ students and their families.

Pass legislation to strengthen our core democratic right to vote and improve access to voting, including for young people, such as the **John Lewis Voting Rights Advancement Act**.

Funding and Administrative Priorities

GLSEN advocates for intersectional, LGBTQ+ inclusive equity in federal funding, data collection, and rules that detail how laws will be applied.

For example, GLSEN supports:

- Strong enforcement by the U.S. Department of Education's Office of Civil Rights (OCR) of a **comprehensive Title IX rule** that expressly prohibits discrimination and harassment or bullying based on sexual orientation, gender identity, sex stereotypes, and variations in sex characteristics (including intersex traits);
- Increasing funding for OCR and DOJ's Educational Opportunities Section, to enable them to expand their staff and enforcement capacities;
- Strong federal resources and outreach regarding student non-discrimination protections, such as **OCR guidance on LGBTQI+ students**;
- Improved federal guidance on how federal funds can advance intersectional inclusive equity and best practices for supporting LGBTQ+ students, including through the Working Group on LGBTQI+ Students and Families established by President Biden's Executive Order on Advancing Equality for Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Individuals;
- Improved federal guidance on how federal funds can advance intersectional inclusive equity (for example, see GLSEN's recommendations regarding the **Every Student Succeeds Act** and **Covid-19 relief funds**);
- Grant programs that use or prioritize an LGBTQ+ inclusive lens (for example, see our **comment on the Project Prevent grant program**);
- Data collection on the experiences of LGBTQ+ students, parents and guardians of students, school personnel (for example, see our **comment on the Federal Agenda for LGBTQI+ Data Inclusion**); and
- Data collection on federal programs and uses of federal funds to identify and address LGBTQ+ students' needs (for example, see our **comment on the evaluation of technical assistance centers**).

States & Territories

Legislation

Pass inclusive curricular standards legislation that supports creation of inclusive curriculum at the local level that will help strengthen educational attainment, mental health outcomes, and feelings of connectedness to school communities for LGBTQ+ students who see their full identities reflected in the classroom.⁴

Pass enumerated anti-bullying and harassment legislation that prohibits bullying and harassment based on a student's actual or perceived race, color, national origin, sex, disability, sexual orientation, and gender identity, thereby reducing barriers to educational access and opportunity.⁵

Pass comprehensive student-nondiscrimination legislation that is inclusive of trans and nonbinary students' full participation in athletics, access to facilities that align with students' gender identity, respect for their names and pronouns, and privacy protections.⁶

Pass a suite of comprehensive legislation to support positive school climates and student safety, addressing the need to end restraint, seclusion, corporal punishment practices, maintaining adequate and accessible facilities, closing the digital divide, restoring disparate impact remedies, and increasing trauma-informed supports for students' emotional, mental, and physical health.⁷

Oppose all discriminatory legislation, including any bills that seek to target and create barriers to educational opportunities for transgender and nonbinary students, curriculum censorship legislation that limits LGBTQ+ inclusive, BIPOC inclusive, and other historically accurate curriculum, legislation limiting youths' access to GSAs, legislation forcing educators to deadname and misgender transgender and nonbinary students, legislation that reduces LGBTQ+ student safety by forcibly outing students to potentially unsupportive guardians, legislation routing public funds into private school programs that can sanction discrimination against LGBTQ+ students and educators, and any other proposals that will negatively impact LGBTQ+ student's wellbeing and educational opportunities.

Funding and Administrative Priorities

- Support strong state administrative implementation of federal protections from LGBTQ+ based discrimination and harassment or bullying, including through state education agency guidance on Title IX, and affirmative policies on the treatment of transgender and nonbinary students.
- Provide high-quality, culturally affirming, and accessible professional development opportunities, materials, and resources for educators and mental health providers to address heightened traumas that students, including LGBTQ+ and other marginalized students, may be facing because of the pandemic, and barriers they may face in distance learning and returning to school buildings. This should include how educators can ensure positive, culturally affirming experiences for young people; how educators can identify signs of abuse, cyberbullying, and mental health needs of students; how to identify currently available resources to support students; and how to connect students to resource providers during distance learning.
- Coordinate the sharing of high-quality resources and practices across local education agencies especially those practices and resources related to social, emotional, and academic development of students, addressing cyberbullying, and maintaining connectivity to students.
- Address situations that may arise in virtual and hybrid learning contexts, such as Zoom bombing and other forms of cyberbullying, and ensuring adequate follow-up and supports for students who have been bullied, harassed, or who may be isolated from social support or at risk of harm.
- Promote the use of federal funds to support the activities and programs listed above, including through strengthened state guidance to local education agencies on authorized uses of funds (e.g., see GLSEN's recommendations regarding the **Every Student Succeeds Act and COVID-19 relief funds**).
- Support state administrative rulemaking that increases protections from victimization for LGBTQ+ students, including policies on the treatment of transgender and nonbinary students.

- Oppose all discriminatory state administrative rulemaking that seeks to target and raise educational barriers for LGBTQ+ students, including rules about facilities access, name and pronoun use, and athletic participation for transgender and nonbinary students, and any other policies that will negatively impact LGBTQ+ student's wellbeing and educational opportunities.

School Districts & School Boards

Policies

Adopt, implement, and comply with LGBTQ+ victimization protections against discrimination and unlawful bullying and harassment under federal Title IX and state standards. This includes enumerated anti-bullying and harassment policies that prohibit bullying and harassment based on a student's actual or perceived race, color, national origin, sex, disability, sexual orientation, and gender identity, thereby reducing barriers to educational access and opportunity;⁸ and policies on the treatment of transgender and nonbinary students, that address key issues including nondiscrimination protections, privacy and confidentiality, school records and pronouns, and training and professional development for educators.⁹

Adopt a suite of comprehensive policies to support positive school climates and student safety, ensuring the implementation of inclusive curriculum in the states that have passed inclusive curricular standards laws and utilization of federal funding to support inclusive curriculum adoption in states that have not passed such laws, addressing the need to end restraint, seclusion, and corporal punishment practices, maintaining adequate and accessible facilities, closing the digital divide, restoring disparate impact remedies, and increasing trauma-informed supports for students' emotional, mental, and physical health.¹⁰

Oppose all discriminatory policies including any proposals that seek to target and create barriers to educational opportunities for transgender and nonbinary students, routing public funds into private school programs that can sanction discrimination against LGBTQ+ students and educators, legislation that limits LGBTQ+ inclusive and other historically accurate curriculum, and any other policies that will negatively impact LGBTQ+ student's wellbeing and educational opportunities.

Funding Priorities

- Ensure focused outreach and follow-up to address the unique needs of LGBTQ+ students who are also low-income, students with disabilities, English language learners, experience homelessness, or who have been placed in foster care, including support for community schools that provide in-school and wraparound support services.
- Conduct adequate follow-up to ensure marginalized students have and can use technology for distance learning and afterschool programs.
- Retain, hire, and contract as needed with additional school counselors and psychologists to address the heightened level of mental and behavioral health needs of students.
- Provide high-quality, culturally affirming, and accessible professional development for educators and mental health providers to address heightened traumas that students, including LGBTQ+ and other marginalized students, may be facing because of the pandemic, and barriers they may face in distance learning and returning to school buildings.

- Support and encourage the virtual continuation of afterschool programs, including GSAs (Gay Straight Alliances or Gender and Sexuality Alliances), during distance learning.
- Promote the use of federal funds to support the activities and programs listed above (see GLSEN's recommendations regarding the **Every Student Succeeds Act** and **COVID-19 relief funds**).

Our Public Policy Advocacy

GLSEN national staff provide technical assistance and support to a broad coalition of grassroots partners. Our network of community-based Chapters and advocates inform our public policy priorities and are leaders in increasing our impact at the state and local level. In addition, our State Policy Fellows, National Student Council, and Educator Advisory Council are also critical advocates in advancing our public policy agenda.

This policy agenda presents a non-exhaustive list of public policies GLSEN supports. If you would like to request GLSEN's endorsement of legislation or other public policy proposal, please contact us at policy@glsen.org.

¹ A New Deal For Youth, "New Deal For Youth Policy Platform" available at <https://newdealforyouth.org/our-issues/>.

² GLSEN National Student Council. "Policy Committee Platform."

³ Southern Coalition for Social Justice Youth Justice Project. "Liberate to Educate" available at <https://southerncoalition.org/wp-content/uploads/2021/01/LiberateToEducate-YJP-Policy-Platform.pdf>.

⁴ <https://www.glsen.org/activity/inclusive-curriculum-standards>

⁵ <https://www.glsen.org/activity/model-state-anti-bullying-harassment-legislation>

⁶ <https://maps.glsen.org/student-nondiscrimination-policies/>

⁷ Dignity in Schools Campaign, Model Code on Education and Dignity, <https://dignityinschools.org/toolkits/model-code/>; Leadership Conference on Civil and Human Rights, Civil Rights Principles for Safe, Healthy, and Inclusive School Climates (Sept. 2019), <http://civilrightsdocs.info/pdf/education/School-Climate-Principles.pdf>.

⁸ <https://www.glsen.org/activity/model-district-anti-bullying-harassment-policy>

⁹ <https://www.glsen.org/activity/model-local-education-agency-policy-on-transgender-nonbinary-students>

¹⁰ Dignity in Schools Campaign, Model Code on Education and Dignity, <https://dignityinschools.org/toolkits/model-code/>; Leadership Conference on Civil and Human Rights, Civil Rights Principles for Safe, Healthy, and Inclusive School Climates (Sept. 2019), <http://civilrightsdocs.info/pdf/education/School-Climate-Principles.pdf>.