

Public Policy Postcard

JULY – AUGUST 2022

Welcome to the **GLSEN Policy Postcard**, a monthly newsletter for GLSEN staff and other state and local advocates to keep abreast of the happenings in the LGBTQ+ and education spheres. The purpose of this newsletter is to facilitate information sharing, collaboration, and community, so please feel free to ask questions, provide comments, or share ideas at policy@glsen.org.

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Toplines and Fast Facts

NEW ACTION ALERT

Tell the Biden Administration: Federal Nondiscrimination Protections Must Protect LGBTQI+ Students

We need your help to send a strong message supporting the U.S. Department of Education's proposed Title IX rule, which would make crystal clear that anti-LGBTQ+ discrimination is unlawful and that schools must respond to such discrimination promptly and effectively. **Use our [Title IX comment portal to share your story and support](#)** of safe, inclusive K-12 schools for all students, regardless of their sexual orientation or gender identity. You can also learn more about the proposed rule in [Administrative Updates](#).

NEW FEDERAL LEGISLATION ALERT

LGBTQI+ and Women's History Education Act of 2022 (HR 8445)

GLSEN worked closely with congressional staff on a new federal bill, introduced in July, that will support teaching intersectional, LGBTQ+ inclusive American history in K-12 schools. Learn more in [Updates From the Hill](#).

ACTION ALERT

Tell Your Senators to Support the Equality Act

Please continue to urge folks to contact their Senators asking them to pass the Equality Act, which will protect against discrimination based on sexual orientation and gender identity in all spheres of public life, including education. Participate in this [action alert](#) and disseminate it to your networks. To learn more about GLSEN's public policy advocacy, please take a look at our [2022 Public Policy Agenda](#).

ACTION ALERT

Tell U.S. Senators to Pass the LGBTQI+ Data Inclusion Act

This legislation would ensure that federal agencies collecting demographic data through surveys allow those who take their survey to self-report their sexual orientation and gender identity. Surveys are often the only means that educators and policymakers have to gain insight into the experiences of LGBTQ+ youth and identify evidence-based programs and activities that foster safe and inclusive schools. The House passed this bill in June; participate in this [action alert](#) to urge your Senators to pass the LGBTQ Data Inclusion Act.

State Policy Fellows Welcome Meeting

Next month will mark the launch of GLSEN's State Policy Fellows network. GLSEN Staff, Chapter Policy Coordinators, and State Policy Fellows will meet to welcome the State Policy Fellows into the GLSEN public policy advocacy team. The welcome meeting will take place on September 21 at 8:00pm ET. Note that the agenda for this call will be shared soon, so please contact Tessa Juste, State and Local Policy Manager, at tessa.juste@glsen.org, to propose agenda items.

Administrative Updates

GLSEN is leading an organizational sign-on comment letter responding to the U.S. Department of Education's **proposed Title IX rule** that was published in July. GLSEN's letter commends the Department for its clear affirmation that Title IX prohibits anti-LGBTQI+ discrimination, including harassment or bullying that creates a hostile school climate for LGBTQ+ students. Note that a separate rulemaking will delve into school sports specifically. Our comment letter implores the Department to move forward with urgency on this separate rulemaking and asks that the Department further strengthen the proposed rule by, for example, ensuring sexual orientation, gender identity, sex characteristics (including intersex traits), and sex stereotypes are fully enumerated in school nondiscrimination policies. Help us send a strong message in support of this historic and critically needed rulemaking by using our **Title IX comment portal** to share your story and why you know that every student needs and deserves a safe and inclusive K-12 learning community, regardless of their sexual orientation or gender identity. Don't wait — the comment portal will close at **12 AM PT on Monday, September 12.**

In other Title IX news, GLSEN signed onto a letter led by American Atheists urging a rulemaking to address two changes made by the former administration that encourage a lack of clarity as to whether a school claims a religious exemption from fully adhering to Title IX, in part by vastly expanding the number of schools that may believe they are eligible for such an exemption. GLSEN also joined a letter co-led by the Women's Sports Foundation and National Women's Law Center that urges the Biden Administration to issue a Title IX athletics rule protecting students' rights to play on teams consistent with their gender identity. The full letter is available [here](#).

In August, GLSEN signed on to a letter led by the Leadership Conference on Civil and Human Rights (LCCHR), urging the U.S. Departments of Education, Justice, Health and Human Services, and Homeland Security implement the Bipartisan Safer Communities Act by investing in evidence-based programs that engender safe, healthy, and inclusive school climates. Further, the letter calls on these federal agencies to ensure that implementation of the Act does not rely on school policing and other school hardening practices that perpetuate the criminalization of youth and the school-to-prison pipeline. The full letter is available [here](#).

In July, GLSEN signed on to a letter urging President Biden to nominate transformative, reform-oriented leaders to the Postal Board of Governors. The letter, led by the Save the Post Office Coalition, Take on Wall Street, and Americans for Financial Reform, decries the languishing of the US Postal Service (USPS) under the leadership of Postmaster General Louis DeJoy. The USPS has a critical role in promoting democracy and voting access among other areas of public life. The letter calls on the Administration to appoint leaders who are fully committed to protecting and expanding the USPS.

Finally, in late June GLSEN signed on to a letter, led by Inclusion Playbook, urging the Biden Administration to bring Brittney Griner Home. The letter underscores that Griner has been wrongfully detained in Russia since February 2022. Griner, a Black WNBA athlete and member of the LGBTQ+ community, was in Russia to begin her off-season work abroad. Like many WNBA athletes, Griner plays basketball abroad in the off-season to supplement her income given the significant gap in pay between NBA athletes and WNBA competitors. The letter called on the Administration to work to bring Griner home safely and expeditiously.



Updates from the Hill

A new bill, the **LGBTQI+ and Women's History Education Act of 2022** (HR 8445), was introduced this July following months of GLSEN consulting with Congressional staff on its contents. The bill, sponsored by Representatives Carolyn B. Maloney (NY-12) and Ritchy Torres (NY-15), "would authorize the Director of the Smithsonian National Museum of American History to develop and disseminate resources for classrooms to teach LGBTQI+ and women's history education in an inclusive and intersectional manner." In a press release from Representative Maloney's office regarding the bill's introduction, GLSEN Executive Director, Melanie Willingham Jagers said, "Education is the cornerstone of a multi-racial democracy, and learning about LGBTQIA+ and women's history is necessary to understanding U.S. history. Through our research, we know inclusive curriculum cultivates safer and more supportive school environments where students hear fewer racial, transphobic, and homophobic slurs; experience fewer incidents of bullying and harassment; and have a greater sense of belonging and wellbeing that allows them to thrive and reach their full potential. We're so proud to see Congresswoman Maloney championing this bill, which will support educators in teaching lesson plans that promote positive visibility and representation of all communities." You can read the full press release, which includes a list of endorsing organizations, [here](#); and you can find the text of the bill and list of co-sponsors [here](#).

Supreme Court Updates

GLSEN issued several statements about the flurry of harmful Supreme Court (SCOTUS) rulings that came down at the end of their term in June:

The *Carson v. Makin* decision paves the way for public funding to subsidize discrimination in private schools. SCOTUS ruled that when a state provides funds for private schools to offer quality, secular education because there are not geographically proximate public schools available to students in rural areas, that same state must also fund private religious education. This siphons tax dollars away from public schools to schools that do not abide by state and federal nondiscrimination policies in their acceptance of attendees, curricula, and more. You can read GLSEN's statement on *Carson v. Makin* [here](#), and to learn more about this issue, please read GLSEN's issue brief on private school programs.

GLSEN also issued a statement condemning SCOTUS' ruling in *Dobbs v. Jackson Women's Health Organization*, which overturns the decades of precedent set by *Roe v. Wade* and *Planned Parenthood v. Casey*, thereby disaffirming that there is a constitutional right to abortion care. In a statement on the ruling, Melanie Willingham-Jagers, said "All people deserve bodily autonomy, freedom and the chance to raise families if, when or how we choose. At GLSEN, we know that LGBTQ+ youth, especially trans youth, already face disproportionate barriers to compassionate, medically necessary and life-affirming health care. And this is simply not ok. Whether someone is seeking abortion care, gender-affirming care or mental health care — everyone must have unencumbered access to the medical care they need to thrive. We will continue to work with our partners to advance gender and reproductive justice." You can find GLSEN's full statement [here](#).

Finally, GLSEN issued a statement regarding the decision in *Kennedy v. Bremerton*, where SCOTUS held that a public school must allow a football coach to pray on the 50-yard line immediately after games, which contradicts decades of First Amendment precedent protecting the religious freedom of public school students. GLSEN's statement criticizes this further eroding of the wall of separation between church and state that is a fundamental part of U.S. democracy. The full statement is available [here](#).



State Public Policy Updates

In late June, GLSEN sent a letter to New York Governor Kathy Hochul in support of robust funding for the construction of a new building that will house the American Museum of LGBTQ+ History. The New York Historical Society, which partnered with the American LGBTQ+ Museum to request the funds for the new facility, is also collaborating to create an LGBTQ+ inclusive curriculum for New York State public schools.

Throughout the state legislative cycle GLSEN tracks bills that have been introduced in all 50 state legislatures, the District of Columbia, and U.S. territories. Currently, GLSEN is tracking 22 bills that are affirming of LGBTQ+ students and inclusive K-12 learning communities, and 203 bills that are attacks targeting LGBTQ+ youth. A particular bill that GLSEN continues to monitor closely is Ohio HB 151 which is one of the more extreme discriminatory trans athlete bans that has been introduced since the wave of such bills began at the end of 2020. GLSEN is working in close coalition with Ohio-based organizations as well as GLSEN's Ohio Chapters in anticipation that this bill may progress further through the legislative process. To learn more about the specific content and legislative progress of all of the state bills that GLSEN is tracking, you can visit our [2022 Affirmative Bill Tracker](#) and our [2022 Negative Bill Tracker](#). Finally, GLSEN Navigator shows



Public Policy Moves to Watch

★ GLSEN has launched recruitment for the State Policy Fellows network. Beginning in September, State Policy Fellows will step into the role of GLSEN's statewide policy leads across the country with the ultimate goal being to have a State Policy Fellow working in all fifty states, each of the U.S. territories and the District of Columbia.

Each State Policy Fellow will work to:

- Provide leadership on GLSEN's campaigns on trans inclusion, inclusive curricular standards, and decriminalizing youth in K-12 education systems;
- Influence state and local officials to adopt GLSEN's public policy agenda;
- Support legislation that advances safe, affirming, and inclusive K-12 learning communities for LGBTQ+ youth and oppose legislation that negatively impacts LGBTQ+ youth; and
- Build and broaden the base of state and local coalition partners aligned with GLSEN's mission and public policy agenda.
- Work with the National Safe Learning Partnership to implement effective strategies to advance liberated and liberating K-12 learning communities via their advocacy.

Additionally, State Policy Fellows will be working with GLSEN's National Safe Learning Partnership (NSLP) to implement movement-informed strategies to advance liberated and liberating K-12 learning communities via their advocacy. The NSLP convenes national and state-based advocacy organizations that work at the intersections of K-12 education, LGBTQ+ Justice, and Civil Rights to align and coordinate advocacy efforts to advance a public policy agenda that is affirming of LGBTQ+ youth in K-12 schools, as well as defeat discriminatory, exclusionary, and regressive policy proposals.

Finally, in late June, GLSEN contributed to and signed onto an open letter from the LCCHR, written in support of "the full inclusion, protection, and celebration of transgender and non-binary youth" in schools. The letter makes clear that anti-LGBTQ+ policies being passed and considered in state legislatures across the country are bigoted, ignorant, mean-spirited, and discriminatory. The letter specifically discusses anti-athletic inclusion policies, anti-trans bathroom and locker-room bans, curriculum censorship bills, and bans on access to gender-affirming medical care. The letter concludes by calling on policymakers across the country to reject the attacks on transgender and nonbinary youth and to commit to advancing policies that support equal opportunity for all LGBTQ+ students. You can read the open letter in full [here](#).

What We're Watching in the News

Biden's Order on LGBTQ Equality: What Educators Need to Know

Libby Stanford. June 18, 2022

This article is about the Biden Administration's Executive Order on advancing equality for LGBTQI+ individuals, and quotes GLSEN Chief of Staff and Deputy Executive Director for Public Policy and Research, Aaron Ridings.

Proposed Title IX Overhaul: Key Questions on What's Next

Libby Stanford. EducationWeek, June 24, 2022

This article is about the implications of USED's proposed Title IX rulemaking, published on the federal register and opened for public comment in June.

Democratic Lawmakers Introduce LGBTQ+ & Women's History Education Bill

Christopher Wiggins. Advocate, July 20, 2022

This article is about the introduction of the LGBTQI+ and Women's History Education Act.

GLSEN, an LGBTQ+ Advocacy Group for Students, Is Facing Attacks

Heron Greensmith. Teen Vogue, August 9, 2022

This interview with GLSEN Executive Director Melanie Willingham-Jaggers, discusses rightwing policy attacks on LGBTQ+ youth as well as advocates working in support of equitable and inclusive K-12 education systems.

Biden vs. GOP States: Where Will the Battle Over Transgender Rights Leave Students?

Patrick Wall. Teen Vogue, August 9, 2022

This article offers a comprehensive timeline of the policy battles over transgender and nonbinary students' rights within and between the federal government and state governments.

For assistance with media inquiries, please contact info@glsen.org.



QUESTIONS, COMMENTS, ADDITIONS?

Have a note to add for next month's postcard? See a mistake that needs correcting? Want more resources or information? Let us know what more you would like, and even what you would like less of. Please contact policy@glsen.org.