

July 30, 2021

Honorable Miguel Cardona  
Secretary of the U.S. Department of Education  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

**Re: Comments from GLSEN regarding proposed Secretary's Supplemental Priorities and Definitions for Discretionary Grant Programs [Docket ID ED-2021-OPEPD-0054]**

Dear Secretary Cardona:

I write to you on behalf of GLSEN, the nation's leading organization on lesbian, gay, bisexual, transgender, queer, nonbinary, gender nonconforming, and intersex (LGBTQ+) issues in K-12 education, regarding the Secretary's proposed priorities and definitions for discretionary grant programs.

As an organization working to ensure that all LGBTQ+ young people and educators are safe and have equal opportunities to thrive, grow, and reach their full potential, GLSEN is committed to advancing racial, gender, and disability justice. GLSEN strongly supports the Department's approach to supporting students and staff throughout the proposed priorities, especially the Department's attention to addressing the unique needs of historically excluded and marginalized communities. GLSEN seeks to affirm the Department's choices in several key areas, but also urges the Department to revise other priorities to better attend to the needs of LGBTQ+ students and staff.

The Department includes a proposed definition of "underserved students" – a term that appears throughout the proposed priorities – and offers a definition that includes several important enumerated populations. Specifically, GLSEN strongly supports the Department's inclusion of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQ+) students ; students of color; students who are members of Tribal communities; and students with disabilities. By enumerating the definition to include these critical populations of students, the Department sends a clear signal to grantees that programs must attend to the diverse and unique needs of these students, while also recognizing the need to reverse the historical exclusion and marginalization of these students. GLSEN supports the Department's definition and looks forward to the implementation of this definition throughout all discretionary grant programs.

GLSEN strongly supports the Department's **Proposed Priority 2**, which seeks to promoting equity in access to educational resources, opportunities, and welcoming environments for underserved students. Unfortunately, it remains common for LGBTQ+ young people, particularly those who are transgender, nonbinary, Black, Indigenous, people of color (BIPOC), and people with disabilities, to experience unwelcoming and even discriminatory school environments. GLSEN found that nearly 6 in 10 LGBTQ+ students (59.1%) reported personally experiencing discriminatory policies or practices at school.<sup>1</sup> LGBTQ+ students who are transgender, nonbinary, BIPOC, and people with disabilities frequently face starker disparities. For example, 77.3% of transgender, 69.1% of nonbinary students, and 73.6% of Native or Indigenous students reported having experienced LGBTQ-related discrimination.<sup>2</sup>

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<sup>1</sup> Joseph G. Kosciw, Caitlin M. Clark, Nhan L. Truong, and Adrian D. Zongrone, *The 2019 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation's Schools* (New York: GLSEN, 2020), p. 40. Available at <https://www.glsen.org/research/2019-national-school-climate-survey>.

The finding that over half of LGBTQ+ students reported experiencing some type of LGBTQ-related discrimination at school has remained consistent over four nationally representative surveys conducted between 2013 and 2019. See Kosciw et al., *The 2019 National School Climate Survey*, p. 138.

<sup>2</sup> Kosciw et al., *The 2019 National School Climate Survey*, pp. 95, 112.

Experiencing anti-LGBTQ+ discrimination at school is associated with an increased likelihood of experiencing school discipline. Compared to their LGBTQ+ peers who did not experience LGBTQ+ related discrimination at school, LGBTQ+ students who experienced discriminatory policies and practices were more likely to have been disciplined at school (40.2% vs. 22.6%).<sup>3</sup> In effect, schools' discriminatory policies and practices make it "against the rules" to be LGBTQ+ resulting, for example, in trans youth being disciplined for using the bathroom that aligns with their gender.<sup>4</sup> GLSEN appreciates the Department specifically naming "LGBTQ+ students" among those who "experience higher rates of discipline compared to their peers" under Propose Priority 2. Here, as always, students' intersecting identities matter: Black LGBTQ+ youth are almost twice as likely to report being disciplined by removal from school (suspension or expulsion) than their white LGBTQ+ peers,<sup>5</sup> and LGBTQ+ students with disabilities are more likely to have experienced school discipline than their LGBTQ+ peers without disabilities and are also more likely to have been involved in the justice system as a result of school discipline.<sup>6</sup>

GLSEN is strongly supportive of the Department's Proposed Priority 2 and particularly the inclusion of Subpriority 2(b)(10) for projects "establishing, expanding, or improving the engagement of underserved community members (including underserved students) in informing and making decisions that influence policy and practice at the school, district, or State level by elevating their voices and their perspectives and providing them with access to opportunities for leadership." It is critical that LGBTQ+ students, educators, and community leaders be consulted and that their experiences and recommendations inform improved policies and practices to promote welcoming, equitable, and inclusive schools that enable all students to reach their full potential.

Additionally, GLSEN supports the Department's **Proposed Priority 4**, which seeks to address and meet students' social, emotional, and academic needs "with a focus on underserved students." Within the priority, the Department outlines several Subpriorities that are particularly relevant to LGBTQ+ students, including:

**Subpriority 4(a)(2)** – "Identifies and addresses conditions in the learning environment, that may negatively impact social and emotional well-being for underserved students, including conditions that affect physical safety." GLSEN supports the inclusion of this Subpriority given that LGBTQ+ students experience higher rates of bullying than their non-LGBTQ+ peers<sup>7</sup> and many report feeling unsafe because of their sexual orientation (59.1%), gender identity (37.4%), and gender expression (42.5%).<sup>8</sup>

**Subpriority 4(a)(3)** – "Is trauma-informed, such as addressing exposure to community-based violence." GLSEN supports the inclusion of this Subpriority given that students may be impacted by traumatic experiences at and beyond school and LGBTQ+ students experience trauma at higher rates

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<sup>3</sup> Kosciw et al., *The 2019 National School Climate Survey*, p. 51.

<sup>4</sup> Emanuella Grinberg, "Transgender teen fights back after suspension for using 'wrong' bathroom," *CNN*, April 27, 2016, <https://www.cnn.com/2016/04/26/health/sc-transgender-student-bathroom-suspension/index.html> (Accessed July 23, 2021). Transgender Law Center, "Transgender Student Files Federal Lawsuit Against Kenosha Wisconsin School District" (July 20, 2016). <https://transgenderlawcenter.org/archives/13126> (Accessed July 23, 2021).

<sup>5</sup> Kosciw et al., *The 2019 National School Climate Survey*, p. 111.

<sup>6</sup> Neal A. Palmer, Emily A. Greytak, and Joseph G. Kosciw, *Educational Exclusion: Drop Out, Push Out, and the School-to-Prison Pipeline among LGBTQ Youth* (New York: GLSEN, 2016). <https://www.glsen.org/research/educational-exclusion-drop-out-push-out-school-prison-pipeline>.

<sup>7</sup> 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>.

<sup>8</sup> 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., Reischer, S. L., Juvonen, J., Hatzembuehler, 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/>.

than their non-LGBTQ+ peers.<sup>9</sup> LGBTQ+ students often face particular forms of childhood trauma simply for being who they are, including being targeted for bullying and harassment, subject to societal stigma and biases, and experiencing rejection from family members, peers, and institutions.<sup>10</sup>

**Subpriority (4)(b)(2)** – “Providing high-quality professional development opportunities designed to reduce bias, increase engagement and belonging, and build asset-based mindsets for adults working in and throughout schools.” GLSEN strongly supports this Subpriority given that 59.1% of LGBTQ+ students reported personally experiencing LGBTQ-related discriminatory policies or practices at school.<sup>11</sup>

**Subpriority (4)(b)(3)** – “Engaging parents, caregivers, students, and community members as full partners in school climate review and improvement efforts.” LGBTQ+ students may be particularly benefited by LGBTQ+ community organizations when their school does not currently have a Gender Sexuality Alliance or Gay Straight Alliance (GSAs). LGBTQ+ community organizations can also support states, districts, and schools through consultations that inform nondiscriminatory policies and practices and strategies for ensuring equal access.<sup>12</sup> GLSEN supports the Department in encouraging robust and meaningful consultation to improve school climates through this Subpriority.

**Subpriority 4(b)(4)** – “Developing and implementing inclusive and culturally informed discipline policies and addressing disparities in school discipline policy by identifying and addressing the root causes of those disparities, including by providing training and resources to support educators.” GLSEN strongly supports the inclusion of this Subpriority given the disparate and discriminatory discipline that LGBTQ+ students, students of color, and students with disabilities face due to current school discipline practices (discussed above in regards to Proposed Priority 2).

Through the above Subpriorities under Proposed Priority 4 the Department will support grantees that seek to foster positive school climates for all students by focusing on underserved students; reduce and eliminate the discriminatory impact of school discipline policies; and encourage grantees to implement alternative discipline practices that center restorative, trauma- and healing-informed practices.

GLSEN supports the Department’s attention to the importance of cross-agency collaboration and genuine engagement with community organizations in Proposed Priority 6. Our students do not live in a vacuum and rely on several layers of support throughout their school experiences. Community organizations addressing the needs of underserved communities are often resources for several items listed under Subpriority 6(a). For example, many LGBTQ+ community centers provide resources for LGBTQ+ people experiencing homelessness, referrals to LGBTQ+ affirming healthcare, and supports for LGBTQ+ survivors of violence.

GLSEN urges the Department to improve upon two proposed priorities to attend more acutely to the specific needs of LGBTQ+ students and staff. In **Proposed Priority 1**, the Department seeks to support grantees and programs “that address the impacts of the COVID-19 pandemic.” GLSEN urges the department to

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<sup>9</sup> The National Child Traumatic Stress Network (2015). LGBTQ Issues and Child Trauma. <https://www.nctsn.org/resources/lgbtq-issues-and-child-trauma>.

See also: The National Resource Center for Mental Health Promotion and Youth Violence Prevention, “Adopting a Trauma-Informed Approach for LGBTQ Youth-Part 1: Why Use a Trauma-Informed Approach With LGBTQ Youth?” [https://healthysafechildren.org/sites/default/files/Trauma\\_Informed\\_Approach\\_LGBTQ\\_Youth\\_1.pdf](https://healthysafechildren.org/sites/default/files/Trauma_Informed_Approach_LGBTQ_Youth_1.pdf).

<sup>10</sup> The National Resource Center for Mental Health Promotion and Youth Violence Prevention, “Adopting a Trauma-Informed Approach for LGBTQ Youth-Part 1.”

<sup>11</sup> Kosciw et al., *The 2019 National School Climate Survey*, p. xix.

<sup>12</sup> For example, LGBTQ+ community centers could be a resource for states, schools or districts looking to consult with LGBTQ students and their families, as detailed in the Department’s GEPA guidance including as Appendix B in its ESSA state plan template. See: U.S. Department of Education, Revised State Template for Consolidated State Plan, Appendix B (March 13, 2017). <https://www2.ed.gov/admins/lead/account/stateplan17/plans.html> (Accessed March 3, 2021).

revise the language elaborating this priority to read as follows: “... including impacts that extend beyond the timing of the pandemic itself, the students most impacted by the pandemic (which includes underserved students), and the educators who serve them through one or more of the following priority areas.” Through this amendment, the Department will ensure that grantees and programs address the needs of underserved students (including LGBTQ+ students), who have previously been enumerated by the Department as being particularly and uniquely impacted by the pandemic.<sup>13</sup>

In **Proposed Priority 3**, the Department seeks to support grantees and programs that aim to diversify and strengthen the educator workforce. Within **Subpriority 3(a)** the Department identifies the need to increase the number of diverse educator candidates who have access to an evidence-based comprehensive educator preparation program; however, the Department does not define the term “diverse.” GLSEN strongly encourages the Department to define this term to include LGBTQ+ educators or otherwise expressly include LGBTQ+ educators.

GLSEN has found that LGBTQ+ teachers are more likely than non-LGBTQ+ teachers to engage in LGBTQ+ inclusive and affirming practices. Notably, LGBTQ+ teachers are far more likely to engage in LGBTQ+ inclusive practices in public, visible ways that foster positive school climates. A national GLSEN survey of secondary school teachers found that LGBTQ+ educators were more than twice as likely to include the stories or contributions of LGBTQ+ people in their curriculum (31.5% vs. 14% for non-LGBTQ+ teachers).<sup>14</sup> LGBTQ+ teachers were also nearly three times as likely to educate other staff or advocate for staff training about LGBTQ+ issues (25.2% vs. 8.9%) and to advocate for LGBTQ+ inclusive school or district policies (21.7% vs. 7.8%).<sup>15</sup> LGBTQ+ teachers are also more likely to engage in informal or individualized LGBTQ+ inclusive and affirming practices than non-LGBTQ+ teachers.<sup>16</sup> These findings are akin to those that the Department cites with regard to the association between educators of color and more equitable outcomes for youth of color and many LGBTQ+ teachers are also educators of color.

While LGBTQ+ teachers often work to advance educational equity for LGBTQ+ students, they are also more likely than their non-LGBTQ+ peers to report barriers to doing so. For example, one in ten LGBTQ+ teachers (11.1%) said that engaging in LGBTQ+ inclusive and supportive practices jeopardized their employment (vs. 7.4% of non-LGBTQ+ teachers).<sup>17</sup> Further, one-third of LGBTQ+ teachers (33.9%) fear that their job would be at risk if they came out to an administrator.<sup>18</sup> By including LGBTQ+ educators in Subpriority 3(a) the Department will encourage and support the inclusion of LGBTQ+ candidates and ultimately their trajectory into classrooms and school administration.

Additionally, in **Subpriority 3(g)(1)**, the Department includes a priority for programs that seek to provide high-quality job-embedded professional development, which GLSEN knows is critical to the continued learning and improvement of all teachers. Within this priority, the Department explicitly outlines professional development opportunities that support teachers in creating safe, healthy, inclusive, and productive classroom environments in item 3(g)(1)(viii). GLSEN urges the Department to amend this item to read as “supporting teachers in creating safe, healthy, inclusive, and productive classroom environments for underserved students.” By including this small amendment, the Department will ensure that grantees

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<sup>13</sup> U.S. Department of Education, *ED COVID-19 Handbook, Vol. 2: Roadmap to Reopening Safely and Meeting All Students’ Needs* (Washington, DC: April 2021), pp. 9, 12, 14. <https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>.

<sup>14</sup> GLSEN, “Supporting LGBTQ Students by Protecting LGBTQ Teachers (Research Brief)” (2020). <https://www.glsen.org/research/lgbtq-supportive-teaching> (Accessed July 13, 2021).

<sup>15</sup> GLSEN, “Supporting LGBTQ Students by Protecting LGBTQ Teachers (Research Brief).”

<sup>16</sup> GLSEN, “Supporting LGBTQ Students by Protecting LGBTQ Teachers.” For example, 45.8% of LGBTQ+ teachers reported discussing LGBTQ+ topics informally (i.e., apart from their teaching curriculum) compared to 33.3% of non-LGBTQ+ teachers.

<sup>17</sup> GLSEN, “Supporting LGBTQ Students by Protecting LGBTQ Teachers.”

<sup>18</sup> GLSEN, “Supporting LGBTQ Students by Protecting LGBTQ Teachers.”

and programs focused on improving the learning environment for students consider the needs of all underserved students, including those who are LGBTQ+.

In a nationally representative survey, less than a third of secondary schools teachers reported having *any* professional development on LGB (32.9%) or transgender (23.6%) student issues.<sup>19</sup> In GLSEN's 2019 report on school mental health professionals, prepared with the American Council for School Social Work, the American School Counselor Association, and the School Social Work Association of America, over three-quarters (76%) reported receiving *little to no preparation* on working with LGBTQ+ youth during their graduate school training.<sup>20</sup> Additionally, well over one-third of school mental health professionals reported that they *never* participated in-service training on LGBTQ+ issues in school (37.4%); a conference workshop or panel on LGBTQ+ issues in school (36.7%); or another training or webinar on LGBTQ+ issues led by an educational organization (37.7%).<sup>21</sup> Absent or insufficient professional development on LGBTQ+ students issues may foster inaction in the face anti-LGBTQ+ attitudes and behaviors and discriminatory practices, such as preventing transgender students from using the school bathroom that aligns with their gender, which a majority (58.1%) of transgender students report experiencing.<sup>22</sup>

Professional development on LGBTQ+ student issues not only has a role to play in preventing harm, but also in fostering positive school climates in which LGBTQ+ students can thrive and reach their full potential. Compared to LGBTQ+ students with no or few supportive school staff, those with many supportive school staff reported higher GPAs, were less likely to say they might not graduate high school, were more likely to say they planned to pursue post-secondary education, and were less likely to miss school because they felt unsafe or uncomfortable.<sup>23</sup> LGBTQ+ students with many supportive staff also reported higher levels of school belonging and of self-esteem, lower levels of depression, and were less likely to report that they felt unsafe at school because of their sexual orientation and gender expression.<sup>24</sup>

By amending Proposed Priority 3, the Department will recognize the potential that educators have to improve the educational outcomes and experiences of LGBTQ+ students, including those at the intersection of two or more marginalized communities, and will support grantees and programs that are designed specifically to provide educators the development and learning they need to create safe, healthy, inclusive, and productive classroom environments for their most marginalized of students.

We thank ED for considering these comments and recommendations. To discuss GLSEN's recommendations, please contact me at 202-621-5815 or [aaron.ridings@glsen.org](mailto:aaron.ridings@glsen.org).

Sincerely,

Aaron Ridings  
Interim Chief of Staff  
Director of Public Policy

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<sup>19</sup> Emily A. Greytak, Joseph G. Kosciw, Christian Villenas, and Noreen M. Giga, *From Teasing to Torment: School Climate Revisited, A Survey of U.S. Secondary School Students and Teachers* (New York: GLSEN, 2016), p. 73.

<https://www.glsen.org/research/teasing-torment-school-climate-revisited-survey-us-seconda>.

<sup>20</sup> GLSEN, ASCA, ACSSW, and SSWAA, *Supporting safe and healthy schools for lesbian, gay, bisexual, transgender, and queer students: A national survey of school counselors, social workers, and psychologists*, p. 22-23 (New York: GLSEN, 2019).

<https://www.glsen.org/schoolmentalhealth>.

<sup>21</sup> GLSEN, ASCA, ACSSW, and SSWAA, *Supporting safe and healthy schools for lesbian, gay, bisexual, transgender, and queer students*, p. 24.

<sup>22</sup> Kosciw et al., *The 2019 National School Climate Survey*, p. 100.

<sup>23</sup> Kosciw et al., *The 2019 National School Climate Survey*, p. 76.

<sup>24</sup> Kosciw et al., *The 2019 National School Climate Survey*, p. 76-77.