



The 2019 National School Climate Survey

The Experiences of Lesbian, Gay,
Bisexual, Transgender, and Queer
Youth in Our Nation's Schools



A Report from GLSEN
www.glsen.org



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**The Experiences of Lesbian, Gay,
Bisexual, Transgender, and Queer
Youth in Our Nation's Schools**

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GLSEN is the leading national education organization focused on ensuring safe schools for all students. Established in 1990, GLSEN envisions a world in which every child learns to respect and accept all people, regardless of sexual orientation or gender identity/expression. GLSEN seeks to develop school climates where difference is valued for the positive contribution it makes to creating a more vibrant and diverse community. For more information on our educator resources, research, public policy agenda, student leadership programs, or development initiatives, visit www.glsen.org.

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Quotes throughout are from students' responses to open-ended questions in the survey.

Electronic versions of this report and all other GLSEN research reports are available at www.glsen.org/research.

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PREFACE

Youth gather march in the 2005 Chicago Pride Parade and demand safer schools for LGBTQ students. Youth marched with GLSEN's Chicago chapter, which evolved to become what is now known as the Illinois Safe Schools Alliance.



In the Fall of 1999, researchers and advocates gathered in a hotel meeting room in Atlanta to discuss the crippling lack of data available about the lives and experiences of LGBTQ+ youth. GLSEN's first "Research Roundtable" was designed to spark new directions of inquiry in academia, and the development of new knowledge that would guide efforts of advocates and service providers to improve the lives of LGBTQ+ youth nationwide. At the same time, GLSEN conducted its first national survey of LGBTQ+ students to begin bridging that gap in knowledge, a study that became the biennial GLSEN National School Climate Survey (NSCS). Within a year, we began building our independent research capacity.

Over time, the NSCS has helped rally LGBTQ+ students and their allies, illustrating the deep impact of the problem, making the case for the interventions that work, and enabling us to track our progress over time. Beyond the NSCS, the GLSEN Research Institute produces analysis and reports on all facets of LGBTQ+ issues in K-12 education, informing on-going work across the education world and the movement to support LGBTQ+ youth. Today, LGBTQ+ youth-focused organizations in more than 30 other countries are pursuing similar efforts, and GLSEN is proud to partner with them in a growing research revolution for LGBTQ+ youth.

The report in your hands now builds on twenty years of work, our long term commitment to producing the evidence for action on LGBTQ+ issues in K-12 education. In this report, we see that the slowing of progress noted in 2017 has continued. Harassment and discrimination remain at unacceptable levels at the national level.

However, given the vicious attacks we have witnessed over the past four years, particularly on transgender youth, it is remarkable that dedicated educators and active student advocates have held the line as powerfully as they have. Despite the tenor of our times, we also find that more and more LGBTQ+ youth have access to the vital in-school supports that can change their lives for the better, particularly as GSA student clubs continue to emerge in more schools nationwide. Increasing presence of the supports can be a leading indicator for positive changes in school climate, making this another sign of hope for the future.

As one of the conveners of that first Research Roundtable, I am amazed by what this research revolution has made possible, both across the U.S. and, bit by bit, around the world. May this edition of GLSEN's National School Climate Survey inspire all those who continue to hold the line, fighting to improve the lives of LGBTQ+ youth today and secure a better future for us all.

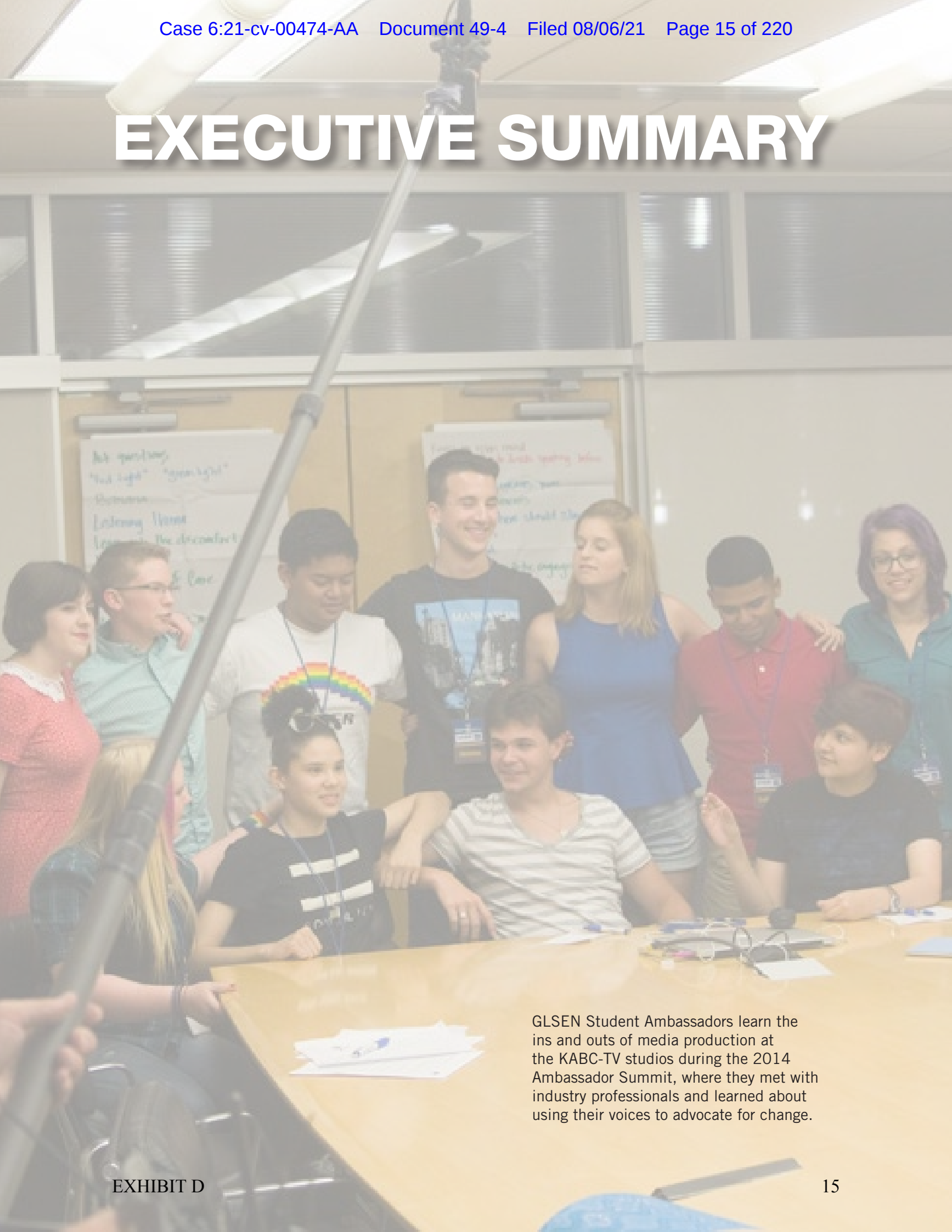
A handwritten signature in black ink, appearing to read "Eliza Byard". The signature is fluid and cursive, with the first name "Eliza" written in a larger, more prominent script than the last name "Byard".

Eliza Byard, Ph.D.
Executive Director
GLSEN

Acknowledgements

The authors first wish to thank the students who participated in our 2019 survey for continuing to enlighten us about their experiences in school, as well as the over 80,000 students who have participated in the National School Climate Surveys since it began in 1999. We also wish to acknowledge the organizations that helped disseminate information about the survey, including the LGBTQ youth services and programs that invited their constituents to participate in the survey, as well as GLSEN's Chapter network. We are indebted to former GLSEN Research Institute Fellow Leesh Menard-Livingston for their assistance in our data collection, GLSEN Research Institute Fellow Sarah Rosenbach for her assistance in data cleaning and coding, and former longtime GLSEN Research staffer Emily Greytak for her leadership in planning for NSCS 2019 and her dedication to GLSEN's research over the years. We are also thankful for our GLSEN colleagues who provided thoughtful feedback and continual support throughout the survey development and data collection process. Finally, much gratitude goes to Eliza Byard, GLSEN's Executive Director, for her deep commitment to the GLSEN Research Institute and to building a global knowledge base on LGBTQ issues in education.

EXECUTIVE SUMMARY



GLSEN Student Ambassadors learn the ins and outs of media production at the KABC-TV studios during the 2014 Ambassador Summit, where they met with industry professionals and learned about using their voices to advocate for change.

ABOUT THE SURVEY

In 1999, GLSEN identified that little was known about the school experiences of lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth and that LGBTQ youth were nearly absent from national studies of adolescents. We responded to this national need for data by launching the first National School Climate Survey, and we continue to meet this need for current data by conducting the study every two years. Since then, the biennial National School Climate Survey has documented the unique challenges LGBTQ students face and identified interventions that can improve school climate. The study documents the prevalence of indicators of a hostile school climate for LGBTQ students, and explores the effects that a hostile school climate may have on LGBTQ students' educational outcomes and well-being. The study also examines the availability and the utility of LGBTQ-related school resources and supports that may offset the negative effects of a hostile school climate and promote a positive learning experience. In addition to collecting this critical data every two years, we also add and adapt survey questions to respond to the changing world for LGBTQ youth. For example, in the 2019 survey we included questions about the activities of LGBTQ-supportive student clubs. The National School Climate Survey remains one of the few studies to examine the school experiences of LGBTQ students nationally, and its results have been vital to GLSEN's understanding of the issues that LGBTQ students face, thereby informing our ongoing work to ensure safe and affirming schools for all.

In our 2019 report, we examine the experiences of LGBTQ students with regard to indicators of negative school climate:

- Hearing biased remarks, including homophobic remarks, in school;
- Feeling unsafe in school because of personal characteristics, such as sexual orientation, gender expression, or race/ethnicity;
- Missing classes or days of school because of safety reasons;
- Experiencing harassment and assault in school; and
- Experiencing discriminatory policies and practices at school.

In addition, we examine whether students report these experiences to school officials or their families, and how these adults addressed the problem. Further, we examine the impact of a hostile school climate on LGBTQ students' academic achievement, educational aspirations and psychological well-being. We also examine how the school experiences of LGBTQ students vary by personal and community characteristics.

We also demonstrate the degree to which LGBTQ students have access to supportive resources in school, and we explore the possible benefits of these resources:

- GSAs (Gay-Straight Alliances or Gender and Sexuality Alliances) or similar clubs;
- Supportive and inclusive school policies, such as anti-bullying/harassment policies and transgender and nonbinary student policies;
- Supportive school staff; and
- Curricular resources that are inclusive of LGBTQ-related topics.

Given that GLSEN has been conducting the survey for two decades, we also examine changes over time on indicators of negative school climate and levels of access to LGBTQ-related resources in schools.

METHODS

The 2019 National School Climate Survey was conducted online from April through August 2019. To obtain a representative national sample of lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth, we conducted outreach through national, regional, and local organizations that provide services to or advocate on behalf of LGBTQ youth, and advertised and promoted on social media sites, such as Instagram, Facebook, and Snapchat. To ensure representation of transgender youth, youth of color, and youth in rural communities, we made special efforts to notify groups and organizations that work predominantly with these populations.

The final sample consisted of a total of 16,713 students between the ages of 13 and 21. Students were from all 50 states, the District of Columbia, Puerto Rico, American Samoa, and Guam. Just over two-thirds of the sample (69.2%) was White, two-fifths (41.6%) was cisgender female, and 40.4% identified as gay or lesbian. The average age of students in the sample was 15.5 years and they were in grades 6 to 12, with the largest numbers in grades 9, 10 and 11.

SUMMARY OF FINDINGS

Hostile School Climate

Schools nationwide are hostile environments for a distressing number of LGBTQ students, the overwhelming majority of whom routinely hear anti-LGBTQ language and experience victimization and discrimination at school. As a result, many LGBTQ students avoid school activities or miss school entirely.

School Safety

- 59.1% of LGBTQ students felt unsafe at school because of their sexual orientation, 42.5% because of their gender expression, and 37.4% because of their gender.
- 32.7% of LGBTQ students missed at least one entire day of school in the past month because they felt unsafe or uncomfortable, 8.6% missed four or more days in the past month.
- Many avoided gender-segregated spaces in school because they felt unsafe or uncomfortable: 45.2% avoided bathrooms and 43.7% avoided locker rooms.
- Most reported avoiding school functions (77.6%) and extracurricular activities (71.8%) because they felt unsafe or uncomfortable.
- Nearly a fifth of LGBTQ students (17.1%) reported having ever changed schools due to feeling unsafe or uncomfortable at school.

Anti-LGBTQ Remarks at School

- Almost all LGBTQ students (98.8%) heard “gay” used in a negative way (e.g., “that’s so gay”) at school; 75.6% heard these remarks frequently or often, and 91.8% reported that they felt distressed because of this language.
- 96.9% of LGBTQ students heard the phrase “no homo” at school, and 60.9% heard this phrase frequently or often.
- 95.2% of LGBTQ students heard other types of homophobic remarks (e.g., “dyke” or “faggot”); 54.4% heard this type of language frequently or often.

- 91.8% of LGBTQ students heard negative remarks about gender expression (not acting “masculine enough” or “feminine enough”); 53.2% heard these remarks frequently or often.
- 87.4% of LGBTQ students heard negative remarks specifically about transgender people, like “tranny” or “he/she;” 43.7% heard them frequently or often.
- 52.4% of students reported hearing homophobic remarks from their teachers or other school staff, and 66.7% of students reported hearing negative remarks about gender expression from teachers or other school staff.
- Less than one-fifth of LGBTQ students (13.7%) reported that school staff intervened most of the time or always when overhearing homophobic remarks at school, and less than one-tenth of LGBTQ students (9.0%) reported that school staff intervened most of the time or always when overhearing negative remarks about gender expression.

Harassment and Assault at School

The vast majority of LGBTQ students (86.3%) experienced harassment or assault based on personal characteristics, including sexual orientation, gender expression, gender, actual or perceived religion, actual or perceived race and ethnicity, and actual or perceived disability.

- 68.7% of LGBTQ students experienced verbal harassment (e.g., called names or threatened) at school based on sexual orientation, 56.9% based on gender expression, and 53.7% based on gender.
- 25.7% of LGBTQ students were physically harassed (e.g., pushed or shoved) in the past year based on sexual orientation, 21.8% based on gender expression, and 22.2% based on gender.
- 11.0% of LGBTQ students were physically assaulted (e.g., punched, kicked, injured with a weapon) in the past year based on sexual orientation, 9.5% based on gender expression, and 9.3% based on gender.
- A sizable number of LGBTQ students were also bullied or harassed at school based on other characteristics – 36.5% based on actual or perceived disability, 23.1% based on actual or perceived religion, and 21.4% based on actual or perceived race or ethnicity.
- 44.9% of LGBTQ students experienced electronic harassment in the past year (via text messages or postings on Facebook), often known as cyberbullying.
- 58.3% of LGBTQ students were sexually harassed (e.g., unwanted touching or sexual remarks) in the past year at school.

Student Reporting of Harassment and Assault Incidents

- 56.6% of LGBTQ students who were harassed or assaulted in school did not report the incident to school staff, most commonly because they doubted that effective intervention would occur or the situation could become worse if reported.
- 60.5% of the students who did report an incident said that school staff did nothing in response or told the student to ignore it.

Discriminatory School Policies and Practices

Most LGBTQ students (59.1%) reported personally experiencing any LGBTQ-related discriminatory policies or practices at school. Specifically, LGBTQ students reported being:

- Prevented from using bathrooms aligned with their gender identity: 28.4%.
- Disciplined for public displays of affection that were not similarly disciplined among non-LGBTQ students: 28.0%.
- Prevented from using locker rooms aligned with their gender identity: 27.2%.
- Prevented from using chosen names/pronouns: 22.8%.
- Prevented from wearing clothes considered “inappropriate” based on gender: 18.3%.
- Prohibited from discussing or writing about LGBTQ topics in school assignments: 16.6%.
- Prohibited from including LGBTQ topics in school extracurricular activities: 16.3%.
- Restricted from forming or promoting a GSA: 14.7%.
- Prevented from wearing clothing or items supporting LGBTQ issues: 10.7%.
- Prevented or discouraged from participating in school sports because they were LGBTQ: 10.2%.
- Prevented from attending a dance or function with someone of the same gender: 7.6%.
- Disciplined for simply identifying as LGBTQ: 3.0%.

Effects of a Hostile School Climate

A hostile school climate affects students' academic success and mental health. LGBTQ students who experience victimization and discrimination at school have worse educational outcomes and poorer psychological well-being.

Effects of Victimization

- LGBTQ students who experienced higher levels of victimization based on their sexual orientation:
 - Were nearly three times as likely to have missed school in the past month than those who experienced lower levels (57.2% vs. 21.7%);
 - Had lower grade point averages (GPAs) than students who were less often harassed (3.03 vs. 3.34);
 - Were nearly twice as likely to report that they did not plan to pursue any post-secondary education (e.g., college or trade school) than those who experienced lower levels (9.9% vs. 5.8%);
 - Were nearly twice as likely to have been disciplined at school (47.0% vs. 26.7%); and
 - Had lower self-esteem and school belonging and higher levels of depression.
- LGBTQ students who experienced higher levels of victimization based on their gender expression:
 - Were almost three times as likely to have missed school in the past month than those who experienced lower levels (59.0% vs. 21.8%);
 - Had lower GPAs than students who were less often harassed (2.98 vs. 3.36);

- Were twice as likely to report that they did not plan to pursue any post-secondary education (e.g., college or trade school; 11.1% vs. 5.4%);
 - Were more likely to have been disciplined at school (46.8% vs. 27.2%), and
 - Had lower self-esteem and school belonging and higher levels of depression.
- Of the LGBTQ students who indicated that they were considering dropping out of school, a sizable percentage (42.2%) indicated that it was related to the harassment they faced at school.

Effects of Discrimination

- Compared to LGBTQ students who did not experience LGBTQ-related discrimination at school, those who experienced discrimination:
 - Were nearly three times as likely to have missed school in the past month (44.1% vs. 16.4%);
 - Had lower GPAs (3.14 vs. 3.39);
 - Were more likely to have been disciplined at school (40.2% vs. 22.6%); and
 - Had lower self-esteem and school belonging and higher levels of depression.
- Of the LGBTQ students who indicated that they were considering dropping out of school, a sizable percentage (30.1%) indicated that it was related to the hostile climate created by gendered school policies and practices.

LGBTQ-Related School Resources and Supports

Students who feel safe and supported at school have better educational outcomes. LGBTQ students who have LGBTQ-related school resources report better school experiences and academic success. Unfortunately, all too many schools fail to provide these critical resources.

GSAs (Gay-Straight Alliances/Gender and Sexuality Alliances)

Availability and Participation

- Most LGBTQ students (61.6%) said that their school had a GSA or similar student club.
- Most LGBTQ students with a GSA at school reported participating in the club at some level, but more than a third (38.2%) had not.

Utility

- Compared to LGBTQ students who did not have a GSA in their school, students who had a GSA in their school:
 - Were less likely to hear “gay” used in a negative way often or frequently (70.5% vs. 83.5%);
 - Were less likely to hear the phrase “no homo” often or frequently (57.4% vs. 66.4%);
 - Were less likely to hear homophobic remarks such as “fag” or “dyke” often or frequently (49.4% vs. 62.5%);

- Were less likely to hear negative remarks about gender expression often or frequently (49.3% vs. 59.5%);
- Were less likely to hear negative remarks about transgender people often or frequently (39.9% vs. 50.0%);
- Were more likely to report that school personnel intervened when hearing homophobic remarks — 16.4% vs. 9.4% reporting that staff intervened most of the time or always;
- Were less likely to feel unsafe regarding their sexual orientation (53.6% vs. 67.4%) and gender expression (40.2% vs. 46.0%);
- Were less likely to miss school because of safety concerns (28.4% vs. 39.6%);
- Experienced lower levels of victimization related to their sexual orientation and gender expression;
- Reported a greater number of supportive school staff and more accepting peers; and
- Felt greater belonging to their school community.

Inclusive Curricular Resources

Availability

- Only 19.4% of LGBTQ students were taught positive representations of LGBTQ people, history, or events in their schools; 17.0% had been taught negative content about LGBTQ topics.
- Only 8.2% of students reported receiving LGBTQ-inclusive sex education.
- Just under half of students (48.9%) reported that they could find information about LGBTQ-related issues in their school library.
- Just over half of students with internet access at school (55.9%) reported being able to access LGBTQ-related information online via school computers.

Utility

- Compared to students in school without an LGBTQ-inclusive curriculum, LGBTQ students in schools with an LGBTQ-inclusive curriculum:
 - Were less likely to hear “gay” used in a negative way often or frequently (59.2% vs. 79.8%);
 - Were less likely to hear homophobic remarks such as “fag” or “dyke” often or frequently (38.6% vs. 58.3%);
 - Were less likely to hear negative remarks about gender expression often or frequently (30.1% vs. 47.2%);
 - Were less likely to hear negative remarks about transgender people often or frequently (41.8% vs. 56.0%);
 - Were less likely to feel unsafe because of their sexual orientation (44.4% vs. 62.7%) and gender expression (33.5% vs. 44.7%);

- Experienced lower levels of victimization related to their sexual orientation and gender expression;
- Were less likely to miss school in the past month because they felt unsafe or uncomfortable (23.2% vs. 35.0%);
- Performed better academically in school (3.32 vs. 3.23 average GPA) and were more likely to plan on pursuing post-secondary education;
- Were more likely to report that their classmates were somewhat or very accepting of LGBTQ people (66.9% vs. 37.9%); and
- Felt greater belonging to their school community.

Supportive Educators

Availability

- Almost all LGBTQ students (97.7%) could identify at least one staff member supportive of LGBTQ students at their school.
- Approximately two-thirds of students (66.3%) could identify at least six supportive school staff.
- Only 42.3% of students could identify 11 or more supportive staff.
- Just over two-fifths of students (42.4%) reported that their school administration was somewhat or very supportive of LGBTQ students.
- Over half of students (62.8%) had seen at least one Safe Space sticker or poster at their school (these stickers or posters often serve to identify supportive educators).

Utility

- Compared to LGBTQ students with no or few supportive school staff (0 to 5), students with many (11 or more) supportive staff at their school:
 - Were less likely to feel unsafe because of their sexual orientation (44.8% vs. 74.2%) and less likely to feel unsafe because of their gender expression (33.6% vs. 51.3%);
 - Were less likely to miss school because they felt unsafe or uncomfortable (21.3% vs. 45.9%);
 - Had higher GPAs (3.34 vs. 3.14);
 - Were less likely to say they might not graduate high school and more likely to plan on pursuing post-secondary education; and
 - Felt greater belonging to their school community.
- Students who had seen a Safe Space sticker or poster in their school were more likely to identify school staff who were supportive of LGBTQ students.

Inclusive and Supportive School Policies

Availability

- Although a majority of students (79.1%) had an anti-bullying policy at their school, only 13.5% of students reported that their school had a comprehensive policy (i.e., one that specifically enumerates both sexual orientation and gender identity/expression).
- Only 10.9% of LGBTQ students reported that their school or district had official policies or guidelines to support transgender or nonbinary students.

Utility

- LGBTQ students in schools with a comprehensive anti-bullying/harassment policy:
 - Were less likely to hear “gay” used in a negative way often or frequently (63.4% vs. 77.6% of students with a generic policy and 79.0% of students with no policy);
 - Were less likely to hear the phrase “no homo” often or frequently (55.3% vs. 61.8% of students with a generic policy and 62.5% of students with no policy);
 - Were less likely to hear other homophobic remarks such as “fag” or “dyke” often or frequently (43.9% vs. 55.7% of students with a generic policy and 58.8% of students with no policy);
 - Were less likely to hear negative remarks about gender expression often or frequently (42.5% vs. 54.7% of students with a generic policy and 56.5% of students with no policy);
 - Were less likely to hear negative remarks about transgender people often or frequently (35.4% vs. 44.5% of students with a generic policy and 47.5% of students with no policy);
 - Were more likely to report that staff intervened when hearing anti-LGBTQ remarks than those with a generic policy or no policy;
 - Experienced less anti-LGBTQ victimization than those with a generic policy or no policy; and
 - Were more likely to report victimization incidents to school staff and were more likely to rate school staff’s responses to such incidents as effective than those with a generic policy or no policy.
- Among transgender and nonbinary students, those in schools with transgender/nonbinary student policies or guidelines:
 - Were less likely to experience anti-LGBTQ discrimination in their school than transgender and nonbinary students in schools without such policies and guidelines. Specifically, they were:
 - ~ Less likely to be prevented from using their name or pronoun of choice in school (18.8% vs. 44.9%);
 - ~ Less likely to be prevented from using bathrooms aligned with their gender (26.7% vs. 53.6%);
 - ~ Less likely to be prevented from using locker rooms aligned with their gender (25.6% vs. 50.7%); and
 - ~ Less likely to be prevented from wearing clothes thought to be “inappropriate” based on gender (6.9% vs. 23.9%);

- Were less likely to miss school because they felt unsafe or uncomfortable (36.5% vs. 42.4%) than transgender and nonbinary students in schools without such policies and guidelines; and
- Felt greater belonging to their school community than transgender and nonbinary students in schools without such policies and guidelines.

Changes in School Climate for LGBTQ Students Over Time

Although school climate for LGBTQ students has improved overall since our first installment of this survey in 1999, school remains quite hostile for many LGBTQ students. In 2019, we saw more positive changes than we had in the 2017 installment of this survey, but not as much positive change as in prior years.

Changes in Indicators of Hostile School Climate

Anti-LGBTQ Remarks

- The frequency with which LGBTQ students heard homophobic remarks like “fag” or “dyke” was lower in 2019 than in all prior years, and there was a general downward trend in hearing homophobic remarks from 2001 to 2015, but these remarks remained consistent between 2015 and 2017.
- The expression “that’s so gay” remains the most common form of anti-LGBTQ language heard by LGBTQ students, and its prevalence has been increasing from 2015 to 2019, after years of consistent decline.
- There was a sizeable increase in the frequency of LGBTQ students hearing “no homo” at school in 2019, after a consistent pattern of decline between 2011 and 2017.
- Negative remarks about gender expression have decreased from 2017 to 2019.
- The frequency of hearing negative remarks about transgender people decreased between 2017 and 2019, after a steady increase between 2013 and 2017.
- After a steady decline in homophobic remarks from school staff between 2007 and 2013, there was no change from 2013 to 2017. In 2019, however, homophobic remarks from staff decreased once again.
- There had been an upward trend from 2013 to 2017 in the frequency of staff making negative remarks about gender expression, however these remarks decreased in 2019 to levels that are similar to our findings from 2015.

Harassment and Assault

- With regard to victimization based on sexual orientation:
 - After years of decline, the frequency of verbal harassment has not changed from 2015 to 2019; and
 - Frequencies of physical harassment resumed a pattern of decline in 2019 after no change occurred in 2017, and frequencies of physical assault resumed a pattern of decline in 2019 after no change occurred in 2015 and 2017.
- With regard to victimization based on gender expression:
 - Frequencies of verbal harassment resumed a pattern of decline in 2019, following an increase between 2015 and 2017; and

- Physical harassment and assault continued a pattern of modest decline, and were lower in 2019 than all previous years.
- The frequency of LGBTQ students reporting victimization to school staff in 2019 was similar to 2017 and greater than nearly all other years; however, the frequency of students rating staff intervention as effective in 2019 has remained similar from 2013 to 2017, and is somewhat lower than prior years.

Discriminatory Policies and Practices

- For all time points since we began asking about LGBTQ-related discrimination in 2013, over half of LGBTQ students experienced this type of discrimination at school. In 2019, students were less likely to experience any type of discrimination than in 2013 and 2017.
- For most specific types of LGBTQ-related discrimination, incidence was greatest in 2013, and for certain gender-specific forms of discrimination — including being prevented from using facilities aligned with one's gender, and being prevented from using chosen name/pronouns — incidence was greatest in 2017. However, incidence for most types of discrimination was lower in 2019 than in previous years.

Changes in Availability of LGBTQ-Related School Resources and Supports

Supportive Student Clubs (GSAs)

- The percentage of LGBTQ students reporting that they have a GSA has continued to increase since 2007, and was greater in 2019 than in all prior survey years.

Curricular Resources

- Overall, there has been little change in LGBTQ-related curricular resources over time.
 - Access to LGBTQ-related internet resources through school computers increased in 2019 and has steadily increased since 2007;
 - Access to LGBTQ-related books and library resources increased in 2019 and was higher than all previous years; and
 - The percentage of LGBTQ students who were taught positive LGBTQ-related content in class, as well as those with LGBTQ inclusion in textbooks and class resources, did not change in 2019 from 2017.
- The percentage being taught negative LGBTQ-related content in class increased between 2013 and 2015, and has not changed since 2015.

Supportive Educators

- The percentage of students who had at least one supportive educator was higher in 2019 than all previous years.
- The percentage of students who had a high number of supportive educators (6 or more) was also higher in 2019 than all previous years.

Anti-Bullying/Harassment Policies

- Overall, there was a sharp increase in the number of students reporting any type of policy after 2009, and the rate has remained more or less consistent since 2011. After small increases from 2011 to

2015, and a small decline in 2017, the number of students with any type of policy did not change in 2019.

- With regard to enumerated policies, there was a small but significant increase in the percentage of students reporting comprehensive school policies (i.e., policies that enumerate protections for both sexual orientation and gender identity/expression) from 2015 to 2017 and this percentage did not change in 2019. Further, there has been a steady, modest decline in the percentage reporting partially enumerated policies from 2015 to 2019, and the rate was lower in 2019 than all prior years.

Differences in LGBTQ Students' School Experiences by Personal Demographics

LGBTQ students are a diverse population, and although they share many similar experiences, their experiences in school often vary based on their personal demographics. We examined differences in LGBTQ student experiences, based on: 1) sexual orientation, including differences between gay and lesbian, bisexual, pansexual, queer, and questioning students; 2) gender identity, including differences between and among transgender, nonbinary, cisgender, and questioning students; and 3) racial/ethnic identity, including differences between Arab American/Middle Eastern/North African (MENA), Asian American/Pacific Islander/Native Hawaiian (AAPI), Black, Latinx, Native American/American Indian/Alaska Native (referred to as “Native and Indigenous”), multiracial, and White LGBTQ students.

Sexual Orientation

- Overall, pansexual students experienced more hostile climates than gay and lesbian, bisexual, queer, and questioning students, including facing the highest rates of victimization, school discipline, and missing school because of safety reasons.
- Compared to students of other sexual orientations, gay and lesbian students were more likely to be “out” about their sexual orientation at school – both to other students and to school staff.

Gender

- Transgender students reported more hostile school experiences than LGBQ cisgender students and nonbinary students.
- Nonbinary students reported more hostile school experiences than cisgender LGBQ students.
- Among cisgender LGBQ students, male students experienced a more hostile school climate based on their gender expression and on sexual orientation than cisgender female students, whereas cisgender female students experienced a more hostile school climate based on their gender than cisgender male students.

Race and Ethnicity

- All students of color experienced similar levels of victimization based on race/ethnicity, although Black students were more likely to feel unsafe about their race/ethnicity than AAPI, Latinx, Native and Indigenous, multiracial, and White students.
- Native and Indigenous LGBTQ students were generally more likely than other racial/ethnic groups to experience anti-LGBTQ victimization and discrimination.
- Many LGBTQ students of color experienced victimization based on both their race/ethnicity and their LGBTQ identities. The percentages of students of color experiencing these multiple forms of victimization were similar across racial/ethnic groups.

- White students were less likely than all other racial/ethnic groups to feel unsafe or experience victimization because of their racial/ethnic identity.

Differences in LGBTQ Students' School Experiences by School Characteristics

LGBTQ students' experiences in school may often vary based on the kind of school they attend and where they live.

School Level

- LGBTQ students in middle school had more hostile school experiences than LGBTQ students in high school, including experiencing higher rates of biased language, victimization, and anti-LGBTQ discriminatory school policies and practices.
- LGBTQ middle school students were less likely than high school students to have access to LGBTQ-related school resources, including GSAs, supportive school personnel, LGBTQ-inclusive curricular resources, and inclusive policies.

School Type

- Overall, LGBTQ students in private non-religious schools had fewer hostile school experiences than those in public schools and those in religious schools.
- LGBTQ public school students were most likely to hear homophobic remarks at school and experienced the greatest levels of gender-based victimization, whereas those in religious schools were most likely to hear negative remarks about gender expression.
- Students in religious schools were the most likely to report experiencing anti-LGBTQ discriminatory school policies and practices.
- Students in private non-religious schools had greater access to most LGBTQ-related school resources and supports than all others, however public school students were most likely to report having a GSA and most likely to report having LGBTQ-inclusive school library resources. Students in religious schools were least likely to have access to LGBTQ-related school resources and supports.
- Among students in public schools, those in charter schools were similar to those in regular public schools regarding anti-LGBTQ experiences and many resources and supports, although charter school students were more likely to have access to: inclusive curricular resources, supportive policies for transgender and nonbinary students, and a supportive administration. Students in regular public schools were more likely to have LGBTQ-inclusive school library resources.

School Locale

- LGBTQ students in rural schools faced more hostile school climates than students in urban and suburban schools including experiencing higher rates of biased language, victimization, and anti-LGBTQ discriminatory school policies and practices.
- LGBTQ students in suburban schools experienced lower levels of anti-LGBTQ victimization than all others.
- LGBTQ students in rural schools were least likely to have LGBTQ-related school resources or supports, as compared to students in urban and suburban schools.

Region

- LGBTQ students in the South had more negative school experiences overall than students in all other regions, including higher rates of biased language, victimization, and anti-LGBTQ discriminatory school policies and practices; those in the Midwest had more negative experiences overall than those in the Northeast and West.
- Overall, LGBTQ students in the South were least likely to have access to LGBTQ-related resources at school, whereas students in the Northeast were most likely to have LGBTQ-related school resources.

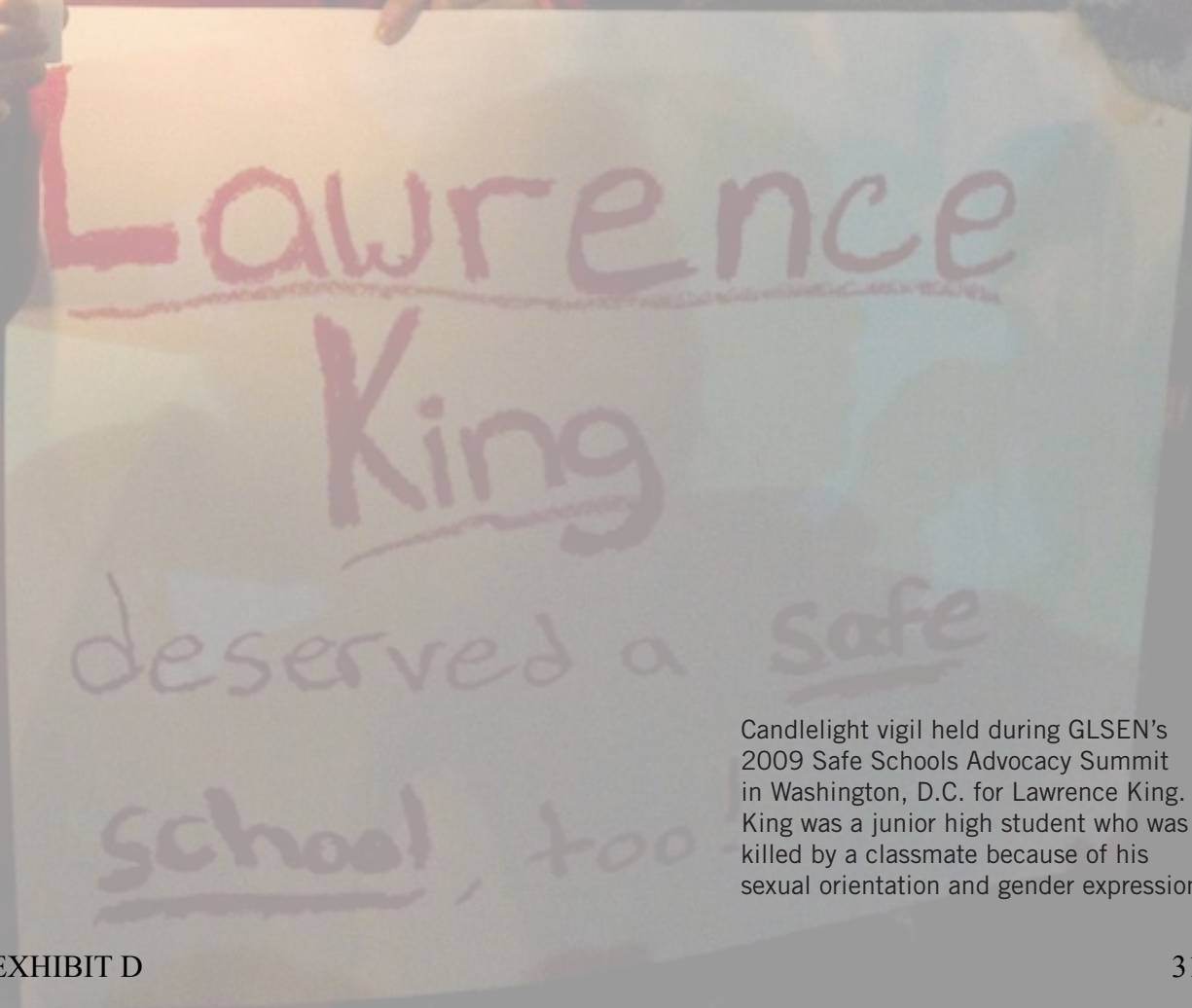
CONCLUSIONS AND RECOMMENDATIONS

It is clear that there is an urgent need for action to create safe and affirming learning environments for LGBTQ students. Results from the 2019 National School Climate Survey demonstrate the ways in which school-based supports — such as supportive staff, inclusive and supportive school policies, curricular resources inclusive of LGBTQ people, and GSAs — can positively affect LGBTQ students' school experiences. Yet findings on school climate over time suggest that more efforts are needed to reduce harassment and discrimination and increase affirmative supports. Based on these findings, we recommend:

- Increasing student access to appropriate and accurate information regarding LGBTQ people, history, and events through inclusive curricula, and library and internet resources;
- Supporting student clubs, such as GSAs, that provide support for LGBTQ students and address LGBTQ issues in education;
- Providing professional development for school staff to improve rates of intervention and increase the number of supportive teachers and other staff available to students;
- Ensuring that school policies and practices, such as those related to dress codes and school dances, do not discriminate against LGBTQ students;
- Enacting school policies that provide transgender and gender nonbinary students equal access to school facilities and activities and specify appropriate educational practices to support these students; and
- Adopting and implementing comprehensive bullying/harassment policies that specifically enumerate sexual orientation, gender identity, and gender expression in individual schools and districts, with clear and effective systems for reporting and addressing incidents that students experience.

Instituting these measures can move us toward a future in which all students have the opportunity to learn and succeed in school, regardless of sexual orientation, gender identity, or gender expression.

INTRODUCTION



Candlelight vigil held during GLSEN's 2009 Safe Schools Advocacy Summit in Washington, D.C. for Lawrence King. King was a junior high student who was killed by a classmate because of his sexual orientation and gender expression.

For nearly 30 years, GLSEN has worked to ensure that schools are safe and affirming spaces for all students, regardless of their sexual orientation, gender identity, or gender expression. As part of its mission, GLSEN conducts research on sexual orientation, gender identity, and gender identity issues in education to raise awareness among policymakers, educators, advocates, and the general public. In 1999, GLSEN began conducting the GLSEN National School Climate Survey (NSCS), a national biennial survey of secondary school students who identified as lesbian, gay, bisexual, or transgender, and as identities change over time, later surveys included those who identify also as pansexual, queer, transgender, nonbinary, genderqueer, two-spirit, and other non-cisgender and non-heterosexual identities. (All aforementioned identities are referred to as “LGBTQ” in this report). The NSCS explores the experiences of U.S. LGBTQ middle and high school students, reports on the prevalence of anti-LGBTQ language, discrimination, and victimization, and the impact that these experiences have on LGBTQ students’ educational outcomes and well-being. The NSCS also examines the availability of school resources and supports and their utility for creating safer and more affirming learning environments for LGBTQ students, including GSAs (Gay-Straight Alliances or Gender and Sexuality Alliances) and similar supportive student clubs, LGBTQ-inclusive curricular resources, supportive educators, and inclusive and supportive school district policies.

Since our 2017 NSCS report, we have continued to see the Federal Government roll back many LGBTQ-supportive actions of the previous administration, sending a message to LGBTQ youth that their safety is not a priority. In 2017, the Departments of Justice and Education under the Trump administration rescinded guidance¹ created under the Obama administration that had declared that Title IX protects the rights of transgender students, including their right to access school facilities, such as bathrooms and locker rooms, in accordance with their gender identity. (Title IX is a federal civil rights law prohibiting discrimination based on sex in schools that receive federal funding.) Further, in 2018 it was revealed that under U.S. Secretary of Education Betsy DeVos, the Department of Education was failing to investigate complaints of discrimination by LGBTQ students. Compared to the actions of the Office of Civil Rights (OCR) during the Obama administration, since the start of the Trump

administration, LGBTQ students’ complaints of discrimination were less likely to result in the OCR opening a formal investigation, and such complaints were more than nine times less likely to be addressed and corrected.²

The Equality Act, a bill that would establish anti-discrimination protections for LGBTQ people in all federally funded programs, including in schools, was passed by the U.S. House of Representatives in May of 2019. After passing in the House, the Trump administration released guidance opposing the passage of the bill, and it failed to pass in the Senate. Without these protections, LGBTQ students, educators, and other staff remain vulnerable to discrimination in school. Further, the Trump administration has worked to expand religious exemptions from federal civil rights laws.³ Such exemptions allow private religious schools to discriminate against students and teachers based on their sexual orientation or gender identity without any legal consequences. Additionally, DeVos has worked diligently to divert public money from public schools to private and religious schools,⁴ which would reduce public school resources while financially strengthening schools that can legally discriminate based on LGBTQ identity.

At the state level however, we have seen some progress in addressing hostile climates for LGBTQ youth. Between 2017 and 2019, numerous states passed LGBTQ affirming legislation. For example, New Mexico passed an enumerated anti-bullying and harassment bill in 2019, becoming the 21st state to prohibit students from being discriminated against based on their sexual orientation or gender identity.⁵ Illinois, New Jersey, Oregon, and Colorado passed legislation requiring LGBTQ-inclusive curricular standards in 2019,⁶ increasing the number of students in the U.S. who will be exposed to positive representations of LGBTQ people and issues. Arizona also took a step toward greater curricular inclusion in 2019 when the state repealed its “No Promo Homo” law⁷ — a type of law which restricts LGBTQ curricular inclusion in health class, and which has been shown to have broad negative effects on school climate.⁸

Between 2017 and 2019, many discriminatory state-level bills that were introduced during this time focused on restricting transgender students’ participation in school sports teams, and limiting their access to public spaces, including bathrooms

and locker rooms.⁹ For example, six states in 2018 and four states in 2019 introduced bills to bar transgender people, including transgender students, from using the bathrooms or locker rooms that align with their gender. Although these bills failed to become laws, they have sparked local, state-wide, and national conversations about the rights of transgender and nonbinary people, which may have resulted in negative attention toward transgender and nonbinary students across the country. Indeed, although public opinions about LGBTQ people have improved over time, recent public polling shows more favorable attitudes about the rights of LGBQ people than about transgender people and their rights.¹⁰

In addition to the visibility of transgender and nonbinary issues brought to the fore by federal and state actions, there has been increasing visibility in popular culture.¹¹ Television shows with young audiences, such as *One Day at a Time*, *Supergirl*, and *Pose* tell stories about transgender and nonbinary characters, and many shows feature transgender characters played by transgender actors. Additionally, films, young adult novels, and national ad campaigns have featured transgender and nonbinary people in recent years. Transgender Day of Remembrance and International Day of Transgender Visibility are recognized by celebrities and influencers across social media. Now, more than ever before, transgender youth are able to find positive representations of themselves in the media and popular culture that they consume. This representation has resulted in heightened visibility of transgender and nonbinary people and issues, yet this heightened visibility has also come with increased transphobic rhetoric and sentiment.¹² Vocal opponents to the progress of transgender and nonbinary people have gained large followings on social media, and “trans exclusionary radical feminists,” who espouse transphobic ideas about gender, have been given platforms in respected news and media outlets.¹³ As transgender and nonbinary people gain more visibility and representation, they also face more opposition.

Despite this increase in visibility regarding transgender and nonbinary youth, there still remains a dearth of national-level data on the school experiences of these young people. Much of the academic literature that has been recently published about transgender and nonbinary youth has focused on mental and physical health.¹⁴ Less research has examined the educational

environments or school experiences of transgender and nonbinary youth. Furthermore, virtually none of the U.S. research is national in scope. One notable exception is the National Center for Transgender Equality’s (NCTE) series of reports based on their U.S. Transgender Survey, a survey of transgender adults that includes critical national data about their past school experiences, among other topics. The 2015 U.S. Transgender Survey documented high rates of violence at school, and illustrated the detrimental effects of these experiences on socioeconomic outcomes and psychological well-being.¹⁵ NCTE’s study found that 12% of the sample had been out as transgender or perceived to be transgender at some point in their K-12 school years, that the majority of these respondents (77%) had experienced one or more negative experiences at school, and that nearly a fifth (17%) left school because of mistreatment. However, because the NCTE study is a survey of adults, these questions were about past school experiences, and therefore may not be representative of the current experiences of transgender and nonbinary students in school.

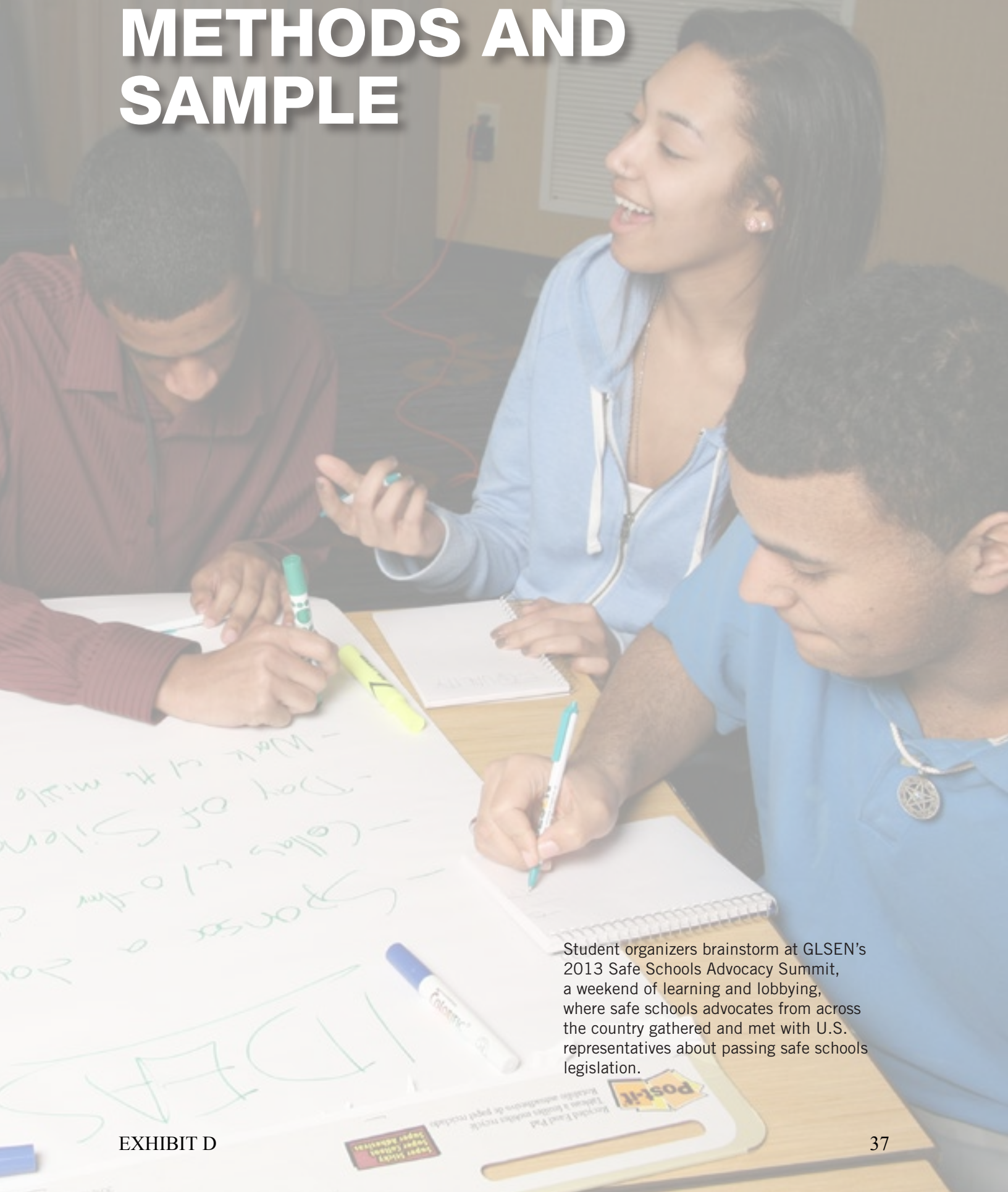
Although there has been a lack of national-level data specifically examining the school experiences of transgender and nonbinary youth, more work has been done to examine LGBTQ youth in general. For example, the Centers for Disease Control and Prevention (CDC) Division of Adolescent and School Health (DASH) added questions about sexual orientation to the federal and standard versions of their Youth Risk Behavior Survey (YRBS) in 2015. Additionally, CDC DASH has begun asking students about transgender identity. In 2017, this question was piloted in 19 Youth Risk Behavior Surveillance System (YRBSS) sites, and in 2019 the item was approved for use as an optional question available for all YRBSS sites to use. These changes will allow policymakers and educators to collect state and local data about, and better understand, the experiences of transgender youth in their states or localities. Most recent results from the national 2017 YRBS data reveal that lesbian, gay, and bisexual students are at greater risk for most adverse health outcomes, including school violence.¹⁶ Further, the 2017 YRBS results from the 19 locations that asked about transgender identity similarly reveal a greater risk for adverse health outcomes among transgender students, compared to their cisgender peers.¹⁷ The Trevor Project’s National Survey on LGBTQ Mental Health from 2019¹⁸ contributes

invaluable data about LGBTQ youth's mental health and information on how to best provide care and support; however, their research contains limited information about school experiences. Given that the YRBS is focused specifically on health risk behaviors, and the Trevor Project's report is focused on mental health, both surveys include limited items specifically related to the school environment. GLSEN's National School Climate survey continues to be vitally important to the understanding of the school experiences of LGBTQ students nationally.

The 2019 NSCS offers a broad understanding of the policies, practices, and conditions that make LGBTQ students more vulnerable to discrimination and victimization at school and how these experiences impact their educational success and trajectories. This report also demonstrates the resilience of LGBTQ youth, even in the face of hostile environments, and highlights the ways LGBTQ students are engaging in school and taking steps to improve their schools and communities. Given that we have been conducting the NSCS for twenty years, we continue to examine changes over time on measures of school climate and levels of

access to LGBTQ-related resources in schools. In recognition of the 20th anniversary of our National School Climate Survey, this year's report includes multiple insights that take a closer look at changes in LGBTQ youth and identities over time, while centering the experiences of the most marginalized youth. We examine how youth's endorsement of different sexual orientation and gender identity terms and labels has evolved, how transgender students' experiences with discriminatory policies and practices has changed throughout the years, how the experiences of LGBTQ youth of color have changed with regard to race-based victimization, and how anti-immigrant bias experienced by LGBTQ youth has changed in recent years. In addition, as there has been tremendous growth in the number of GSAs in schools across the United States over the past 20 years, we provide a deeper examination into the role of these supportive clubs in schools and LGBTQ students' experiences with them. The 2019 NSCS report offers advocates, educators, and policymakers up-to-date and valuable information that will strengthen their work in creating safe and affirming schools for all students.

METHODS AND SAMPLE



Student organizers brainstorm at GLSEN's 2013 Safe Schools Advocacy Summit, a weekend of learning and lobbying, where safe schools advocates from across the country gathered and met with U.S. representatives about passing safe schools legislation.

Participants completed an online survey about their experiences in school during the 2018–2019 school year, including hearing biased remarks, feeling safe, being harassed, feeling comfortable at school, and experiencing discriminatory actions. Participants were also asked about their academic experiences, attitudes about school, involvement in school, and availability of supportive school resources. Youth were eligible to participate in the survey if they were at least 13 years of age, attended a K–12 school in the United States during the 2018–19 school year, and identified as lesbian, gay, bisexual, pansexual, queer, or a sexual orientation other than heterosexual (e.g., homoflexible, questioning) or described themselves as transgender or as having another gender identity that is not cisgender (“cisgender” describes a person whose gender identity is aligned with the sex/gender they were assigned at birth). Data collection occurred between April and August 2019.

The survey was available online through GLSEN’s website. The survey and survey outreach materials were available in English and Spanish. Notices and announcements were sent through GLSEN’s email and chapter networks, SMS messages to GLSEN constituents, and on GLSEN’s social media pages including Facebook, Instagram and Twitter. Additionally, national, regional, and local organizations that provide services to or advocate on behalf of LGBTQ youth posted notices about the survey on listservs, websites, and social network accounts. Local organizations serving LGBTQ youth and GLSEN chapters also notified their participants about the online survey via paper flyers, and promotional stickers. To ensure representation of transgender and gender nonconforming youth, youth of color, and youth in rural communities, additional outreach efforts were made to notify groups and organizations that work predominantly with these populations about the survey.

Contacting participants only through LGBTQ youth-serving groups and organizations would have limited our ability to reach LGBTQ students

who were not connected to or engaged in LGBTQ communities in some way. Thus, in order to broaden our reach to LGBTQ students who may not have had such connections, we conducted targeted outreach and advertising through social media sites. Specifically, we broadly advertised the survey on Facebook, Instagram, and Snapchat to U.S. users between 13 and 18 years of age who had interests aligned with LGBTQ communities and issues. To ensure representation of groups who have historically been underrepresented in national surveys of LGBTQ youth and past GLSEN surveys, including transgender girls, LGBTQ youth of color, and cisgender gay, bisexual, and queer boys, additional advertisements were targeted specifically to these groups. Additionally, GLSEN reached out to “influencers,” or well-known young actors and social media personalities, with large LGBTQ youth audiences and asked them to post or talk about the survey on their social media pages. Information about the survey was also posted on subgroups or pages of social media sites with significant LGBTQ youth content or LGBTQ youth followers. Lastly, advertisements for the survey were placed on digital billboards in malls and shopping centers in cities across the country.

The final sample consisted of a total of 16,713 students between the ages of 13 and 21. Students came from all 50 states, the District of Columbia, Puerto Rico, American Samoa, and Guam. Table M1 presents participants’ demographic and educational characteristics, and Table M2 shows the characteristics of the schools attended by participants. As shown in Table M1, 69.2% was White, 41.6% was cisgender female, and 40.4% identified as gay or lesbian. Students were in grades 6 to 12, and most participants were in 9th, 10th, and 11th grades (see also Table M1). As shown in Table M2, the majority of LGBTQ students were in public schools (89.8%) and nearly half (45.2%) were from suburban schools. Compared to national public school enrollment¹⁹, our sample included more students from the North and Midwest and fewer students from the South.²⁰

Insight on Emerging Sexual Orientation and Gender Identity Terms Over Time

Over the last 20 years, sexual orientation and gender identities have changed and evolved. LGBTQ youth in 2020 identify in countless different ways, whereas in the early 2000s, they may have more commonly identified with the terms “lesbian,” “gay,” “bisexual,” and “transgender.” As new identity terms arose through the years, and as youth began to endorse them, our survey adapted to account for the current sexual orientation and gender identity labels being endorsed by LGBTQ youth. Thus, we believe our surveys may provide some insight into when identity terms emerged among LGBTQ youth, as new sexual orientation and gender identities were added to sexual orientation and gender identity measure items after being endorsed by youth throughout the years.

In 2001, the second iteration of the National School Climate Survey, an option was provided for students to write in their sexual orientation or gender identity if they identified as something different from the provided options. These open-ended response options, and the youth voices that the responses allowed us to capture, have been vital in adapting how we ask about students’ LGBTQ identities.

Queer. In our 2001 survey, “queer” was not listed as an option on our sexual orientation item, but was written in by over 20 students. In the following years, students continued to write in “queer” as their sexual orientation at a growing rate. It was the most popular write-in response in 2005, and was added as an option in all later surveys.

Pansexual. Just as students wrote in “queer” in 2001, a few students also wrote in “pansexual.” Although “queer” was a more common write-in response than “pansexual” in the early years of the survey, “pansexual” gradually increased in frequency over time and became the most common write-in response before being added as an option to the sexual orientation item in 2015.

Although the terms “pansexual” and “bisexual” may share certain meaning, it became clear that “pansexual” is a discrete term, different from “bisexual,” given that “pansexual” continued to increase in usage over the years. Since “pansexual” was added to the sexual orientation item in 2015, the percentage of our sample identifying as pansexual has remained relatively consistent (just under 20% of the sample), as has the percentage of students identifying as bisexual (around a third of the sample).

Asexual. In 2003, one student wrote in “asexual” as their sexual orientation. Over the years, this term grew in frequency in write-in responses, often accompanied by romantic orientation terms such as “homoromantic” and “panromantic.” More specific asexual identities, such as “demisexual” and “graysexual,” have appeared and increased in more recent years. “Demisexual” first appeared in 2011, and “graysexual” in 2015. By the 2015 survey, almost 400 students had written in an asexual identity. In 2017, “asexual” was added as an option in the sexual orientation item.

Genderqueer. Gender identities have also emerged and evolved in the 20 years of NSCS survey administration. In 2001, there was one instance of a student identifying as “genderqueer,” and the number of students identifying their gender in this way continued to grow. Before being added as an option on the gender identity item in 2013, the only non-cisgender options listed for students to select were transgender identities.

Nonbinary. In more recent years, nonbinary identities have also emerged. “Nonbinary” first appeared in the write-in responses in 2011 and was written in by a small number of students in 2011 and 2013. However, a much larger number of students identified as nonbinary in 2015, and it was added to the survey in 2017.

Honoring youth voices and allowing them to report all the identities with which they are aligned has allowed us to better understand the emerging identities that youth have endorsed over the last 20 years. We believe that using this information to modify our identity items to better accommodate the current times and to represent a more diverse and large number of sexual orientation and sexual orientation identities, has allowed more youth to feel affirmed and visible in our survey. It has also been a benefit to our research, as we have become increasingly able to examine more nuanced differences in school experiences based on different sexual orientation and gender identities (You can read more about the differences in experiences of youth with different sexual orientation identities and different gender identities in the “School Climate by Sexual Orientation” and “School Climate by Gender” sections in Part 3 of this report).

Table M.1 Demographic and Educational Characteristics of Survey Participants

Sexual Orientation ²¹ (n = 16578)		Gender ²⁶ (n = 16632)	
Gay or Lesbian	40.4%	Cisgender	51.4%
Bisexual	32.9%	<i>Female</i>	41.6%
Pansexual ²²	18.0%	<i>Male</i>	9.6%
Queer	3.9%	<i>Nonbinary/Genderqueer</i>	0.2%
Asexual ²³	1.7%	Transgender	28.2%
Another Sexual Orientation (e.g., fluid, heterosexual)	1.2%	<i>Female</i>	1.1%
Questioning or Unsure	1.9%	<i>Male</i>	16.9%
		<i>Nonbinary/Genderqueer</i>	5.7%
		<i>Unspecified</i>	4.5%
Race and Ethnicity ²⁴ (n = 16631)		Nonbinary	15.1%
White	69.2%	<i>Nonbinary or Genderqueer Only</i>	9.8%
Hispanic or Latinx, ²⁵ any race	14.6%	<i>Nonbinary or Genderqueer Female</i>	2.6%
African American or Black	2.6%	<i>Nonbinary or Genderqueer Male</i>	0.5%
Asian American, Pacific Islander, and Native Hawaiian	3.1%	<i>Other Nonbinary Gender Identity (e.g., agender, demigender)</i>	2.2%
Arab American, Middle Eastern, or North African	1.3%	Questioning	5.3%
Native American, American Indian or Alaska Native	0.5%		
Multiracial	8.6%	Grade in School (n = 16640)	
		6th	1.2%
		7th	6.9%
		8th	14.5%
		9th	21.7%
		10th	22.8%
		11th	20.1%
		12th	12.7%
Religious Affiliation (n = 16657)		Receive Educational Accommodations ²⁷ (n = 16598)	
Christian (non-denominational)	12.3%	23.9%	
Catholic	5.3%		
Protestant	2.0%		
Jewish	2.6%		
Buddhist	1.1%		
Muslim	0.3%		
Hindu	0.3%		
Another Religion (e.g., Unitarian Universalist, Wiccan, Pagan)	8.7%		
No Religion, Atheist, or Agnostic	67.2%		
Sex at Birth (n = 16676)		Average Age (n = 16713) = 15.5 years	
Assigned Male	13.1%		
Assigned Female	86.9%		
Intersex (regardless of assigned sex)	0.6%		

Table M.2 Characteristics of Survey Participants' Schools

Grade Level (n = 16664)		School Type (n = 16529)	
K through 12 School	7.6%	Public School	89.8%
Lower School (elementary and middle grades)	1.7%	Charter	4.1%
Middle School	15.8%	Magnet	8.6%
Upper School (middle and high grades)	8.1%	Religious-Affiliated School	3.7%
High School	66.7%	Other Independent or Private School	6.5%
School Locale (n = 16488)		Region ²⁸ (n = 16695)	
Urban	24.0%	Northeast	21.5%
Suburban	45.2%	South	29.8%
Rural or Small Town	30.9%	Midwest	24.9%
		West	23.4%
		U.S. Territories	0.4%

PART ONE: EXTENT AND EFFECTS OF HOSTILE SCHOOL CLIMATE

Members of GLSEN's National Student Council march at the 2019 World Pride march in New York City, on the 50th anniversary of the 1969 Stonewall Riots.



School Safety

Key Findings

- 6 in 10 LGBTQ students reported feeling unsafe at school because of their sexual orientation; 4 in 10 reported feeling unsafe at school because of how they expressed their gender.
- One-third of LGBTQ students missed at least one day of school in the past month because they felt unsafe at or on their way to or from school.
- Nearly one-fifth of LGBTQ students reported having changed schools due to feeling unsafe or uncomfortable at school.
- LGBTQ students reported most commonly avoiding school bathrooms and locker rooms because they felt unsafe or uncomfortable in those spaces.
- Most LGBTQ students reported avoiding school functions and extracurricular activities to some extent, and over a quarter avoided them often or frequently.

Overall Safety at School

For LGBTQ youth, school can be an unsafe place for a variety of reasons. Students in our survey were asked whether they ever felt unsafe at school because of a personal characteristic, including: sexual orientation, gender, gender expression (i.e., how traditionally “masculine” or “feminine” they were in appearance or behavior), body size or weight, family’s income or economic status, academic ability, citizenship status, and actual or perceived race or ethnicity, disability, and religion. Almost 8 in 10 LGBTQ students (79.6%) reported feeling unsafe at school because of at least one of these personal characteristics. As shown in Figure 1.1, LGBTQ students most commonly felt unsafe at school because of their sexual orientation or their gender expression,²⁹ with 68.9% reporting feeling unsafe for one, or both, of these reasons.

- More than half of LGBTQ students (59.1%) reported feeling unsafe at school because of their sexual orientation.
- Four in ten students (42.5%) felt unsafe because of how they expressed their gender.
- Sizable percentages of LGBTQ students also reported feeling unsafe because of their body size or weight (39.6%), gender (37.4%), emotional, developmental, or physical disability (29.5%), and because of their academic ability or how well they do in school (23.3%).

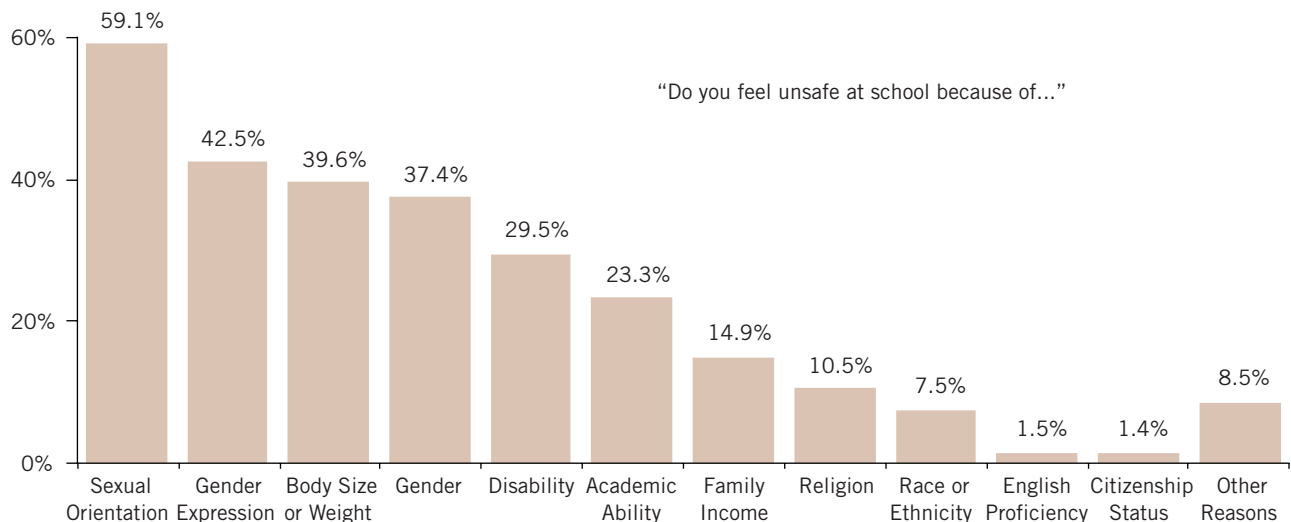
We also asked students to tell us if they felt unsafe at school for another reason not included in the listed characteristics and, if so, why. As also shown in Figure 1.1, 8.5% of survey participants reported feeling unsafe at school for other reasons, most commonly due to fear or threat of gun violence or other types of violence, mental health issues such as anxiety or depression, and sexually biased incidents, such as sexual violence, sexual harassment, or sexist language.

School Engagement and Safety Concerns

When students feel unsafe or uncomfortable in school, they may choose to avoid the particular areas or activities where they feel most unwelcome or may feel that they need to avoid attending school altogether. Thus, a hostile school climate can impact an LGBTQ student’s ability to fully engage and participate with the school community.

Avoiding spaces. To examine this possible restriction of LGBTQ students’ school engagement, we asked LGBTQ students if there were particular spaces at school that they avoided specifically because they felt unsafe or uncomfortable. As shown in Figure 1.2, school bathrooms, locker rooms, and physical education or gym classes were most commonly avoided, with approximately 4 in 10 students avoiding each of these spaces because they felt unsafe or uncomfortable (45.2%, 43.7%, and 40.2% respectively). One-quarter of LGBTQ students avoided school athletic fields or facilities (25.1%) or the school cafeteria or lunchroom (25.9%) because they felt unsafe or uncomfortable.

Figure 1.1 LGBTQ Students Who Felt Unsafe at School Because of Actual or Perceived Personal Characteristics



Insight on Feelings of Safety Regarding Citizenship Over Time

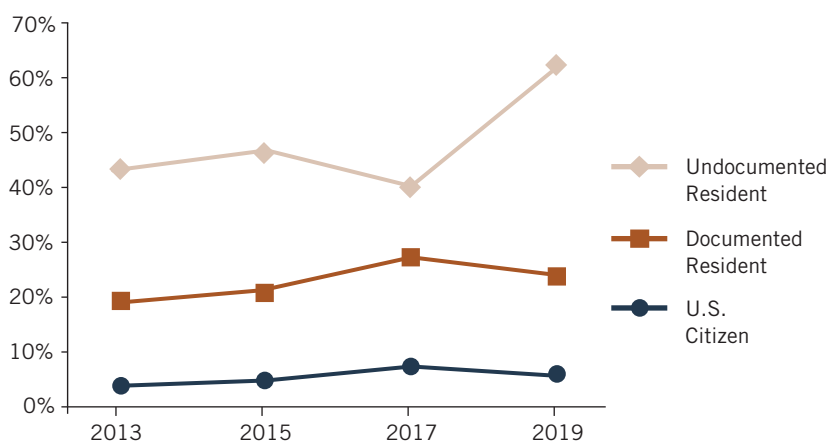
Increasing anti-immigrant rhetoric and government actions in recent years¹ further complicate an already complex environment negotiated by LGBTQ immigrants in the United States. Among LGBTQ youth, who already routinely experience negative classroom environments, those not born in the U.S. may experience further marginalization. For these reasons, in 2013, we began asking LGBTQ students about their feelings of safety at school regarding their citizenship status. Given the aforementioned recent increases in anti-immigrant attitudes and actions, for this report, we examined whether these feelings of safety have changed over time for foreign-born students.²

As shown in the figure, across all years, LGBTQ students who were undocumented were more likely to feel unsafe at school regarding their citizenship status than those who were documented residents as well as those who were U.S. citizens. We also found that even those LGBTQ students who were documented residents were more likely to feel unsafe in school regarding citizenship than those who were U.S. citizens across all years. From 2013 to 2019, as shown in the figure, these feelings of safety remained similar across years for each group, with one notable exception: undocumented LGBTQ students were significantly more likely to feel unsafe regarding their citizenship status in 2019 than in 2017. We did not observe any significant differences across years for foreign-born LGBTQ students who were U.S. citizens or documented residents.

Overall, these results suggest that, in addition to anti-LGBTQ harassment and discrimination, some LGBTQ immigrant students may also face challenges at school regarding their citizenship status. All students born outside the U.S. may face challenges with acculturation in the school environment,³ as well as legal scrutiny over their right to reside in the U.S. at all. However, national anti-immigrant policy and rhetoric may exacerbate these challenges, especially for undocumented students. For example, in February 2019, a national state of emergency was declared to fund a wall along the U.S.-Mexico border, in which undocumented immigrants were characterized as violent criminals.⁴

Thus, it is not surprising that undocumented LGBTQ students were more likely than all other foreign-born LGBTQ students to feel unsafe regarding their citizenship status across all years, and that undocumented LGBTQ students in 2019 were more likely to report feeling unsafe for this reason than those in 2017. Our findings also underscore the importance of acknowledging the multiple identities held by LGBTQ students, and ensuring that programs and resources for and about LGBTQ students respond to the needs and experiences of immigrant students and their families.

Feeling Unsafe in School Because of Citizenship Status Among Foreign-Born LGBTQ Students



¹ Pierce, S. (2019). *Immigration-Related Policy Changes in the First Two Years of the Trump Administration*. Washington, DC: Migration Policy Institute.

² To test differences in the percentages of LGBTQ students who were born outside the United States and its territories on feeling unsafe because of citizen status over time, a two-way analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across survey years, with two independent variables Survey Year and Citizenship Status (U.S. Citizen, Documented Resident, Undocumented Resident), and the interaction Survey Year X Citizenship Status. The main effect for Survey Year was significant: $F(3, 1939) = 3.31, p < .05, \eta_p^2 = .01$. Pairwise differences were considered at $p < .05$ and indicated that the percentage was higher in 2019 than all other years. The main effect for Citizenship Status was also significant: $F(2, 1939) = 157.31, p < .001, \eta_p^2 = .14$. Pairwise differences indicated a higher percentage of feeling unsafe for Undocumented Residents than all others, and a higher percentage for Documented Residents compared to U.S. Citizens. The interaction term was also significant: $F(6, 1939) = 2.82, p < .05, \eta_p^2 = .01$. Post-hoc t-test comparisons indicated a significant difference across years only for Undocumented Residents, specifically a significant increase from 2017 to 2019.

³ Schwartz, S. J., Waterman, A. S., Umaña-Taylor, A. J., Lee, R. M., Kim, S. Y., Vazsonyi, A. T., Huynh, Q.-L., Whitbourne, S. K., Park, I. J. K., Hudson, M., Zamboanga, B. L., Bersamin, M. M., & Williams, M. K. (2013). Acculturation and well-being among college students from immigrant families. *Journal of Clinical Psychology, 69*(4), 298–318.

⁴ Taylor, J., & Naylor, B. (2019 February 15). As Trump declares national emergency to fund border wall, democrats promise a fight. National Public Radio. Retrieved from <https://www.npr.org/2019/02/15/695012728/trump-expected-to-declare-national-emergency-to-help-fund-southern-border-wall>

“I don’t feel very safe or accepted at my school at all. I feel like if I were to come out to my friends/classmates, I would be hated for just being who I am.”

Avoiding functions and extracurricular activities.

In addition to avoiding certain spaces in school because of safety reasons, LGBTQ students may also avoid other more social aspects of student life, for similar fears for personal safety. For any student, involvement in school community activities like clubs or special events can have a positive impact on students’ sense of belonging at school, self-esteem, and academic achievement.³⁰ However, LGBTQ students who do not feel safe or comfortable in these environments may not have full access to the benefits of engaging in these school activities. Thus, we specifically asked students if they avoided school functions, such as school dances or assemblies, and extracurricular clubs or programs because of feeling unsafe or uncomfortable. As seen in Figure 1.3, most LGBTQ students reported avoiding school functions and extracurricular activities to some extent (77.6% and 71.8%, respectively), and over a quarter

avoided them often or frequently (31.3% and 25.9%, respectively).

Avoiding school. Feeling unsafe or uncomfortable at school can negatively affect the ability of students to thrive and succeed academically, particularly if it results in avoiding school altogether. When asked about absenteeism, about one third of LGBTQ students (32.7%) reported missing at least one entire day of school in the past month because they felt unsafe or uncomfortable, and just under a tenth (8.6%) missed four or more days in the past month (see Figure 1.4). Additionally, in some cases, the school environment may be so hostile that some students need to leave their current school. In the 2017 survey, we asked students whether they had ever changed schools due to feeling unsafe or uncomfortable; slightly less than a fifth of LGBTQ students (17.1%) reported having done so (see Figure 1.5).

The majority of LGBTQ youth do not feel safe at their schools because of their sexual orientation, gender expression, and gender identity, and frequently avoid school spaces and activities at school. These high rates of avoiding school activities indicate that LGBTQ students may be discouraged from full participation in school life, and for some, are being denied access to their education because they avoid school altogether for safety reasons.

Figure 1.2 Percentage of LGBTQ Students Who Avoided Spaces at School Because They Felt Unsafe or Uncomfortable

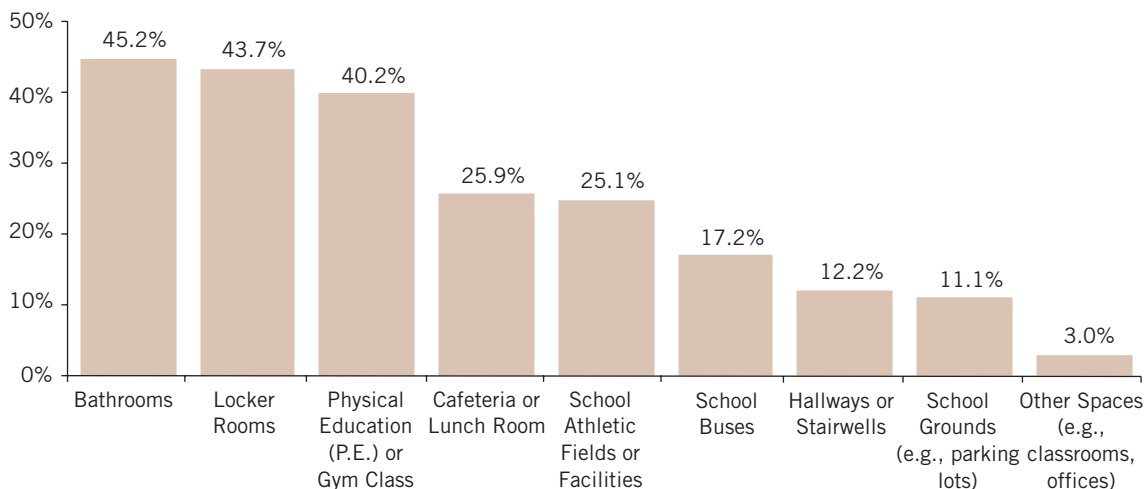


Figure 1.3 LGBTQ Students Who Avoided School Activities Because They Felt Unsafe or Uncomfortable

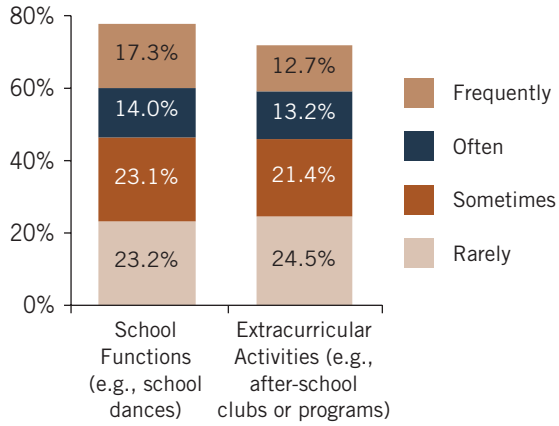


Figure 1.4 Frequency of Missing Days of School in the Past Month Because of Feeling Unsafe or Uncomfortable

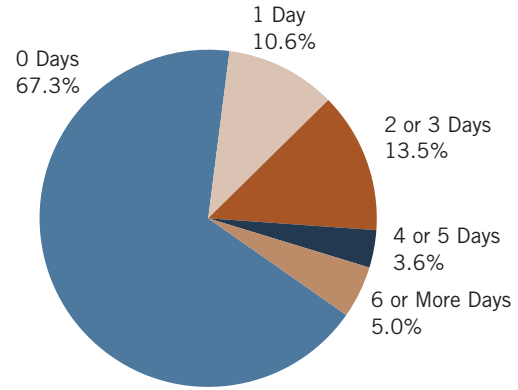
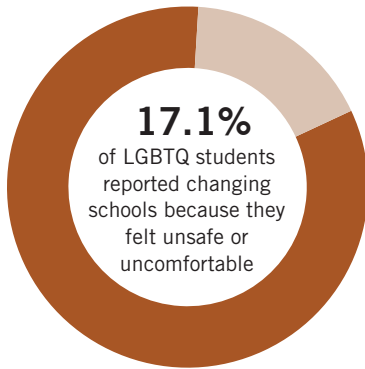
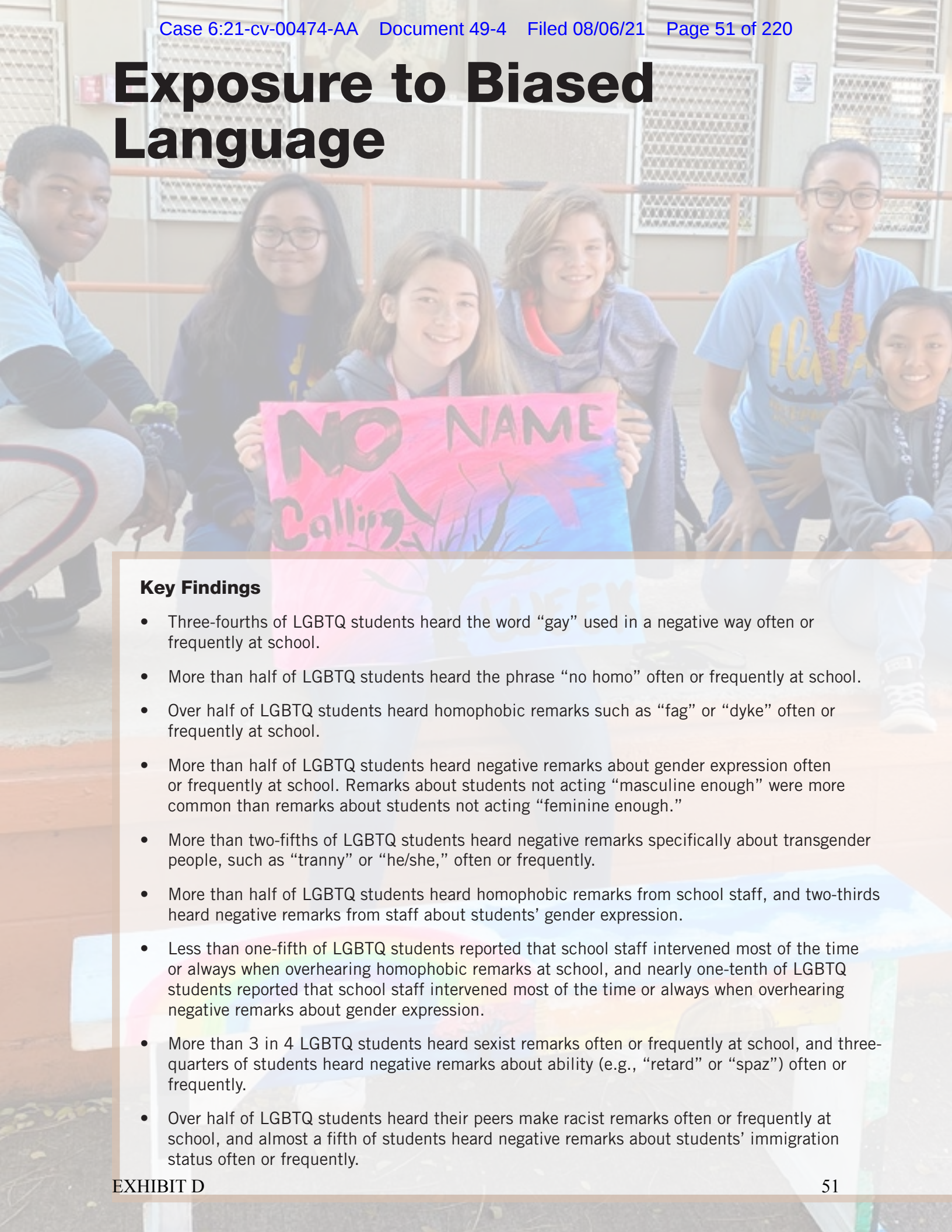


Figure 1.5 Percentage of LGBTQ Students Who Changed Schools Because of School Safety Concerns



Exposure to Biased Language



Key Findings

- Three-fourths of LGBTQ students heard the word “gay” used in a negative way often or frequently at school.
- More than half of LGBTQ students heard the phrase “no homo” often or frequently at school.
- Over half of LGBTQ students heard homophobic remarks such as “fag” or “dyke” often or frequently at school.
- More than half of LGBTQ students heard negative remarks about gender expression often or frequently at school. Remarks about students not acting “masculine enough” were more common than remarks about students not acting “feminine enough.”
- More than two-fifths of LGBTQ students heard negative remarks specifically about transgender people, such as “tranny” or “he/she,” often or frequently.
- More than half of LGBTQ students heard homophobic remarks from school staff, and two-thirds heard negative remarks from staff about students’ gender expression.
- Less than one-fifth of LGBTQ students reported that school staff intervened most of the time or always when overhearing homophobic remarks at school, and nearly one-tenth of LGBTQ students reported that school staff intervened most of the time or always when overhearing negative remarks about gender expression.
- More than 3 in 4 LGBTQ students heard sexist remarks often or frequently at school, and three-quarters of students heard negative remarks about ability (e.g., “retard” or “spaz”) often or frequently.
- Over half of LGBTQ students heard their peers make racist remarks often or frequently at school, and almost a fifth of students heard negative remarks about students’ immigration status often or frequently.

GLSEN strives to make schools safe and affirming for all students, regardless of their sexual orientation, gender identity or expression, or any other characteristic that may be the basis for harassment. Keeping classrooms and hallways free of homophobic, sexist, racist, and other types of biased language is one aspect of creating a more positive school climate for all students. Thus, we asked LGBTQ students about their experiences with hearing anti-LGBTQ remarks and other types of biased remarks while at school. We further asked students in our survey about school staff’s usage of and responses to hearing anti-LGBTQ language, specifically.

Hearing Anti-LGBTQ Remarks at School

We asked students about the frequency with which they heard homophobic remarks (such as “faggot” and “dyke,” the word “gay” being used in a negative way, or the phrase “no homo”). We also asked about the frequency of hearing negative remarks about the way students expressed their gender at school (such as comments related to a female student not acting “feminine enough”) and negative remarks about transgender people (such as “tranny” or “he/she”). Further, we also asked students about the frequency of hearing these types of remarks from school staff, as well as whether anyone intervened when hearing this type of language at school.

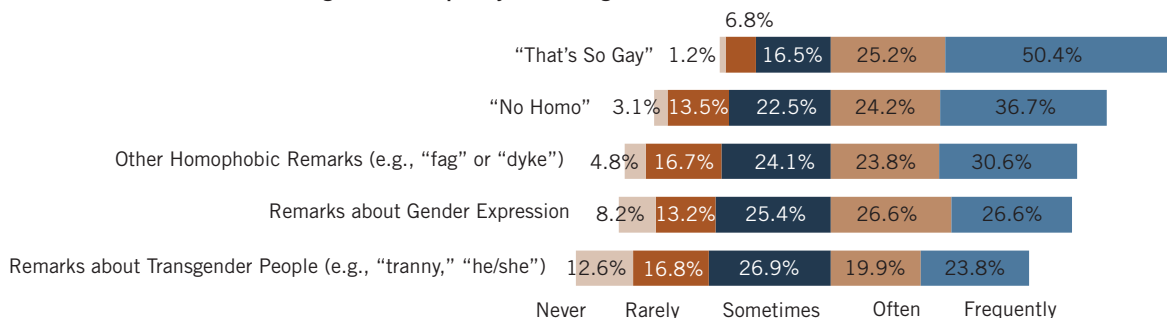
Homophobic remarks. As shown in Figure 1.6, more than half of LGBTQ students (54.4%) reported hearing homophobic remarks, such as “fag” or “dyke,” regularly (often or frequently) at school. The most common form of homophobic language that was heard by LGBTQ students in our survey was “gay” being used in a negative way at school, such as comments like “that’s so gay” or “you’re so gay,”³¹ with three-fourths of LGBTQ

students (75.6%) reporting that they heard these types of comments often or frequently in their schools. These expressions are often used to mean that something or someone is stupid or worthless and, thus, may be dismissed as innocuous by school authorities and students in comparison to overtly derogatory remarks such as “faggot” or “dyke.” However, 91.8% of LGBTQ students reported that hearing “gay” used in a negative manner caused them to feel bothered or distressed to some degree (see Figure 1.7).

“No homo” is a phrase employed at the end of a statement in order to rid it of a potential homosexual connotation. For instance, some might use the phrase after giving a compliment to someone of the same gender, as in, “I like your jeans—no homo.” This expression is homophobic in that it promotes the notion that it is unacceptable to have a same-gender attraction. This expression was also heard regularly by students in our 2019 survey — the majority of LGBTQ students (60.9%) reported hearing this remark often or frequently in their schools (see also Figure 1.6). We also asked LGBTQ students who heard homophobic remarks in school how pervasive this behavior was among the student population. As shown in Figure 1.8, almost a quarter of students (23.2%) reported that these types of remarks were made by most of their peers.

Students who reported hearing homophobic remarks at school were asked how often homophobic remarks were made in the presence of teachers or other school staff, and whether staff intervened when present. Almost a third of students in our survey (35.7%) reported that school staff members were present all or most of the time when homophobic remarks were made. When school staff were present, the use of biased and derogatory language by students remained

Figure 1.6 Frequency of Hearing Anti-LGBTQ Remarks at School



largely unchallenged. Nearly half (46.6%) reported that staff never intervened when hearing homophobic remarks, and only 13.7% reported that school personnel intervened most of the time or always when homophobic remarks were made in their presence (see Figure 1.9). One would expect teachers and school staff to bear the responsibility for addressing problems of biased language in school. However, given that school personnel are often not present during these incidents, students may also intervene when hearing biased language. Thus, other students' willingness to intervene when hearing this kind of language may be another important indicator of school climate. However, less than a tenth of students (6.4%) reported that their peers intervened always or most of the time when hearing homophobic remarks, and more than half (59.8%) said their peers never intervened (see also Figure 1.9).

Altogether, these findings indicate that the majority of LGBTQ students report rampant usage of homophobic remarks in their schools, which contributes to a hostile learning environment for this population. Infrequent intervention by school authorities when hearing such language in school may also send a message to students that homophobic language is tolerated.

Negative remarks about gender expression. Society often imposes norms for what is considered appropriate expression of one's gender. Those who express themselves in a manner considered to be atypical may experience criticism, harassment, and sometimes violence. Thus, we asked students in our survey two separate questions about hearing comments related to a student's gender expression:

1) how often they heard remarks about someone not acting "masculine enough," and 2) how often they heard comments about someone not acting "feminine enough." Findings from this survey indicate that negative remarks about someone's gender expression were pervasive in schools. As previously shown in Figure 1.6, 53.2% of students reported hearing either type of remark often or frequently. Figure 1.10 shows the specific frequencies of the two variables: hearing remarks about other students not acting "masculine enough" and hearing remarks about other students not acting "feminine enough." Remarks related to students not acting "masculine enough" were found to be more common than remarks related to students not acting "feminine enough."³² Nearly half of students (46.9%) heard negative comments related to students' masculinity regularly (i.e., often or frequently), compared to just under a third of students (31.9%) that regularly heard comments related to students' femininity. When asked how much of the student population made these types of remarks, almost a fifth of students (17.4%) reported that most of their peers made negative remarks about someone's gender expression (see Figure 1.11).

Almost a third of students in our survey who heard negative remarks about gender expression (30.7%) reported that school staff members were present all or most of the time when these remarks were made. In addition, intervention by educators regarding gender expression remarks was even less common than intervention for homophobic remarks — 9.0% of LGBTQ students reported that school staff intervened most of the time or always when remarks about gender expression were made in their presence (see Figure 1.12),

Figure 1.7 Degree that LGBTQ Students Were Bothered or Distressed as a Result of Hearing "Gay" Used in a Derogatory Way

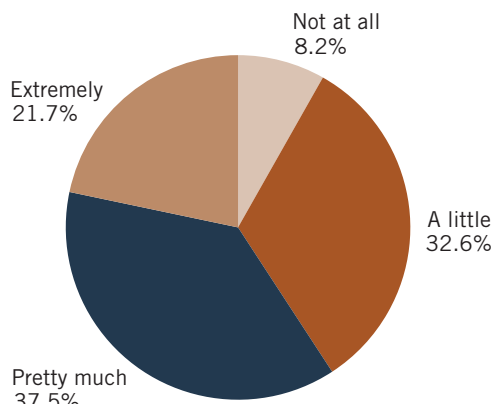
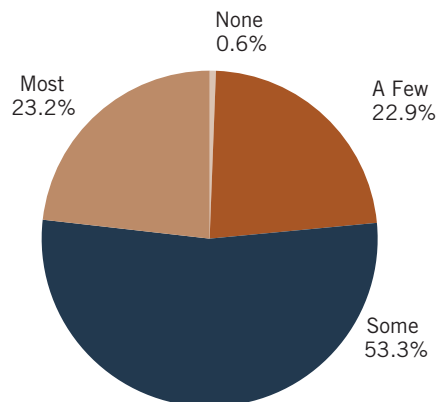


Figure 1.8 LGBTQ Students' Reports of How Many Students Make Homophobic Remarks



compared to 13.7% of LGBTQ students who reported that staff intervened most of the time or always for homophobic remarks (see Figure 1.9).³³ Furthermore, less than a tenth of students (8.6%) reported that other students intervened most of the time or always when negative remarks about gender expression were made.

The high frequency of hearing these remarks, coupled with the fact that these comments are so rarely challenged by adults at school, suggests that a range of gender expressions may not be commonly tolerated in schools. In addition, homophobic remarks may be more commonly understood by school personnel to be inappropriate for the school environment than are negative remarks about someone’s gender expression, and greater education among school professionals may be needed for them to understand the contribution of gender bias to a hostile school environment.

Negative remarks about transgender people.

Similar to negative comments about gender expression, people may make negative comments about transgender people because they can pose a

challenge to “traditional” ideas about gender. Also, in recent years, there has been greater transgender visibility in the media and more political attention to transgender student rights.³⁴ Therefore, we asked students about how often they heard negative remarks specifically about transgender people, like “tranny” or “he/she.” Over two-fifths of LGBTQ students in our survey (43.7%) reported hearing these comments often or frequently (see Figure 1.6).

The pervasiveness of anti-LGBTQ remarks is a concerning contribution to hostile school climates for all LGBTQ students. Any negative remark about sexual orientation, gender identity, or gender expression may signal to LGBTQ students that they are unwelcome in their school communities, even if a specific negative comment is not personally applicable to the individual student who hears it. For example, negative comments about gender expression may disparage transgender or LGB people, even if transgender-specific or homophobic slurs are not used.

Figure 1.9 LGBTQ Students’ Reports of Staff and Student Intervention in Homophobic Remarks

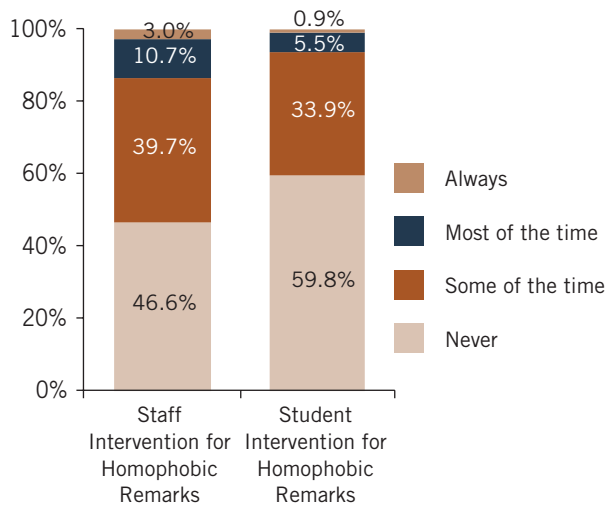


Figure 1.10 Frequency of LGBTQ Students Hearing Different Types of Remarks about Students’ Gender Expression

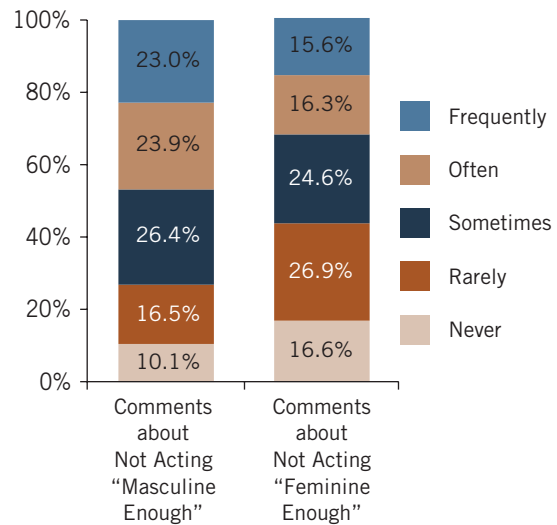


Figure 1.11 LGBTQ Students' Reports of How Many Students Make Negative Remarks about Gender Expression

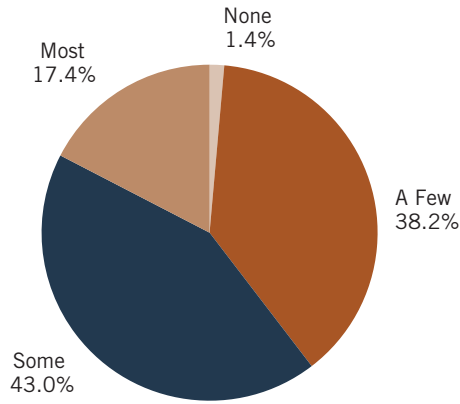
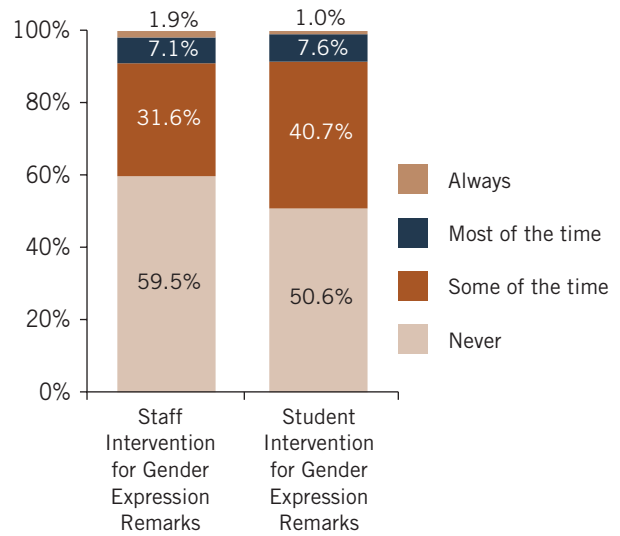


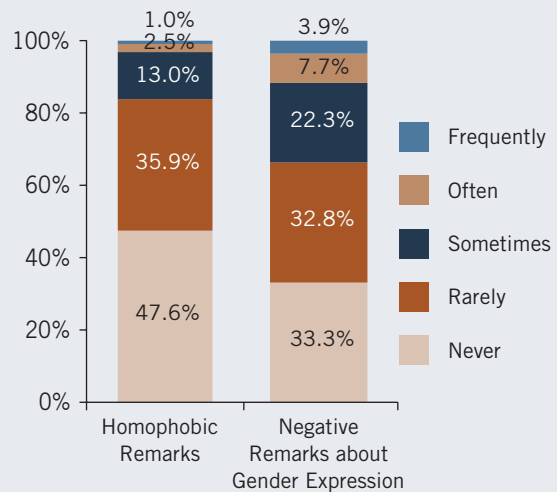
Figure 1.12 LGBTQ Students' Reports of Staff and Student Intervention in Negative Remarks about Gender Expression



Anti-LGBTQ Remarks from School Personnel

We asked the students in our survey how often they hear homophobic remarks and negative remarks about gender expression from teachers or other school staff. Disturbingly, slightly more than half of students (52.4%) reported hearing homophobic remarks from their teachers or other school staff (see Figure 1.13). Further, two thirds of students (66.7%) had heard teachers or other school staff make negative comments about a student's gender expression (see Figure 1.13). LGBTQ students heard school staff make negative remarks about gender expression more frequently than homophobic remarks.³⁵ In that most students in our 2019 survey heard school staff make homophobic remarks and negative remarks about gender expression themselves, school staff may be modeling poor behavior and legitimizing the use of anti-LGBTQ language.

Figure 1.13 Frequency of LGBTQ Students Hearing Negative Remarks from Teachers or Other School Staff



“Many students at my school use offensive language about race, gender and sexuality which very few people do anything about.”

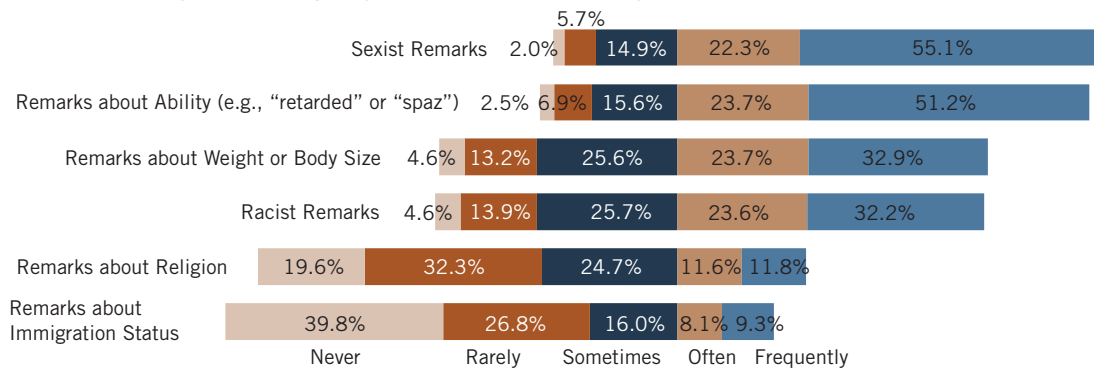
Hearing Other Types of Biased Remarks at School

In addition to hearing anti-LGBTQ remarks at school, hearing other types of biased language is also an important indicator of school climate for LGBTQ students. We asked students about their experiences hearing racist remarks, sexist remarks (such as someone being called “bitch” in a negative way, or girls being talked about as inferior to boys), negative remarks about other students’ ability (such as “retard” or “spaz”), negative remarks about other students’ religion, negative remarks about other students’ body size or weight, and negative remarks about students’ immigration status (such as “illegal,” “alien,” or “anchor baby”) at school. The LGBTQ students in our survey reported that many of these types of remarks were commonplace at their schools, although some comments were more prevalent than others (see Figure 1.14). The majority of LGBTQ students (77.4%) heard sexist remarks regularly (i.e., frequently or often) at their school. In fact, sexist remarks were the most commonly heard remark — even more than homophobic remarks.³⁶ In addition, the majority (74.9%) also

heard negative remarks about students’ ability/disability regularly. Negative remarks about students’ weight or body size and racist remarks were also very commonly heard types of biased remarks, with over half having heard these types of remarks regularly from other students (56.6% and 55.8%, respectively). Comments about religion were somewhat less common, with nearly a quarter (23.4%) reporting hearing negative remarks about other students’ religion from other students regularly. Least commonly heard were negative remarks about students’ immigration status, with almost a fifth (17.4%) reporting that they heard them regularly at school.

Hearing biased or derogatory language is a common occurrence at school, and most teachers and other school authorities did not consistently intervene when these remarks were made in their presence, with regard to homophobic remarks and negative remarks about gender expression. Thus, the pervasive use of biased language would remain largely unchallenged. In order to ensure schools are welcoming and safe for LGBTQ students, teachers and other school personnel need to intervene when LGBTQ-biased remarks are made in their presence, and school personnel need to make clear to students that such biased remarks will not be tolerated. Although homophobic and sexist remarks were most commonly heard at school, other types of remarks were also common, such as remarks about a student’s ability or body size or weight. As such, any type of biased remark tolerated in school can create an unwelcoming environment for all students, and especially for students with marginalized identities.

Figure 1.14 Frequency of LGBTQ Students Hearing Other Biased Remarks in School



Experiences of Harassment and Assault at School

Key Findings

- More than 8 in 10 LGBTQ students experienced harassment or assault at school.
- LGBTQ students were most commonly harassed or assaulted at school based on sexual orientation and gender expression.
- Over two-thirds of LGBTQ students reported being verbally harassed at school due to their sexual orientation; more than half were verbally harassed because of their gender expression.
- A quarter of LGBTQ students reported being physically harassed at school due to their sexual orientation; over a fifth were physically harassed because of their gender expression.
- 1 in 7 LGBTQ students reported being physically assaulted at school in the past year due to their sexual orientation, gender, or gender expression.
- Over a third of LGBTQ students reported being bullied or harassed due to their actual or perceived disability, and more than 1 in 5 reported being harassed based on their religion and actual or perceived disability.
- Relational aggression (i.e. spreading rumors or deliberate exclusion) was reported by the vast majority of LGBTQ students.
- Over two-fifths of LGBTQ students reported experiencing some form of electronic harassment (“cyberbullying”) in the past year.
- Nearly 6 in 10 LGBTQ students were sexually harassed at school in the past year.

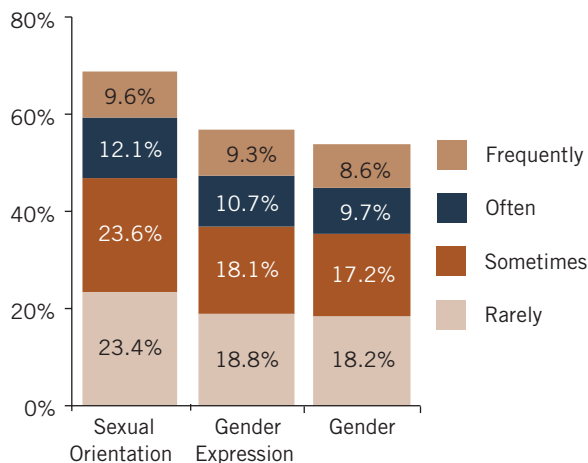
Hearing anti-LGBTQ remarks in school can contribute to feeling unsafe and create a negative learning environment. However, direct experiences with harassment and assault may have even more serious consequences on the lives of students. The vast majority of LGBTQ students (86.3%) experienced harassment or assault based on personal characteristics, including sexual orientation, gender expression, gender, and actual or perceived race and ethnicity, religion, and disability.

Harassment and Assault Based on Sexual Orientation, Gender, and Gender Expression

We asked survey participants how often (“never,” “rarely,” “sometimes,” “often,” or “frequently”) they had been verbally harassed, physically harassed, or physically assaulted at school during the past year specifically based on sexual orientation, gender, and gender expression (e.g., not acting “masculine” or “feminine enough”).

Verbal harassment. Students in our survey were asked how often in the past year they had been verbally harassed (e.g., been called names or threatened) at school specifically based on sexual orientation, gender expression, and gender. An overwhelming majority (81.0%) reported being verbally harassed at some point in the past year, and over a third (35.1%) experienced higher frequencies (often or frequently) of verbal harassment based on any of these characteristics. LGBTQ students most commonly reported experiencing verbal harassment at school based on their sexual orientation, followed by gender expression (see Figure 1.15):³⁷

Figure 1.15 Frequency of Verbal Harassment Based on Sexual Orientation, Gender, and Gender Expression Experienced by LGBTQ Students in the Past School Year

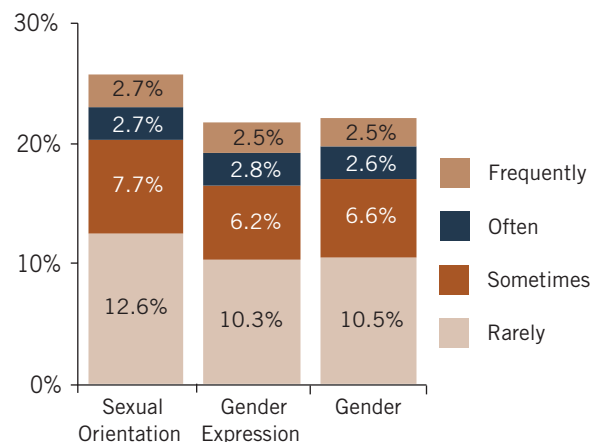


- More than two-thirds of LGBTQ students (68.7%) were verbally harassed at school in the past year based on their sexual orientation; over a fifth (21.7%) experienced this harassment often or frequently;
- A majority of LGBTQ students (56.9%) were verbally harassed at school in the past year based on their gender expression; a fifth (20.0%) experienced this harassment often or frequently;
- Over half of LGBTQ students (53.7%) were verbally harassed at school in the past year based on their gender; nearly a fifth (18.3%) experienced this harassment often or frequently.

Physical harassment. With regard to physical harassment, over a third of LGBTQ students (34.2%) had been physically harassed (e.g., shoved or pushed) at some point at school during the past year based on their sexual orientation, gender expression, or gender. Students most commonly reported being physically harassed at school based on their sexual orientation, followed by gender expression and gender (see Figure 1.16):³⁸

- Approximately a quarter of LGBTQ students (25.7%) were physically harassed at school in the past year based on their sexual orientation; 5.4% experienced this harassment often or frequently;
- More than a fifth of LGBTQ students (21.8%) were physically harassed at school in the past year based on their gender expression;

Figure 1.16 Frequency of Physical Harassment Based on Sexual Orientation, Gender, and Gender Expression Experienced by LGBTQ Students in the Past School Year



5.3% experienced this harassment often or frequently; and

- Over a fifth of LGBTQ students (22.2%) were physically harassed at school in the past year based on their gender; 5.1% experienced this harassment often or frequently.

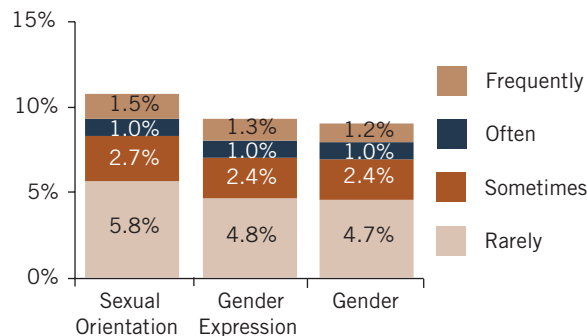
Physical assault. LGBTQ students were less likely to report experiencing physical assault (e.g., being punched, kicked, or injured with a weapon) at school than verbal or physical harassment,³⁹ which is not surprising given the more severe nature of assault. Nonetheless, 14.8% of students in our survey were assaulted at school during the past year based on their sexual orientation, gender, or gender expression. As we found with physical harassment, LGBTQ students most commonly experienced physical assault based on their sexual orientation, followed by assault based on gender expression and gender (see Figure 1.17):⁴⁰

- 11.0% of LGBTQ students were physically assaulted at school in the past year based on their sexual orientation;
- 9.5% of LGBTQ students were physically assaulted at school in the past year based on how they expressed their gender; and
- 9.3% of LGBTQ students were physically assaulted at school in the past year school based on their gender.

Harassment and Assault Based on Other Characteristics

Although harassment based on gender and sexuality may be the most salient type of victimization

Figure 1.17 Frequency of Physical Assault Based on Sexual Orientation, Gender, and Gender Expression Experienced by LGBTQ Students in the Past School Year



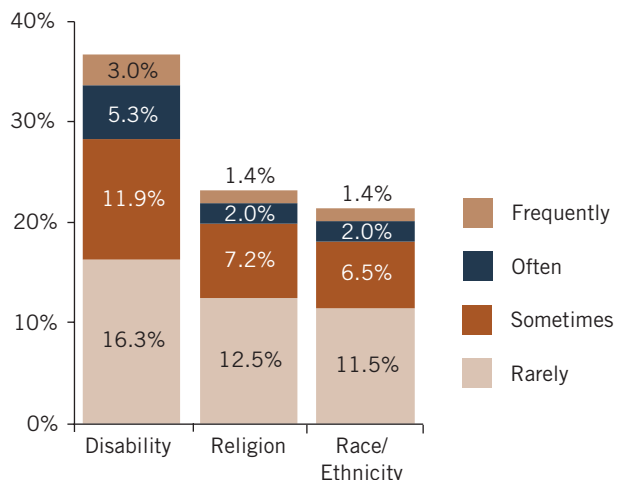
“As soon as I came out, I was actively tormented and bullied by the popular boys and sexually harassed by them as well.”

for many LGBTQ students, students also may be victimized for other reasons, given that LGBTQ students, like all people, hold multiple identities. We also asked LGBTQ students about their experiences with harassment related to other identity-based characteristics, including their religion, their actual or perceived race or ethnicity, and an actual or perceived emotional, developmental, or physical disability. As shown in Figure 1.18, over a third of LGBTQ students were harassed at school based on their actual or perceived disability (36.5%), and more than one in five reported being harassed at school based on their religion (23.1%) and actual or perceived race or ethnicity (21.4%).

Other Types of Harassment and Negative Events

LGBTQ students may be harassed or experience other negative events at school for reasons that are not clearly related to their gender, sexuality, or other identities. In our survey, we also asked students how often they experienced these other types of events in the past year, such as sexual harassment and deliberate property damage.

Figure 1.18 Frequency of Other Identity-Based Harassment and Assault Experienced by LGBTQ Students in the Past School Year



Sexual harassment. Survey participants were asked how often they had experienced sexual harassment at school in the past year, such as unwanted touching or sexual remarks directed at them. As shown in Figure 1.19, a majority of LGBTQ students (58.3%) had been sexually harassed at school, and 13.4% reported that such events occurred often or frequently.

Relational aggression. Research on school-based bullying and harassment often focuses on physical or overt acts of aggressive behavior; however, it is also important to examine relational forms of aggression that can damage peer relationships, such as spreading rumors or excluding students from peer activities.⁴¹ We asked participants how often they had experienced two common forms of relational aggression: being purposefully excluded by peers and being the target of mean rumors or lies. As illustrated in Figure 1.19, the vast majority of LGBTQ students (90.1%) in our survey reported that they had felt deliberately excluded or “left out” by other students, and nearly half (47.5%) experienced this often or frequently. Most LGBTQ students (73.6%) had mean rumors or lies told about them at school, and over a quarter (25.2%) experienced this often or frequently.

Electronic harassment or “cyberbullying.”

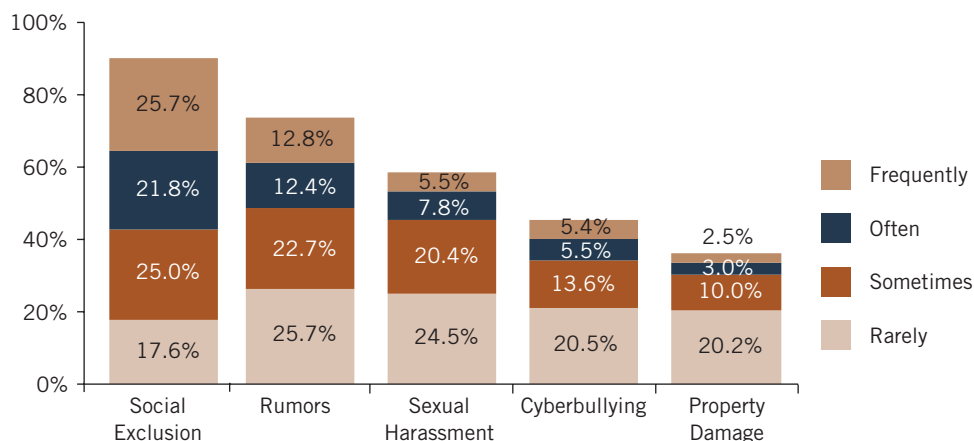
Electronic harassment (often called “cyberbullying”) is using an electronic medium, such as a mobile phone or the Internet, to threaten or harm others.⁴² We asked students in our survey how often they were harassed or threatened by

students at their school via electronic media (for example, text messages, emails, Instagram, Twitter, Tumblr, Facebook, Snapchat), and over two-fifths of LGBTQ students (44.9%) reported experiencing this type of harassment in the past year, with 10.8% reporting that they experienced it often or frequently (see also Figure 1.19).

Property theft or damage at school. Having one’s personal property damaged or stolen is yet another dimension of a hostile school climate for students. Over a third of LGBTQ students (35.7%) reported that their property had been stolen or purposefully damaged by other students at school in the past year, and 5.5% said that such events had occurred often or frequently (see Figure 1.19).

In this section, we found that the vast majority of LGBTQ students experienced identity-based harassment at school, most-often targeting their LGBTQ identities. We also found that, in addition to verbal and physical harassment and assault, LGBTQ students faced other forms of harassment, such as relational aggression and sexual harassment. Although we do not know the degree to which these other forms of harassment target students’ LGBTQ identities, it is likely that LGBTQ youth face these forms of peer victimization more frequently than their non-LGBTQ peers. These forms of victimization can have serious consequences on students’ academic outcomes and well-being, and we examine these relationships for LGBTQ students later in this report.

Figure 1.19 Frequency of Other Types of Harassment Experienced by LGBTQ Students in the Past School Year



Reporting of School-Based Harassment and Assault

Key Findings

- The majority of LGBTQ students who were harassed or assaulted at school did not report these incidents to school staff.
- The most common reasons that LGBTQ students did not report incidents of victimization to school staff were doubts that effective intervention would occur, and fears that reporting would make the situation worse.
- When asked to describe how staff responded to reports of victimization, LGBTQ students most commonly said that staff did nothing or told the student to ignore it; 2 in 10 students were told to change their behavior (e.g., to not act “so gay” or dress in a certain way)
- Just over a quarter of LGBTQ students who had reported incidents of victimization to school staff said that staff had effectively addressed the problem.

GLSEN advocates that anti-bullying/harassment measures in school must include clear processes for reporting by both students and staff, and stipulations that staff are adequately trained to effectively address instances of bullying and harassment when informed about them. In our survey, we asked those students who had experienced harassment or assault in the past school year how often they had reported the incidents to school staff. Given that family members may be able to advocate on behalf of the student with school personnel, we further asked students in our survey if they reported harassment or assault to a family member (i.e., to a parent, guardian, or other family member), and if family members intervened on their behalf with the school.

As shown in Figure 1.20, over half of these students (56.6%) never reported incidents of victimization to school staff, and less than a fifth of students (16.7%) indicated that they reported these incidents to staff regularly (i.e., reporting “most of the time” or “always”). Less than half of students (44.9%) said that they had ever told a family member about the victimization they faced at school (see also Figure 1.20), and of those who had, only half (51.9%) reported that a family member had ever addressed the issue with school staff (see Figure 1.21). Although more research is needed to understand why LGBTQ students do not inform their families about school victimization, we posit that one reason may be related to whether or not they are out to a parent or guardian. We, indeed, found that students who were out as LGBTQ to at least one parent or guardian

were more likely to tell their families about the victimization they were experiencing in school (52.3% vs. 28.1%).⁴³

Reasons for Not Reporting Harassment or Assault

Reporting incidents of harassment and assault to school staff may be an intimidating task for students, especially when there is no guarantee that reporting these incidents will result in effective intervention. Students who indicated that they had not always told school personnel about their experiences with harassment or assault were asked why they did not do so. Table 1.1 shows the frequencies for the reasons given by survey respondents for not reporting.

Doubted that effective intervention would occur.

As shown in Table 1.1, the most common reasons that LGBTQ students cited for not always reporting incidents of victimization to school staff were related to doubt that doing so would be effective. Almost three-fourths of victimized students in our survey (72.7%) expressed the belief that school staff would not do anything about the harassment even if they reported it. In addition, about two-thirds of students (65.8%) believed that even if staff did do something, their actions would not effectively address the victimization that they were experiencing.

Feared making the situation worse. Many LGBTQ students indicated that they did not report instances of victimization because they were afraid of exacerbating an already hostile situation. For example, nearly two-thirds of these students (63.0%) indicated they wanted to avoid being

Figure 1.20 Frequency of LGBTQ Students Reporting Incidents of Harassment and Assault

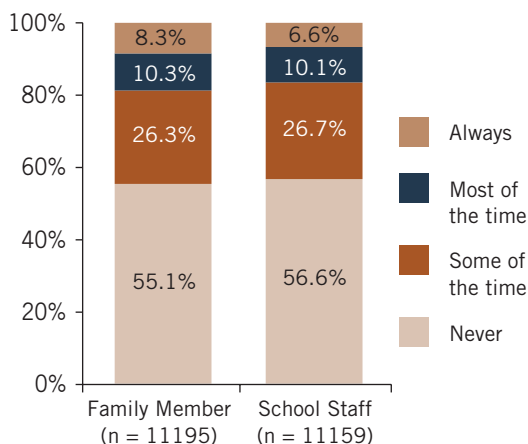
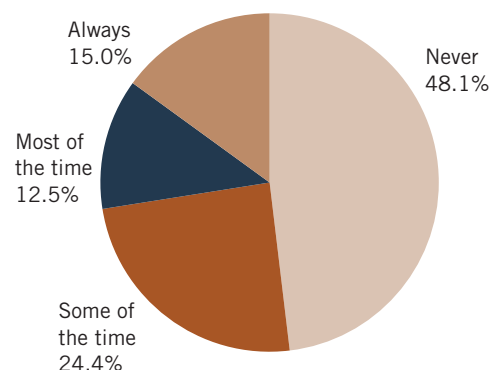


Figure 1.21 Frequency of Intervention by LGBTQ Students’ Family Members (n = 5020)



labeled a “snitch” or “tattle-tale.” Furthermore, many students did not report their harassment or assault to school staff due to concerns about confidentiality. Specifically, approximately two-fifths of LGBTQ students in our survey (43.5%) were worried about being “outed” to school staff or to their family members simply by reporting the bias-based bullying that they were experiencing. Lastly, just over two-fifths of students (41.6%) expressed explicit safety concerns, such as fear of retaliation from the perpetrator if they reported the harassment to school staff.

Concerns about approaching school staff.

Many LGBTQ students reported that they were uncomfortable approaching school staff. About half of students said they felt too embarrassed or ashamed to report the incident to school staff members (49.5%), and also about half (48.4%) felt they might be blamed and/or disciplined by school staff simply for reporting the incident. In addition, more than a quarter of students (27.7%) were deterred from reporting harassment or assault because they felt that staff members at their school were homophobic or transphobic themselves. Such staff may not fully grasp the victimization LGBTQ

students experience, or may simply choose not to help. Perhaps the most troubling, however, is that nearly one-tenth of victimized students in our survey (8.5%) said that school staff members were actually part of the harassment or assault they were experiencing, thus leaving students to feel that there is no recourse for addressing incidents of victimization at their school.

Staff themselves perpetrating victimization against LGBTQ students is troubling in and of itself, but also can exacerbate the negative school climate that many LGBTQ students often experience. Harassment by school staff can cause additional harm when witnessed by other students by sending a message that harassment is acceptable in the classroom or within the school community. Harassment of students by staff also serves as a reminder that safer school efforts must address all members of the school community, and not just the student body.

Did not think harassment was serious enough.

Nearly half of students (48.3%) expressed that they did not report incidents of victimization to school personnel because they did not consider

Table 1.1 Reasons LGBTQ Students Did Not Always Report Incidents of Harassment or Assault to School Staff (n = 10406)

Students Reporting Specific Response*	%	number
Doubted that Effective Intervention Would Occur		
Did Not Think School Staff Would Do Anything About It	72.7%	7560
Did Not Think School Staff’s Handling of the Situation Would Be Effective	65.8%	6843
Feared Making the Situation Worse		
Did Not Want to be Perceived as a “Snitch” or a “Tattle Tale”	63.0%	6560
Did Not Want to be “Outed” as Being LGBTQ to Staff or Family Members	43.5%	4526
Was Concerned for Their Safety (e.g., retaliation, violence from perpetrator)	41.6%	4330
Concerns about Approaching School Staff		
Was Too Embarrassed or Ashamed to Report It	49.5%	5156
Fear of Being Blamed or Getting in Trouble for the Harassment	48.4%	5032
Homophobic/Transphobic School Staff	27.7%	2878
School Staff Were Part of the Harassment	8.5%	882
Did Not Think the Harassment was Serious Enough	48.3%	5030
Student Handled It Themselves	25.3%	2629
Other Reason (e.g., reported incident to friends or family instead, did not want perpetrator punished)	1.1%	110

*Because respondents could select multiple responses, categories are not mutually exclusive. Percentages may not add up to 100%.

“I got rocks thrown at me and was beaten by kids at my school. I never told anyone about this. Not a parent, school staff member, nor peer.”

the harassment to be serious enough to report. Because we lack specific details about these particular incidents of victimization, we cannot determine whether the events perceived as “not serious enough” to report were truly minor. We, nevertheless, did find that students who said they did not report victimization because it was “not that serious” had lower levels of victimization compared to those who did not cite this reason for not reporting harassment or assault.⁴⁴ However, it is also possible that some students may convince themselves that their harassment is insignificant, and therefore not worth reporting, due to the many other inhibiting factors discussed throughout this section.

Students handled it themselves. A quarter of students (25.3%) in our survey said they did not report harassment or assault to school staff because they handled the situation themselves. Without further information, we cannot know what specific actions these students took to address these incidents. It may be that they confronted the perpetrator directly, either instructing them to stop, or they retaliated in some way. However, it is a concern because such actions could put the victimized students at risk for disciplinary consequences and may not prevent further peer victimization. Further research is needed to explore the nature and possible consequences of the various ways that students handle incidents of harassment themselves.

Taken together, these responses demonstrate a pervasive problem in our nation’s schools. It is clear that LGBTQ youth are not able to report experiences of harassment and/or assault in their schools, whether due to doubts about school staff taking effective action, fear of retaliation from perpetrators, concerns about being “outed” as LGBTQ, or by simply being too embarrassed to come forward and report the victimization they are experiencing. In order to create a safe learning environment for all students, schools should work

toward appropriately and effectively responding to incidents of victimization. Many of the reasons students gave for not reporting victimization could be addressed through more intentional school policies and practices. School staff should respond to each incident brought to their attention, as well as inform victims of the action that was taken. Training all members of the school community to be sensitive to LGBTQ student issues and effectively respond to bullying and harassment, in addition to doing away with zero-tolerance policies that lead to automatic discipline of targets of harassment and assault, could increase the likelihood of reporting by students who are victimized at school. Such efforts could, in turn, improve school climate for all students.

Students’ Reports on the Nature of School Staff’s Responses to Harassment and Assault

We asked those LGBTQ students who had reported incidents to school staff about the actions taken by staff in response to the most recent incident. As shown in Table 1.2, the most common responses were that the staff member:

- Did nothing and/or told the reporting student to ignore the victimization (60.5%);
- Talked to the perpetrator/told them to stop the harassment (43.1%);
- Provided emotional support to the reporting student (23.1%); and
- Told the reporting student to change their behavior (e.g., not to act “so gay” or not to dress a certain way — 20.8%).

Formal disciplinary action to address reported incidents of victimization occurred less frequently—less than one-fifth of students who had reported harassment (14.9%) indicated that the perpetrator had been disciplined by school staff. Unfortunately, formal disciplinary action was sometimes directed at the target of the harassment themselves. Nearly one in ten students (7.3%) reported that they themselves were disciplined when they reported being victimized (see also Table 1.2).

Failing to intervene when harassment is reported, punishing students for their own victimization, and other inappropriate responses to reports of harassment and assault are unacceptable and

**Table 1.2 LGBTQ Students' Reports of School Staff's Responses to Reports of Harassment and Assault
(n = 4841)**

Students Reporting Specific Response*	%	n
Staff Did Nothing/Took No Action and/or Told the Student to Ignore It	60.5%	2930
Staff told the student to ignore it	45.2%	2186
Staff did nothing/Took no action	43.2%	2092
Staff Talked to Perpetrator/Told Perpetrator to Stop Provided Them Emotional Support	43.1%	2085
Parents were Contacted	21.5%	1040
Staff contacted the reporting student's parents	15.8%	766
Staff contacted the perpetrator's parents	11.9%	576
Told Reporting Student to Change Their Behavior (e.g., to not act "so gay" or dress in a certain way)	20.8%	1006
Reporting Student and Perpetrator were Separated from Each Other	17.7%	857
Perpetrator was Disciplined (e.g., with detention, suspension)	14.9%	719
Incident was Referred to Another Staff Person	16.5%	799
Filed a Report of the Incident	15.2%	734
Staff Attempted to Educate Students about Bullying	11.3%	549
Staff educated the perpetrator about bullying	7.4%	356
Staff educated the whole class or school about bullying	5.9%	284
Used Peer Mediation or Conflict Resolution Approach	6.5%	317
Reporting Student was Disciplined (e.g., with detention, suspension)	7.3%	351
Other Responses (e.g., staff counseled student, victim was blamed, threats of discipline)	1.8%	86

potentially harmful to students who experience them. Staff members who do not address reports of student victimization not only fail to help the victimized student, but also may discourage other students from reporting when they are harassed or assaulted at school.

Effectiveness of Staff Responses to Harassment and Assault

In our survey, students who said that they reported incidents of harassment and assault to school staff were also asked how effective staff members were in addressing the problem.⁴⁵ As shown in Figure 1.22, just over a quarter of students (28.0%) believed that staff responded effectively to their reports of victimization. The staff actions that students were more likely to indicate as effective included:⁴⁶

- Staff took disciplinary action against the perpetrator;
- Staff educated the perpetrator about bullying;
- Staff contacted the perpetrator’s parents; and
- Staff provided emotional support.

The responses that students were more likely to indicate were less effective were:⁴⁷

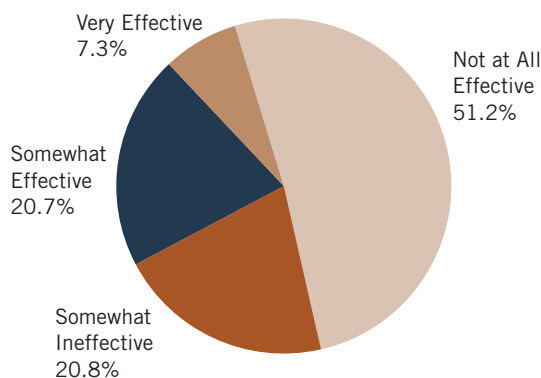
- Staff told the reporting student to change their behavior;
- Staff disciplined the student who reported the incident;

- Staff did nothing to address the incident and/or told the reporting student to ignore the harassment;
- Staff talked to the perpetrator/told the perpetrator to stop;
- Staff filed a report;
- Staff referred the incident to another staff member;
- Staff contacted the reporting student’s parents;
- Staff used a peer mediation/conflict resolution approach;
- Staff educated the class or student body about bullying; and
- Staff separated the perpetrator and reporting student.

Although these findings about ineffective responses may suggest a lack of care on the part of staff, they may also be indicative of school staff who are well-meaning but are also misinformed about effective intervention strategies for cases of bullying and harassment. For example, peer mediation and conflict resolution strategies, in which students speak to each other about an incident, are only effective in situations where conflict is among students with equal social power. Peer mediation that emphasizes that all involved parties contribute to conflict can be ineffective, and, at worst, may re-victimize the targeted student when there is an imbalance of power between the perpetrator and the victim. When harassment is bias-based, as is the case with anti-LGBTQ harassment, there is almost always, by definition, an imbalance of power.⁴⁸

School personnel are charged with providing a safe learning environment for all students. In this survey, the most common reason students gave for not reporting harassment or assault was the belief that nothing would be done by school staff. And as discussed above, even when students *did* report incidents of victimization, the most common staff responses were to do nothing or merely to tell the student to ignore it. By not effectively addressing harassment and assault, students who are victimized are denied an adequate opportunity to learn. It is particularly troubling that one-fifth of victimized students (20.8%) were told by school

Figure 1.22 LGBTQ Students’ Perceptions of Effectiveness of Reporting Incidents of Harassment and Assault to School Staff



staff to change their behavior for reasons such as their sexual orientation or gender expression (see Table 1.2), which implies that they somehow brought the problem upon themselves for simply being who they are. It is even more concerning that this type of response — that an LGBTQ identity is the actual problem — aligns with the notion of conversion therapy, a practice that claims to change an individual's sexual orientation or gender identity/expression, which can lead to lowered psychological well-being among other issues for LGBTQ youth.⁴⁹ Although this practice has been widely discredited by mainstream medical and mental health organizations, some practitioners continue to administer conversion therapy in the U.S. This type of response by school staff may exacerbate an already hostile school climate for LGBTQ students, and may deter students from reporting other incidents of harassment or assault in the future.

When students reported incidents of harassment or assault to staff members, the interventions had varying degrees of perceived effectiveness. The findings suggest that direct actions taken by school staff were more likely seen as effective, such as teaching the perpetrator about bullying. In contrast, indirect actions that are not as visible and immediate to the student, such as teaching the class or student body about bullying, filing a report, or referring to another staff person, were more likely to be seen as ineffective. One interesting exception, however, was that talking to the perpetrator or telling the perpetrator to stop, a direct action, was less likely to be seen as an effective response, yet taking disciplinary action against the perpetrator and teaching the perpetrator about bullying were more likely to be seen as effective responses. It may be that talking to the perpetrator or telling the perpetrator to stop was a simple, momentary reprimand without any further action that would have stopped future incidents. In contrast, taking disciplinary action against the perpetrator and teaching the perpetrator about bullying connote more substantial actions that could prevent future incidents, than talking to the perpetrator or telling

them to stop. Separating the student was also not an effective intervention. Although this type of intervention may be a near-term solution to the problem, it does not necessarily address the root of the problem and may not be an effective long-term solution. Finally, peer mediation was not an effective response because, as discussed earlier in this section, the LGBTQ student may be re-victimized due to the imbalance of power between the perpetrator and the victim.

Given that we do not know the circumstances for each instance of harassment or assault, or the reasons why students would characterize a response as effective or not, we are not able to know details about what made certain staff responses (e.g., talking to the perpetrator) more effective than others (i.e., whether it resulted in an end to the harassment and/or made the student feel more supported in school). As discussed, it may be that actions taken by school staff that are directed at the perpetrator and actions that have negative consequences for the perpetrator are seen as more effective intervention strategies than actions that are not directed at the perpetrator or that do not have consequences. Disciplining the perpetrator, contacting the perpetrator's parents, and educating the perpetrator about bullying may be more likely to change their behavior than simply talking to the perpetrator or telling the perpetrator to stop, and educating the class or student body about bullying. Our prior research has indicated that general training about bullying and harassment may not be enough to equip educators with the ability to effectively address anti-LGBTQ victimization.⁵⁰ School or district-wide educator professional development trainings on issues specifically related to LGBTQ students and bias-based bullying and harassment may better equip educators with tools for effectively intervening in cases of bullying of LGBTQ students. In addition, such trainings may help educators become more aware of the experiences of LGBTQ students, including incidents of harassment and bullying, which could play a vital role in improving LGBTQ students' school experiences overall.

Experiences of Discrimination at School

Key Findings

- Approximately 6 in 10 LGBTQ students indicated that they had experienced LGBTQ-related discriminatory policies and practices at their school.
- Students were commonly restricted from expressing themselves as LGBTQ at school, including being: disciplined for public displays of affection that are not disciplined among non-LGBTQ students, prevented from discussing or writing about LGBTQ topics in assignments, restricted from wearing clothing or items supporting LGBTQ issues, prohibited from bringing a date of the same gender to a school dance, and being disciplined unfairly simply because they were LGBTQ.
- Schools often limited the inclusion of LGBTQ topics or ideas in extracurricular activities, including: preventing LGBTQ students from using locker rooms aligned with their gender identity, preventing or discouraging students from participating in school sports because they were LGBTQ, preventing students from discussing or writing about LGBTQ issues in extracurricular activities, and inhibiting GSAs' activities.
- Schools often enforced adherence to traditional gender norms, including being: prevented from using bathrooms aligned with their gender identity, prevented from using their chosen name or pronouns, and prevented from wearing clothes considered "inappropriate" based on gender.
- Students commonly experienced gender separation practices at school, including homecoming court or prom royalty, attire for graduation, and attire for official school photographs.

Hearing homophobic language and negative remarks about gender expression in the hallways and directly experiencing victimization from other students clearly contribute to a hostile climate for LGBTQ students. Certain school policies and practices may also contribute to negative experiences for LGBTQ students and make them feel as if they are not valued by their school communities. In our survey, we asked students about a number of specific LGBTQ-related discriminatory policies and practices at their school that they may have personally experienced. Nearly 6 in 10 students (59.1%) indicated that they had experienced any of these LGBTQ-related discriminatory policies and practices (see Figure 1.23).

Restricting LGBTQ Expression in School

Several of the questions about policies and practices were related to efforts to restrict students from identifying as LGBTQ, from being themselves in the school environment, and from expressing support for or interest in LGBTQ issues. Not only do these policies stifle students' expression, but they also serve to maintain a silence around LGBTQ people and issues that could have the effect of further stigmatizing LGBTQ people. As shown in Figure 1.23, over a quarter of LGBTQ students (28.0%) said that they had been disciplined for public affection, such as kissing or holding hands, that is not similarly disciplined among non-LGBTQ students. Additionally, 16.6% of LGBTQ students said that they had been prevented from including LGBTQ topics in class assignments and projects, or discussing LGBTQ topics in class. One in ten LGBTQ students (10.7%) indicated that their schools had prevented them from wearing clothing or items supporting LGBTQ issues (e.g., a t-shirt with a rainbow flag), and 7.6% had been prevented from attending dances with someone of the same gender. Finally, 3.0% of students reported that they had been disciplined simply for identifying as LGBTQ.

Limiting LGBTQ Inclusion in Extracurricular Activities

Students in our survey indicated that some schools also maintained policies and practices that limited

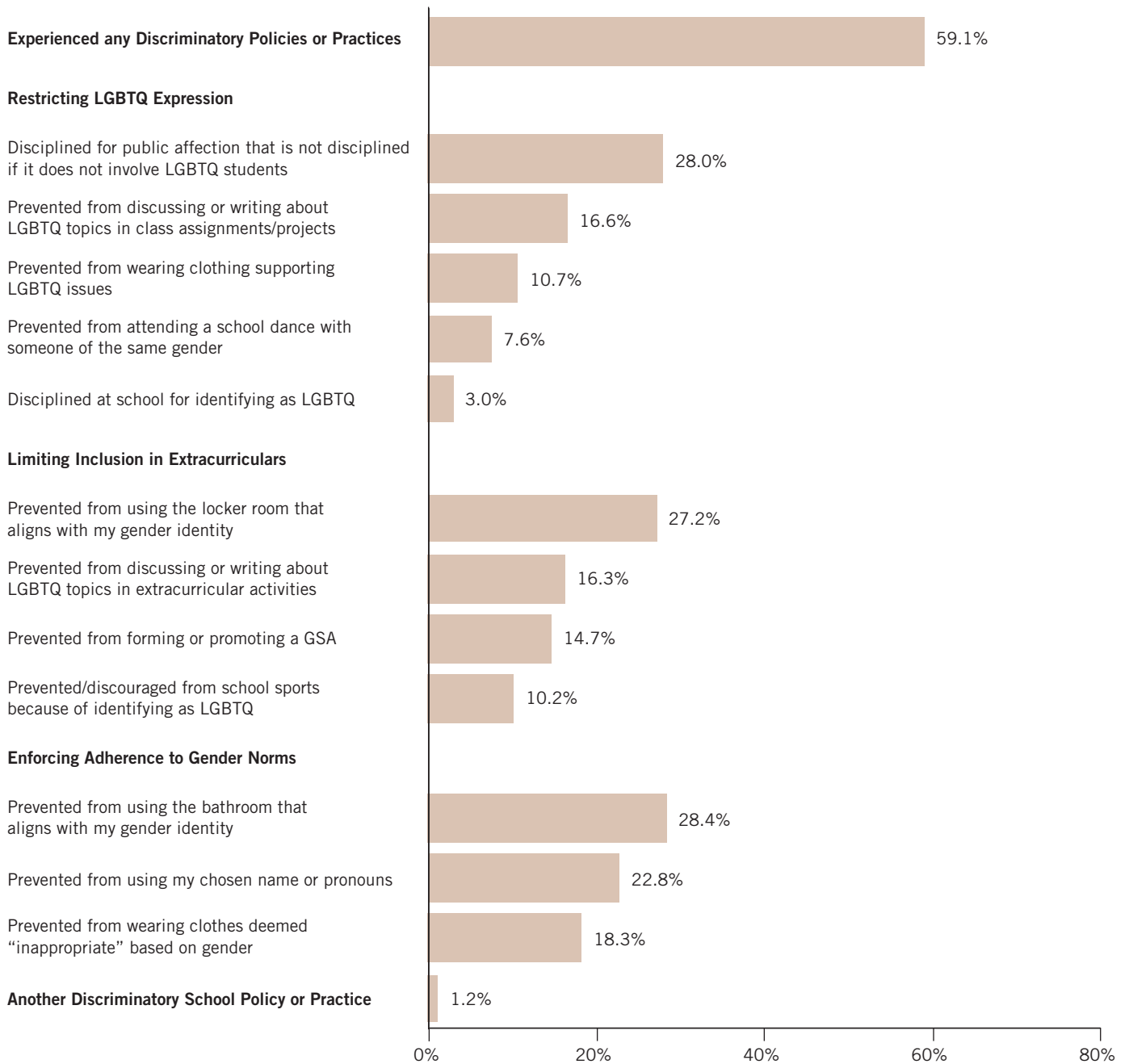
LGBTQ content in extracurricular activities and/or restricted LGBTQ students' participation in these activities. For example, 16.3% of LGBTQ students said that their school prevented them from discussing or writing about LGBTQ issues in extracurricular activities, such as the yearbook, school newspaper, or events like Day of Silence.⁵¹ Additionally, 14.7% reported that they had been hindered in forming or promoting a GSA or similar school club supportive of LGBTQ issues (see also Figure 1.23).

LGBTQ students in our survey also reported discriminatory experiences with regard to school athletics. Approximately one-tenth of students (10.2%) indicated that school staff or coaches had prevented or discouraged them from playing sports because they were LGBTQ. LGBTQ students may also be indirectly discouraged from participating in sports if they are unable to use the locker rooms aligned with their gender identity. For example, transgender and nonbinary students may be required to use the locker room of their assigned sex, and other LGBTQ students may be prevented from using gendered locker rooms based on their same-sex attraction (e.g., staff preventing a lesbian girl from using the girl's locker room because she is a lesbian). We found that 27.2% of LGBTQ students were prevented from using locker rooms aligned with their gender identity. Further, we found that LGBTQ students who experienced this locker room discrimination were less likely to participate in school sports, and were more likely to avoid gym class, sports fields, and locker rooms at school.⁵²

Clearly, some schools are sending the message that LGBTQ topics are not appropriate for extracurricular activities, and in some cases, that LGBTQ people should not be allowed to participate. Discriminatory policies and practices that mark official school activities as distinctly non-LGBTQ prevent LGBTQ students from participating in the school community as fully and completely as other students.

“More than one teacher did not allow me to hold hands with my girlfriend and threatened detention if they even saw us in the halls holding hands.”

Figure 1.23 Percentage of LGBTQ Students Who Have Experienced Discriminatory Policies and Practices at School



Enforcing Adherence to Traditional Gender Norms

Other discriminatory policies appeared to target students' gender by prescribing certain rules or practices that limited their gender expression or access to gendered facilities (see Figure 1.23). Nearly a quarter of LGBTQ students (22.8%) said that they had been prevented from using their chosen name or pronouns in school, and nearly a fifth of students (18.3%) reported that their school prevented them from wearing clothing deemed "inappropriate" based on their gender (e.g., a student prevented from wearing a dress because they are a boy, or because staff think they are a boy). Additionally, over a quarter of LGBTQ students (28.4%) said that they had been prevented from using the bathroom aligned with their gender. Policies and practices that restrict bathroom access may have a particularly damaging impact on LGBTQ youth, including physical health complications if students are forced to avoid using the bathroom during the school day.⁵³ In fact, we found that LGBTQ students were approximately twice as likely to avoid the bathroom at school if they experienced bathroom discrimination (71.8% vs. 34.6%).⁵⁴

It is important to note that each of these gender-related discriminatory policies and practices, including the discriminatory locker room policies mentioned previously, explicitly target students' gender identity and expression, and thus, may

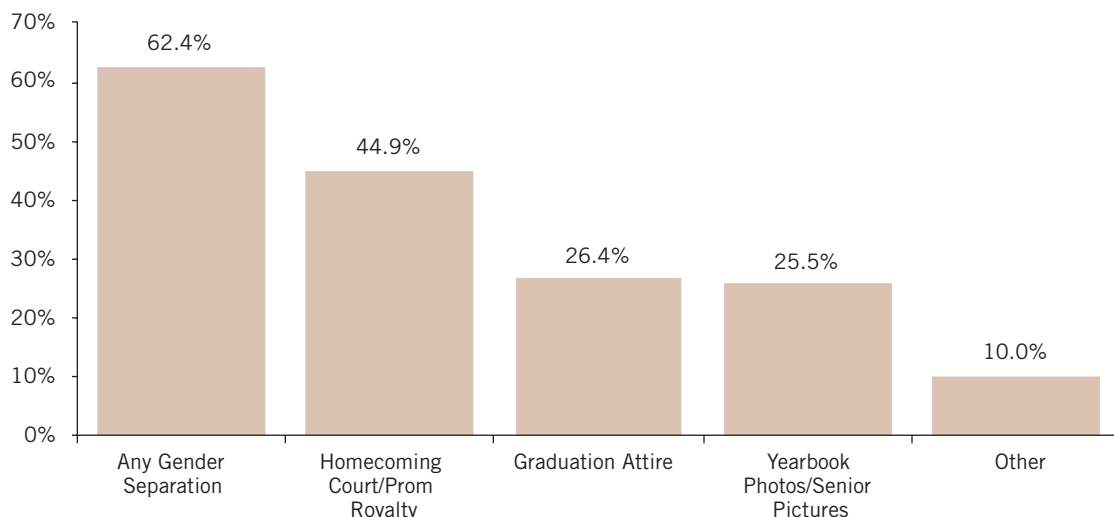
uniquely impact transgender and nonbinary students. For further discussion on the experiences of transgender and nonbinary students and their experiences with discriminatory policies and practices at school, see the "School Climate and Gender" section of this report.

Gender Separation in School

School policies and practices that separate students by gender or impose different standards and expectations based on gender may pose distinct challenges for transgender and nonbinary students. Depending on how these practices are enforced, students may be forced to group with others based on their legal sex, regardless of their gender identity. These practices may also place undue pressure on transgender and nonbinary students to disclose their transgender status before they are ready in order to advocate for their right to be grouped in a way that affirms their gender identity. As these practices reinforce the gender binary (i.e., the notion that there are only two distinct and opposite genders) by separating boys from girls, they create an environment that may be uniquely difficult to navigate for nonbinary students. When gendered spaces, activities, and rules provide no options for students who do not conform to a gender binary, these students may feel as if they have no place in school at all.

Previously in this section, we discussed discriminatory practices in sports participation,

Figure 1.24 LGBTQ Students' Reports of Ways Schools Separate Activities by Gender or Have Different Requirements Based on Gender
(Percentage of LGBTQ Students in Co-ed Schools, n = 16497)



and access to bathrooms and locker rooms. In addition to these gendered spaces, we asked LGBTQ students about other specific practices that separate students by gender in school or require different standards for students based on gender. As seen in Figure 1.24, the majority of LGBTQ students (62.4%) experienced gendered spaces or practices at school.⁵⁵ Nearly half of LGBTQ students (44.9%) reported that their school had gender-specified homecoming courts, prom kings/queens, or other types of honors at dances. These practices not only reinforce the gender binary, but by selecting a “king” and a “queen,” also enforce the idea that heterosexuality is the norm and the only acceptable way of being. In addition, just over one-fourth of students (26.4%) reported that their school required gendered attire for graduation, such as different-colored robes for boys and girls, and 25.5% reported gendered attire for official school photographs, such as having boys wear tuxedos and girls wear dresses for senior portraits (see also Figure 1.24).

We also provided an opportunity for students to indicate additional ways that their school separated student activities by gender, and 10.0% reported other types of gender separation. Students most

commonly reported practices related to orchestra, band, chorus, and dance performances (e.g., different dress requirements, separation of boys and girls), as well as school uniforms and dress codes (e.g., having different dress codes or uniforms for boys and girls, or differential enforcement of dress code based on gender). A number of students also discussed special events or classroom activities that pitted boys against girls.

Our findings indicate that anti-LGBTQ discriminatory school policies and practices are all too pervasive in our nation’s schools. In order to ensure that schools are welcoming and affirming of all students, staff and administration should eliminate policies and practices that treat LGBTQ couples differently, censor expressions of LGBTQ identities, enforce traditional gender norms, needlessly separate students by gender, or maintain different rules or standards for boys and girls. Ending these practices can help to provide LGBTQ youth with a more inclusive school experience. Later in this report, we discuss the negative effects of these discriminatory policies and practices on LGBTQ students’ well-being and academic outcomes.

Hostile School Climate, Educational Outcomes, and Psychological Well-Being

Key Findings

- LGBTQ students who experienced high levels of in-school victimization:
 - Had lower GPAs than other students;
 - Were less likely to plan to pursue any post-secondary education;
 - Were nearly three times as likely to have missed school in the past month because they felt unsafe;
 - Were more likely to have been disciplined at school;
 - Were less likely to feel a sense of belonging to their school community; and
 - Had lower levels of self-esteem and higher levels of depression.
- LGBTQ students who experienced discrimination at school:
 - Had lower GPAs than other students;
 - Were nearly three times as likely to have missed school in the past month because they felt unsafe;
 - Were more likely to have been disciplined at school;
 - Were less likely to feel a sense of belonging to their school community; and
 - Had lower levels of self-esteem and higher levels of depression.
- LGBTQ students who did not plan to graduate high school (e.g., who planned to drop out or were not sure if they would finish high school) most commonly reported mental health concerns, academic concerns, and hostile school climate as reasons for leaving school. 75

“I love learning but most days i just hate school. i can’t deal with the comments and the inability for people to just be kind to LGBTQIA+ students.”

Educational Aspirations

In order to examine the relationship between school climate and educational outcomes, we asked students about their aspirations with regard to further education, including their plans to complete high school and their highest level of expected educational attainment.

High school completion. As shown in Table 1.3, almost all LGBTQ students in our survey (96.5%) planned to graduate high school, and 3.5% of students indicated that they did not plan to complete high school or were not sure if they would. We also found that LGBTQ students in earlier grades were more likely than their older peers to indicate that they were unsure about their high school graduation plans.⁵⁶ Further, it is important to note that the 2019 NSCS only included students who were in school at some point during the 2018–2019 school year. Thus, this study sample includes some LGBTQ students who may not finish high school, but does not include youth who had already left school before the school year began.

We also asked LGBTQ students who did not plan on completing high school or who were not sure if they would graduate whether they planned to obtain a General Education Diploma (GED) or similar equivalent, and 65.7% indicated that they did. Some research on high school equivalency certification in the general student population suggests that GED equivalencies are not associated with the same educational attainment and earning potential as high school diplomas.⁵⁷ Nevertheless, the majority of students who planned to get a GED (59.4%) indicated that they intended to pursue some type of post-secondary education.⁵⁸ More research is needed to better understand how LGBTQ students’ educational and career plans may be impeded if they do not graduate from high school.

Reasons LGBTQ students may not finish high school. To better understand why LGBTQ students might not finish high school, we asked those students who indicated they were not planning on completing high school or were not sure if they would graduate about their reasons for leaving school. Most of these students cited multiple reasons for potentially not graduating. As shown in Table 1.4, the most common reason concerned mental health, such as depression, anxiety, or stress (92.7% of those who provided reasons for leaving high school), followed by academic issues (68.4%), including poor grades, high number of absences, or not having enough credits to graduate, and then a hostile school climate (60.8%), including issues with harassment, unsupportive peers or educators, and gendered school policies/practices, such as restrictions on which bathroom they are allowed to use.⁵⁹

Table 1.3 LGBTQ Students’ High School Completion Plans

High School Graduation Plans	% of All Students	
Plan to Graduate HS	96.5%	
Do Not Plan to Graduate HS or Not Sure if Will Graduate HS	3.5%	
Do not plan to graduate	0.7%	
Unsure if will graduate	2.8%	
	% of Students Not Planning to Graduate or Not Sure (n = 589)	
Plans to Receive GED or Equivalent		
Do not plan to obtain a GED or equivalent	34.3%	1.2%
Plan to obtain a GED or equivalent	65.7%	2.3%

*Due to rounding, percentages may not add up to 100%.

LGBTQ students may consider leaving school for many reasons, some of which may have little to do with their sexual orientation, gender identity, or peer victimization — as noted above. However, it is also possible that some of the mental health and academic concerns that students reported were caused by experiences of a hostile school environment, as noted later in this section. For example, school-based victimization may impact students' mental health,⁶⁰ and this lower psychological well-being may also place students at risk for lower academic achievement.⁶¹ Furthermore, a lack of safety may lead to students missing school, which can result in a student being pushed out of school by school disciplinary or criminal sanctions for truancy,⁶² dropping out of school as a result of poor academic achievement, or disengaging with school due to the days missed. Indeed, we found that among students in our survey, missing school due to feeling unsafe or uncomfortable was related to increased likelihood of not planning to complete high school.⁶³ Future research should examine the potentially interconnected mechanisms that lead LGBTQ students to leave high school before graduating.

Post-secondary aspirations. When asked about their aspirations with regard to post-secondary education, only 7.2% of LGBTQ students indicated that they did *not* plan to pursue any type of post-secondary education (i.e., that they only planned to obtain a high school diploma, did not plan to finish high school, or were unsure of their plans). Just over two-fifths of students (43.0%) said that they planned to complete their education with a Bachelor's degree (see Figure 1.25) and another two-fifths of students (39.1%) reported that they planned to continue on to obtain a graduate degree (e.g., Master's degree, PhD, MD).

School Climate and Educational Aspirations

Students who experience victimization in school may respond by avoiding the harassment, perhaps by dropping out of school or avoiding any further type of formal educational environments, such as college. We assessed the relationship between school victimization⁶⁴ and educational aspirations for students in our survey and found that LGBTQ students who reported higher levels of victimization based on their sexual orientation or gender

Table 1.4 Reasons LGBTQ Students Do Not Plan to Graduate High School or Are Unsure If They Will Graduate (n = 632)

	% of Students Reporting* (of students who indicated that they did not plan to graduate or were unsure)
Mental Health Concerns (e.g., depression, anxiety, stress)	92.7%
Academic Concerns (Any)	68.4%
Poor Grades	57.4%
Absences	39.2%
Not Enough Credits	29.0%
Hostile School Climate (Any)	60.8%
Unsupportive Peers	49.5%
Harassment	42.2%
Unsupportive Teachers/Staff	30.1%
Gendered School Policies/Practices	30.1%
Future Plans Do Not Require HS Diploma	24.2%
Family Responsibilities (e.g., child care, wage earner)	15.5%
Other (e.g., lack of motivation, unsupportive family)	5.5%

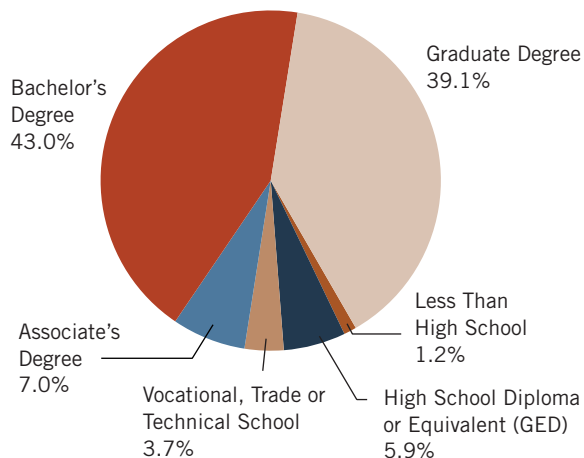
*Because respondents could select multiple responses, categories are not mutually exclusive, and percentages do not add up to 100%.

expression reported lower educational aspirations than LGBTQ students who reported lower levels of victimization.⁶⁵ For example, as shown in Figure 1.26, students who experienced a higher severity of victimization based on sexual orientation were less likely to plan to go on to college or to vocational or trade school, compared with those who had experienced less severe victimization (9.9% vs. 5.8%). Anti-LGBTQ discriminatory policies and practices were also related to lower educational aspirations for LGBTQ students in our survey – students who experienced this type of discrimination at school reported lower educational aspirations than those who did not experience discrimination.⁶⁶

School Climate and Academic Achievement

As detailed previously in this section, a hostile school climate can lead LGBTQ students to not want to continue on with their education. However, it can also result in these students struggling academically. We found that more severe victimization was related to lower academic achievement among LGBTQ students. As shown in Table 1.5, the mean reported grade point averages (GPA) for students who had higher levels of victimization based on their sexual orientation or gender expression was significantly lower than for students who experienced less harassment and assault.⁶⁷ For example, LGBTQ students who experienced higher levels of victimization based on gender expression reported an average GPA of 2.98 and LGBTQ students who experienced lower levels of this type of victimization reported an average GPA of 3.36 (see Table 1.5). As also

Figure 1.25 Educational Aspirations of LGBTQ Students



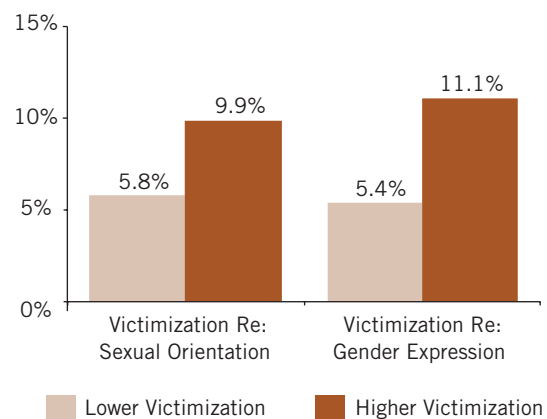
illustrated in Table 1.5, experiences of institutional discrimination were also related to lower educational achievement.⁶⁸

Overall, the vast majority of LGBTQ students planned to complete high school as well as some form of post-secondary education, although experiences with anti-LGBTQ harassment and discrimination were both associated with lower educational aspirations as well as lower GPA. Thus, supporting LGBTQ students' future educational attainment requires focused efforts that reduce anti-LGBTQ bias in schools and create affirming academic environments. Further, these efforts must be implemented at all grade levels, with particular attention paid to younger students, who may be at greater risk for not completing high school.

Absenteeism

School-based victimization can impinge on a student's right to an education. Students who are regularly harassed or assaulted in school may attempt to avoid these hurtful experiences by not attending school and, accordingly, may be more likely to miss school than students who do not experience such victimization. We found that experiences of harassment and assault were, in fact, related to missing days of school.⁶⁹ As shown in Figure 1.27 students were nearly three times as likely to have missed school in the past month if they had experienced higher levels of victimization related to their sexual orientation (57.2% vs. 21.7%) or gender expression (59.0% vs. 21.8%).

Figure 1.26 Educational Aspirations and Severity of Victimization
(Percentage of LGBTQ Students Not Planning to Pursue Postsecondary Education)



In addition to victimization, we found that experiences of discrimination were related to missing days of school.⁷⁰ As also shown in Figure 1.27, LGBTQ students were almost three times as likely to have missed school in the past month because they felt unsafe or uncomfortable if they had experienced LGBTQ-related discrimination in their school (44.1% vs. 16.4%).

As these findings indicate, both negative interpersonal experiences, such as victimization, as well as negative institutional treatment, such as anti-LGBTQ discriminatory policies and practices both contribute to a school setting that feels unwelcoming for many LGBTQ students. And as such, they restrict access to an LGBTQ student's education.

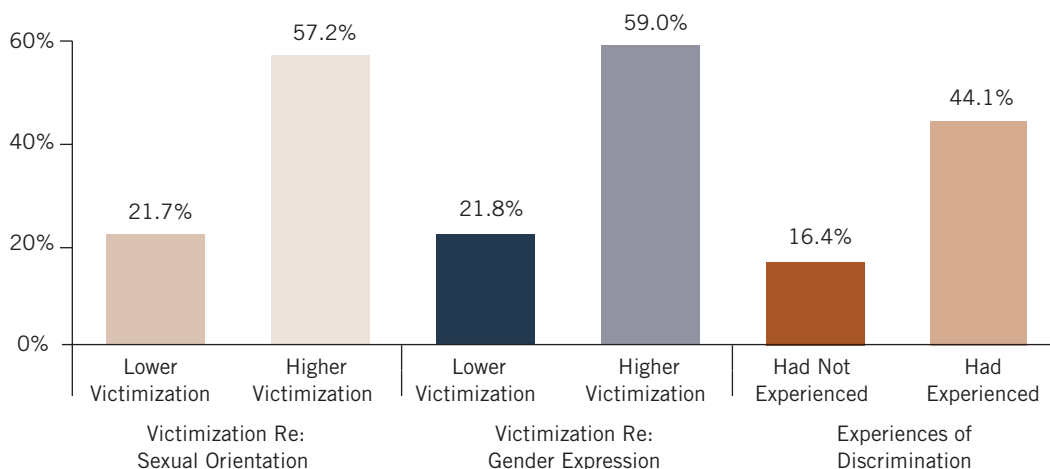
School Climate and School Discipline

The use of harsh and exclusionary discipline, such as zero tolerance policies, has proliferated over the previous several decades for both serious infractions as well as minor violations of school policies.⁷¹ Initially framed as vital for protecting teachers and students,⁷² these disciplinary policies are regarded by many as being over-employed in removing students from the traditional school environment.⁷³ The use of harsh discipline has contributed to higher dropout rates, as well as more youth in alternative educational settings and in juvenile justice facilities, where educational supports and opportunities may be less available.⁷⁴ Growing awareness of the soaring use of exclusionary school discipline approaches in the

Table 1.5 Academic Achievement of LGBTQ Students by Experiences of Victimization and Discrimination

	Mean Reported Grade Point Average
Peer Victimization	
Sexual Orientation	
Lower Victimization	3.34
Higher Victimization	3.03
Gender Expression	
Lower Victimization	3.36
Higher Victimization	2.98
Experiences of Discrimination	
Had Not Experienced Discriminatory Policies or Practices at School	3.39
Had Experienced Discriminatory Policies or Practices at School	3.14

Figure 1.27 Absenteeism by Experiences of Victimization and Discrimination
(Percentage of LGBTQ Students Who Missed at Least a Day of School in Past Month)



“My last school I went to before I moved to my new one, expelled me for being a member of the LGBTQ community.”

U.S. has included some attention to their effect on LGBTQ youth.⁷⁵ It is possible that both the high rates of peer victimization and the school policies that, intentionally or unintentionally, target LGBTQ students may put these students at risk of greater contact with school authorities and increase their likelihood of facing disciplinary sanctions.

Rates of school discipline. We asked LGBTQ students if they had certain types of experiences at school as a result of disciplinary action. A third of students in this survey (33.0%) reported having ever been disciplined at school, with most of these students reporting discipline that occurred in-school, such as being sent to principal's office, receiving detention, or receiving in-school suspension (see Figure 1.28). A smaller portion of LGBTQ students reported experiencing disciplinary consequences that prohibited them from attending school, such as out-of-school suspension and expulsion (see also Figure 1.28). In addition, disciplinary action in school can lead to having contact with the criminal or juvenile justice system, such as being arrested or serving time in a detention facility. A very small portion of LGBTQ students (1.2%) reported having had contact with the criminal or juvenile justice system. It is important to note that we asked students

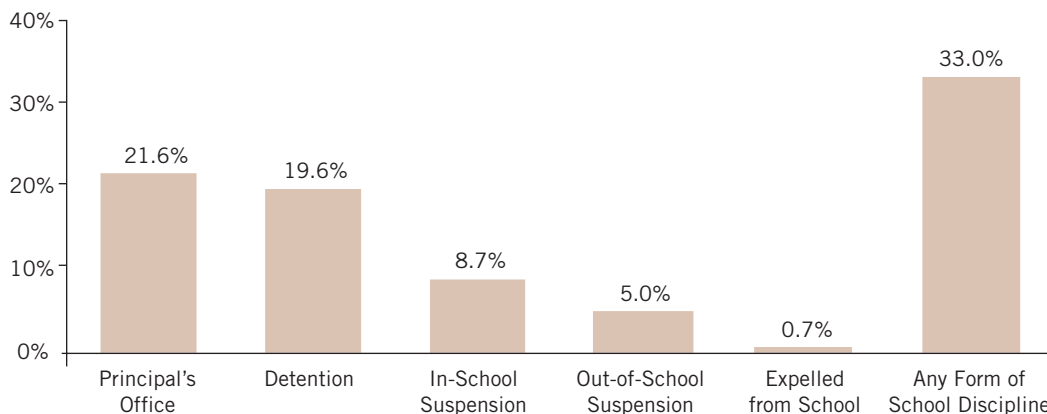
specifically about justice system involvement as a result of school discipline, and thus the finding does not reflect student involvement in criminal or juvenile justice system in general.

LGBTQ youths' high rates of victimization, and discriminatory policies that intentionally or unintentionally target LGBTQ students, may put them in greater contact with school authorities and increase their risk of discipline. For these reasons, we examined whether students who experienced victimization and discrimination experienced higher rates of school discipline.

Discipline due to punitive response to harassment and assault. As discussed in the “Reporting of School-Based Harassment and Assault” section, some LGBTQ students reported that they themselves were disciplined when they reported being victimized to school staff. As a result, LGBTQ students who experience higher rates of victimization may also experience higher rates of school discipline, perhaps because they were perceived to be the perpetrator in these incidents. Indeed, LGBTQ youth who reported higher than average levels of victimization based on their sexual orientation or gender expression experienced substantially greater rates of discipline examined in this survey.⁷⁶ For example, as shown in Figure 1.29, 47.0% of students with higher levels of victimization based on sexual orientation experienced school discipline compared to 26.7% of students with lower levels of this type of victimization.

Absenteeism. LGBTQ students who are victimized at school may also miss school because they

Figure 1.28 Percentage of LGBTQ Students Who Have Experienced School Discipline



feel unsafe, and thus, face potential disciplinary consequences for truancy. We found that students who reported missing school due to safety concerns were more likely to have experienced school discipline.⁷⁷ Specifically, 44.3% of students who had missed at least a day of school in past month because they felt unsafe or uncomfortable had faced some sort of disciplinary action, compared to 27.4% of students who had not missed school for these reasons.

Discipline due to discriminatory policies and practices. As discussed in the “Experiences of Discrimination” section of this report, some schools have official policies or unofficial practices that unfairly target LGBTQ youth, and also put LGBTQ youth at greater risk for school discipline. For example, having a gendered dress code may result in a transgender or nonbinary student being disciplined because they are wearing clothing deemed “inappropriate” based on their legal sex. Furthermore, as also indicated in that earlier section, a number of students in our survey reported that they were subjected to punishment for violations that were not similarly punished among their non-LGBTQ peers (e.g., same-sex couples experiencing harsher discipline for public displays of affection in schools than heterosexual couples). When we examined the relationship between discrimination and discipline, we found that LGBTQ students who had experienced discriminatory policies and practices at school had reported higher rates of school discipline — 40.2% of LGBTQ youth experiencing discrimination at

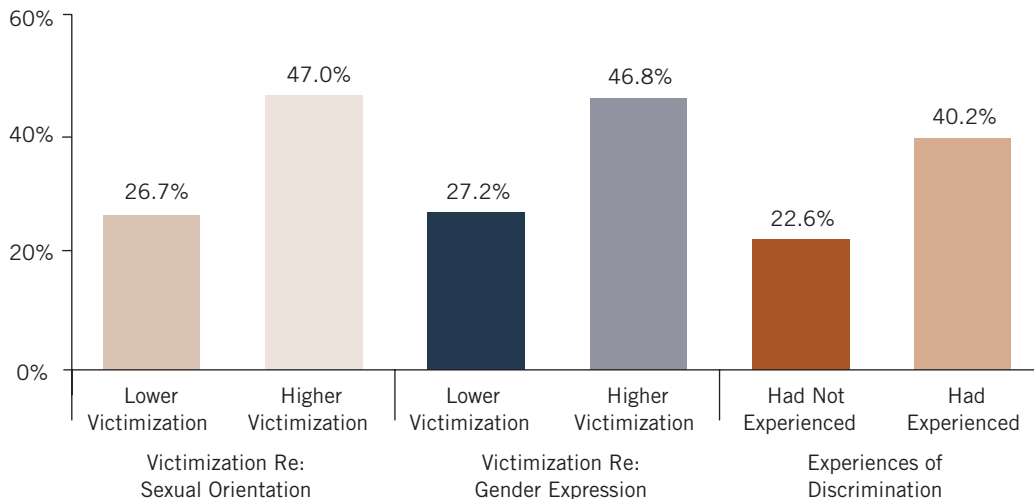
school had experienced some form of disciplinary action, compared to 22.6% of youth who had not experienced discrimination (see Figure 1.29).⁷⁸

These findings evidence that a sizeable number of LGBTQ students experienced school discipline, and that unsafe and unfair school environments, including experiences with victimization and discriminatory school policies and practices, contribute to higher rates of school discipline. In order to reduce disciplinary disparities toward LGBTQ students, schools need to employ non-punitive discipline practices and the creation of safe and affirming spaces for LGBTQ students, with properly trained school personnel. Educators need to be provided professional development trainings on issues specifically related to LGBTQ student and bias-based bullying and harassment, so that they can effectively intervene in cases of bullying of LGBTQ students. In addition, schools need to eliminate school policies and practices that discriminate against LGBTQ students.

School Climate and School Belonging

The degree to which students feel accepted by and a part of their school community is another important indicator of school climate and is related to a number of educational outcomes, including greater academic motivation and effort and higher academic achievement.⁷⁹ Students who experience victimization or discrimination at school may feel excluded and disconnected from their school community. Thus, we examined the relationship

Figure 1.29 School Discipline by Experiences of Victimization and Discrimination
(Percentage of LGBTQ Students Who Experienced School Discipline)



“Most students use homophobic, racist, and transphobic slurs. One gay student has been beaten. I feel like I do not belong here.”

between these negative indicators of school climate and LGBTQ students’ sense of belonging to their school community.⁸⁰

As illustrated in Figure 1.30, students who experienced a higher severity of victimization based on sexual orientation or gender expression reported lower levels of school belonging than students who experienced less severe victimization in school.⁸¹ For example, nearly two-thirds of students who experienced lower levels of victimization based on their sexual orientation (62.7%) reported a positive sense of connection to their school, compared to less than a third of students who experienced more severe victimization (28.7%).

Experiencing anti-LGBTQ discriminatory policies and practices at school was also related to decreased feelings of connectedness to the school community. As also illustrated in Figure 1.30, LGBTQ students who did not experience school-based discrimination were more likely to report

positive feelings of school belonging compared to students who had experienced school-based discrimination (72.7% vs. 37.9%).⁸²

School Climate and Psychological Well-Being

Previous research has shown that being harassed or assaulted at school may have a negative impact on students’ mental health and self-esteem.⁸³ Given that LGBTQ students face an increased likelihood for experiencing harassment and assault in school,⁸⁴ it is especially important to examine how these experiences relate to their well-being. We specifically examined two aspects of psychological well-being: self-esteem⁸⁵ and depression⁸⁶. As illustrated in Figures 1.31 and 1.32, LGBTQ students who reported more severe victimization regarding their sexual orientation or gender expression had lower levels of self-esteem⁸⁷ and higher levels of depression⁸⁸ than those who reported less severe victimization. For example, 72.0% of students who experienced higher levels of victimization based on sexual orientation demonstrated higher levels of depression compared to 42.3% of students who experienced lower levels of victimization (see Figure 1.32).

Discrimination and stigma have also been found to adversely affect the well-being of LGBTQ people.⁸⁹ We found that LGBTQ students in our survey who reported experiencing discriminatory policies or practices in school had lower levels of self-esteem⁹⁰ and higher levels of depression⁹¹ than students who did not report experiencing this

Figure 1.30 School Belonging by Experiences of Victimization and Discrimination
(Percentage of LGBTQ Students Demonstrating Positive School Belonging)

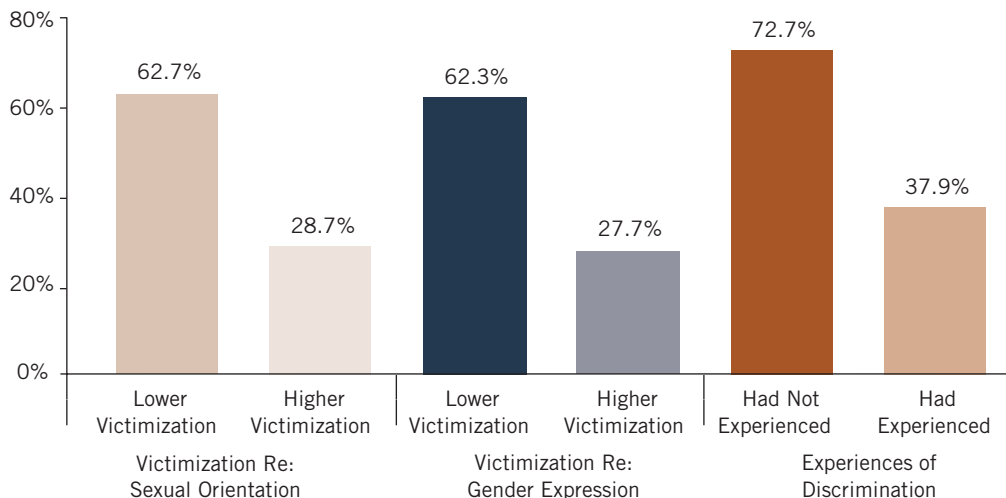


Figure 1.31 Self-Esteem by Experiences of Victimization and Discrimination
 (Percentage of LGBTQ Students Demonstrating Higher Levels of Self-Esteem)

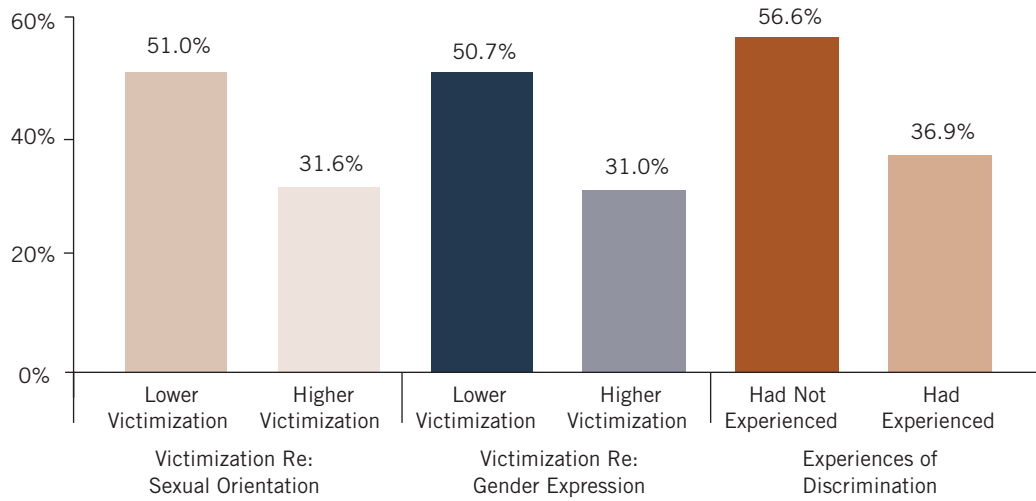
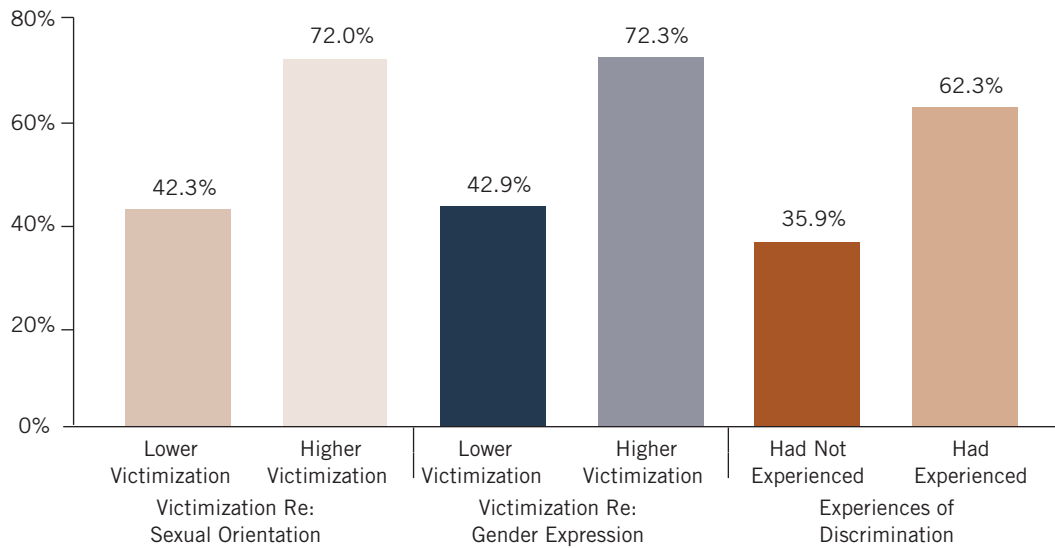


Figure 1.32 Depression by Experiences of Victimization and Discrimination
 (Percentages of LGBTQ Students Demonstrating Higher Levels of Depression)



discrimination (see Figures 1.31 and 1.32). For example, as shown in Figure 1.31, only 36.9% of students who experienced discrimination demonstrated higher levels of self-esteem compared to 56.6% of students who had not experienced discrimination.

Conclusions

The findings in this section provide insight into how peer victimization and institutional discrimination may lead to less welcoming schools and more negative educational outcomes for LGBTQ students. LGBTQ students who experienced victimization and discrimination were more likely to have lower educational aspirations, lower grades, and higher absenteeism. They were also

more likely to experience school discipline, which could result in pushing students out of school, and even into the criminal justice system.⁹² These findings also demonstrate that a hostile school climate may negatively impact an LGBTQ student's sense of school belonging and psychological well-being. In order to ensure that LGBTQ students are afforded supportive learning environments and equal educational opportunities, community and school advocates must work to prevent and respond to in-school victimization and to eliminate school policies and practices that discriminate against LGBTQ youth. Reducing victimization and discrimination in school may then lead to better mental health for LGBTQ youth, better enabling them to reach their fullest potential inside and outside of school.



PART TWO: SCHOOL-BASED RESOURCES AND SUPPORTS

Student organizers gather at the 2012 Students of Color Organizing Conference, held by the GLSEN Baltimore chapter to help train LGBTQ and ally youth to work toward creating safer schools for LGBTQ students of color.

Availability of School-Based Resources and Supports

Key Findings

- Just over 6 in 10 LGBTQ students attended a school that had a Gay-Straight Alliance or Gender and Sexuality Alliance (GSA) or similar student club that addressed LGBTQ issues in education.
- Approximately 1 in 5 LGBTQ students were taught positive representations of LGBTQ people, history, or events in their classes. A similar amount had been taught negative content about LGBTQ topics.
- Few LGBTQ students (8.2%) reported having ever received LGBTQ-inclusive sex education at school.
- Approximately a fifth of LGBTQ students (19.6%) had access to information about LGBTQ-related topics in their textbooks or other assigned readings, just under half of LGBTQ students (48.9%) had access to these topics in their school library, and just over half (55.9%) with internet access at school had access to these topics online on school computers.
- Almost all students could identify at least one school staff member whom they believed was supportive of LGBTQ students. Just over two-fifths (42.3%) could identify many (11 or more) supportive school staff.
- Just over two-fifths of LGBTQ students reported that their school administration was supportive of LGBTQ students.
- Few students reported that their school had a comprehensive anti-bullying/harassment policy that specifically included protections based on sexual orientation and gender identity/expression.
- Approximately one-tenth of LGBTQ students reported that their school had official policies or guidelines to support transgender or nonbinary students.

The availability of resources and supports in school for LGBTQ students is another important dimension of school climate. There are several key resources that may help to promote a safer climate and more positive school experiences for students: 1) student clubs that address issues for LGBTQ students, 2) school personnel who are supportive of LGBTQ students, 3) LGBTQ-inclusive curricular materials, and 4) inclusive, supportive school policies, such as inclusive anti-bullying policies and policies supporting transgender and nonbinary students.⁹³ Thus, we examined the availability of these resources and supports among LGBTQ students in the survey.

Supportive Student Clubs

For all students, including LGBTQ students, participation in extracurricular activities is related to a number of positive outcomes, such as academic achievement and greater school engagement.⁹⁴ Supportive student clubs for LGBTQ students, often known as Gay-Straight Alliances or Gender and Sexuality Alliances (GSAs), can provide LGBTQ students in particular with a safe and affirming space within a school environment that they may otherwise experience as unwelcoming or hostile.⁹⁵ GSAs may also provide leadership opportunities for students and potential avenues for creating positive school change.⁹⁶ In our survey, nearly two-thirds of LGBTQ students (61.6%) reported that their school had a GSA or similar student club. Among students with a GSA in their school, almost half (48.7%) said that they

attended club meetings at least sometimes, and just over a third (34.1%) had participated as a leader or an officer in their club (see Table 2.1). Although most LGBTQ students in schools with a GSA reported having participated in the GSA at some level, nearly two-fifths (38.2%) had not.

There is a small body of research examining why LGBTQ students may or may not participate in their school's GSA. Some research suggests that LGBTQ students may be motivated to join their GSAs because of experiences of harassment and discrimination at school, to seek support (e.g., emotional support), and to engage in advocacy.⁹⁷ However, some research specifically on LGBTQ students of color suggests that some racial/ethnic groups may be discouraged from attending because they do not perceive their schools' GSAs to be inclusive of or useful for youth of color.⁹⁸ In contrast, recent research from GLSEN has found that there are some benefits to GSA participation for LGBTQ students of color, such as feeling more comfortable in bringing up LGBTQ issues in class and greater engagement in activism.⁹⁹ More research is needed in this area. Nevertheless, GSA leaders and advisors should assess potential barriers to GSA attendance at their school and take steps to ensure that GSA meetings are accessible to a diverse range of LGBTQ students.

Inclusive Curricular Resources

LGBTQ student experiences may also be shaped by inclusion of LGBTQ-related information in the curriculum. Learning about LGBTQ historical events and positive role models may enhance LGBTQ students' engagement in their schools and provide valuable information about the LGBTQ community. Students in our survey were asked whether they had been exposed to representations of LGBTQ people, history, or events in lessons at school, and the majority of respondents (66.8%) reported that their classes did *not* include these topics (see Figure 2.1).

Access to LGBTQ-inclusive instruction. Of the third of students (33.2%) who indicated that LGBTQ topics had been discussed in one or more of their classes, 48.8% said that they were covered in a positive manner only, 41.5% said that they were covered in a negative manner only, and 9.6% said that they were covered both in a positive and negative manner.¹⁰⁰ Among the students who had been taught positive things about LGBTQ-related

Table 2.1 Availability of and Participation in GSAs

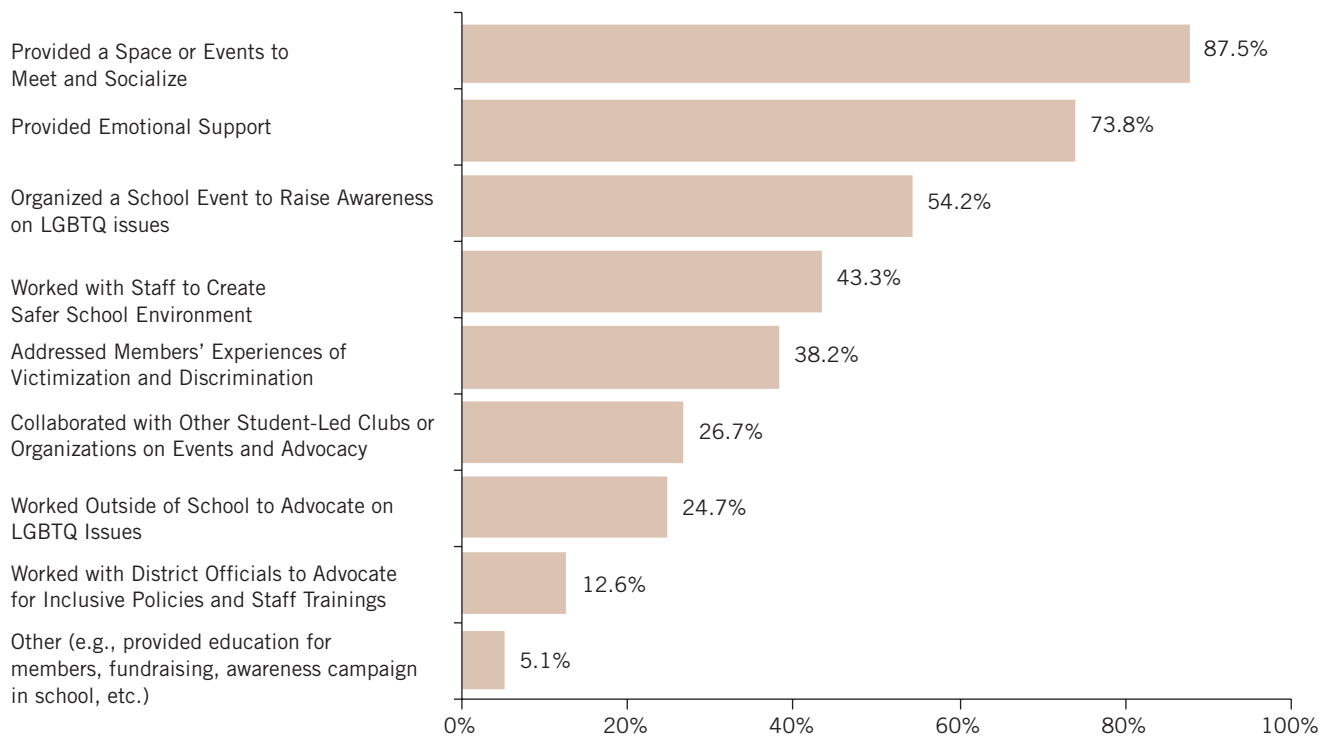
Have a GSA at School	
Yes	61.6%
No	38.4%
Frequency of GSA Meeting Attendance (n=10265)	
Frequently	29.6%
Often	7.4%
Sometimes	11.7%
Rarely	13.1%
Never	38.2%
Acted as a Leader or Officer (n=6340)	
Yes	34.1%
No	65.9%

Insight on GSA Activities

As discussed in the “Availability of School-Based Resources and Supports” section of this report, the majority of LGBTQ students (61.6%) have a GSA at their school, and among those who have a GSA, nearly two-thirds (61.8%) have attended GSA meetings. However, we do not have a strong understanding of what GSAs do and how they may vary in their actions. Therefore, in the present 2019 survey, we asked students who were members of their GSAs about the activities that their GSAs have engaged in during the past school year.

As shown in the figure, the most common activities that GSAs engaged in during the past school year were providing a space or events to meet and socialize (87.5%), providing emotional support (73.8%), and organizing a school event to raise awareness on LGBTQ issues (54.2%). The least common activities were collaborating with other student-led clubs or organizations on events and advocacy (26.7%), working outside of their school to advocate on LGBTQ issues (24.7%), and working with district officials to advocate for inclusive policies and staff trainings (12.6%). Students were also asked if there were other activities that their GSA engaged in that were not listed. Few students (5.1%) reported other activities, such as providing education for members, fundraising, and awareness campaigns in school.

Percentage of LGBTQ Students With GSAs at Their School Who Reported the Following GSA Activities During the Past School Year (n = 6168)



Given that the majority of LGBTQ students experience high levels of victimization and discrimination at school, it is not surprising that the vast majority of students reported that GSAs serve as a place to socialize and to receive emotional support. Also, for some LGBTQ students, it may be the only extracurricular activity where they can feel safe as an LGBTQ person. It is also important to note that the majority of students reported that their GSAs organize school events to raise awareness about LGBTQ issues, which may further indicate that the majority of GSAs also actively engage in making their school safer and more inclusive. Although we know that the availability of GSAs is positively associated with psychological well-being and school belonging for LGBTQ youth (see the “Utility of School-Based Resources and Supports” section of this report), we do not know whether specific GSA activities are related to these outcomes. Also, there may be certain activities that draw LGBTQ students to join their GSA because of negative school experiences related to their LGBTQ identity. Thus, further research should examine the benefits of GSA membership and whether they vary by type of activities of the GSA and whether certain activities that their GSA engages in are related to their school experiences, such as with anti-LGBTQ victimization.

topics in class, History/Social Studies and English were the classes most often mentioned as being inclusive of these topics (see Table 2.2).

Access to LGBTQ-inclusive materials and resources. We also asked students about potential curricular inclusion outside of direct classroom instruction, such as in class readings. Only a fifth of LGBTQ students (19.6%) reported that LGBTQ-related topics were included in textbooks or other assigned readings, with 0.5% of students reporting that these topics were included in many of their

“I wish there was more education and discussion of LGBTQ people and issues, but no one will start the conversation.”

textbooks and readings and 19.2% of students reporting that they were included in only a few (see Figure 2.2).¹⁰¹ Additionally, we asked students about their ability to access information about LGBTQ issues that may not be directly covered in class or assigned readings, such as information available in school libraries or via school computers. Many LGBTQ students in our survey did not have access to these types of LGBTQ-related curricular resources. As Figure 2.2 illustrates, about half (48.9%) reported that they could find books or information on LGBTQ-related topics in their school library (8.2% of students reported they could find many resources, and 40.8% reported they could find only a few).¹⁰² In addition, just over half of students with internet access at school (55.9%) reported being able to access LGBTQ-related information via school computers.

Figure 2.1 Representations of LGBTQ-Related Topics Taught in Any Classroom Curriculum

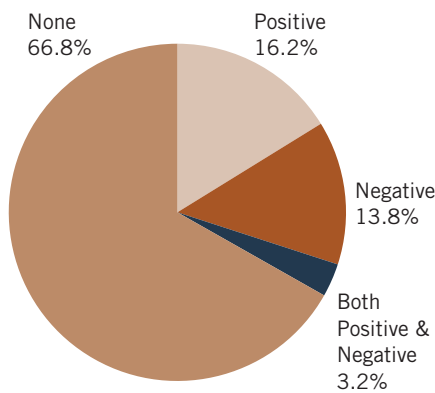


Table 2.2 Positive Representations of LGBTQ-Related Topics Taught in Class

Classes	% of LGBTQ Students Taught Positive Representations of LGBTQ-Related Topics (n = 3213)	% of All LGBTQ Students* (n = 16636)
History or Social Studies	60.3%	11.6%
English	38.0%	7.3%
Health	26.6%	5.1%
Art	14.2%	2.7%
Music	11.6%	2.2%
Science	10.6%	2.1%
Psychology	8.9%	1.7%
Foreign Language	8.8%	1.7%
Gym or Physical Education	5.3%	1.0%
Sociology	4.6%	0.9%
Math	3.6%	0.7%
Other Class (e.g., Drama, Advisory)	10.2%	2.0%

*Note: This number does not include respondents who chose not to respond to the question about the availability of LGBTQ curricular content.

Access to LGBTQ-inclusive sex education. In addition to asking broadly about LGBTQ inclusion in students' classes in the past year, we also asked students specifically about LGBTQ inclusion in any sex education they had ever received in school. Sex education can be a prime location for LGBTQ inclusion and an important source of information for youth about a variety of critical topics — including contraception and pregnancy, HIV/AIDS and other sexually transmitted infections (STIs), dating and marriage, sexual violence, and puberty. Sex education is often included in health classes, and as previously discussed, 26.6% of LGBTQ youth reported that they were taught positive representations of LGBTQ-related topics in their health classes. However, we wanted to specifically examine LGBTQ inclusion in sex education that occurs in school, both in and out of health classes.

Figure 2.2 Availability of LGBTQ-Related Curricular Resources

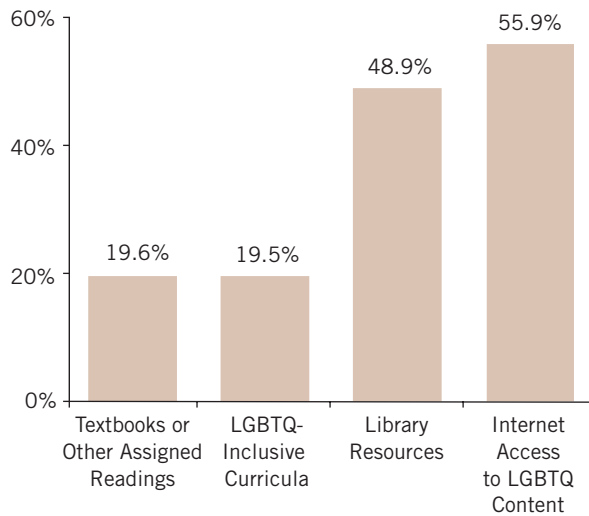
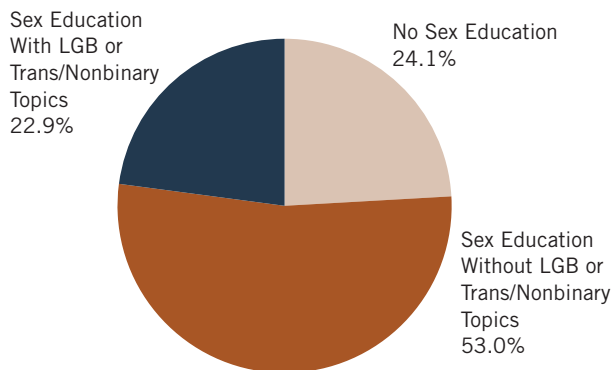


Figure 2.3 Percentage of LGBTQ Students Who Have Received Any Sex Education

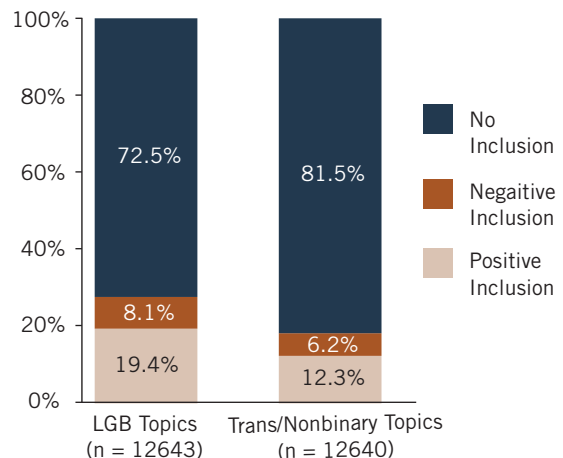


Less than a quarter of students (22.9%) who received some kind of sex education reported that it included LGBTQ topics in some way, either positively or negatively (see Figure 2.3). Furthermore, when considering all students in the sample, including those who did and did not receive sex education, only 8.2% received LGBTQ-inclusive sex education, which included positive representations of both LGB and transgender and nonbinary identities and topics. Of those who received sex education, 27.5% reported inclusion of lesbian, gay, and bisexual (LGB) topics, and 19.4% of these students reported that this inclusion was positive. In addition, 18.5% of students who received sex education were taught about transgender and nonbinary topics in their sex education courses, and of these students, 12.3% reported that these topics were taught in a positive manner. LGB topics were more common¹⁰³ in sex education classes, and were taught more positively¹⁰⁴ than transgender and nonbinary topics. However, for both LGB and transgender and nonbinary topics, more students reported positive than negative inclusion (see Figure 2.4).

Supportive School Personnel

Supportive teachers, principals, and other school staff serve as another important resource for LGBTQ students. Being able to speak with a caring adult in school may have a significant positive impact on school experiences for students, particularly those who feel marginalized or experience harassment. In our survey, almost all students (97.7%) could identify at least one

Figure 2.4 Inclusion of LGBTQ Topics in Sex Education (Percentage of LGBTQ Students with Inclusion of Topics, Among Those Who Received Sex Education)



school staff member whom they believed was supportive of LGBTQ students at their school, and 66.3% could identify six or more supportive school staff (see Figure 2.5).

As the leaders of the school, school administrators have a particularly important role to play in the school experiences of LGBTQ youth. They may serve not only as caring adults to whom the youth can turn, but they also set the tone of the school and determine specific policies and programs that may affect the school's climate. As shown in Figure 2.6, 42.4% of LGBTQ students reported that their school administration (e.g., principal, vice principal) was very or somewhat supportive

of LGBTQ students, and less than a quarter of students (22.5%) said their administration was very or somewhat unsupportive. It is also important to note that over a third of students (35.1%) indicated that their administration was neutral. This may signify administration that has not been actively supportive or unsupportive regarding LGBTQ students. It may also signify that students are unsure of their administration's stance on LGBTQ issues, perhaps because they have not been at all vocal about LGBTQ student issues.

To understand whether certain types of educators were more likely to be seen as supportive, we asked LGBTQ students how comfortable they would feel

Figure 2.5 LGBTQ Students' Reports on the Number of Teachers and Other School Staff Who Are Supportive of LGBTQ Students

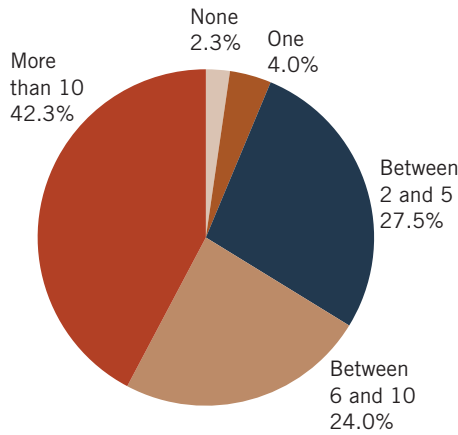


Figure 2.6 LGBTQ Students' Reports on How Supportive Their School Administration Is of LGBTQ Students

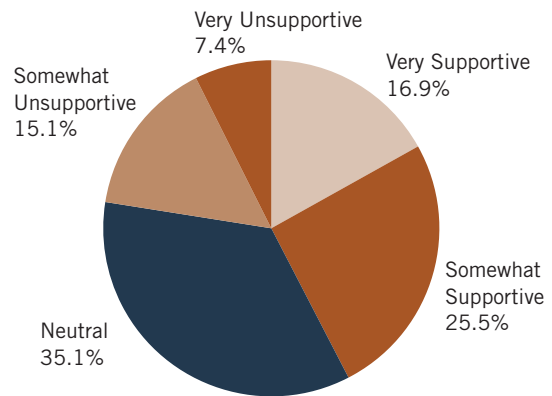
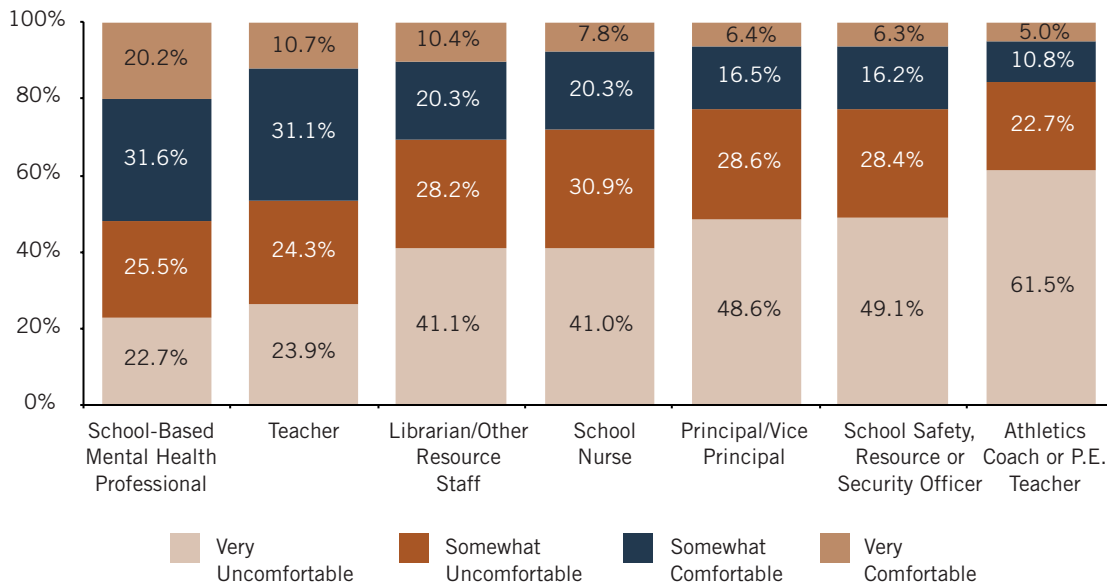


Figure 2.7 Comfort Talking with School Personnel about LGBTQ Issues



Insight on Reasons for Not Attending a GSA

As shown in the “Availability of School-Based Resources and Supports” section of this report, nearly two-fifths (38.2%) of LGBTQ students who had a GSA at their school did not attend the meetings. Little is known about why LGBTQ students do not attend GSAs at their school. One qualitative study suggested that some LGBTQ students may not want to join a GSA because of lack of interest or awareness of a GSA at their school; lack of time or time conflict; not being out or unaware of their sexual orientation; fear of being outed, stigmatized, victimized or discriminated against; and the perception that the GSA is inactive or disorganized.¹ Furthermore, some groups of LGBTQ students, such as students of color, may feel discouraged from attending because they do not perceive their school’s GSAs to be inclusive or useful.² Therefore, we ask students who have a GSA at their school, but never attended GSA meetings, an open-ended question about their reasons for not attending.

As shown in the table, the most common reasons for not attending GSAs at their school were interpersonal dynamics, such as having conflicts with other GSA members (27.4%), scheduling and logistics issues (26.7%), and issues with outness related to attending GSA meetings (26.2%). The least common reasons for not attending were with issues with the functioning of their GSA such as lack of organization (12.8%), that their GSA did not meet their needs (12.3%), and personal concerns associated with attending their GSA such as fear or discomfort and social awkwardness (8.1%). Few students (1.3%) reported other reasons for not attending.

Given that many LGBTQ students who have a GSA at their school do not attend GSA meetings, it is important to address the issues that these students have about their GSA and barriers that prevent them from attending their GSA. Future research should examine how to address these issues, so that all LGBTQ students can benefit from attending GSA meetings at their school.

Reasons LGBTQ Students Have Not Attended Any GSA Meetings in the Past School Year (n = 3663)	
	Students Reporting %* (n)
Interpersonal Dynamics (e.g., “I just don’t get along with the people in it, not my type of folks.”)	27.4% (1005)
Scheduling and Logistics (e.g., “The meetings were on the days I had dance.”)	26.7% (977)
Outness (e.g., “I didn’t feel comfortable coming out to that many people.”)	26.2% (959)
General Concerns of Being Outed	15.3% (560)
Not Out to Parents/Family	4.9% (180)
Not Out at School	2.5% (90)
Potential Repercussions (e.g., “I am afraid of what others might do to me if they find out I have attended.”)	15.8% (580)
General Repercussion	7.7% (281)
From Parents/Family	6.1% (224)
From Peers	2.1% (78)
From Teachers or Staff	0.3% (12)
Club Functioning (e.g., “It was not well put together and no one knew when or where meetings were.”)	12.8% (469)
GSA Does Not Meet Their Needs (e.g., “I already feel comfortable as a lesbian, and my school does a good job of making everyone feel safe and included.”)	12.3% (452)
Personal Concerns (e.g., “I was too shy and nervous to participate...”)	8.1% (295)
Fear or Discomfort	5.1% (186)
Social Awkwardness	2.7% (99)
Other (e.g., other personal reasons, not aware of GSA until recently)	1.3% (47)

*Because respondents could indicate multiple reasons, categories are not mutually exclusive. Percentages may not add up to 100%.

¹ Heck, N. C., Lindquist, L. M., Stewart, B. T., Brennan, C., Cochran, B. N. (2013). To join or not to join: Gay-Straight Student Alliances and the high school experiences of lesbian, gay, bisexual, and transgender youths. *Journal of Gay & Lesbian Social Services, 25*(1), 77–101.

² Ocampo, A. C. & Soodjinda, D. (2016). Invisible Asian Americans: The intersection of sexuality, race, and education among gay Asian Americans. *Race Ethnicity and Education, 19*(3), 480–499.

Toomey, R. B., Huynh, V. W., Jones, S. K., Lee, S. & Revels-Macalinalao, M. (2016). Sexual minority youth of color: A content analysis and critical review of the literature. *Journal of Gay and Lesbian Mental Health, 21*(1), 3–31.

“...my school’s policy on bullying/harassment is extremely vague and unspecific, stating that they will not stand for it but not including any specific measures that will be taken to prevent/solve any problems and also not including protections for ANY minorities, including religious, ethnic, and LGBTQ students.”

talking one-on-one with various school personnel about LGBTQ-related issues. As shown in Figure 2.7, students reported that they would feel most comfortable talking with school-based mental health professionals (e.g., school counselors, social workers, or psychologists) and teachers: 51.8% said they would be somewhat or very comfortable talking about LGBTQ issues with a mental health staff member and 41.8% would be somewhat or very comfortable talking with a teacher (see also Figure 2.7). Fewer students indicated that they would feel comfortable talking one-on-one with a school librarian (30.7%) or a school nurse (28.1%) about these issues. LGBTQ students were least likely to feel comfortable talking with an athletic coach/Physical Education (P.E.) teacher about LGBTQ issues (see also Figure 2.7).¹⁰⁵

Supportive teachers and other school staff members serve an important function in the lives of LGBTQ youth, helping them feel safer in school, as well as promoting their sense of school belonging and psychological well-being. One way that educators can demonstrate their support for LGBTQ youth is through visible displays of such support, such as Safe Space stickers and posters. These stickers and posters are part of GLSEN's

Safe Space Kit,¹⁰⁶ an educator resource aimed at making learning environments more positive for LGBTQ students. These materials are intended to help students identify staff members who are allies to LGBTQ students and who can be a source of support or needed intervention. We asked students if they had seen Safe Space stickers or posters displayed in their school, and nearly two-thirds of LGBTQ students (62.8%) in the survey reported seeing these materials at their school.

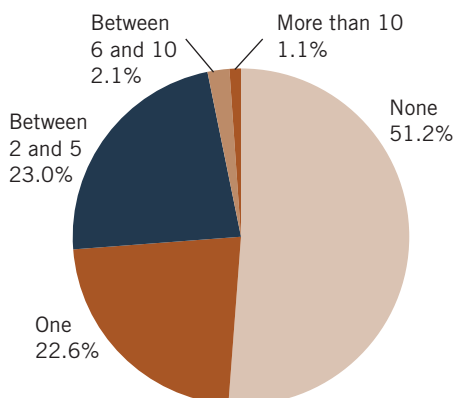
The presence of LGBTQ school personnel who are out or open at school about their sexual orientation and/or gender identity may provide another source of support for LGBTQ students. In addition, the number of out LGBTQ personnel may provide a sign of a more supportive and accepting school climate. Nearly half of students (48.8%) in our survey said they could identify at least one out LGBTQ staff person at their school (see Figure 2.8).

Inclusive and Supportive School Policies

GLSEN believes that all students should have access to a safe and supportive learning environment, regardless of a student's sexual orientation, gender identity, or gender expression. Official school policies and guidelines can contribute toward this goal by setting the standards for which students should be treated, noting what types of behavior are unacceptable, and making students aware of the protections and rights afforded to them. In this section, we examine the availability of two specific forms of supportive school policies: inclusive anti-bullying and harassment policies and supportive transgender and nonbinary student policies.

School policies for addressing bullying, harassment, and assault. School policies that address in-school bullying, harassment, and assault are powerful tools for creating school environments where students feel safe. These types of policies can explicitly state protections based on personal characteristics,

Figure 2.8 LGBTQ Students' Reports on the Number of Openly LGBTQ Teachers or Other School Staff



such as sexual orientation and gender identity/ expression, among others. In this report, we identify and discuss three types of school anti-bullying and harassment policies: 1) comprehensive, 2) partially enumerated, and 3) generic. Comprehensive policies explicitly enumerate protections based on personal characteristics and include both sexual orientation and gender identity/expression. When a school has and enforces a comprehensive policy, especially one which also includes procedures for reporting incidents to school authorities, it can send a message that bullying, harassment, and assault are unacceptable and will not be tolerated. Comprehensive school policies may also provide students with greater protection against victimization because they make clear the various forms of bullying, harassment, and assault that will not be tolerated. They may also demonstrate that student safety, including the safety of LGBTQ students, is taken seriously by school administrators. Partially enumerated policies explicitly mention sexual orientation or gender identity/expression, but not both, and may not provide the same level of protection for LGBTQ students. Lastly, generic anti-bullying or anti-harassment school policies do not enumerate sexual orientation or gender identity/ expression as protected categories.¹⁰⁷

Students were asked whether their school had a policy about in-school bullying, harassment, or assault, and if that policy explicitly included sexual orientation and gender identity/expression. Although a majority of students (79.1%) reported that their school had some type of policy (see Table 2.3), only 13.5% of students in our survey reported that their school had a comprehensive policy that specifically mentioned both sexual orientation and gender identity/expression (see also Table 2.3).

Policies and guidelines on transgender and nonbinary students. Anti-bullying and harassment policies are critical for ensuring safe school

environments for all students. However, these policies do not explicitly address potential discrimination faced by LGBTQ students. Our research has indicated that transgender and nonbinary youth are at heightened risk for in-school discrimination that can greatly hinder their right to an education (see also the “Experiences of Discrimination at School” section).¹⁰⁸ Some state and local education agencies have developed explicit policies and implemented practices designed to ensure transgender and nonbinary students are provided with equal access to education.¹⁰⁹ For example, to ensure that transgender and nonbinary students are called by the appropriate name and pronouns, some schools have adopted policies that require those at school to use students’ chosen names and pronouns consistent with their gender identity. However, little is known about the prevalence or the content of these types of policies.

In our survey, we asked LGBTQ students whether their school or district had official policies or guidelines to support transgender and nonbinary students, and one in ten LGBTQ students (10.9%) indicated that their school or district did have such a policy (see Figure 2.9). Transgender and nonbinary students were more likely to report that their school or district had official policies in this area than cisgender LGBQ students and students questioning their gender identity (see also Figure 2.9),¹¹⁰ which is not surprising given that these policies are more salient for transgender and nonbinary students who would likely be more aware of their existence.

Students who reported that their school had such a policy were provided a list of nine different areas that the policy might address, and were also provided the opportunity to indicate other areas that were not listed. Responses from transgender and nonbinary students are provided in Table 2.4,

Table 2.3 LGBTQ Students’ Reports of School Bullying, Harassment, and Assault Policies

No Policy/Don’t Know	20.9%
Any Policy	79.1%
Generic (enumerates neither sexual orientation nor gender expression)	57.7%
Partially Enumerated	7.9%
<i>Sexual orientation only</i>	7.0%
<i>Gender identity/expression only</i>	0.9%
Comprehensive (enumerates both sexual orientation and gender identity/expression)	13.5%

both the percentages among only those transgender and nonbinary students who had such a policy and the percentages for all transgender and nonbinary students in the survey. Although we highlight responses from transgender and nonbinary students

specifically in the table, cisgender students in our survey reported inclusion to nearly the same degree as transgender and nonbinary students.¹¹¹ Transgender and nonbinary students most commonly reported that transgender and nonbinary student policies addressed the use of students' names/pronouns (10.9% of all transgender and nonbinary students in the survey, and 89.5% of those with a policy), school bathrooms (8.6% of all transgender and nonbinary students reported use of boys/girls bathroom, and 70.3% of those with a policy; 7.9% of all transgender and nonbinary students reported gender neutral bathroom access, and 64.4% of those with a policy), and changing official school records (7.9% of all transgender and nonbinary students, and 64.9% of those with a policy).¹¹² The least commonly addressed area was housing in dorms or during field trips (3.8% of all transgender and nonbinary students, and 31.0% of those with a policy). Several students also indicated that their policy included other topics, such as access to gender-neutral locker rooms or permission to change unofficial school documents, such as a student identification card or student email address.

Figure 2.9 Percentage of Students Reporting Their School Has Policy/Guidelines Regarding Transgender and Nonbinary Students

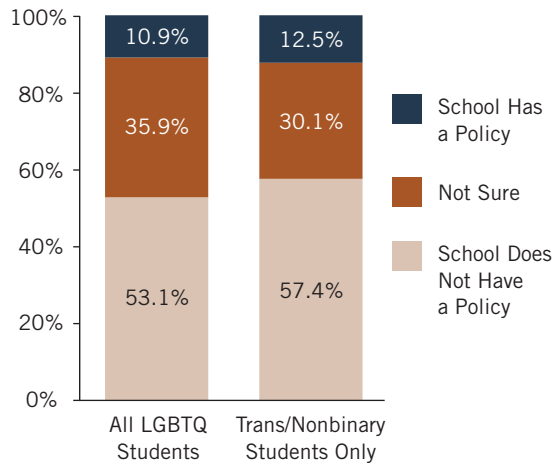


Table 2.4 Transgender and Nonbinary Students' Reports of Areas Addressed in Transgender and Nonbinary Student School Policies and Official Guidelines

	% of Trans/Nonbinary Students* with Policy	% of All Trans/Nonbinary Students in Survey
Use of chosen name/pronouns	89.5%	10.9%
Access to bathroom corresponding to one's gender	70.3%	8.6%
Change in official school records to reflect name or gender change	64.9%	7.9%
Access gender neutral bathroom	64.4%	7.9%
Able to participate in extracurricular activities that match gender identity (non-sports)	54.4%	6.7%
Able to wear clothes that reflect gender identity	48.5%	5.9%
Access to locker rooms that match gender identity	45.5%	5.6%
Participate in school sports that match gender identity	41.7%	5.1%
Stay in housing during field trips or in dorms that matches one's gender identity	31.0%	3.8%
Another topic not listed (e.g., gender-neutral locker rooms, name change on unofficial school documents)	1.5%	0.2%

*"Transgender and nonbinary students" refers to all students in the survey sample who were not cisgender and were not questioning their gender identity, including transgender students, genderqueer students, nonbinary students, and other students with an identity other than cisgender (e.g., agender).

Conclusions

Overall, the findings in this section on “Availability of School-Based Resources and Supports” revealed that many LGBTQ students did not have access to LGBTQ resources and supports at their school. Regarding GSAs, over a third reported that they did not have this type of club at their school. With regard to inclusive curricular resources, the majority of students reported that their classes did not teach positive representations of LGBTQ history, people, or events, and did not include positive representations of LGBTQ topics in sex education. Furthermore, regarding curricular resources, most students did not have access to LGBTQ-inclusive materials and resources, including LGBTQ-related textbooks or other assigned readings, LGBTQ-inclusive content in the curriculum, and LGBTQ-related library resources.

Regarding supportive school personnel, although the vast majority of students could identify at least one supportive school staff member, many students could only identify five or fewer supportive staff.

Furthermore, less than half of LGBTQ students reported that their school administration was somewhat or very supportive, and over a third of the students reported that their administration was neutral in terms of supportiveness. In order to create an inclusive school environment for LGBTQ students, it is important for students to have a wide network of staff at school that they can turn to, and administrators that are proactive in their support for LGBTQ students.

Finally, few LGBTQ students reported having comprehensive anti-bullying/harassment policies or supportive transgender and nonbinary student policies in their school or district. These findings indicate that more efforts are needed to provide positive supports in schools in order to create safer and more affirming school environments for LGBTQ students.

Utility of School-Based Resources and Supports

Key Findings

- LGBTQ students experienced a safer, more positive school environment when:
 - Their school had a Gay-Straight Alliance or Gender and Sexuality Alliance (GSA) or similar student club;
 - They were taught positive representations of LGBTQ people, history, and events through their school curriculum;
 - They had supportive school staff who frequently intervened in biased remarks and effectively responded to reports of harassment and assault; and
 - Their school had an anti-bullying/ harassment policy that specifically included protections based on sexual orientation and gender identity/expression.
- Transgender and nonbinary students in schools with official policies or guidelines to support transgender and nonbinary students had more positive school experience, including less discrimination and more positive school belonging.

School-based resources, such as supportive student clubs, LGBTQ-inclusive curricula, supportive school personnel, and inclusive, supportive policies, may contribute directly to a more positive school environment for LGBTQ students.¹¹³ These institutional supports may also indirectly foster better school outcomes and well-being for students by decreasing the incidence of negative school climate factors, such as anti-LGBTQ remarks and victimization.¹¹⁴ In this section, we examine the relationship between school-based institutional supports and school climate, as well as educational indicators (specifically, absenteeism, academic achievement, educational aspirations, and school belonging), and indicators of student well-being (specifically, self-esteem and depression).

Supportive Student Clubs

Student clubs that address issues of sexual orientation and gender identity/expression, such as GSAs, can provide a safe space for LGBTQ students and their allies to meet, socialize, and advocate for changes in their schools and communities.¹¹⁵ The presence of a GSA may also contribute to a more respectful student body by raising awareness of LGBTQ issues, as well as demonstrate to LGBTQ students that they have allies in their schools.¹¹⁶ As such, GSAs can contribute to safer and more inclusive schools for LGBTQ students.¹¹⁷ We specifically examined how, for LGBTQ students, the availability of a GSA at school impacts negative indicators of school climate, as well as peer intervention regarding

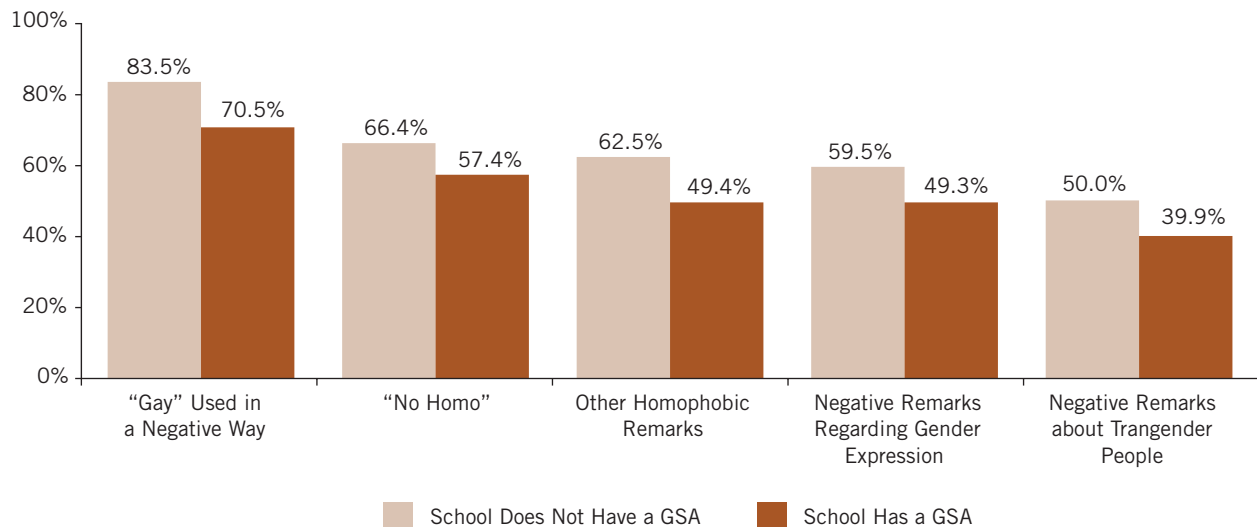
anti-LGBTQ remarks, as well as peer acceptance of LGBTQ people. We also examined how the availability of GSAs impacts LGBTQ students' connection to school staff, and feelings of school belonging and well-being.

Biased language, school safety, and absenteeism.

We found that LGBTQ students in our survey who attended schools with a GSA were less likely to report negative indicators of school climate. LGBTQ students in schools with a GSA:

- Heard anti-LGBTQ remarks less frequently than LGBTQ students in schools without a GSA (see Figure 2.10).¹¹⁸ For example, 49.4% of students in schools with a GSA reported hearing homophobic remarks such as “fag” or “dyke” often or frequently, compared to 62.5% of students in schools without a GSA;
- Were less likely to feel unsafe regarding their sexual orientation (53.6% vs. 67.4% of students without a GSA) or gender expression (40.2% vs. 46.0%; see Figure 2.11);¹¹⁹ and
- Experienced less severe victimization related to their sexual orientation or gender expression (see Figure 2.12).¹²⁰ For example, a quarter of students (24.9%) in schools with a GSA experienced higher levels of victimization based on sexual orientation, compared to two-fifths of students (40.1%) in schools without GSAs.

Figure 2.10 Presence of GSAs and Frequency of Hearing Biased Remarks
(Percentage of LGBTQ Students Hearing Remarks Often or Frequently)



Perhaps, in part, because of the positive effect of GSAs on school climate, LGBTQ students in schools with a GSA were less likely to have missed school in the past month because of feeling unsafe or uncomfortable (28.4% vs. 39.6% without a GSA; see also Figure 2.11).¹²¹

presence of a GSA may make it easier for LGBTQ students to identify a supportive school staff person. Indeed, students in schools with a GSA could identify more supportive staff members than students in schools without a GSA.¹²² For example, as shown in Figure 2.13, over half of LGBTQ students (55.8%) with a GSA reported having 11 or more supportive staff, compared to just one-fifth (20.6%) of those without a GSA in their school.

Students' connections to school staff. Given that GSAs typically have at least one faculty advisor, the

Figure 2.11 Presence of GSAs and LGBTQ Students' Feelings of Safety and Missing School

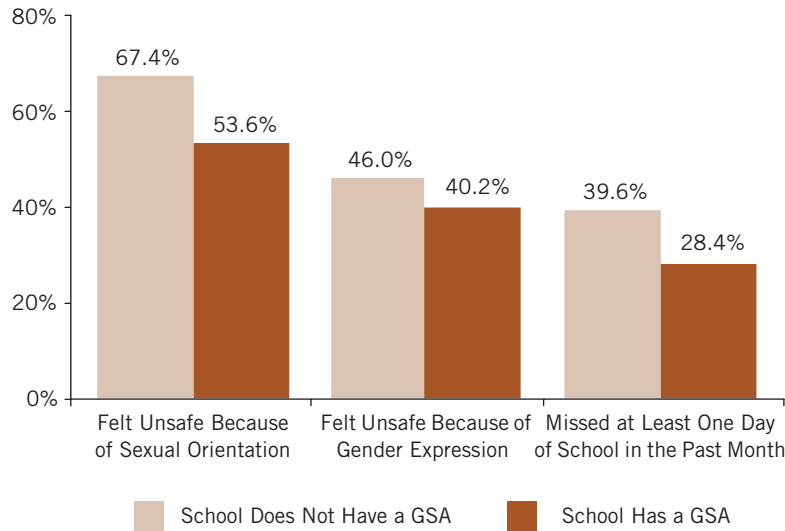


Figure 2.12 Presence of GSAs and Victimization
(Percentage of LGBTQ Students Experiencing Higher Levels of Victimization)

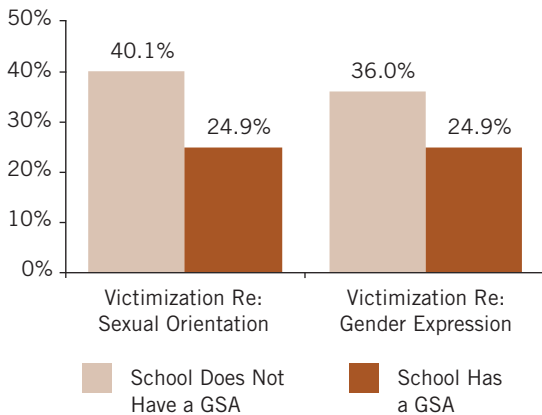
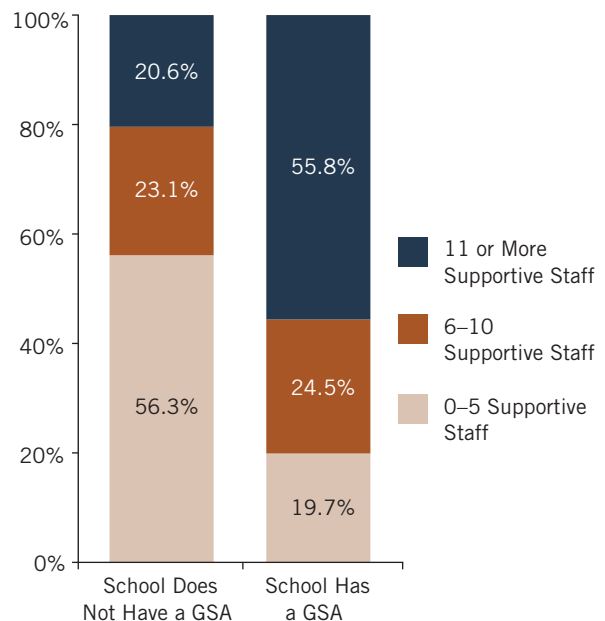


Figure 2.13 Presence of GSAs and Number of School Staff Supportive of LGBTQ Students



“I really wish that so many other LGBTQ+ kids could come to our school and feel the support we do, or at least have the ability to come to a GSA like ours which inputs so much change in our school community, and provides so much support for its members.”

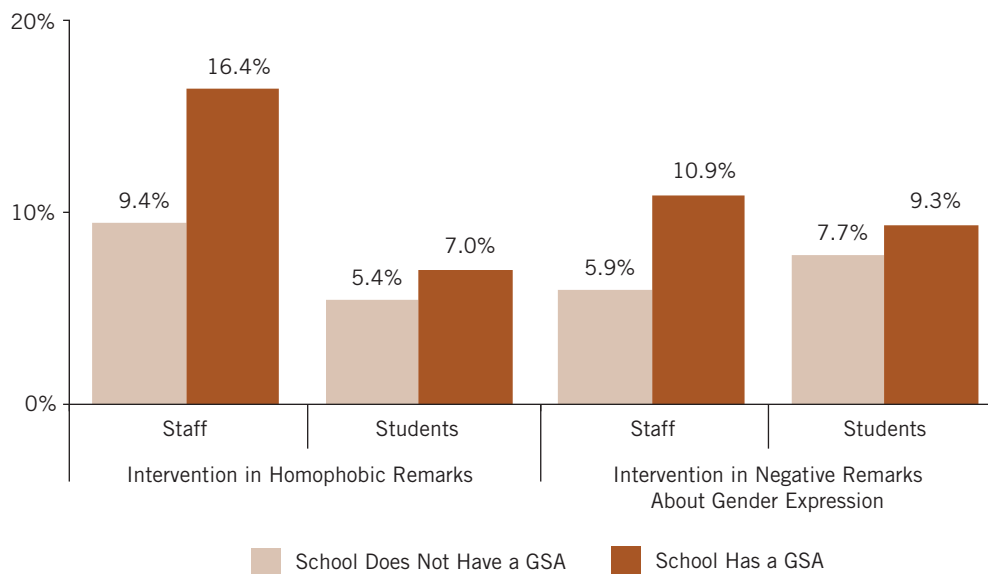
GSA increase visibility around anti-LGBTQ bullying and discrimination in school. In addition, some GSAs also conduct trainings or workshops for faculty on LGBTQ student experiences. By increasing awareness of anti-LGBTQ bias in the school environment or promoting training for educators on LGBTQ issues, GSAs may help increase rates of staff intervention when anti-LGBTQ biased remarks occur. We found that staff in schools with GSAs intervened in homophobic remarks and negative remarks about gender expression more frequently than educators in schools without a GSA.¹²³ For example, 16.4% of staff in schools with GSAs intervened in homophobic remarks most of the time or always, compared to 9.4% of staff in schools without GSAs (see Figure 2.14).

Peer acceptance and intervention. GSAs provide an opportunity for LGBTQ students and their allies to meet together in the school environment, and they may also provide an opportunity for LGBTQ students and issues to be visible to other students

in school. In addition, GSAs may engage in activities designed to combat anti-LGBTQ prejudice and raise awareness about LGBTQ issues. Overall, 31.9% of LGBTQ students participated in a GLSEN Day of Action, such as the Day of Silence,¹²⁴ and those who had a GSA in their school were much more likely to participate than those who did not have a GSA (41.5% of those with a GSA vs. 16.6% of those without).¹²⁵ As such, GSAs may foster greater acceptance of LGBTQ people among the student body, which in turn may result in a more positive school climate for LGBTQ students.

Among all students in our survey, 43.5% reported that their peers were somewhat or very accepting of LGBTQ people.¹²⁶ Students who attended schools with a GSA were much more likely than those without a GSA to report that their classmates were accepting of LGBTQ people: 52.0% of LGBTQ students in schools with GSAs described their peers as accepting, compared to 29.9% of those in schools without a GSA.¹²⁷ GSAs were also related to increased student intervention regarding biased

Figure 2.14 Presence of GSAs and Intervention in Anti-LGBTQ Remarks
(Percentage of LGBTQ Students Reporting that Staff and Students Intervene Most of the Time or Always)



remarks — students in schools with GSAs reported that other students intervened more often when hearing homophobic remarks and negative remarks about gender expression than those in schools without GSAs (see Figure 2.14).¹²⁸

School belonging and student well-being. Given that LGBTQ students with a GSA report having supportive educators and more accepting peers, it is likely that these students may also have greater feelings of connectedness to their school community and more positive feelings about themselves and their LGBTQ identity. Indeed, we found that LGBTQ students in schools with GSAs reported greater feelings of school belonging,¹²⁹ lower levels of depression, and higher levels of self-esteem¹³⁰ than students in schools without GSAs.

As shown above, having a GSA at school benefits LGBTQ students in several ways. Students in schools with GSAs reported fewer homophobic remarks and negative remarks about gender expression, experienced less anti-LGBTQ victimization, were less likely to feel unsafe and miss school for safety reasons, and reported a greater sense of belonging to their school community and increased psychological well-being. However, many LGBTQ students do not have access to GSAs at their school, and given the benefits of GSAs, more work is needed to make GSAs available to all students in order to help create safer and more inclusive schools.

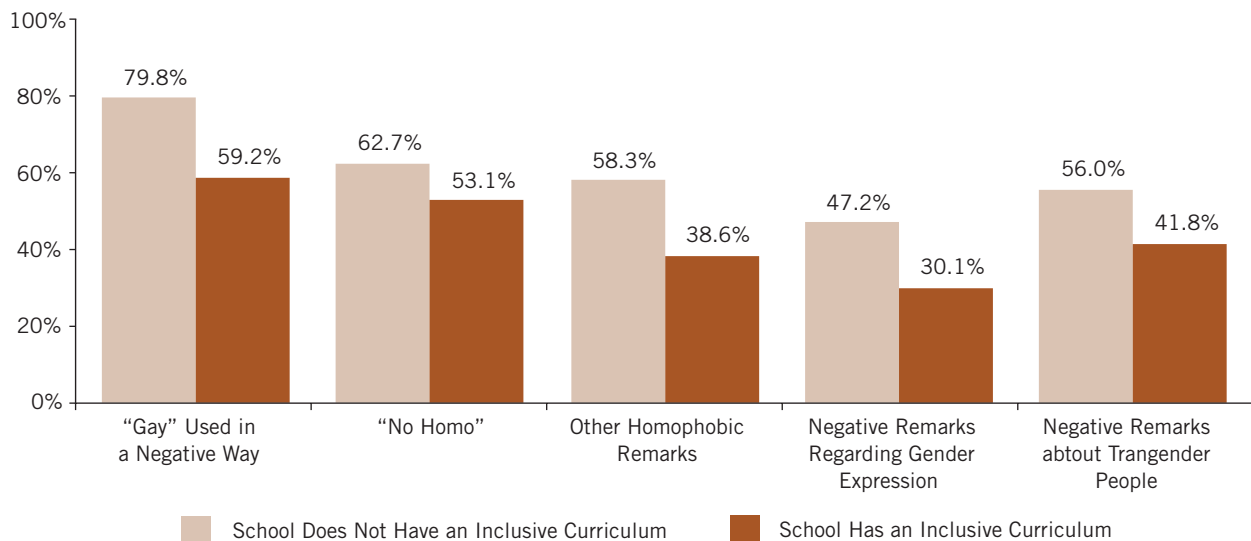
Inclusive Curricular Resources

Many experts in multicultural education believe that a curriculum that is inclusive of diverse groups -including diverse cultures, races, ethnicities, genders, and sexual orientations - instills a belief in the intrinsic worth of all individuals and in the value of a diverse society.¹³¹ Including LGBTQ-related issues in the curriculum in a positive manner may make LGBTQ students feel like more valued members of the school community, and it may also promote more positive feelings about LGBTQ issues and persons among their peers, thereby resulting in a more positive school climate.¹³² Thus, we examined the relationship between access to LGBTQ-inclusive curricular resources and various indicators of school climate and well-being.

Biased language. Among the LGBTQ students in our survey, attending a school that included positive representations of LGBTQ topics in the curriculum was related to less frequent use of anti-LGBTQ language.¹³³ Specifically, LGBTQ students in schools with an LGBTQ-inclusive curriculum:

- Heard homophobic remarks less frequently than students in schools without an inclusive curriculum (see Figure 2.15);
- Heard negative remarks about gender expression less frequently than students in schools without an inclusive curriculum (see also Figure 2.15); and

Figure 2.15 LGBTQ-Inclusive Curriculum and Frequency of Hearing Anti-LGBTQ Remarks



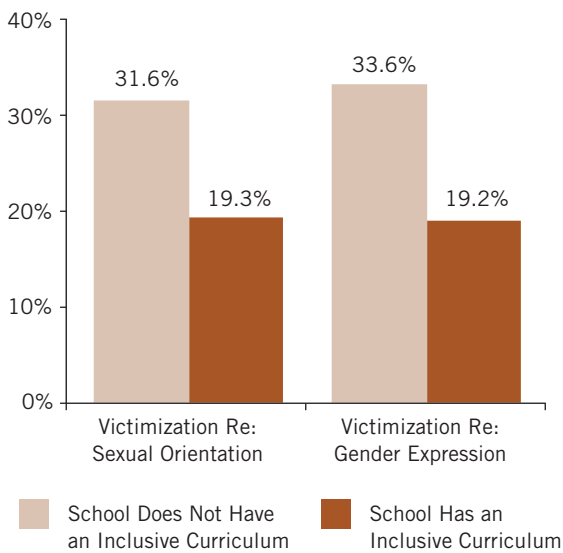
- Heard negative remarks about transgender people less frequently than students in schools without an inclusive curriculum (see also Figure 2.15).

- Reported less severe victimization based on sexual orientation and on gender expression than students in schools without an inclusive curriculum (see Figure 2.16);¹³⁴

Victimization and school safety. Attending a school with an LGBTQ-inclusive curriculum was also related to greater school safety and fewer absences related to feeling unsafe at school. Specifically, LGBTQ students in schools with an LGBTQ-inclusive curriculum:

- Were less likely to feel unsafe at school because of their sexual orientation and their gender expression than those without an inclusive curriculum (see Figure 2.17);¹³⁵ and
- Were less likely to report having missed school due to feeling unsafe or uncomfortable (see also Figure 2.17).¹³⁶

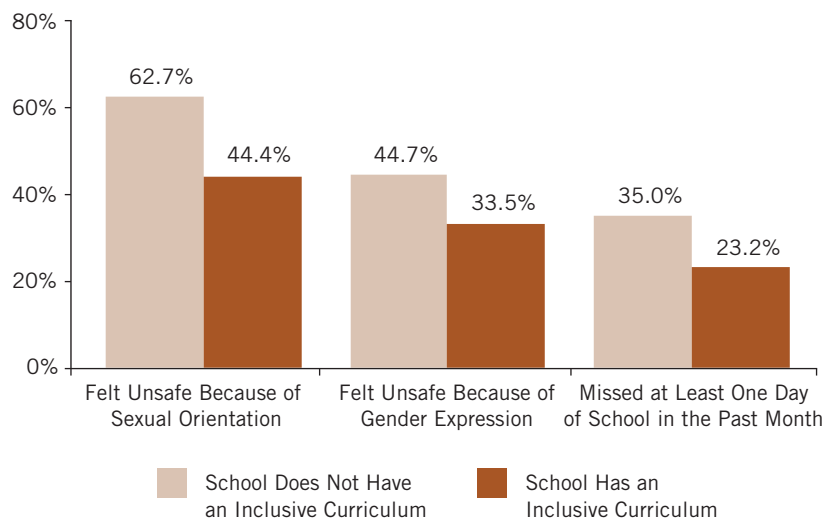
Figure 2.16 LGBTQ-Inclusive Curriculum and Frequency of Hearing Anti-LGBTQ Remarks



Students’ connections to school staff. When educators include LGBTQ-related content in their curriculum, they may also be sending a message that they are open to discussing LGBTQ-related issues with their students. LGBTQ students in schools with an inclusive curriculum were more likely to say they felt comfortable discussing these issues with their teachers than students in schools without an inclusive curriculum — almost two-thirds of students (64.6%) with an inclusive curriculum indicated they felt “somewhat” or “very” comfortable talking with their teachers about these issues, compared to just over one-third of students (36.4%) without an inclusive curriculum.¹³⁷

Achievement and aspirations. Inclusive curricula can serve a vital role in creating an affirming learning environment where LGBTQ students see themselves reflected in their classroom. This may result in increased student engagement and may encourage

Figure 2.17 LGBTQ-Inclusive Curriculum and LGBTQ Students’ Feelings of Safety and Missing School



students to strive academically which, in turn, may yield better educational outcomes. Indeed, we found that LGBTQ students in schools with an inclusive curriculum reported a somewhat higher grade point average (GPA) than those in schools without an inclusive curriculum (3.32 vs. 3.23).¹³⁸ We also found that students with an LGBTQ-inclusive curriculum evidenced higher academic aspirations — students in schools with an inclusive curriculum were less likely to say they did not plan to pursue some type of post-secondary education compared to LGBTQ students in schools without an inclusive curriculum (6.1% vs. 8.3%).¹³⁹

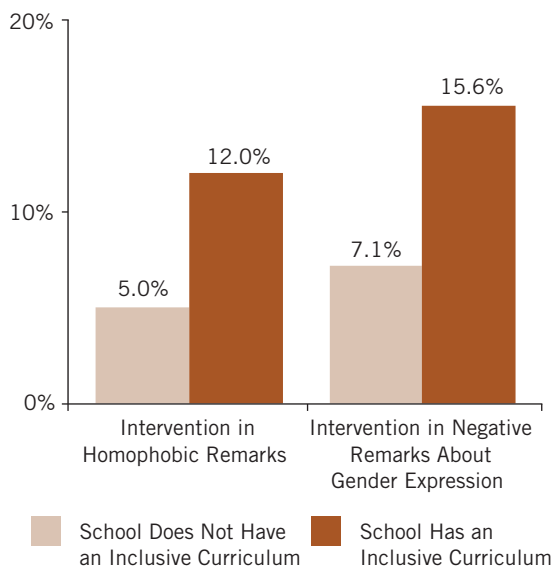
Peer acceptance and peer intervention. The inclusion of positive portrayals of LGBTQ topics in the classroom may not only have a direct effect on LGBTQ students' experiences, but may also help educate the general student body about LGBTQ issues and promote respect and understanding of LGBTQ people in general. LGBTQ students who attended schools with an LGBTQ-inclusive curriculum were much more likely to report that their classmates were somewhat or very accepting of LGBTQ people (66.9% vs. 37.9%).¹⁴⁰ Increased understanding and respect may lead students in general to speak up when they witness anti-LGBTQ behaviors. Although overall rates of students' intervention regarding these types of remarks were low, we found that LGBTQ students in schools with an inclusive curriculum reported that other students were more than twice as likely to intervene most or

all of the time when hearing homophobic remarks and negative remarks about gender expression, compared to students in schools without an inclusive curriculum (see Figure 2.18).¹⁴¹

School belonging and well-being. Given that having positive curricular inclusion was related to a greater number of supportive educators and more accepting peers, it is likely that being taught a curriculum that is inclusive of LGBTQ people and topics would also be related to LGBTQ students feeling more connected to their school community, and more positively about themselves and their LGBTQ identity. Indeed, we found that access to an inclusive curriculum was related to greater feelings of school belonging,¹⁴² higher self-esteem, and lower depression¹⁴³ among the LGBTQ students in our survey.

Overall, we found that access to inclusive curriculum is related to a more positive school climate. Students who are taught an LGBTQ-inclusive curriculum report less anti-LGBTQ biased language and victimization, and are less likely to feel unsafe and miss school because of their LGBTQ identity than those who do not have access to LGBTQ-inclusive curriculum. LGBTQ students with an inclusive curriculum are more comfortable talking to school staff about LGBTQ topics and report that their peers are more accepting. Finally, students at schools with an inclusive curriculum report higher levels of school belonging and self-esteem and lower levels of depression. However, as we saw in the “Availability of School-Based Resources and Supports” section, most LGBTQ students are not taught positive LGBTQ-related information and many lack access to other LGBTQ-inclusive curricular resources at school. It is important for educators to implement LGBTQ-inclusive curriculum in their classes, as increased access to LGBTQ-inclusive curriculum and curricular resources can lead to more positive school experiences for LGBTQ students.

Figure 2.18 LGBTQ-Inclusive Curriculum and Student Intervention in Anti-LGBTQ Remarks



Supportive School Personnel

Having supportive teachers and school staff can have a positive effect on the educational experiences of any student, and has been shown to increase student motivation to learn and positive engagement in school.¹⁴⁴ Given that LGBTQ students often feel unsafe and unwelcome in school, having access to school

personnel who provide support may be particularly critical for these students.¹⁴⁵ Therefore, we examined the relationships between the presence of supportive staff and several indicators of school climate.

School safety and absenteeism. Having staff supportive of LGBTQ students was related to feeling safer in school and missing fewer days of school. As shown in Figure 2.19, students with more supportive staff at their schools were less likely to feel unsafe regarding their sexual orientation or gender expression, as well as less likely to miss school because of feeling unsafe or uncomfortable.¹⁴⁶ For example, 44.8% of students with a high number (11 or more) of supportive staff reported feeling unsafe regarding their sexual orientation, compared to 74.2% of students with low number (0 to 5) of supportive staff.

Achievement and aspirations. Supportive staff members serve a vital role in creating an affirming learning environment that engages students and encourages them to strive academically. Therefore, it stands to reason that supportive staff would be related to LGBTQ students' educational outcomes. We found that students with more supportive staff had greater educational aspirations.¹⁴⁷ For example, as seen in Figure 2.20, approximately one-tenth of students (10.6%) with a low number

(0 to 5) of supportive staff said they did not plan to pursue post-secondary education, compared to only 4.7% of students with a high number (11 or more) of supportive staff. We also found that students with more supportive staff reported higher GPAs: students with 0 to 5 supportive staff reported an average GPA of 3.14, compared to a GPA of 3.34 for students with 11 or more supportive staff (see Table 2.5).¹⁴⁸

School belonging and well-being. As we saw with having a GSA and an LGBTQ-inclusive curriculum, having supportive school personnel may also enhance a student's connection to school. Students with more supportive staff members expressed higher levels of school belonging.¹⁴⁹ Increased feelings of connection may also have a positive effect on student well-being. We found that LGBTQ students in schools with more supportive staff reported higher levels of self-esteem and lower levels of depression.¹⁵⁰

Staff responses to anti-LGBTQ remarks and victimization. School staff members serve a vital role in ensuring a safe learning environment for all students, and, as such, should respond to biased language and all types of victimization. We found that students felt safer at school when they had educators who intervened more often when anti-LGBTQ remarks were made.¹⁵¹ As shown in Figure 2.21, students in schools where staff intervened most of the time or always in

Figure 2.19 Supportive School Staff and Feelings of Safety and Missing School

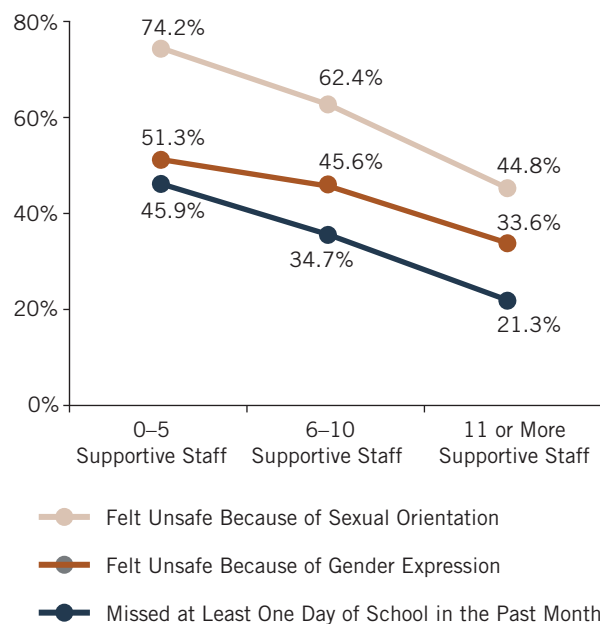
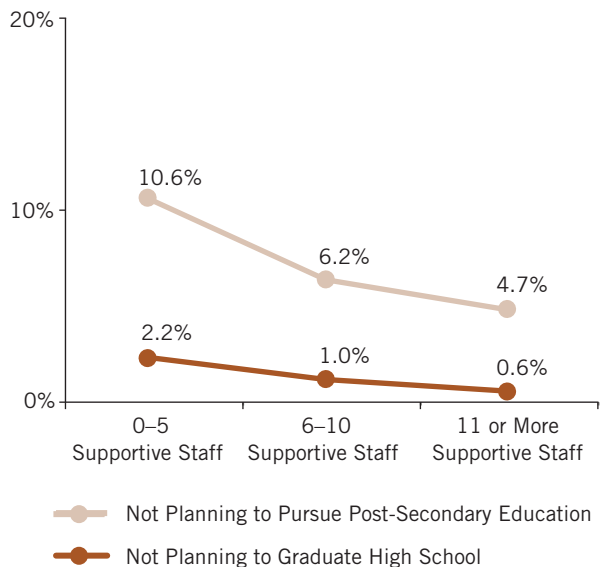


Figure 2.20 Supportive School Staff and Educational Aspirations



response to anti-LGBTQ remarks were less likely to report that they felt unsafe regarding their sexual orientation or gender expression (55.6% vs. 76.2%). Staff intervention was also related to fewer days of missing school.¹⁵² Nearly two-fifths of students (38.1%) in schools where school staff never intervened or intervened only sometimes in anti-LGBTQ remarks had missed school due to feeling unsafe or uncomfortable, compared to a fourth of students (25.0%) in schools where staff members intervened most or all of the time (see also Figure 2.21).

When school staff respond to incidents of victimization, the overarching goals should be to protect students, prevent future victimization, and demonstrate to the student body that such actions will not be tolerated. Clear and appropriate actions on the part of school staff regarding harassment and assault can improve the school environment for LGBTQ youth and may also serve to deter future acts of victimization.¹⁵³ In fact, as shown in Figure 2.22, when students believed that staff effectively addressed harassment and assault, they were less likely to feel unsafe at school regarding their sexual orientation or gender expression (67.9% vs. 84.2%)¹⁵⁴ and less likely to miss school because they felt unsafe or uncomfortable

“My teachers are usually very kind, and four have openly defended me/LGBT rights. Two have given me serious emotional help and have made my life feel less terrible.”

Table 2.5 Supportive Staff and LGBTQ Students' Academic Achievement	
	Mean Reported Grade Point Average (GPA)
0 to 5 Supportive Staff	3.14
6 to 10 Supportive Staff	3.22
11 or More Supportive Staff	3.34

Figure 2.21 Feelings of Safety and Staff Intervention Regarding Negative Remarks about Sexual Orientation or Gender Expression
(Percentage of LGBTQ Students Who Felt Unsafe or Missed School)

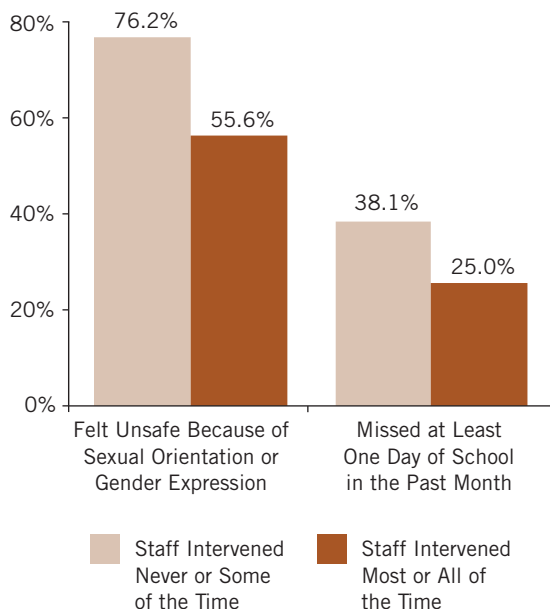
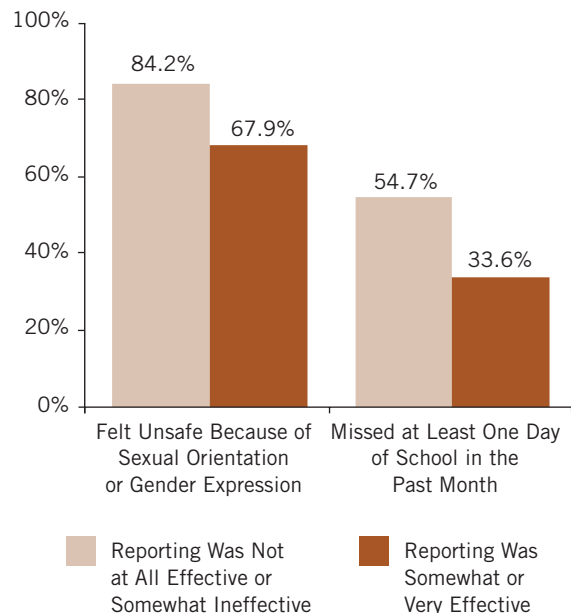


Figure 2.22 Effectiveness of Staff Response to Harassment/Assault and LGBTQ Students' Feelings of Safety and Missing School
(Percentage Among Those Who Reported Victimization to Staff, n = 4824)



(33.6% vs. 54.7%).¹⁵⁵ In addition, as shown in Figure 2.23, students in schools where staff responded effectively experienced lower levels of victimization based on their sexual orientation or gender expression. For example, 30.4% of students who reported that staff intervened effectively experienced higher levels of victimization based on gender expression, compared to over half of students (52.2%) who reported that staff responded ineffectively.¹⁵⁶

Visible displays of support. One of the many ways that educators can demonstrate to LGBTQ students that they are supportive allies is through visible displays of support, such as GLSEN’s Safe Space stickers and posters. LGBTQ students who reported seeing Safe Space stickers and posters were more likely to report having supportive teachers and other staff at their schools.¹⁵⁷ For instance, as shown in Figure 2.24, just over half of students (56.1%) who had seen a Safe Space sticker or poster were able to identify a high number of supportive staff (11 or more) in their schools, compared to less than a fifth of students (18.8%) who had not seen a Safe Space sticker or poster at school.

LGBTQ-supportive school staff play a critical role in creating a more positive school climate for LGBTQ students. When LGBTQ students attend school with more caring adults to whom they can turn, they feel safer and more connected to the school community, and are more likely to plan on graduating and going on to post-secondary education. Further, when school staff demonstrate their support for LGBTQ students by intervening on anti-LGBTQ language or effectively responding to harassment, they help to reduce hostile school experiences for LGBTQ youth, thereby improving the learning environment for LGBTQ students. Our findings also highlight the importance of having several LGBTQ-supportive staff at school, rather than only a few. Having a large network of supportive staff may create more spaces throughout the school where LGBTQ students can feel at ease about their identities, and where anti-LGBTQ remarks and harassment are interrupted. Thus, schools must invest in professional development for all staff on recognizing and responding to the needs of LGBTQ students, and effectively intervening in bias-based harassment.

Figure 2.23 Effectiveness of Staff Response to Harassment/Assault and LGBTQ Students’ Experiences of Victimization
(Percentage Experiencing Higher Severities of Victimization, Among Those Who Reported Victimization to Staff, n = 4654)

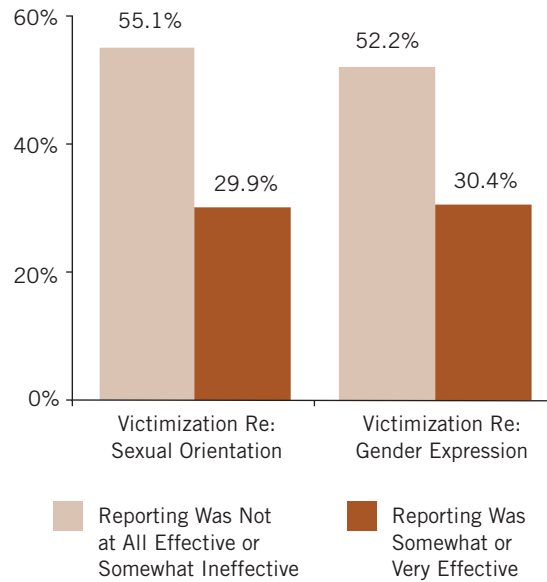
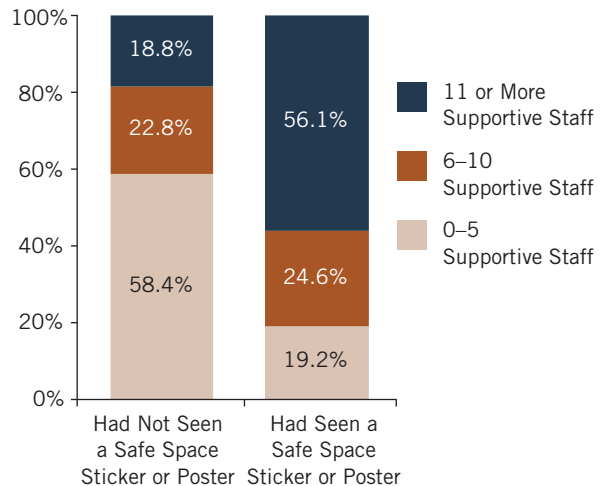


Figure 2.24 Safe Space Stickers/Posters and Number of Supportive School Staff



Inclusive and Supportive School Policies

Inclusive and supportive school policies can help to ensure that students are safe, respected, and feel valued in their school. Not only do policies specify prohibited and allowable behaviors, but they also serve to set a tone for the entire school community. When these policies are supportive of LGBTQ students, they can contribute to more positive school climate for these students.

Policies for addressing bullying, harassment, and assault. Comprehensive anti-bullying/harassment policies can help ensure schools are safe for LGBTQ students in that they explicitly state protections from victimization based on sexual orientation and gender identity/expression. Furthermore, comprehensive anti-bullying/harassment policies may also provide school staff with the guidance needed to appropriately intervene when students use anti-LGBTQ language and when LGBTQ students report incidents of harassment and assault.

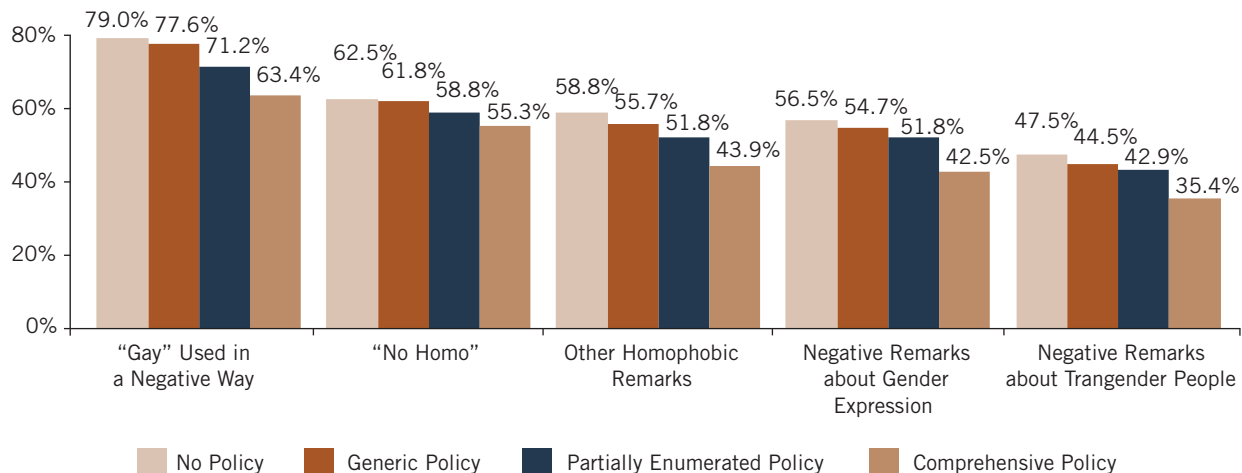
Anti-LGBTQ language. Overall, LGBTQ students in schools with comprehensive policies were the least likely to hear anti-LGBTQ language, followed by those in schools with partially enumerated policies and schools with generic policies (see Figure 2.25).¹⁵⁸ Students with no anti-bullying and harassment policy were most likely to hear such language. For example, 35.4% of students in schools with a comprehensive policy commonly heard negative remarks about transgender people, compared to 42.9% of students in schools with

partially enumerated policies, 44.5% in schools with generic policies, and 47.5% in schools with no policy.

Experiences of anti-LGBTQ victimization. Overall, LGBTQ students in schools with comprehensive policies experienced the lowest levels of anti-LGBTQ victimization, followed by partially enumerated and generic policies (see Figure 2.26).¹⁵⁹ Students with no anti-bullying and harassment policy reported the highest levels of experiences with anti-LGBTQ victimization. Furthermore, students in schools with comprehensive policies experienced lower levels of victimization based on gender expression and on sexual orientation than compared to those in schools with a generic policy (i.e., those that have no enumeration) and with no policy. For example, 23.4% of students in schools with a comprehensive policy reported higher levels of victimization based on gender expression, compared to 29.5% in schools with a generic policy, and 33.2% in schools with no policy.

Responses to anti-LGBTQ remarks. School anti-bullying/harassment policies often provide guidance to educators in addressing incidents of harassment and biased remarks. Even though students reported, in general, that staff intervention was a rare occurrence, it was more common in schools with anti-bullying policies. Students in schools with comprehensive policies reported the highest frequencies of staff intervention when anti-LGBTQ remarks occurred, followed by partially enumerated policies, and generic policies (see Figure 2.27).¹⁶⁰ Students with no anti-bullying and harassment

Figure 2.25 School Harassment/Assault Policies and Frequency of Hearing Anti-LGBTQ Remarks
(Percentage of LGBTQ Students Hearing Remarks Often or Frequently)



policy reported the lowest frequencies of staff intervention. For example, a quarter of LGBTQ students (25.3%) in schools with comprehensive policies said teachers intervened most of the time or always when homophobic remarks were made, compared to under a fifth of those (17.8%) in schools with partially enumerated policies, 13.0% in schools with a generic policy, and 6.8% in schools with no policy.

Students' reporting of victimization to school staff and effectiveness of staff response. Policies may provide guidance to students on reporting bullying and harassment, but perhaps more importantly, policies may also signal that students' experiences of victimization will be addressed by

school officials. We found that the presence of a comprehensive anti-bullying policy was related to reporting of victimization — students in schools with a comprehensive school policy were most likely to report victimization to school staff than all other students in the survey (see Figure 2.28). We did not find that students in schools with partially enumerated policies differed from students with generic policies regarding reporting incidents of victimization to school staff.¹⁶¹ There were no differences in reporting victimization among the other three types of policies. LGBTQ students in schools with comprehensive policies were also more likely to report that when staff responded to victimization, their responses were effective (see also Figure 2.28).¹⁶² LGBTQ students in

Figure 2.26 School Harassment/Assault Policies and Experiences of Victimization
(Percentage of LGBTQ Students Experiencing Higher Levels of Victimization)

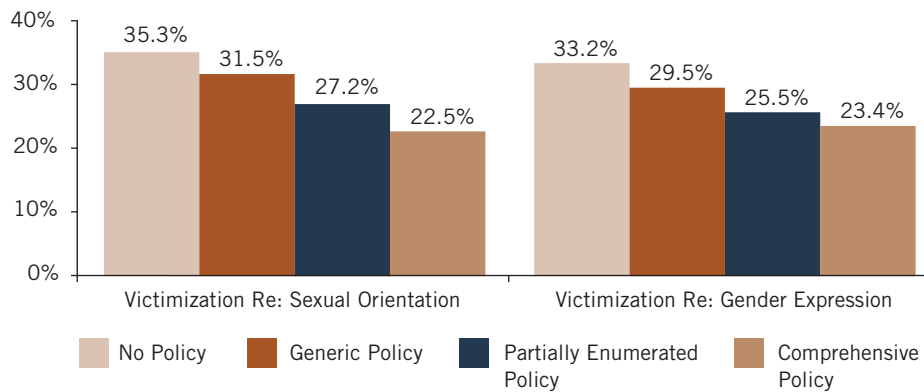
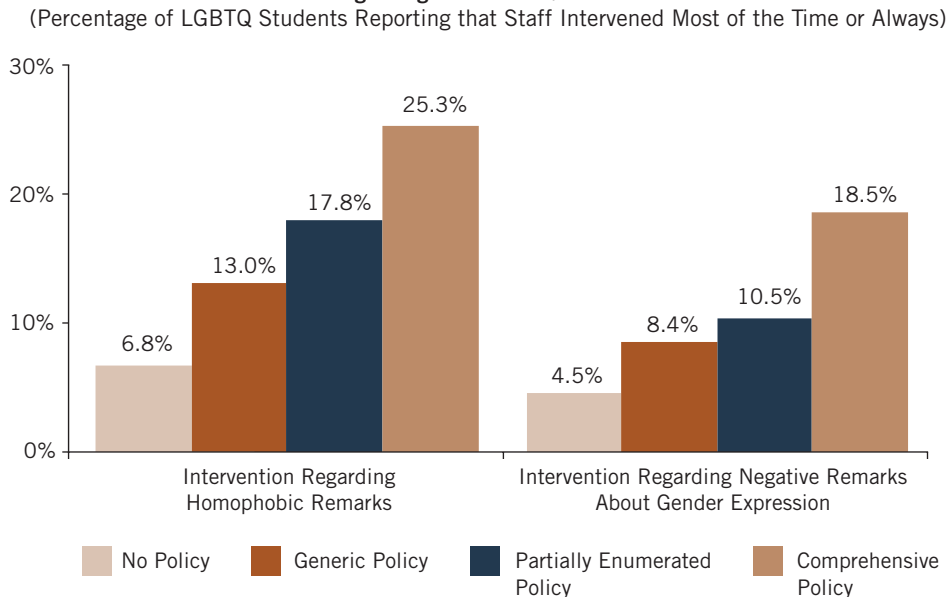


Figure 2.27 School Harassment/Assault Policies and Staff Intervention Regarding Anti-LGBTQ Remarks
(Percentage of LGBTQ Students Reporting that Staff Intervened Most of the Time or Always)



schools with comprehensive policies and partially enumerated policies were more likely to report that staff responses were effective, compared to all other students. We did not find that students in schools with comprehensive policies differed from students with partially enumerated policies regarding effectiveness of staff responses.

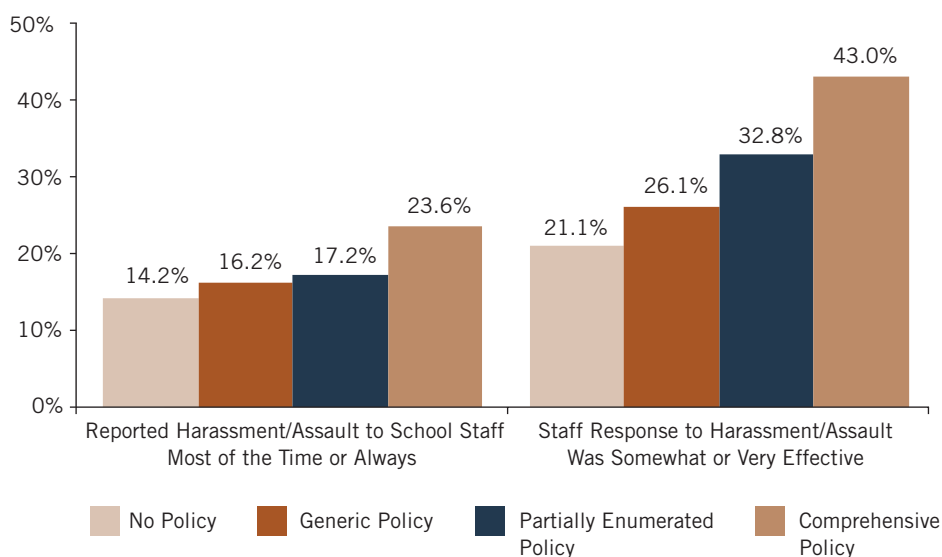
Collectively, these findings suggest that comprehensive policies are more effective than other types of policies in promoting a safe school environment for LGBTQ students. These policies may send the message to teachers and other school staff that responding to LGBTQ-based harassment is expected and critical. As we saw in our results, school personnel intervened more often and more effectively when the school was reported to have a comprehensive policy. In addition, comprehensive policies may be effective in curtailing anti-LGBTQ language and behaviors among students — students in schools with comprehensive policies reported the lowest incidence of homophobic remarks, negative remarks about gender expression, negative remarks about transgender people, and reported the lowest levels of anti-LGBTQ victimization. These policies may also send a message to students that LGBTQ-based harassment is not tolerated, and that students should take appropriate action when witnessing LGBTQ-based harassment. Thus, comprehensive policies may signal to all members of the school community that anti-LGBTQ victimization and biased remarks are not tolerated.

Policies and official guidelines on transgender and nonbinary students. School or district policies detailing the rights and protections afforded to transgender and nonbinary students help to ensure these students have access to an education. These policies can also serve to send the message that transgender and nonbinary students are a valuable and important part of the school community.

Transgender and nonbinary policies/guidelines and students' experiences of discrimination. We examined whether the presence of a policy or official guidelines supporting transgender and nonbinary students was related to experiences of gender-related discrimination at school for these students. We found that having a supportive transgender and nonbinary policy was related to a lower likelihood of gender-related discrimination — specifically, being prevented from using bathrooms of their gender identity, prevented from using locker rooms of their gender identity, prevented from wearing clothes deemed “inappropriate” based on gender, and prevented from using their chosen name or pronouns.¹⁶³ For example, as shown in Figure 2.29, transgender and nonbinary students in schools with a transgender and nonbinary student policy were less than half as likely as those in schools without a policy to experience discrimination related to their name or pronouns in school (18.8% vs. 44.9%).

As discussed in the “Experiences of Discrimination at School” section of this report, we asked about

Figure 2.28 School Harassment/Assault Policies, Reporting Harassment/Assault, and Effectiveness of Staff Response



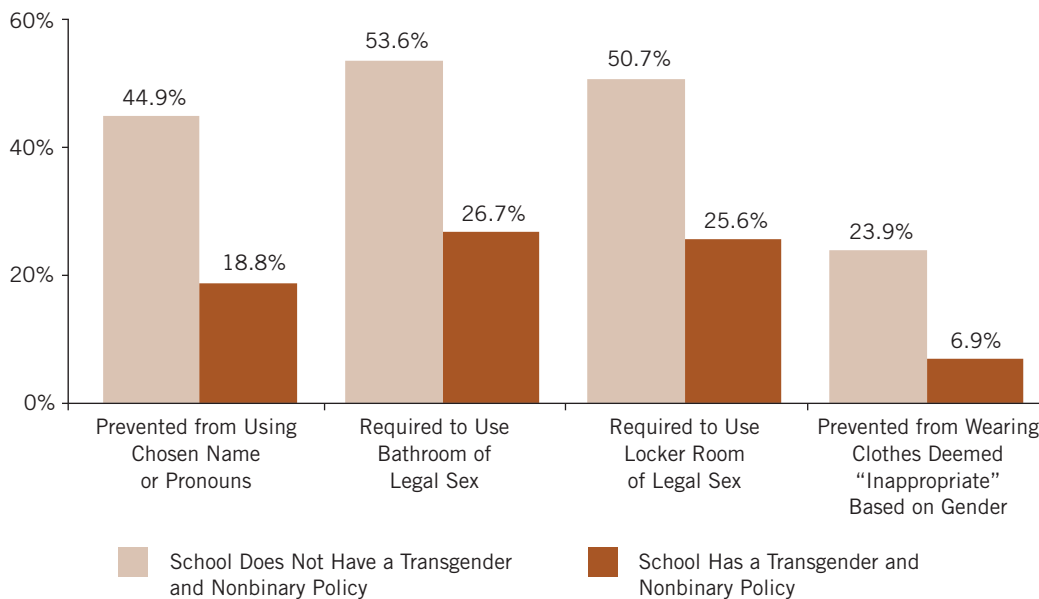
specific forms of gender-related discriminatory school policies and practices experienced by transgender and nonbinary students. We further asked transgender and nonbinary students whether there were any policies that protect against those specific forms of gender-related discrimination. For example, we asked if they were prevented from using the bathroom aligned with their gender identity, and here we asked whether there was any policy to specifically protect them from bathroom discrimination. We examined whether inclusion of protections regarding boys/girls bathrooms, gender-neutral bathrooms, locker rooms, clothing/dress codes, and name/pronouns usage were related to the discrimination experiences associated with those protections (bathroom, locker rooms, clothing/dress code, and name/pronouns usage, respectively).

Regarding locker rooms, we found that transgender and nonbinary students with policies specifying locker room access were less likely to have been prevented from using the locker room of their gender.¹⁶⁴ Similarly, regarding bathroom access, we found that transgender and nonbinary students in schools with policies explicitly allowing them access to boys’ or girls’ bathrooms consistent with their gender identity, as well as those with policies allowing them access to gender neutral bathrooms, were less likely to be prevented from using

bathrooms that were consistent with their gender.¹⁶⁵ With regard to experiences of discrimination related to names/pronouns for transgender and nonbinary students, we found that transgender and nonbinary students in schools with policies having the specific inclusion of name/pronoun protections were less likely to be prevented from using their chosen names/pronouns.¹⁶⁶ However, with regard to the experiences of clothing-related discrimination, inclusion of protections related to gendered dress codes was not related to clothing discrimination.¹⁶⁷ It may be that certain types of discrimination, such as enforcing restrictive gendered dress code policies, may be more dependent on individual school staff and their knowledge or interpretation of the policy, and this finding may indicate a need for staff training on the policy and its implementation.

The findings on locker room and bathroom policies highlight the importance of codifying access to these spaces for transgender and nonbinary students in official policies, given that transgender and nonbinary students in schools with such policies reported less discrimination.¹⁶⁸ In addition, our findings demonstrate how policies about names and pronouns are crucial as they were associated with less discrimination of that type. Furthermore, previous research has shown that preventing

Figure 2.29 Transgender and Nonbinary Policy and Gender-Related Discrimination
(Percentage of Transgender and Nonbinary Students Experiencing Type of Discrimination in School)



transgender and nonbinary students from using their chosen pronouns is associated with lowered psychological well-being,¹⁶⁹ which, along with our findings on names/pronouns discrimination, underscore the importance of enforcing the implementation of such policies. Regarding clothing-related discrimination, the findings may reflect the need for effective implementation of policies, including notification, enforcement, and related training.

Transgender and nonbinary official policies/guidelines and school engagement. Having policies that provide access and support to transgender and nonbinary students may help students feel comfortable and welcome in their school, ultimately resulting in greater school engagement. In fact, we found that transgender and nonbinary students in schools with these policies or guidelines were more engaged with their school community. Transgender and nonbinary students with supportive transgender and nonbinary policies were less likely to miss school due to feeling unsafe or uncomfortable — 63.5% of those with a policy had not missed school for those reasons, compared to 57.6% of students without a policy (see Figure 2.30).¹⁷⁰ Furthermore, transgender and nonbinary students with these policies also felt more connected to their school community; they reported higher levels of school belonging than those without policies.¹⁷¹

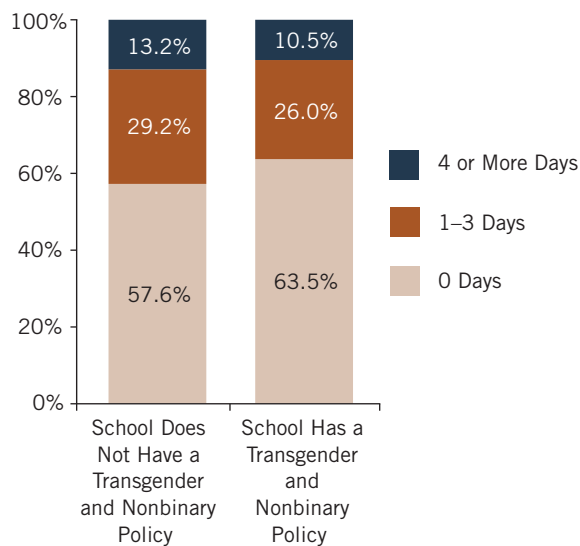
In addition to the presence of any type of transgender and nonbinary policy, policies that are more comprehensive and cover more areas of protection may be more effective in promoting school engagement for these youth. We found that among transgender and nonbinary students whose school had a transgender and nonbinary policy, the number of protections addressed in these policies was related to greater school belonging, but was not related to absenteeism.¹⁷² Thus, the more comprehensive a school’s policy is, the more effective it may be in ensuring transgender and nonbinary students feel connected to their school.

These findings indicate that having specific policies or official guidelines that explicitly document the rights of transgender and nonbinary students can greatly improve the school experience for these students. Given transgender and nonbinary students are at higher risk of in-school victimization, absenteeism, school discipline, and ultimately leaving school altogether,¹⁷³ it is critical

that schools institute policies to help safeguard these students’ rights and ensure they have equal access to an education. For instance, the findings regarding locker room and bathroom discrimination indicate that allowing students to access gendered facilities that correspond to their gender are critical for transgender and nonbinary students. Although having official protections for transgender and nonbinary students and their rights is crucial, the power of the policy is in the degree to which it is implemented. Professional development is critical to ensure that school staff are aware of policy mandates including those that protect transgender and nonbinary students, and are able to enact them. Furthermore, schools and districts should develop monitoring and accountability measures to ensure that these policies are being effectively implemented and that transgender and nonbinary students are not being deprived of their rights.

Supportive and inclusive school policies play an essential role in creating safe and inclusive school communities. However, it is important to note that a significant portion of students in schools with these policies still faced hostile school climates — including victimization and

Figure 2.30 Transgender and Nonbinary Policy and Days of Missed School
(Percentage of Transgender and Nonbinary Students Who Missed School in the Past Month Due to Feeling Unsafe or Uncomfortable)



discrimination — even when they reported having an anti-bullying/harassment policy or a transgender and nonbinary student policy. Clearly, it is not enough for policies to merely exist in schools, but they must also be enforced and effectively implemented. For both types of policies explored in this section, a substantial portion of students indicated that they did not know whether their school had such policies (see Table 2.3 and Figure 2.9 in “Availability of School-Based Resources and Supports” section). If a student is not aware of their school’s policies, then they would not be aware of the valuable rights and protections these policies provide. Therefore, it is critical not only that schools enact these policies but also that all members of the school community are made aware of the policies and what they include. Furthermore, policies are vitally important, yet are only one of the key elements necessary to ensure safe and welcoming schools for LGBTQ students.

Conclusions

Our findings indicate that LGBTQ supports and resources play an important role in making schools safer and more affirming for LGBTQ students. Students in schools that had a GSA and students in schools that had LGBTQ inclusive curriculum (taught positive representations of LGBTQ people, history, and events) reported less anti-LGBTQ biased language and less anti-LGBTQ victimization, were less likely to feel unsafe and to miss school for safety reasons, and reported a greater sense of belonging to their school community and increased psychological well-being. Students in schools with LGBTQ-inclusive curriculum also had higher GPAs, higher educational aspirations, were more

comfortable talking to school staff about LGBTQ topics, and were more likely to have classmates who were accepting of LGBTQ people. Our findings also showed that students with more supportive school staff were less likely to feel unsafe and to miss school for safety reasons, had higher GPAs, higher educational aspirations, and reported a greater sense of belonging to their school community and increased psychological well-being.

Students in schools with comprehensive anti-bullying/harassment policies that included protections for sexual orientation and gender identity/expression reported less anti-LGBTQ biased language and less anti-LGBTQ victimization. Furthermore, students with comprehensive policies reported greater frequency of school staff intervention regarding anti-LGBTQ biased remarks, were more likely to report incidents of harassment and assault to school personnel, and more likely to rate school staff’s response to such incidents as effective. Among transgender and nonbinary students, those in schools with supportive transgender and nonbinary official policies or guidelines reported less gender-related discrimination, were less likely to miss school because of feeling unsafe, and felt a greater sense of connection to their school community.

Unfortunately, as discussed previously in the “Availability of School-Based Resources and Supports” section, many LGBTQ students do not have access to these supports and resources at their schools. These findings indicate the importance of advocating for the inclusion of these resources in schools to ensure positive learning environments for LGBTQ students in all schools.



PART THREE: SCHOOL CLIMATE BY DEMOGRAPHIC AND SCHOOL CHARACTERISTICS

The 2019–2020 GLSEN National Student Council. The National Student Council dedicates their time, passion, and commitment to safer schools, advising GLSEN programs and campaigns, sharing their stories with community stakeholders, and elevating the voices of marginalized groups within the LGBTQ community.

School Climate and Sexual Orientation

Key Findings

- Pansexual students experienced more hostile climates than students of other sexual orientations.
- Gay and lesbian students were more likely to be “out” about their sexual orientation at school, both to other students and to school staff, than students of other sexual orientations.

“I had no idea what pansexual was until somebody explained it to me in high school and that’s how I identify. If somebody had told me what it was sooner, I would not have spent so much time questioning my sexuality and thinking I was weird and broken.”

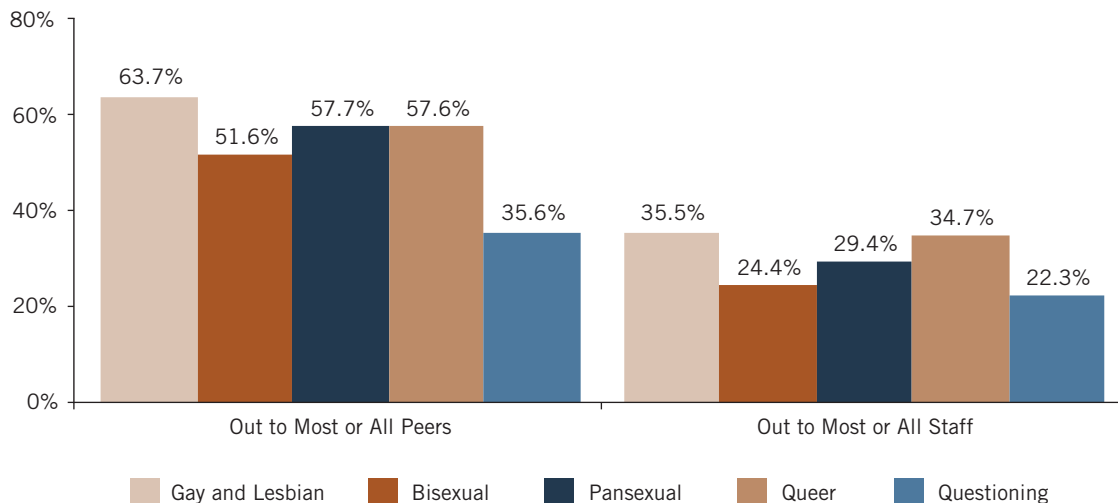
An important element of adolescent development is identity formation, in which youth explore and come to define their personal identity, both as an individual and as a member of different social groups.¹⁷⁴ Youth in our survey were navigating the development of multiple identities, including their sexual orientation identity. As it is a developmental process, age plays a role in identity formation. Older youth, who have had more time to explore and develop their identity, may be more secure and confident about their lesbian, gay, bisexual, pansexual, or queer identity, which could contribute to different school experiences than younger youth. In fact, we found that age was related to sexual orientation identity. Queer students were older than students with all other sexual orientations,

and pansexual students were younger than gay and lesbian, bisexual, and queer students.¹⁷⁵

One of the last steps of sexual orientation identity formation is coming out publicly about one’s lesbian, gay, bisexual, pansexual, or queer identity.¹⁷⁶ Students who have reached this stage of identity development may be more confident in their identity, but also may be more targeted for victimization and discrimination. Indeed, previous research has shown that being out about one’s LGBTQ identity at school relates to greater peer victimization.¹⁷⁷ In our survey, gay and lesbian students were more out to peers than were students with other sexual orientations, and pansexual students were more out to peers than were bisexual and questioning students. Gay and lesbian students were also more out to school staff than pansexual, bisexual, and questioning students, and pansexual students were more out to staff than bisexual and questioning students (see Figure 3.1).¹⁷⁸

LGBTQ students in our sample were not only navigating their sexual orientation identity, many were also developing their non-cisgender gender identities. It is important to reiterate that sexual orientation identity and gender identity are not wholly independent amongst LGBTQ youth, and prior research has shown that transgender and nonbinary students are more likely to have negative school experiences than cisgender students.¹⁷⁹ In our survey, pansexual and queer students were least likely to be cisgender — they were more likely to identify as transgender, genderqueer, nonbinary, or another non-cisgender identity than were gay

Figure 3.1 Outness in School by Sexual Orientation
(Percentages of LGBTQ Students Out to Peers and School Staff)



and lesbian, bisexual, and questioning students.¹⁸⁰ Nearly two thirds of pansexual (62.4%) and queer (64.3%) students did not identify as cisgender. Alternatively, gay and lesbian and bisexual students were more likely to identify as cisgender than were pansexual and questioning students,¹⁸¹ and 6 in 10 gay and lesbian (59.8%) and bisexual (60.0%) students identified as such.

We examined differences in school climate and students’ school experiences across sexual orientation groups — gay and lesbian (“gay/lesbian”) students, bisexual students, pansexual students, queer students, and students questioning their sexual orientation (“questioning”).¹⁸² Because of the differences in age, outness to peers and adults in school, and gender identity discussed above, and the fact that they contribute to students’ school experiences, in the following analyses we controlled for all these characteristics.

With regard to victimization, we specifically examined students’ experiences related to sexual orientation and gender expression, as they are most related to students’ LGBTQ identities. We also examined differences in students’ experiences of sexual harassment, as previous research has found significant differences based

on sexual orientation.¹⁸³ Lastly, we examined differences across sexual orientations regarding the experiences of students with discriminatory school policies and practices, and school discipline and regarding their levels of school engagement, as these were also identified as particularly salient.

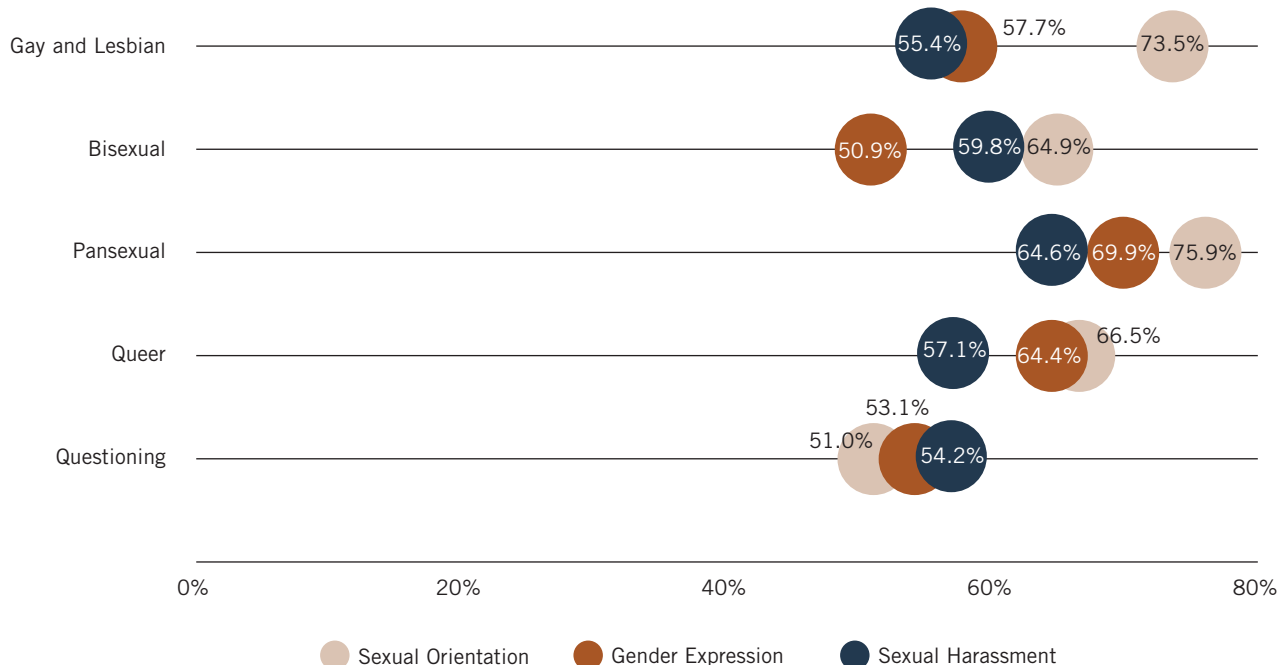
Victimization

Students’ experiences of in-school victimization based on sexual orientation and gender expression differed based on their sexual orientation (see Figure 3.2).¹⁸⁴

Gay/lesbian and pansexual students reported higher levels of victimization based on sexual orientation than did queer, bisexual, and questioning students. For example, approximately three-quarters of gay/lesbian (73.5%) and pansexual (75.9%) students reported having been victimized based on sexual orientation in contrast to nearly two-thirds of queer (66.5%) and bisexual (64.9%) students, and half of questioning (51.0%) students.

Pansexual students experienced higher levels of victimization based on gender expression than students of all other sexual orientations. Specifically, 69.9% of pansexual students

Figure 3.2 Victimization by Sexual Orientation



experienced this type of victimization compared to 57.7% of gay/lesbian, 50.9% of bisexual, 64.4% of queer, and 53.1% of questioning students.

Regarding sexual harassment, we found that pansexual students reported a higher incidence than students of all other sexual orientations, and that bisexual students reported a higher incidence than gay/lesbian and questioning students.¹⁸⁵ As shown in Figure 3.2, almost two-thirds of pansexual students (64.6%) reported having been sexually harassed at school in the past year, compared to more than half of gay/lesbian (55.4%), bisexual (59.8%), and queer (57.1%) students, and nearly half of questioning (54.2%) students.

Discrimination and School Discipline

Experiences of anti-LGBTQ discrimination through school policies and practices also varied based on students' sexual orientation.¹⁸⁶ Pansexual students were more likely to report experiencing this type of discrimination than gay/lesbian, bisexual, and questioning students (see Figure 3.3). For example, over two-thirds of pansexual students (69.5%) experienced discrimination, compared to approximately half of bisexual and questioning students (54.5% and 52.9%, respectively).

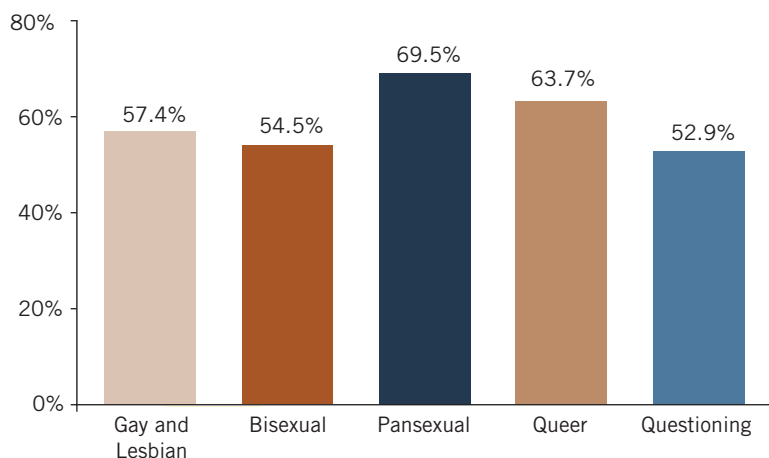
A growing field of research on school discipline has suggested that LGBTQ students may be at a higher risk of experiencing school discipline than their non-LGBTQ peers,¹⁸⁷ but most of these studies have not examined sexual orientation

differences within the LGBTQ population, perhaps because of small sample sizes of LGBTQ students. Therefore, we examined whether in-school and out-of-school rates of school discipline varied based on students' sexual orientation among the students in our survey. Specifically, we examined differences in in-school discipline (being referred to the principal, getting detention, or receiving an in-school suspension), and in out-of-school discipline (receiving out-of-school suspension or being expelled). As shown in Figure 3.4, pansexual students reported higher rates of in-school discipline than queer students. Queer students experienced lower rates of both in- and out-of-school discipline than did gay and lesbian and pansexual students.¹⁸⁸

Absenteeism

Experiencing victimization, discrimination, and disproportionate rates of discipline all serve to make schools less safe and welcoming for students, which could influence students' desire to attend school. Given that pansexual students experienced higher rates of victimization, it is not surprising that pansexual students were more likely than gay and lesbian, bisexual, and queer students to report having missed school because they felt unsafe than all other students (see Figure 3.5).¹⁸⁹ For example, 40.1% of pansexual students reported missing school in the past month due to safety concerns, compared to slightly less than a third of gay and lesbian (31.6%) and bisexual (30.2%) students.

Figure 3.3 Experiences of Discrimination by Sexual Orientation
(Percentage of LGBTQ Students Who Experienced Anti-LGBTQ Discriminatory Policies and Practices)



Conclusions

Overall, our results indicate that pansexual students reported the most negative school experiences in comparison to students of other sexual orientations. Pansexual students experienced higher levels of victimization based on gender identity and sexual harassment than all other sexual orientations. Pansexual students, along with gay and lesbian students, reported the highest rates of victimization based on sexual orientation. Pansexual students also experienced more discriminatory policies and practices and missed more school due to feeling unsafe than did gay and lesbian, bisexual, and questioning students.

Further research is clearly warranted to understand why pansexual students appear to face more hostile school climates than other students. This research should examine factors related to a student's decision to adopt particular sexual identity labels (i.e., why a student who is attracted to people of multiple genders may identify as pansexual as opposed to queer or bisexual) to better understand these different sexual orientation groups.

These findings reveal a complex picture regarding differences among LGBTQ students by sexual orientation. In our survey, bisexual students experienced less victimization based on sexual orientation and gender expression than gay and

Figure 3.4 School Discipline by Sexual Orientation
(Percentage of LGBTQ Students Who Experienced In-School and Out-of-School Discipline)

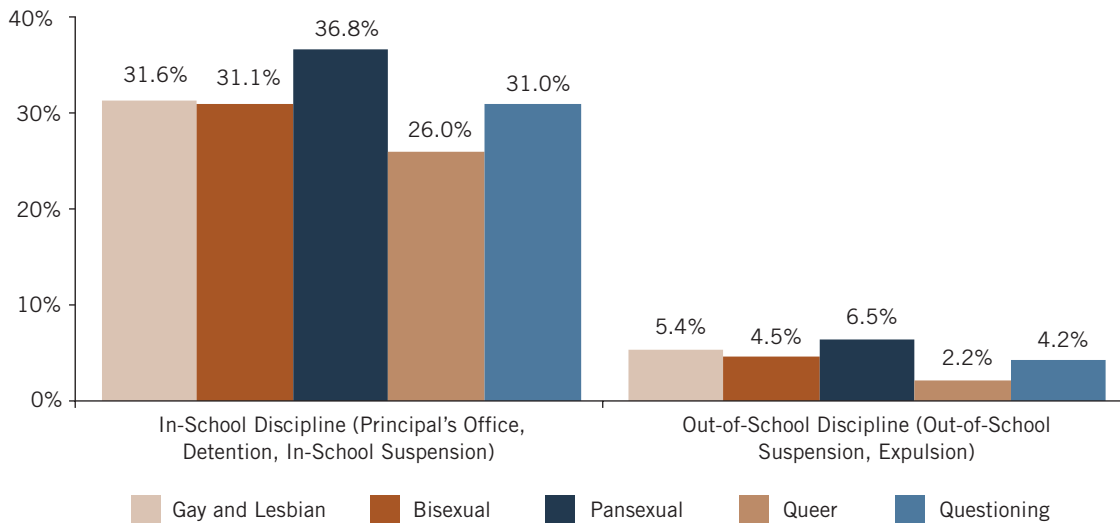
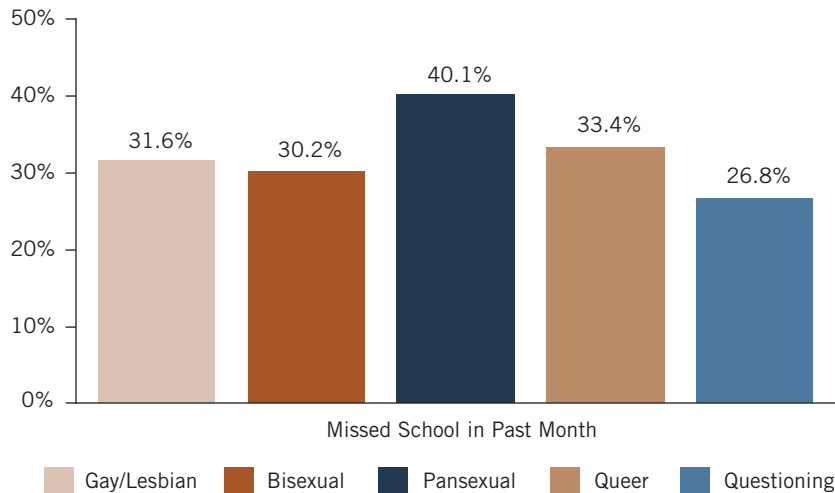


Figure 3.5 Missing School Due to Safety Concerns



lesbian students, but more sexual harassment than their gay and lesbian peers. However, bisexual youth did not differ from gay and lesbian students with regard to discrimination, discipline, and missing school due to safety concerns. Yet research on adolescent health outcomes has demonstrated that bisexual youth are typically at higher risk than both heterosexual and lesbian/gay peers on suicidality, substance abuse, and intimate partner

violence.¹⁹⁰ Furthermore, queer students were similar to gay and lesbian and bisexual students with regard to hostile school climate experiences, but they were less likely to experience school discipline. More research is needed to better understand the complex role sexual identity plays in the experiences of adolescents' lives both in and out of school.

School Climate and Gender

Key Findings

- Transgender students experienced a more hostile school climate than LGBTQ cisgender students and nonbinary students.
- Nonbinary students experienced a more hostile school climate than cisgender LGBTQ students.
- Among cisgender LGBTQ students, male students experienced a more hostile school climate based on their gender expression and on sexual orientation than cisgender female students.
- Cisgender female students experienced a more hostile school climate based on their gender than cisgender male students.

“I’m the first openly transgender person at my school which makes me a bigger target for bullying and harassment than most others.”

We also examined potential differences in LGBTQ students’ experiences of safety, victimization, and discrimination by gender identity, specifically, the differences between transgender, nonbinary, cisgender, and questioning students as well as differences within each of those identity groups.¹⁹¹ Furthermore, we examined school engagement, specifically absenteeism for safety reasons, feelings of school belonging, changing schools for safety reasons, and dropping out. Given the growing attention to inequities in administration of school discipline and some previous research indicating that transgender and gender nonconforming students are more likely to face disciplinary consequences at school,¹⁹² we also examined gender differences in rates of school discipline — both in-school discipline and out-of-school discipline.

Across all gender groups, students commonly reported feeling unsafe, experiencing high frequencies of harassment or assault, and facing discrimination at school related to their gender, gender expression, and sexual orientation. Furthermore, a sizable number of students across gender groups reported missing school and, to a lesser extent, changing schools because of safety concerns. In addition, LGBTQ students of all gender identities reported having been disciplined at school. However, there were some significant differences among gender groups in all of these areas.

Experiences of Transgender Students

Overall, transgender students were more likely than all other students to have negative experiences at school.

Safety and victimization. Specifically, compared to cisgender and nonbinary students, transgender students:

- Were more likely to have felt unsafe based on their gender expression (see Figure 3.6);¹⁹³
- Experienced higher levels of victimization based on their gender expression (see Figure 3.7);¹⁹⁴
- Were more likely to have felt unsafe at school based on their gender (see Figure 3.6);¹⁹⁵ and
- Experienced higher levels of victimization based on their gender (see Figure 3.7).¹⁹⁶

Transgender students were also more likely to have felt unsafe¹⁹⁷ and experienced higher levels of victimization¹⁹⁸ because of their sexual orientation compared to cisgender LGBTQ students, but were less likely than nonbinary students to feel unsafe based on sexual orientation (see Figures 3.6 and 3.7).

Avoiding school spaces. As shown in the “School Safety” section in Part 1 of this report, sizable percentages of LGBTQ students avoided places at school because they felt unsafe or uncomfortable, most notably spaces that are traditionally segregated by sex in schools, such as bathrooms and locker rooms. Overall, transgender students were more likely to avoid spaces at school than were other students.¹⁹⁹ For transgender and nonbinary youth (i.e., genderqueer and other nonbinary-identified youth), sex-segregated spaces at school may be particularly challenging.²⁰⁰ Because of this, we specifically examined whether transgender students were more likely to avoid gendered spaces. As shown in Figure 3.8, we found that, compared to cisgender students and nonbinary students, transgender students were:²⁰¹

- More likely to avoid school bathrooms at school because they felt unsafe or uncomfortable;
- More likely to avoid school locker rooms because they felt unsafe or uncomfortable; and
- More likely to avoid Gym/Physical Education class because they felt unsafe or uncomfortable.

Educational attachment. A hostile school climate can affect students’ feelings of school belonging, can result in students avoiding school altogether,

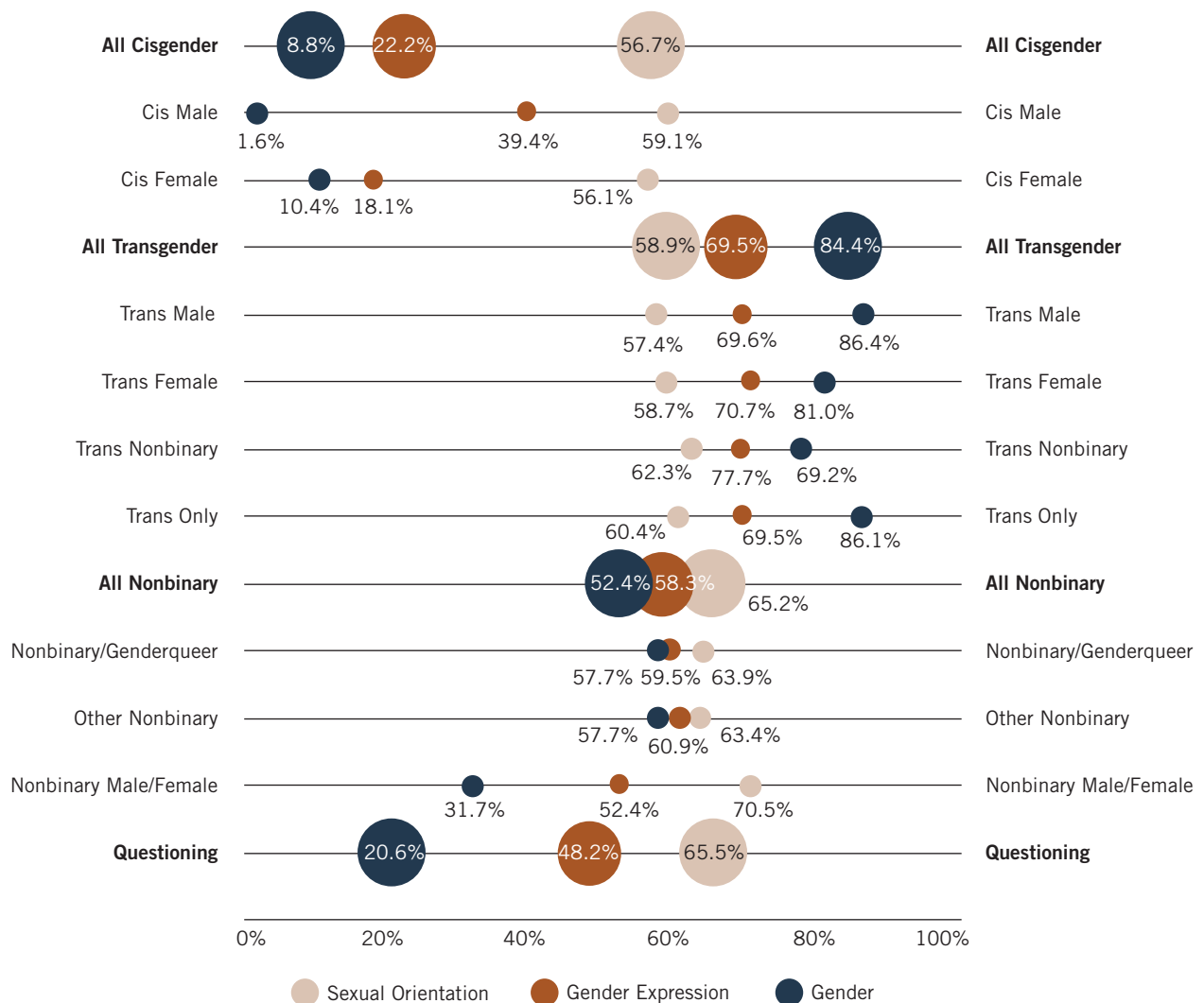
and can hinder students' overall educational experience. We found that transgender students were:

- Less likely than other students to feel connected to their school, i.e., reported lower levels of school belonging;²⁰²
- More likely than other students to report missing school because they felt unsafe or uncomfortable (see Figure 3.9);²⁰³
- More likely than other students to report having changed schools because they felt unsafe or uncomfortable(see also Figure 3.9);²⁰⁴ and

More likely than other students to report that they were not planning to complete high school or were not sure if they would complete high school.²⁰⁵

Discriminatory policies and practices. As shown in Figure 3.10, transgender students were more likely, overall, to report incidences with discriminatory policies and practices²⁰⁶ — 77.3% of transgender students reported having been discriminated against compared to 46.1% of cisgender students and 69.1% of nonbinary students. Certain forms of discrimination are more specific to the experiences of transgender and nonbinary students, such as being prevented from using the bathroom consistent with one's gender identity. Thus, it is

Figure 3.6 Feelings of Safety at School by Gender Identity
(Percentage of LGBTQ Students Who Felt Unsafe Based On Sexual Orientation, Gender Expression, and Gender)



not surprising that transgender students reported more of these incidents than cisgender students.²⁰⁷ Compared to cisgender students, as shown in Table 3.1, transgender students were:

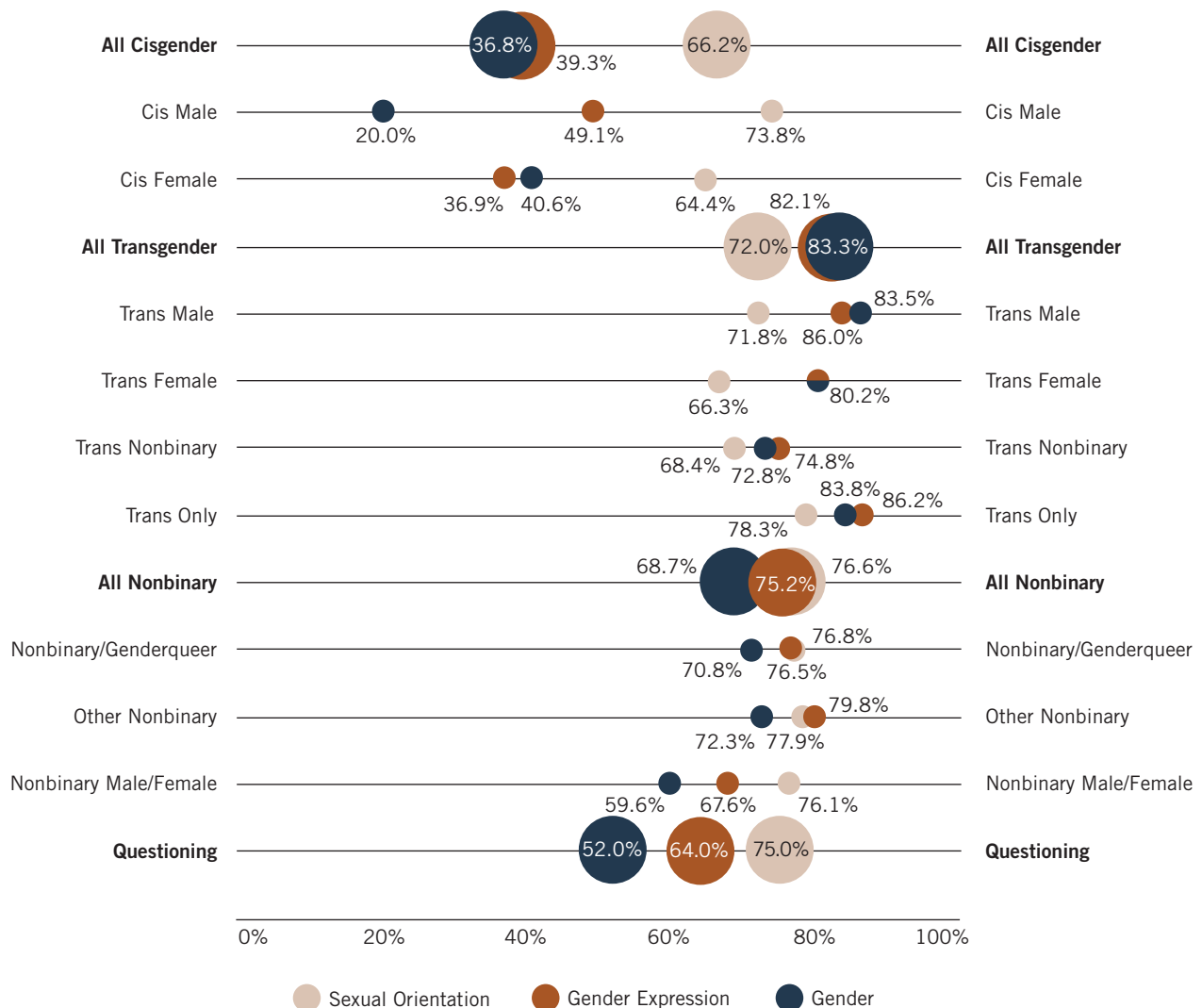
- More likely to be required to use the bathroom of their legal sex (58.1% for transgender students vs. 10.8% for cisgender students);
- More likely to be required to use the locker room of their legal sex (55.5% vs. 10.7%);
- More likely to be prevented from using their chosen name and pronouns (44.5% vs. 7.3%); and

- More likely to be prevented from wearing clothing deemed “inappropriate” based on gender (20.5% vs. 15.1%).

As seen in Table 3.1, transgender students also reported more instances of being required to use the bathroom and locker room of their legal sex and being prevented from using their chosen name and pronouns than nonbinary students.²⁰⁸ However, transgender and nonbinary students reported similar rates of being prevented from wearing clothing deemed “inappropriate” based on gender.

In addition to the specific types of gender-related discrimination noted above, transgender students were also more likely than cisgender LGBTQ

Figure 3.7 School Victimization by Gender Identity
(Percentage of LGBTQ Students Who Experienced Victimization Based On Sexual Orientation, Gender Expression, and Gender)



students to experience all forms of anti-LGBTQ discrimination, including broader forms of LGBTQ discrimination, such as being prevented from addressing LGBTQ topics in class assignments and being unfairly disciplined for identifying as LGBTQ.²⁰⁹ It may be that transgender and nonbinary students are generally more targeted for discipline because they are more visible and/or more stigmatized than other LGBQ students. Further research is needed to explore these disparities and the factors that determine which students are most often targeted by discriminatory policies and practices.

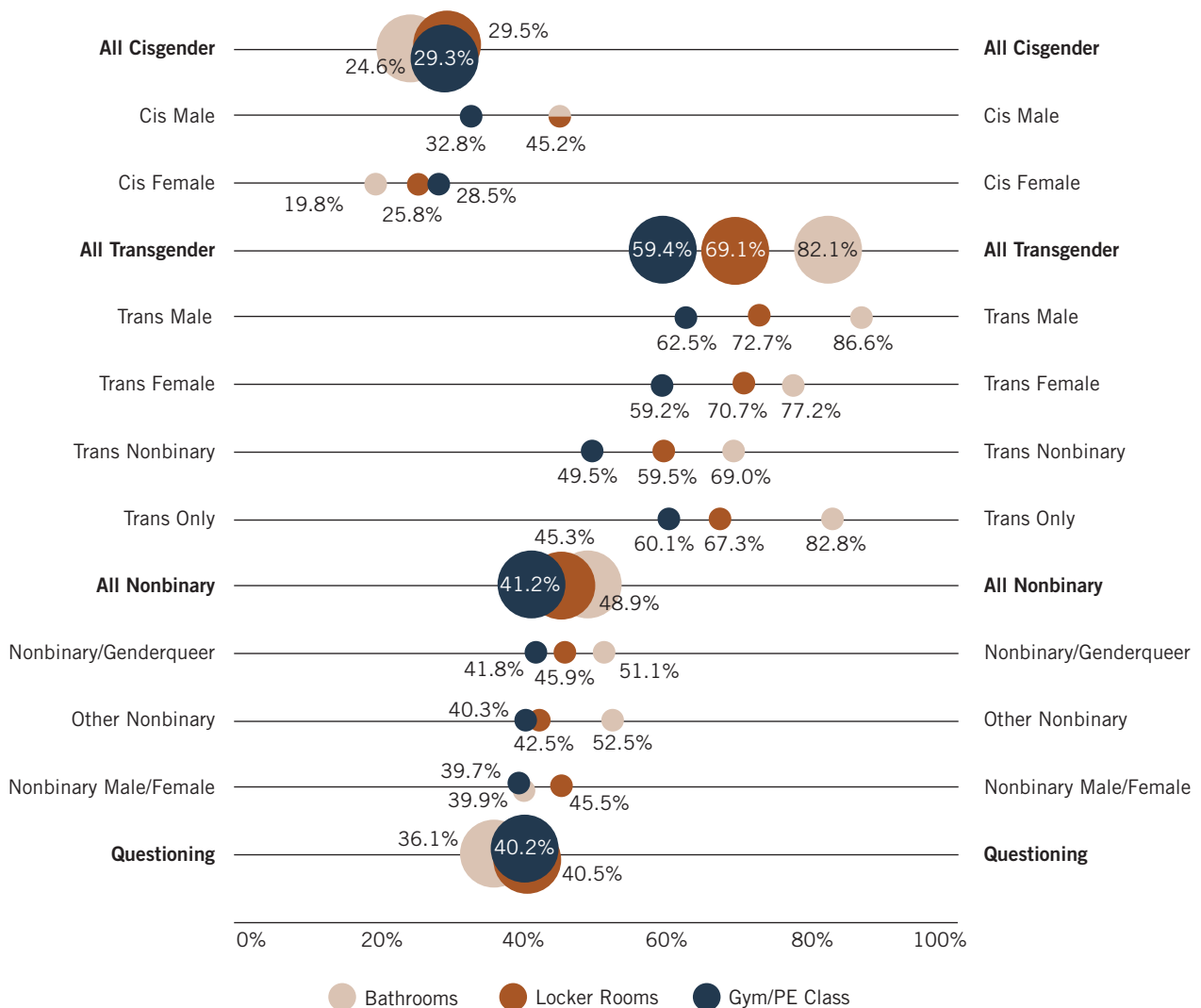
- Higher rates of in-school discipline (e.g. principal's office, detention);²¹⁰ and
- Higher rates of out-of-school discipline (e.g., out of school suspension, expulsion).²¹¹

Differences among transgender students.

Transgender students in our survey fell into four different categories: 1) those who identified as transgender and male, 2) those who identified as transgender and female, 3) those who identified as transgender and nonbinary or genderqueer (i.e., transgender nonbinary), and 4) those who identified only as transgender and no other gender identity (referred to as “transgender only” for the rest of this section). Transgender students, in general, experienced the most hostile school climates

School discipline. Compared to cisgender LGBQ students, transgender students reported (see Figure 3.11):

Figure 3.8 Avoiding Spaces at School by Gender Identity
(Percentage of LGBTQ Students Who Avoided Spaces)



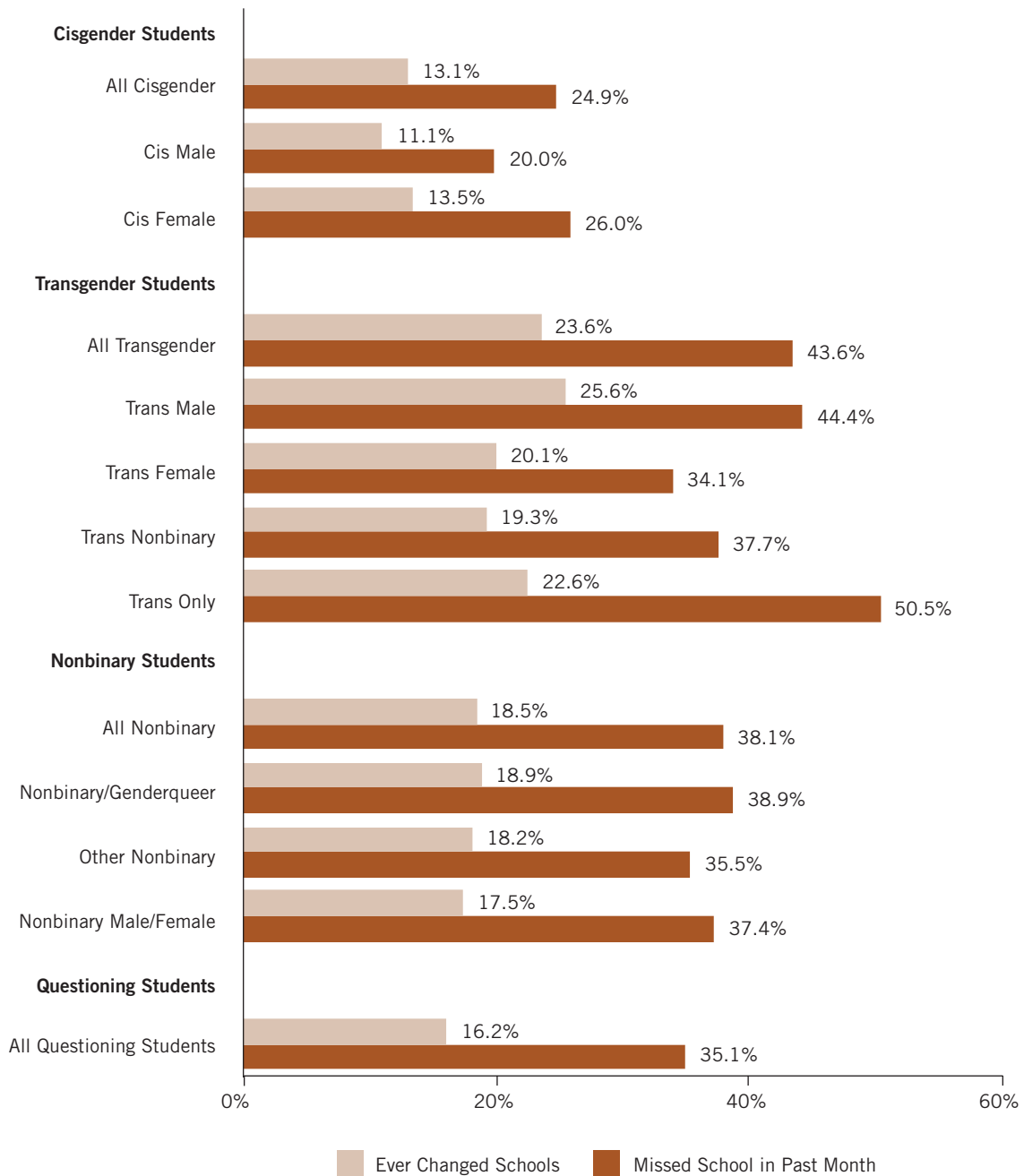
compared to their peers, and we wanted to further examine whether school experiences varied across these four groups of transgender students. We found some significant differences within the group of transgender students regarding victimization, feelings of unsafety because of gender, experiencing discriminatory policies and practices, avoiding certain school spaces, and missing school.

Victimization and safety. There were no differences among transgender students in feeling unsafe at

school because of their sexual orientation or because of their gender expression. However, transgender nonbinary students were less likely to feel unsafe at school because of their gender than were transgender male and transgender only students (see Figure 3.6).²¹²

With regard to victimization based on sexual orientation, transgender only students reported higher rates than transgender nonbinary and transgender male students, but did not differ from

Figure 3.9 Percentage of LGBTQ Students Who Missed School or Changed Schools Because of Safety Concerns by Gender Identity



transgender female students. Furthermore, there were no differences between transgender male and transgender female students on victimization based on sexual orientation (see Figure 3.7).²¹³

With regard to victimization based on gender expression, transgender only students reported higher rates than transgender male and transgender nonbinary students, but did not differ from transgender female students, and transgender female and transgender male students

did not differ. However, transgender male students reported higher rates than did transgender nonbinary students (see also Figure 3.7).²¹⁴

With regard to victimization based on gender, transgender male students reported higher rates than did transgender only students. In addition, transgender nonbinary students reported lower rates than transgender male and transgender only students (see Figure 3.7).²¹⁵

Figure 3.10 Percentage of LGBTQ Students Who Experienced Anti-LGBTQ Discrimination at School by Gender Identity

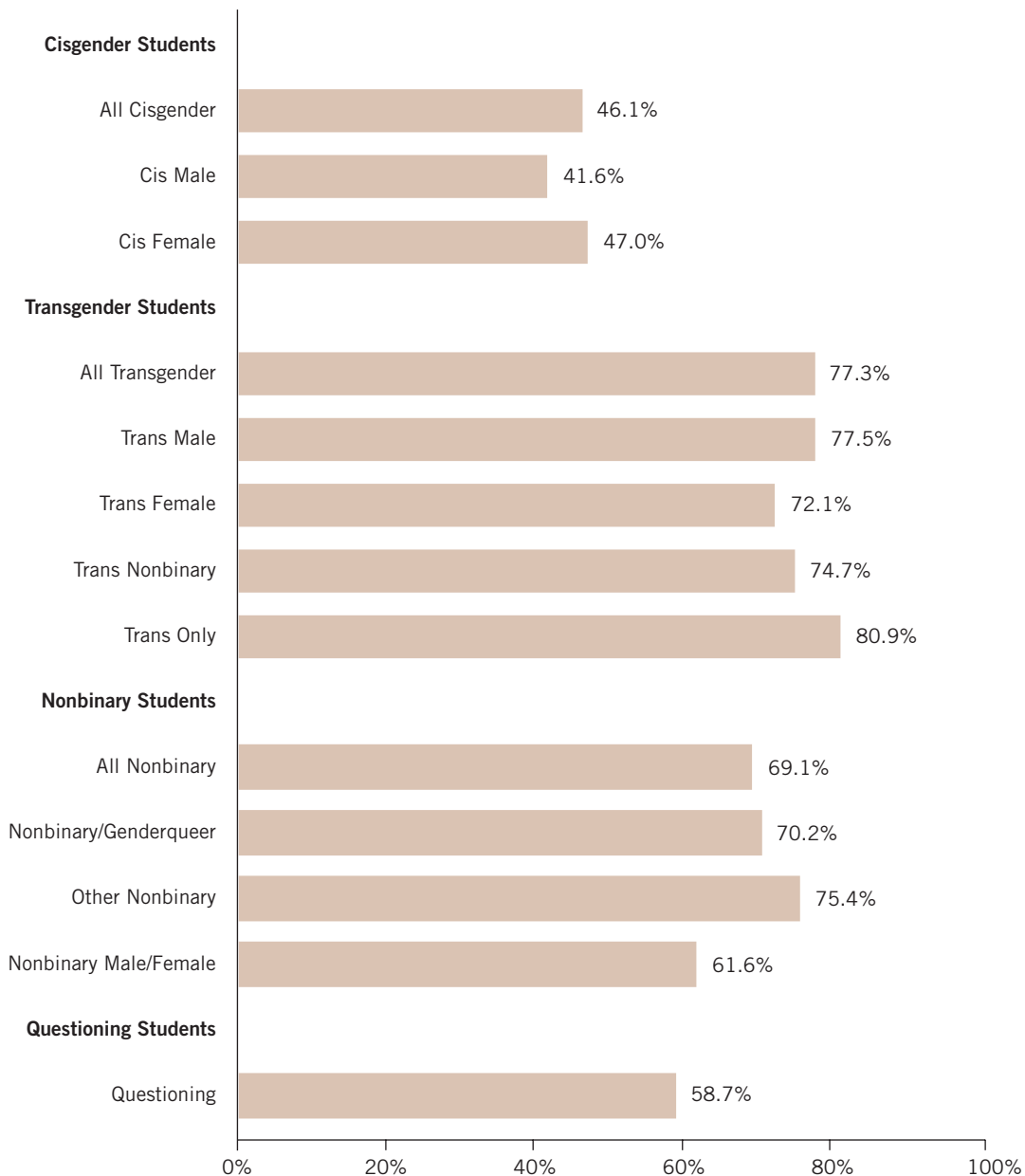


Table 3.1 Gender-Related Discrimination by Gender Identity²¹⁶

	Bathrooms	Locker Rooms	Names/ Pronouns	Gendered Clothing
All Cisgender Students ²¹⁷	10.8%	10.7%	7.3%	15.1%
Cis Male Students	9.8%	9.5%	5.7%	15.5%
Cis Female Students	11.0%	10.9%	7.5%	15.0%
All Transgender Students ²¹⁸	58.1%	55.5%	44.5%	20.5%
Trans Male Students	58.9%	57.7%	44.1%	19.5%
Trans Female Students	50.8%	51.9%	36.6%	26.1%
Trans Nonbinary Students	51.2%	45.7%	43.5%	19.0%
Trans Only Students	65.6%	60.4%	49.0%	24.6%
All Genderqueer and Other Nonbinary Students ²¹⁹	35.5%	32.8%	36.3%	24.1%
Nonbinary/Genderqueer students	38.2%	34.7%	39.8%	24.9%
Other Nonbinary Students	38.8%	37.7%	38.6%	38.6%
Nonbinary Male/Female Students	24.5%	23.3%	23.5%	23.5%
Questioning Students	20.8%	19.6%	18.6%	19.5%

Avoiding school spaces. Transgender students also differed in their avoidance of gendered school spaces because they felt unsafe in them. Transgender nonbinary students were less likely to avoid bathrooms, locker rooms, and gym/PE class than were transgender male and transgender only students.²²⁰ As seen in Figure 3.8, transgender male, transgender female, and transgender only students avoided these spaces at similar rates.

Educational attachment. Transgender only students were more likely than other transgender students to have missed school because they felt unsafe or uncomfortable (see Figure 3.9).²²¹ Transgender male and transgender female students did not differ in their rates of missing school; however, transgender male students were more likely to change schools for safety reasons than were transgender nonbinary students (see Figure 3.9).²²² Educational aspirations did not differ by transgender identity — there were no differences in transgender students' plans to complete high school.²²³

Discriminatory policies and practices. When considering overall experiences with anti-LGBTQ discriminatory policies and practices, there were no significant differences among transgender students (see Figure 3.10).²²⁴ There were, however, significant differences across transgender students when specifically examining gender-specific discriminatory policies and practices:

- Regarding being prevented from wearing clothes that align with their gender, transgender male and transgender female students reported similar rates, but transgender only students reported this kind of discrimination slightly more than transgender nonbinary students (see Table 3.1).²²⁵
- Regarding being prevented from using the bathroom that aligns with their gender, transgender only students were more likely to report this form of discrimination than other transgender students (see Table 3.1).²²⁶ Additionally, transgender male students were more likely than transgender nonbinary students to report this type of discrimination.
- Regarding being denied locker room access, transgender male and transgender only students did not differ, but both groups were more likely to report being prevented from using the locker room that aligns with their gender than were transgender nonbinary students (see Table 3.1).²²⁷

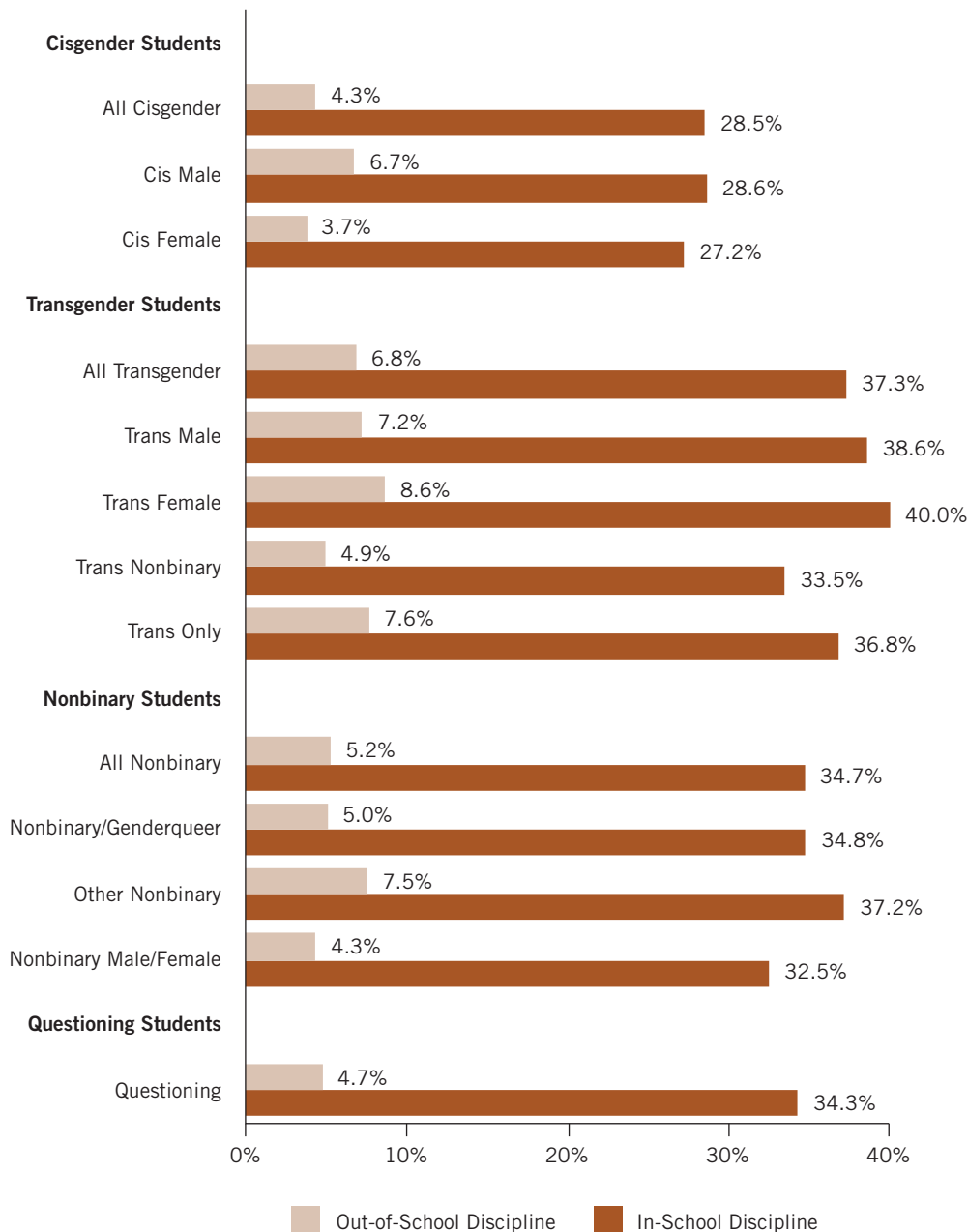
Overall, these findings suggest that transgender only students may experience somewhat more hostile school climates and that transgender nonbinary students may experience somewhat less hostile climates than other transgender students. Additionally, transgender male and transgender

female students in our sample experienced generally similar school climates. However, regarding certain indicators of school climate that we examined, transgender female students appeared to have more negative experiences, even though they were not statistically different. For example, when considering discriminatory policies and practices, transgender female students seem to report higher rates of gender-based clothing discrimination than other transgender students, but

this difference was not statistically significant. Our sample included a small number of transgender female students, compared to all other gender identities (1.1% of the full sample), and we may have been unable to detect statistically significant differences with this small of a sample.

There is no consensus in the literature regarding differences between transgender males and transgender females regarding mental health. Some

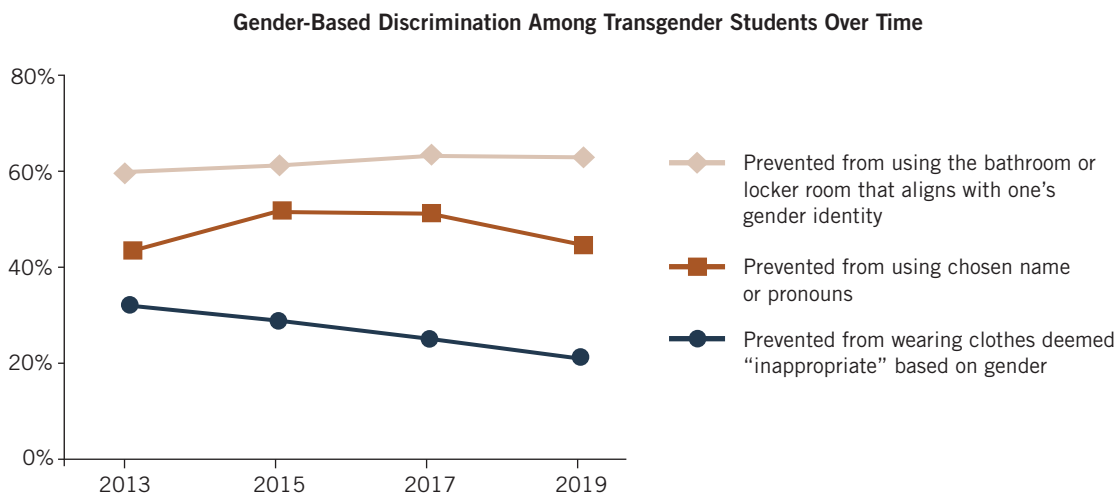
**Figure 3.11 Comparison by Gender Identity:
Percentage of LGBTQ Students Who Experienced School Discipline**



Insight on Gender-Related Discrimination Among Transgender Students Over Time

As discussed in the “School Climate and Gender” section of this report, transgender students were more likely to experience discrimination at school than students of all other gender identities in our 2019 survey. Given that there has been much public and political discourse in recent years regarding the rights of transgender youth to access bathrooms and locker rooms that align with their gender, we examined whether there have been changes in recent years in the experiences of transgender students with regard to gender-related discrimination at school.¹

As shown in the figure, with regard to being prevented from wearing clothing deemed “inappropriate” based on gender, there had been a significant decline in the percentage of transgender students reporting this type of discrimination from 2015 to 2017, and from 2017 to 2019. With regard to being prevented from using one’s chosen name or pronoun, there was an increase in the percentage of transgender students reporting this type of discrimination from 2013 to 2015 and no change from 2015 to 2017. However, there was a significant decrease from 2017 to 2019. With regard to being prevented from using the bathroom or locker room that aligns with one’s gender identity, there were no differences across years in the percentage of transgender students experiencing this discrimination.



Considering these findings together, it appears that schools may be becoming more accepting with regard to transgender students’ expression of their identity through their clothing and use of their chosen names and pronouns. However, schools have remained unchanged in their restrictions of transgender students’ use of school facilities that align with their gender identity. It is also important to note that the enforcement of dress code or use of name or pronoun may be more likely to happen as a result of actions by an individual school staff person, and findings with regard to those two forms of discrimination may indicate how attitudes of teachers and other school staff may be changing with regard to transgender students. In contrast, restrictions on use of facilities and policies codifying such restrictions may more likely be the responsibility of school administrators or school district officials. Thus, more education and advocacy may be indicated at the administrative level of U.S. schools.

¹ To test differences in the percentages of transgender students experiencing gender-related discrimination at school, a multivariate analysis of covariance (MANCOVA) was performed, controlling for demographic and method differences across the survey years, with Survey Year as the independent variable and the three gender-related discrimination items as dependent variables. Note that in 2017, the question about access to locker rooms and bathrooms was split into two questions; thus, we recombined the two questions for 2017 and 2019 by taking the higher of the two values in order to compare with prior years. The multivariate effect was significant: Pillai’s Trace = .01, $F(9, 34938) = 17.34$, $p < .001$, $\eta_p^2 = .00$. Univariate and post hoc comparisons were considered at $p < .05$, and only significant pairwise differences are listed. The univariate effect for discrimination regarding clothing was significant: $F(3, 11646) = 24.43$, $p < .01$, $\eta_p^2 = .01$; 2019 < all; 2017 < 2013, 2015. The univariate effect for discrimination regarding use of name and pronoun was significant: $F(3, 11646) = 19.52$, $p < .01$, $\eta_p^2 = .01$; 2019 < 2017, 2015; 2015 > 2019, 2013; 2005 > 2019, 2013; 2013 < 2017, 2015. The univariate effect for discrimination regarding locker room and bathroom access was not significant at $p < .05$.

research has found that transgender males and transgender females do not differ with regard to some mental health outcomes;²²⁸ some has found that transgender males have poorer outcomes than transgender females,²²⁹ and some has indicated transgender males have better outcomes.²³⁰ In addition to this lack of consensus on differences between transgender males and females, there is very little research on transgender nonbinary people.²³¹ Furthermore, even less is known about people who identify as only transgender, with no additional gender identity (what we refer to in our sample as “transgender only.”). Considering that transgender only students in our survey experienced the most hostile climate, future research should further investigate this population of transgender people to increase knowledge and understanding of this identity. Of the research that exists on transgender and nonbinary people, very little is on transgender youth populations, and thus, our findings on transgender youth and other research on transgender adults are not wholly comparable, and differences between research studies could be due to developmental or generational differences. Clearly, further research is needed to explore differences among transgender students and potential factors accounting for those differences.

Experiences of Nonbinary Students

In addition to those transgender students who identified as nonbinary (see above), there were other students in our survey who endorsed a nonbinary identity but did not also identify as transgender. This group included students who identified as “nonbinary,” “genderqueer,” and those who wrote in identities outside the gender binary, such as “bigender,” “agender,” or “genderfluid.” Some nonbinary students also identified as male or female, but not cisgender or transgender. As reported above in the “Experiences of Transgender Students” section, nonbinary students had somewhat better school experiences than transgender-identified students. Compared to transgender students, nonbinary students were:

- Less likely to feel unsafe²³² or be victimized²³³ based on their gender and their gender expression (see Figure 3.6 and Figure 3.7, respectively);
- Less likely to avoid gender segregated spaces in schools, such as bathrooms, locker rooms, and Gym/PE class (see Figure 3.8);²³⁴

- Less likely to avoid athletic fields or facilities;²³⁵
- More likely to feel connected to school, and report positive school belonging;²³⁶
- Less likely to have been prevented from using the locker rooms and bathrooms that match their gender and to have been prevented from using their chosen name and pronouns (see Table 3.1);²³⁷
- Less likely to have missed school or changed schools because of safety concerns (see Figure 3.9);²³⁸ and
- Less likely to have been prevented from playing sports.²³⁹

However, nonbinary students were more likely than transgender students to feel unsafe based on sexual orientation (see Figure 3.6).²⁴⁰ In addition, nonbinary students did not differ from transgender students on victimization based on sexual orientation (see Figure 3.7).²⁴¹ They also did not differ from transgender students on experiences of in- and out-of-school discipline (see Figure 3.11).²⁴² Lastly, nonbinary students did not differ from transgender students in avoiding school spaces or in experiences with anti-LGBTQ discriminatory policies and practices that were not gender-specific, except for the differences in sports and athletics related spaces and discrimination mentioned above.

Compared to cisgender LGBTQ students, nonbinary students were:

- More likely to feel unsafe²⁴³ at school and to experience higher levels of victimization²⁴⁴ at school based on sexual orientation, gender expression, and gender (see Figures 3.6 and 3.7);
- More likely to avoid bathrooms, locker rooms, and Gym/Physical Education class because they felt unsafe or uncomfortable (see Figure 3.8);²⁴⁵
- More likely to report both missing school and changing school for safety reasons (see Figure 3.9);²⁴⁶
- More likely to experience discrimination at school, particularly for gender-related

discrimination such as names/pronouns or locker room access (see Table 3.1);²⁴⁷ and

- More likely to experience in-school discipline (see Figure 3.11).²⁴⁸

Differences among nonbinary students. In examining differences among students who identified as nonbinary — those who identified as nonbinary or genderqueer, some other nonbinary identity, or as nonbinary and also male or female — we found few differences between nonbinary and genderqueer students and other nonbinary students. However, we did find significant differences between nonbinary male or female students compared to other students in the nonbinary group. Compared to other students in the nonbinary group, the group of nonbinary students who also identified as male or female were:

- Less likely to feel unsafe²⁴⁹ and experience victimization²⁵⁰ based on their gender (see Figures 3.6 and 3.7);
- Less likely to avoid bathrooms because of safety concerns (see Figure 3.8).²⁵¹ and
- Less likely to experience gender-related discrimination, including pronoun and name usage and bathroom and locker room access (see Table 3.1).²⁵²

Experiences of Cisgender LGBQ Students

Overall, most LGBQ cisgender students faced hostile school climates, but experienced fewer negative experiences in school than did transgender students and nonbinary students. Compared to transgender and nonbinary students, cisgender students:

- Were less likely to feel unsafe based on sexual orientation, gender expression, and gender (see Figure 3.6);²⁵³
- Experienced lower levels of victimization based on sexual orientation, gender expression, and gender (see Figures 3.7);²⁵⁴
- Were less likely to avoid gender-segregated and all other spaces due to safety concerns (see Figure 3.8);²⁵⁵
- Were less likely to report missing school or changing schools due to safety concerns (see Figure 3.9);²⁵⁶

- Were less likely to experience anti-LGBTQ discrimination in school (see Figure 3.10);²⁵⁷
- Experienced lower rates of in-school discipline (see Figure 3.11);²⁵⁸ and
- Were more likely to report that they planned to continue school after high school (94.5% for cisgender vs. 88.2% for transgender and 91.6% for nonbinary students).²⁵⁹

Differences among cisgender LGBQ students.

There were a few notable differences between cisgender male and cisgender female LGBQ students. Compared to cisgender female students, cisgender male students:

- Were more likely to feel unsafe because of their gender expression²⁶⁰ and experienced higher levels of victimization based on gender expression²⁶¹ (see Figures 3.6 and 3.7);
- Experienced higher levels of victimization based on sexual orientation (see Figure 3.7);²⁶²
- Were more likely to avoid gender segregated spaces, i.e. bathrooms, locker rooms, and Gym/PE class (see Figure 3.8);²⁶³ and
- Reported higher rates of school discipline (see Figure 3.11).²⁶⁴

In contrast, compared to cisgender male students, cisgender female students:

- Were more likely to feel unsafe because of their gender²⁶⁵ and experienced higher levels of victimization based on gender²⁶⁶ (see Figures 3.6 and 3.7);
- Were more likely to report missing school and changing schools because of safety concerns (see Figure 3.9);²⁶⁷ and
- Were more likely to report experiencing any form of anti-LGBTQ discrimination at school (47.0% vs 41.6%).²⁶⁸

It is important to note that both LGBQ cisgender male and female students reported frequent victimization and high rates of discrimination. Nevertheless, the above findings indicate that they also face some differing challenges. Cisgender male students experienced feeling less safe at school and experienced greater victimization

regarding gender expression than cisgender female students. It is possible that our society allows for more fluidity of gender expression for girls, particularly compared to boys. For example, it is often considered more acceptable for a girl to behave in ways deemed “masculine” than for a boy to behave in ways deemed “feminine.”²⁶⁹ Conversely, cisgender female students experienced lower feelings of safety and greater victimization than cisgender male students with regard to their gender, illustrating the additional ways that female students may experience sexism at school.

Experiences of Questioning Students

Little research exists on the experiences of youth who are questioning their gender identity. Overall, students in our survey who were questioning their gender identity experienced less hostile school climates than did transgender and nonbinary students. However, compared to cisgender students, questioning students:

- Were more likely to feel unsafe because of their gender expression and gender²⁷⁰ and experience victimization²⁷¹ based on these characteristics (see Figures 3.6 and 3.7);
- Were more likely to experience victimization based on their sexual orientation (see Figure 3.7);²⁷²
- Were more likely to avoid gendered spaces at school, including bathrooms, locker rooms, and PE classes (see Figure 3.8);²⁷³
- Were more likely to have missed school due to safety concerns (see Figure 3.9),²⁷⁴ and report positive school belonging;²⁷⁵
- Were more likely to report experiencing gender-based discrimination (see Table 3.1);²⁷⁶ and
- Were more likely to experience in-school discipline (see Figure 3.11).²⁷⁷

In some instances, questioning students had similar experiences to transgender and nonbinary students. For example, questioning students experienced in-school discipline at the same rate as transgender and nonbinary students (see Figure 3.11).²⁷⁸ Additionally, those three groups were similar in feeling unsafe²⁷⁹ and in the severity of victimization based on sexual orientation (see Figures 3.6 and

3.7).²⁸⁰ Furthermore, their school experiences differed quite significantly from cisgender students. These findings suggest that students questioning their gender may not be perceived as cisgender by their peers and teachers, leading to generally more hostile school experiences. When considering students who identify as “questioning,” it is also important to recognize that it is unknown which gender identities they are specifically questioning. It could be that these students are questioning whether or not they are cisgender. It is also possible that they know they are not cisgender, but are questioning their non-cisgender identity (for example, questioning whether they are transgender and male or nonbinary). This latter type of questioning could help explain why questioning students in our survey more frequently reported school experiences that were similar to transgender and nonbinary students than experiences that were similar to cisgender students.

Conclusions

Overall, we found that among the LGBTQ students in our survey, students whose identities do not align with their sex assigned at birth (i.e., transgender, nonbinary, genderqueer, and other nonbinary-identified students) faced a more hostile climate than their cisgender LGBTQ peers. Specifically, transgender students appear to face the most hostile school climates. Our findings also highlight that transgender and nonbinary students have less access to education than their peers — not only because they feel more unsafe and experience more victimization, but also because they often have restricted access within the school environment itself, specifically, a lack of access to gender segregated spaces. School staff need to be aware of the various ways that gender-segregated spaces may be particularly difficult for transgender and gender nonconforming youth to navigate, and should work to ensure that all students have equal access to school facilities. Educators must also be mindful that improving school climate for transgender and nonbinary students goes beyond ensuring that they can access school facilities like bathrooms and locker rooms. They must work to be inclusive and affirming of transgender and nonbinary students in their teaching and in their interactions with transgender and nonbinary students.

Among LGBTQ cisgender students, we found that cisgender male students encountered a more hostile school climate regarding their gender

expression and sexual orientation, whereas cisgender female students encountered a more hostile school climate with regard to their gender. Both the bias experienced by cisgender male students based on gender expression (i.e., stigmatizing boys who are perceived to be “feminine”) and the bias experienced by

cisgender female students based on gender can be considered manifestations of misogyny, in that they demonstrate hostility towards females and femininity. Thus, it is critical that efforts to combat victimization and marginalization of LGBTQ students at school also incorporate efforts to combat sexism.



School Climate and Racial/Ethnic Identity

Key Findings

- All LGBTQ students of color experienced similar levels of victimization based on race/ethnicity, although Black students were more likely to feel unsafe about their race/ethnicity than AAPI, Latinx, Native and Indigenous, multiracial, and White students.
- Native and Indigenous LGBTQ students were generally more likely than other racial/ethnic groups to experience anti-LGBTQ victimization and discrimination.
- Many LGBTQ students of color experienced victimization based on both their race/ethnicity and their LGBTQ identities. The percentages of students of color experiencing these multiple forms of victimization were similar across racial/ethnic groups.
- White students were less likely than all other racial/ethnic groups to feel unsafe or experience victimization because of their racial/ethnic identity.

As discussed previously in this report, many LGBTQ students feel unsafe at school or face identity-based victimization related to a variety of personal characteristics, including race/ethnicity. Furthermore, for students with multiple marginalized identities, such as LGBTQ youth of color, multiple forms of oppression may interact with and affect one another.²⁸¹ For example, the racism that an LGBTQ student of color experiences at school may impact the homophobia or transphobia that they experience, and vice versa.²⁸² Thus, we examined school climate for different racial/ethnic groups²⁸³ of LGBTQ students in our survey: Arab American, Middle Eastern, and North African (MENA); Asian American, Pacific Islander, and Native Hawaiian (AAPI); Black; Latinx;²⁸⁴ Native American, American Indian, and Alaska Native (referred to as “Native and Indigenous” in this section); multiracial; and White students. Specifically, we examined safety and victimization related to sexual orientation, gender expression, and race/ethnicity. We further examined how anti-LGBTQ bias may manifest for different racial/ethnic groups by also examining their experiences with anti-LGBTQ discriminatory school policies and practices. Finally, given previous research that indicates some youth of color may be disproportionately targeted by school staff for disciplinary action, as compared to their White peers,²⁸⁵ we also examined students’ experiences with school disciplinary action, including: in-school discipline (including referral to the principal, detention, and in-school suspension), out-of-school discipline (including out-of-school suspension and expulsion), and contact with the criminal justice system as a result of school discipline.

Throughout this section, we present the school experiences of each racial/ethnic group of LGBTQ students, and we specifically note statistically significant differences between groups. Further, because differences in outness and student body racial composition may also impact students’ school experiences, we account for these and other demographic and school characteristics in our analyses, as appropriate.

Experiences of Arab American, Middle Eastern, and North African (MENA) LGBTQ Students

Just over a quarter of MENA LGBTQ students (26.2%) felt unsafe at school regarding their race/ethnicity (see Figure 3.12), and nearly half

(46.9%) were bullied or harassed based on their actual or perceived racial/ethnic identity (see Figure 3.13). We also found that MENA students were more likely than White students to feel unsafe²⁸⁶ and to experience harassment²⁸⁷ based on race/ethnicity.

The majority of MENA LGBTQ students reported negative school experiences related to their LGBTQ identity. Most (61.0%) felt unsafe regarding their sexual orientation, and over a third (40.5%) felt unsafe based on the way they express their gender, although we did not observe differences with other students (see Figure 3.12).²⁸⁸ Approximately two-thirds (67.5%) experienced harassment or assault related to their sexual orientation, and nearly two-thirds (64.7%) experienced this kind of victimization related to their gender expression (see Figure 3.13). For both victimization based on sexual orientation and based on gender expression, MENA LGBTQ students experienced greater levels of harassment than Black and AAPI LGBTQ students.²⁸⁹ Additionally, two-fifths of MENA LGBTQ students (42.2%) experienced both anti-LGBTQ and racist harassment at school.²⁹⁰

We also examined MENA LGBTQ students’ experiences with anti-LGBTQ discriminatory school policies and practices, and found that nearly two-thirds (63.3%) encountered this type of discrimination at school (see Figure 3.14). MENA students were more likely than AAPI students to experience this discrimination.²⁹¹

Many MENA LGBTQ students also experienced school discipline: 33.7% experienced some form of in-school discipline, and 7.2% experienced some form of out-of-school discipline (see Figure 3.15). Further, 1.4% had contact with law enforcement as a result of school discipline. We did not observe any differences between MENA students and others with regard to discipline.²⁹²

Experiences of Asian American, Pacific Islander, and Native Hawaiian (AAPI) LGBTQ Students

Approximately a quarter of AAPI LGBTQ students (25.4%) felt unsafe at school regarding their race/ethnicity — less than Black LGBTQ students, but more than multiracial and White students (see Figure 3.12).²⁹³ Furthermore, just over half (51.2%) were assaulted or bullied based on their actual or perceived race/ethnicity, and they faced

more frequent race-based harassment than White students (see Figure 3.13).²⁹⁴

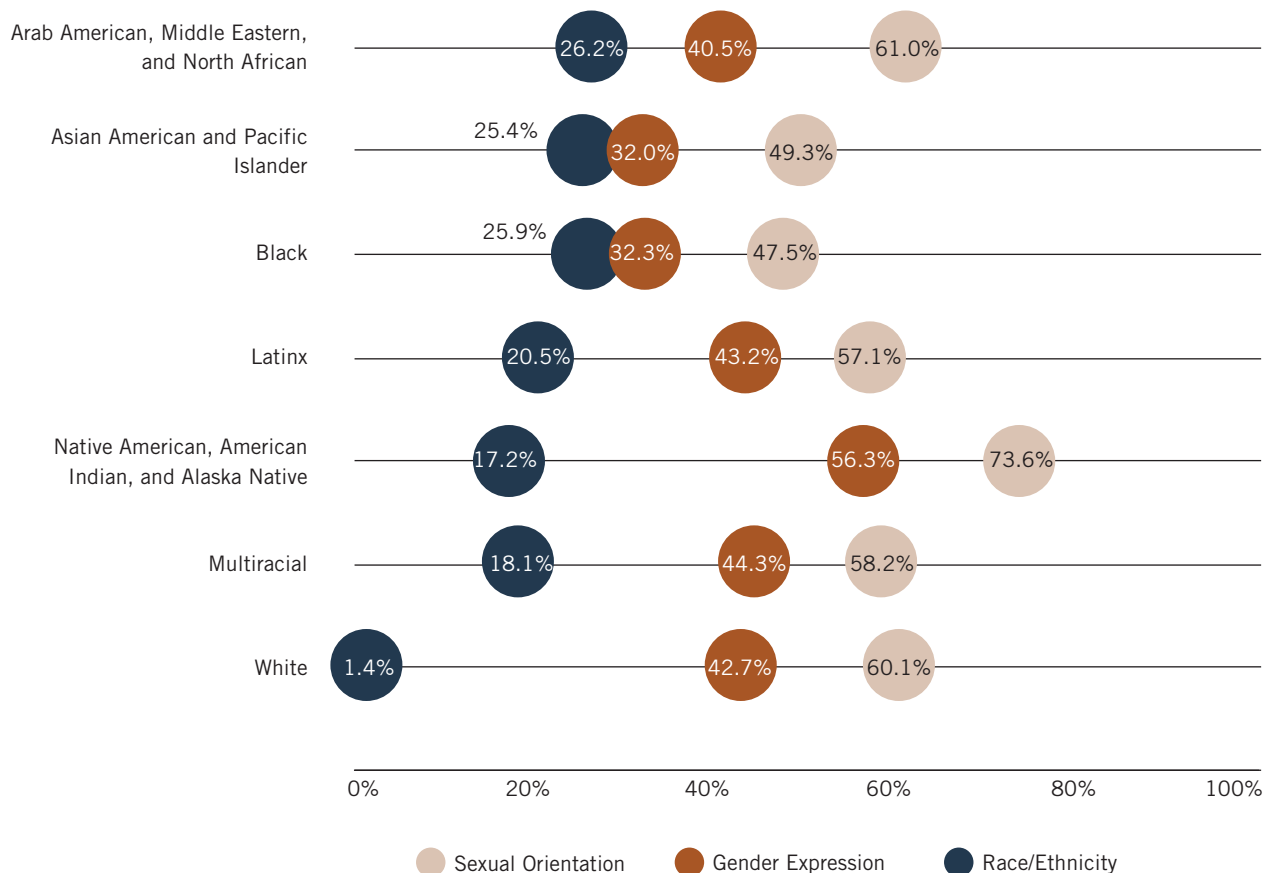
The majority of AAPI LGBTQ students reported negative school experiences regarding their LGBTQ identity, although these experiences were somewhat less common than for other racial/ethnic groups. Nearly half of AAPI students (49.3%) felt unsafe regarding their sexual orientation and nearly a third (32.0%) felt unsafe regarding the way they express their gender (see Figure 3.12). However, AAPI students were less likely than White, Latinx, and Native and Indigenous youth to feel unsafe for either reason, and were also less likely than multiracial students to feel unsafe about their gender expression.²⁹⁵ We also found that most AAPI LGBTQ students (55.7%) experienced harassment or assault related to their sexual orientation, and 43.5% experienced harassment or assault related to their gender expression (see Figure 3.13), although both were less severe than the victimization experienced by Latinx, MENA, Native

and Indigenous, White, and multiracial LGBTQ students.²⁹⁶ Despite the fact that AAPI students experienced comparatively lower levels of anti-LGBTQ experiences, it is important to note that two-fifths (40.8%) experienced both anti-LGBTQ and racist harassment at school.

Many AAPI LGBTQ students experienced anti-LGBTQ discriminatory school policies and practices. Over a third (35.5%) experienced anti-LGBTQ discrimination at school, although AAPI youth were less likely to experience this type of discrimination than all other racial/ethnic groups (see Figure 3.14).²⁹⁷

With regard to school disciplinary action, one-fifth of AAPI LGBTQ students (19.9%) experienced in-school discipline, although this was less than all others except Native and Indigenous students, and 2.8% experienced out-of-school discipline, which was less than Black LGBTQ youth (see Figure 3.15).²⁹⁸ Finally, 0.6% of AAPI students had

Figure 3.12 Sense of Safety at School by Race/Ethnicity



contact with law enforcement as a result of school discipline.

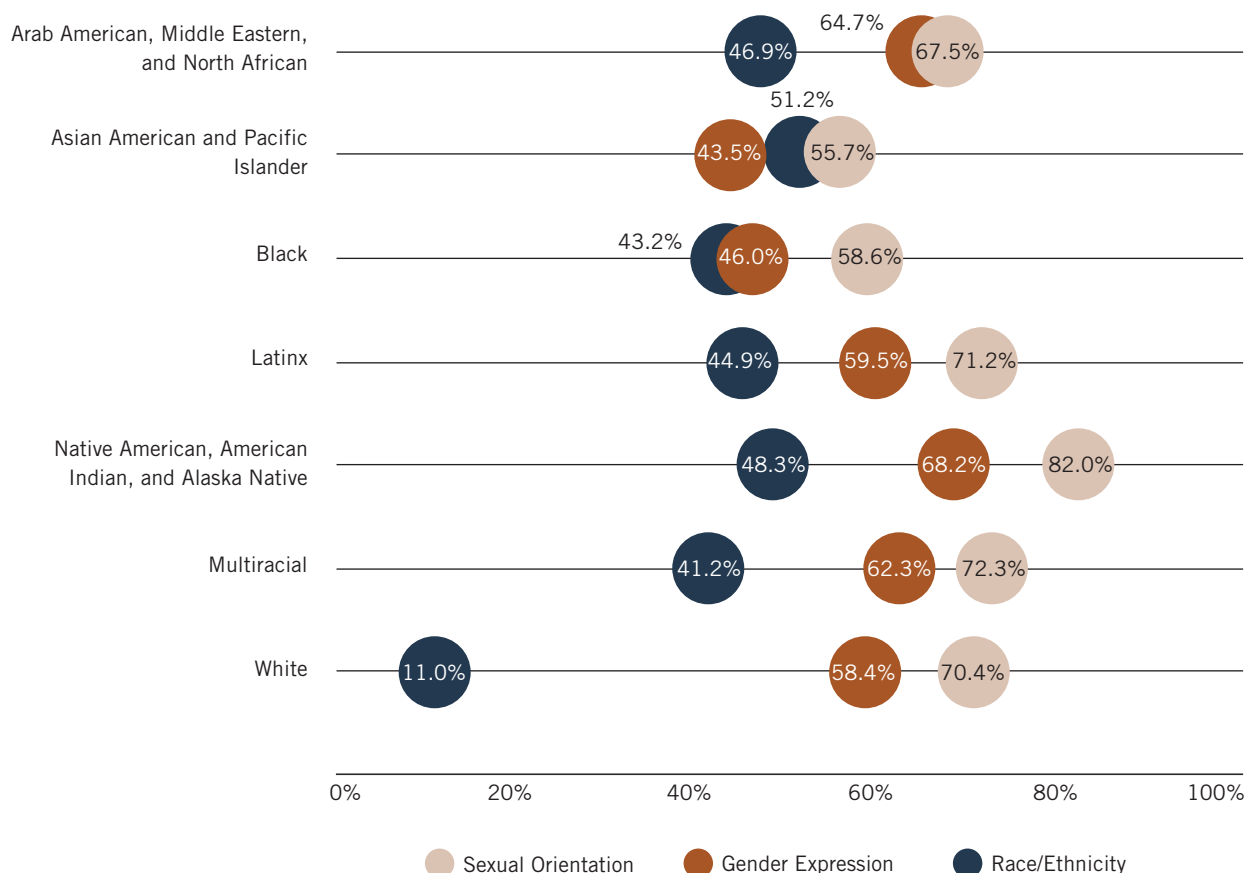
Experiences of Black LGBTQ Students

A quarter of Black LGBTQ students (25.9%) felt unsafe at school regarding their race/ethnicity (see Figure 3.12), and they were more likely than AAPI, Latinx, Native and Indigenous, multiracial, and White LGBTQ students to feel unsafe for this reason.²⁹⁹ Furthermore, 43.2% of Black students experienced harassment or bullying based on their actual or perceived race/ethnicity, which was more frequent than the race-based victimization faced by White students (see Figure 3.13).³⁰⁰

Most Black LGBTQ students also reported negative school experiences due to their LGBTQ identity, although they were generally less likely to do so than LGBTQ youth of other racial/ethnic identities.

Nearly half of Black students (47.5%) felt unsafe regarding their sexual orientation and approximately a third (32.3%) felt unsafe regarding their gender expression (see Figure 3.12). However, Black LGBTQ students were less likely than White, Latinx, and Native and Indigenous youth to feel unsafe about sexual orientation and gender expression, and were also less likely than multiracial students to feel unsafe about their gender expression.³⁰¹ Many Black LGBTQ students also experienced victimization based on their sexual orientation (58.6%) and their gender expression (46.0%), although they experienced lower levels of both forms of victimization than all other racial/ethnic groups except for AAPI students (see Figure 3.13).³⁰² Nevertheless, even though Black LGBTQ youth experienced comparatively lower levels of anti-LGBTQ victimization compared to most other students, over a third (34.7%) experienced both anti-LGBTQ and racist harassment at school.

Figure 3.13 Experiences of In-School Victimization Based on Personal Characteristics by Race/Ethnicity
(Percentage of LGBTQ Students Who Experienced any Bullying, Harassment, or Assault Based on . . .)



Many Black LGBTQ students also experienced anti-LGBTQ discriminatory school policies and practices. Nearly half (48.3%) experienced this type of discrimination in school — more than AAPI students, but less than Latinx, White, multiracial, and Native and Indigenous (see Figure 3.14).³⁰³

With regard to school discipline, a third of Black LGBTQ students (33.3%) experienced in-school discipline and nearly a tenth (8.8%) experienced out-of-school discipline (see Figure 3.15). Black LGBTQ students were more likely to experience both forms of discipline than LGBTQ AAPI students, and were also more likely to experience out-of-school discipline than White LGBTQ students.³⁰⁴ Finally, 1.6% of Black LGBTQ students had contact with law enforcement as a result of school discipline.

Experiences of Latinx LGBTQ Students

Approximately a fifth of Latinx LGBTQ students (20.5%) felt unsafe at school regarding their race/ethnicity (see Figure 3.12), and nearly half (44.9%) experienced bullying or harassment related to their race or ethnicity (see Figure 3.13). Latinx students were more likely than White and multiracial students to feel unsafe regarding their race/ethnicity, but less likely than Black students.³⁰⁵ Latinx students were also more likely than White and multiracial students to experience bullying or harassment based on race/ethnicity.³⁰⁶

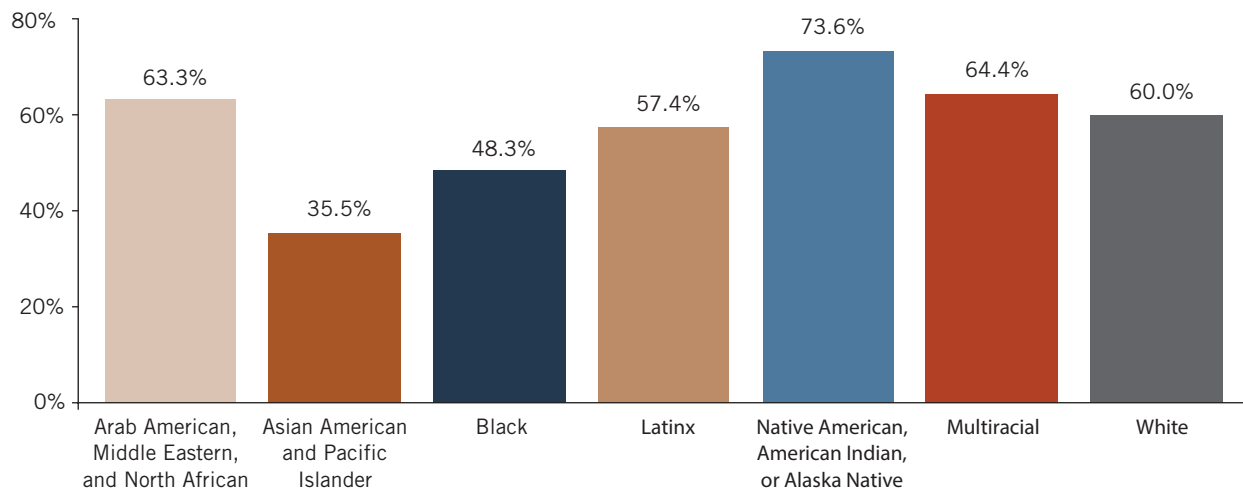
We also found that many Latinx students reported negative school experiences related to their LGBTQ

identity. Over half of Latinx LGBTQ students (57.1%) felt unsafe at school regarding their sexual orientation, more than a third (43.2%) felt unsafe regarding their gender expression, and they were more likely than Black and AAPI students to feel unsafe for these reasons (see Figure 3.12).³⁰⁷ Over two-thirds of Latinx students (71.2%) experienced peer victimization based on their sexual orientation, and over half (59.5%) experienced victimization based on how they express their gender (see Figure 3.13). Similar to feelings of safety, Latinx LGBTQ students were more likely than Black and AAPI students to experience both forms of anti-LGBTQ victimization, although they were less likely to experience homophobic victimization than Native and Indigenous LGBTQ students.³⁰⁸ Notably, two-fifths of Latinx LGBTQ students (41.0%) experienced both anti-LGBTQ and racist harassment at school.

The majority of Latinx LGBTQ students (57.4%) also experienced anti-LGBTQ discriminatory school policies and practices (see Figure 3.14). Latinx students were more likely than Black and AAPI students to experience this type of discrimination.³⁰⁹

Regarding school discipline, more than a third of Latinx LGBTQ students (35.1%) experienced in-school discipline — more than White and AAPI students — and 5.9% experienced some form of out-of-school discipline (see Figure 3.15).³¹⁰ Additionally, 1.5% had contact with law enforcement as a result of school discipline.

Figure 3.14 Experiences of Anti-LGBTQ Discrimination by Race/Ethnicity
(Percentage of LGBTQ Students Experiencing Anti-LGBTQ Discriminatory School Policies and Practices)



Experiences of Native American, American Indian, and Alaska Native (“Native and Indigenous”) LGBTQ Students

Nearly one-fifth of Native and Indigenous LGBTQ students (17.2%) felt unsafe at school regarding their race/ethnicity (see Figure 3.12), and nearly half (48.3%) were bullied or harassed based on their actual or perceived race/ethnicity (see Figure 3.13). Native and Indigenous students were more likely than White students to feel unsafe regarding race/ethnicity, but less likely than Black students.³¹¹ Native and Indigenous students were also more likely than White students to experience victimization based on race/ethnicity.³¹²

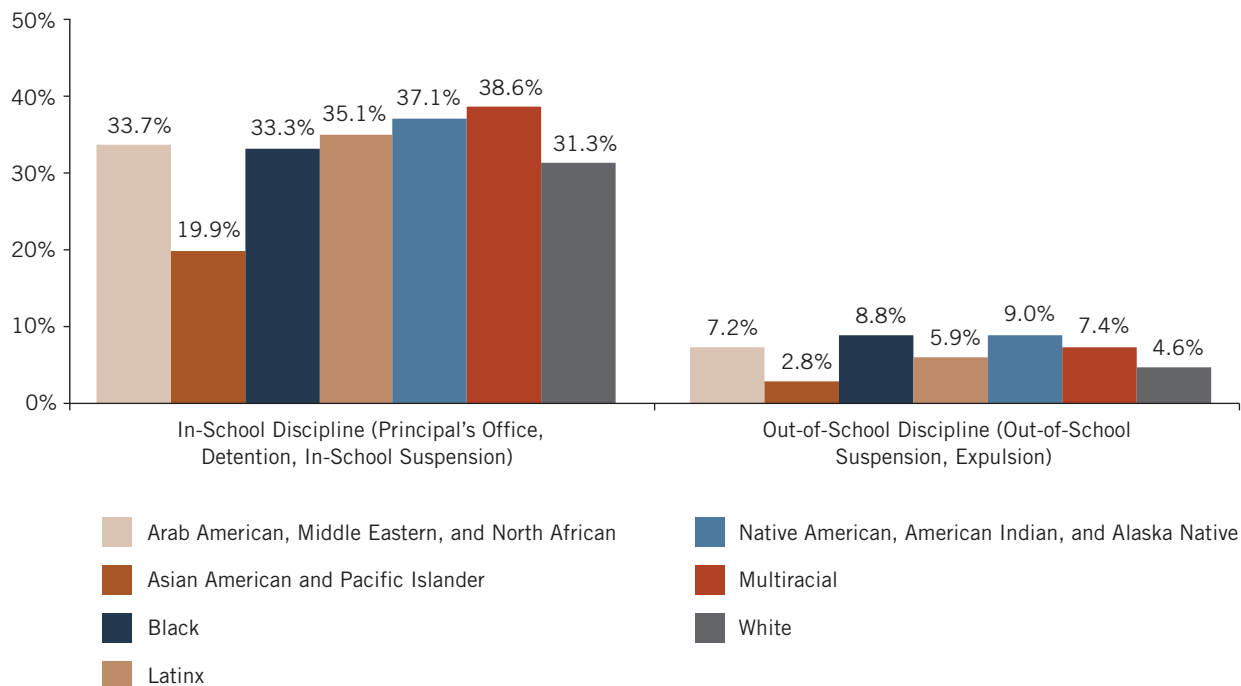
The vast majority of Native and Indigenous LGBTQ students reported negative school experiences related to their LGBTQ identity, and were generally more likely to report these experiences than other racial/ethnic groups. Nearly three quarters of Native and Indigenous LGBTQ students felt unsafe regarding their sexual orientation (73.6%) and over half (56.3%) because of the way they express their gender (see Figure 3.12). Native and Indigenous students were also more likely than Black and AAPI students to feel unsafe for both reasons.³¹³ As shown in Figure 3.13, over four-fifths of Native and Indigenous students (82.0%) experienced harassment and assault based on their

sexual orientation, and over two-thirds (68.2%) based on their gender expression. In fact, Native and Indigenous students experienced more severe homophobic victimization than all others, except for MENA students from whom they did not differ, and faced more severe victimization based on gender expression than White, Black, and AAPI students.³¹⁴ It is also important to note that nearly half (47.2%) experienced both anti-LGBTQ and racist harassment at school.

Experiences of anti-LGBTQ discriminatory school policies and practices were also common among Native and Indigenous students. Nearly three-fourths (73.6%) experienced this type of discrimination at school, and they were more likely to experience discrimination than Black and AAPI LGBTQ students (see Figure 3.14).³¹⁵

Many Native and Indigenous LGBTQ students also experienced school disciplinary practices. Nearly two-fifths (37.1%) experienced in-school discipline, and nearly one-tenth (9.0%) experienced some form of out-of-school discipline (see Figure 3.15). In addition, 2.2% had contact with law enforcement as a result of school discipline. We, however, did not observe any differences regarding discipline between Native and Indigenous students and other groups.³¹⁶

Figure 3.15 Experiences of School Discipline by Race/Ethnicity
(Percentage of LGBTQ Students Who Experienced School Discipline)



“I feel... outnumbered, looked down upon. I have to work twice as hard just to be at par with a white boy with privilege, not to mention that being worse because of the fact that I’m not straight.”

Experiences of Multiracial LGBTQ Students

Nearly a fifth of multiracial LGBTQ students (18.1%) felt unsafe in school regarding their race/ethnicity (see Figure 3.12), and they were more likely to feel unsafe for this reason than White students, but less likely than MENA, Black, and AAPI students.³¹⁷ Additionally, over two-fifths (41.2%) faced harassment based on racial/ethnic identity, and they faced more frequent harassment than White LGBTQ students (see Figure 3.13).³¹⁸

Many multiracial LGBTQ students also reported negative school experiences regarding their LGBTQ identity. More than half (58.2%) felt unsafe at school regarding their sexual orientation, and more than two-fifths (44.3%) felt unsafe regarding the way they express their gender (see Figure 3.12). Although multiracial students did not differ from other students on feeling unsafe because of their sexual orientation, they were more likely than Black and AAPI students to feel unsafe regarding their gender expression.³¹⁹ The majority of multiracial LGBTQ students also experienced harassment regarding their LGBTQ identity — 72.3% faced harassment based on their sexual orientation and 62.3% experienced this victimization based on gender expression (see Figure 3.13). Multiracial students reported greater levels of homophobic victimization than Black and AAPI students, but lower levels than Native and Indigenous students. They also reported greater levels of victimization based on gender expression than Black and AAPI LGBTQ students.³²⁰ Notably, over a third of multiracial LGBTQ students (36.5%) experienced both racist and anti-LGBTQ harassment at school.

We also found that the majority of multiracial LGBTQ students experienced anti-LGBTQ discriminatory policies and practices at school. Nearly two-thirds (64.4%) experienced this type of discrimination — more than Black and AAPI students (see Figure 3.14).³²¹

Many multiracial LGBTQ students reported experiences with school discipline. Nearly two-

fifths of multiracial LGBTQ students (38.6%) experienced in-school discipline, and nearly a tenth (7.4%) experienced some form of out-of-school discipline (see Figure 3.15). Multiracial students were more likely to experience both in-school and out-of-school discipline than White youth, and were also more likely to experience in-school discipline than AAPI youth.³²² Finally, 1.3% of multiracial LGBTQ students had contact with law enforcement as a result of school discipline.

Experiences of White LGBTQ Students

A small number of White LGBTQ students (1.4%) felt unsafe at school regarding their race/ethnicity, and just over one-tenth (11.0%) experienced bullying or harassment based on their actual or perceived race/ethnicity (see Figures 3.12 and 3.13). Not surprisingly, White LGBTQ students were less likely than all other racial/ethnic groups to feel unsafe³²³ or experience bullying or harassment³²⁴ for this reason.

The majority of White LGBTQ students reported negative school experiences with regard to LGBTQ identity. Over half (60.1%) felt unsafe regarding their sexual orientation, and over two-fifths (42.7%) felt unsafe regarding their gender expression (see Figure 3.12). White students were more likely to feel unsafe regarding sexual orientation and gender expression than both Black and AAPI students.³²⁵ More than two-thirds of White LGBTQ students (70.4%) experienced victimization related to their sexual orientation, and over half (58.4%) experienced victimization related to gender expression (see Figure 3.13). Similar to feelings of safety, White students were more likely to face anti-LGBTQ victimization than Black and AAPI students, although they were less likely to experience this victimization than Native and Indigenous students.³²⁶ Although most White LGBTQ students had negative school experiences regarding their LGBTQ identity, only one-tenth (10.1%) experienced harassment based on both LGBTQ identity and actual or perceived race/ethnicity.

The majority of White LGBTQ youth (60.0%) experienced some form of anti-LGBTQ discrimination at school (see Figure 3.14). Furthermore, White students were more likely than Black and AAPI students to experience this form of discrimination.³²⁷

Regarding school discipline, just under a third of White LGBTQ students (31.3%) experienced some form of in-school discipline and 4.6% experienced out-of-school discipline (see Figure 3.15). White students were more likely than AAPI students to experience either form of discipline. However, they were less likely than multiracial and Latinx students to experience in-school discipline, and less likely than multiracial and Black students to report experiences with out-of-school discipline.³²⁸ Finally, 1.1% of White students had contact with law enforcement as a result of school discipline.

Conclusions

The majority of LGBTQ students of all races and ethnicities reported hostile school experiences due to their marginalized identities. Nevertheless, we observed some notable relationships between racial/ethnic identity and feelings of safety as well as experiences of victimization, discrimination, and disciplinary action in school.

With regard to students' experiences with race/ethnicity, it is interesting to note that nearly all LGBTQ students of color experienced similar rates of racist harassment, but Black LGBTQ students were more likely than nearly all others to feel unsafe about their race/ethnicity. In part, this may be related to the nature of racist victimization that Black LGBTQ students experience, which may occur at a similar rate but could be more severe than the harassment faced by other racial/ethnic groups. It is also likely that Black LGBTQ

students' feelings of safety about their race are related to other experiences of racism not captured in this survey, given this country's long, ongoing, and pervasive culture of racism against Black communities in particular.³²⁹

Black and AAPI LGBTQ students were both generally less likely than others to have had anti-LGBTQ experiences at school. Conversely, we found that Native and Indigenous LGBTQ students were more likely to have experienced anti-LGBTQ bias in school than other racial/ethnic groups. It is unclear why anti-LGBTQ experiences differ across racial/ethnic groups in this way, and further research is warranted regarding the relationship between racial/ethnic identity and anti-LGBTQ school experiences.

Despite the differences that we found, it is important to acknowledge that all LGBTQ youth of color were at greater risk of experiencing multiple forms of victimization than their White LGBTQ peers.³³⁰ Furthermore, our prior research has shown that LGBTQ youth of color who experienced both racist and anti-LGBTQ victimization at school reported the poorest well-being, and are most likely to feel unsafe at school, compared to those who experienced one or neither form of victimization.³³¹ Thus, school staff must support LGBTQ youth of color with an intersectional approach that acknowledges and responds to racism, homophobia, and transphobia, and to the ways these interconnected forms of oppression may influence one another. This approach must also acknowledge the uniquely harmful impact of racism on Black students and Black communities, in particular. Further research is needed to critically examine how school climate manifests for LGBTQ students of different racial and ethnic backgrounds, as well as best practices to serve these populations of youth.

School Climate by School Characteristics

What do you want the team to do? (Goals, plans, etc.)

- ✓ Take top into schools into GSA and have administrators there
- ✓ Increase visibility
- ✓ plan GSA report for next year
- ✓ plan regional GSA events - dates, materials, venue, etc.
- mentor fledgling GSAs
- coordinate w/ Center for Hate Prevention & Violence
- provide training
- provide support



Key Findings

- LGBTQ students in middle school had more hostile school experiences and less access to LGBTQ-related school supports than LGBTQ students in high school.
- LGBTQ students in private non-religious schools experienced a less hostile school climate than those in public or religious schools. LGBTQ students in private non-religious schools also had greater access to most LGBTQ-related school supports, however public schools were more likely to have a GSA and most likely to have LGBTQ-inclusive school library resources.
- Among students in public schools, those in charter schools were similar to those in regular public schools regarding anti-LGBTQ experiences and many resources and supports, although charter school students were more likely to have access to: inclusive curricular resources, supportive policies for transgender and nonbinary students, and a supportive administration. Regular public school students were more likely to have LGBTQ-inclusive school library resources.
- LGBTQ students in small towns or rural areas were most likely to hear anti-LGBTQ remarks, and experience anti-LGBTQ victimization and discrimination than students in urban and suburban schools. They were also least likely to have access to LGBTQ-related school supports.
- LGBTQ students in schools in the South were most likely to hear anti-LGBTQ remarks, and experience anti-LGBTQ victimization and discrimination than students in other regions. They were also least likely to have access to LGBTQ-related school supports.

LGBTQ students' experiences at school with regard to safety and LGBTQ-related supports may vary depending on the characteristics of the school itself. Students in our survey were asked about their grade level, the type of school they attend, and the geographic location of their school. We examined potential differences in LGBTQ students' reports of hearing anti-LGBTQ language, experiences of anti-LGBTQ victimization and discrimination, and access to LGBTQ-related resources and supports by school level, school type, locale, and geographic region.³³²

Differences by School Level

We examined differences in the experiences of LGBTQ students in middle schools and high schools.³³³ Overall, we found that LGBTQ middle school students reported a more hostile school climate than LGBTQ high school students.

Biased language. LGBTQ students in middle school heard homophobic remarks, including “that’s so gay,” “no homo,” and other homophobic remarks, more frequently than LGBTQ students in high school. Middle school students, however, did not differ from high school students with regard to hearing gender-biased remarks, including negative remarks about gender expression and negative remarks about transgender people (see Table 3.2).³³⁴

Peer victimization. Middle school students also experienced higher levels of all types of anti-LGBTQ victimization, including victimization based on sexual orientation, gender expression, and gender (see Table 3.2).³³⁵

Anti-LGBTQ discrimination. Middle school students were more likely to experience anti-LGBTQ discriminatory school policies and practices than high school students (see Table 3.2).³³⁶

LGBTQ-related resources and supports. LGBTQ students in middle school were less likely to have access to LGBTQ-related resources and supports in school, as compared to those in high school (see Table 3.2).³³⁷ LGBTQ middle school students were less likely to report having both comprehensive anti-bullying/harassment policies and policies supportive of transgender and nonbinary students. Middle school students reported having fewer supportive educators, less supportive school administrations, and fewer visible signs of LGBTQ support in school, specifically Safe Space stickers/

“My school has both middle and high school students in the same building. The middle schoolers are much more intolerant of LGBTQ people. The high schoolers are much more supportive.”

posters. In addition, LGBTQ students in middle school were less likely than those in high school to report having LGBTQ-inclusive curriculum, including LGBTQ-inclusive sex education, as well as other LGBTQ-inclusive curricular resources, such as website access, library resources, and textbooks/other assigned readings. It is important to note, regarding LGBTQ-inclusive sex education, that we asked students about whether they had ever received this type of instruction, and as such, high school students would have had more opportunity to receive this type of curriculum than middle school students because they have had more years of schooling. Nevertheless, it is important that LGBTQ students receive LGBTQ-inclusive sex education early on before they are faced with situations that may put them at risk for sexual health problems, especially because prior research has shown that LGBTQ youth are more likely to engage in sexual health risk behaviors than non-LGBTQ youth.³³⁸

Middle school students were also less likely to report that their school had a supportive student club, such as a GSA. However, among LGBTQ students who had a GSA in their school, those in middle school reported attending meetings more often.³³⁹ It may be that because GSAs are less common in middle schools, there is a stronger commitment and greater effort among LGBTQ students to sustain those GSAs that do exist. It may also be that LGBTQ students in middle school are more likely than those in high school to seek support at GSA meetings, given the comparatively more hostile school climate in middle school.

Overall, these findings are consistent with research on the general population which indicates that students in middle schools face more hostile climates than students in high schools.³⁴⁰ School districts should devote greater attention to implementing these LGBTQ-supportive resources in

Table 3.2 Percentages of Students Reporting Anti-LGBTQ Language, Experiences of LGBTQ-Related Victimization, Discriminatory Policies and Practices, and Availability of LGBTQ-Related School Resources and Supports, by School Level.*

	Middle School	High School
Anti-LGBTQ Language in School (Heard Often or Frequently)		
“Gay” Used in Negative Way (e.g., “that’s so gay”)	87.4%	73.4%
Other Homophobic Remarks	59.4%	54.4%
“No Homo”	77.8%	57.3%
Negative Remarks About Gender Expression	52.1%	53.2%
Negative Remarks About Transgender People	45.0%	43.8%
Experiences of LGBTQ-Related Victimization (Any Bullying/ Harassment/Assault)		
Victimization Based on Sexual Orientation	80.7%	67.2%
Victimization Based on Gender Expression	64.6%	56.4%
Victimization Based on Gender	61.5%	54.4%
Discriminatory School Policies and Practices		
Any LGBTQ-Related Discrimination	68.9%	55.7%
School Resources and Supports		
GSAs		
Presence of GSA	34.3%	73.5%
Curricular Inclusion		
Positive LGBTQ Curricular Inclusion	15.7%	20.4%
Negative LGBTQ Curricular Inclusion	14.8%	16.5%
Positive LGBTQ Inclusion in Sex Education	7.4%	8.6%
Curricular Resources		
LGBTQ Website Access	45.9%	59.4%
LGBTQ Library Resources	44.3%	52.2%
LGBTQ Inclusion in Textbooks or Other Assigned Readings	11.3%	21.7%
Supportive Educators		
Many (11 or More Supportive Staff)	32.3%	46.8%
Supportive Administration (Somewhat or Very Supportive)	35.7%	45.0%
Safe Space Stickers/Posters	45.2%	70.8%
Inclusive and Supportive Policies		
Comprehensive Anti-Bullying/Harassment Policy	10.7%	14.8%
Transgender/Nonbinary Student Policy	7.2%	12.1%

*Note: The percentages shown in the table are raw percentages. Because demographic differences were controlled for in the analyses, the raw percentages may not reflect differences in the analyses.

middle schools and to addressing anti-LGBTQ bias in younger grades, before it becomes engrained in middle school students' behaviors and attitudes. With specific regard to school policies, given that comprehensive anti-bullying/harassment policies and supportive policies for transgender and nonbinary students are often mandated at the district level, one would not necessarily expect any differences by school level. It may be that younger students are less aware of protective policies at their schools, and as such, school districts may need to increase efforts to educate students at all school levels about their rights. It also might reflect that some districts are inconsistent in the implementation of policies among their schools, particularly middle schools, and in such cases, districts must ensure that all schools are following district policies about school climate.

Differences by School Type

We examined differences in the experiences of LGBTQ students in public schools, religious schools, and private non-religious schools. Overall, we found that LGBTQ students in private non-religious schools experienced the least hostile school climates.

Biased language. Overall, we found that LGBTQ students from public schools were most likely to hear LGBTQ-biased language at school, whereas LGBTQ students in private non-religious schools were least likely to hear this type of language (see Table 3.3).³⁴¹ Specifically, LGBTQ students in private non-religious schools heard all types of anti-LGBTQ remarks less frequently than public school students, and heard most types of anti-LGBTQ remarks less frequently than religious school students, with the exception of hearing “no homo” where there were no differences between private non-religious and religious school students. There were also differences between LGBTQ students in public schools and those in religious schools, although they were somewhat more nuanced. LGBTQ students in religious schools heard most types of homophobic remarks less frequently than those in public schools, with the exception of hearing “gay” used in a negative way where there were no differences. However, public school students heard negative remarks about gender expression less frequently than religious school students. There were no differences between public and religious school students on hearing negative remarks about transgender people.

Among public school students, we also examined anti-LGBTQ language between students in charter schools and those in regular public schools. However, for all types of anti-LGBTQ remarks, we did not observe any differences (see Table 3.3).³⁴²

Peer victimization. The frequency of anti-LGBTQ victimization also differed across school type (see Table 3.3).³⁴³ LGBTQ students in public schools generally experienced higher levels of anti-LGBTQ victimization than others. Specifically, public school students experienced higher levels of all types of anti-LGBTQ victimization than those in private non-religious schools, and higher levels of victimization based on gender than those in religious schools. However, public school and religious school students did not differ on victimization based on sexual orientation and based on gender expression. Private non-religious school students and religious school students did not differ on any type of anti-LGBTQ victimization. Furthermore, among public school students, there were no significant differences with regard to victimization between those in charter schools and those in regular public schools (see Table 3.3).³⁴⁴

Anti-LGBTQ discrimination. Students in private non-religious schools were the least likely to report experiencing anti-LGBTQ discriminatory school policies and practices, and students in religious schools were the most likely to experience anti-LGBTQ discrimination (see Table 3.3).³⁴⁵ Among public school students, there were no significant differences in experiences with discrimination between those in charter schools and those in regular public schools (see also Table 3.3).³⁴⁶

LGBTQ-related resources and supports. We examined differences by school type regarding LGBTQ students' access to LGBTQ-related school supports, including: GSAs, supportive staff, LGBTQ-inclusive curriculum, other curricular resources, and inclusive and supportive school policies. Overall, students in religious schools were less likely to report having LGBTQ-related resources and supports in their schools, and students in private non-religious schools were more likely to report having these resources and supports (see Table 3.3).³⁴⁷ Furthermore, there were few differences in the availability of LGBTQ-related resources and supports among public school students between those in charter schools and those in regular public schools (see also Table 3.3).³⁴⁸

Table 3.3 Percentages of Students Reporting Anti-LGBTQ Language, Experiences of LGBTQ-Related Victimization, Discriminatory Policies and Practices, and Availability of LGBTQ-Related School Resources and Supports, by School Type.*

	Public**			Private	Religious
	All Public	Regular Public	Charter		
Anti-LGBTQ Language in School (Heard Often or Frequently)					
“Gay” Used in Negative Way (e.g., “that’s so gay”)	77.2%	77.3%	74.5%	54.5%	70.9%
Other Homophobic Remarks	56.5%	56.6%	55.6%	31.3%	46.8%
“No Homo”	61.7%	61.6%	64.2%	51.8%	54.1%
Negative Remarks About Gender Expression	53.4%	53.4%	53.3%	47.1%	60.7%
Negative Remarks About Transgender People	44.9%	44.9%	44.4%	29.0%	42.8%
Experiences of LGBTQ-Related Victimization (Any Bullying/ Harassment/Assault)					
Victimization Based on Sexual Orientation	70.9%	70.7%	75.1%	58.9%	68.1%
Victimization Based on Gender Expression	58.8%	58.6%	65.2%	51.6%	57.4%
Victimization Based on Gender	56.5%	56.3%	60.8%	51.4%	44.4%
Discriminatory School Policies and Practices					
Any LGBTQ-Related Discrimination	58.7%	58.5%	62.3%	51.2%	83.5%
School Resources and Supports					
GSAs					
Presence of GSA	63.9%	64.0%	61.2%	57.9%	14.9%
Curricular Inclusion					
Positive LGBTQ Curricular Inclusion	18.8%	18.4%	26.8%	32.9%	13.2%
Negative LGBTQ Curricular Inclusion	15.6%	15.5%	16.3%	13.1%	59.2%
Positive LGBTQ Inclusion in Sex Education	8.0%	7.9%	11.0%	14.2%	3.1%
Curricular Resources					
LGBTQ Website Access	56.1%	56.0%	57.1%	68.7%	42.3%
LGBTQ Library Resources	50.5%	50.8%	42.9%	43.1%	24.1%
LGBTQ Inclusion in Textbooks or Other Assigned Readings	18.9%	18.8%	21.8%	26.4%	27.0%
Supportive Educators					
Many (11 or More Supportive Staff)	42.8%	42.9%	40.5%	50.2%	17.2%
Supportive Administration (Somewhat or Very Supportive)	42.4%	42.2%	46.5%	55.9%	18.6%
Safe Space Stickers/Posters	64.4%	64.5%	62.6%	65.9%	19.5%
Inclusive and Supportive Policies					
Comprehensive Anti-Bullying/Harassment Policy	13.6%	13.6%	14.3%	16.9%	3.6%
Transgender/Nonbinary Student Policy	10.9%	10.7%	13.8%	17.3%	2.6%

*Note: The percentages shown in the table are raw percentages. Because demographic differences were controlled for in the analyses, the raw percentages may not reflect differences in the analyses.

**Analyses were conducted on all public schools. Within public schools, analyses were also conducted on regular (non-charter) and charter schools.

Students in private non-religious schools were most likely to have LGBTQ-related supportive school resources, with a few exceptions. We did not observe a difference between those in private non-religious schools and those in religious schools regarding access to LGBTQ-related textbooks and other assigned reading materials. Further, we did not observe a difference between those in private non-religious and those in public schools regarding visible displays of support (i.e., Safe Space stickers/posters), and private non-religious school students were actually less likely than those in public schools to have GSAs and LGBTQ-related library resources.

In contrast to private non-religious schools, students in religious schools were least likely to report having most supportive school resources we examined, including: GSAs, LGBTQ-inclusive curriculum, access to LGBTQ-related websites, LGBTQ-related library resources, indicators of supportive school personnel (i.e., supportive educators, supportive school administration, Safe Space stickers/posters), comprehensive anti-bullying/harassment policies, and policies supportive of transgender and nonbinary students. Furthermore, religious school students were most likely to report *negative* representations of LGBTQ people and topics in their curriculum (see Table 3.3).³⁴⁹ However, we also found that LGBTQ students in religious schools were more likely to have LGBTQ-related information in textbooks or other assigned readings than public school students, and as previously mentioned, were not different from private non-religious school students in their access to these types of resources.

It is perhaps surprising that LGBTQ students in our sample from religious schools reported more LGBTQ content in their textbooks or other assigned readings than public school students. However, students in the survey were asked about any LGBTQ inclusion in textbooks and assigned readings, regardless of its nature. Considering the finding that religious school students were more likely than others to report being taught negative LGBTQ content, it is possible that the LGBTQ topics included in students' textbooks and assigned readings are often included in a negative manner.

Within public schools, students in charter schools and students in regular public schools did not differ regarding access to most LGBTQ resources and supports. However, students in charter schools were more likely than those in regular public schools

to report having LGBTQ-inclusive curriculum, including LGBTQ-inclusive sex education, as well as supportive transgender and nonbinary student policies. Charter school students also reported having more supportive administrations. However, students in charter schools were less likely to have access to LGBTQ-related library resources than those in regular public schools.

In general, we found that private non-religious schools were more positive environments for LGBTQ youth than public or religious schools, as private non-religious school students were least likely to hear anti-LGBTQ remarks, least likely to experience anti-LGBTQ victimization or discrimination, and were most likely to have LGBTQ-related school resources and supports. The differences between LGBTQ student experiences in religious schools and those in public schools, however, are more nuanced. Students in religious schools were less likely than those in public schools to hear homophobic remarks and to experience victimization based on gender, but they were more likely to hear negative remarks about gender expression, more likely to experience LGBTQ-related discrimination at school, and less likely to have LGBTQ resources and supports.

The results regarding gender-based bias, in particular, indicate a somewhat complex pattern. Compared to students in public schools, those in religious schools experienced less gender-based victimization and similar rates of victimization based on gender expression. However, students in religious schools were more likely to hear negative comments about gender expression. In part, this pattern may come from a culture in religious schools that is often more gendered than in public schools. For example, students in religious schools were more likely than those in public schools to report that they attended a single-sex school (17.0% vs 0.2%),³⁵⁰ and students in religious schools were also more likely to report school practices that separated students by gender or held them to different standards based on gender, such as gendered dress codes or uniforms.³⁵¹ Thus, the gender of LGBTQ students' peers in religious schools may be more homogenous, whereas gender expression would still vary among students. As such, one might expect less victimization based on gender, but one might not necessarily expect less victimization based on gender expression, as we saw in our findings. Furthermore, students in religious schools were less likely than those in

public schools to report that school staff intervened on negative remarks about gender expression,³⁵² which may reflect more traditional attitudes and values in religious schools about gender roles.

In addition to the gendered culture and practices in many religious schools, it is also important to note that all private schools, both religious and non-religious, can select who attends their school and can more easily expel students than public schools, which could result in comparatively lower rates of harassment that LGBTQ students experience in private non-religious schools. However, the policies and practices of some religious schools may reflect a more negative, anti-LGBTQ attitude of their specific religious doctrine or beliefs, which in turn, may result in greater LGBTQ-related discrimination and fewer supports.

Despite the differences we found between public, religious, and private non-religious schools, we found that LGBTQ students in all three school types commonly reported experiences of anti-LGBTQ remarks, victimization, and discrimination. For all types of schools, more effort needs to be made to provide positive school environments for LGBTQ youth. With specific regard to religious schools, greater efforts toward providing more inclusive curricular resources and policies for LGBTQ students are specifically warranted. In addition, given that little is known about the expulsion of LGBTQ students in private schools, further research is needed to better understand how these and other school disciplinary actions might affect school climate for LGBTQ students. Furthermore, there is a need for action in all types of schools to combat policies that create a hostile climate for LGBTQ students.

Among students in public schools, specifically, those in charter schools were generally similar to those in regular public schools with regard to anti-LGBTQ experiences. With regard to LGBTQ-related resources and supports, however, students in charter schools were more likely to have inclusive curricular materials, supportive transgender and nonbinary policies, and a supportive administration. With regard to curricular inclusion in particular, it may be that charter schools provide more curricular flexibility for teachers than regular public schools. In contrast, charter schools were less likely to have LGBTQ-related library resources than regular public schools, although this may be related to charter schools having fewer library

“I go to a Catholic school... My school also was begged by LGBT students to create a support group of LGBT or some of the sort. Students asked for literally 4 years, and they told them straight up NO.”

resources in general than regular public schools.³⁵³ More research is needed to understand these differences in resources and supports between charter schools and regular public schools. With increased attention paid to charter schools in recent years, it is also important that future research further examines the experiences of LGBTQ students in these schools. As charter schools may vary widely in their missions, ideals, and practices, further exploration into how various types of charter schools address LGBTQ student issues would be particularly valuable.

Differences by Locale

We examined differences in the experiences of LGBTQ students in urban, suburban, and rural schools. Overall, we found that LGBTQ students in rural schools experienced the most hostile school climates.

Biased language. LGBTQ students in rural schools reported hearing most types of anti-LGBTQ remarks more frequently than those in other locales, and there were few differences between students in urban and those in suburban schools.³⁵⁴ The one exception was the phrase “no homo” — students in urban schools reported hearing this more frequently than those in suburban schools, but did not differ from students in rural schools (see Table 3.4).

Peer victimization. LGBTQ students in suburban schools experienced less anti-LGBTQ victimization compared to students in other locales.³⁵⁵ LGBTQ students in urban schools were less likely to experience victimization based on sexual orientation than LGBTQ students in rural schools, but students in the two regions did not differ in victimization based on gender expression and victimization based on gender (see Table 3.4).

Table 3.4 Percentages of Students Reporting Anti-LGBTQ Language, Experiences of LGBTQ-Related Victimization, Discriminatory Policies and Practices, and Availability of LGBTQ-Related School Resources and Supports, by Locale.*

	Urban	Suburban	Rural/ Small Town
Anti-LGBTQ Language in School (Heard Often or Frequently)			
“Gay” Used in Negative Way (e.g., “that’s so gay”)	71.6%	73.3%	81.7%
Other Homophobic Remarks	51.3%	50.0%	63.5%
“No Homo”	62.9%	59.1%	61.8%
Negative Remarks About Gender Expression	52.8%	51.1%	56.8%
Negative Remarks About Transgender People	40.1%	40.7%	51.0%
Experiences of LGBTQ-Related Victimization (Any Bullying/Harassment/Assault)			
Victimization Based on Sexual Orientation	68.8%	66.1%	76.4%
Victimization Based on Gender Expression	59.8%	54.6%	62.7%
Victimization Based on Gender	57.5%	52.5%	59.2%
Discriminatory Policies and Practices			
Any LGBTQ-Related Discrimination	57.7%	55.1%	66.1%
School Resources and Supports			
GSAs			
Presence of GSA	65.6%	71.6%	44.3%
Curricular Inclusion			
Positive LGBTQ Curricular Inclusion	23.9%	21.0%	13.9%
Negative LGBTQ Curricular Inclusion	16.5%	15.5%	19.4%
Positive LGBTQ Inclusion in Sex Education	11.0%	8.5%	5.6%
Curricular Resources			
LGBTQ Website Access	57.1%	59.5%	51.6%
LGBTQ Library Resources	46.3%	52.3%	46.5%
LGBTQ Inclusion in Textbooks or Other Assigned Readings	21.3%	21.8%	15.2%
Supportive Educators			
Many (11 or More Supportive Staff)	46.5%	49.8%	28.3%
Supportive Administration (Somewhat or Very Supportive)	46.6%	46.4%	33.5%
Safe Space Stickers/Posters	67.7%	70.6%	47.9%
Inclusive and Supportive Policies			
Comprehensive Anti-Bullying/Harassment Policy	14.4%	15.4%	10.1%
Transgender/Nonbinary Student Policy	14.1%	11.4%	7.9%

*Note: The percentages shown in the table are raw percentages. Because demographic differences were controlled for in the analyses, the raw percentages may not reflect differences in the analyses.

Anti-LGBTQ discrimination. LGBTQ students in rural schools were more likely to experience anti-LGBTQ discrimination than those in other locales. There were no differences in experiences of this kind of discrimination between students in urban schools and students in suburban schools (see Table 3.4).³⁵⁶

LGBTQ-related resources and supports. Overall, LGBTQ students in rural schools were least likely to report having LGBTQ-related resources and supports in their schools (see Table 3.4).³⁵⁷ Specifically, students from rural schools had less access to all LGBTQ-related resources and supports than students in suburban schools. Students in rural schools also had less access to most LGBTQ-related resources and supports than students in urban schools, except they did not differ on the availability of LGBTQ-related library resources.

The pattern of differences between students in urban and suburban schools in regard to school resources was somewhat mixed. Students in urban schools were more likely to have LGBTQ-inclusive curriculum, LGBTQ-inclusive sex education, and supportive transgender and nonbinary student policies than students in suburban schools. However, students in urban schools were less likely to have GSAs, supportive educators, Safe Space stickers/posters, LGBTQ-related website access, and LGBTQ-related library resources than students in suburban schools. Certain resources, such as an educator who shows support of LGBTQ students or displays of a Safe Space sticker/poster, or a librarian who selects LGBTQ-related content to be included in the school library, may more likely be a result of individual-level actions taken by educators and staff. In contrast, other resources, such as positive curricular inclusion or LGBTQ-supportive policies, may more likely be a result of district-level stipulations by school board or district leadership. With regard to resources driven by individual-level actions, differences between urban and suburban schools may be caused by inequities in funding and resources. Urban schools often have fewer financial resources relative to the size of the student population than suburban schools,³⁵⁸ and thus, educators in urban schools may have less access to training and supports that facilitate LGBTQ-inclusion. With regard to resources driven by institutional action, such as curriculum and policy, differences between urban and suburban schools may be related to differences in social and political attitudes of

the local communities. There tends to be greater community acceptance of LGBTQ people in urban areas than in suburban areas.³⁵⁹ As such, there may be a greater willingness, or less resistance, on the part of district administrations or school boards in urban areas to provide institutional LGBTQ-related resources and supports in the schools. However, more research is warranted to understand why LGBTQ students in suburban schools have greater access to the other types of resources and supports.

Overall, our findings indicate that schools in rural areas were the most unsafe and were least likely to have LGBTQ-related school resources and supports. Although schools in suburban areas appeared to be safest for LGBTQ students, they sometimes lagged behind urban schools with regard to certain resources and supports. More research is needed to examine the relationship between school supports and their effect on school climate for LGBTQ students, particularly while taking into account differences by locale. Nevertheless, given the positive impact of LGBTQ-related school resources and supports, specific efforts should be made to increase these resources in all schools, particularly in rural schools where there may be the greatest need.

Differences by Region

We examined differences in experiences of LGBTQ students in the South, Midwest, West, and Northeast. In general, LGBTQ students from the South and Midwest reported a more hostile school climate than students from the West and Northeast.

Biased language. Overall, LGBTQ students from the South and Midwest were more likely to hear anti-LGBTQ language than students in the Northeast and West (see Table 3.5).³⁶⁰ For all types of anti-LGBTQ remarks, except for the phrase, “no homo,” students in the South reported the highest rates relative to all other regions, students in the Midwest reported higher rates than students in the Northeast and West, and students in the Northeast and West did not differ. For the expression “no homo,” students in the Northeast were the least likely to hear the phrase “no homo” in school, compared to all other regions. Further, students in the Midwest were less likely to hear “no homo” in school than those in the South and those in the West. However, we did not find that those in

Table 3.5 Percentages of Students Reporting Anti-LGBTQ Language, Experiences of LGBTQ-Related Victimization, Discriminatory Policies and Practices, and Availability of LGBTQ-Related School Resources and Supports, by Region.*

	South	Midwest	West	Northeast
Anti-LGBTQ Language in School (Heard Often or Frequently)				
“Gay” Used in Negative Way (e.g., “that’s so gay”)	81.4%	75.7%	72.6%	70.8%
Other Homophobic Remarks	60.7%	55.3%	48.4%	51.0%
“No Homo”	65.8%	59.5%	64.0%	52.6%
Negative Remarks About Gender Expression	57.6%	53.5%	50.4%	49.5%
Negative Remarks About Transgender People	48.7%	46.5%	39.4%	39.1%
Experiences of LGBTQ-Related Victimization (Any Bullying/Harassment/Assault)				
Victimization Based on Sexual Orientation	74.4%	71.4%	67.1%	65.3%
Victimization Based on Gender Expression	60.8%	59.5%	57.2%	54.7%
Victimization Based on Gender	56.6%	56.6%	56.6%	52.9%
Discriminatory Policies and Practices				
Any LGBTQ-Related Discrimination	68.1%	61.6%	54.0%	49.2%
School Resources and Supports				
GSAs				
Presence of GSA	46.8%	60.7%	71.6%	73.8%
Curricular Inclusion				
Positive LGBTQ Curricular Inclusion	12.2%	17.8%	25.4%	25.2%
Negative LGBTQ Curricular Inclusion	19.9%	17.7%	16.2%	12.8%
Positive LGBTQ Inclusion in Sex Education	2.3%	5.9%	13.7%	13.3%
Curricular Resources				
LGBTQ Website Access	47.0%	59.5%	56.9%	65.8%
LGBTQ Library Resources	43.5%	51.0%	48.3%	55.8%
LGBTQ Inclusion in Textbooks or Other Assigned Readings	16.7%	19.5%	21.5%	22.1%
Supportive Educators				
Many (11 or More Supportive Staff)	30.7%	40.8%	47.0%	55.9%
Supportive Administration (Somewhat or Very Supportive)	29.0%	41.6%	49.2%	55.0%
Safe Space Stickers/Posters	45.5%	62.1%	73.0%	77.7%
Inclusive and Supportive Policies				
Comprehensive Anti-Bullying/Harassment Policy	6.3%	10.6%	18.3%	21.6%
Transgender/Nonbinary Student Policy	4.6%	9.6%	15.0%	17.1%

*Note: The percentages shown in the table are raw percentages. Because demographic differences were controlled for in the analyses, the raw percentages may not reflect differences in the analyses.

“I live in a fairly rural area, so it is a lot of old fashioned people there...So I did get called some names and a couple of shoves in the hall, but nothing that bad. Teachers could see these things, but they never do anything. Even the teachers I was closest to didn’t care. Getting involved in a matter like that would very much so hurt their reputation with other students.”

the South and those in the West differed in the frequency of hearing this type of remark.

Peer victimization. Overall, LGBTQ students from the Northeast reported the lowest levels of anti-LGBTQ victimization, compared to students from all other regions (see Table 3.5).³⁶¹ In contrast, LGBTQ students from the South generally experienced higher levels of anti-LGBTQ victimization than students from all other regions. Specifically, students from the South experienced higher levels of victimization based on sexual orientation than those in all other regions. Students in the South also experienced higher levels of victimization based on gender expression and based on gender than those in the Northeast, but did not differ from students in the Midwest or the West. Students in the Midwest experienced higher levels of all forms of anti-LGBTQ victimization than students in the Northeast, but they did not differ from students in the West. Lastly, students in the West experienced higher levels of victimization based on gender expression and based on gender than students in the Northeast, but they did not differ regarding victimization based on sexual orientation.

Anti-LGBTQ discrimination. Students from the Northeast were least likely to experience anti-LGBTQ discriminatory school policies and practices, followed by students from the West, and then students from the Midwest (see Table 3.5).³⁶² Students from the South were the most likely to experience anti-LGBTQ discriminatory school policies and practices, compared to all other regions.

LGBTQ-related resources and supports. Students from the Northeast were, for the most part, more likely to report having access to LGBTQ-related school resources and supports than all other regions, and students from the South were the

least likely to report having access to resources and supports than all other regions (see Table 3.5).³⁶³

Students in the Northeast were more likely than those in the Midwest to have access to all resources and supports that we examined. Students in the Northeast also were more likely than those in the West to report having supportive school personnel, LGBTQ website access, LGBTQ library resources, and comprehensive anti-bullying/harassment policies, but they did not differ regarding curricular inclusion, GSAs, LGBTQ-related textbooks/other assigned readings, and supportive transgender and nonbinary policies. Students in the West were more likely to report having GSAs, curricular inclusion, supportive school personnel, and school policies than students in the Midwest, but did not differ regarding LGBTQ website access, LGBTQ library resources, and LGBTQ-related textbooks/other assigned readings.

Overall, LGBTQ students in the South and Midwest faced more negative school climates and less access to LGBTQ-related resources and supports, compared to those in the Northeast and West. These regional findings highlight that much more needs to be done to ensure that LGBTQ students are safe no matter where they attend school, and that education leaders and safe school advocates must pay particular attention to schools in regions where LGBTQ students experience a more hostile school climate. Given that attitudes about LGBTQ people are less positive in the South and Midwest,³⁶⁴ further inquiry is needed on how best to implement LGBTQ resources and supports in schools in more conservative regions, in spite of cultural and political beliefs towards the LGBTQ community. Furthermore, national efforts regarding bullying prevention and positive school climate must not only take into account the overall experiences of LGBTQ students, but they must also

acknowledge and respond to regional differences regarding anti-LGBTQ victimization and access to LGBTQ student supports.

Conclusions

Overall, schools nationwide are not safe learning environments for LGBTQ students and are lacking in LGBTQ resources and supports, and they differ by school and geographical characteristics. By and large, the majority of LGBTQ students in middle schools, from schools in rural areas, and from schools in the South and Midwest experience more hostile school climate, and have less access to LGBTQ-related resources and supports.

With regard to school type, the picture of school climate for LGBTQ students is more complex. It is evident from our findings that private non-religious schools were safer and had more supportive resources for LGBTQ students than religious and public schools. However, the differences between religious and public schools were more nuanced. LGBTQ students in religious schools were less likely to hear homophobic remarks and experienced less victimization based on gender than those in public schools, but were more likely to hear gender-biased remarks. Furthermore, students in public schools had more positive LGBTQ supports and resources and were less likely to experience anti-LGBTQ discrimination. Thus, as discussed in the section above, religious schools may be physically safer but not supportive or equitable environments.

In the recent 2020 Supreme Court ruling *Bostock v. Clayton County, Georgia* and two other consolidated cases,³⁶⁵ the determination was that discrimination based on sexual orientation or gender identity is a violation of Title VII's prohibition on employment discrimination based on sex. However, there is no federal legislation that has *explicitly* established protections from discrimination in schools based on sexual orientation and gender identity, and additional fixes must be added to federal law. Further, private religious schools can be exempt from Title IX protections while public schools are not eligible for the same exemption, which allows religious schools the opportunity to discriminate against LGBTQ students without the same legal ramifications as public schools.³⁶⁶ Given the lack of consistent enforcement of federal protections from anti-LGBTQ discrimination for LGBTQ students, along with our findings regarding LGBTQ youth in religious schools, it is evident that focused efforts must be made to provide positive school environments for LGBTQ youth in these schools.

Efforts should be made to ensure that schools are safe and welcoming for all students across these school characteristics, while paying particular attention to school characteristics with the most hostile school climate. Furthermore, efforts should be made to ensure that LGBTQ students are provided with access to LGBTQ-related resources and supports, with particular attention to the types of schools that are least likely to have such resources and supports.



PART FOUR: INDICATORS OF SCHOOL CLIMATE OVER TIME

The 2016–2017 GLSEN National Student Council (NSC) meet with Congressman John Lewis. Lewis, who died in 2020, helped organize the 1968 March on Washington and was a decades-long champion for LGBTQ rights. GLSEN's NSC met Representative Lewis as part of the 2016 NSC summit in Washington, D.C.

Indicators of School Climate Over Time

Key Findings

- From 2001 to 2015, there had been a general downward trend in students' frequency of hearing homophobic remarks at school. In 2019, the frequency of hearing homophobic remarks like "fag" or "dyke" was lower than all prior years, and these remarks did not differ between 2015 and 2017. However, there has been a sizeable increase in frequency of hearing "no homo" at school in 2019, after a consistent pattern of decline between 2011 and 2017.
- There had been a decrease in hearing negative remarks about someone's gender expression from 2017 to 2019. There was also a decrease of negative remarks about transgender people between 2017 and 2019, after a steady increase between 2013 and 2017.
- With regard to remarks from school staff, after seeing a steady decline in students' frequency of hearing homophobic remarks from school staff from 2007 to 2013, and no change from 2013 to 2017, we saw a decrease from staff on homophobic remarks once again in 2019. Furthermore, we saw an increase in frequency from 2013 to 2017 in hearing school staff making negative remarks about gender expression, but these remarks decreased in 2019 to levels that are similar to our findings from 2015.
- Students' frequency of experiencing verbal harassment based on sexual orientation did not change from 2015 to 2019, but frequency of victimization based on gender expression resumed a pattern of decline in 2019, following an increase between 2015 and 2017.
- Frequency of experiencing physical harassment based on sexual orientation resumed a pattern of decline in 2019 after no change occurred in 2017, and frequency of physical assault based on sexual orientation resumed a pattern of decline in 2019 after no change occurred in 2015 and 2017. For physical harassment and assault based on gender expression, there continued to be a pattern of modest decline, and was lower in 2019 than all prior years.
- LGBTQ students' reporting of incidents or harassment to school staff in 2019 was similar to 2017, and greater than nearly all other years. However, students' reports on the effectiveness of staff's responses to these incidents in 2019 has remained similar from 2013 to 2017, and is somewhat lower than prior years.
- Overall, LGBTQ students were less likely to experience discrimination in 2019 than in 2013 and 2017. For certain gender-specific forms of discrimination, including being prevented from using facilities aligned with one's gender and being prevented from using chosen name/pronouns, incidence was greatest in 2017. However, incidence for most types of discrimination was lower in 2019 than in previous years.
- In 2017, there were few changes in presence of several LGBTQ-related resources and supports in school. However, in 2019, we have seen promising increases in many LGBTQ supports in school. LGBTQ students were more likely to report having a GSA, supportive school personnel, access to LGBTQ information from school libraries and school computers, and comprehensive anti-bullying and harassment policies.
- LGBTQ students' reports of peer acceptance of LGBTQ people had steadily increased from 2011 to 2015, but has largely leveled off since that time.

GLSEN strives to make schools safe for all students, regardless of their sexual orientation, gender identity or expression, race or ethnicity, or any other characteristic that may be the basis for harassment. In 1999, there was very little research on the experiences of LGBTQ students and their experiences in schools, and as such, GLSEN sought to fill this knowledge gap by conducting its first National School Climate Survey (NSCS). Since that time, for 20 years, the National School Climate Survey has been conducted biennially and is the only study that has continually assessed the school experiences of LGBTQ students in the U.S. Thus, it is vital that we use our data to examine changes over time in the education landscape for this population.

In this section, we examine whether there have been changes from 1999 to the present 2019 survey with regard to indicators of school climate for LGBTQ students. Across the years, the survey has been slightly modified with each installment to reflect new or emerging concerns about school climate for LGBTQ students, but its content has remained largely the same and has used virtually the same data collection methods since 2001. The 1999 survey differed slightly from all subsequent surveys in the comprehensiveness of the survey questions and in the methods. Nevertheless, there were two questions — frequency of homophobic remarks and frequency of harassment — that were equivalent to all subsequent surveys, and the 1999 data was included for comparison in the analyses of those two variables.

We examine differences across years in indicators of a hostile school climate, such as hearing homophobic remarks, experiences of harassment and assault, and experiences of discriminatory school policies and practices. We also examine the availability of positive resources for LGBTQ students in their schools such as supportive educators, student-led clubs such as GSAs (Gay-Straight Alliances or Gender and Sexuality Alliances), inclusive curricular resources, and comprehensive anti-bullying/harassment policies. In addition, we examine whether there have been changes over time in students' acceptance of LGBTQ people.

Anti-LGBTQ Remarks Over Time

Language perpetually evolves, and so is the case with anti-LGBTQ remarks since we began conducting the NSCS. To keep current with changes in usage, we have modified how we ask

“This was the most inclusive year at my school so far, but there is a tremendous amount of work to be done.”

LGBTQ students about anti-LGBTQ remarks. In 1999, because the expression “that’s so gay” was perhaps not as commonly used, we only assessed the frequency of hearing homophobic epithets, such as “fag” or “dyke.” In 2001, we assessed the frequency of hearing homophobic remarks, remarks like “fag” or “dyke,” but also expressions using “gay” to mean something bad or valueless. In 2003, we began asking questions about hearing negative remarks about gender expression, such as someone acting not “feminine enough” or “masculine enough.” In 2009, we began assessing the expression “no homo,” and in 2013 we asked about negative expressions about transgender people, such as “tranny” or “he/she.”

Our results indicated that although there had been a general trend that homophobic remarks were on the decline from 2001 to 2015, the frequency of these remarks remained consistent from 2015 to 2017. However, in 2019, we found that the downward trend in the frequency of remarks continued, with LGBTQ students reporting a lower frequency of homophobic remarks than all prior years.³⁶⁷ As shown in Figure 4.1, a little more than half reported hearing homophobic remarks frequently in 2019, compared to three-quarters of students in 2009 and more than 90% in 1999. Use of expressions such as “that’s so gay” has remained the most common form of biased language heard by LGBTQ students in school, and had been in consistent decline until 2015, but has been increasing from 2015 to 2019, as also shown in Figure 4.1.³⁶⁸ Hearing the expression “no homo” had consistently been less common than most other types of LGBTQ-related biased remarks, and the frequency had been on a decline from 2011 to 2017. However, in 2019, we saw a sizeable increase from 2017.³⁶⁹ From open-ended responses from the LGBTQ students in our survey, several mentioned that “no homo” was in common use in their schools, in ways similar to how “that’s so gay” has been used. For example, one student wrote:

“Many people use gay in an insulting way and no homo,” and another wrote: “People deny they

are homophobic but then use negative terms like no homo or that's gay." However, there were other students who commented that the use of the phrase was used more commonly among LGBTQ students in an ironic or humorous way. For example, another student commented: "In school the use of 'No Homo' is said amongst me and my friends as a joke, those of us who identify as LGBT see it as a joke only and not a derogatory term," and another commented: "All of us including me use the term no homo as a meme or a joke...." Both types of use for the expression "no homo," as a homophobic or a reclaimed joke among LGBTQ friends, might explain the recent steep increase in use of the phrase in schools.

With regard to hearing negative remarks about gender expression, we had seen few changes

across years between 2003, when we first included these items, and 2011. From 2011 to 2013, we saw a decrease in frequency but then an increase from 2013 to 2015, with no subsequent change from 2015 to 2017. However, we saw a decrease in frequency from 2017 to 2019 (see Figure 4.1).³⁷⁰ With regard to negative remarks about transgender people, we saw a steady incline in the rate of negative remarks about transgender people in schools from 2013, when we first asked this question, to 2017, but a decrease from 2017 to 2019.³⁷¹

Figure 4.2 illustrates the preponderance of students who reportedly use anti-LGBT language in school. The percentage of students who reported that homophobic remarks were used pervasively by the student body had been on a decline since the

Figure 4.1 Anti-LGBTQ Language by Students Over Time
(Percentage of LGBTQ Students Hearing Language Frequently and Often Based on Estimated Marginal Means)

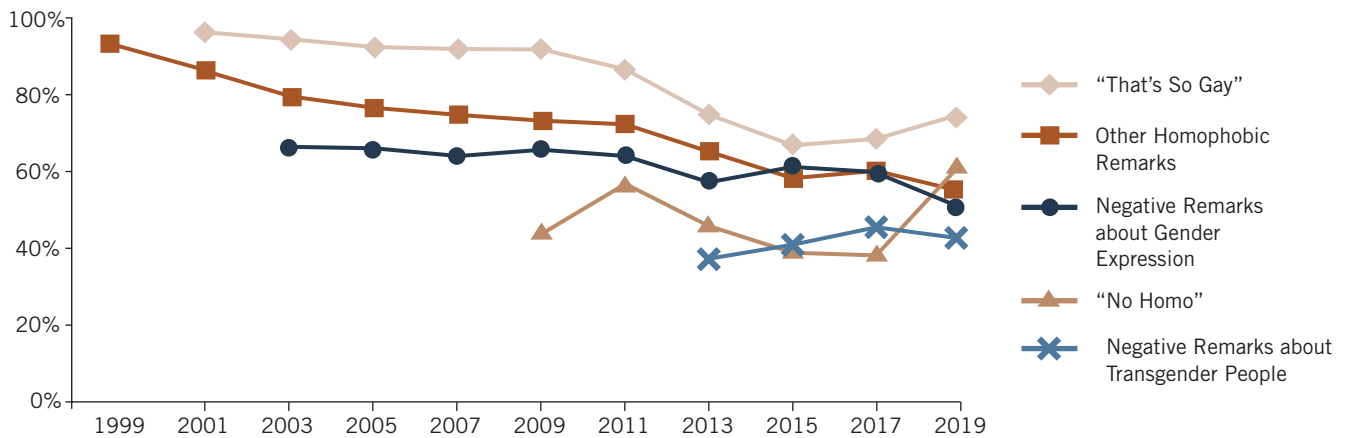
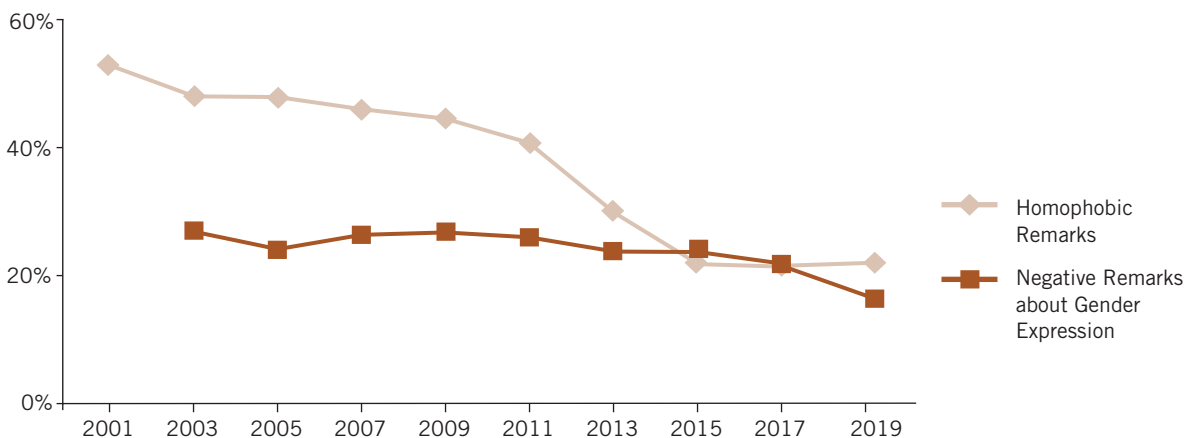


Figure 4.2 Preponderance of Students Using Anti-LGBT Language Over Time
(Percentage of LGBTQ Students Reporting that Most of Students Make Remarks, Based on Estimated Marginal Means)



2001 survey through 2015, but there have been no meaningful differences between 2015 and 2019.³⁷² As also shown in Figure 4.2, the preponderance of students reportedly making negative remarks about gender expression at school has remained low, relative to homophobic remarks. However, the preponderance of students had largely not changed from 2003 to 2015, but decreased slightly from 2015 to 2017 and again from 2017 to 2019. The preponderance of students making negative remarks about gender expression was lower in 2019 than all years prior.³⁷³

As shown in Figure 4.3, since 2001, the majority of students have reported that they have heard anti-LGBTQ remarks from teachers or other staff in their school. We had seen a steady decline in the frequency of staff making homophobic remarks from 2007 to 2013, but no change from 2013 to 2017. However, from 2017 to 2019, we saw a significant decrease in the frequency of school staff making homophobic remarks.³⁷⁴ With regard to hearing negative remarks about gender expression from school staff, there had been a small, downward trend in frequency between 2003 and 2013, yet an upward trend from 2013 to 2017. However, the frequency of gender biased remarks by school staff in 2019 was lower than 2017, and unchanged from 2015 (see also Figure 4.3).

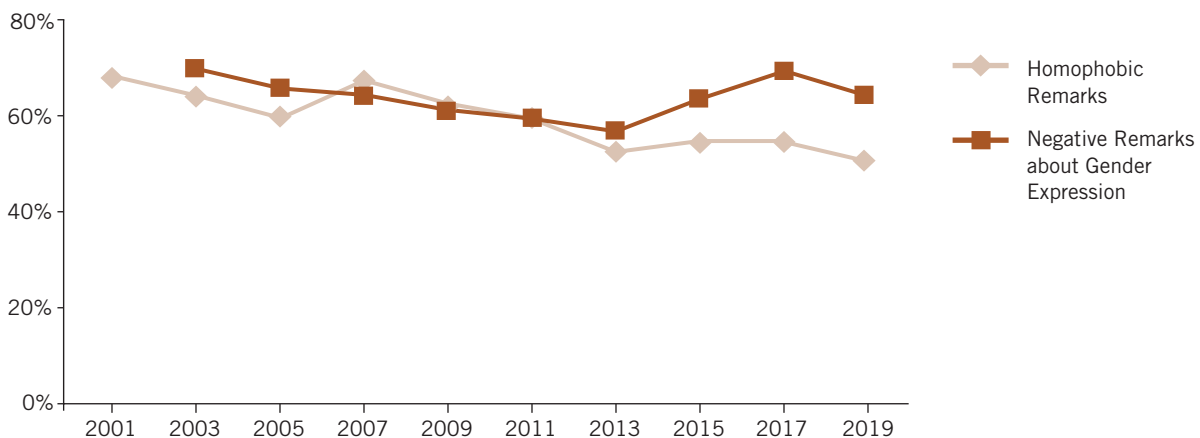
In our 2001 survey, we began asking students how frequently people in their school intervened when hearing homophobic remarks. As shown in Figure 4.4, the levels of intervention by staff were relatively similar across years between 2001 and 2013, but declined from 2013 to 2015

and remained at a similar lower level from 2015 to 2019. With regard to intervention by other students, there has largely been a steady decrease through 2013. The rate of intervention increased from 2013 to 2015, but has decreased since that time. The rate of student intervention in 2019 was significantly lower than all prior years.³⁷⁵

Regarding staff intervention with regard to negative remarks about gender expression, there was little change from 2003 to 2011 (see Figure 4.5). There was a small decrease in staff intervention from 2011 to 2013, and has largely remained at a similar rate in subsequent years. The rates of staff intervention beginning in 2013 were lower than prior years. In 2019, specifically, the rate of staff intervention was only greater than 2015. With regard to intervention by other students, we have seen an upward trend in rates of intervention after 2013, although the rate in 2019 was somewhat lower than in 2017 (see also Figure 4.5).³⁷⁶

Taking into account all the results related to anti-LGBTQ remarks in schools, we see a complex picture of how anti-LGBTQ remarks are contributing to a negative school climate for LGBTQ students. Certain types of homophobic remarks, like “fag” or “dyke,” and negative remarks about gender expression show a decline in 2019, after no change in 2017. Further, negative transgender remarks have decreased from 2017 to 2019. However, our findings about remarks such as “that’s so gay” and “no homo” evidence a concerning upward trend in frequency, and the expression “no homo” shows a startling incline after years of low and declining use. With regard

Figure 4.3 Anti-LGBT Language by School Staff Over Time
(Percentage of LGBTQ Students Reporting Ever Hearing Remarks, Based on Estimated Marginal Means)



to hearing biased remarks from school personnel, we see a continued declining trend regarding homophobic remarks, and the frequency was lower in 2019 than all prior years. With hearing gender-biased remarks from school personnel, although there was a significant decrease from 2017 to 2019, the frequency in 2019 was still higher than most years prior. Regarding intervention when hearing anti-LGBTQ remarks in school, by staff or other students, we see little positive change in recent years. In fact, student intervention when hearing homophobic remarks has continued to decline since 2015. It is important to note that in these analyses regarding intervention, we took into account the frequency of remarks heard. Thus, the diminished rate of response is not related to decreases in these remarks occurring in schools.

Anti-LGBTQ remarks in school may be increasingly left unaddressed, even though many of these remarks have become less commonly heard at school.

Experiences of Harassment and Assault Over Time

To gain further understanding of changes in school climate for LGBTQ students in secondary schools, we examined the incidence of reported anti-LGBTQ harassment and assault over time. Beginning with our first survey in 1999, we have assessed the frequency of experiencing verbal and physical harassment and physical assault based on sexual orientation in school. As shown in Figure 4.6, we saw few changes between 1999 and 2007 and

Figure 4.4 Intervention Regarding Homophobic Remarks Over Time
(Percentage of LGBTQ Students Reporting Any Intervention, Based on Estimated Marginal Means)

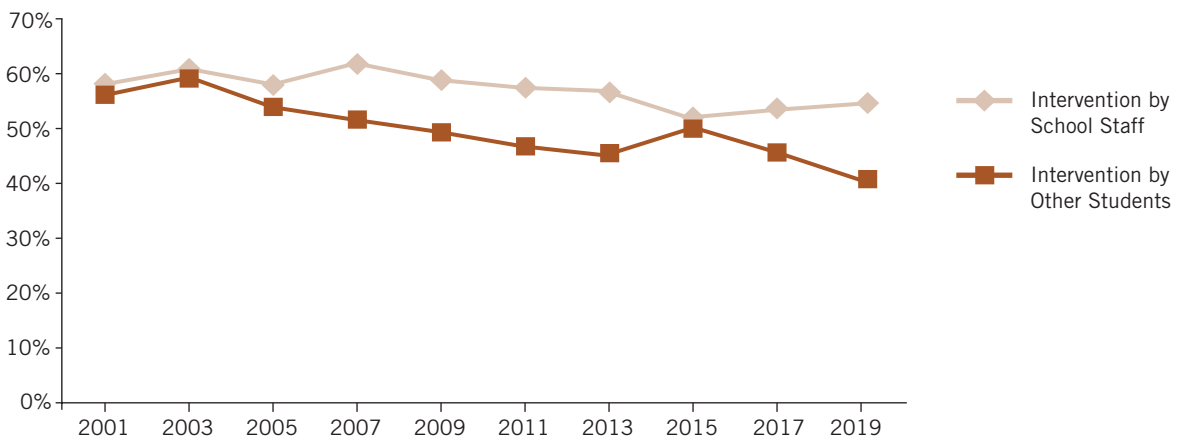
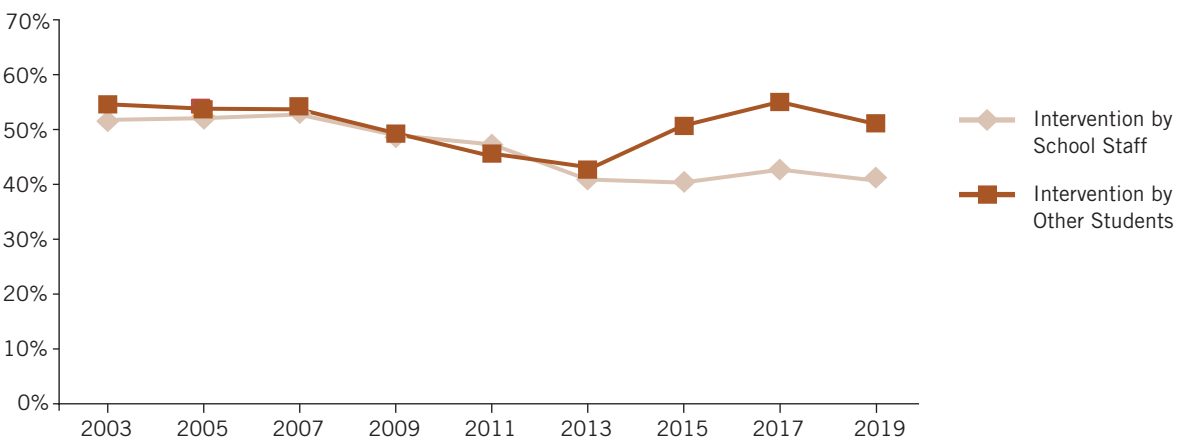


Figure 4.5 Intervention Regarding Negative Remarks about Gender Expression Over Time
(Percentage of LGBTQ Students Reporting Any Intervention, Based on Estimated Marginal Means)



a significant decline in verbal harassment based on sexual orientation from 2007 to 2015, yet no change between 2015 and 2019. With regard to physical harassment and assault, however, we generally saw increases in the frequency of these types of victimization from 1999 to 2007, and decreases starting in 2009 to 2015. In 2019, there was a small but significant decrease in the frequency of physical harassment from 2015 and 2017, and also a small but significant decrease in the frequency of physical assault from 2017.³⁷⁷

In 2001, we began including questions in the National School Climate Survey about harassment

and assault related to gender expression, as well as other personal characteristics. As shown in Figure 4.7, there had been a notable decrease in verbal harassment based on gender expression from 2001 to 2015, but an increase from 2015 to 2017. In 2019, we saw a decrease in this form of verbal harassment from 2017, but was not different than 2015. With regard to physical harassment and assault based on gender expression, we mostly saw a small decline from 2007 to 2019. In general, physical harassment and assault based on gender expression were generally lower in 2019 than all prior years.³⁷⁸

Figure 4.6 Frequency of Victimization Based on Sexual Orientation Over Time
(Percentage of LGBTQ Students Reporting Event Frequently, Based on Estimated Marginal Means)

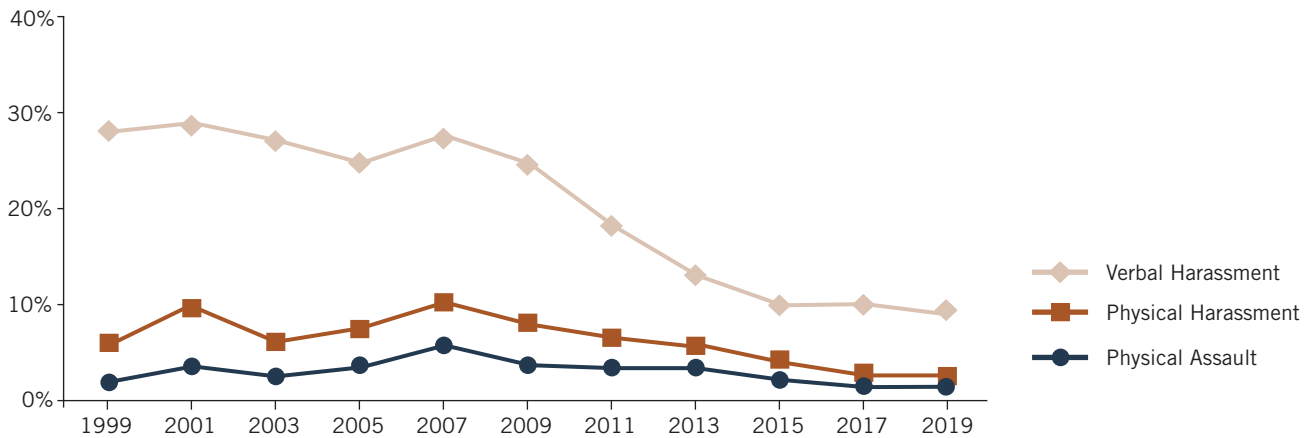
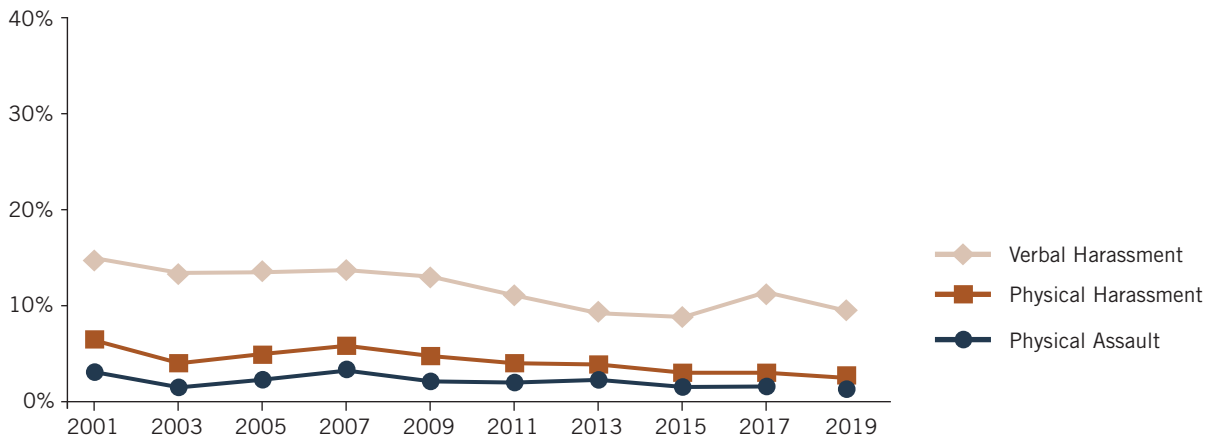


Figure 4.7 Frequency of Victimization Based on Gender Expression Over Time
(Percentage of LGBTQ Students Reporting Event Frequently or Often, Based on Estimated Marginal Means)



Insight on Racist Remarks and Harassment Over Time

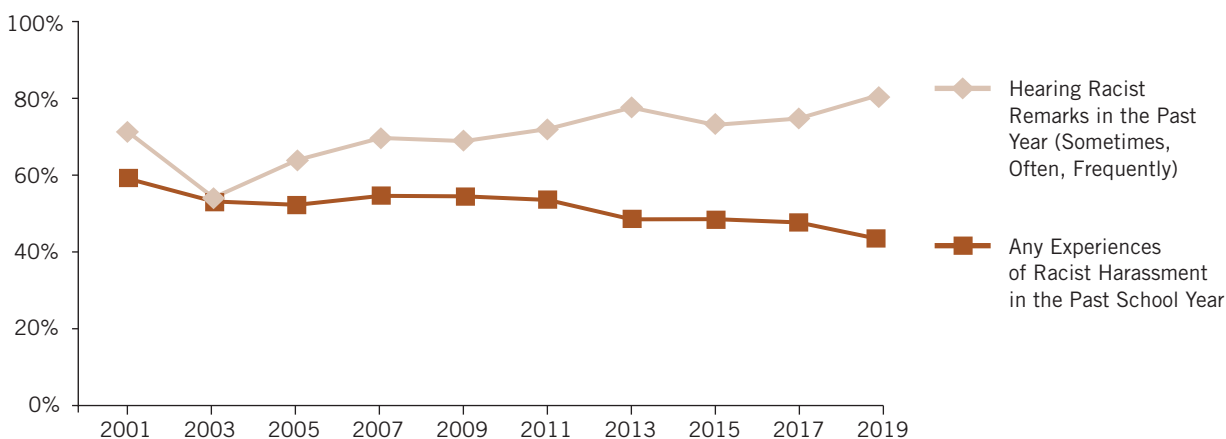
Since 2001, the GLSEN National School Climate Survey has included questions assessing the frequency of LGBTQ students' hearing racist remarks in school and their experiences with victimization based on actual or perceived race/ethnicity. As shown in Part 3 of this report, among LGBTQ students of color groups, just over a third to nearly half experienced both anti-LGBTQ and racist victimization at school (see "School Climate and Racial/Ethnic Identity" section). However, we know of no prior research on differences in LGBTQ students of color's experiences with racist victimization over time. Therefore, we examined potential changes from 2001 to the present 2019 survey with regard to LGBTQ students of color's experiences with racist events at school. Specifically, we examined whether there were differences in hearing racist remarks and differences in experiences with racist victimization for all students of color across survey years.

With regard to hearing racist remarks, we found significant differences among students of color over time. The figure shows an increasing trend in the frequency of racist remarks starting from 2003. The frequency of racist remarks was higher in 2019 than all previous years, except there was no difference between 2013 and 2019.¹

With regard to racist harassment at school, there were also differences among all students of color over time — LGBTQ students of color in 2019 were less likely to experience racist harassment than those in all prior years.²

Overall, there was an increase in racist remarks, but a decrease in racist victimization over time for LGBTQ students of color. Because racist victimization is person-specific, it may be that it is covered under anti-bullying/harassment policies at their school, whereas racist remarks are not necessarily person-specific. Thus, school personnel may intervene more often when racist victimization occurs in their presence because they understand that to be a clear violation of school policy, and in turn, intervention may curtail future incidents of victimization. Similarly, it is also possible that students understand that bullying, harassment or assault regarding another student's race/ethnicity is not acceptable in school, but may not have the same understanding with regard to racist remarks. Educators, school administrators, and advocates should make efforts to ensure that all LGBTQ students feel safe and inclusive at their school, not only based on their LGBTQ identity, but also based on their other identities, including race/ethnicity. This includes addressing school incidents of racist victimization toward LGBTQ students of color, as well as racist remarks that LGBTQ students of color are exposed to at their school.

Hearing Racist Remarks and Experiences of Racist Harassment Among LGBTQ Students of Color Over Time
(based on estimated marginal means)



¹ To examine differences across years among LGBTQ students of color in the frequency of hearing racist remarks, an analysis of covariance (ANCOVA) was performed, with Survey Year as the independent variable, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant: $F(9, 25069) = 14.44, p < .001, \eta_p^2 = .01$. In examining post-hoc year-by-year comparisons, differences were considered at $p < .01$ (non-significant pairs not listed): 2019 > 2001 to 2011, 2015, 2017; 2017 > 2003 to 2011, 2015 < 2019; 2015 > 2003, 2005, < 2019, 2017; 2013 > 2003 to 2011; 2011 > 2003, 2005, < 2013, 2017, 2019; 2009 > 2003, < 2013, 2017, 2019; 2007 > 2003, 2005, < 2013, 2017, 2019; 2005 < 2007, 2011 to 2019; 2003 < 2007 to 2019; 2001 < 2019. Percentages are shown for illustrative purposes.

² Because of methodological changes to the question about race-based harassment, we examined differences in the frequencies of any experiences of this type of harassment. To examine differences across years and across racial groups in the frequency of race-based harassment, an analysis of covariance (ANCOVA) was performed, with Survey Year as the independent variable, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant: $F(9, 24873) = 15.82, p < .001, \eta_p^2 = .01$. In examining post-hoc group comparisons, differences were considered at $p < .01$ (non-significant pairs not listed): 2019 < all prior years; 2017 and 2015 < 2001, 2007 to 2011, > 2019; 2013, 2011, 2009, and 2007 > 2013 to 2019; 2005 and 2003 > 2019; 2001 > 2013 to 2019.

In 2003, we began asking students about the frequency of students reporting experiences of victimization to school staff. Across years, as shown in Figure 4.8, we saw that the highest level of reporting was in 2003 and the lowest levels in 2007 and 2009. Since that time, we saw a small but significant incline in the frequency of reporting up to 2017. The frequency of reporting did not differ between 2017 and 2019, but LGBTQ students in these years were more likely to report victimization to school personnel than all prior years except for 2003.³⁷⁹

In 2005, we began asking students how effective their teachers or other school staff were in addressing incidents of harassment and assault when students reported them. Across all years, a minority of students reported that any intervention on the part of school staff was effective—generally between 30% and 40% reported that staff intervention was somewhat or very effective across years (see Figure 4.8). The highest levels of effectiveness were reported in 2005 and 2011. In 2019, the effectiveness of reporting was similar to 2013, 2015, and 2017, and was somewhat lower than prior years, specifically 2005, 2009, and 2011.³⁸⁰

Considering all changes over time with regard to victimization, we have seen significant improvements from the first years of our biennial survey, but few changes in recent years. There have been some improvements in 2019 — small, but significant decreases in most types of victimization related to sexual orientation and gender expression. However, the most commonly reported type of

victimization across year, verbal harassment based on sexual orientation, has not improved in recent years. With regard to reporting harassment and assault, it is hopeful that the higher level of reporting we saw in 2017 remained constant in 2019, but nevertheless has not increased. Further, LGBTQ students have continued to see reporting victimization to school personnel as less effective in recent years. It may be that LGBTQ students may feel more empowered to report problems, perhaps related to the presence of school policies on bullying and harassment, but school staff may still be lacking in the professional development to adequately address these issues at school. In sum, although we do not see an overall trend that schools are becoming appreciably safer for LGBTQ students, we do not see that they have become significantly worse. These trends continue to give us concern in light of the high levels of victimization that LGBTQ students were reporting in their schools in 2019.

Experiences of Discrimination Over Time

In addition to hearing anti-LGBTQ remarks in the hallways and directly experiencing victimization from other students, LGBTQ-related discriminatory policies and practices also contribute to a hostile school experience for LGBTQ students. As mentioned previously in the section “Experiences of Discrimination at School,” we began asking students about a number of specific LGBTQ-related discriminatory policies and practices at their school in 2013, and in the following section, we examine how these experiences may have changed between 2013 and 2019.³⁸¹

Figure 4.8 Frequency of Reporting Victimization to School Staff and Effectiveness of Reporting Over Time
(Percentage of LGBTQ Students, Based on Estimated Marginal Means)

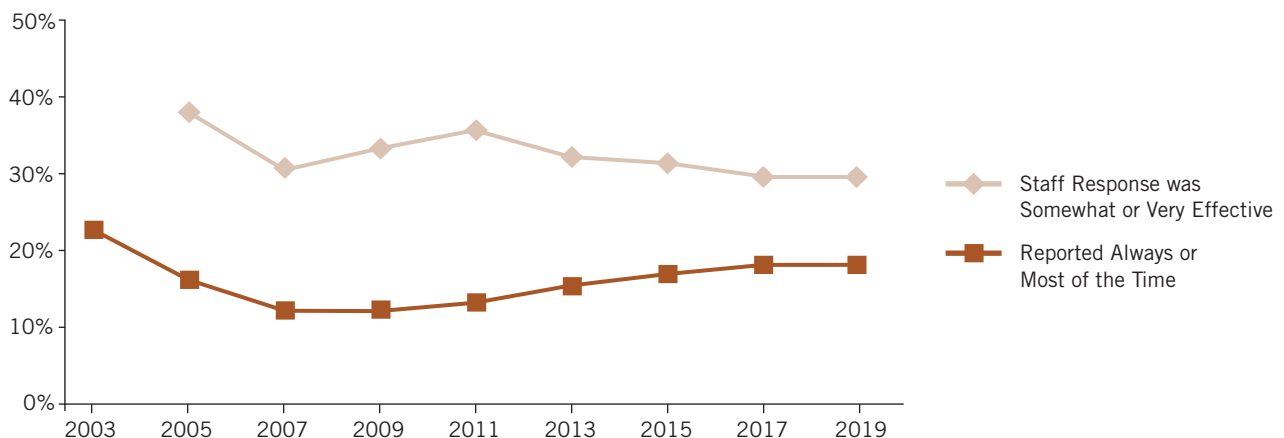


Figure 4.9 Frequency of Experiences with Discriminatory Policies and Practices Over Time
 (Percentage of LGBTQ Students, Based on Estimated Marginal Means)

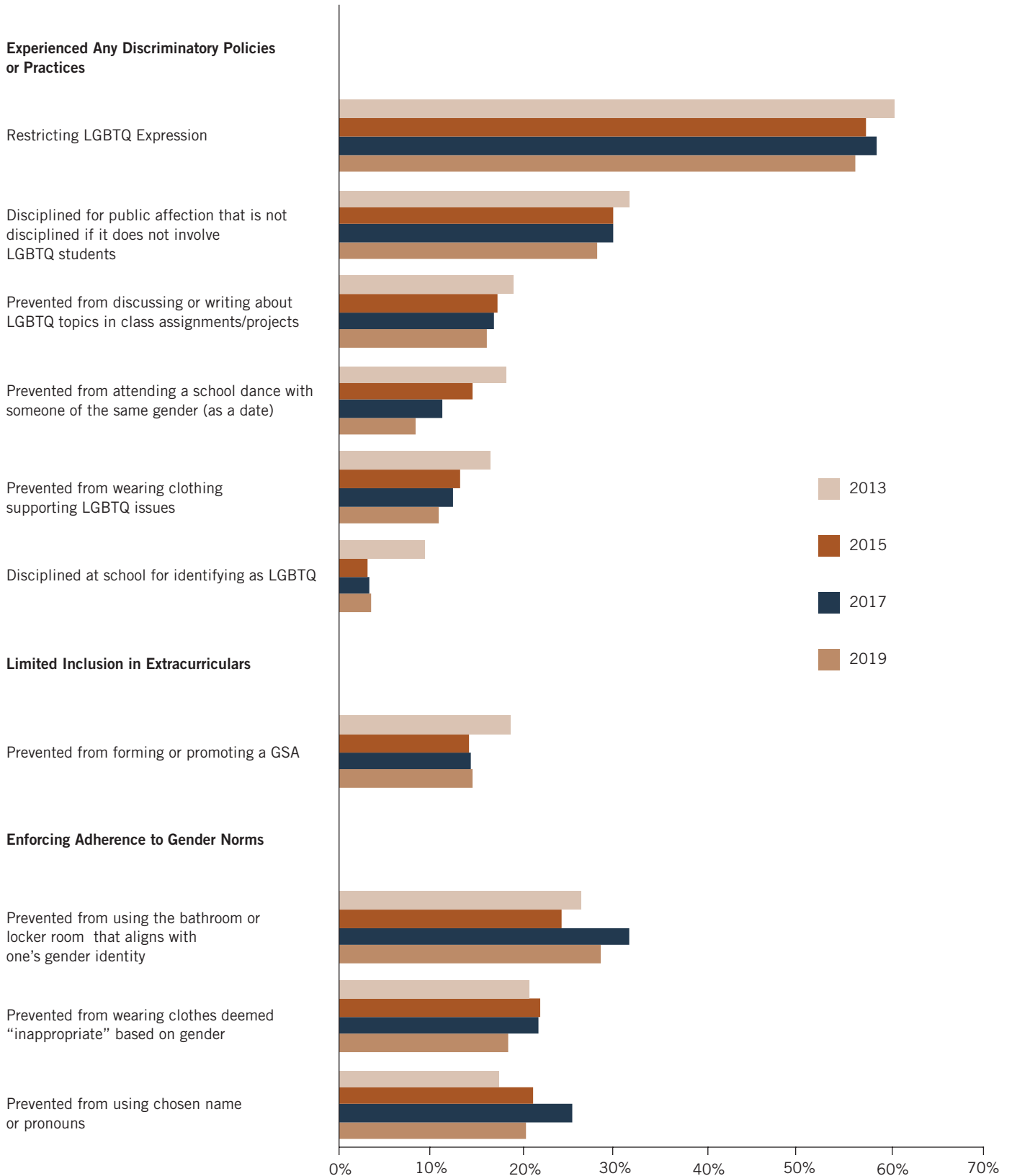


Figure 4.9 shows the incidence of having had any experience with anti-LGBTQ discrimination at school over the four time points, along with the incidences for the specific types of discriminatory policies or practices asked across the four surveys. Overall, over half of LGBTQ students experienced some type of LGBTQ-related discrimination at school at all four time points. This percentage was highest in 2013, and lower in 2019 than 2013 and 2017.³⁸²

With regard to the specific forms of discrimination, the percentages for most forms were highest in 2013, with a few notable exceptions.³⁸³ Overall in 2019, we saw a decline in most other forms of discrimination from prior years. Two forms of discrimination that were specific to gender — prevented from using facilities that align with one’s gender and prevented from using one’s preferred name or pronouns — were highest in 2017, but decreased from 2017 to 2019. However, the third gender-specific form of discrimination — being prohibited from wearing clothes of another gender — had not changed between 2013 and 2017, but was lower in 2019 than all prior years.

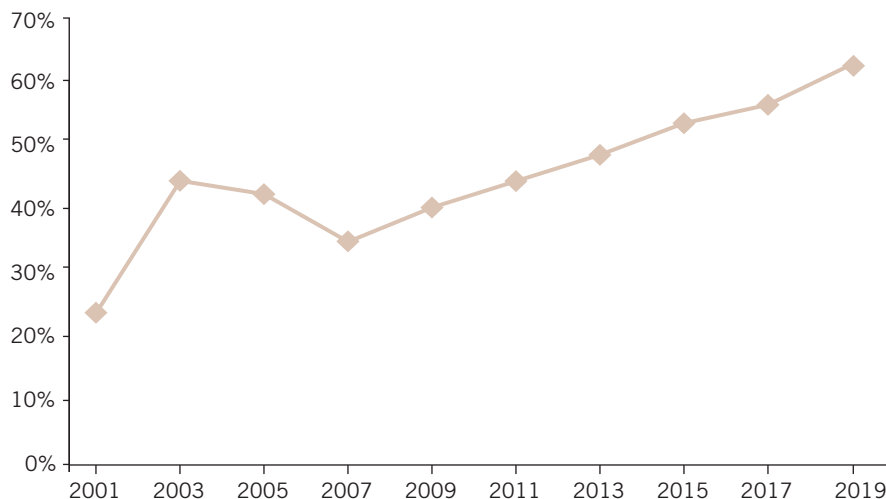
LGBTQ-Related Resources Over Time

In 2001, we began asking LGBTQ students in the NSCS about the availability of LGBTQ-related resources in school, such as GSAs (Gay-Straight Alliances or Gender and Sexuality Alliances) and curricular resources. In this section, we examine the levels of availability of these supportive school resources over time.

Supportive student clubs. As shown in Figure 4.10, we continue to see a steady, significant increase from previous years in the percentage of LGBTQ students having a GSA at school.³⁸⁴ The percentage of students reporting that they had a GSA at school has increased from under 40% in 2007 to over 60% in 2019. The percentage of LGBTQ students who reported having a GSA in their school in 2019 was significantly higher than all prior years.

Inclusive curricular resources. Overall, there have been a few positive changes in LGBTQ-related curricular resources over time (see Figure 4.11). With regard to internet access to LGBTQ content on school computers, we saw a significant increase across years between 2007 and 2019, including an increase from 2017 to 2019. With regard to LGBTQ-related books and resources in school libraries, we saw a significant increase in 2019; the percentage in 2019 was higher than all prior years. However, with regard to LGBTQ inclusion in textbooks and class resources and being taught positive LGBTQ material in class, not only have these types of inclusion been the least common overall, they have also remained unchanged in recent years.³⁸⁵ It is interesting to note that there has not been much change over the years with regard to LGBTQ students being taught negative LGBTQ-related content in class. Since we first asked this question in 2013, the percentage increased slightly in 2015, and had not changed from 2015 to 2019.³⁸⁶

Figure 4.10 Availability of GSAs Over Time
(Percentage of LGBTQ Students Reporting Having GSA in School, Accounting for Covariates)



Supportive school personnel. Figure 4.12 shows the percentage of students reporting any supportive educators (from 2001 to 2019) and the percentage of students reporting a higher number of supportive educators (from 2003 to 2019).³⁸⁷ Across the years, we have seen a positive increasing trend in the number of supportive educators at school. Regarding the percentage of students who had any supportive educators at school, 2019 was higher than all prior years. In 2001, approximately 60% of LGBTQ students reported having at least one supportive educator, whereas in 2019, nearly all students did so. LGBTQ students in 2019 also reported a significantly higher number of supportive educators than all prior years. As shown in Figure 4.12, the percentage reporting 6 or more supportive educators ranged from under 50% in the earlier years of the survey compared to nearly 70% in 2019.

Bullying, harassment, and assault policies. In all years, as shown in Figure 4.13, the majority of LGBTQ students reported that their schools had some type of anti-bullying/harassment policy; however, the minority of students reported that the policy enumerated sexual orientation and/or gender identity/expression. Overall, there was a sharp increase in the number of students reporting any type of policy after 2009, and the rate has remained more or less consistent since 2011. From 2011 to 2015, there had been consistent yet small increases with regard to any type of anti-bullying/harassment policy, followed by a small decline from 2015 to 2017, and the rate had not changed between 2017 and 2019.

With regard to enumerated policies, from 2015 to 2017 there was a small but significant increase in

Figure 4.11 Availability of Curricular Resources Over Time
(Percentage of LGBTQ Students Reporting Resource in School, Accounting for Covariates)

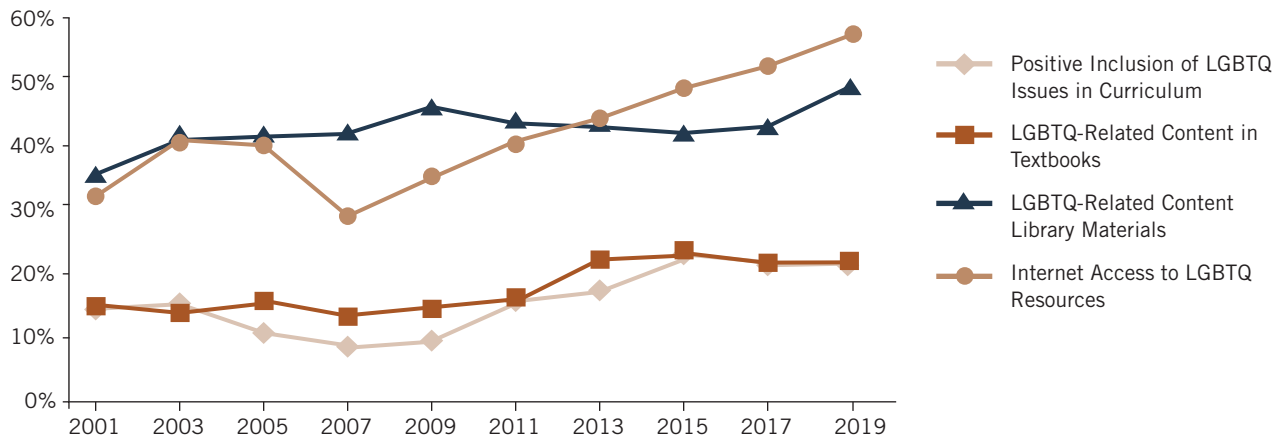
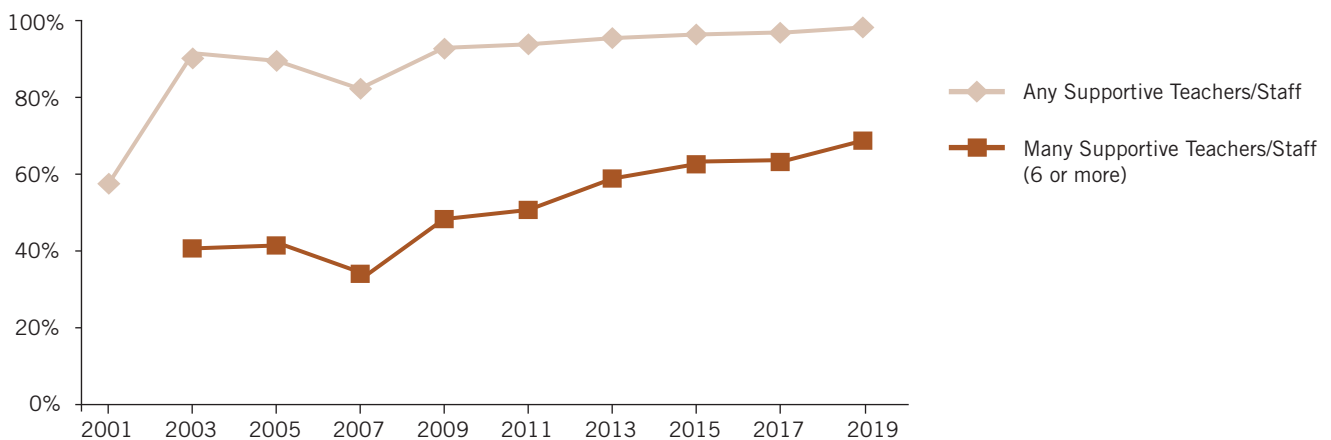


Figure 4.12 Availability of Supportive School Staff Over Time
(Percentage of LGBTQ Students Reporting Having Supportive Staff in School, Accounting for Covariates)



the number of students reporting comprehensive policies in their schools and the rate has remained similar between 2017 and 2019. In 2019 and 2017, the rate of comprehensive policies was higher than all prior years. There was also a small but significant decrease in the number reporting partially enumerated policies from 2017 to 2019, and the rate was lowest in 2019 than all previous years.³⁸⁸ Thus, even though the percentage of LGBTQ students reporting any type of anti-bullying/harassment policy in their school had not increased in recent years, we saw an increase in the percentage of policies that were fully enumerated.

In our 2017 NSCS, we saw that the availability of many LGBTQ-related resources in schools had largely leveled off. In 2019, however, we saw increases in most resources. LGBTQ student in 2019 were more likely to report having a GSA, school personnel who were supportive of LGBTQ students, access to LGBTQ information from school libraries and school computers, and comprehensive policies. However, it is important to note that curricular inclusion — LGBTQ inclusion in textbooks and class resources and being taught positive LGBTQ material in class — were not only the most uncommon of all resources across all years of the survey, but their rates of availability had not changed in recent years.

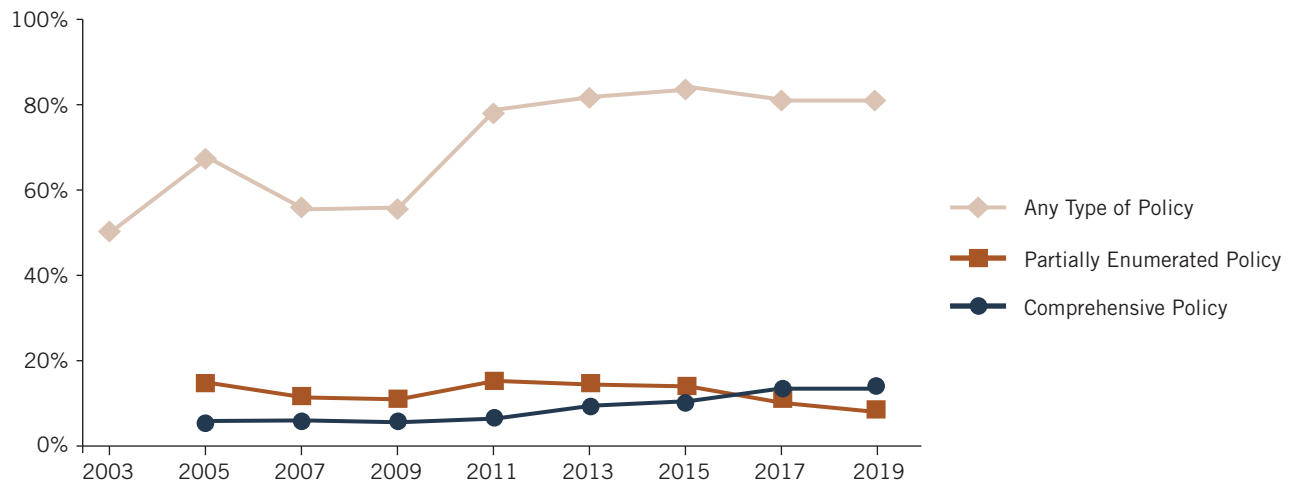
Student Acceptance of LGBTQ People Over Time

Previously in this part of the report, we noted that the frequency of student intervention with regard to homophobic remarks was lowest in 2019 than all prior years, and student intervention with regard to negative remarks about gender expression had decreased in 2019. These findings raise the question as to whether student attitudes about LGBTQ people have changed, and if so, in what ways. However, we also found positive changes in the availability of LGBTQ supports in schools, which we found to be directly related to a more accepting student body (see the “Utility of School-Based Resources and Supports” section of this report). For these reasons, we examined whether student attitudes toward LGBTQ people have changed over time, and found that although student acceptance steadily increased from 2011 to 2015, it has largely level off since that time (see Figure 4.14).³⁸⁹

Conclusions

Considering all the differences across time — remarks, victimization, LGBTQ-related supports, and peer acceptance — we see a complex picture of how school climate is changing for LGBTQ

Figure 4.13 Prevalence of School or District Anti-Bullying/Harassment Policies Over Time
(Percentage of LGBTQ Students Reporting Policy, Accounting for Covariates)



students. Certain types of homophobic remarks, like “fag” or “dyke,” and negative remarks about gender expression showed a decline in 2019, after no change in 2017. Further, negative transgender remarks have decreased from 2017 to 2019. However, homophobic remarks like “that’s so gay” and “no homo” increased in 2019. In addition, intervention when hearing anti-LGBTQ remarks in school, by staff or other students, generally has not changed in recent years, with the exception of student intervention regarding homophobic remarks, which was lowest in 2019.

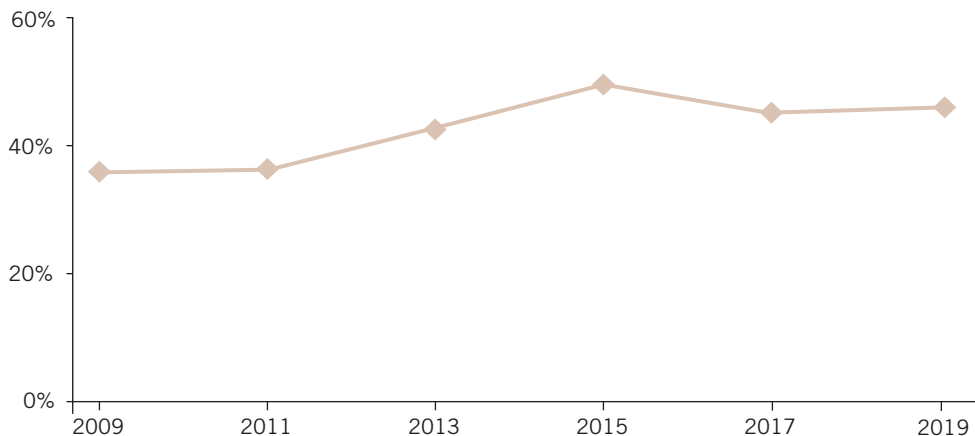
With regard to experiences of harassment and assault, we again have seen few changes in recent years. There have been some improvements in 2019 — small, but significant decreases in most types of victimization related to sexual orientation and gender expression. However, the most commonly reported type of victimization across the years, verbal harassment based on sexual orientation, has not improved in recent years. In sum, although we do not see an overall trend that schools have become appreciably safer for LGBTQ students in 2019, we do not see that they have become significantly worse.

We have seen promising increases in many LGBTQ supports in school. LGBTQ students in 2019 were more likely to report having a GSA, school personnel who were supportive of LGBTQ students, access to LGBTQ information from school libraries

and school computers, and comprehensive anti-bullying and harassment policies. In 2017, in contrast, we had seen few positive changes with regard to school resources. It may be that the lack of change in supports in 2017 is related to few changes in negative indicators of school climate in 2019 — it may take time for school supports to combat a negative school climate. Although we cannot know for sure, given our data each year is correlational, our results in future surveys may provide further insight. In that we have seen increases in school supports in 2019, it is possible that LGBTQ students in 2021 will see the continued benefits of these resources and have fewer negative experiences at school related to their LGBTQ identities.

In that LGBTQ student issues have been under attack in recent years, with the U.S. Department of Education’s revocation of the Title IX guidance on transgender students and failure to investigate complaints of discrimination by LGBTQ students, the fact that we have seen increases in many LGBTQ supports in schools and that we have not seen a tremendous worsening of school climate may be a testament to the resilience and strength of our LGBTQ young people in this country, and to the resourcefulness and dedication of school personnel for continuing to offer support and resources to create safer and more affirming school environments for their students.

Figure 4.14 Perceptions of Peer Acceptance of LGBTQ People Over Time
 (Percentage of LGBTQ Students Reporting Somewhat or Very Accepting Peers, Accounting for Covariates)



DISCUSSION



Student organizers gathered at GLSEN's 2007 Summer Start week of training.

Limitations

Although there are no national population parameters regarding LGBTQ youth, we believe that the methods used for our survey resulted in a nationally representative sample of LGBTQ students who identify as lesbian, gay, bisexual, transgender, or queer (or another non-heterosexual sexual orientation and/or non-cisgender gender identity) and who were able to find out about the survey in some way, either through a connection to LGBTQ or youth-serving organizations that publicized the survey, or through social media. As discussed in the “Methods and Sample” section, we conducted targeted advertising on the social media sites Facebook, Instagram, and Snapchat in order to broaden our reach and obtain a more representative sample. Advertising on these sites allowed LGBTQ students who did not necessarily have any formal connection to the LGBTQ community to participate in the survey. However, the social media advertisements for the survey were sent only to youth who visited pages that included LGBTQ content.³⁹⁰ LGBTQ youth who were not comfortable viewing pages with LGBTQ content would not have received the advertisement about the survey. Thus, LGBTQ youth who are perhaps the most isolated — those without a formal connection to the LGBTQ community or without access to online resources and supports, and those who are not comfortable viewing LGBTQ content on social media — may be underrepresented in the survey sample.

The sample also did not include students who have a sexual attraction to the same gender or multiple genders, but who do not identify themselves as LGBQ.³⁹¹ These youth may be more isolated, unaware of supports available to them, or, even if aware, uncomfortable using such supports. Similarly, youth whose gender identity is not the same as their sex assigned at birth, but who do not identify as transgender, may also be more isolated and without the same access to resources as the youth in our survey. The survey was primarily advertised as being for LGBTQ students, so non-heterosexual students and non-cisgender students who did not identify as LGBTQ may be less likely to participate in the survey, even though they were included in the survey sample.

Another possible limitation to the survey is related to the sample's racial/ethnic composition — the percentage of LGBQ African American/Black students and LGBQ Hispanic/Latinx students were

lower, and LGBQ White students was higher than compared to LGBQ secondary school students from other population-based data.³⁹² In part, this discrepancy may be related to different methods for measuring race/ethnicity. In our survey, students were asked one question about their race/ethnicity, and could choose multiple options.³⁹³ In contrast, national youth surveys often include two questions — one about whether the respondent identifies as Hispanic/Latinx, and the other about their race.³⁹⁴ This difference in methodology may also impact how students choose to identify in the survey, and thus may account for some of the discrepancy in racial/ethnic representation between our LGBQ sample and LGBQ secondary students from other population-based data. Nevertheless, it is possible that LGBQ African American/Black students and LGBQ Hispanic/Latinx students were underrepresented, and LGBQ White students were overrepresented in our sample. Additionally, because there are no national statistics on the demographic breakdown of transgender-identified youth, we cannot know how our transgender sample compares to other population-based studies.

Our sample, like other national samples of LGBTQ youth, included a small percentage of cisgender males who identified as gay, bisexual, or queer. It may be that these youth are less likely to be out in middle school or high school, and would be less likely to learn about the survey or feel comfortable taking a survey specifically for LGBTQ students. Additionally, our sample had a small percentage of transgender female students. In that our sample only includes students who had been in school during the 2018–2019 school year, it is possible that transgender girls leave school at higher rates than do transgender boys, thereby leading to fewer transgender girls eligible to take our survey. It is also possible that transgender boys come out earlier than do transgender girls, which would lead to lower numbers of transgender female secondary school students.

Given that our survey is available only in English and Spanish, LGBTQ students who are not proficient in either of those languages might be limited in their ability to participate. Thus, these students may also be underrepresented in our survey sample.

It is also important to note that our survey only reflects the experiences of LGBTQ students who were in school during the 2018–2019 school year.

Although our sample does allow for students who had left school at some point during the 2018–2019 school year to participate, it still does not reflect the experiences of LGBTQ youth who may have already dropped out in prior school years. The experiences of these youth may likely differ from those students who remained in school, particularly with regard to hostile school climate, access to supportive resources, severity of school discipline, and educational aspirations.

Lastly, the data from our survey are cross-sectional (i.e., the data were collected at one point in time), which means that we cannot determine causality. For example, although we can say that there was a relationship between the number of supportive staff and students' academic achievement, we cannot say that one predicts the other.

While considering these limitations, our attempts at diverse recruitment of a hard-to-reach population have yielded a sample of LGBTQ students that we believe most likely closely reflects the population of LGBTQ middle and high school students in the U.S.

Conclusion and Recommendations

The 2019 National School Climate Survey continues to provide evidence that schools are often unsafe learning environments for LGBTQ students. Hearing biased or derogatory language at school, especially sexist remarks, homophobic remarks, and negative remarks about gender expression, was a common occurrence. However, teachers and other school authorities did not often intervene when anti-LGBTQ remarks were made in their presence, and students' use of such language remained largely unchallenged. Almost 8 in 10 students in our survey reported feeling unsafe at school because of at least one personal characteristic, with sexual orientation and gender expression being the most commonly reported characteristics. Students also frequently reported avoiding spaces in their schools that they perceived as being unsafe, especially bathrooms, locker rooms, and physical education (P.E.) or gym classes. More than two-thirds of LGBTQ students reported that they had been verbally harassed at school based on their sexual orientation, and nearly 6 in 10 students had been harassed based on their gender expression. In addition, many students reported experiencing incidents of physical harassment and assault related to their sexual orientation or gender expression, as well as other incidents of victimization such as sexual

harassment, cyberbullying, and deliberate property damage at school.

In addition to anti-LGBTQ behavior by peers, be it biased language in the hallways or direct personal victimization, the majority of LGBTQ students also faced anti-LGBTQ discriminatory school policies and practices. Schools prohibited LGBTQ students from expressing themselves through their clothing or their relationships, limited LGBTQ inclusion in curricular and extracurricular activities, and enforced other policies that negatively affected transgender and nonbinary students in particular, such as preventing use of their chosen name or pronoun.

LGBTQ students are a diverse population, and the results from our 2019 survey reveal important differences among these students. Transgender and nonbinary students in particular were more likely to have felt unsafe and face anti-LGBTQ victimization at school than their cisgender LGBTQ peers. Similarly, pansexual students were more likely to feel unsafe and experienced greater levels of anti-LGBTQ victimization than their LGBTQ peers with other sexual orientations. Furthermore, we found that LGBTQ students of color (including Black, AAPI, Latinx, Native and Indigenous, MENA, and multiracial LGBTQ students) commonly experienced both racist and anti-LGBTQ victimization at school, and were more likely to experience multiple forms of victimization than White LGBTQ students.

Results from our survey also demonstrate the serious consequences that anti-LGBTQ victimization and discrimination can have on LGBTQ students' academic success and their general well-being. LGBTQ students who experienced frequent harassment and assault based on their sexual orientation or gender expression reported missing more days of school, having lower GPAs, lower educational aspirations, and higher rates of school discipline than students who were harassed less often. In addition, students who experienced higher levels of victimization felt less connected to their school community and had poorer psychological well-being. LGBTQ students who reported experiencing anti-LGBTQ discrimination at school also had worse educational outcomes, including missing more days of school, lower GPAs, and lower educational aspirations, and were more likely to be disciplined at school, than students who did not experience anti-LGBTQ

discrimination. Furthermore, students who experienced anti-LGBTQ discrimination also felt less connected to their school community and had poorer psychological well-being.

Although our results suggest that school climate remains unsafe and hostile environments for many LGBTQ students, they also call attention to the important role that institutional supports and resources have in making schools safer and promoting better educational outcomes and healthy youth development for these students. Our findings demonstrate the important role that supportive school staff play in creating safer and more affirming learning environments for LGBTQ students. Supportive educators positively influenced students' academic performance, educational aspirations, feelings of safety, school absenteeism (missing fewer days of school), psychological well-being, and connection to their school community. Furthermore, when staff responded effectively to incidents of victimization, LGBTQ students reported less anti-LGBTQ victimization than LGBTQ students in schools where staff responded ineffectively.

In addition to their role in providing direct support and in intervening when anti-LGBTQ events occur at school, educators also serve a crucial role in teaching a curriculum that includes positive representations of LGBTQ people, history, and events. By teaching about LGBTQ topics in a positive manner, educators may enhance the connections of their LGBTQ students to the school environment and to learning, in general. Students in schools where their classroom included positive representations of LGBTQ history, people, or events had better educational outcomes, were more comfortable engaging in conversations about LGBTQ issues with their teachers, and had a greater connection to their school community. Furthermore, by teaching positive LGBTQ-related content in class, educators may also increase the knowledge, awareness, and acceptance of LGBTQ people for all students in school. LGBTQ students who reported positive curricular inclusion were less likely to feel unsafe and miss school for safety reasons, and reported less hostile behavior from peers (i.e., less anti-LGBTQ language and victimization). Students with positive curricular inclusion also reported that their peers were more likely to intervene regarding anti-LGBTQ biased remarks, and were more accepting of LGBTQ people in general.

“I sincerely hope that queer kids in future generations do not have to go through what I have been through and will most likely continue to suffer through.”

Our findings indicate that Gay-Straight Alliances/Gender and Sexuality Alliances (GSAs) and similar clubs also play a key role in improving school climate for LGBTQ students. Students who attended schools with a GSA or similar club were less likely to feel unsafe at school and miss school for safety reasons, heard fewer anti-LGBTQ remarks at school, reported more frequent staff and peer intervention regarding anti-LGBTQ remarks, and experienced less anti-LGBTQ victimization. Thus, GSAs may demonstrate to the whole school community that anti-LGBTQ behaviors should not be tolerated, and that they must be addressed when they do occur. Students who had a GSA at school also reported that their peers were more accepting of LGBTQ people in general, indicating that GSAs may provide awareness to the student community of LGBTQ student issues. Furthermore, having a GSA at school was also associated with a greater sense of belonging to the school community and greater psychological well-being among LGBTQ students, perhaps as a result of the overall positive impact of GSAs on the school environment.

With regard to school policies, our findings indicate important benefits associated with both comprehensive anti-bullying/harassment policies, as well as policies affirming the rights of transgender and nonbinary students. LGBTQ students with comprehensive anti-bullying/harassment policies that included protections for sexual orientation and gender identity/expression reported hearing less anti-LGBTQ language and reported lower levels of anti-LGBTQ victimization. Such policies may provide guidance for educators that these anti-LGBTQ behaviors must be addressed, as well as guidance on appropriate strategies for intervention. Our results indicate that LGBTQ students with comprehensive policies reported that staff were more likely to intervene regarding biased remarks, and were more effective in their responses to harassment and assault. We also found that LGBTQ students in schools with this type of policy were more likely

“It’s awful, and there needs to be some country-wide regulations to stop harassment, bullying, and etc. idk something! I have friends who are hurting much worse than me—and my heart is in constant pain for them.”

to report incidents of harassment and assault to school personnel, indicating that these policies may also provide important instruction for students on reporting. In addition, comprehensive policies may send a message to LGBTQ students that they are valued by the school community. Similarly, policies affirming transgender and nonbinary students’ rights appear to improve school climate, particularly for transgender and nonbinary students. Transgender and nonbinary students with such policies or guidelines were less likely to miss school because of feeling unsafe, felt a greater sense of belonging to their school community, and were less likely to experience gender-related discrimination.

Unfortunately, each of the LGBTQ-related resources and supports that we examined were not available to all LGBTQ students. GSAs were somewhat more common than other resources, although over a third of students did not have such a club at their school. Most students could not identify a large number of school staff (11 or more) who were supportive of LGBTQ students, and a small number were unable to identify any supportive staff. Furthermore, many LGBTQ students lacked access to positive LGBTQ information from school libraries and school computers, and few LGBTQ students reported being taught LGBTQ information in class or having this material in their textbooks and other class readings. With regard to supportive school policies, although a majority of students said that their school had some type of harassment/assault policy, few said that it was a comprehensive policy that explicitly stated protections based on sexual orientation and gender identity/expression, and only a tenth reported that they had official policies or guidelines to support transgender and nonbinary students at their schools. Finally, although all LGBTQ students commonly lacked access to supportive resources at school, those in middle schools, religiously-affiliated private schools, schools in rural areas, and schools in the South and Midwest, were all less likely than others to report having these resources. These findings underscore the importance of advocating for GSAs, supportive staff, inclusive curricular resources, and supportive school policies in all schools to ensure

positive learning environments for LGBTQ students everywhere—environments in which students can be successful in learning, graduate, and even continue on to further education.

The findings in this report also highlight some gains toward safe and inclusive schools for LGBTQ secondary school students since our last report. Certain types of homophobic remarks, such as “fag” or “dyke,” and negative remarks about gender expression have declined in 2019, after no change between 2015 and 2017. Further, negative remarks about transgender people decreased from 2017 to 2019. Our findings also indicate a sharp increase in students hearing the phrase “no homo.” However, this upward trend in frequency may be due in part to LGBTQ students reclaiming this phrase, and thus the degree to which LGBTQ students consider this language negative or derogatory is unclear. With regard to personal experiences of harassment and assault, we have seen few changes in recent years. There have been small but significant decreases in most types of anti-LGBTQ victimization. However, verbal harassment based on sexual orientation has not improved in recent years. We have also failed to see gains in intervention regarding anti-LGBTQ incidents. Rates of staff and student intervention regarding anti-LGBTQ remarks did not improve much in 2019. In fact, student intervention when hearing homophobic remarks has continued to decline since 2015. Further, the level of reporting harassment and assault to staff in 2019 was not different from 2017, and students have continued to see staff responses to victimization as less effective in recent years. We also continue to find that the majority of LGBTQ students experience some type of LGBTQ-related discriminatory policies and practices at school. However, there was an overall decline in most forms of anti-LGBTQ discrimination from prior years. Although there is an overall pattern that schools may be becoming appreciably safer for LGBTQ students, the trends we observed are not consistent and should remain a concern in light of the high levels of victimization that LGBTQ students continued to report in 2019.

There have been promising increases in the availability of LGBTQ-related positive supports in schools. Compared to prior years, LGBTQ students in 2019 reported more GSAs in schools, school personnel who were supportive of LGBTQ students, access to LGBTQ information from school libraries and school computers, and comprehensive anti-bullying and harassment policies. Although we saw increases in internet access to LGBTQ content on school computers and LGBTQ-related books and resources in school libraries, we have not seen much change regarding the number of students being taught positive LGBTQ material in class, or with LGBTQ-related content in textbooks and class resources. Further, these two aspects of curricular inclusion remain the least common of all school resources, as in all previous years.

It is also important to note that we observed few positive changes with regard to school resources in our 2017 report. This lack of improvement in school supports observed in 2017 may be related to the few improvements in negative indicators of school climate observed in 2019. It may take time for school supports to have a demonstrable, positive effect on school climate. In that we have seen increases in certain school supports in 2019, it is possible that LGBTQ students will see the continued benefits of these resources and have fewer negative experiences at school related to their LGBTQ identities in our next national survey of LGBTQ students.

LGBTQ student issues have been under attack in recent years, including the U.S. Department of Education's revocation of the Title IX guidance on transgender students and failure to investigate complaints of discrimination by LGBTQ students. Yet, we have not seen a parallel increase in many hostile school experiences in 2019. Further, we have seen greater access to certain LGBTQ-related supports and resources in schools. This continued progress may be a testament to the many school personnel who continue to offer support and resources aimed at creating safer and more affirming school environments for LGBTQ students. Nevertheless, hostile political and legislative government actions underscore the continued urgent need for action to create safer and more inclusive schools for LGBTQ students

across the country. There are steps that concerned stakeholders can take to remedy the situation. Results from the 2019 National School Climate Survey demonstrate the ways in which the presence of supportive student clubs, supportive educators, inclusive and supportive policies, and other school-based resources and supports can positively affect LGBTQ students' school experiences. Therefore, we recommend the following measures:

- Support student clubs, such as Gay-Straight Alliances or Gender and Sexuality Alliances (GSAs), that provide support for LGBTQ students and address LGBTQ issues in education;
- Provide training for school staff to improve rates of intervention and increase the number of supportive teachers and other staff available to students;
- Increase student access to appropriate and accurate information regarding LGBTQ people, history, and events through inclusive curricula and library and Internet resources;
- Ensure that school policies and practices, such as those related to dress codes and school dances, do not discriminate against LGBTQ students;
- Enact and implement policies and practices to ensure transgender and nonbinary students have equal access to education, such as having access to gendered facilities that correspond to their gender; and
- Adopt and implement comprehensive school and district anti-bullying/harassment policies that specifically enumerate sexual orientation, gender identity, and gender expression as protected categories alongside others such as race, religion, and disability, with clear and effective systems for reporting and addressing incidents that students experience.

Instituting these measures can move us towards a future in which all students have the opportunity to learn and succeed in school, regardless of sexual orientation, gender identity, or gender expression.

Endnotes

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- 20 To test if the regional representation of our sample differed from national public school enrollment, a one-sample chi-square test was conducted comparing our observed population numbers by region to expected population numbers based on national projected enrollment for fall 2018 from the National Center for Education Statistics. The test was significant: $\chi^2 = 790.18$, $df = 3$, $p < .001$.
- 21 Sexual orientation was assessed with a multi-check item (i.e., gay, lesbian, straight/heterosexual, bisexual, pansexual, queer, and questioning) with an optional write-in item for sexual orientations not listed. Youth were allowed to endorse multiple options. Mutually exclusive categories were created at the data cleaning stage so that analyses could compare youth across sexual orientation categories using the following hierarchy: gay/lesbian, bisexual, pansexual, queer, questioning, and straight/heterosexual. Thus, as an example, if an individual identified as "gay" and "queer" they were categorized as "gay/lesbian"; if an individual identified as "bisexual" and "questioning," they were categorized as "bisexual."
- 22 Pansexual identity is commonly defined as experiencing attraction to some people, regardless of their gender identity. This identity may be distinct from a Bisexual identity, which is commonly described as either experiencing attraction to some male-identified people and some female-identified people or as experiencing attraction to some people of the same gender and some people of different genders.
- 23 Students who indicated that they were asexual and another sexual orientation were categorized as another sexual orientation. Additionally, students who indicated that their only sexual orientation was asexual and also indicated that they were cisgender

- were not included in the final study sample. Therefore, all students included in the Asexual category also are not cisgender (i.e., are transgender, genderqueer, another nonbinary identity, or questioning their gender).
- 24 Race/ethnicity was assessed with a single multi-check question item (i.e., African American or Black; Asian or South Asian; Native Hawaiian or other Pacific Islander; Native American, American Indian, or Alaska Native; White or Caucasian; Hispanic or Latino/Latina/Latinx; and Arab American, Middle Eastern, or North African) with an optional write-in item for race/ethnicities not listed. Participants who selected more than one race category were coded as multiracial, with the exception of participants who selected either "Hispanic or Latino/Latina/Latinx" or "Arab American, Middle Eastern, or North African" as their ethnicity. Participants who selected either one ethnicity were coded as that ethnicity, regardless of any additional racial identities they selected. Participants who selected both ethnicities were coded as multiracial.
- 25 Latinx is a variant of the masculine "Latino" and feminine "Latina" that leaves gender unspecified and, therefore, aims to be more inclusive of diverse gender identities, including nonbinary individuals. To learn more: <https://www.meriam-webster.com/words-at-play/word-history-latinx>
- 26 Gender was assessed via two items: an item assessing sex assigned at birth (i.e., male or female) and an item assessing gender identity (i.e., cisgender, transgender, nonbinary, genderqueer, male, female, questioning, and an additional write-in option). Based on responses to these two items, students' gender was categorized for these analyses as: Cisgender (including cisgender male, cisgender female, cisgender nonbinary/genderqueer, or unspecified male or female), Transgender (including transgender male, transgender female, transgender nonbinary/genderqueer, and transgender only), Nonbinary/Genderqueer (including nonbinary, genderqueer, nonbinary/genderqueer male, nonbinary/genderqueer female, or another nonbinary identity (i.e., those who wrote in identities such as "genderfluid," "agender" or "demigender")) and Questioning. Students in the "nonbinary/genderqueer" group did not also identify as "transgender."
- 27 Receiving educational accommodations was assessed with a question that asked students if they received any educational support services at school, including special education classes, extra time on tests, resource classes, or other accommodations.
- 28 Students were placed into region based on the state they were from – Northeast: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Washington, DC; South: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia; Midwest: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin; West: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming; U.S. Territories: American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands.
- 29 Because of the large sample size and the multiple analyses conducted for this report, we use the more restrictive $p < .01$ in determinations of statistical significance for our analyses, unless otherwise indicated. To examine mean differences in feelings of unsafety a repeated measures multivariate analysis of variance (MANOVA) was conducted among the following "feeling unsafe because of..." variables: sexual orientation, gender expression, body size or weight, gender, disability, academic ability, family income, religion, race or ethnicity, how well one speaks English, citizenship status. The multivariate effect was significant, Pillai's Trace = .807, $F(12, 16556) = 5768.36$, $p < .001$, $\eta^2 = .81$. Pairwise comparisons were considered at $p < .01$. All variables were significantly different with the following exception: English proficiency was not different from citizenship status.
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- 32 Mean differences in the frequencies between types of biased remarks based on gender expression were examined using a paired samples t-test. The difference was significant, $t(16683) = 51.84$, $p < .001$, Cohen's $d = .40$.
- 33 Mean differences in the frequencies of intervention regarding homophobic remarks and gender expression remarks by school staff and by students were examined using paired samples t-tests and percentages given for illustrative purposes. The differences were significant at $p < .001$ – staff intervention: $t(10722) = -25.12$; student intervention: $t(15246) = 22.22$, Cohen's $d = .18$.
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- 35 Mean differences in the frequencies between homophobic remarks and gender expression remarks made by school staff were examined using a paired samples t-test. The difference was significant, $t(15289) = 50.67$, $p < .001$.
- 36 Mean differences in the frequencies across types of biased remarks were examined using a repeated measures multivariate analysis of variance (MANOVA), and percentages are shown for illustrative purposes. The multivariate effect was significant. Pillai's Trace = .77, $F(10, 16597) = 5420.92$, $p < .001$. Differences were significant for all remarks, anti-LGBTQ and other remarks. Hearing sexist remarks was higher than all others. Hearing "gay" used in a negative way was lower than hearing sexist remarks, but higher than all other remarks. Hearing negative remarks about ability was lower than hearing sexist remarks, and "gay" used in a negative way, but higher than all other remarks. Hearing the phrase "no homo" was lower than hearing sexist remarks, "gay" used in a negative way, and negative remarks about ability, but was higher than all other remarks. Hearing negative remarks about body size/weight was lower than hearing sexist remarks, "gay" used in a negative way, negative remarks about ability, and "no homo," but higher than all other remarks. Hearing racist remarks was lower than hearing sexist remarks, "gay" used in a negative way, negative remarks about ability, "no homo," and negative remarks about body size/weight, but higher than all other remarks. Hearing other homophobic remarks was higher than hearing negative remarks about gender expression, transgender people, religion, and immigration status, but lower than all other remarks. Hearing negative remarks about gender expression was higher than negative remarks about transgender people, religion, and immigration status, but lower than all other remarks. Hearing negative remarks about transgender people was higher than hearing negative remarks about religion and immigration status, but lower than all other remarks.

- Hearing negative remarks about religion was higher than hearing negative remarks about immigration status, but lower than all other remarks. Hearing negative remarks about immigration status was lower than all other remarks.
- 37 Mean differences in the frequencies of verbal harassment based on sexual orientation, gender, and gender expression were examined using repeated measures multiple analysis of variance (MANOVA): Pillai's Trace = .05, $F(2, 16482) = 391.81$, $p < .001$, $\eta_p^2 = .05$. Univariate effects were considered at $p < .01$. Students experienced verbal harassment based on sexual orientation more commonly than gender expression or gender; students experienced verbal harassment based on gender expression more commonly than gender. Percentages are shown for illustrative purposes.
- 38 Mean differences in the frequencies of physical harassment based on sexual orientation, gender, and gender expression were examined using repeated measures multiple analysis of variance (MANOVA): Pillai's Trace = .007, $F(2, 16364) = 54.55$, $p < .001$, $\eta_p^2 = .01$. Univariate effects were considered at $p < .01$. Students experienced physical harassment based on sexual orientation more commonly than gender expression or gender; we did not observe a difference between physical harassment based on gender expression and based on gender. Percentages are shown for illustrative purposes.
- 39 Mean differences in the percentage of students who had ever experienced verbal harassment, physical harassment, and physical assault based on sexual orientation, gender, or gender expression were examined using repeated measures multiple analysis of variance (MANOVA): Pillai's Trace = .66, $F(2, 16071) = 15652.01$, $p < .001$, $\eta_p^2 = .66$. Pairwise comparisons were considered at $p < .01$. Students were more likely to experience verbal harassment than physical harassment or physical assault; students were more likely to experience physical harassment than physical assault.
- 40 Mean differences in the frequencies of physical assault based on sexual orientation, gender, and gender expression were examined using repeated measures multiple analysis of variance (MANOVA): Pillai's Trace = .00, $F(2, 16203) = 23.99$, $p < .001$, $\eta_p^2 = .00$. Univariate effects were considered at $p < .01$. Students experienced physical assault based on sexual orientation more commonly than gender expression or gender; we did not observe a difference between physical assault based on gender expression and based on gender. Percentages are shown for illustrative purposes.
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- 43 To test differences in frequency of reporting victimization to family members by outness to family members, we conducted an independent samples t-test among LGBTQ students who had experienced victimization, where frequency of reporting to family was the dependent variable and being out or not was the independent variable. Results were significant, $t(8543.35) = -26.49$, $p < .001$.
- 44 To test differences on severity of experiences with anti-LGBTQ victimization between those who reported that they did not report victimization because it was "not that serious" and those who did not cite this reason for not reporting victimization, a multivariate analysis of variance (MANOVA) was conducted with three weighted victimization variables (based on sexual orientation, gender, and gender expression) as dependent variables. The independent variable was dichotomous, where 1 = "not that serious" and "0" indicated that students had not cited this reason for not reporting victimization to school staff. Multivariate results were significant: Pillai's Trace = .05, $F(3, 9937) = 165.92$, $p < .001$. Univariate effects for all three types of anti-LGBTQ victimization were significant. Victimization based on sexual orientation: $F(1, 9939) = 453.23$, $p < .001$, $\eta_p^2 = .04$; Victimization based on gender: $F(1, 9939) = 318.38$, $p < .001$, $\eta_p^2 = .03$; Victimization based on gender expression: $F(1, 9939) = 366.63$, $p < .001$, $\eta_p^2 = .04$. Students who said that they did not report victimization because it was not that serious had lower levels of victimization based on sexual orientation, victimization based on gender, and victimization based on gender expression, than students who did not say this as a reason for not reporting victimization.
- 45 We define effectiveness in two different ways, one is whether staff made a positive impact on the school climate for the student who experienced the harassment or assault (e.g., preventing future harassment and assault), and the other is whether staff comforted the student who experienced the harassment or assault.
- 46 Chi-square tests were performed examining type of school staff response by whether it was perceived to be effective or ineffective (dichotomous variable was created for effectiveness: effective = "very effective" or "somewhat effective"; ineffective = "not at all effective" or "somewhat ineffective"). Responses that were more likely to be effective: Disciplined perpetrator: $\chi^2 = 599.92$, $df = 1$, $p < .001$, $\phi = .35$; Educated perpetrator about bullying: $\chi^2 = 262.38$, $df = 1$, $p < .001$, $\phi = .23$; Contacted perpetrator's parents: $\chi^2 = 222.19$, $df = 1$, $p < .001$, $\phi = .22$; and Provided emotional support: $\chi^2 = 634.90$, $df = 1$, $p < .001$, $\phi = .36$.
- 47 Chi-square tests were performed examining type of school staff response by whether it was perceived to be effective or ineffective (dichotomous variable was created for effectiveness: effective = "very effective" or "somewhat effective"; ineffective = "not at all effective" or "somewhat ineffective"). Responses that were more likely to be ineffective: Told reporting student to change their behavior: $\chi^2 = 289.72$, $df = 1$, $p < .001$, $\phi = -.25$; Disciplined the reporting student: $\chi^2 = 88.99$, $df = 1$, $p < .001$, $\phi = -.14$; Did nothing/Told student to ignore: $\chi^2 = 1151.29$, $df = 1$, $p < .001$, $\phi = -.49$; Talked to the perpetrator/told the perpetrator to stop: $\chi^2 = 395.43$, $df = 1$, $p < .001$, $\phi = -.29$; Filed a report: $\chi^2 = 161.59$, $df = 1$, $p < .001$, $\phi = -.18$; Referred the incident to another staff member: $\chi^2 = 70.22$, $df = 1$, $p < .001$, $\phi = -.12$; Contacted the reporting student's parents: $\chi^2 = 31.26$, $df = 1$, $p < .001$, $\phi = -.08$; Used peer mediation/conflict resolution approach: $\chi^2 = 46.63$, $df = 1$, $p < .001$, $\phi = -.10$; Educated class/school about bullying: $\chi^2 = 45.12$, $df = 1$, $p < .001$, $\phi = -.10$; and Separated students: $\chi^2 = 190.63$, $df = 1$, $p < .001$, $\phi = -.20$.
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- 50 Greytak, E. A., Kosciw, J. G., Villenas, C., & Giga, N. M. (2016). *From Teasing to Torment: School Climate Revisited, A Survey of U.S. Secondary School Students and Teachers*. New York: GLSEN. https://www.glsen.org/sites/default/files/2019-12/From_Teasing_to_Torment_Revised_2016.pdf
- 51 The Day of Silence is a national student-led event, coordinated by GLSEN, that is designed to draw attention to anti-LGBTQ name-calling, bullying, and harassment in schools. Visit dayofsilence.org for more information
- 52 A series of chi-square tests were conducted to examine the relationship between locker room discrimination and: sports participation (intramural or interscholastic), avoiding gym/physical education classes, avoiding sports fields, and avoiding locker rooms. The results for all tests were significant. Sports participation: $\chi^2 = 66.40$, $df = 1$, $p < .001$, $\phi = -.07$; avoiding gym: $\chi^2 = 905.43$, $df = 1$, $p < .001$, $\phi = .24$; avoiding sports fields: $\chi^2 = 492.08$, $df = 1$, $p < .001$, $\phi = .17$; avoiding locker rooms: $\chi^2 = 1191.28$, $df = 1$, $p < .001$, $\phi = .27$.
- 53 American Medical Association. (2018). *Transgender individuals' access to public facilities*. <https://www.ama-assn.org/system/files/2019-03/transgender-public-facilities-issue-brief.pdf>
- 54 A chi-square test was conducted to compare avoiding bathrooms by

- experiences of bathroom-based discrimination: $\chi^2 = 1873.89$, $df = 1$, $p < .001$, $\phi = .34$. Percentages are shown for illustrative purposes.
- 55 A small percentage of survey respondents (1.0%) attended single-sex schools. Given that single-sex schools are uniquely gendered spaces, all analyses regarding gender separation in schools excluded students who attended single-sex schools. More information about the experiences of LGBTQ students in single-sex schools can be found in the *School Climate and School Characteristics* section of this report.
- 56 To assess differences in high school graduation plans by grade level, an analysis of variance (ANOVA) was performed where grade level was the dependent variable and high school graduation plans was the independent variable. Results were significant: $F(2, 16628) = 75.33$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Students who were unsure whether they would graduate high school were in lower grades than those who planned on graduating high school as well those who did not plan on graduating high school. We did not observe a significant difference between those who planned on graduating high school and those who did not plan on graduating high school.
- 57 Heckman, J. J., Humphries, J. E., & Mader, N. S. (2010). *The GED: NBER working paper no. 16064*. Cambridge, MA: National Bureau of Economic Research. <https://www.nber.org/papers/w16064.pdf>
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- 58 The full percentage breakdown of educational aspirations for LGBTQ students planning to obtain a GED are as follows: 40.6% planned to obtain a GED only; 10.9% planned to complete Vocational, Trade, or Technical School; 15.6% planned to obtain an Associate's degree; 20.6% planned to obtain a Bachelor's degree; and, 12.2% planned to obtain a Graduate degree.
- 59 Mean differences in the frequencies of reasons for not planning to finish high school or being unsure about finishing high school were examined using repeated measures analysis of variance (ANOVA): Pillai's Trace = .84, $F(5, 627) = 759.07$, $p < .001$. Univariate effects were considered at $p < .01$. Significant differences were observed between all reasons for not planning to finish high school, except we did not observe a difference between academic concerns and hostile school climate. Percentages are shown for illustrative purposes.
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- 61 Watson, R.J., & Russell, S.T. (2014). Disengaged or bookworm: Academics, mental health, and success for sexual minority youth *Journal of Research on Adolescence*, 26(1), 159-165.
- 62 Palmer, N. A., & Greytak, E. A. (2017). LGBTQ student victimization and its relationship to school discipline and justice system involvement. *Criminal Justice Review*, 42(2), 163-187.
- 63 To assess differences in high school graduation plans by absenteeism, an analysis of covariance (ANCOVA) was performed where number of school days missed was the dependent variable, whether or not a student planned to graduate high school was the independent variable, and student grade level was included as a covariate. Results were significant: $F(1, 16311) = 344.24$, $p < .001$, $\eta_p^2 = .02$. Students with higher absenteeism due to feeling unsafe/uncomfortable were less likely to plan to finish high school.
- 64 For purposes of analysis, we measured victimization by creating composite weighted variables for both types of victimization (victimization based on sexual orientation and victimization based on gender expression) based on the severity of harassment with more weight given to more severe forms of harassment. Physical assault received the most weight, followed by physical harassment, and verbal harassment.
- 65 To assess the relationship between anti-LGBTQ victimization and educational aspirations, a multivariate analysis of covariance (MANCOVA) was performed where severity of victimization based on sexual orientation and gender expression were the dependent variables, educational aspirations was the independent variable, and student grade level was included as a covariate. The multivariate effect was significant: Pillai's Trace = .02, $F(10, 31496) = 38.80$, $p < .001$, $\eta_p^2 = .01$. The univariate effect for victimization based on sexual orientation was significant: $F(5, 15748) = 45.81$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Those not planning to graduate high school experienced greater levels of victimization than all others. Those planning to only graduate high school, those planning to attend vocational, trade, or technical school, and those planning to obtain an associate's degree all experienced greater levels of victimization than those planning to obtain a Bachelor's or graduate degree. No other differences were observed. The univariate effect for victimization based on gender expression was also significant: $F(5, 15748) = 75.94$, $p < .001$, $\eta_p^2 = .02$. Post hoc differences were similar to victimization based on sexual orientation, except: those planning to graduate high school only experienced greater levels of victimization than those planning to obtain an associate's degree. Percentages are shown for illustrative purposes.
- 66 To assess the relationship between anti-LGBTQ discriminatory school policies/practices and educational aspirations, an analysis of variance (ANCOVA) was performed where experiencing discrimination was the dependent variable, educational aspirations was the independent variable, and student grade level was included as a covariate. The effect was significant: $F(5, 16320) = 30.01$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Those planning to obtain a Bachelor's degree as well as those planning to obtain a graduate degree were less likely to experience discrimination than all others. No other differences were observed.
- 67 The relationship between GPA and severity of victimization was examined through Pearson correlations. – victimization based on sexual orientation: $r(16217) = -.19$, $p < .001$; victimization based on gender expression: $r(16023) = -.22$, $p < .001$.
- 68 To assess the relationship between educational achievement by experiencing anti-LGBTQ discriminatory policies and practices at school, an analysis of variance (ANOVA) was conducted, with GPA as the dependent variable, and experiencing anti-LGBTQ discrimination as the independent variable. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(1, 16527) = 333.30$, $p < .001$, $\eta_p^2 = .02$.
- 69 The relationship between missing school and severity of victimization was examined through Pearson correlations. *Victimization based on sexual orientation*: $r(16222) = .42$, $p < .001$; *victimization based on gender expression*: $r(16026) = .42$, $p < .001$. Percentages are shown for illustrative purposes.
- 70 To test differences in missing school for safety reasons by experiences of anti-LGBTQ discrimination at school, we conducted an independent samples t-test with missing any school as the dependent variable, and having experienced discrimination as the independent variable. Results were significant: $t(16376.37) = -39.94$, $p < .001$, Cohen's $d = .60$. Percentages are shown for illustrative purposes.
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- 77 To compare disciplinary experiences by missing school due to safety reasons, a chi-square test was conducted with the variable indicating whether a student had missed any school due to feeling unsafe or uncomfortable and a dichotomized variable regarding having experienced any type of school discipline: $\chi^2 = 587.77$, $df = 4$, $p < .001$, Cramer's V = .19. Students who had missed school were more likely to have experienced any school discipline than students who had not missed school.
- 78 To compare disciplinary experiences by experiences of discrimination at school, a chi-square test was conducted using a dichotomized variable indicating that students had experienced discriminatory policies or procedures and a dichotomized variable regarding having experienced any type of school discipline: $\chi^2 = 559.16$, $df = 1$, $p < .001$, $\phi = .18$. Students who had experienced discriminatory policies or practices at school reported higher rates of school disciplinary action than students who had not experienced these policies or practices. Note further analyses demonstrated that these relationships between discriminatory practices and school discipline held even after controlling for peer victimization.
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- The measure includes 18 4-point Likert-type items, such as "Other students in my school take my opinions seriously."
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- 82 To test differences in school belonging by experiencing anti-LGBTQ discriminatory policies and practices at school, as analysis of variance (ANOVA) was conducted, with school belonging as the dependent variable, and experiencing any form of this type of discrimination as the independent variable. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(1, 16529) = 3160.18$, $p < .001$, $\eta_p^2 = .16$. Percentages are shown for illustrative purposes.
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- 85 Self-esteem was measured using the 10-item Likert-type Rosenberg self-esteem scale (RSE; Rosenberg, 1989), which includes such items as "I am able to do things as well as most people":
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- 88 The relationship between depression and severity of victimization was examined through Pearson correlations: Victimization based on sexual orientation: $r(16058) = .348, p < .001$; Victimization based on gender expression: $r(15863) = .342, p < .001$. For illustrative purposes percentages of LGBTQ students with "Higher Levels of Depression" are shown; higher levels were determined by a cutoff at the mean score of depression: students above the mean were characterized as "Demonstrating Higher Levels of Depression."
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- 91 To test differences in depression by experiencing discriminatory policies and practices at school, as analysis of variance (ANOVA) was conducted, with depression as the dependent variable, and experiencing discrimination as the independent variable. The main effect for experiencing discrimination was significant: $F(1, 16356) = 1701.16, p < .001, \eta_p^2 = .09$. In order to account for experiences of victimization on the effect of discrimination on depression, an analysis of covariance (ANCOVA) was conducted, controlling for victimization. Even when accounting for direct experiences of victimization, the ANCOVAs revealed differences between students who had experienced discriminatory policies and practices and those who had not; thus, results of the ANOVAs are reported for the sake of simplicity.
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100 Mean differences in the frequencies of positive and negative LGBTQ inclusion were compared using repeated measures analysis of variance (ANOVA): Pillai's Trace = .00, $F(1, 16635) = 32.41$, $p = .001$, $\eta_p^2 = .00$. Positive inclusion was higher than negative inclusion.

101 71.7% of students reported that LGBTQ-related topics were not included in any textbooks or other assigned readings and 8.7% reported that they did not know if these topics were included.

102 24.1% of students reported that they could not find LGBTQ-related books or information in their school library, and 27.0% reported that they did not know if their library had these resources.

103 To test differences between inclusion of LGB topics and inclusion of transgender and nonbinary topics, a McNemar Chi-Square test was conducted among students who had received sex education. The test included two dichotomous variables, indicating whether LGB and whether transgender and nonbinary topics were included in their sex education. The results were significant: $\chi^2=706.64$, $df = 1$, $p < .001$, $\phi = .62$. LGB topics were more common in sex education classes than transgender and nonbinary topics.

104 To test differences between quality of LGB topics and quality of transgender and nonbinary topics included in sex education, a paired samples t-test was conducted on the LGB quality and transgender and nonbinary quality variables, each measuring the quality of content, from "Very Negative" to "Very Positive." The results were significant: $t(2000) = 12.59$, $p < .001$, Cohen's $d = .23$.

105 Mean differences in comfort level talking to school staff across type of school staff member were examined using repeated measures multivariate analysis of variance (repeated measures MANOVA), with type of school staff as the independent variable and comfort level for each of the seven school staff categories as the dependent variables. The multivariate effect was significant: Pillai's Trace = .52, $F(6, 16294) = 2983.89$, $p < .001$, $\eta_p^2 = .52$. Univariate effects were considered at $p < .01$. All mean differences were significant except between Principal/Vice Principal and School Safety/Resource/Security Officer. Percentages are shown for illustrative purposes.

106 Visit <https://glsen.org/safespace> for more information or to obtain a Safe Space Kit for an educator or school.

107 Note: The generic policy category includes students who explicitly said that their school policy included neither sexual orientation or

gender expression, and also students who said they were unsure if their school policy included those protections.

108 Kosciw, J. G., Greytak, E. A., Zongrone, A. D., Clark, C. M., & Truong, N. L. (2018). *The 2017 National School Climate Survey: The experiences of lesbian, gay, bisexual, transgender, and queer youth in our nation's schools*. New York: GLSEN. <http://live-glsen-website.pantheonsite.io/sites/default/files/2019-10/GLSEN-2017-National-School-Climate-Survey-NSCS-Full-Report.pdf>

GLSEN (2016). *Educational exclusion: Drop out, push out, and the school-to-prison pipeline among LGBTQ youth*. New York, NY: GLSEN. https://www.glsen.org/sites/default/files/2019-11/Educational_Exclusion_2013.pdf

Movement Advancement Project (MAP) and GLSEN. (April 2017). *Separation and stigma: Transgender youth and school facilities*. <https://www.lgbtmap.org/file/transgender-youth-school.pdf>

109 U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students. (May 2016). *Examples of policies and emerging practices for supporting transgender students*. <https://www2.ed.gov/about/offices/list/oesl/osh/emergingpractices.pdf>

110 To compare LGBTQ students' reports of having a transgender and nonbinary policy in their school by cisgender status (cisgender vs transgender and nonbinary vs questioning), a chi-square test was conducted. The test was significant: $\chi^2 = 197.38$, $df = 4$, $p < .001$, Cramer's $V = .08$. Cisgender students and questioning students were more likely to indicate that they were "not sure" if their school had such a policy, and less likely to indicate that they had a such a policy, than compared to transgender and nonbinary students. No other differences were found.

111 The table below shows student reports of areas addressed in transgender and nonbinary student school policies and official guidelines for the full LGBTQ sample (includes cisgender, questioning, and transgender and nonbinary students). The percentages for the full LGBTQ sample were similar to the transgender and nonbinary student sample (see Table 2.4 in the report).

	% of LGBTQ Students with Policy	% of All LGBTQ Students in Survey
Use pronoun/name of choice	87.8%	9.4%
Which bathroom to use (boys or girls)	65.3%	7.0%
Access gender neutral bathroom	61.8%	6.6%
Change official school records after name or gender change	59.9%	6.4%
Participate in extracurricular activities that matches their gender (non-sports)	53.2%	5.7%
Dress codes/school uniforms match gender identity	49.2%	5.2%
Locker rooms that match gender identity	42.7%	4.6%
Participate in school sports that match their gender identity	39.9%	4.2%
Stay in housing during field trips or in dorms that match gender identity	28.3%	3.0%
Another topic not listed (e.g., confidentiality policies, education for school community)	1.3%	0.1%

112 Mean differences in prevalence of policy components among transgender and other nonbinary students were examined using a repeated measures multivariate analysis of variance (repeated measures MANOVA). The multivariate effect was significant: Pillai's Trace = .62, $F(8, 872) = 178.06$, $p < .001$, $\eta_p^2 = .62$. Univariate effects were considered at $p < .01$. All mean differences were significant except between: official records and use of bathroom

- (boys or girls); official records and gender neutral bathrooms; school sports participation and locker rooms; extracurricular participation (non-sports) and dress codes/uniforms; use of bathroom (boys or girls) and gender neutral bathrooms; locker rooms and dress codes/uniforms.
- 113 Palmer, N.A., Kosciw, J.G., & Greytak, E.A. (2017). Disrupting hetero-gender-normativity: The complex role of LGBT affirmative supports at school. In S. T. Russell & S. S. Horn (Eds.) *Sexual orientation, gender identity, and schooling: The nexus of research, practice, and policy* (pp. 68-74). New York, NY: Oxford University Press.
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- 115 Porta, C. M., Singer, E., Mehus, C. J., Gower, A. L., Saewyc, E., Fredkove, W., & Eisenberg, M. E. (2017). LGBTQ youth's views on Gay-Straight Alliances: Building community, providing gateways, and representing safety and support. *Journal of School Health, 87*(7), 489-497.
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- 116 Griffin, P., Lee, C., Waugh, J., & Beyer, C. (2004). Describing roles that Gay-Straight Alliances play in schools: From individual support to school change. *Journal of Gay & Lesbian Issues in Education, 1*(3), 7-22.
- 117 Poteat, V. P. (2017). Gay-Straight Alliances: Promoting student resilience and safer school climates. *American Educator, 40*(4), 10.
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- 118 To test differences in hearing biased remarks by presence of a GSA, a multivariate analysis of variance (MANOVA) was conducted, with GSA presence as the independent variable, and frequency of hearing anti-LGBTQ remarks as the dependent variables. The multivariate effect was significant: Pillai's trace = .03, $F(5, 16615) = 118.53, p < .001, \eta_p^2 = .03$. The univariate effects of GSA presence on anti-LGBTQ remarks were all significant – "Gay" used in a negative way: $F(1, 16619) = 490.41, p < .001, \eta_p^2 = .03$; The phrase "no homo": $F(1, 16619) = 155.94, p < .001, \eta_p^2 = .01$; Other homophobic remarks: $F(1, 16619) = 513.24, p < .001, \eta_p^2 = .02$; Negative remarks regarding gender expression: $F(1, 16619) = 183.82, p < .001, \eta_p^2 = .01$; Negative remarks about transgender people: $F(1, 16619) = 161.20, p < .001, \eta_p^2 = .01$. Percentages are shown for illustrative purposes.
- 119 To test differences in feeling unsafe regarding their sexual orientation and gender expression, experiences of anti-LGBTQ victimization, and missing school because of safety concerns by presence of a GSA, a multivariate analysis of variance (MANOVA) was conducted, with GSA presence as the independent variable, and feeling unsafe regarding their sexual orientation and gender expression, experiences of anti-LGBTQ victimization, and missing school because of safety concerns as the dependent variables. The multivariate effect was significant: Pillai's trace = .04, $F(5, 15795) = 121.85, p < .001$. The univariate effects of GSA presence on feeling unsafe regarding their sexual orientation and gender expression were significant – Feeling unsafe regarding their sexual orientation: $F(1, 15799) = 309.63, p < .001, \eta_p^2 = .02$; Feeling unsafe regarding their gender expression: $F(1, 15799) = 52.74, p < .001, \eta_p^2 = .00$. Percentages are shown for illustrative purposes.
- 120 To test differences in victimization based on sexual orientation and gender expression by presence of a GSA, these variables were included in the MANOVA described in the previous endnote. The univariate effects of GSA presence on victimization based on sexual orientation and based on gender expression were significant – Victimization based on sexual orientation: $F(1, 15799) = 425.30, p < .001, \eta_p^2 = .03$; Victimization based on gender expression: $F(1, 15799) = 221.94, p < .001, \eta_p^2 = .01$. For illustrative purposes, figures depicting differences in victimization based on sexual orientation or gender expression rely on a cutoff at the mean score of victimization: students above the mean score were characterized as "Experiencing Higher Levels of Victimization." Percentages are shown for illustrative purposes.
- 121 To test differences in missing school because of feeling unsafe or uncomfortable by presence of a GSA, this variable was included in the MANOVA described in previous endnotes. The univariate effect of GSA presence on days missing school in the past month was significant: $F(1, 15799) = 236.30, p < .001, \eta_p^2 = .02$. Percentages are shown for illustrative purposes.
- 122 To test differences in number of supportive school staff by presence of a GSA, an independent-samples t-test was conducted, with GSA presence as the independent variable, and number of supportive staff as the dependent variable. The effect of GSA presence on number of supportive staff was significant: $t(11004.62) = -56.38, p < .001$, Cohen's $d = .93$. Percentages are shown for illustrative purposes.
- In addition, a chi-square test was conducted to compare the likelihood of having any supportive staff at all (having at least 1 supportive staff vs having no supportive staff) by presence of a GSA. The test was significant: $\chi^2 = 459.08, df = 1, p < .001, \phi = .17$. Students who had a GSA at their school were more likely to have at least 1 supportive educator compared to students who did not have a GSA at their school.
- 123 To test differences in staff intervention regarding anti-LGBTQ remarks by presence of a GSA, a multivariate analysis of variance (MANOVA) was conducted, with GSA presence as the independent variable, and frequency of staff intervention in homophobic remarks and negative remarks about gender expression as the dependent variables. The multivariate effect was significant: Pillai's trace = .02, $F(2, 10702) = 117.58, p < .001$. The univariate effects of GSA presence on staff intervention in both homophobic remarks and negative remarks about gender expression were significant – Homophobic remarks: $F(1, 10703) = 204.89, p < .001, \eta_p^2 = .02$; Negative remarks about gender expression: $F(1, 10703) = 155.74, p < .001, \eta_p^2 = .01$. Percentages are shown for illustrative purposes.
- 124 GLSEN Days of Action (including Ally Week, No Name-Calling Week, and Day of Silence) are national student-led events of school-based LGBTQ advocacy, coordinated by GLSEN. The Day of Silence occurs each year in the spring, and is designed to draw attention to anti-LGBTQ name-calling, bullying and harassment in schools. Visit <https://www.dayofsilence.org> for more information.
- 125 To test differences in GLSEN Days of Action participation by presence of a GSA, a chi-square test was conducted. The test was significant: $\chi^2 = 1114.38, df = 1, p < .001, \phi = .26$. Students with a GSA at their school were more likely to participate in GLSEN Days of Action than student without a GSA at their school.
- 126 The full breakdown of student responses to the question, "In general, how accepting do you think students at your school are of LGBTQ people?" was as follows: not at all accepting: 4.4%, not very accepting: 26.9%, neutral: 25.2%, somewhat accepting: 32.9%, very accepting: 10.6%.
- 127 To test differences in peer acceptance and peer intervention regarding anti-LGBTQ remarks by presence of a GSA, a multivariate analysis of variance (MANOVA) was conducted, with GSA presence as the independent variable, and peer acceptance, peer intervention regarding homophobic remarks, and peer intervention regarding negative remarks about gender expression as the dependent variables. The multivariate effect was significant: Pillai's trace = .08, $F(3, 15210) = 408.18, p < .001$. The univariate effect of GSA presence on peer acceptance was significant: $F(1, 15212) = 1224.10, p < .001, \eta_p^2 = .07$. Percentages are shown for illustrative purposes.
- 128 To test differences in peer intervention regarding anti-LGBTQ remarks by presence of a GSA, we conducted the MANOVA described in the previous endnote. The univariate effects of GSA presence on student intervention were significant – Homophobic remarks, $F(1, 15212) = 42.91, p < .001, \eta_p^2 = .00$; Negative remarks about gender expression, $F(1, 15212) = 45.03, p < .001, \eta_p^2 = .00$. Percentages are shown for illustrative purposes.
- 129 To test differences in school belonging and presence of a GSA, an independent-samples t-test was conducted, with presence of a GSA as the independent variable and school belonging as the dependent variable. The effect was significant: $t(13347.26) = -31.25, p < .001$, Cohen's $d = .50$.
- 130 To test differences in well-being and presence of a GSA a multivariate analysis of variance (MANOVA) was conducted, with the presence of a GSA as the independent variable, and depression

- and self-esteem as the dependent variables. The multivariate effect was significant: Pillai's trace = .02, $F(2, 16370) = 138.49$, $p < .001$. The univariate effects of GSA presence on depression and self-esteem were both significant – Depression: $F(1, 16371) = 269.71$, $p < .001$, $\eta_p^2 = .02$; Self-esteem: $F(1, 16371) = 193.05$, $p < .001$, $\eta_p^2 = .01$.
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- 133 To test differences in hearing homophobic remarks by presence of an inclusive curriculum, a multivariate analysis of variance (MANOVA) was conducted, with inclusive curriculum presence as the independent variable, and frequency of hearing anti-LGBTQ remarks as the dependent variables. The multivariate effect was significant: Pillai's trace = .06, $F(5, 16606) = 192.06$, $p < .001$. The univariate effects for inclusive curriculum presence was significant for hearing all types of anti-LGBTQ language – "Gay" used in a negative way: $F(1, 16612) = 724.53$, $p < .001$, $\eta_p^2 = .04$; The phrase "no homo": $F(1, 16612) = 139.59$, $p < .001$, $\eta_p^2 = .01$; Other homophobic remarks: $F(1, 16612) = 609.42$, $p < .001$, $\eta_p^2 = .04$; Negative remarks about gender expression: $F(1, 16612) = 271.43$, $p < .001$, $\eta_p^2 = .02$; Negative remarks about transgender people: $F(1, 16612) = 443.62$, $p < .001$, $\eta_p^2 = .03$. Percentages are shown for illustrative purposes.
- 134 To test differences in victimization by presence of an inclusive curriculum, a multivariate analysis of variance (MANOVA) was conducted, with inclusive curriculum as the independent variable, and victimization based on sexual orientation and gender expression, feeling unsafe because of their sexual orientation and gender expression, and missing school because of feeling unsafe or uncomfortable as the dependent variables. The multivariate effect was significant: Pillai's trace = .76, $F(5, 15789) = 105.16$, $p < .001$. The univariate effects for victimization were significant – Victimization based on sexual orientation: $F(1, 15795) = 254.06$, $p < .001$, $\eta_p^2 = .02$; Victimization based on gender expression was significant: $F(1, 15795) = 174.83$, $p < .001$, $\eta_p^2 = .01$. Percentages are shown for illustrative purposes.
- 135 To test differences in feelings of safety because of sexual orientation and gender expression by the presence of a school curriculum, this variable was included in the MANOVA described in the previous endnote above. The univariate effects for feeling unsafe were significant – Feeling unsafe regarding their sexual orientation: $F(1, 15795) = 354.86$, $p < .001$, $\eta_p^2 = .02$; Feeling unsafe regarding their gender expression: $F(1, 15795) = 133.12$, $p < .001$, $\eta_p^2 = .01$. Percentages are shown for illustrative purposes.
- 136 To test differences in days missed school because of feeling unsafe or uncomfortable by the presence of an inclusive curriculum, this variable was included in the MANOVA described in previous endnotes. The univariate effect for missing school was significant: $F(1, 15795) = 191.89$, $p < .001$, $\eta_p^2 = .01$. Percentages are shown for illustrative purposes.
- 137 To test differences in feeling comfortable talking to teachers about LGBTQ issues by presence of an inclusive curriculum, an analysis of variance (ANOVA) was conducted, with presence of an inclusive curriculum as the independent variable and feeling comfortable talking to teachers about LGBTQ issues as the dependent variable. The main effect was significant: $F(1, 16601) = 1162.04$, $p < .001$, $\eta_p^2 = .07$. Percentages are provided for illustrative purposes.
- 138 To test differences in academic achievement, an independent-samples t-test was conducted with presence of an inclusive curriculum as the independent variable, and GPA as the dependent variable. The effect was significant: $t(5213.04) = -5.45$, $p < .001$, Cohen's $d = .10$.
- 139 To test differences in educational aspirations, an independent-samples t-test was conducted with presence of an inclusive curriculum as the independent variable and educational aspirations as the dependent variable. The effect was significant: $t(5342.13) = -8.21$, $p < .001$, Cohen's $d = .14$.
- To test differences in plans to graduate high school and plans to pursue secondary education by presence of an inclusive curriculum, two separate chi-square tests were conducted. The effect of inclusive curriculum on plans to pursue secondary education was significant: $\chi^2 = 23.88$, $df = 1$, $p < .001$, $\phi = .04$. The effect of inclusive curriculum on plans to graduate high school was significant: $\chi^2 = 8.30$, $df = 1$, $p < .01$, $\phi = .02$.
- 140 To test differences in peer acceptance about LGBTQ people and student intervention regarding anti-LGBTQ remarks by presence of an inclusive curriculum, a multivariate analysis of variance (MANOVA) was conducted, with inclusive curriculum as the independent variable, and peer acceptance about LGBTQ people and peer intervention regarding homophobic remarks and negative remarks about gender expression as the dependent variables. The multivariate effect was significant: Pillai's trace = .08, $F(3, 15204) = 464.80$, $p < .001$. The univariate effect for peer acceptance was significant: $F(1, 15206) = 1235.44$, $p < .001$, $\eta_p^2 = .08$. Percentages are shown for illustrative purposes.
- 141 To test differences in student intervention regarding anti-LGBTQ remarks by presence of an inclusive curriculum, these variables were included in the MANOVA described in previous endnote. The univariate effects were significant – Peer intervention when hearing homophobic remarks: $F(1, 15206) = 283.99$, $p < .001$, $\eta_p^2 = .02$; Peer intervention when hearing negative remarks about gender expression: $F(1, 15206) = 310.34$, $p < .001$, $\eta_p^2 = .02$. Percentages are shown for illustrative purposes.
- 142 To test differences in school belonging and presence of an inclusive curriculum, an analysis of variance (ANOVA) was conducted with presence of an inclusive curriculum as the independent variable and school belonging as the dependent variable. The main effect was significant: $F(1, 16627) = 1568.36$, $p < .001$, $\eta_p^2 = .09$.
- 143 To test differences in well-being and presence of an inclusive curriculum, two separate one-way analyses of variance (ANOVAs) were conducted with the presence of an inclusive curriculum as the independent variable and depression and self-esteem as the dependent variables. The main effect for self-esteem was significant: $F(1, 16455) = 416.42$, $p < .001$, $\eta_p^2 = .03$. The main effect for depression was significant: $F(1, 16456) = 404.50$, $p < .001$, $\eta_p^2 = .02$.
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- 146 The relationships between number of supportive staff, and feeling unsafe at school and missing school due to feeling unsafe were examined through Pearson correlations – Feeling unsafe regarding their sexual orientation: $r(16428) = -.26, p < .001$; Feeling unsafe because of their gender expression: $r(16428) = -.15, p < .001$; Number of school days missed because of feeling unsafe: $r(16529) = -.24, p < .001$. Percentages are shown for illustrative purposes.
- 147 To assess the relationship between number of supportive staff and educational aspirations, an analysis of covariance (ANCOVA) was performed where number of supportive staff was the dependent variable, educational aspirations was the independent variable, and student grade level was included as a covariate. The main effect was significant: $F(5, 16331) = 57.64, p < .001, \eta_p^2 = .02$. Post hoc comparisons were considered at $p < .01$. Those not planning to graduate high school had fewer supportive educators than those planning on any postsecondary education (vocational/trade school, Associate's degree, Bachelor's degree, graduate degree); those planning to graduate high school only had fewer supportive educators than those planning on an Associate's degree, a Bachelor's degree, or a graduate degree but did not differ from those planning on vocational school; those planning on vocational school and those planning on an Associate's degree both had fewer supportive educators than those planning on a Bachelor's degree or a graduate degree. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 148 The relationship between number of supportive staff and GPA was examined through Pearson correlations: $r(16538) = .10, p < .001$.
- 149 The relationship between number of supportive staff and school belonging was examined through Pearson correlations: $r(16531) = .48, p < .001$.
- 150 The relationship between number of supportive staff and student well-being was examined through Pearson correlations – Depression: $r(16362) = -.26, p < .001$; Self-esteem: $r(16362) = .22, p < .001$.
- 151 The relationship between feeling unsafe because of sexual orientation or gender expression and frequency of school staff intervention was examined through Pearson correlations – Intervention regarding homophobic language: $r(13488) = -.16, p < .001$; Intervention regarding negative remarks about gender expression: $r(11810) = -.12, p < .001$. Percentages are shown for illustrative purposes.
- 152 The relationship between missing school due to feeling unsafe and frequency of school staff intervention was examined through Pearson correlations – Intervention regarding homophobic language: $r(13557) = -.10, p < .001$; Intervention regarding negative remarks about gender expression: $r(11863) = -.08, p < .001$. Percentages are shown for illustrative purposes.
- 153 In the NSCS we asked students about the last time they reported victimization experiences to staff, how staff responded, and how effective that response was. Although we only asked students about how effective staff were the last time they responded to victimization, we used this as a proxy measure in this section for how effective staff are, in general, when responding to LGBTQ students' reports of victimization.
- 154 The relationship between feeling unsafe regarding their sexual orientation or gender expression and effectiveness of staff intervention was examined through a Pearson correlation: $r(4830) = -.20, p < .001$. Percentages are shown for illustrative purposes.
- 155 The relationship between missing school due to feeling unsafe or uncomfortable and effectiveness of staff intervention was examined through a Pearson correlation: $r(4843) = -.24, p < .001$. Percentages are shown for illustrative purposes.
- 156 To test differences in victimization by effectiveness of staff intervention, two Pearson correlations were conducted, with effectiveness of staff intervention as the independent variable, and victimization based on sexual orientation and gender expression as the dependent variables. Both relationships were significant – Victimization based on sexual orientation: $r(4712) = -.26, p < .001$; Victimization based on gender expression: $r(4683) = -.23, p < .001$. Percentages are shown for illustrative purposes.
- 157 To test differences in number of supportive educators by presence of Safe Space stickers/posters, an independent-samples t-test was conducted with Safe Space sticker/poster presence as the independent variable, and number of supportive staff as the dependent variable. The effect was significant: $t(10403.76) = 60.10, p < .001$, Cohen's $d = .14$. Percentages are shown for illustrative purposes.
- 158 To test differences in anti-LGBTQ language by type of school policy, a multivariate analysis of variance (MANOVA) was conducted, with policy type as the independent variable and frequency of hearing each type of anti-LGBTQ remarks as the dependent variables. The multivariate effect was significant: Pillai's trace = .02, $F(15, 49869) = 24.50, p < .001$. All univariate effects were significant – "Gay" used in a negative way: $F(3, 16625) = 87.90, p < .001, \eta_p^2 = .02$; The phrase "no homo": $F(3, 16625) = 21.89, p < .001, \eta_p^2 = .00$; Other homophobic remarks: $F(3, 16625) = 66.04, p < .001, \eta_p^2 = .01$; Negative remarks about gender expression: $F(3, 16625) = 57.47, p < .001, \eta_p^2 = .01$; Negative remarks about transgender people: $F(3, 16625) = 40.97, p < .001, \eta_p^2 = .01$. Post-hoc Bonferroni comparisons were considered at $p < .01$. All types of anti-LGBTQ remarks were least frequently heard in schools with comprehensive policies, followed by those with partially enumerated policies, those with generic policies, and lastly, those with no policy, except for the following: "Gay" used in a negative way – the differences between schools with no policy and schools with a generic policy were not significant; The phrase "no homo" – the differences between schools with no policy and schools with a generic policy, between schools with no policy and schools with a partially enumerated policy, between schools with a generic policy and schools with a partially enumerated policy, between schools with a comprehensive policy, were not significant; Other homophobic remarks – the differences between schools with a generic policy and schools with a partially enumerated policy were not significant; Negative remarks about gender expression – the differences between schools with no policy and schools with a generic policy, and between schools with a generic policy and schools with a partially enumerated policy, were not significant; Negative remarks about transgender people – the differences between schools with a generic policy and schools with partially enumerated policy were not statistically significant. Percentages of students hearing remarks "frequently" or "often" are shown for illustrative purposes.
- 159 To test differences in victimization by type of school policy, a multivariate analysis of variance (MANOVA) was conducted, with policy type as the independent variable and experiences of anti-LGBTQ victimization (victimization based on sexual orientation and victimization based on gender expression) as the dependent variables. The multivariate effect was significant: Pillai's trace = .01, $F(6, 31892) = 19.98, p < .001$. The univariate effect of policy type was significant for both types of victimization – Victimization based on sexual orientation: $F(3, 15946) = 38.17, p < .001, \eta_p^2 = .01$; Victimization based on gender expression: $F(3, 15946) = 22.51, p < .001, \eta_p^2 = .00$. Post-hoc Bonferroni comparisons were considered at $p < .01$. Both types of victimization students in schools with comprehensive policies experienced the least victimization, followed by students with partially enumerated policies, followed by those with generic policies, and lastly followed by schools with no policies, except for the following: Victimization based on sexual orientation – the differences between schools with a partially enumerated policy and schools with a generic policy, and between schools with a partially enumerated policy and schools with a comprehensive policy, were not significant; Victimization based on gender expression – the differences between schools with a partially enumerated policy and schools with a generic policy, and between schools with a partially enumerated policy and schools with a comprehensive policy, were not significant. Percentages of students experiencing "higher levels" (i.e., higher than the average of the survey sample) of victimization are shown for illustrative purposes.
- 160 To test differences in rates of staff intervention regarding anti-LGBTQ language by type of school policy, a multivariate analysis of variance (MANOVA) was conducted, with policy type as the independent variable and frequency of intervention regarding homophobic remarks and intervention regarding negative remarks about gender expression as the dependent variables. The multivariate effect was significant: Pillai's trace = .04, $F(6, 21410) = 65.42, p < .001$. The univariate effects of policy type on rates of intervention regarding homophobic language and on rates of intervention regarding negative remarks about gender expression were significant – Intervention regarding homophobic language: $F(3, 10705) = 117.93, p < .001, \eta_p^2 = .03$; Intervention

- regarding negative remarks about gender expression: $F(3, 10705) = 83.83, p < .001, \eta_p^2 = .02$. Post-hoc Bonferroni comparisons were considered at $p < .01$. For both interventions regarding homophobic language and negative remarks about gender expression, teachers intervened most frequently in schools with comprehensive policies, followed by schools with partially enumerated policies, followed by schools with a generic policy, and lastly followed by schools with no policy. Percentages of staff intervention “most of the time” or “always” are shown for illustrative purposes.
- 161 To test differences in rates of student reporting of victimization incidents to staff by type of school policy, an analysis of variance (ANOVA) was conducted, with policy type as the independent variable and frequency of student reporting of victimization to staff as the dependent variable. The main effect of policy type on rates of reporting was significant: $F(3, 11142) = 26.82, p < .001, \eta_p^2 = .01$. Post-hoc Bonferroni comparisons were considered at $p < .01$. Students reported most frequently in schools with a comprehensive policy than students in schools with no policy, students with a generic policy, and students with a partially enumerated policy. No other policy differences were found. Percentages of students reporting victimization incidents to school staff “most of the time” or “always” are shown for illustrative purposes.
- 162 To test differences in effectiveness of staff intervention regarding victimization incidents by type of school policy, an analysis of variance (ANOVA) was conducted, with policy type as the independent variable and effectiveness of staff intervention as the dependent variable. The main effect of policy type on effectiveness of intervention was significant: $F(3, 4839) = 38.13, p < .001, \eta_p^2 = .02$. Post-hoc Bonferroni comparisons were considered at $p < .01$. Students in schools with a comprehensive policy and students in schools with a partially enumerated policy were more likely to report effective staff intervention than students in schools with a generic policy and students in schools with no policy. No other significant policy type differences were found. Percentages of students reporting that staff intervention regarding victimization incidents was “somewhat” or “very” effective are shown for illustrative purposes.
- 163 To test differences between whether schools that have transgender and nonbinary student policies/guidelines and experiences with gender-related discrimination among transgender and nonbinary students, a multivariate analysis of variance (MANOVA) was conducted with transgender and nonbinary student policies as the independent variable, and the four variables related to gender-related discrimination as the dependent variables (required to use bathrooms of legal sex, required to use locker rooms of legal sex, prevented from using chosen name/pronouns, prevented from wearing clothes thought inappropriate based on gender). Multivariate results were significant: Pillai's Trace = .05, $F(4, 7105) = 89.63, p < .001$. Univariate effects were significant for all gender-related discrimination – Required to use bathrooms of legal sex: $F(1, 7108) = 230.65, p < .001, \eta_p^2 = .03$; required to use locker rooms of legal sex: $F(1, 7108) = 201.01, p < .001, \eta_p^2 = .03$; Prevented from using chosen name/pronouns: $F(1, 7108) = 224.46, p < .001, \eta_p^2 = .03$; Prevented from wearing clothes deemed inappropriate based on gender: $F(1, 7108) = 134.19, p < .001, \eta_p^2 = .02$. Percentages are shown for illustrative purposes.
- 164 To compare differences between specific policy protections for use of locker room that align with their gender and corresponding experiences of locker room discrimination among transgender and nonbinary students, a chi-square test was conducted. The analysis was significant: $\chi^2 = 56.36, df = 1, p < .001, \phi = -.25$. Transgender and nonbinary students in schools with policy protections for use of locker room that align with their gender were less likely to have been prevented from using the locker room of their gender than compared to those who did not have such policy.
- 165 To compare differences between specific policy protections for use of bathrooms that align with their gender and use of gender-neutral bathrooms, and corresponding experiences of bathroom discrimination among transgender and nonbinary students, two separate chi-square tests were conducted. All analyses were significant – Policy protections for use of bathrooms that align with gender: $\chi^2 = 63.28, df = 1, p < .001, \phi = -.27$; Policy protections for use of gender-neutral bathrooms: $\chi^2 = 4.55, df = 1, p < .05, \phi = -.07$. Transgender and nonbinary students in schools with policy protections for use of bathroom that align with their gender and for use of gender neutral bathrooms were less likely to have been prevented from using bathrooms that aligned with their gender, than compared to those who did not have such policies.
- 166 To compare differences between specific policy protections for use of chosen names/pronouns and corresponding experiences with name/pronoun discrimination among transgender and nonbinary students, a chi-square test was conducted. The analysis was significant: $\chi^2 = 14.55, df = 1, p < .001, \phi = -.13$. Transgender and nonbinary students in schools with policy protections with regard to using their chosen names/pronouns were less likely to have been prevented from using their chosen names/pronouns, than compared to those who did not have such policy.
- 167 To compare differences between specific policy protections related to gendered dress codes and corresponding experiences with clothing discrimination among transgender and nonbinary students, a chi-square test was conducted. The analysis was not significant.
- 168 Wernick, L. J., Kulick, A., & Chin, M. (2017). Gender identity disparities in bathroom safety and wellbeing among high school students. *Journal of Youth and Adolescence, 46*(5), 917-930.
- 169 Russell, S. T., Pollitt, A. M., Li, G., & Grossman, A. H. (2018). Chosen name use is linked to reduced depressive symptoms, suicidal ideation, and suicidal behavior among transgender youth. *Journal of Adolescent Health, 63*(4), 503-505.
- 170 To compare number of days having missed school in past month due to feeling unsafe or uncomfortable by presence of supportive transgender and nonbinary policies among transgender and nonbinary students, a chi square test was conducted. The analysis was significant: $\chi^2 = 19.71, df = 4, p < .001$ Cramer's V = .05. Transgender and nonbinary students in schools with supportive transgender and nonbinary policies were less likely to miss school due to safety concerns than those in schools without such policies. Percentages are shown for illustrative purposes.
- 171 To compare levels of school belonging by presence of a transgender and nonbinary policy among transgender and nonbinary students, an independent-samples t-test was conducted with presence of supportive a transgender and nonbinary policy as the independent variable, and school belonging as the dependent variable. The effect was significant: $t(1122.24) = 18.09, p < .001$, Cohen's $d = .67$.
- 172 The relationship between number of protections included in transgender and nonbinary policy, and school belonging and missing school due to feeling unsafe among transgender and nonbinary students were assessed through Pearson correlations – School belonging: $r(878) = -.18, p < .001$. Missing school due to feeling unsafe was not significantly associated with number of protections included in transgender and nonbinary policy at $p < .01$.
- 173 GLSEN (2016). *Educational exclusion: Drop out, push out, and the school-to-prison pipeline among LGBTQ youth*. New York, NY: GLSEN. https://www.glsen.org/sites/default/files/2019-11/Educational_Exclusion_2013.pdf
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- 174 Kroger, J. (2007). *Identity development: Adolescence through adulthood*. Sage Publications.
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- 175 To examine differences in age by sexual orientation, an analysis of variance (ANOVA) was conducted. The effect was significant, $F(4, 16089) = 22.70, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: queer ($M=15.86$) was different from all other sexual orientations; gay/lesbian ($M=15.60$) was different from pansexual ($M=15.36$) and questioning ($M=15.37$); bisexual ($M=15.54$) was different from pansexual. There were no other group differences.
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- 177 Kosciw, J. G., Palmer, N. A., & Kull, R. M. (2015). Reflecting resiliency: Openness about sexual orientation and/or gender identity and its relationships to well-being and educational outcomes for LGBT students. *American Journal of Community Psychology, 55*(1), 167-178.
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- 178 To examine differences in outness to peers and outness to staff by sexual orientation, a multivariate analysis of covariance (MANCOVA) was conducted with degree of outness to peers and degree of outness to staff as the dependent variables, sexual orientation as the independent variable, and age as a control. The multivariate effect was significant: Pillai's Trace = .03, $F(8, 32108) = 50.94$, $p < .001$. The univariate effect for outness to peers was significant: $F(4, 16054) = 79.26$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: gay and lesbian was different from all; bisexual was different from pansexual and questioning; pansexual was different from queer; questioning was different from all. There were no other group differences. The univariate effect for outness to staff was significant $F(4, 16054) = 70.64$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: Gay and lesbian was higher than bisexual, pansexual, and questioning; bisexual was lower than pansexual and queer; questioning was lower than pansexual and queer. There were no other group differences. Percentages are shown for illustrative purposes.
- 179 Kosciw, J. G., Greytak, E. A., Zongrone, A. D., Clark, C. M., & Truong, N. L. (2018). *The 2017 National School Climate Survey: The experiences of lesbian, gay, bisexual, transgender, and queer youth in our nation's schools*. New York: GLSEN.
- 180 To examine differences in identifying as cisgender or not cisgender by sexual orientation, a chi square test was conducted. The test was significant: $\chi^2 = 1007.25$, $df = 8$, $p < .001$, Cramer's $V = .18$. Pairwise comparisons were considered at $p < .05$. Pansexual and queer were not different from each other, but were different from all other sexual orientations. Gay and lesbian and bisexual were not different from each other, but were different from all other sexual orientations. Questioning was different from all others.
- 181 See endnote above.
- 182 Sexual orientation was assessed with a multi-check item (i.e., gay, lesbian, straight/heterosexual, bisexual, pansexual, queer, and questioning) with an optional write-in item for sexual orientations not listed. Youth were allowed to endorse multiple options. Mutually exclusive categories were created at the data cleaning stage so that analyses could compare youth across sexual orientation categories using the following hierarchy: gay/lesbian, bisexual, pansexual, queer, questioning, and straight/heterosexual. Thus, as an example, if an individual identified as "gay" and "queer" they were categorized as "gay/lesbian"; if an individual identified as "bisexual" and "questioning," they were categorized as "bisexual."
- In addition to the list of sexual orientation options students could choose, students were also provided with the opportunity to write in a sexual orientation that was not included in the list of options. Most write-in responses were able to be coded into one of the listed sexual orientations. A small portion of the total sample indicated that they identified with a sexual orientation other than the ones listed (0.4%). Of these, some defined themselves as some form as "flexible," (e.g., "homo-flexible") and others refused to label themselves altogether (e.g., "I love who I love"). Another group, made up predominantly of students with nonbinary gender identities, defined their sexual identity in terms of solely the gender identity or expressions of others, without reference to their own gender (i.e., 'androsexual' or 'gynosexual' individuals - those who have sexual feelings towards men or women, respectively). Given that these categories do not comprise a meaningful group and that they account for such a small portion of the sample, we did not include these students in this analysis examining differences based on sexual orientation.
- 183 Mitchell, K. J., Ybarra, M. L., & Korchmaros, J. D. (2014). Sexual harassment among adolescents of different sexual orientations and gender identities. *Child Abuse & Neglect, 38*(2), 280-295.
- O'Malley Olsen, E., Vivolo-Kantor, A., & Kann, L. (2017). Physical and sexual teen dating violence victimization and sexual identity among U.S. high school students, 2015. *Journal of Interpersonal Violence*. Published online. doi: 10.1177/0886260517708757
- 184 To compare experiences of anti-LGBTQ victimization by sexual orientation, a multivariate analysis of covariance (MANCOVA) was conducted with two victimization variables (weighted victimization based on sexual orientation and weighted victimization based on gender expression) as dependent variables, sexual orientation as the independent variable, and age, outness (to peers and to staff), and gender as controls. The multivariate effect was significant: Pillai's Trace = .02, $F(8, 30588) = 22.86$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(4, 15294) = 35.11$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: pansexual and gay/lesbian were higher than all other groups, but were not different from each other. Bisexual was different from questioning. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(4, 15296) = 10.28$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: pansexual was different from all other sexual orientations. There were no other group differences. Percentages are shown for illustrative purposes.
- 185 To examine differences in experiences of sexual harassment by sexual orientation, an analysis of covariance (ANCOVA) was conducted with sexual harassment as the dependent variable, sexual orientation as the independent variable, and age, outness (to peers and to staff), and gender as controls. The effect was significant: $F(4, 15924) = 20.78$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: pansexual was different from all sexual orientations; gay/lesbian was different from bisexual. There were no other group differences. Percentages are shown for illustrative purposes.
- 186 To examine differences in experiencing anti-LGBTQ discrimination by sexual orientation, an analysis of covariance (ANCOVA) was conducted with the composite anti-LGBTQ discrimination variable (experienced any anti-LGBTQ victimization) as the dependent variable, sexual orientation as the independent variable, and age, outness (to peers and to staff), and gender as controls. The effect was significant: $F(4, 15834) = 10.63$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: pansexual was different from gay/lesbian, bisexual, and questioning. There were no other group differences. Percentages are shown for illustrative purposes.
- 187 Greytak, E. A., Kosciw, J. G., Villenas, C., & Giga, N. M. (2016). *From teasing to torment: School climate revisited, a survey of U.S. secondary school students and teachers*. New York: GLSEN. https://www.glsen.org/sites/default/files/2019-12/From_Teasing_to_Torment_Revised_2016.pdf
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- 188 To examine differences in experiencing in-school and out-of-school discipline by sexual orientation, a multivariate analysis of covariance (MANCOVA) was conducted with a composite variable for any in-school discipline (referred to principal, detention, in-school suspension) and a composite variable for any out-of-school discipline (out-of-school suspension, expelled) as the dependent variables, sexual orientation as the independent variable, and age, outness (to peers and to staff), and gender as controls. The multivariate effect was significant: Pillai's Trace = .00, $F(8, 31714) = 5.35$, $p < .001$. The univariate effect was significant for in-school discipline: $F(4, 15857) = 7.81$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: pansexual was different from queer and was marginally different from gay/lesbian $p < .05$; queer was different from gay and lesbian and bisexual. There were no other group differences. The univariate effect for out-of-school discipline was significant $F(4, 15895) =$

- 5.46, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: queer was different from gay and lesbian and pansexual and was marginally different from bisexual $p < .05$. There were no other group differences. Percentages are shown for illustrative purposes.
- 189 To examine differences in missing school by sexual orientation, an analysis of covariance (ANCOVA) was conducted with days of school missed in the last month due to feeling unsafe as the dependent variable, sexual orientation as the independent variable, and age, outness (to peers and to staff), and gender as controls. The effect was significant: $F(4, 15940) = 9.65$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: pansexual was different from gay/lesbian, bisexual, and queer. There were no other group differences. Percentages are shown for illustrative purposes.
- 190 O'Malley Olsen, E., Vivolo-Kantor, A., & Kann, L. (2017). Physical and sexual teen dating violence victimization and sexual identity among U.S. high school students, 2015. *Journal of Interpersonal Violence*. Published online. doi: 10.1177/0886260517708757
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- 191 Gender was assessed via two items: an item assessing sex assigned at birth (i.e., male or female) and an item assessing gender identity (i.e., cisgender, transgender, nonbinary, genderqueer, male, female, questioning, and an additional write-in option). Based on responses to these two items, students' gender was categorized for these analyses as: Cisgender (including cisgender male, cisgender female, cisgender nonbinary/genderqueer, or unspecified male or female), Transgender (including transgender male, transgender female, transgender nonbinary/genderqueer, and transgender only), Nonbinary (including nonbinary, genderqueer, nonbinary/genderqueer male, nonbinary/genderqueer female, or another nonbinary identity [i.e., those who wrote in identities such as "genderfluid," "agender" or "demigender"]), and Questioning.
- 192 GLSEN (2016). *Educational exclusion: Drop out, push out, and the school-to-prison pipeline among LGBTQ youth*. New York: GLSEN. https://www.glsen.org/sites/default/files/2019-11/Educational_Exclusion_2013.pdf
- 193 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety regarding their sexual orientation, safety regarding their gender expression, and safety regarding their gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety regarding their sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety regarding their gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety regarding their gender was significant: $F(3, 16331) = 284.66$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 194 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98$, $p < .001$, $\eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 195 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety regarding their sexual orientation, safety regarding their gender expression, and safety regarding their gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety regarding their sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety regarding their gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety regarding their gender was significant: $F(3, 16331) = 284.66$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 196 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98$, $p < .001$, $\eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 197 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety regarding their sexual orientation, safety regarding their gender expression, and safety regarding their gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety regarding their sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety regarding their gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety regarding their gender was significant: $F(3, 16331) = 284.66$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 198 To compare experiences of anti-LGBTQ victimization by gender

- identity, a multivariate analysis of covariance (MANCOVA) was conducted with three victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98$, $p < .001$, $\eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 199 To compare avoiding spaces by gender identity, an analysis of covariance (ANCOVA) was conducted with having avoided any space as dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant: $F(3, 16304) = 492.34$, $p < .001$, $\eta_p^2 = .08$. Pairwise comparisons were considered at $p < .01$. Cisgender avoided spaces less than all other gender identities; transgender avoided spaces more than all other gender identities. There were no other group differences.
- 200 Foley, J. T., Pineiro, C., Miller, D., & Foley, M. L. (2016). Including transgender students in school physical education. *Journal of Physical Education, Recreation & Dance*, 87(3), 5-8.
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- 201 To compare avoiding gendered spaces at school because they felt unsafe or uncomfortable by gender identity, a series of analyses of covariance (ANCOVA) were conducted with different avoiding gendered spaces variables (school bathrooms, school locker rooms, gym/P.E. class) as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for avoiding bathrooms was significant: $F(3, 16304) = 1464.80$, $p < .001$, $\eta_p^2 = .21$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding locker rooms was significant: $F(3, 16304) = 614.65$, $p < .001$, $\eta_p^2 = .10$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding gym/P.E. class was significant: $F(3, 16304) = 350.43$, $p < .001$, $\eta_p^2 = .06$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. Percentages are shown for illustrative purposes.
- 202 To compare school belonging by gender identity, an analysis of covariance (ANCOVA) was conducted with school belonging as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant: $F(3, 16433) = 499.83$, $p < .001$, $\eta_p^2 = .08$. Pairwise comparisons were considered at $p < .01$: cisgender was higher than all other gender identities; transgender students had lower school belonging than all other gender identities. There were no other group differences.
- 203 To compare missing school and changing schools by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .03, $F(6, 32814) = 89.41$, $p < .001$. The univariate effect for missing school was significant: $F(3, 16407) = 164.70$, $p < .001$, $\eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The univariate effect for changing schools was significant: $F(3, 16407) = 51.85$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was different from all other gender identities; cisgender and NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 204 See previous endnote.
- 205 To compare not planning to complete high school or being unsure about graduating by gender identity, an analysis of covariance (ANCOVA) was conducted with planning to graduate high school as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant: $F(3, 16432) = 27.67$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was different from all other gender identities. There were no other group differences.
- 206 To compare having experienced any anti-LGBTQ discrimination at school by gender identity, an analysis of covariance (ANCOVA) was conducted with any anti-LGBTQ discrimination as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant: $F(3, 16312) = 430.79$, $p < .001$, $\eta_p^2 = .07$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 207 To compare each type of anti-LGBTQ discrimination by gender identity, a series of analysis of covariance (ANCOVA) were conducted with each type of anti-LGBTQ discrimination as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for gendered clothes was significant: $F(3, 16120) = 53.69$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB; NB was higher than questioning. There were no other group differences. The effect for name/pronouns usage was significant: $F(3, 16120) = 961.26$, $p < .001$, $\eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for bathroom access was significant: $F(3, 16120) = 1215.63$, $p < .001$, $\eta_p^2 = .18$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for locker room access was significant: $F(3, 16120) = 1069.60$, $p < .001$, $\eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for LGBTQ clothes was significant: $F(3, 16120) = 25.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for school dance date was significant: $F(3, 16120) = 22.72$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for public display of affection was significant: $F(3, 16120) = 61.15$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for identifying as LGBTQ was significant: $F(3, 16120) = 10.87$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in assignments was significant: $F(3, 16120) = 40.14$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for forming a GSA was significant: $F(3, 16120) = 45.41$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in extracurriculars was significant: $F(3, 16120) = 42.87$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for sports was significant: $F(3, 16120) = 175.91$, $p < .001$, $\eta_p^2 = .03$. Pairwise

- comparisons were considered at $p < .01$: cisgender was lower than all other gender identities; transgender was higher than all other gender identities. There were no other group differences. Percentages are shown for illustrative purposes.
- 208 See previous endnote.
- 209 To compare each type of anti-LGBTQ discrimination by gender identity, a series of analysis of covariance (ANCOVA) were conducted with each type of anti-LGBTQ discrimination as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for gendered clothes was significant: $F(3, 16120) = 53.69, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower from transgender and NB; NB was higher than questioning. There were no other group differences. The effect for name/pronouns usage was significant: $F(3, 16120) = 961.26, p < .001, \eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for bathroom access was significant: $F(3, 16120) = 1215.63, p < .001, \eta_p^2 = .18$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for locker room access was significant: $F(3, 16120) = 1069.60, p < .001, \eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for LGBTQ clothes was significant: $F(3, 16120) = 25.58, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for school dance date was significant: $F(3, 16120) = 22.72, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for public display of affection was significant: $F(3, 16120) = 61.15, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for identifying as LGBTQ was significant: $F(3, 16120) = 10.87, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in assignments was significant: $F(3, 16120) = 40.14, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for forming a GSA was significant: $F(3, 16120) = 45.41, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in extracurriculars was significant: $F(3, 16120) = 42.87, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for sports was significant: $F(3, 16120) = 175.91, p < .001, \eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities; transgender was higher than all other gender identities. There were no other group differences. Percentages are shown for illustrative purposes.
- 210 To compare experiences of school discipline by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with in-school discipline and out-of-school discipline as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .00, $F(6, 32672) = 10.90, p < .001$. The univariate effect for in-school discipline was significant, $F(3, 16336) = 20.58, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other gender identities. There were no other group differences. The univariate effect for out-of-school discipline was significant, $F(3, 16336) = 4.17, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender. There were no other group differences. Percentages are shown for illustrative purposes.
- 211 See previous endnote.
- 212 To compare feelings of safety by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety because of sexual orientation, safety because of gender expression, and safety because of gender) as dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .05, $F(9, 13794) = 7.83, p < .001$. The univariate effect for safety because gender was significant: $F(3, 4598) = 13.67, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans NB was different from trans male and trans only. There were no other group differences. The univariate effects for safety because of sexual orientation and gender expression were not significant. Percentages are shown for illustrative purposes.
- 213 To compare experiences of anti-LGBTQ victimization by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .04, $F(9, 13326) = 17.59, p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 4442) = 13.34, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male and trans NB were different from trans only. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 4442) = 18.05, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male, trans NB, and trans only were different from each other. There were no other group differences. The univariate effect for victimization based on gender was significant: $F(3, 4442) = 26.60, p < .001, \eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: trans only was different from all other trans identities; trans male and trans NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 214 See previous endnote.
- 215 To compare experiences of anti-LGBTQ victimization by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .04, $F(9, 13326) = 17.59, p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 4442) = 13.34, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male and trans NB were different from trans only. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 4442) = 18.05, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male, trans NB, and trans only were different from each other. There were no other group differences. The univariate effect for victimization based on gender was significant: $F(3, 4442) = 26.60, p < .001, \eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: trans only was different from all other trans identities; trans male and trans NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 216 To compare each type of anti-LGBTQ discrimination by gender identity, a series of analysis of covariance (ANCOVA) were conducted with each type of anti-LGBTQ discrimination as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for gendered clothes was significant: $F(3, 16120) = 53.69, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower from transgender and NB; NB was higher than questioning. There were no other group differences. The effect for name/pronouns usage was significant: $F(3, 16120) = 961.26, p < .001, \eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for bathroom access was significant: $F(3, 16120) = 1215.63, p < .001, \eta_p^2 = .18$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for locker room access was significant: $F(3, 16120) = 1069.60, p < .001, \eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other.

- 217 To compare gender-specific anti-LGBTQ discrimination by gender identity among cisgender students, a multivariate analysis of covariance (MANCOVA) was conducted with each type of discrimination as the dependent variables, gender identity (cis male, cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were not significant. Percentages are shown for illustrative purposes.
- 218 To compare gender-specific anti-LGBTQ discrimination by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with each type of discrimination as the dependent variables, gender identity (trans male, trans female, trans NB, trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .02, $F(12, 13716) = 6.24$, $p < .001$. The univariate effect for bathroom access was significant, $F(3, 4573) = 14.36$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans only was different from all other transgender identities; trans male and trans NB were different. There were no other group differences. The univariate effect for locker room access was significant, $F(3, 4573) = 16.47$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male and trans only were different from trans NB. There were no other group differences. The univariate effect for gendered clothes was significant: $F(3, 4573) = 3.75$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: trans NB and trans only were different from each other. There were no other group differences. The univariate effect for names/pronouns was not significant. Percentages are shown for illustrative purposes.
- 219 To compare gender-specific anti-LGBTQ discrimination among nonbinary students, a multivariate analysis of covariance (MANCOVA) was conducted with each kind of discrimination as the dependent variables, gender identity (nonbinary/genderqueer (NB/GQ), other nonbinary, and nonbinary male or female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .02, $F(8, 4840) = 6.07$, $p < .001$. The univariate effect for bathrooms was significant, $F(2, 2422) = 12.48$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for locker rooms was significant, $F(2, 2422) = 10.41$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for names/pronouns was significant, $F(2, 2422) = 20.84$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for gendered clothing was not significant. Percentages are shown for illustrative purposes.
- 220 To compare experiences of avoiding gendered school spaces by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with three avoiding gendered spaces variables (avoiding bathrooms, avoiding locker rooms, and avoiding gym/P.E. class) as dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .03, $F(9, 13808) = 17.25$, $p < .001$. The univariate effect for avoiding bathrooms was significant: $F(3, 4606) = 44.59$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: trans NB was different from trans males and trans only. There were no other group differences. The univariate effect for avoiding locker rooms was significant: $F(3, 4606) = 16.13$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans NB was different from trans males and trans only. There were no other group differences. The univariate effect for avoiding gym/P.E. class was significant: $F(3, 4606) = 14.16$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans NB was different from trans male and trans only. There were no other group differences. Percentages are shown for illustrative purposes.
- 221 To compare missing school and changing schools by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .01, $F(6, 9206) = 6.74$, $p < .001$, $\eta_p^2 = .00$. The univariate effect for missing school was significant: $F(3, 4603) = 47.96$, $p < .01$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans only was different from all other trans identities; trans male and trans NB were different from each other. There were no other group differences. The univariate effect for changing schools was marginally significant: $F(3, 4603) = 2.51$, $p = .011$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: trans male and trans NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 222 See previous endnote.
- 223 To compare educational aspirations by gender identity among transgender students, an analysis of covariance (ANCOVA) was conducted with expecting to graduate high school as the dependent variable, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was not significant.
- 224 To compare overall discrimination by gender identity among transgender students, an analysis of covariance (ANCOVA) was conducted with total discrimination as dependent variable, gender identity (trans male, trans female, trans NB, trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant, $F(3, 4601) = 3.95$, $p < .01$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: trans NB and trans male were marginally different at $p < .05$. Percentages are shown for illustrative purposes.
- 225 To compare each type of gender-specific anti-LGBTQ discrimination by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with each type of discrimination as the dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .02, $F(12, 13716) = 6.24$, $p < .001$. The univariate effect for gendered clothes was significant, $F(3, 4573) = 3.75$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: trans NB and trans only were marginally different from each other, $p < .05$. There were no other group differences. The univariate effect for bathroom access was significant, $F(3, 4573) = 14.36$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans only was different from all other transgender identities; trans male and trans NB were different. There were no other group differences. The univariate effect for locker room access was significant, $F(3, 4573) = 16.47$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male and trans only were different from trans NB. There were no other group differences. The univariate effect for pronouns was significant $F(3, 4573) = 3.97$, $p < .01$. However, there were no significant pairwise comparisons. Percentages are shown for illustrative purposes.
- 226 See previous endnote.
- 227 To compare each type of gender-specific anti-LGBTQ discrimination by gender identity among transgender students, a multivariate analysis of covariance (MANCOVA) was conducted with each type of discrimination as the dependent variables, gender identity (trans male, trans female, trans NB, and trans only) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .02, $F(12, 13716) = 6.24$, $p < .001$. The univariate effect for gendered clothes was significant, $F(3, 4573) = 3.75$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: trans NB and trans only were marginally different from each other, $p < .05$. There were no other group differences. The univariate effect for bathroom access was significant, $F(3, 4573) = 14.36$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans only was different from all other transgender identities; trans male and trans NB were different. There were no other group differences. The univariate effect for locker room access was significant, $F(3, 4573) = 16.47$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: trans male and trans only were different from trans NB. There were no other group differences. The univariate effect for pronouns was significant $F(3, 4573) = 3.97$, $p < .01$. However, there were no significant pairwise comparisons. Percentages are shown for illustrative purposes.
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- 231 For one example, see Price-Feeny, M., Green, A., & Dorison, S. (2020). Understanding the mental health of transgender and nonbinary youth. *Journal of Adolescent Health, 66*(6), 641-642.
- 232 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety based on sexual orientation, safety based on gender expression, and safety based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .474, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety based on sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety based on gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety based on gender was significant: $F(3, 16331) = 284.66$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 233 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender,
- nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .173, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98$, $p < .001$, $\eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 234 To compare avoiding gender segregated spaces at school by gender identity, a series of analysis of covariance (ANCOVA) were conducted with different avoiding gender segregated spaces variables (bathrooms, locker rooms, gym/PE class) as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for avoiding bathrooms was significant: $F(3, 16304) = 1464.80$, $p < .001$, $\eta_p^2 = .21$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding locker rooms was significant: $F(3, 16304) = 614.65$, $p < .001$, $\eta_p^2 = .10$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding gym/PE class was significant: $F(3, 16304) = 350.43$, $p < .001$, $\eta_p^2 = .06$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. Percentages are shown for illustrative purposes.
- 235 To compare avoiding school spaces by gender identity, a series of analysis of covariance (ANCOVA) were conducted with different avoiding spaces variables as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for avoiding bathrooms was significant: $F(3, 16304) = 1464.80$, $p < .001$, $\eta_p^2 = .21$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding locker rooms was significant: $F(3, 16304) = 614.65$, $p < .001$, $\eta_p^2 = .10$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding gym/PE class was significant: $F(3, 16304) = 350.43$, $p < .001$, $\eta_p^2 = .06$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The effect for avoiding cafeterias/lunchrooms was significant: $F(3, 16304) = 46.92$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: Cisgender was different from all gender identities. There were no other group differences. The effect for avoiding hallways/stairwells was significant: $F(3, 16304) = 18.92$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: Cisgender was different from all gender identities. There were no other group differences. The effect for avoiding athletic fields/facilities was significant: $F(3, 16304) = 125.03$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: transgender was different from all gender identities; cisgender was different from all gender identities. There were no other group differences. The effect for avoiding school buses was significant: $F(3, 16304) = 42.01$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender and cisgender. There were no other group differences. The effect for avoiding classrooms was significant: $F(3, 16304) = 75.44$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all gender identities. There were no other group differences. The effect for avoiding school grounds was significant: $F(3, 16304) = 42.33$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all gender identities. There were no other group differences.
- 236 To compare school belonging by gender identity, an analysis of covariance (ANCOVA) was conducted with school belonging as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant. $F(3, 16433) = 499.83$,

$p < .001$, $\eta_p^2 = .08$. Pairwise comparisons were considered at $p < .01$: cisgender was higher than all other gender identities; transgender was lower than all other gender identities. There were no other group differences.

- 237 To compare each type of anti-LGBTQ discrimination by gender identity, a series of analysis of covariance (ANCOVA) were conducted with each type of anti-LGBTQ discrimination as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for gendered clothes was significant: $F(3, 16120) = 53.69$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower from transgender and NB; NB was higher than questioning. There were no other group differences. The effect for name/pronouns usage was significant: $F(3, 16120) = 961.26$, $p < .001$, $\eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for bathroom access was significant: $F(3, 16120) = 1215.63$, $p < .001$, $\eta_p^2 = .18$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for locker room access was significant: $F(3, 16120) = 1069.60$, $p < .001$, $\eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for LGBTQ clothes was significant: $F(3, 16120) = 25.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for school dance date was significant: $F(3, 16120) = 22.72$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for public display of affection was significant: $F(3, 16120) = 61.15$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for identifying as LGBTQ was significant: $F(3, 16120) = 10.87$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in assignments was significant: $F(3, 16120) = 40.14$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in extracurriculars was significant: $F(3, 16120) = 42.87$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for sports was significant: $F(3, 16120) = 175.91$, $p < .001$, $\eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities; transgender was higher than all other gender identities. There were no other group differences. Percentages are shown for illustrative purposes.
- 240 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety based on sexual orientation, safety based on gender expression, and safety based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB]) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety based on sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety based on gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety based on gender was significant: $F(3, 16331) = 284.66$, $p < .001$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 241 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: cisgender was lower from transgender and NB; NB was higher than questioning. There were no other group differences. The effect for name/pronouns usage was significant: $F(3, 16120) = 961.26$, $p < .001$, $\eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for locker room access was significant: $F(3, 16120) = 1069.60$, $p < .001$, $\eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for LGBTQ clothes was significant: $F(3, 16120) = 25.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for school dance date was significant: $F(3, 16120) = 22.72$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for public display of affection was significant: $F(3, 16120) = 61.15$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for identifying as LGBTQ was significant: $F(3, 16120) = 10.87$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in assignments was significant: $F(3, 16120) = 40.14$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in extracurriculars was significant: $F(3, 16120) = 42.87$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for sports was significant: $F(3, 16120) = 175.91$, $p < .001$, $\eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities; transgender was higher than all other gender identities. There were no other group differences. Percentages are shown for illustrative purposes.
- 238 To compare missing school and changing schools by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .03, $F(6, 32814) = 89.41$, $p < .001$. The univariate effect for missing school was significant: $F(3, 16407) = 164.70$, $p < .001$, $\eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The univariate effect for changing schools was significant: $F(3, 16407) = 51.85$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was different from all other gender identities; cisgender and NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 239 To compare each type of anti-LGBTQ discrimination by gender identity, a series of analysis of covariance (ANCOVA) were conducted with each type of anti-LGBTQ discrimination as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for gendered clothes was significant: $F(3,$

- were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98, p < .001, \eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 242 To compare experiences of school discipline by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with any in-school discipline and any out-of-school discipline as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .00, $F(6, 32672) = 10.90, p < .001$. The univariate effect for in-school discipline was significant: $F(3, 16336) = 20.58, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other gender identities. There were no other group differences. The univariate effect for out-of-school discipline was significant: $F(3, 16336) = 4.17, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender. There were no other group differences. Percentages are shown for illustrative purposes.
- 243 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety based on sexual orientation, safety based on gender expression, and safety based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB]) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73, p < .001$. The univariate effect for safety based on sexual orientation was significant: $F(3, 16331) = 363.70, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety based on gender expression was significant: $F(3, 16331) = 115.82, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety based on gender was significant: $F(3, 16331) = 284.66, \eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 244 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41, p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26, p < .001, \eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98, p < .001, \eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 245 To compare avoiding gender segregated spaces at school by gender identity, a series of analyses of covariance (ANCOVA) were conducted with different avoiding gender segregated spaces variables (bathrooms, locker rooms, gym/PE class) as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for avoiding bathrooms was significant: $F(3, 16304) = 1464.80, p < .001, \eta_p^2 = .21$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for avoiding locker rooms was significant: $F(3, 16304) = 614.65, p < .001, \eta_p^2 = .10$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding gym/PE class was significant: $F(3, 16304) = 350.43, p < .001, \eta_p^2 = .06$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. Percentages are shown for illustrative purposes.
- 246 To compare missing school and changing schools by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .03, $F(6, 32814) = 89.41, p < .001$. The univariate effect missing school was significant: $F(3, 16407) = 164.70, p < .001, \eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The univariate effect for changing schools was significant: $F(3, 16407) = 51.85, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was different from all other gender identities; cisgender and NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 247 To compare each type of anti-LGBTQ discrimination by gender identity, a series of analysis of covariance (ANCOVA) were conducted with each type of anti-LGBTQ discrimination as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for gendered clothes was significant: $F(3, 16120) = 53.69, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower from transgender and NB; NB was higher than questioning. There were no other group differences. The effect for name/pronouns usage was significant: $F(3, 16120) = 961.26, p < .001, \eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for bathroom access was significant: $F(3, 16120) = 1215.63, p < .001, \eta_p^2 = .18$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for locker room access was significant: $F(3, 16120) = 1069.60, p < .001, \eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The effect for LGBTQ clothes was significant: $F(3, 16120) = 25.58, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for school dance date was significant: $F(3, 16120) = 22.72, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other group differences. The effect for public display of affection was significant: $F(3, 16120) = 61.15, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for identifying as LGBTQ was significant: $F(3, 16120) = 10.87, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in assignments was significant: $F(3, 16120) = 40.14, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for forming a GSA was significant: $F(3, 16120) = 45.41, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than transgender and NB. There were no other group differences. The effect for LGBTQ content in extracurriculars was significant: $F(3, 16120) = 42.87, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities. There were no other gender differences. The effect for sports was significant: $F(3, 16120) = 175.91, p < .001, \eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: cisgender was lower than all other gender identities; transgender was higher than all other gender identities. There were no other group differences. Percentages are shown for illustrative purposes.
- 248 To compare experiences of school discipline by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with any in-school discipline and any out-of-school discipline as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .00, $F(6, 32672) = 10.90, p < .001$. The univariate effect for in-school

- discipline was significant: $F(3, 16336) = 20.58, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other gender identities. There were no other group differences. The univariate effect for out-of-school discipline was significant: $F(3, 16336) = 4.17, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender. There were no other group differences. Percentages are shown for illustrative purposes.
- 249 To compare feelings of safety by gender identity among nonbinary students, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety because of sexual orientation, safety because of gender expression, and safety because of gender) as the dependent variables, gender identity (nonbinary/genderqueer [NB/GQ], other nonbinary, and nonbinary male or female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .05, $F(6, 4884) = 20.69, p < .001$. The univariate effect for safety because of gender expression was significant: $F(2, 2443) = 4.84, p < .01, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for safety because of gender was significant: $F(2, 2349) = 14.78, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety because of sexual orientation was not significant. Percentages are shown for illustrative purposes.
- 250 To compare experiences of anti-LGBTQ victimization by gender identity among nonbinary students, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as the dependent variables, gender identity (nonbinary/genderqueer [NB/GQ], other nonbinary, and nonbinary male or female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .06, $F(6, 4696) = 6.20, p < .001, \eta_p^2 = .01$. The univariate effect for victimization because of gender expression was significant: $F(2, 2349) = 8.21, p < .001, \eta_p^2 = .01$. However, there were no significant pairwise comparisons for gender expression. There were no other group differences. The univariate effect for victimization because of gender was significant: $F(2, 2443) = 46.03, p < .001, \eta_p^2 = .04$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were higher than nonbinary male or female. There were no other group differences. The univariate effect for victimization because of sexual orientation was not significant. Percentages are shown for illustrative purposes.
- 251 To compare avoiding gender segregated spaces by gender identity among nonbinary students, a multivariate analysis of covariance (MANCOVA) was conducted with three avoiding gender segregated spaces variables (avoid bathrooms, avoid locker rooms, avoid gym/PE class) as the dependent variables, gender identity (nonbinary/genderqueer [NB/GQ], other nonbinary, and nonbinary male or female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .01, $F(6, 4872) = 3.62, p < .001$. The univariate effect for avoiding bathrooms was significant: $F(2, 2437) = 7.86, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. Univariate effects for locker rooms and gym/PE class were not significant. Percentages are shown for illustrative purposes.
- 252 To compare gender-specific anti-LGBTQ discrimination among nonbinary students, a multivariate analysis of covariance (MANCOVA) was conducted with four gender-specific discrimination variables (prevented from wearing gendered clothes, prevented from using name and pronoun, prevented from using bathroom, and prevented from using locker rooms) as the dependent variables, gender identity (nonbinary/genderqueer [NB/GQ], other nonbinary, and nonbinary male or female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .02, $F(8, 4840) = 6.07, p < .001$. The univariate effect for names/pronouns usage was significant: $F(2, 2422) = 20.84, p < .001, \eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for
- bathrooms was significant: $F(2, 2422) = 12.48, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for locker rooms was significant: $F(2, 2422) = 10.41, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: NB/GQ and other nonbinary were different from nonbinary male or female. There were no other group differences. The univariate effect for gendered clothing was not significant. Percentages are shown for illustrative purposes.
- 253 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety based on sexual orientation, safety based on gender expression, and safety based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73, p < .001$. The univariate effect for safety based on sexual orientation was significant: $F(3, 16331) = 363.70, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety based on gender expression was significant: $F(3, 16331) = 115.82, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety based on gender was significant: $F(3, 16331) = 284.66, \eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 254 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41, p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26, p < .001, \eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98, p < .001, \eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 255 To compare avoiding school spaces by gender identity, a series of analysis of covariance (ANCOVA) were conducted with different avoiding spaces variables as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect for avoiding bathrooms was significant: $F(3, 16304) = 1464.80, p < .001, \eta_p^2 = .21$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding locker rooms was significant: $F(3, 16304) = 614.65, p < .001, \eta_p^2 = .10$. Pairwise comparisons were considered at $p < .01$: All gender identities were different from each other. The effect for avoiding gym/PE class was significant: $F(3, 16304) = 350.43, p < .001, \eta_p^2 = .06$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The effect for avoiding cafeterias/lunchrooms was significant: $F(3, 16304) = 46.92, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: Cisgender was different from all gender identities. There were no other group differences. The effect for avoiding hallways/stairwells was significant: $F(3, 16304) = 18.92, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: Cisgender was different from all gender identities. There were no other group differences. The effect for avoiding athletic fields/facilities was significant: $F(3, 16304) = 125.03, p < .001, \eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: transgender was different

- from all gender identities; cisgender was different from all gender identities. There were no other group differences. The effect for avoiding school buses was significant: $F(3, 16304) = 42.01, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender and cisgender. There were no other group differences. The effect for avoiding classrooms was significant: $F(3, 16304) = 75.44, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all gender identities. There were no other group differences. The effect for avoiding school grounds was significant: $F(3, 16304) = 42.33, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all gender identities. There were no other group differences.
- 256 To compare missing school and changing schools by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .03, $F(6, 32814) = 89.41, p < .001$. The univariate effect missing school was significant: $F(3, 16407) = 164.70, p < .001, \eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The univariate effect for changing schools was significant: $F(3, 16407) = 51.85, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was different from all other gender identities; cisgender and NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 257 To compare having experienced any anti-LGBTQ discrimination at school by gender identity, an analysis of covariance (ANCOVA) was conducted with experiencing any anti-LGBTQ discrimination as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effects were significant: $F(3, 16312) = 430.79, p < .001, \eta_p^2 = .07$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 258 To compare experiences of school discipline by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with any in-school discipline and any out-of-school discipline as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .00, $F(6, 32672) = 10.90, p < .001$. The univariate effect for in-school discipline was significant: $F(3, 16336) = 20.58, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other gender identities. There were no other group differences. The univariate effect for out-of-school discipline was significant: $F(3, 16336) = 4.17, p < .001, \eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender. There were no other group differences. Percentages are shown for illustrative purposes.
- 259 To compare planning not to continue school after high school by gender identity, an analysis of covariance (ANCOVA) was conducted with planning to graduate high school as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effects were significant: $F(3, 16432) = 47.78, p < .001, \eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was lower than all other gender identities. Cisgender was higher than nonbinary. There were no other group differences. Percentages are shown for illustrative purposes.
- 260 To compare feelings of safety among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (feeling unsafe because of sexual orientation, feeling unsafe because of gender expression, and feeling unsafe because of gender) as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .05, $F(3, 8371) = 151.45, p < .001$. The univariate effect for feeling unsafe because of gender expression was significant: $F(1, 8373) = 292.94, p < .001, \eta_p^2 = .03$. The univariate effect for feeling unsafe because of gender was significant: $F(1, 8373) = 118.04, p < .001, \eta_p^2 = .01$. The univariate effect for feeling unsafe because of sexual orientation was not significant. Percentages are shown for illustrative purposes.
- 261 To compare experiences of anti-LGBTQ victimization among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .05, $F(3, 8023) = 146.36, p < .001$. The univariate effect for sexual orientation victimization was significant: $F(1, 8373) = 85.99, p < .001, \eta_p^2 = .01$. The univariate effect for gender expression victimization was significant: $F(1, 8373) = 133.98, p < .001, \eta_p^2 = .02$. The univariate effect for gender victimization was significant: $F(1, 8373) = 34.73, p < .001, \eta_p^2 = .00$. Percentages are shown for illustrative purposes.
- 262 See previous endnote.
- 263 To compare avoiding gender segregated spaces among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with three avoiding gender segregated spaces variables (avoiding bathrooms, avoiding locker rooms, and avoiding gym/PE class) as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .06, $F(3, 8345) = 178.80, p < .001$. The univariate effect for bathrooms was significant: $F(1, 8347) = 459.48, p < .001, \eta_p^2 = .05$. The univariate effect for locker rooms was significant: $F(1, 8347) = 184.05, p < .01, \eta_p^2 = .02$. The univariate effect for gym/PE class was significant: $F(1, 8347) = 11.23, p < .001, \eta_p^2 = .00$. Percentages are shown for illustrative purposes.
- 264 To compare in-school discipline and out-of-school discipline among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with any in-school and any out-of-school discipline as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .00, $F(2, 8404) = 17.42, p < .001$. The univariate effect for in-school discipline was significant: $F(1, 8405) = 26.52, p < .001, \eta_p^2 = .00$. The univariate effect for out-of-school discipline was significant: $F(1, 8405) = 17.14, p < .01, \eta_p^2 = .00$. Percentages are shown for illustrative purposes.
- 265 To compare feelings of safety among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (feeling unsafe because of sexual orientation, feeling unsafe because of gender expression, and feeling unsafe because of gender) as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .05, $F(3, 8371) = 151.45, p < .001$. The univariate effect for safety because of gender expression was significant: $F(1, 8373) = 292.94, p < .001, \eta_p^2 = .03$. The univariate effect for safety because of gender was significant: $F(1, 8373) = 118.04, p < .001, \eta_p^2 = .01$. The univariate effect for safety because of sexual orientation was not significant. Percentages are shown for illustrative purposes.
- 266 To compare experiences of anti-LGBTQ victimization among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .05, $F(3, 8023) = 146.36, p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(1, 8373) = 85.99, p < .001, \eta_p^2 = .01$. The univariate effect for victimization based on gender expression was significant: $F(1, 8373) = 133.98, p < .001, \eta_p^2 = .02$. The univariate effect for victimization based on gender was significant: $F(1, 8373) = 34.73, p < .001, \eta_p^2 = .00$. Percentages are shown for illustrative purposes.

- 267 To compare missing school and changing schools among cisgender male and female students, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as the dependent variables, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .00, $F(2, 8440) = 13.45$, $p < .001$. The univariate effect for missing school was significant: $F(1, 8441) = 20.69$, $p < .001$, $\eta_p^2 = .00$. The univariate effect for changing schools was significant: $F(1, 8441) = 1.35$, $p < .01$, $\eta_p^2 = .00$. Percentages are shown for illustrative purposes.
- 268 To compare having experienced any anti-LGBTQ discrimination among cisgender male and female students, an analysis of covariance (ANCOVA) was conducted with experiencing any anti-LGBTQ discrimination as the independent variable, gender identity (cis male or cis female) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant: $F(3, 8363) = 14.65$, $p < .001$, $\eta_p^2 = .00$. Percentages shown for illustrative purposes.
- 269 Kimmel, M. (2004). Masculinity as homophobia: Fear, shame, and silence in the construction of gender identity. In P. F. Murphy (Ed.), *Feminism and Masculinities* (pp. 182–199). New York: Oxford University Press.
- 270 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety based on sexual orientation, safety based on gender expression, and safety based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety based on sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety based on gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety based on gender was significant: $F(3, 16331) = 284.66$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 271 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98$, $p < .001$, $\eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 272 See previous endnote.
- 273 To compare avoiding gender segregated spaces at school by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three avoiding gender segregated spaces variables (avoid bathrooms, avoid locker rooms, avoid gym/PE class) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .24, $F(9, 48912) = 464.34$, $p < .001$. The univariate effect for avoiding bathrooms was significant: $F(3, 16312) = 1464.80$, $p < .001$, $\eta_p^2 = .21$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for avoiding locker rooms was significant: $F(3, 16312) = 614.65$, $p < .001$, $\eta_p^2 = .10$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for avoiding gym/PE class was significant: $F(3, 16312) = 350.43$, $p < .001$, $\eta_p^2 = .06$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. Percentages are shown for illustrative purposes.
- 274 To compare missing school and changing schools by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with missing school and changing schools as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .03, $F(6, 32814) = 89.41$, $p < .001$. The univariate effect for missing school was significant: $F(3, 16407) = 164.70$, $p < .001$, $\eta_p^2 = .03$. Pairwise comparisons were considered at $p < .01$: NB and questioning were not different from each other. All other gender identities were different from each other. The univariate effect for changing schools was significant: $F(3, 16407) = 51.85$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: transgender was different from all other gender identities; cisgender and NB were different from each other. There were no other group differences. Percentages are shown for illustrative purposes.
- 275 To compare school belonging by gender identity, an analysis of covariance (ANCOVA) was conducted with school belonging as the dependent variable, gender identity (cisgender, transgender, nonbinary [NB], and questioning), as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The effect was significant: $F(3, 16433) = 499.83$, $p < .001$, $\eta_p^2 = .08$. Pairwise comparisons were considered at $p < .01$: cisgender was higher than all other gender identities; transgender students had lower school belonging than all other gender identities. There were no other group differences.
- 276 To compare each type of gender-specific anti-LGBTQ discrimination by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with each type of gender-specific anti-LGBTQ discrimination (gendered clothes, pronouns/names usage, bathroom access, locker room access) as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .24, $F(36, 48332) = 6.41$, $p < .001$. The univariate effect for gendered clothes was significant: $F(3, 16120) = 53.69$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: Cisgender was different from transgender and NB; NB was different from questioning. There were no other group differences. The univariate effect for pronouns/names usage was significant: $F(3, 16120) = 961.26$, $p < .001$, $\eta_p^2 = .15$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for bathroom access was significant: $F(3, 16120) = 1215.63$, $p < .001$, $\eta_p^2 = .18$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for locker room access was significant: $F(3, 16120) = 1069.60$, $p < .001$, $\eta_p^2 = .17$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages for are shown for illustrative purposes.
- 277 To compare experiences of school discipline by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with any in-school discipline and any out-of-school discipline as the dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. Multivariate results were significant: Pillai's Trace = .00, $F(6, 32672) = 10.90$, $p < .001$. The univariate effect for in-school discipline was significant, $F(3, 16336) = 20.58$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other gender identities. There were no other group differences. The univariate effect for out-of-school discipline was significant, $F(3, 16336) = 4.17$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from transgender. There were no other group differences. Percentages are shown for illustrative purposes.
- 278 See previous endnote.

- 279 To compare feelings of safety by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three safety variables (safety based on sexual orientation, safety based on gender expression, and safety based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB] as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .47, $F(9, 48969) = 1020.73$, $p < .001$. The univariate effect for safety based on sexual orientation was significant: $F(3, 16331) = 363.70$, $p < .001$, $\eta_p^2 = .00$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities; transgender and NB were different from each other. There were no other group differences. The univariate effect for safety based on gender expression was significant: $F(3, 16331) = 115.82$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for safety based on gender was significant: $F(3, 16331) = 284.66$, $\eta_p^2 = .02$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
- 280 To compare experiences of anti-LGBTQ victimization by gender identity, a multivariate analysis of covariance (MANCOVA) was conducted with three anti-LGBTQ victimization variables (weighted victimization based on sexual orientation, weighted victimization based on gender expression, and weighted victimization based on gender) as dependent variables, gender identity (cisgender, transgender, nonbinary [NB], and questioning) as the independent variable, and age, outness (to peers and to staff), and sexual orientation as controls. The multivariate effect was significant: Pillai's Trace = .17, $F(9, 47076) = 319.41$, $p < .001$. The univariate effect for victimization based on sexual orientation was significant: $F(3, 15699) = 61.58$, $p < .001$, $\eta_p^2 = .01$. Pairwise comparisons were considered at $p < .01$: cisgender was different from all other identities. There were no other group differences. The univariate effect for victimization based on gender expression was significant: $F(3, 15699) = 529.26$, $p < .001$, $\eta_p^2 = .09$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. The univariate effect for victimization based on gender was significant: $F(3, 15699) = 639.98$, $p < .001$, $\eta_p^2 = .11$. Pairwise comparisons were considered at $p < .01$: all gender identities were different from each other. Percentages are shown for illustrative purposes.
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- 282 Truong, N. L., Zongrone, A. D., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Asian American and Pacific Islander LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-AAPI-2020.pdf>
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- Zongrone, A. D., Truong, N. L., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Latinx LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-Latinx-2020.pdf>
- Zongrone, A. D., Truong, N. L., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Native and Indigenous LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-Native-2020.pdf>
- 283 Race/ethnicity was assessed with a single multi-check question item (i.e., African American or Black; Asian or South Asian; Native Hawaiian or other Pacific Islander; Native American, American Indian, or Alaska Native; White or Caucasian; Hispanic or Latino/Latina/Latinx; and Arab American, Middle Eastern, or North African) with an optional write-in item for race/ethnicities not listed. Participants who selected more than one race category were coded as multiracial, with the exception of participants who selected either "Hispanic or Latino/Latina/Latinx" or "Arab American, Middle Eastern, or North African" as their ethnicity. Participants who selected either one ethnicity were coded as that ethnicity, regardless of any additional racial identities they selected. Participants who selected both ethnicities were coded as multiracial. The resulting racial/ethnic groupings were: MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White.
- 284 Latinx is a variant of the masculine "Latino" and feminine "Latina" that leaves gender unspecified and, therefore, aims to be more inclusive of diverse gender identities, including nonbinary individuals. To learn more: <https://www.meriam-webster.com/words-at-play/word-history-latinx>
- 285 Anyon, Y, Jenson, J. M., Altschul, I., Farrar, J., McQueen, J., Greer, E., Downing, B., & Simmons, J. (2014). The persistent effect of race and the promise of alternatives to suspension in school discipline outcomes. *Children and Youth Services Review, 44*, 379-386.
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- 286 To compare feeling unsafe due to race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe due to actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe was significant: $F(6, 16100) = 202.83$, $p < .001$, $\eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous, and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 287 To compare victimization based on race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization based on race/ethnicity was significant: $F(6, 16190) = 179.07$, $p < .001$, $\eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 288 To compare feelings of safety regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and

percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57$, $p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation: $F(6, 16067) = 7.31$, $p < .001$, $\eta_p^2 = .00$; Gender expression: $F(6, 16067) = 6.83$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both dependent variables, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.

- 289 To compare victimization based on sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/ethnicity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06$, $p < .001$. The univariate effects for victimization were significant – Sexual orientation: $F(6, 15525) = 16.13$, $p < .001$, $\eta_p^2 = .01$; Gender expression, $F(6, 15525) = 14.60$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 290 In order to assess experiences of both anti-LGBTQ and racist harassment, a new variable was calculated that included students who experienced any harassment based on race and also experienced any harassment or assault based on sexual orientation or gender expression.
- 291 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(6, 16075) = 22.63$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 292 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37$, $p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95$, $p < .001$, $\eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 293 To compare feeling unsafe because of race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe because of their actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (AAPI, MENA, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe was significant: $F(6, 16100) = 202.83$, $p < .001$, $\eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous, and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 294 To compare victimization based on race/ethnicity by race/ethnicity, a univariate analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (AAPI, MENA, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization was significant: $F(6, 16190) = 179.07$, $p < .001$, $\eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students were experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 295 To compare feelings of safety regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (AAPI, MENA, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57$, $p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation, $F(6, 16067) = 7.31$, $p < .001$, $\eta_p^2 = .00$; Gender expression, $F(6, 16067) = 6.83$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both feeling unsafe regarding sexual orientation and gender expression, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 296 To compare victimization based on sexual orientation and victimization based on gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/

- ethnicity (AAPI, MENA, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06$, $p < .001$. The univariate effects for victimization were significant – Sexual orientation: $F(6, 15525) = 16.13$, $p < .001$, $\eta_p^2 = .01$; Gender expression: $F(6, 15525) = 14.60$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 297 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (AAPI, MENA, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(6, 16075) = 22.63$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 298 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (AAPI, MENA, Black, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37$, $p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95$, $p < .001$, $\eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 299 To compare feelings of safety regarding race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe regarding their actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (Black, MENA, AAPI, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe regarding their race/ethnicity was significant: $F(6, 16100) = 202.83$, $p < .001$, $\eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous, and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 300 To compare victimization based on race/ethnicity by race/ethnicity, a univariate analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (Black, MENA, AAPI, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization based on race/ethnicity was significant: $F(6, 16190) = 179.07$, $p < .001$, $\eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students were experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 301 To compare feelings of safety regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (Black, MENA, AAPI, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57$, $p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation, $F(6, 16067) = 7.31$, $p < .001$, $\eta_p^2 = .00$; Gender expression: $F(6, 16067) = 6.83$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both dependent variables, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 302 To compare victimization based on sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/ethnicity (Black, MENA, AAPI, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, and percentage of student body that was White, percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06$, $p < .001$. The univariate effects for victimization were significant – Sexual orientation, $F(6, 15525) = 16.13$, $p < .001$, $\eta_p^2 = .01$; Gender expression, $F(6, 15525) = 14.60$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others

- but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 303 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (Black, MENA, AAPI, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(6, 16075) = 22.63, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 304 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (Black, MENA, AAPI, Latinx, Native and Indigenous, multiracial, and White). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37, p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95, p < .001, \eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 305 To compare feelings of safety regarding race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe regarding their actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (Latinx, MENA, AAPI, Black, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe regarding their race/ethnicity was significant: $F(6, 16100) = 202.83, p < .001, \eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous, and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 306 To compare victimization based on race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (Latinx, MENA, AAPI, Black, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization based on race/ethnicity was significant: $F(6, 16190) = 179.07, p < .001, \eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students were experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 307 To compare feelings of safety regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (Latinx, MENA, AAPI, Black, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57, p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation: $F(6, 16067) = 7.31, p < .001, \eta_p^2 = .00$; Gender expression: $F(6, 16067) = 6.83, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both feeling unsafe regarding their sexual orientation and gender expression, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 308 To compare victimization based on sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/ethnicity (Latinx, MENA, AAPI, Black, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06, p < .001$. The univariate effects for victimization were significant – Sexual orientation: $F(6, 15525) = 16.13, p < .001, \eta_p^2 = .01$; Gender expression: $F(6, 15525) = 14.60, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 309 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (Latinx, MENA, AAPI, Black, Native and Indigenous, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(6, 16075) = 22.63, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all

- others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 310 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (Latinx, MENA, AAPI, Black, Native and Indigenous, multiracial, and White). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37$, $p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95$, $p < .001$, $\eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 311 To compare feelings of safety regarding race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe regarding their actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (Native and Indigenous, MENA, AAPI, Black, Latinx, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe regarding their race/ethnicity was significant: $F(6, 16100) = 202.83$, $p < .001$, $\eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous, and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 312 To compare victimization based on race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (Native and Indigenous, MENA, AAPI, Black, Latinx, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization based on race/ethnicity was significant: $F(6, 16190) = 179.07$, $p < .001$, $\eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students were experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 313 To compare feeling unsafe regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (Native and Indigenous, MENA, AAPI, Black, Latinx, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57$, $p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation, $F(6, 16067) = 7.31$, $p < .001$, $\eta_p^2 = .00$; Gender expression, $F(6, 16067) = 6.83$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both feeling unsafe regarding their sexual orientation and gender expression, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 314 To compare victimization based on sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/ethnicity (Native and Indigenous, MENA, AAPI, Black, Latinx, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06$, $p < .001$. The univariate effects for victimization were significant – Sexual orientation, $F(6, 15525) = 16.13$, $p < .001$, $\eta_p^2 = .01$; Gender expression, $F(6, 15525) = 14.60$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 315 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (Native and Indigenous, MENA, AAPI, Black, Latinx, multiracial, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(6, 16075) = 22.63$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 316 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (Native and Indigenous, MENA, AAPI, Black, Latinx, multiracial, and White). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37$, $p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95$, $p < .001$, $\eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences

- were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 317 To compare feelings of safety regarding race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe regarding their actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (multiracial, MENA, AAPI, Black, Latinx, Native and Indigenous, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe regarding their race/ethnicity was significant: $F(6, 16100) = 202.83, p < .001, \eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous, and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 318 To compare victimization based on race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (multiracial, MENA, AAPI, Black, Latinx, Native and Indigenous, and White). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization based on race/ethnicity was significant: $F(6, 16190) = 179.07, p < .001, \eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students were experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 319 To compare feelings of safety regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (multiracial, MENA, AAPI, Black, Latinx, Native and Indigenous, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57, p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation, $F(6, 16067) = 7.31, p < .001, \eta_p^2 = .00$; Gender expression, $F(6, 16067) = 6.83, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both feeling unsafe regarding their sexual orientation and gender expression, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 320 To compare victimization based on sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/ethnicity (multiracial, MENA, AAPI, Black, Latinx, Native and Indigenous, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06, p < .001$. The univariate effects for victimization were significant – Sexual orientation, $F(6, 15525) = 16.13, p < .001, \eta_p^2 = .01$; Gender expression, $F(6, 15525) = 14.60, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 321 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (multiracial, MENA, AAPI, Black, Latinx, Native and Indigenous, and White). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for experiencing discrimination was significant: $F(6, 16075) = 22.63, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 322 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (multiracial, MENA, AAPI, Black, Latinx, Native and Indigenous, and White). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37, p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95, p < .001, \eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 323 To compare feelings of safety regarding race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was feeling unsafe regarding their actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (White, MENA, AAPI, Black, Latinx, Native and Indigenous, and multiracial). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for feeling unsafe regarding their race/ethnicity was significant: $F(6, 16100) = 202.83, p < .001, \eta_p^2 = .07$. Post hoc comparisons were considered at $p < .01$. Black students were more likely to feel unsafe than AAPI, Latinx, multiracial, Native and Indigenous, and White students; AAPI and Latinx students were more likely to feel unsafe than multiracial and White students; MENA, Native and Indigenous,

- and multiracial students were more likely to feel unsafe than White students; White students were less likely to feel unsafe based on race/ethnicity than all other racial/ethnic groups; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 324 To compare victimization based on race/ethnicity by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was rate of experiencing victimization based on actual or perceived race/ethnicity, and the independent variable was racial/ethnic identity (White, MENA, AAPI, Black, Latinx, Native and Indigenous, and multiracial). As covariates, we included student age, school locale (urban/suburban/rural), percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The main effect for victimization was significant: $F(6, 16190) = 179.07, p < .001, \eta_p^2 = .06$. Post hoc comparisons were considered at $p < .01$. White students were experienced less frequent victimization than all other racial/ethnic groups; multiracial students experienced less frequent victimization than Latinx students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 325 To compare feelings of safety regarding sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. Two dichotomous dependent variables were included: feeling unsafe regarding sexual orientation, and feeling unsafe regarding gender expression. The independent variable was race/ethnicity (White, MENA, AAPI, Black, Latinx, Native and Indigenous, and multiracial). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, how out the student was about their LGBTQ identity to school staff, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .00, $F(12, 32134) = 5.57, p < .001$. The univariate effects for feeling unsafe were significant – Sexual orientation: $F(6, 16067) = 7.31, p < .001, \eta_p^2 = .00$; Gender expression, $F(6, 16067) = 6.83, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. For both feeling unsafe regarding their sexual orientation and gender expression, Native and Indigenous, Latinx, White, and multiracial students were all more likely to feel unsafe than Black and AAPI students; multiracial students were also more likely to feel unsafe about gender expression than Black and AAPI students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 326 To compare victimization based on sexual orientation and gender expression by race/ethnicity, a multivariate analysis of covariance (MANCOVA) was conducted. The two dependent variables were weighted victimization variables measuring harassment and assault based on sexual orientation and based on gender expression. The independent variable was race/ethnicity (White, MENA, AAPI, Black, Latinx, Native and Indigenous, and multiracial). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to students, percentage of student body that was White, and percentage of the student body that was the same race/ethnicity as the student. The multivariate effect was significant: Pillai's trace = .01, $F(12, 31050) = 9.06, p < .001$. The univariate effects for victimization were significant – Sexual orientation: $F(6, 15525) = 16.13, p < .001, \eta_p^2 = .01$; Gender expression, $F(6, 15525) = 14.60, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Sexual orientation: Native and Indigenous students experienced higher levels of victimization than all other racial/ethnic groups except MENA students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than AAPI and Black; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. Gender expression: Native and Indigenous students experienced higher levels of victimization than White, Black, and AAPI students; multiracial, Latinx, White, and MENA students all experienced higher levels of victimization than Black and AAPI students; Black and AAPI students experienced lower levels of victimization than all others but were not significantly different from each other. No other significant differences were observed. Percentages are shown for illustrative purposes.
- 327 To compare experiences of anti-LGBTQ discriminatory school policies and practices by race/ethnicity, an analysis of covariance (ANCOVA) was conducted. The dependent variable was experiencing any of the anti-LGBTQ discriminatory school policies and practices. The independent variable was racial/ethnic identity (White, MENA, AAPI, Black, Latinx, Native and Indigenous, and multiracial). As covariates, we included student age, school locale (urban/suburban/rural), how out the student was about their LGBTQ identity to school staff, percentage of student body that was the same race/ethnicity as the student. The main effect for experiencing anti-LGBTQ discrimination was significant: $F(6, 16075) = 22.63, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Native and Indigenous, multiracial, White, and Latinx students were all more likely to experience discrimination than Black and AAPI students; MENA and Black students were more likely to experience discrimination than AAPI students; AAPI students were less likely to experience discrimination than all others; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 328 To compare experiences of school discipline by race/ethnicity, a multivariate analysis of variance (MANCOVA) was conducted. The three dichotomous dependent variables were: experiencing any in-school discipline, experiencing any out-of-school discipline, and having contact with law enforcement as a result of school discipline. The independent variable was racial/ethnic identity (White, MENA, AAPI, Black, Latinx, Native and Indigenous, and multiracial). As covariates, we included how out the student was about their LGBTQ identity to staff and their grade level. The multivariate effect was significant: Pillai's trace = .01, $F(18, 49158) = 5.37, p < .001$. The univariate effects for in-school discipline and out-of-school discipline were significant – In-school discipline: $F(6, 16395) = 10.95, p < .001, \eta_p^2 = .00$; Out-of-school discipline: $F(6, 16395) = 7.53, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. In-school discipline: Latinx and multiracial students were both more likely to experience in-school discipline than White and AAPI students; Black and White students were more likely to experience in-school discipline than AAPI students; no other significant differences were observed. Out-of-school discipline: Black students were more likely to experience out-of-school discipline than White and AAPI students and multiracial students were more likely to experience out-of-school discipline than White students; no other significant differences were observed. The univariate effect for contact with law enforcement was not significant. Percentages are shown for illustrative purposes.
- 329 Causadias, J. M., & Korous, K. M. (2019). Racial discrimination in the United States: A national health crisis that demands a national health solution. *Journal of Adolescent Health, 64*(2), 147-148.
- Ramsey, S. (2017). *The troubled history of American education after the Brown decision*. The Organization of American Historians. <https://www.oah.org/tah/issues/2017/february/the-troubled-history-of-american-education-after-the-brown-decision/>
- Tatum, B. D. (2017). *Why are all the Black kids sitting together in the cafeteria?: And other conversations about race*. Basic Books.
- 330 To compare experiencing multiple forms of victimization by race/ethnicity, an analysis of covariance (ANCOVA) was conducted with a dichotomous variable, whether a student experienced both racist and anti-LGBTQ victimization as the dependent variable, racial/ethnic identity (MENA, AAPI, Black, Latinx, Native and Indigenous, multiracial, and White) as the independent variable, and both outness to peers and school locale (urban/suburban/rural) as covariates. The main effect was significant: $F(6, 16372) = 371.21, p < .001, \eta_p^2 = .12$. Post hoc comparisons were considered at $p < .01$. White students were less likely to experience both forms of victimization than all other racial/ethnic groups; Latinx students were more likely to experience both forms of victimization than multiracial students; no other significant differences were observed. Percentages are shown for illustrative purposes.
- 331 Truong, N. L., Zongrone, A. D., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Asian American and Pacific Islander LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-AAPI-2020.pdf>
- Truong, N. L., Zongrone, A. D., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Black LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-Black-2020.pdf>
- Zongrone, A. D., Truong, N. L., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Latinx*

- LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-Latinx-2020.pdf>
- Zongrone, A. D., Truong, N. L., & Kosciw, J. G. (2020). *Erasure and resilience: The experiences of LGBTQ students of color, Native and Indigenous LGBTQ youth in U.S. Schools*. New York: GLSEN. <https://www.glsen.org/sites/default/files/2020-06/Erasure-and-Resilience-Native-2020.pdf>
- 332 In this section, for analyses examining the associations between school characteristics and students' experiences with anti-LGBTQ victimization, students' individual demographic characteristics (sexual orientation, gender, and race/ethnicity) and their experiences with school discipline are included in the model as covariates because in prior sections of this report these demographic characteristics and school discipline were found to be associated with experiences with anti-LGBTQ victimization. For analyses examining the associations between school characteristics and students' experiences with anti-LGBTQ discrimination, students' individual demographic characteristics (sexual orientation, gender, and race/ethnicity) are included in the model as covariates because in prior sections of this report these demographic characteristics were found to be associated with their experiences of anti-LGBTQ discrimination in school.
- 333 For comparisons by school level, only students who attended middle or high schools were included in this analysis. Students who attended elementary schools, K-12 schools, lower schools, upper schools, or another type of school were excluded.
- 334 To test differences in anti-LGBTQ language by school level, a multivariate analysis of variance (MANOVA) was conducted with the anti-LGBTQ remarks variables ("gay" used in a negative way, "no homo," other homophobic remarks, negative remarks about gender expression, and negative remarks about transgender people) as the dependent variables, and school level (middle school and high school) as the independent variable. Multivariate results were significant: Pillai's Trace = .05, $F(5, 13693) = 150.79$, $p < .001$. Univariate effects were significant for the following anti-LGBTQ language remarks – "Gay" used in a negative way: $F(1, 13697) = 334.68$, $p < .001$, $\eta_p^2 = .02$; "No homo": $F(1, 13697) = 473.97$, $p < .001$, $\eta_p^2 = .03$; Other homophobic remarks: $F(1, 13697) = 30.75$, $p < .001$, $\eta_p^2 = .00$. Middle school students heard "gay" used in a negative way, "no homo," and other homophobic remarks more than high school students. The univariate effects for negative remarks about gender expression and negative remarks about transgender people were not significant. Percentages are shown for illustrative purposes.
- 335 To examine differences in anti-LGBTQ victimization experiences by school level, a multivariate analysis of covariance (MANCOVA) was conducted with experiences of anti-LGBTQ victimization (i.e., the three weighted victimization variables for victimization based on sexual orientation, gender expression, and gender) as the dependent variables, school level (middle school and high school) as the independent variable, and student demographic characteristics (sexual orientation, gender expression, and gender) and any school discipline (a combined variable of whether the student experienced any of the five types of school discipline [see School Climate and School Discipline section]) as covariates. Multivariate results were significant: Pillai's Trace = .03, $F(3, 12810) = 119.19$, $p < .001$. Univariate effects were significant for anti-LGBTQ victimization – Sexual orientation: $F(1, 12812) = 348.20$, $p < .001$, $\eta_p^2 = .03$; Gender expression: $F(1, 12812) = 117.88$, $p < .001$, $\eta_p^2 = .01$; Gender: $F(1, 12812) = 119.45$, $p < .001$, $\eta_p^2 = .01$. Middle school students experienced higher levels of anti-LGBTQ victimization on all types than high school students. Percentages are shown for illustrative purposes.
- 336 To compare differences in experiences of anti-LGBTQ discriminatory policies and practices by school level, an analysis of covariance (ANCOVA) was conducted with experiencing any anti-LGBTQ discrimination (a combined variable of whether the student experienced any of the 11 discriminatory actions assessed [see Discriminatory Practices and Policies section]) as the dependent variable, school level (middle school and high school) as the independent variable, and student demographic characteristics including sexual orientation, gender expression, and gender as covariates. The results of the analysis were significant: $F(1, 13402) = 161.03$, $p < .001$, $\eta_p^2 = .01$. Middle school students were more likely to experience anti-LGBTQ discrimination than high school students. Percentages are shown for illustrative purposes.
- 337 To examine differences in access to GSAs, inclusive curriculum, inclusive curricular resources, and comprehensive anti-bullying/harassment and supportive trans/nonbinary policies by school level, a series of chi-square tests were conducted. (For the purposes of this analysis and similar analyses in this section regarding school differences in availability of comprehensive policy, we examined only whether students reported that their school had a comprehensive, i.e., fully enumerated, anti-bullying/harassment policy or not. Therefore, students without a comprehensive policy might have had a partially enumerated policy, a generic policy, or no policy at all). All analyses were significant at $p < .05$ – GSAs: $\chi^2 = 1448.48$, $df = 1$, $p < .001$, $\phi = .33$; LGBTQ website access: $\chi^2 = 155.84$, $df = 1$, $p < .001$, $\phi = .11$; LGBTQ library resources: $\chi^2 = 52.55$, $df = 1$, $p < .001$, $\phi = .06$; LGBTQ inclusion in textbooks/other assigned readings: $\chi^2 = 145.04$, $df = 1$, $p < .001$, $\phi = .10$; LGBTQ-inclusive curriculum: $\chi^2 = 29.87$, $df = 1$, $p < .001$, $\phi = .05$; LGBTQ-inclusive sex education: $\chi^2 = 3.98$, $df = 1$, $p < .05$, $\phi = .02$; Safe Space stickers/posters: $\chi^2 = 620.00$, $df = 1$, $p < .001$, $\phi = .21$, comprehensive anti-bullying/harassment policy: $\chi^2 = 29.47$, $df = 1$, $p < .001$, $\phi = .05$; transgender/other nonbinary student policy: $\chi^2 = 50.60$, $df = 1$, $p < .001$, $\phi = .06$. Middle school students had less access to GSAs, LGBTQ websites, LGBTQ library resources, LGBTQ inclusion in textbooks/other assigned readings, LGBTQ-inclusive curriculum and sex education, comprehensive bullying/harassment policy, and transgender/other nonbinary student policy, and less display of safe space stickers/posters, than high school students. Percentages are shown for illustrative purposes.
- To compare differences in supportive school personnel by school level, two separate independent samples t-tests were conducted, with supportive educators and supportive administrators as the dependent variables, and school level (middle school and high school) as the independent variable. Both analyses were significant – Supportive educators: $t(3637.35) = 16.55$, $p < .001$, Cohen's $d = .38$; Supportive administrators: $t(3874.66) = 7.34$, $p < .001$, Cohen's $d = .16$. Middle school students had less supportive school educators and less supportive administrators than high school students. Percentages are shown for illustrative purposes.
- 338 Travers, M., Murray, L., & Kull, M. (2020). Sexual health and risk-taking behaviors among New York city high school students: Variation by sexual orientation and gender identity status. *Journal of LGBT Youth*. doi: 10.1080/19361653.2020.1795776
- 339 To compare differences in GSA participation by school level, two separate independent samples t-tests were conducted, with GSA attendance and GSA participation as a leader/officer as the dependent variables, and school level (middle school and high school). GSA attendance was significant: $t(1097.78) = 10.18$, $p < .001$, Cohen's $d = .36$. Middle school students had higher GSA attendance than high school students. GSA participation as a leader/officer was not significant.
- 340 U.S. Department of Education. (2019). *Student reports of bullying: Results from the 2017 School Crime Supplement to the National Crime Victimization Survey*. Retrieved August 2, 2020. <https://nces.ed.gov/pubs2019/2019054.pdf>
- 341 To examine differences in anti-LGBTQ language by school type, a multivariate analysis of variance (MANOVA) was conducted with the anti-LGBTQ remarks variables ("gay" used in a negative way, "no homo," other homophobic remarks, negative remarks about gender expression, and negative remarks about transgender people) as the dependent variables, and school type (public, religious, and private non-religious) as the independent variable. Multivariate results were significant: Pillai's Trace = .04, $F(10, 32936) = 65.53$, $p < .001$. All univariate effects were significant for the anti-LGBTQ language remarks – "Gay" used in a negative way: $F(2, 16471) = 197.93$, $p < .001$, $\eta_p^2 = .02$; "No homo": $F(2, 16471) = 45.05$, $p < .001$, $\eta_p^2 = .01$; Other homophobic remarks: $F(2, 16471) = 229.17$, $p < .001$, $\eta_p^2 = .03$. Negative remarks about gender expression: $F(2, 16471) = 22.11$, $p < .001$, $\eta_p^2 = .00$; Trans remarks: $F(2, 16471) = 85.83$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. "Gay" used in a negative way: Private school students heard less than all other school types; no other significant differences were found. "No homo": Private school students heard less than public school students; Religious school students heard less than public school students; no other significant differences were found. Other homophobic remarks: Private school students heard less than all other school types; Religious school students heard less than public school students. Gender expression remarks: Private school students heard less than all other school types; Religious school students heard more than public school students.

students. Trans remarks: Private school students heard less than all other school types; no other significant differences were found. Percentages are shown for illustrative purposes.

- 342 To examine differences in anti-LGBTQ language by type of public school, a multivariate analysis of variance (MANOVA) was conducted with the anti-LGBTQ remarks variables (“gay” used in a negative way, “no homo,” other homophobic remarks, negative remarks about gender expression, and negative remarks about transgender people) as the dependent variables, and type of public school (regular public school and charter school) as the independent variable. The multivariate results were not significant.
- 343 To examine differences in anti-LGBTQ victimization experiences by school type, a multivariate analysis of covariance (MANCOVA) was conducted with experiences of anti-LGBTQ victimization (i.e., the three weighted victimization variables for victimization based on sexual orientation, gender expression, and gender) as the dependent variables, school type (public, religious, and private non-religious) as the independent variable, and student demographic characteristics (sexual orientation, gender expression, and gender) and any school discipline (a combined variable of whether the student experienced any of the five types of school discipline [see School Climate and School Discipline section]) as covariates. Multivariate results were significant: Pillai’s Trace = .00, $F(6, 30768) = 11.40$, $p < .001$. Univariate effects were significant for all types of anti-LGBTQ victimization – Sexual orientation: $F(2, 15385) = 22.59$, $p < .001$, $\eta_p^2 = .00$; Gender expression: $F(2, 15385) = 11.89$, $p < .001$, $\eta_p^2 = .00$; Gender: $F(2, 15385) = 20.61$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. Victimization based on sexual orientation: Public school students experienced more than private school students; no other significant differences were found. Victimization based on gender expression: Public school students experienced more than private school students; no other significant differences were found. Victimization based on gender: Public school students experienced more than private and religious school students; no other significant differences were found. Percentages are shown for illustrative purposes.
- 344 To examine differences in experiences of anti-LGBTQ victimization by type of public school, a multivariate analysis of covariance (MANCOVA) was conducted, with experiences of anti-LGBTQ victimization (i.e., the three weighted victimization variables for victimization based on sexual orientation, gender expression, and gender) as the dependent variables, type of public school (regular public school and charter school) as the independent variable, and student demographic characteristics (sexual orientation, gender expression, and gender) and any school discipline (a combined variable of whether the student experienced any of the five types of school discipline [see School Climate and School Discipline section]) as covariates. The multivariate results were not significant.
- 345 To examine differences in experiences of anti-LGBTQ discriminatory policies and practices by school type, an analysis of covariance (ANCOVA) was conducted with experiencing any anti-LGBTQ discrimination (a combined variable of whether the student experienced any of the 11 discriminatory actions assessed [see Discriminatory Practices and Policies section]) as the dependent variable, school type (public, religious, and private non-religious) as the independent variable, and student demographic characteristics including sexual orientation, gender expression, and gender as covariates. The results of the analysis were significant: $F(2, 16112) = 97.93$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Private school students experienced less anti-LGBTQ discrimination than public and religious school students. Public school students experienced less anti-LGBTQ discrimination than religious school students. Percentages are shown for illustrative purposes.
- 346 To examine differences in experiences of anti-LGBTQ discriminatory policies and practices by type of public school, an analysis of covariance (ANCOVA) was conducted with experiencing any anti-LGBTQ discrimination (a combined variable of whether the student experienced any of the 11 discriminatory actions assessed [see Discriminatory Practices and Policies section]) as the dependent variable, type of public school (regular public school and charter school) as the independent variable, and student demographic characteristics including sexual orientation, gender expression, and gender as covariates. The results of the analysis were not significant.
- 347 To examine differences in access to GSAs, inclusive curriculum,

and comprehensive anti-bullying/harassment and supportive trans/nonbinary policies by school type, a series of chi-square tests were conducted. (For the purposes of this analysis and similar analyses in this section regarding school differences in availability of comprehensive policy, we examined only whether students reported that their school had a comprehensive, i.e., fully enumerated, anti-bullying/harassment policy or not. Therefore, students without a comprehensive policy might have had a partially enumerated policy, a generic policy, or no policy at all). All analyses were significant – GSAs: $\chi^2 = 141.94$, $df = 2$, $p < .001$, Cramer’s $V = .09$; LGBTQ website access: $\chi^2 = 113.35$, $df = 2$, $p < .001$, Cramer’s $V = .08$; LGBTQ library resources: $\chi^2 = 181.00$, $df = 2$, $p < .001$, Cramer’s $V = .11$; LGBTQ inclusion in textbooks/other assigned readings: $\chi^2 = 57.15$, $df = 2$, $p < .001$, Cramer’s $V = .06$; LGBTQ-inclusive curriculum: $\chi^2 = 141.94$, $df = 2$, $p < .001$, Cramer’s $V = .09$; LGBTQ-inclusive sex education: $\chi^2 = 73.44$, $df = 2$, $p < .001$, Cramer’s $V = .07$; Safe Space stickers/posters: $\chi^2 = 516.77$, $df = 2$, $p < .001$, Cramer’s $V = .18$; Comprehensive anti-bullying/harassment policy: $\chi^2 = 63.56$, $df = 2$, $p < .001$, Cramer’s $V = .06$; Supportive trans/nonbinary student policy: $\chi^2 = 88.78$, $df = 2$, $p < .001$, Cramer’s $V = .07$. Post hoc comparisons were considered at $p < .05$. GSAs: Religious had less than public and private; public had less than private. LGBTQ website access: Religious had less than public and private; public had less than private. LGBTQ library resources: Religious had less than public and private; public had less than private. LGBTQ inclusive textbooks/other readings: Religious had more than public; public had less than private; no other significant differences were found. LGBTQ-inclusive curriculum: Religious had less than public and private; public had less than private. LGBTQ library resources: Religious had less than public and private; public had more than private. LGBTQ-inclusive sex education: Religious had less than public and private; public had less than private. Safe Space stickers/posters: Religious had less than public and private; no other significant differences were found. Comprehensive policy: Religious school students had less than public and private school students; public school students had less than private school students. Supportive trans/nonbinary policy: Religious school students had less than public and private school students; public school students had less than private school students. Percentages are shown for illustrative purposes.

To examine differences in supportive school personnel by school type, two separate analysis of variance (ANOVAs) were conducted with supportive educators and supportive administrators as the dependent variables, and school type (public, religious, and private non-religious) as the independent variable. The results for both analyses were significant: Supportive educators: $F(2, 16390) = 332.25$, $p < .001$, $\eta_p^2 = .04$; Supportive administrators: $F(2, 16337) = 351.13$, $p < .001$, $\eta_p^2 = .04$. Post hoc comparisons were considered at $p < .05$. Supportive educators: Religious school students had less than public and private school students; public school students had less than private school students. Supportive administrators: Religious school students had less than public and private school students; public school students had less than private school students. Percentages are shown for illustrative purposes.

- 348 To examine differences in access to GSAs, inclusive curriculum, inclusive curricular resources, and comprehensive anti-bullying/harassment and supportive trans/nonbinary policies by type of public school, a series of chi-square tests were conducted. (For the purposes of this analysis and similar analyses in this section regarding school differences in availability of comprehensive policy, we examined only whether students reported that their school had a comprehensive, i.e., fully enumerated, anti-bullying/harassment policy or not. Therefore, students without a comprehensive policy might have had a partially enumerated policy, a generic policy, or no policy at all). The following analyses were significant at $p < .05$: LGBTQ library resources: $\chi^2 = 14.14$, $df = 1$, $\phi = -.03$; LGBTQ-inclusive curriculum: $\chi^2 = 26.04$, $df = 1$, $\phi = -.04$; LGBTQ-inclusive sex education: $\chi^2 = 7.27$, $df = 1$, $\phi = -.02$; Supportive trans/nonbinary policy: $\chi^2 = 5.65$, $df = 1$, $\phi = -.02$. LGBTQ library resources: Regular public schools had more than charter schools. LGBTQ-inclusive curriculum: Regular public schools had less than charter schools. LGBTQ-inclusive sex education: Regular public schools had less than charter schools. Supportive trans/nonbinary policy: Regular public schools had less than charter schools. No significant differences were found for GSAs, LGBTQ website access, LGBTQ-inclusive textbooks/other assigned readings, Safe Space stickers/poster, and comprehensive policy. Percentages are shown for illustrative purposes.

- To examine differences in supportive school personnel type of public school, two separate independent-samples t-tests were conducted with supportive educators and supportive administrators as the dependent variables, and type of public school (regular public school and charter school) as the independent variable. Supportive administrators was significant at $p < .05$: $t(625.61) = -2.41$, Cohen's $d = .10$. Students in regular public schools had less supportive student administrators than students in charter schools. Regular public schools and charter schools did not differ on supportive educators. Percentages are shown for illustrative purposes.
- 349 To examine differences in having negative LGBTQ representation in the curriculum by school type, a chi-square test was conducted. The results of the analysis were significant: $\chi^2 = 813.33$, $df = 2$, $p < .001$, Cramer's $V = .22$. Post hoc comparisons were considered at $p < .05$. Religious school students had more negative LGBTQ curriculum than public and private school students. No other significant differences were found. Percentages are shown for illustrative purposes.
- 350 To compare differences in gender-segregated schools (whether there was a single-sex school or not) by school type, a chi-square test was conducted. The results of the analysis were significant: $\chi^2 = 1776.39$, $df = 2$, $p < .001$, Cramer's $V = .33$. Post hoc comparisons were considered at $p < .05$. Religious schools were more likely to be single-sex schools than public and private schools. Private schools were more likely to be single-sex schools than public schools. Percentages are shown for illustrative purposes.
- 351 To compare differences in having any gender-segregated school practices (yearbook photos/senior pictures, homecoming court/prom royalty, graduation attire, and other types) by school type, a chi-square test was conducted. The results of the analysis were significant: $\chi^2 = 143.80$, $df = 2$, $p < .001$, Cramer's $V = .10$. Post hoc comparisons were considered at $p < .05$. Religious schools were more likely to have gender-segregated school practices than public and private schools. Public schools were more likely to have gender-segregated school practices than private schools.
- 352 To examine differences in frequency of school staff intervention on negative remarks about gender expression by school type, an analysis of variance (ANOVA) was conducted. The results of the analysis were significant: $F(2, 11766) = 40.59$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. There was less school staff intervention on negative remarks about gender expression in religious schools than in public and private schools. There was less school staff intervention in public schools than in private schools.
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- 354 To examine differences in anti-LGBTQ language by locale, a multivariate analysis of variance (MANOVA) was conducted with the anti-LGBTQ remarks variables ("gay" used in a negative way, "no homo," other homophobic remarks, negative remarks about gender expression, and negative remarks about transgender people) as the dependent variables, and locale (urban, suburban, rural) as the independent variable. Multivariate results were significant: Pillai's Trace = .03, $F(10, 32860) = 42.87$, $p < .001$. All univariate effects were significant – "Gay" used in a negative way: $F(2, 16433) = 104.37$, $p < .001$, $\eta_p^2 = .01$; "No homo": $F(2, 16433) = 8.04$, $p < .001$, $\eta_p^2 = .00$; Other homophobic remarks: $F(2, 16433) = 142.31$, $p < .001$, $\eta_p^2 = .02$; Negative remarks about gender expression: $F(2, 16433) = 27.07$, $p < .001$, $\eta_p^2 = .00$; Negative transgender remarks: $F(2, 16433) = 107.97$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. "Gay" used in a negative way: Rural students heard less than urban and suburban students; no other significant differences were found. "No homo": Rural students heard more than suburban students; urban students heard more than suburban students; no other significant differences were found. Other homophobic remarks: Rural students heard more than urban and suburban students; no other significant differences were found. Negative gender expression remarks: Rural students heard more than urban and suburban students; no other
- significant differences were found. Negative transgender remarks: Rural students heard more than urban and suburban students; no other significant differences were found. Percentages are shown for illustrative purposes.
- 355 To examine differences on anti-LGBTQ victimization experiences by locale, a multivariate analysis of variance (MANCOVA) was conducted with experiences of anti-LGBTQ victimization (i.e., the three weighted victimization variables for victimization based on sexual orientation, gender expression, and gender) as the dependent variables, locale (urban, suburban, and rural) as the independent variable, and student demographic characteristics (sexual orientation, gender expression, and gender) and any school discipline (a combined variable of whether the student experienced any of the five types of school discipline [see School Climate and School Discipline section]) as covariates. Multivariate results were significant: Pillai's Trace = .01, $F(6, 30712) = 22.67$, $p < .001$. All univariate effects were significant: Victimization based on sexual orientation: $F(2, 15357) = 51.81$, $p < .001$, $\eta_p^2 = .01$; Victimization based on gender expression: $F(2, 15357) = 46.62$, $p < .001$, $\eta_p^2 = .01$; Victimization based on gender: $F(2, 15357) = 34.30$, $p < .001$, $\eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. Victimization based on sexual orientation: Rural students experienced more than urban and suburban students; urban students experienced more than suburban students. Victimization based on gender expression: Rural and urban students experienced more than suburban students; no other significant differences were found. Victimization based on gender: Rural and urban students experienced more than suburban students; no other significant differences were found. Percentages are shown for illustrative purposes.
- 356 To examine differences on experiences of anti-LGBTQ discriminatory policies and practices by locale, an analysis of covariance (ANCOVAs) was conducted with experiences of any anti-LGBTQ discrimination (a combined variable of whether the student experienced any of the 11 discriminatory actions assessed [see Discriminatory Practices and Policies section]) as the dependent variable, locale (urban, suburban, and rural) as the independent variable, and student demographic characteristics including sexual orientation, gender expression, and gender as covariates. The results of the analysis were significant: $F(2, 16081) = 76.77$, $p < .001$, $\eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. Rural students were more likely to experience anti-LGBTQ discrimination than urban and suburban students. No other significant differences were found. Percentages are shown for illustrative purposes.
- 357 To examine differences on access to GSAs, inclusive curriculum, inclusive curricular resources, and comprehensive anti-bullying/harassment and supportive trans/nonbinary policies by locale, a series of chi-square tests were conducted. (For the purposes of this analysis and similar analyses in this section regarding school differences in availability of comprehensive policy, we examined only whether students reported that their school had a comprehensive, i.e., fully enumerated, anti-bullying/harassment policy or not. Therefore, students without a comprehensive policy might have had a partially enumerated policy, a generic policy, or no policy at all). All analyses were significant – GSAs: $\chi^2 = 979.53$, $df = 2$, $p < .001$, Cramer's $V = .24$; LGBTQ website access: $\chi^2 = 76.30$, $df = 2$, $p < .001$, Cramer's $V = .07$; LGBTQ library resources: $\chi^2 = 56.28$, $df = 2$, $p < .001$, Cramer's $V = .06$; LGBTQ inclusion in textbooks/other assigned readings: $\chi^2 = 92.28$, $df = 2$, $p < .001$, Cramer's $V = .08$; LGBTQ-inclusive curriculum: $\chi^2 = 162.96$, $df = 2$, $p < .001$, Cramer's $V = .10$; LGBTQ-inclusive sex education: $\chi^2 = 86.34$, $df = 2$, $p < .001$, Cramer's $V = .07$; Safe Space stickers/posters: $\chi^2 = 718.02$, $df = 2$, $p < .001$, Cramer's $V = .21$; Comprehensive anti-bullying/harassment policy: $\chi^2 = 75.39$, $df = 2$, $p < .001$, Cramer's $V = .07$; Trans/nonbinary student policy: $\chi^2 = 89.91$, $df = 2$, $p < .001$, Cramer's $V = .07$. Post hoc comparisons were considered at $p < .05$. GSAs: Rural students had less than urban and suburban students; urban students had less than suburban students. LGBTQ website access: Rural students had less than urban and suburban students; urban students had less than suburban students. LGBTQ library resources: Rural and urban students had less than suburban students; no other significant differences were found. LGBTQ inclusive textbooks/other readings: Rural students had less than urban and suburban students; no other significant differences were found. LGBTQ-inclusive curriculum: Rural students had less than urban and suburban students; urban students had more than suburban students. LGBTQ-inclusive sex education: Rural students had less

than urban and suburban students; urban students had more than suburban students. Safe Space stickers/posters: Rural students had less than urban and suburban students; urban students had less than suburban students. Comprehensive policy: Rural students had less than urban and suburban students; no other significant differences were found. Supportive trans/nonbinary policy: Rural students had less than urban and suburban students; urban students had more than suburban students. Percentages are shown for illustrative purposes.

To examine differences in supportive school personnel by locale, two separate analysis of variance (ANOVAs) were conducted with supportive educators and supportive administrators as the dependent variables, and locale (urban, suburban, and rural) as the independent variable. The results for both analyses were significant – Supportive educators: $F(2, 16354) = 378.95, p < .001, \eta_p^2 = .04$; Supportive administrators: $F(2, 16312) = 165.09, p < .001, \eta_p^2 = .02$. Post hoc comparisons were considered at $p < .05$. Supportive educators: Rural students had less than urban and suburban students; urban students had less than suburban students. Supportive administrators: Rural students had less than urban and suburban students; no other significant differences were found. Percentages are shown for illustrative purposes.

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- 360 To examine differences in anti-LGBTQ language by region, a multivariate analysis of variance (MANOVA) was conducted with the anti-LGBTQ remarks variables ("gay" used in a negative way, "no homo," other homophobic remarks, negative remarks about gender expression, and negative remarks about transgender people) as the dependent variables, and region (South, Midwest, West, and Northeast) as the independent variable. Multivariate results were significant: Pillai's Trace = .03, $F(15, 49668) = 30.38, p < .001$. All univariate effects were significant – "Gay" used in a negative way: $F(3, 16558) = 65.63, p < .001, \eta_p^2 = .01$; "No homo": $F(3, 16558) = 73.63, p < .001, \eta_p^2 = .01$; Other homophobic remarks: $F(3, 16558) = 64.87, p < .001, \eta_p^2 = .01$; Negative remarks about gender expression: $F(3, 16558) = 28.81, p < .001, \eta_p^2 = .01$; Trans remarks: $F(3, 16558) = 51.51, p < .001, \eta_p^2 = .01$. Post hoc comparisons were considered at $p < .01$. "Gay" used in a negative way: Students in the South heard more than all the other regions; students in the Midwest heard more than the West and Northeast; no other significant differences were found. "No homo": Students in the South heard more than the Midwest and Northeast; students in the Midwest heard less than the West and more than the Northeast; students in the West heard more than the Northeast; no other significant differences were found. Other homophobic remarks: Students in the South heard more than all the other regions; students in the Midwest heard more than the West and Northeast; no other significant differences were found. Negative gender expression remarks: Students in the South heard more than all the other regions; students in Midwest heard more than the West and Northeast; no other significant differences were found. Negative transgender remarks: Students in the South heard more than all the other regions; students in the Midwest heard more than the West and Northeast; no other significant differences were found. Percentages are shown for illustrative purposes.

- 361 To examine differences on anti-LGBTQ victimization experiences by region, a multivariate analysis of covariance (MANCOVA) was conducted with experiences of anti-LGBTQ victimization (i.e., the three weighted victimization variables for victimization based on sexual orientation, gender expression, and gender) as the dependent variables, region (South, Midwest, West, and Northeast) as the independent variable, and student demographic

characteristics (sexual orientation, gender expression, and gender) and any school discipline (a combined variable of whether the student experienced any of the five types of school discipline [see School Climate and School Discipline section]) as covariates. Multivariate results were significant: Pillai's Trace = .01, $F(9, 46383) = 10.19, p < .001$. Univariate effects were significant for all types of anti-LGBTQ victimization – Victimization based on sexual orientation: $F(3, 15461) = 24.78, p < .001, \eta_p^2 = .01$; Victimization based on gender expression: $F(3, 15461) = 13.33, p < .001, \eta_p^2 = .00$; Victimization based on gender: $F(3, 15461) = 11.42, p < .001, \eta_p^2 = .00$. Post hoc comparisons were considered at $p < .01$. Victimization based on sexual orientation: Students in the South experienced more than all other regions; students in the Midwest experienced more than the Northeast; no other significant differences were found. Victimization based on gender expression: Students in the South, Midwest, and West experienced more than the Northeast; no other significant differences were found. Victimization based on gender: Students in the South, Midwest, and West experienced more than the Northeast; no other significant differences were found. Percentages are shown for illustrative purposes.

- 362 To examine differences on experiences of anti-LGBTQ discriminatory policies and practices by region, an analysis of covariance (ANCOVA) was conducted with experiences of any anti-LGBTQ discrimination (a combined variable of whether the student experienced any of the 11 discriminatory actions assessed [see Discriminatory Practices and Policies section]) as the dependent variable, region (South, Midwest, West, Northeast) as the independent variable, and student demographic characteristics including sexual orientation, gender expression, and gender as covariates. The results of the analysis were significant: $F(3, 16195) = 123.27, p < .001, \eta_p^2 = .02$. Post hoc comparisons were considered at $p < .01$. Students in the South experienced more discrimination than all other regions; students in the Midwest experienced more discrimination than the West and Northeast; students in the West experienced more discrimination than the Northeast. Percentages are shown for illustrative purposes.

- 363 To examine differences on access to GSAs, inclusive curriculum, inclusive curricular resources, and comprehensive anti-bullying/harassment and supportive trans/nonbinary policies by region, a series of chi-square tests were conducted. (For the purposes of this analysis and similar analyses in this section regarding school differences in availability of comprehensive policy, we examined only whether students reported that their school had a comprehensive, i.e., fully enumerated, anti-bullying/harassment policy or not. Therefore, students without a comprehensive policy might have had a partially enumerated policy, a generic policy, or no policy at all). All analyses were significant – GSAs: $\chi^2 = 852.60, df = 3, p < .001$, Cramer's V = .23; LGBTQ website access: $\chi^2 = 322.82, df = 3, p < .001$, Cramer's V = .14; LGBTQ library resources: $\chi^2 = 133.06, df = 3, p < .001$, Cramer's V = .09; LGBTQ inclusion in textbooks/other assigned readings: $\chi^2 = 49.39, df = 3, p < .001$, Cramer's V = .06; LGBTQ-inclusive curriculum: $\chi^2 = 336.83, df = 3, p < .001$, Cramer's V = .14; LGBTQ-inclusive sex education: $\chi^2 = 536.05, df = 3, p < .001$, Cramer's V = .18; Safe Space stickers/posters: $\chi^2 = 1151.96, df = 3, p < .001$, Cramer's V = .26; Comprehensive anti-bullying/harassment policy: $\chi^2 = 527.73, df = 3, p < .001$, Cramer's V = .18; Supportive trans/nonbinary student policy: $\chi^2 = 414.97, df = 3, p < .001$, Cramer's V = .16. Post hoc comparisons were considered at $p < .05$. GSAs: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast; no other significant differences were found. LGBTQ website access: Students in the South had less than all other regions; students in the Midwest and West had less than the Northeast; no other significant differences were found. LGBTQ library resources: Students in the South had less than all other regions; students in the Midwest and West had less than the Northeast; no other significant differences were found. LGBTQ inclusive textbooks/other readings: Students in the South had less than all other regions; students in the Midwest had less than the Northeast; no other significant differences were found. LGBTQ-inclusive curriculum: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast; no other significant differences were found. LGBTQ-inclusive sex education: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast; no other significant differences were found. Safe Space stickers/posters: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast; students in the West had less than the Northeast. Comprehensive policy: Students in the South

had less than all other regions; students in the Midwest had less than the West and Northeast; students in the West had less than the Northeast. Supportive trans/nonbinary policy: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast; no other significant differences were found. Percentages are shown for illustrative purposes.

To compare differences in supportive school personnel by region, two separate analysis of variance (ANOVAs) were conducted with supportive educators and supportive administrators as the dependent variables, and region (South, Midwest, West, and Northeast) as the independent variable. The results for both analyses were significant – Supportive educators: $F(3, 16476) = 237.16, p < .001, \eta_p^2 = .04$; Supportive administrators: $F(3, 16419) = 275.17, p < .001, \eta_p^2 = .05$. Post hoc comparisons were considered at $p < .05$. Supportive educators: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast; students in the West had less than the Northeast. Supportive administrators: Students in the South had less than all other regions; students in the Midwest had less than the West and Northeast, students in the West had less than Northeast. Percentages are shown for illustrative purposes.

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- 366 Donheiser, J. (August, 2017). Chalkbeat explains: When can private schools discriminate against students? <https://www.chalkbeat.org/2017/8/10/21107283/chalkbeat-explains-when-can-private-schools-discriminate-against-students>
- 367 To examine differences across years in use of anti-LGBTQ language, a series of one-way analyses of covariance (ANCOVAs) were performed. Given certain demographic differences among the samples across the years, we controlled for participation in a community group or program for LGBTQ youth, age, racial/ethnic group, gender, sexual orientation, and method of taking the survey (paper vs. internet version). These individual-level covariates were chosen based on preliminary analysis that examined what school characteristics and personal demographics were most predictive of survey year membership. Because there were more cases in recent survey years that were missing on demographic information, we also included a dummy variable controlling for missing demographics. Because of the large sample size for all years combined, a more restrictive p-value was used when determining statistical significance: $p < .001$.
- To examine differences across years in the use of other homophobic remarks (e.g., “fag,” “dyke”), an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant, indicating mean differences across years: $F(10, 83530) = 153.92, p < .001, \eta_p^2 = .02$. Post-hoc group comparisons among years indicated 2019 was significantly different from all prior years. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019>all years; 2017<all but 2013 and 2019, >2013 and 2019; 2015<1999 to 2011, >2019; 2013<1999 to 2011, >2015 to 2019; 2011<1999,2001, >2013 to 2019; 2009<1999 and 2001, >2013 to 2019; 2007<1999 to 2005, >2013 to 2019; 2005<2013 to 2019, >1999,2001, and 2007; 2003<1999 and 2001, >2007 and 2013 to 2019; 2001<all but 1999; 1999<all but 2001.
- 368 To examine differences across years in the use of expressions like “that’s so gay,” an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant, indicating mean differences across years: $F(9, 82964) = 538.57, p < .001, \eta_p^2 = .05$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019>2015 and 2017, <2001 to 2011; 2017>2015, <all others; 2015>all years; 2013<2001 to 2011, >2015 to 2019; 2011<2001 to 2009, >2013 to 2019; 2009<2001 and 2003, >2013 to 2019; 2007<2001, >2011 to 2019; 2005>2011 to 2019; 2003>2009 to 2019; 2001>2007 to 2019.
- 369 To examine differences across years in the use of “no homo,” an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant, indicating mean

differences across years: $F(5, 73331) = 654.59, p < .001, \eta_p^2 = .04$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019>all years; 2017<2011 and 2013, >2019; 2015<2011 and 2013, >2019; 2013>2009, 2015, and 2017, <2011 and 2019; 2011>2009 to 2017, <2019; 2009<2009, 2011, and 2019.

- 370 To examine differences across years in the use of negative remarks about gender expression, an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years, using a composite variable of the means of the two variables (negative remarks about not acting “masculine enough” and about not acting “feminine enough”). The main effect for Survey Year was significant, indicating mean differences across years: $F(8, 82127) = 139.87, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019<all years; 2017<2003 to 2015, >2019; 2015<2005 to 2011, >2013 to 2019; 2013<2003 to 2017, >2019; 2011>2013 to 2019; 2009>2013 to 2019; 2007>2013 to 2019; 2005>2013 to 2019; 2003>2013, 2017, and 2019.
- 371 To examine differences across years in the use of negative remarks about transgender people, an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant, indicating mean differences across years: $F(3, 57656) = 53.86, p < .001, \eta_p^2 = .00$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019<2017, >2013 and 2015; 2017>all years; 2015>2013, <2017; 2013< all years.
- 372 To examine differences across years in the number of students in school who make homophobic remarks, an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant: $F(9, 82637) = 499.05, p < .001, \eta_p^2 = .05$. In examining post-hoc group comparisons, the mean for 2019 was statistically higher than 2017 at $p < .001$, but was not different than 2015, and there were no differences between 2015 and 2017. Given the effect size of these differences is so small, we considered them as not meaningfully different, as noted in the text. For all pairs, differences were considered at $p < .001$ (non-significant pairs not listed): 2019<2001 to 2013, >2017; 2017<all years but 2015; 2015<all years but 2017; 2011<2001 to 2009; >2013 to 2019; 2009 to 2003<2001, >2011 to 2019; 2001>all years.
- 373 To examine differences across years in the number of students in school who make negative remarks about gender expression, an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years as well as the frequency of hearing these remarks. The main effect for Survey Year was significant: $F(8, 77444) = 111.40, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019<all years; 2017<2003 to 2011, and 2015, >2019; 2015<2003, 2005, 2009, and 2011, >2017 and 2019; 2009<2003, >2013 to 2019; 2007<2003 and 2005, >2013, 2017, and 2019; 2005>2007, >2011 to 2019; 2003>2007 to 2019.
- 374 To examine differences across years in the frequency of hearing biased remarks from school staff, analyses of covariance (ANCOVAs) were performed controlling for demographic and method differences with each of the two dependent variables: frequency of hearing homophobic remarks and frequency of hearing negative remarks about gender expression from school staff. Regarding homophobic remarks, the main effect for Survey Year was significant: $F(9, 82770) = 72.86, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019<all years; 2017<2001, 2003, 2007, 2009, and 2011, >2019; 2015<2001 and 2003, <2007 to 2011, >2019; 2013<2001 to 2011, >2019; 2011<2001, 2007, and 2009, >2013 to 2019; 2009>2005, 2011 to 2019, <2007; 2007>2005 to 2019; 2005<2001, 2007, and 2009, >2013 and 2019; 2003>2013 to 2019; 2001>2005, 2011 to 2019.
- Regarding remarks about gender expression, the main effect for Survey Year was significant: $F(8, 79161) = 65.68, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019>2011 and 2013, <2019; 2017>all years but 2003; 2015>2009 to 2017; 2013<all years; 2011>2013, <2015 to 2019; 2009>2013, <2015 to 2019; 2007>2013, <2017; 2005>2013, <2017; 2003>2013.
- 375 Mean differences in intervention regarding homophobic remarks were examined using analysis of covariance (ANCOVA), controlling

- for demographic and method differences across the survey years, as well as the frequency of hearing those remarks. Regarding staff intervention, the main effect for Survey Year was significant: $F(9, 67870) = 22.36, p < .001, \eta_p^2 = .00$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019, 2017, and 2015 < 2003 to 2013; 2013 to 2009 < 2007, > 2015 to 2019; 2007 and 2005 > 2009 to 2019; 2003 > 2015 to 2019; 2001 not different from any years. Regarding student intervention, the main effect for Survey Year was significant: $F(9, 82416) = 50.55, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019 < all years; 2017 < 2001 to 2009, and 2015, > 2019; 2015 > 2011 to 2019, < 2001 and 2003; 2013 < 2001 to 2009, and 2015, > 2019; 2011 < 2001 to 2007, and 2015, > 2019; 2009 < 2001 to 2007, > 2013, 2017 and 2019; 2007 < 2001 and 2003, > 2009 to 2013, 2017 and 2019; 2005 > 2009 to 2013, 2017, 2019; 2003 and 2001 > 2007 to 2019.
- 376 Mean differences in intervention regarding negative remarks about gender expression were examined using a series of analyses of covariance (ANCOVA), controlling for demographic and method differences across the survey years. For staff intervention, the main effect for Survey Year was also significant: $F(8, 60285) = 49.20, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019 < 2003 to 2011, > 2009; 2017 > 2003 to 2011, < 2015; 2015 < all years; 2013 < 2003 to 2011, > 2015; 2011 < 2007, > 2013 to 2019; 2009 < 2007, > 2013 to 2019; 2007 > 2009 to 2019; 2005 and 2003 > 2013 to 2019. Regarding student intervention, the main effect for Survey Year was significant: $F(8, 77110) = 59.68, p < .001, \eta_p^2 = .01$. Pairwise differences were considered at $p < .001$ (non-significant pairs not listed): 2019 < 2007 and 2017, > 2009 to 2013; 2017 > 2009 to 2019; 2015 < 2007 and 2017, > 2011 and 2013; 2013 < all years but 2011; 2011 < all years but 2013; 2009 < 2003, 2007, 2017, and 2019, > 2013, and 2011; 2007 > 2009 to 2015, and 2019; 2005 and 2003 > 2011 and 2013.
- 377 To test differences across years in the experiences of victimization based on sexual orientation, a multivariate analysis of covariance was conducted with the three harassment/assault based on sexual orientation variables as dependent variables. In order to account for differences in sampling methods across years, youth group participation, age, race/ethnicity, and survey method were used as covariates. In 1999, frequency of harassment and assault was assessed using a 4-point scale, and in the subsequent year, a 5-point scale was used. To accommodate these differences for this variable, we examined differences in the frequency of reporting "Frequently." The multivariate results were significant: Pillai's Trace = .035, $F(30, 247089) = 98.27, p < .001$. Univariate effects and subsequent post-hoc comparisons were considered at $p < .001$. All three types of victimization were significant (non-significant pairs not listed). For verbal harassment, 2019 < 1999 to 2013; 2017 < 1999 to 2013; 2015 < 1999 to 2013; 2013 < 1999 to 2011, > 2015 to 2019; 2011 < 1999 to 2009, > 2013 to 2019; 2009 < 2001 and 2007; > 2011 to 2019; 2007 > 2009 to 2019; 2005 > 2011 to 2019; 2003 > 2011 to 2019; 2001 > 2009 to 2019; 1999 > 2011 to 2019. For physical harassment, 2019 < 2001 to 2015; 2017 < 2001 to 2015; 2015 < 2001, < 2005 to 2013, > 2017 and 2019; 2013 < 2001, 2005 to 2009, > 2015 to 2019; 2011 < 2001, 2007, and 2009, > 2015 to 2019; 2009 < 2007, > 2011 to 2019; 2007 > 1999, > 2003 to 2019; 2005 < 2007, > 2013 to 2019; 2003 < 2001 and 2007, > 2017 and 2019; 2001 < 2003, 2011 to 2019; 1999 < 2001 and 2008, > 2017 and 2019. For physical assault, 2019 < 2001, < 2005 to 2015; 2017 < 2001, < 2005 to 2015; 2015 < 2001, < 2007 to 2013, > 2017 and 2019; 2013 < 2007, > 2015 to 2019; 2011 < 2007, > 2015 to 2019; 2009 < 2007, > 2015 to 2019; 2007 > all years; 2005 < 2007, > 2017 and 2019; 2003 < 2007; 2001 < 2007, > 2017 and 2019; 1999 < 2007.
- 378 To examine differences across years in the experiences of victimization based on gender expression, a multivariate analysis of covariance (MANCOVA) was conducted with the three harassment/assault based on gender expression variables as dependent variables, controlling for demographic and method differences across years. The multivariate results were significant: Pillai's Trace = .039, $F(27, 240486) = 118.59, p < .001, \eta_p^2 = .01$. Univariate effects and subsequent post-hoc comparisons were considered at $p < .001$. All three types of victimization were significant. For verbal harassment, 2019 < all but 2015; 2017 < 2001 to 2013, > 2015, and 2019; 2015 < 2001 to 2017, > 2019; 2013 < 2001 to 2011, > 2015 to 2019; 2011 < 2001 to 2009, > 2013 to 2019; 2009 < 2001, and 2007, > 2011 to 2019; 2007 > 2009 to 2019; 2005 > 2011 to 2019; 2003 > 2011 to 2019; 2001 > 2009 to 2019. For physical harassment, 2019 < all years; 2017 < 2001 to 2013, < 2019; 2015 < 2001 to 2013, < 2019; 2013 < 2001 to 2011, > 2015 to 2019; 2011 < 2001 to 2007, > 2013 to 2019; 2009 < 2001, and 2007, > 2011 to 2019; 2007 > 2009 to 2019; 2005 < 2001, > 2013 to 2019; 2003 > 2013 to 2019; 2001 > 2005, 2009 to 2019. For physical assault, 2019 < 2001 to 2013, < 2017; 2017 < 2001 to 2013, < 2019; 2015 < 2001 to 2013; 2013 < 2001, 2007, and 2009, < 2015 to 2019; 2011 < 2001, and 2007, > 2015 to 2019; 2009 < 2007, > 2013 to 2019; 2007 > 2009 to 2019; 2005 > 2015 to 2019; 2003 > 2015 to 2019; 2001 > 2011 to 2019.
- 379 Mean differences in reporting victimization to school personnel were examined using an analysis of covariance (ANCOVA), controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant: $F(8, 56076) = 38.98, p < .001, \eta_p^2 = .01$. Post-hoc comparisons were considered at $p < .001$: 2019 < 2003, > 2005 to 2013; 2017 < 2003, > 2005 to 2015; 2015 < 2003, and 2017, > 2007 to 2011; 2013 < 2003, 2017, and 2019, > 2007 to 2011; 2011 < 2003, < 2013 to 2019; 2009 < 2003, and 2005, < 2013 to 2019; 2007 < 2003, < 2013 to 2019; 2005 < 2003, 2017, and 2019, > 2009; 2003 > all years.
- 380 Mean differences in the effectiveness of staff intervention regarding victimization were examined using an analysis of covariance (ANCOVA), controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant: $F(7, 24086) = 9.64, p < .001, \eta_p^2 = .00$. Post-hoc comparisons were considered at $p < .001$: 2019 and 2017 < 2005, 2009, and 2011; 2015 and 2013 < 2005; 2011 and 2009 > 2017, and 2019; 2007 < 2005; 2005 > 2007, 2013 to 2019.
- 381 The set of discrimination variables has changed over the years. In 2013, the set included 9 types of discrimination. In 2015, the list was expanded to 12 items. For the over-time analyses, we only examined the 9 types of discrimination that occurred in all years of the survey. In 2015, we added questions about sports-related discrimination and about being prevented from raising LGBTQ issues in extracurricular activities. In 2017, we also split the single question about discrimination regarding bathrooms and locker rooms into two separate questions. But for analysis over time, we combined the two variables about discrimination regarding bathrooms and regarding locker rooms so the data from 2017 and 2019 would be consistent with the data from 2013 and 2015.
- 382 Mean differences in overall experiences of discrimination were examined using an analysis of covariance (ANCOVA), controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant: $F(3, 57788) = 16.22, p < .001, \eta_p^2 = .00$. Post-hoc comparisons were considered at $p < .001$: 2019 < 2013, and 2017; 2017 < 2019; 2015 < 2013; 2013 > all years.
- 383 To examine differences across years in experiences of the specific types of discrimination, a multivariate analysis of covariance (MANCOVA) was conducted with the 9 discrimination variables as dependent variables, controlling for demographic and method differences across the survey years. The multivariate results were significant: Pillai's Trace = .030, $F(27, 168612) = 63.98, p < .001, \eta_p^2 = .01$. Univariate effects and subsequent post-hoc comparisons were considered at $p < .001$. Public affection: 2019 < 2013 and 2017; 2017 < 2013, > 2019; 2013 > 2017 and 2019; Bathroom or locker room use: 2019 > 2013 and 2015, < 2017; 2017 > all; 2015 < all; 2013 > 2015, < 2017 and 2019; Prevented from wearing clothes deemed "inappropriate" re: gender: 2019 < all; Using preferred names/pronouns: 2019 < 2017, > 2013; 2017 > all; 2015 > 2013, < 2017, 2013 < all; LGBTQ topics in class assignments/projects: 2013 > 2017, and 2019; Forming or promoting a GSA, Identifying as LGBTQ: 2013 > all; Attending a school dance: 2019 < all; 2017 < 2013 and 2015, > 2019; 2015 < 2013, > 2017 and 2019; 2013 > all; Wearing clothing supporting LGBTQ issues: 2013 > all; 2019 < all; Unfairly disciplined at school for identifying as LGBTQ: 2013 > all.
- 384 To examine differences across years in presence of a GSA, an analysis of covariance (ANCOVA) was conducted with the GSA variable as the dependent variable, controlling for demographic and method differences across survey years. The univariate effect for Survey Year was significant: $F(9, 82693) = 287.98, p < .001, \eta_p^2 = .03$. Post-hoc group comparisons were considered at $p < .001$:

- 2019>all; 2017>all prior years; 2015>all prior years; 2013>all prior years except 2003; 2011 and 2009>all prior years except 2003 and 2005; 2007>2001, <all other years; 2005>2001, 2007, and 2009, <2013 to 2019; 2003>2001, <2015 to 2019; 2001<all other years.
- 385 To examine differences across years in curricular resources, a multivariate analysis of covariance (MANCOVA) was conducted with four dependent variables (positive curricular representations of LGBTQ topics, inclusion of LGBTQ-related topics in textbooks, internet access to LGBTQ-related information/resources through school computers, LGBTQ-related library materials), controlling for demographic and method differences across survey years. The multivariate results were significant: Pillai's Trace = .039, $F(36, 328960) = 90.01$, $p < .001$, $\eta_p^2 = .01$. Univariate effects were significant for all variables at $p < .001$. Subsequent post-hoc comparisons were considered at $p < .001$. For textbooks, 2019 to 2013 were greater than all prior years; 2011 was greater than 2007. For library, 2019> all other years; 2017<2009, >2001, and 2019; 2015>2001, <2009, and 2019; 2013 and 2011>2001, <2019; 2009>2001, 2005, 2007, 2015, and 2017, <2019; 2007>2001, <2009, and 2019; 2005<2009, and 2019; 2003<2019; 2001<2007 to 2019. For internet access, 2019>all years; 2017>2001 to 2015, <2019; 2015>2001 to 2013, <2017, and 2019; 2013>2001, >2007 to 2011, <2015 to 2019; 2011>2001, 2007, and 2009, <2013 to 2019; 2009<2005, <2011 to 2019, >2007; 2007<2003 to 2019; 2005>2001, 2007, and 2009, <2015 to 2019; 2003>2001, and 2007, <2015 to 2019; 2001<2003, and 2005, <2011 to 2019. For curriculum, 2019>2001 to 2013, <2015; 2017>2001 to 2013; 2015>2001 to 2013, >2019; 2013>2005 to 2011, <2015 to 2019; 2011>2005 to 2009, <2015 to 2019; 2007 and 2009<2001 and 2003, <2011 to 2019; 2005<2011 to 2019; 2001 and 2013>2007 and 2009, <2015 to 2019.
- 386 To examine differences across years in being taught negative LGBTQ-related content, an analysis of covariance (ANCOVA) was performed, controlling for demographic and method differences across the survey years. The main effect for Survey Year was significant, indicating mean differences across years: $F(3, 57391) = 8.84$, $p < .001$, $\eta_p^2 = .00$. Post-hoc group comparisons were considered at $p < .001$. The percentage in 2013 was lower than 2015 and 2017, and there were no other significant differences across years. Estimated marginal means were: 2013 - 15.6%; 2015 - 17.5%; 2017 - 18.3%; 2019 - 17.3%.
- 387 In 2001, students were asked a question about whether there were any supportive school personnel in their school. In 2003 and beyond, we asked a Likert-type question about the number of supportive school personnel. In order to include 2001 in the analyses, we created a comparable dichotomous variable for the other survey years. To examine differences across all years, an analysis of covariance (ANCOVA) was conducted with the dichotomous variable of having any supportive educators as the dependent variable, controlling for demographic and method differences across survey years. The univariate effect for Survey Year was significant: $F(9, 81355) = 519.68$, $p < .001$, $\eta_p^2 = .05$. Post-hoc group comparisons were considered at $p < .001$: 2019> all years; 2017 and 2015>2001 to 2013, <2019; 2013>2001 to 2011, <2015 to 2019; 2011>2001 to 2007, <2013 to 2019; 2009>2001, 2005, and 2007, <2011 to 2019; 2007>2001, <2003 to 2019; 2005>2001 and 2007, <2009 to 2019; 2003>2001, and 2007, <2011 to 2019; 2001<all years.
- To examine differences in the number of supportive school personnel (in 2003 and beyond), we tested the mean difference on the full variable. The main effect for Survey Year was significant: $F(8, 80524) = 579.39$, $p < .001$, $\eta_p^2 = .05$. Post-hoc group comparisons were considered at $p < .001$: 2019>all years; 2017>2003 to 2013, <2019; 2015>2003 to 2013, and 2019; 2013>2003 to 2011, <2015 to 2019; 2011>2003 to 2009, <2013 to 2019; 2009>2003 to 2007, <2011 to 2019; 2007<all years; 2005 and 2003>2007, <2009 to 2019.
- 388 To examine differences across years in the percentage of students reporting a school harassment/assault policy, three analyses of covariance (ANCOVAs) were performed controlling for demographic and method differences with the three dependent variables: any type of policy, partially enumerated policy (enumerating sexual orientation or gender identity/expression, but not both), and comprehensive policy (enumerating both sexual orientation and gender identity/expression). Univariate effects indicated significant difference across years for each policy variable, and post-hoc comparisons by survey year were considered at $p < .001$. Any type of policy: $F(8, 81969) = 484.91$, $p < .001$, $\eta_p^2 = .05$; 2019>2003 to 2011, <2015; 2017>2003 to 2009, <2015; 2015>2003 to 2019; 2013>2003 to 2011, <2015 to 2019; 2011>2003 to 2009, <2013 to 2019; 2009>2003, <2005, <2011 to 2019; 2007>2003, <2005, <2011 to 2019; 2005>2003, 2007, and 2009, <2011 to 2019; 2003>all years. Partially enumerated policy: $F(7, 81095) = 62.11$, $p < .001$, $\eta_p^2 = .00$; 2019<all years; 2017, 2009, and 2007<2005, <2011 to 2015, >2019; 2015, 2013, 2011, and 2005>2007, 2009, 2017, and 2019. Comprehensive policy: $F(7, 81095) = 92.13$, $p < .001$, $\eta_p^2 = .01$; 2019 and 2017>2005 to 2015; 2015 and 2013>2005 to 2011, <2017 and 2019; 2011 and 2009<2013 to 2019; 2007 and 2005<2013 to 2019.
- 389 To examine differences across years, an analysis of covariance (ANCOVA) was conducted with the student acceptance variable as the dependent variable, controlling for demographic and method differences across years. The main effect for Survey Year was significant: $F(5, 72592) = 205.04$, $p < .001$, $\eta_p^2 = .01$. Post-hoc group comparisons were considered at $p < .001$: 2019 and 2017>2009 to 2013, <2015; 2015>all years; 2013>2009 and 2011, >2015 to 2019; 2011 and 2009<2013 to 2019.
- 390 A variety of strategies were used to target LGBTQ adolescents via Facebook, Instagram, and Snapchat ads: ads were shown to 13- to 18- year-olds, who indicated that they were interested in causes, events, or organizations specifically related to LGBTQ community or topics, or who were "friends" of those who followed one of the GLSEN-related Facebook/Instagram pages. Advertising on Instagram also involved videos of LGBTQ students from GLSEN's National Student Council promoting the survey study. In order to be included in the final sample, respondents had to have identified as lesbian, gay, bisexual, transgender, or queer or as a sexual orientation or gender that would fall under the LGBTQ "umbrella" (e.g., pansexual, questioning, genderqueer).
- 391 Pooled data from the 2015 and 2017 Youth Risk Behavior Survey document ways in which high school students who identify as LGBQ differ from students who engage in same-sex behavior but do not identify as LGBQ:
- Raspberry, C. N., Lowry, R., Johns, M., Robin, C., Dunville, R., Pampati, S., Dittus, P. J., & Balaji, A. (2018). Sexual risk behavior differences among sexual minority high school students – United States, 2015 and 2017. *MMWR*, *67*(36), 1007-1011.
- 392 Internal analyses of unweighted population-based data from the CDC 2017 Youth Risk Behavior Survey (YRBS) indicated that our sample of Black/African American LGBQ (2.6%) students was lower than the YRBS sample of Black/African American LGBQ (22.1%), and our sample of Hispanic/Latinx LGBQ students (14.6%) was lower than the YRBS sample (24.2%). Our sample of White LGBQ students (69.4%) was higher than the YRBS sample (41.4%). Our sample of AAPI (3.1%) and Native LGBTQ students (0.5%) were similar to the YRBS sample (4.7% and 1.0%, respectively). Although the YRBS data provides the closest estimate for NSCS data (as they are both national samples of secondary school students), there are key differences between these sample to bear in mind when considering comparisons— as noted in the text, racial/ethnic identity is captured differently by the NSCS and YRBS, and YRBS data is from 2017 whereas NSCS data is from 2019. Furthermore, the NSCS sample consists of both middle and high school students, whereas the national YRBS sample consist of only high school students. Finally, the full NSCS sample includes transgender and other nonbinary students, and there is no population-based national data of transgender and nonbinary students with which to compare the NSCS sample.
- Center for Disease Control and Prevention (CDC). *YRBSS Data & Documentation*. Available at: <https://www.cdc.gov/healthyyouth/data/yrebs/data.htm>.
- 393 Hispanic/Latinx and Arab American/Middle Eastern/North African categories were considered ethnicities as opposed to races, and thus students selecting either of those categories were coded as such, regardless of race (e.g., student selecting "African American" and "Latino/a" were coded as "Latino/a").
- 394 de Brey, C., Musu, L., McFarland, J., Wilkinson-Flicker, S., Diliberti, M., Zhang, A., Branstetter, C., and Wang, X. (2019). Status and Trends in the Education of Racial and Ethnic Groups 2018 (NCES 2019-038). U.S. Department of Education. Washington, DC: National Center for Education Statistics. Retrieved July 21, 2020 from <https://nces.ed.gov/pubs2019/2019038.pdf>.

Title Page Photo Descriptions

Cover: Members of GLSEN's National Student Council march at the 2019 World Pride march in New York City, on the 50th anniversary of the 1969 Stonewall Riots.

p. 15: Student organizers at GLSEN's 2007 Jump-Start National Student Leadership Summit.

p. 21: Members of Ilima Intermediate School's Rainbow Royales hold up a sign for No Name Calling Week. The Rainbow Royales were honored as GLSEN's 2020 GSA of the year.

p. 27: GLSEN contingent in the 2017 NYC Pride parade.

p. 31: Members of GLSEN's 2016–2017 National Student Council.

p. 39: Demonstrators marching with GLSEN and SMYAL in the 2018 March For Our Lives protest against gun violence.

p. 45: Students participating in a workshop at GLSEN's 2008 Jump-Start National Student Leadership Summit.

p. 57: Students marching with GLSEN in the 2014 New York Pride parade.

p. 69: A student organizer preparing for the 2004 National Day of Silence.

p. 87: Members of the 2011 cohort of GLSEN student ambassadors.

p. 93: Students participating in Youth Pride, NYC, in 2019.

p. 107: GLSEN's 2003 cohort of student organizers.

p. 115: GLSEN Southern Maine student leader, 2010.

p. 129: GLSEN Southern Maine at Portland Pride 2009.



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LGBTQ Populations: Psychologically Vulnerable Communities in the COVID-19 Pandemic

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In the wake of the 2019 novel coronavirus (COVID-19) pandemic and the psychological consequences that will follow, it is critical to acknowledge and understand the unique vulnerabilities of lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ) populations in order to provide equitable mental health intervention that reaches these highly at-risk groups. It is well established that LGBTQ persons face social disadvantages and mental health disparities, which may be exacerbated as a result of COVID-19 pandemic trauma and social isolation measures. This commentary highlights structural, social, and individual-level challenges among LGBTQ populations in the context of COVID-19 and proposes prevention recommendations to mitigate the psychological ramifications of COVID-19 pandemic-related trauma among LGBTQ persons.

Keywords: COVID-19, LGBTQ, mental health, social distancing, healthcare policy

As of April 29, 2020, there were 1,005,147 cases and 57,505 deaths due to the 2019 novel coronavirus (COVID-19) in the United States (Centers for Disease Control and Prevention [CDC], 2020). As the incidence of COVID-19 cases and deaths begins to decline, it is of utmost importance to act fast in responding to the psychological impact of COVID-19 pandemic trauma. Despite well-documented vulnerability to several social, health, and psy-

chological risks, lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ) populations have received minimal attention during the COVID-19 pandemic. This commentary discusses the status of U.S. healthcare systems and COVID-19 crisis response, outlines LGBTQ-specific risks for COVID-19 psychological burden, and proposes recommendations for mitigating the negative mental health impact of COVID-19 among LGBTQ persons.

U.S. Healthcare Systems During COVID-19

Thus far, millions of Americans have been laid off as a result of COVID-19. Recent data indicate that over 30 million Americans filed initial unemployment claims between March and April 2020 (U.S. Department of Labor, 2020), skyrocketing national unemployment rates to peak levels greater than those seen in the Great Recession of 2009 (Amadeo & Anderson, 2020). Unfortunately, LGBTQ persons may be overrepresented in these figures. For instance, 40% of all LGBTQ persons in the United States work in service-industry jobs (compared with 22% of non-LGBTQ persons), which suggests that LGBTQ persons are particularly vulnerable (especially LGBTQ persons of color) to financial, employment, and health-insurance-status ramifications as a result of COVID-19 (Whittington, Hadfield, & Calderon, 2020). To mitigate financial burden, the Coronavirus Aid, Relief, and Economic Security Act has provided one-time financial support to millions of eligible individuals, couples, and families in the United States during the pandemic (Snell, 2020).

For those with employer-sponsored health insurance, the loss of their jobs likely signifies the loss of health insurance coverage. These individuals may purchase private insurance under the Affordable Care Act (ACA) if granted a special enrollment period (Centers for Medicare and Medicaid Services [CMS], n.d.-b), sign up for Medicaid if they meet the “low-income” eligibility requirement (Garfield, Orgera, & Damico, 2020), or sign up for Medicare

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if they meet the “elderly age or disability” eligibility requirements (Social Security Administration, 2019). However, in states that have not expanded Medicaid (14 as of April 27, 2020; Kaiser Family Foundation, 2020), low-income workers who lose their jobs may fall into a coverage gap (Garfield et al., 2020), in which they make too much money to qualify for Medicaid but too little to afford ACA health insurance, significantly reducing their access to health care.

For currently insured persons, the Families First Coronavirus Response Act eliminated cost-sharing for COVID-19 testing under employer-sponsored and public health insurance plans (Cubanski & Freed, 2020; Moss et al., 2020; Rudowitz, 2020), and most private health insurers have waived cost-sharing for COVID-19 testing (America’s Health Insurance Plans [AHIP], 2020), benefiting many currently insured persons in the United States.

Persons who were uninsured before the pandemic are likely unable to enroll in a health insurance plan under the ACA because they are currently outside of the open-enrollment period or because they are ineligible (e.g., undocumented immigrants). Luckily, nine states and the District of Columbia are currently offering special open-enrollment periods during COVID-19 (Nania, 2020). Eligible persons in other states will have to wait until November 1, 2020, to be able to enroll in ACA health insurance (CMS, n.d.-a). Thus, many will remain unable to access health insurance during and after the pandemic and will be left with little to no alternatives for receiving health care and mental health care.

Structural Vulnerability Among LGBTQ Populations During COVID-19

Research consistently elucidates mental health disparities among LGBTQ persons relative to their heterosexual, cisgender counterparts (Plöderl & Tremblay, 2015; Price-Feeney, Green, & Dorison, 2020; Russell & Fish, 2016). These disparities are related to social inequalities that disproportionately affect LGBTQ persons. For instance, greater proportions of LGBTQ persons lack access to health insurance (17% vs. 12%) and face poverty (22% vs. 16%) compared with their non-LGBTQ counterparts (Whittington et al., 2020). Poverty figures extend to same-sex parents and single LGBTQ parents and their families, who are at least twice as likely to be living near the poverty line compared with their non-LGBTQ counterparts (Whittington et al., 2020). LGBTQ persons of color face even greater risk for social inequality (Baams, Wilson, & Russell, 2019; Conron & Wilson, 2019; Movement Advancement Project & SAGE, 2017; Morton et al., 2018; Whittington et al., 2020). Ultimately, mental health burden among LGBTQ persons (e.g., PTSD, anxiety, depression, suicidality) may be exacerbated by the psychological impact of COVID-19 pandemic trauma and its intersection with dimensions of social inequality (Galea, Merchant, & Lurie, 2020; Green, Price-Feeney, & Dorison, 2020; Reger, Stanley, & Joiner, 2020; Whittington et al., 2020).

U.S. Social and Physical Distancing Response to the COVID-19 Pandemic

On March 26, 2020, the president issued the “30 days to slow the spread” national social distancing and stay-at-home guidelines (White House, 2020). Between March 15 and April 7, 2020, 42

states, three counties, 10 cities, Puerto Rico, and the District of Columbia issued “curfew,” “stay-at-home,” or “shelter-in-place” executive orders (i.e., social and physical distancing mandates) to reduce the spread of COVID-19 (Mervosh, Lu, & Swales, 2020). As of April 29, 2020, 25 states were partially reopened or had begun to lift their mandates, and 25 states and the District of Columbia remained shut down or restricted (Mervosh & Lee, 2020).

Although these orders are designed to keep individuals and communities safe, they present unique challenges for many LGBTQ youth. The closing of K–12 and higher education institutions may confine LGBTQ young persons to traumatic and possibly abusive environments (Green et al., 2020; Whittington et al., 2020). Many LGBTQ youth cannot be their authentic selves at home because they have not disclosed their sexual and gender identities or because they were not met with support or acceptance from their parents and families (Green et al., 2020; Human Rights Campaign, 2018). Additionally, many college students who were living on or near university campuses have been forced to return to homes that may not be welcoming and safe (Green et al., 2020; Whittington et al., 2020). Indeed, research suggests that one third of LGBTQ youth experience parental rejection, and another third do not come out until they are adults (Rosario & Schrimshaw, 2013), and suicide (8 times more likely) and depression (6 times more likely) are significantly more likely among LGBTQ youth who are rejected by their parents (Ryan, Huebner, Diaz, & Sanchez, 2009), emphasizing the severity of this potentially co-occurring psychological trauma.

Schools and universities are a common gateway to mental health services for LGBTQ young persons (Dunbar, Sontag-Padilla, Ramchand, Seelam, & Stein, 2017; Pitcher, Camacho, Renn, & Woodford, 2018; Zhang, Finan, Bersamin, & Fisher, 2020). Among LGBTQ youth, even larger proportions of school-based mental health services are likely used by intersectionally marginalized LGBTQ youth, such as racial and ethnic minorities, the homeless, undocumented immigrants, and those from backgrounds of low socioeconomic status (Ali et al., 2019; Golberstein, Wen, & Miller, 2020). For LGBTQ youth relying on schools for mental health supports around identity development, coming out, and family rejection, the closing of schools is particularly grave (Green et al., 2020). Stay-at-home orders further reduce access to social and community support resources in schools, such as gender and sexualities alliances; other affirming student organizations; and supportive teachers, professors, coaches, counselors, and peers, all of which serve as buffers that protect LGBTQ youth against mental health burden due to social isolation and psychological trauma (Kaniuka et al., 2019; Parra, Bell, Benibgui, Helm, & Hastings, 2018; Poteat, Sinclair, DiGiovanni, Koenig, & Russell, 2013; Reger et al., 2020; Van Orden et al., 2010).

LGBTQ elders also face significant psychological threats as a result of stay-at-home orders during COVID-19. Indeed, LGBTQ elders are twice as likely to be single and living alone, 4 times less likely to have children, and more likely to be estranged from their biological families compared with their heterosexual, cisgender counterparts (de Vries et al., 2019; Whittington et al., 2020). This is highly concerning because social isolation, loneliness, and existing health and mental health concerns may be exacerbated among already-vulnerable LGBTQ elders as a result of COVID-19 pandemic trauma

(Steinman, Perry, & Perissinotto, 2020; Yarns, Abrams, Meeks, & Sewell, 2016; Zelle & Arms, 2015).

Supporting Mental Health Among LGBTQ Persons During the COVID-19 Aftermath

Clearly, social isolation is a great challenge faced by LGBTQ populations as a result of the COVID-19 pandemic. It is critical for mental health therapists, social services providers, employers, community-based organizations, schools, and higher education institutions serving LGBTQ persons to move toward online delivery of services and modes of work and education to mitigate the mental health ramifications of COVID-19 psychological trauma and social isolation (Galea et al., 2020; Green et al., 2020). Strong efforts are needed from leadership stakeholders in these institutions to incorporate LGBTQ-affirming virtual extracurricular activities that strengthen and maintain social support and community connectedness (Green et al., 2020). These institutions should further leverage social media to connect LGBTQ individuals to trusted, accessible, and affirming mental health resources, such as the Trevor Project (Galea et al., 2020; Green et al., 2020). Even more critical is ensuring human connections among intersectionally marginalized LGBTQ groups, such as low-income persons of color in unstable housing, who may lack equitable access to the digital technologies required to receive online services (Galea et al., 2020; Golberstein et al., 2020). Given the potential confining of LGBTQ young persons to abusive and traumatic environments, it is critical to provide attention to surveillance, reporting, and intervention of child abuse and domestic violence during and after the pandemic (Galea et al., 2020; Green et al., 2020).

Fortunately, many insurance companies are allowing therapists to bill for online therapy during the pandemic (AHIP, 2020). However, although many states have loosened credentialing requirements for doctors, the same is not true for therapists. Some states are granting extensions on licensure expiration dates and/or requesting that therapists with expired licenses return to the field, but state laws still require therapists to hold a license in the state where their client is physically located during teletherapy (American Association for Marriage and Family Therapy, 2020; American Psychological Association, 2020; National Association of Social Workers, 2020). Therefore, as LGBTQ persons shift physical locations during the pandemic (e.g., moving back home after universities closed or moving homes to care for sick family members), their connections to their existing therapists may be severed. Policy stakeholders are urged to lift state-based licensure requirements to increase access to affirming online therapy. Lastly, to help mitigate the psychological ramifications of COVID-19 pandemic trauma, policy stakeholders are urged to open ACA health plan enrollment and close the Medicaid coverage gap so that all uninsured persons are able to obtain health insurance and access affirming health and mental health care (Politz, 2020).

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Protecting Sexual and Gender Minorities in Academic Institutions With Disallowing Policies: Psychological, Ethical, and Accreditation Concerns

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Sexual and gender minority (SGM) college students and employees receive important protections from discrimination through various laws and accreditation standards from professional associations in the United States. However, many SGM people attend or are employed at disallowing religious universities/colleges (DRUs), which have restrictive disciplinary policies that prohibit expressions of nonheterosexual, noncisgender identities. These SGM individuals receive little to no protections under the law, nor from accreditors, due to various exemptions. Such policies and campus climates create unique risk factors and challenges for SGM students who attend DRUs. This interdisciplinary article reviews the current psychological research on SGM college student health and campus climate at DRUs, ethical standards that pertain to diversity and higher education for psychologists and counselors, and standards of accreditation from the authors' respective professional accreditors, the American Psychological Association and the Council for Accreditation of Counseling and Related Educational Programs. Further, the authors provide a basic overview of legal and public policy actions that address protections for SGM college students who attend DRUs. We then offer systemic recommendations to improve the safety and well-being of SGM people at DRUs through changing campus policies and stronger oversight from accrediting bodies and the United States government, while also safeguarding religious freedom and diversity.

Public Significance Statement

This article may impact accreditation standards, and enforcement thereof, related to diversity in psychology and counselor education programs accredited by the American Psychological Association and the Council for Accreditation of Counseling and Related Educational Programs. This article also provides recommendations for the U.S. Department of Education.

Keywords: sexual minority, transgender, religion, higher education, accreditation

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There are likely many reasons why faith-based higher education could appeal to sexual and gender minority (SGM) college students or employees, which include those who are lesbian, gay, bisexual, transgender, queer/questioning (LGBTQ), or same-sex attracted (Yarhouse, Stratton, Dean, & Brooke, 2009). These reasons may be complex. For example, Biaggio (2014, p. 94) noted the following:

Perhaps [SGM students and employees] embrace the institution's religion and want to obtain or provide an education within this perspective, maybe they wish to actively suppress or change perceived homosexual tendencies in view of their religion, or perhaps when they entered they did not have such tendencies.

SGM people may also wish to obtain training in the integration of religion, spirituality, and models of clinical care. Regardless, SGM students, faculty, and staff may face unique challenges and possible risks in the college environment when they attend disallowing religious universities/colleges (DRUs), which include Evangelical Christian, some Roman Catholic, and Church of Latter-Day Saints (Mormon) institutions. DRUs condemn and/or prohibit LGBTQ identities and expression through policies such as (but not limited to) barring admission of SGM students, prohibiting same-sex romantic expression or gender nonbinary identities, prohibiting gender affirming medical procedures, requiring counseling for SGM students, and/or prohibiting/limiting student organizations that affirm SGM identities (McEntarfer, 2011; Smith & Okech, 2016a; Wolff & Himes, 2010). Failure to comply with these standards may lead to dismissal, termination, or other consequences. DRUs share a common thread in explicitly teaching that LGBTQ identities and expressions are sinful (i.e., immoral, disordered) based on Christian tenets (see the appendix of Smith & Okech, 2016a). Hence, DRUs inherently reject scientific perspectives which normalize sexual and gender diversity (Biaggio, 2014).

Recent media coverage has highlighted negative experiences of some SGM students and employees who attend or are employed at DRUs in the United States, with most coverage focused on Evangelical Christian universities (Wheeler, 2016). Such reports document SGM individuals being dismissed due to their sexual orientation or gender identity, transgender students being barred from housing that aligns with their gender identity, and hostile environments toward allies (Cruz, 2015; Hunt & Pérez-Peña, 2014; Rokos, 2014).

Situations that involve conflict between institutional religious beliefs and nondiscrimination policies present difficult clinical, ethical, and legal tensions for DRUs, as well as the associations and governing bodies which accredit them. As such, the purpose of this interdisciplinary review is to critically synthesize legislative policies, research, professional ethical standards, and current accreditation standards from health-service psychology and clinical mental health counseling in the hope that future accreditation policies and regulatory actions will be grounded in sound available data, ethical principles, and professional guidelines.

Legislative and Public Policy Overview

The aforementioned media reports, in combination with student and organizational activism, generated legislation in the state of California as well as actions taken by the U.S. Department of Education (DoE) in 2015 due to concerns about the welfare of

SGM students who attend DRUs (California State Legislature, 2016; DoE, 2016). For example, Title IX is a federal statute prohibiting sex discrimination by educational institutions that receive federal funding. During the Obama-era, DoE began publishing Title IX exemption letters, which have been submitted by DRUs to immunize themselves from compliance with DoE's former interpretation that Title IX protects transgender students from discrimination. Many DRUs sought exemptions related to sexual orientation as well as gender identity to safeguard, among other things, their code of conduct policies and hiring and admission practices that are grounded in disaffirming religious doctrine. However, in February of 2017, the Trump Administration withdrew the previous Obama-era guidance on protections for transgender students under Title IX (Green, 2017). Further, DoE (2018) recently updated its website to state that "an institution's [Title IX] exempt status is not dependent upon its submission of a written statement to [the DoE]."

At the U.S. state level, California introduced legislation, which, in its original form, would have barred all colleges and universities that discriminate based on sexual orientation and gender identity from receiving state funds. However, this part of the legislation was ultimately defeated due to strong opposition from DRUs (McGreevy, 2016). Given the controversial nature of this topic, along with the inherent challenges of placing limits on religious expressions, this is likely to be only the beginning of future judicial and legislative disputes in ongoing efforts to advance protections for SGM students in the U.S. education system.

Setting an important legal precedent, the Supreme Court of Canada (2018) recently upheld the decision of two law societies, which regulate the legal profession in Canada, to deny accreditation to a law school proposed by Trinity Western University (TWU), a DRU. The law societies denied accreditation because TWU's code of conduct policy prohibits sexual expression between same-sex partners, even when such conduct occurs off campus and within a legal same-sex marriage. The law societies determined that such a policy would have the effect of denying equal access to the legal profession, diminishing diversity within the bar, and causing harm to LGBTQ law students. The Supreme Court of Canada agreed and concluded that "The reality is that most LGBTQ individuals will be deterred from attending TWU's proposed law school, and those who do attend will be at the risk of significant harm" (see paragraph 39 of Supreme Court of Canada, 2018).

Psychological Risk-Factors for SGM Students Who Attend DRUs

Several recent studies suggest that SGM students who attend DRUs face multiple risk factors, some of which may be unique or more pronounced at DRUs than other colleges. Among sexual minority (SM; e.g., lesbian, gay, bisexual) DRU students, Wolff, Himes, Soares, and Miller Kwon (2016) found that more than one third (37%) reported being bullied or harassed at school because of their sexual orientation. This number is almost twice the national average (23%) for SGM college students found by Rankin, Weber, Blumenfeld, and Frazer (2010). SM students who reported being bullied because of their sexual orientation were more likely to also report symptoms of depression (Wolff et al., 2016). Another study at a Roman Catholic university found that half of SGM undergrad-

uate students reported being harassed or bullied on campus, and that up to 16% experienced violence (Lockhart, 2013). However, students rarely reported these incidents due to fears of not being taken seriously, being treated with disrespect, outing themselves in an unsupportive environment, and worsening the situation (Lockhart, 2013). Another study of 104 SM students suggests that DRU campus climates are perceived as largely negative toward LGBTQ issues, with most derogatory remarks toward SM persons coming from other students, not from faculty or staff (Yarhouse et al., 2009). However, recent data suggest that some DRU faculty make derogatory remarks and jokes about SGM individuals in classes or are silent when derogatory remarks occur (Craig, Austin, Rashidi, & Adams, 2017).

SGM students attending DRUs may experience unique challenges and risks related to identity disclosure and development. For example, studies show that SM students at DRUs overwhelmingly publicly identify as heterosexual (Stratton, Dean, Yarhouse, & Lastoria, 2013) and conceal their identities due to a pervasive “culture of fear” and various safety concerns, which are linked to depression and suicide attempts (Craig et al., 2017, p. 9; Lockhart, 2013).

Recent studies show evidence of inadequate and harmful mental health services being provided to SGM students who attend DRUs. Two studies, one by Craig and colleagues (2017) and the other by Wolff et al. (2016) found that SM students reported that a mental health professional had attempted to change their sexual orientation (i.e., conversion therapy), which is widely condemned by professional associations (e.g., American Counseling Association [ACA], 2013; APA, 2009). Other students who received campus counseling at DRUs reported that they had been misdiagnosed with psychiatric illnesses (e.g., eating disorders) because of underlying gender dysphoria (Wolff, Stueland Kay, Himes, & Alquijay, 2017). Several participants also raised concerns about inadequate training for DRU staff on SGM issues. Of note, stigma, potential disciplinary action, and lack of provider competency may also partially explain low utilization rates of campus services among SGM students. For example, in one study only 14% of SM students sought counseling services at their DRU, despite recognition of services (Yarhouse et al., 2009).

Little research exists on how denominational types of DRU may influence SGM student experiences. However, Wolff et al.’s (2016) study found a link between more disallowing Christian denominations and the degree of difficulty SM students have with integrating their sexual orientation and religious beliefs. Hence, SM students who attended Mormon, Evangelical, and nondenominational Christian DRUs had significantly more difficulty coming to terms with their sexual orientation than those in Catholic or Mainline Protestant (e.g., Lutheran) universities.

Research also indicates that institutional policies and campus climates at DRUs may create difficulties for students in forming LGBTQ-affirming spaces. Wolff et al. (2016) found that less than half of SM students at DRUs were involved with an affirming campus organization, such as a Gender and Sexuality Alliance (GSA). Yet those students who were involved with a GSA had significantly less difficulty with resolving their sexual orientation, less negative sexual identities, and less religious incongruence (tension between one’s faith and sexual orientation) than those students not involved. McEntarfer (2011) found that SGM students used four major strategies to create GSA’s at DRUs: (1) *collab-*

orative (i.e., finding common ground with school administrators); (2) *conciliatory* (i.e., accepting restrictions of what can be done); (3) *assertive* (e.g., public, nonviolent protests and rejection of campus policies); and (4) *underground/subversive* (i.e., promoting change and advocacy via nonidentified students). Regardless of approach, these students and allied faculty made diversity a core focus of their advocacy, which required significant time, energy, and stress. In fact, several students who were heavily involved in GSA formation did not complete their degrees at these institutions. Though some DRU faculty and staff were visibly supportive of SGM students in McEntarfer’s study, other research portrays situations in which affirming employees are much less visible due to fears of job loss and other repercussions (Getz & Kirkley, 2006).

Extremely limited data exist on the experiences of gender minority (GM; e.g., transgender, nonbinary) students who attend DRUs. However, Wolff et al. (2017) found four major themes among GM students attending DRUs, including (1) invisibility of GM identities on campus, (2) interpersonal rejection due to GM expression and identity, (3) ongoing tension and ambivalence related to GM students’ religious beliefs and gender identities, and (4) resilience among GM students found through support systems. Specific examples included difficulty finding information about transgender issues on campus, a general sense of “don’t ask, don’t tell” around transgender issues; gender-based bullying and harassment on campus; leaving one’s religious community to find an affirming alternative; and finding affirming faculty, mental health, and medical resources on campus or nearby.

This small, but growing, body of research suggests wide variation in SGM student experiences, mental health, and overall perceptions within DRUs. As such, sweeping assumptions cannot be made about SGM student experiences at DRUs. However, when taken overall, the literature summarized above raises substantial concerns related to mental health risk-factors (e.g., depression, suicide), potentially unethical and unsupported mental health practices such as “conversion therapy,” lack of campus resources, barriers to forming social support groups (e.g., GSAs), and bullying/harassment of SGM students who attend DRUs.

Ethical and Professional Issues

Faculty affiliated with counselor education and psychology departments are compelled to adhere to the ACA (2014) Code of Ethics and American Psychological Association (APA) Ethical Principles of Psychologists and Code of Conduct (2010), respectively. Both codes promote client and student welfare and safety, and avoidance of doing harm, as paramount (ACA, 2014, Part A.1.a; APA, 2010, Preamble, p. 3). Further, they address issues of discrimination based on diversity factors, including those related to sexual orientation and gender identity (e.g., see APA, 2010, Part 3.01), hold practitioners and educators to the same standards, and articulate that professionals adhering to the aforementioned codes will maintain an awareness of their personal values and beliefs and the potential discriminatory nature of such values and beliefs (see ACA, 2014, Part A.4.B.). To this effect, APA (2010) mandates that “[p]sychologists try to eliminate the effect biases based on those factors have on their work, and that they do not knowingly participate in or condone activities of others based upon such prejudices” (Principle E, p. 4).

The ACA and APA standards cover pedagogical, clinical, and administrative policies and practices. Furthermore, both codes hold their professionals responsible for gaining competence in areas that impact the populations that they serve and recommend consultation and supervision as they gain additional experience with marginalized populations (ACA, 2014; APA, 2010). This standard is critical, given research findings related to attempts at sexual orientation change efforts (Craig et al., 2017; Wolff et al., 2016) and inaccurate diagnoses with SGM students (Wolff et al., 2017) by mental health professionals. Both findings suggest some professionals at DRUs may lack competence in addressing SGM-related concerns.

Within the ACA and APA codes, both recognize students as potentially vulnerable populations, particularly during supervision and during self-reflection aspects of clinical training which may require self-disclosure. The ACA code highlights an expectation that, “Counselor educators actively infuse multicultural/diversity competency in their training and supervision practices. They actively train students to gain awareness, knowledge, and skills in the competencies of multicultural practice” (F.11.C). APA Standard 2.01(e) states that

[p]sychologists respect the dignity and worth of all people, and the rights of individuals to privacy, confidentiality, and self-determination. Psychologists are aware that special safeguards may be necessary to protect the rights and welfare of persons or communities whose vulnerabilities impair autonomous decision making (<https://www.apa.org/ethics/code/index>).

Hence, this standard protects SGM students against coercion to share personal information regarding aversive personal experiences or stigmatized identities, thus further emphasizing boundaries of competence in DRU environments.

In sum, the responsibility to recognize, respect, and protect SGM people in environments that have disallowing policies is clearly embedded in both ACA and APA professional ethical codes. Counselor educators, counselors, and psychologists who adhere to their professional codes and standards of practice, therefore, have an obligation to advocate for the safety and equity of students who identify as SGMs, particularly in DRUs where those rights are very limited and SGM students and employees are explicitly marginalized by various policies.

Accreditation Standards

Numerous counseling and psychology graduate training programs that are housed in DRUs have received accreditation by their respective professional accrediting bodies. The Council for Accreditation of Counseling and Related Educational Programs (CACREP) accredits masters and doctoral counseling programs. Health service psychology programs are accredited by the APA Commission on Accreditation (CoA). Both accrediting bodies are charged with setting and monitoring precise standards for promoting consistent quality training across their accredited programs—including programs housed within DRUs.

APA’s Standards of Accreditation for Health Services Psychology and CACREP’s 2016 Standards have clear guidelines regarding ethical practice, issues of diversity, and multicultural competence. Both accreditation bodies define cultural diversity as including, but not limited to sexual orientation and gender identity.

Moreover, both mandate standards that if applied with fidelity, would leave little room for disallowing policies. In reference to the ethical standards mentioned earlier, CACREP (2016) standards require faculty within accredited programs to evaluate counselors in training in a manner that is “consistent with . . . ACA Code of Ethics” (p. 5), whereas APA standards state that “all policies and procedures used by the program must be consistent with the profession’s current ethics code” (APA, 2016, p. 11). CACREP (2016) also requires counselors to be trained “in eliminating biases, prejudices, and processes of intentional and unintentional oppression and discrimination” (see Sec II, 2f, p. 9). Both accrediting bodies call for systematic efforts to recruit and retain faculty, staff and students from diverse backgrounds, including SGM backgrounds (APA, 2016, p. 31; CACREP, 2016, p. 6).

Although CACREP (2016) standards do not explicitly address the conflicts between DRUs and SGM students, they do so indirectly by calling on counseling programs to challenge “institutional and societal barriers that impede access, equity and success for clients” (p. 8). APA accredited programs are “to ensure a supportive and encouraging learning environment” for diverse students and faculty and to avoid “restricting access . . . either directly or by imposing significant and disproportionate burdens on the basis of personal and demographic characteristics set forth in the definition of cultural diversity” (APA Standards, 2016, p. 9). The APA Standards (2016) go further to state the following:

This requirement does not exclude programs from having a religious affiliation or purpose and adopting and applying admission and employment policies that directly relate to this affiliation or purpose, so long as public notice of these policies has been made to applicants, students, faculty, and staff. . . . These policies may provide a preference for persons adhering to the religious purpose or affiliation of the program, but they shall not be used to preclude the admission, hiring, or retention of individuals because of the personal and demographic characteristics set forth under the definition of cultural diversity. (p. 9)

Hence, neither counseling nor psychology accreditation standards grant training programs housed in DRUs the freedom to exclude SGM identity and expressions from their definition of cultural diversity. Faculty within these programs are not exempted from addressing social injustices and inequities that impede access and equity for persons who identify as SGM. Despite these standards, APA and CACREP have accredited programs that are housed in DRUs which have taken wide latitudes to impede access and equity for SGM students on the grounds of religious liberty (for a review of CACREP accredited programs, see Smith & Okech, 2016a; Smith & Okech, 2016b; for APA accredited programs, see Biaggio, 2014). Further, codes of conduct which attach disciplinary consequences to SGM students, based solely on the student’s sexual or gender identity, would appear inconsistent with the APA accreditation policy that programs not use religion to “preclude retention” of diverse students (APA, 2016, p. 9).

Recommendations for Protecting SGM People at DRUs

In the spirit of protecting SGM students, improving campus safety, building stronger campus communities, and respecting religious diversity and freedom, we propose several recommendations below for APA and CACREP accredited programs and the

U.S. Department of Education (DoE). The recommendations are derived from the integration of the research, accreditation policies, professional ethical codes and standards, and law/policy described earlier, with a core understanding that these exist to protect vulnerable populations, such as SGM people.

Recommendation 1: Prohibit Accredited Programs From Linking Sexual and Gender Minority Identities to Disciplinary Consequences

The emerging (but steady) body of research, in combination with anecdotal media coverage, make clear that SGM students who attend DRUs may have unique risk factors for bullying, victimization, mental health problems, and exposure to harm. Further, a recent flurry of legal actions at the state and national level have arisen to promote and protect the safety of SGM students who attend DRUs, suggesting that the time for formal oversight has arrived. We support DRUs in their rights to maintain their own distinctive religious belief systems and traditions and note that accreditors must not violate their own professional standards with respect to religious diversity (Smith & Okech, 2016b). However, we believe it is unethical for DRU programs to force students and employees to adhere to behavioral codes which uniquely single-out and link SGM identities, including behaviors related to SGM identities, to disciplinary consequences. Such policies disregard the widely accepted scientific and ethical standards established by the APA and ACA. Moreover, SGM students are already a highly marginalized, at-risk population, therefore such policies likely threaten their safety and psychological well-being, a hypothesis tentatively supported by the studies cited above. Therefore, DRUs which maintain disciplinary policies that marginalize SGM people and place them at-risk should be held accountable by losing accreditation. Along with prohibiting these policies, accreditors should enforce existing standards that protect SGM students from being forced to disclose their identities (APA, 2010; ACA, 2014).

Some may counter that this process would unfairly single out faith-based programs based on their beliefs. However, for accreditation to be fair and consistent, all programs (regardless of religious affiliation) should be held to the same basic nondiscrimination and student safety standards. In the same vein, it equalizes codes of conduct for all students without targeting SGM students (e.g., if sexual relations before marriage are prohibited, why specify the gender of the sexual partners?). We also note that many Roman Catholic programs still maintain a unique religious identity without resorting to disciplinary consequences targeted at SGM students.

DRUs may argue that policies that disallow SGM identities are permissible since most of these institutions require students and faculty to sign a statement of faith and/or a behavioral conduct agreement prior to matriculation (Sells & Hagedorn, 2016). However, exploring and accepting one's sexual and or gender identity is a developmental process long supported by the extant literature (Bocking & Coleman, 2007). In other words, many SGMs in late adolescence through early adulthood have yet to develop the skills and knowledge necessary to own and voice their historically marginalized identities. Indeed, a recent study suggests that among highly religious SM men, coming out occurs later in life (Hoffarth & Bogaert, 2017). Further, Yarhouse and colleagues (2009) found that among Evangelical SMs who attend DRUs, they do not

disclose same-sex attraction until they are 18 and one half years old, on average (i.e., during their freshman year of college). Therefore, it is reasonable to deduce that many SGM employees and students may have signed such statements of faith while still unsure of their sexual or gender identity, or perhaps very early in their coming out process. For such individuals, embracing an identity after they have already begun a degree program within DRUs carries the burden of potential loss of course credit, tuition deposits and the duress of relocating to another program. For these reasons, disciplinary actions targeted toward SGM students fail to take personal development into consideration. Thus, for DRUs to use preadmission informed consent to defend disciplinary policies toward SGM students is an unscientific and deeply flawed argument.

Recommendation 2: Ensure That Nondiscrimination and Antiharassment/Violence Policies Include Sexual Orientation and Gender Identity

Regardless of theological doctrine on SGM identities/expressions, we believe there is substantial room for common ground in eliminating bullying or harassment of SGM students. As such, we call upon all DRUs accredited by APA and CACREP to explicitly add language to their nondiscrimination and antiharassment policies which includes gender identity and sexual orientation. Adding this language to existing policies sends a visible message that bullying of SGM students will not be tolerated. Of note, some DRUs which prohibit SGM expression have in fact added this language to their antidiscrimination policies (e.g., George Fox University, n.d.), which is a reasonable and positive step in creating safer campus environments while holding religious convictions. Further, DRUs should notify students about nondiscrimination and antiharassment policies, where to report complaints, where to receive medical and psychological support, and protect SGM individuals who make reports from retaliation. Moreover, DRUs should provide and publicize protections for SGM students who disclose their SGM identity, even if it violates the code of conduct, when reporting acts of sexual/gender violence or harassment. This would remove barriers to reporting harassment and sexual violence for SGM students who are victimized.

Recommendation 3: Improve Transparency

We applaud the previous Obama-era DoE for publicizing the requests of DRUs wanting to discriminate against SGM students via Title IX exemption (DoE, 2016). Moreover, DoE should require formal exemption request letters from DRUs and remove the guidance on its website that states otherwise (DoE, 2018). Though DRUs may be within their statutory rights to request and be granted such exemptions, DoE should provide greater transparency regarding both the actual requests and how the exemptions are granted. Further, it may help prospective students when selecting a college or university that is the right "fit" for them considering their values, gender identity, and/or sexual orientation. Similarly, we call upon the APA CoA and CACREP to follow the DoE's lead and publish searchable public lists of accredited programs that have requested exemptions from diversity, admission, hiring, and retention standards related to SGM identities. Further, concerns raised by CACREP or the APA CoA about any program's diversity during programmatic reviews should be made public.

Recommendation 4: Ensure Access to Culturally Competent Medical and Psychological Services

Medical and behavioral health providers that work for DRUs must be equipped to deliver clinical services which can address the complex intersection of gender, sexual orientation, and religion/spirituality for SGM students. This is not so easy a task and warrants significant institutional investment into training opportunities for staff. At DRUs that do not provide these services on-campus, careful attention must be paid to the qualifications of providers to whom students are referred. DRUs should implement screenings to ensure provider competence in working with SGM individuals and adherence to established professional guidelines. We raise this concern in light of [Wolff and colleagues \(2016\)](#) finding that a sizable portion of SGM students who attended DRUs had experienced attempted sexual orientation change by a professional. Further, [Wolff et al. \(2017\)](#) noted the importance of allowing transgender students access to medical providers who are knowledgeable about transition and other unique medical needs.

Recommendation 5: APA and ACA Should Develop Resources to Assist SGM Students Who Attend DRUs

We believe that psychology and counseling should also strive to promote research and develop resources for DRUs wishing to maintain their religious identities while also adhering to professional standards. We call upon ACA, APA, and CACREP to fund research and to develop task forces which produce formal guidelines to protect SGM people who attend/work at DRUs. Such guidelines should include how to address SGM diversity in course curriculum, establish appropriate housing for gender minorities, reduce bullying/harassment, and perform self-studies to assess their program climate regarding SGM concerns. Such guidance could be of great benefit to the programs which these associations accredit or assist, though these may be limited in scope to the specific programs or departments. Hence, we hope a broader, more comprehensive list of resources could be created by DoE and made widely available. Finally, we call upon the APA and ACA to set up and publicize confidential SGM related consultation resources (e.g., phone number) for students in accredited programs.

Recommendation 6: Protect and Promote Full Academic Freedom

Faculty, students, and staff should not be penalized for holding open dialogue in an academic environment, especially when the views espoused may be contrary to that of the institution. We raise this concern considering research and anecdotal reports suggesting that faculty and staff who express support for SGM students may face retaliation ([Cruz, 2015](#); [Getz & Kirkley, 2006](#)). These actions are extremely concerning, as they assert that mere difference of thought can be policed in university settings, even when an individual has not violated any behavioral standards. These also imply that faculty, staff, and students must maintain static views on rapidly changing social issues, an unreasonable expectation, especially in education. Our concerns appear to be consistent with accreditation language. For example, [APA's standards of accreditation \(2016\)](#) state that "regardless of a program's setting, the program may not constrain academic freedom [. . .]" (p. 8). We

interpret this language to be a strong endorsement of the importance of dialogue on campus which examines different viewpoints, a critical function of any academic institution. Policies which attach disciplinary consequences (e.g., employment termination) to faculty/staff who develop affirming views of SGM identities clearly violate such accreditation requirements and therefore warrant oversight from accreditors.

Recommendation 7: Allow SGM Students to Organize Social Support Networks Without Retaliation

GSAs can provide many potential benefits for SGM students who attend DRUs, including assistance for working through identity concerns, social support, decreased negative identities, and decreased religious incongruence ([Lockhart, 2013](#); [Wolff et al., 2016](#)). Moreover, research indicates that GSA's can provide resources to decrease bullying/harassment, improve perceptions of campus safety and belonging, educate via campus outreach, improve GPA's, and act as a protective factor against depression and substance abuse for SGM students ([Heck et al., 2014](#); [Ioverno, Belser, Baiocco, Grossman, & Russell, 2016](#); [Poteat, Sinclair, DiGiovanni, Koenig, & Russell, 2013](#); [Seelman, Forge, Walls, & Bridges, 2015](#)). Of note, the impact of a GSA may not be immediate, and, as such, DRUs should strive to make a sustained commitment to GSAs ([Ioverno et al., 2016](#)).

Past research indicates that SM students who attend DRUs may not identify with labels such as *gay* or *lesbian* ([Yarhouse et al., 2009](#)). As such, the phrase "GSA" may not work well for groups at some DRUs. Further, the structure of each group would need to be modified depending on the nature of the institution at a DRU. For example, some groups may be focused more on questioning individuals, rather than students who have resolved identity concerns. Though exact names and structure may vary, it is of utmost importance that SGM students be allowed to form such groups, and that disclosures in such groups not be used against them. DRUs should not subject such groups to additional monitoring, beyond what is required of other campus groups. Further, faculty/staff advisors of such groups must be adequately trained in SGM issues and respect the privacy of all members by not disclosing membership lists nor what is revealed in meetings, unless required by law (e.g., if a student is at-risk for self-harm).

Conclusion

Faith-based higher education has undoubtedly enriched the lives of many individuals who have been educated at these institutions. Actions taken to improve campus safety and a sense of belonging for SGM students only serve to strengthen these institutions. Though this task is difficult, it can be achieved through collaboration between diverse stakeholders (e.g., accreditors, administrators, faculty, students, and staff). Important steps include prohibiting discipline linked to SGM identities, adding sexual orientation and gender identity to antiharassment/violence policies, improving transparency, creating SGM-related resources, improving SGM competence in medical and psychological services, protecting academic freedom, and allowing SGM students to form important social support networks.

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Reframing, Reconciling, and Individualizing: How LGBTQ Activist Groups Shape Approaches to Religion and Sexuality

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Past research reveals the multiple ways that people grapple with the connections between religious and sexual identities. Some people perceive religious identities to be in conflict with lesbian, gay, bisexual, or queer (LGBQ) identities, but others believe such identities to be compatible. Some people look to religious authorities for guidance in understanding the connections between religious and LGBQ identities, whereas others rely on strategies of religious individualism. What factors affect people's approaches to understanding the connections between religious and sexual identities? Drawing on 77 interviews with participants in lesbian, gay, bisexual, transgender, and queer (LGBTQ) activist groups at four Christian colleges and universities, and employing Goffmanian insights, this article shows how LGBTQ activist groups' different audiences inspire distinct approaches to understanding religion and sexuality. The study demonstrates that activist groups can powerfully shape understandings of seemingly disparate social identities and suggests a theoretical framework for future research.

Key words: Christianity; sexuality/sexual orientation/homosexuality; social movements/collective behavior; qualitative methods

INTRODUCTION

Questions regarding the connections between religious and sexual identities have inspired a large body of research in sociology and religious studies. Much early research on this topic assumed that lesbian, gay, bisexual, or queer (LGBQ) people who are also persons of faith experience their religious and sexual identities as contradictory and that they must work hard to resolve these identity conflicts and any accompanying cognitive dissonance (e.g., Barton 2012; Crapo 2005;

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Erzen 2006; Lalich and McLaren 2010; Levy 2012; Loseke and Cavendish 2001; Mahaffy 1996; Pitt 2010; Rodriguez and Ouellette 2000; Schnoor 2006; Shah 2018; Thumma 1991; Wedow et al. 2017; Wilcox 2003; Winder 2015; Wolkomir 2006; Woodell et al. 2015; Yip 1997, 2005). Furthermore, much early research assumed that LGBTQ people primarily look to religious authorities for guidance in understanding their religious and sexual identities, or at least devote substantial effort to reconciling religion and sexuality using the framework of their religious tradition (e.g., Barton 2012; Crapo 2005; Erzen 2006; Lalich and McLaren 2010; Loseke and Cavendish 2001; Mahaffy 1996; Schnoor 2006; Thumma 1991; Wedow et al. 2017; Wolkomir 2006). However, emerging research reveals that some LGBTQ persons of faith experience no such conflicts and perceive their religious and sexual identities to be compatible (e.g., Cadge 2005; Fuist 2016; Moon 2014; Wilcox 2009). Similarly, researchers have shown that some LGBTQ people's efforts to understand the connection between their religious and sexual identities are better characterized by religious individualism (Roof 1999; Wuthnow 1998), for example, attempts to mine a variety of religious traditions to construct personalized understandings about religious and sexual identities (e.g., Wilcox 2009).

What factors shape people's choice of approaches to understanding the connections between religious and sexual identities? Although sociology is rich with single-case studies describing the many discourses informing understandings about religion and sexuality and the distinct strategies people use to understand the connections between their religious and sexual identities, we have generally lacked comparative studies of groups navigating questions about religion and sexuality that might provide analytic leverage to address this sociological question. I adopt such an approach here, analyzing the ways lesbian, gay, bisexual, transgender, and queer (LGBTQ) activist groups at four schools shape approaches to religion and sexuality.¹

I focus on LGBTQ activist groups at Christian colleges and universities, important sites of contemporary LGBTQ mobilization where debates over religion and sexuality have serious implications for campus policies and climates affecting a marginalized student population (Coley 2018a). Although federal law protects the ability of students to form LGBTQ groups at public universities, courts ruled in 1980s that LGBTQ groups at religious universities have no such right to organize due to first amendment religious provisions (Miceli 2005), and the federal government continues to grant religious universities waivers from nondiscrimination laws (Coley 2018a). Although more than 55% of Christian colleges and universities have adopted nondiscrimination policies inclusive of sexual orientation (Coley 2017), 31% of Christian colleges and universities continue to discriminate against

¹Although this article focuses on issues surrounding religion and sexuality, I use the full acronym "LGBTQ" when referring to the activist groups I study because all of these groups referred to themselves as "LGBT" or "LGBTQ" and thus included transgender issues within their purview.

LGBTQ people, often through bans on so-called “homosexual acts” (Coley 2018b). Furthermore, formally inclusive and exclusionary schools alike can be home to campus climates that are chilly or hostile in practice.

Employing Goffmanian insights on how people forge different frames (Goffman 1974) in their interactions with distinct audiences (Goffman 1959), this article reveals the contrasting ways that activist groups shape people’s approaches to understanding the connections between religious and sexual identities. LGBTQ activist groups engage audiences that can be distinguished along two dimensions: friends of the LGBQ community versus foes of the LGBQ community (Blee and McDowell 2012), and group outsiders comprising the front stage versus group insiders comprising the back stage (Goffman 1959). Whereas members of LGBTQ activist groups mobilizing friends adopt liberal compatibility discourses on religious and sexual identity, members of LGBTQ activist groups focused on outreach to foes engage conservative conflict discourses on religious and sexual identity. Furthermore, whereas groups oriented to the front stage defer to authoritative understandings of religious and sexual identities, groups oriented to the back stage allow for individualistic understandings of religion and sexuality.

This article’s findings hold important practical implications for those LGBTQ groups working to transform hearts and minds even in conservative Christian settings. Many students arrive at their Christian colleges and universities doubting the morality of same-sex relationships or LGBQ identities; other students may not have thought much about their beliefs about the connections between religion and sexuality or may be newly questioning discriminatory beliefs imparted through their upbringings. This article shows that groups play key roles in helping people understand the connections between religion and sexuality (cf. Fuist 2016; Izienicki 2017; Levy 2012), and in the process, the article develops a Goffmanian approach for understanding these groups’ work that can inform future scholarship on religion, sexuality, and social activism. I elaborate on these findings and their theoretical and practical implications later in the article, but first I review prior research, describe my core concepts and propositions, and outline my data and analytic approach.

PREVIOUS RESEARCH AND THEORY ON RELIGIOUS AND SEXUAL IDENTITIES

Although faith communities are often portrayed as opponents of LGBTQ rights, LGBQ people often report religion to be an important source of resiliency (Schmitz and Woodell 2018). Indeed, Sherkat (2016: 762) shows that most LGBQ people in the United States continue to identify with some form of religion. Given not only the taboo nature of sexuality within many faith communities but also the stigma attached to religion among many LGBQ people, though, how do LGBQ people come to understand the connections between religion and sexuality?

Conservative Versus Liberal Perceptions of Religious and Sexual Identities

In one line of research, scholars have documented contrasting conservative and liberal perceptions of the connections between religious and LGBTQ identities. People adopting conservative perceptions of religious and sexual identities take seriously many religious traditions' condemnations of same-sex relationships. Some LGBTQ people resolve these conflicts by attempting to rid themselves of homosexual desire altogether through ex-gay reparative therapy (Barton 2012: ch. 5; Erzen 2006; Wolkomir 2006) or by resolving to remain celibate (Wedow et al. 2017). Others attempt to resolve these conflicts by connecting to peers going through similar struggles, joining an affirming church, and/or reinterpreting church teachings (e.g., Crapo 2005; Lulich and McLaren 2010; Levy 2012; Mahaffy 1996; Pitt 2010; Rodriguez and Ouellette 2000; Schnoor 2006; Shah 2018; Thumma 1991; Wedow et al. 2017; Wilcox 2003; Winder 2015; Wolkomir 2006; Woodell et al. 2015; Yip 1997, 2005). Some may even opt to abandon religion altogether (e.g., Izienicki 2017; Wedow et al. 2017). However, these conflicts are resolved, LGBTQ people across many religious traditions have reported such struggles, including within historically white Protestant denominations (Barton 2012; Erzen 2006; Thumma 1991; Wolkomir 2006), historically black Protestant denominations (Pitt 2010; Winder 2015), Catholicism (Izienicki 2017; Loseke and Cavendish 2001; Wedow et al. 2017; Yip 1997, 2005), the Church of Jesus Christ of Latter-Day Saints (Crapo 2005), Jehovah's Witnesses (Lulich and McLaren 2010), Islam (Shah 2018; Yip 2005), and Judaism (Schnoor 2006).

LGBTQ people adopting liberal understandings of the connections between religious and sexual identities reject the premise that any kind of conflict or tension exists between their religious and sexual identities: as in the title of Fuist's (2016) study, "It just always seemed like it wasn't a big deal, yet I know for some people they really struggle with it." They may even report that their desire for same-sex relationships is a gift from God or a Godly calling (Moon 2014). As researchers have found, LGBTQ people expressing these views tend to be involved in a more limited set of religious groups, including (but not limited to) LGBTQ-led congregations within socially conservative Christian traditions [e.g., Catholic Dignity chapters (Fuist 2016)]; mainline Protestant congregations associated with denominations such as the Disciples of Christ, the Episcopal Church, the Evangelical Lutheran Church, the Presbyterian Church USA, the United Church of Christ, and the United Methodist Church (Wilcox 2009: ch. 4); and certain non-Christian religious traditions such as Buddhism (Cadge 2005).

Authoritative Versus Individualistic Strategies for Understanding Religious and Sexual Identities

In another line of research, scholars have analyzed the distinct authoritative and individualistic strategies people pursue to understand the connections between their religious and sexual identities [cf. discussion in Fuist et al. (2012) of LGBTQ groups that emphasize the collective as locus of authority vs. individual

as locus of authority]. In the authoritative approach, LGBQ people take very seriously the teachings of a single religious tradition, often the one in which they grew up or the one in which they found themselves when they came out. They then devote energy to understanding the implications of this religious tradition for their sexual identities (e.g., [Barton 2012](#): ch. 5; [Erzen 2006](#); [Izienicki 2017](#); [Lalich and McLaren 2010](#); [Loseke and Cavendish 2001](#); [Mahaffy 1996](#); [Schnoor 2006](#); [Thumma 1991](#); [Wedow et al. 2017](#); [Winder 2015](#); [Wolkomir 2006](#)). Even if they eventually reject the teachings of that tradition and seek out a religion that is more accepting, LGBQ people adopting authoritative understandings of religious and sexual identities remain committed to religious institutions and submit to authoritative teachings on religion and sexuality. Overall, people pursuing authoritative strategies for understanding the connections between religion and sexuality can be found in conservative and liberal religious groups alike.

By contrast, in the religious individualism approach, LGBQ people may show much less commitment to the formal teachings of religious authorities (e.g., [Pitt 2010](#)) or single religious institutions ([Wilcox 2009](#)). Instead, embracing the late modern (or postmodern) trend of focusing on the self as a kind of “reflexive” project ([Giddens 1991](#)), LGBQ people may mine insights from a variety of religious institutions to build a spirituality that personally suits them. For example, in her study on queer women’s religious individualism, [Wilcox \(2009: 123\)](#) shows that few of her respondents remained wholly committed to their childhood religions; rather, queer women often practiced strategies such as religious bricolage, in which they “create[d] unique mosaics of religious beliefs and practices drawn from a variety of different religions and teachers,” such as by mixing Christian beliefs with New Age practices (also see [Wilcox 2003](#)). Again, people pursuing individualistic strategies for understanding the connections between religion and sexuality can be found in conservative and liberal religious groups alike.

Impact of Groups on Approaches to Religious and Sexual Identities

Despite the large amount of research on religious and sexual identities, surprisingly little research explicitly considers how groups shape the ways people come to understand the connections between religious and sexual identities (cf. critiques by [Fuist 2016](#); [Izienicki 2017](#); [Levy 2012](#)). In fact, even most studies conducted within an organizational context arrive at the conclusion that people form their views on religion and sexuality before joining a particular organization. To consider major monographs on religion and sexuality: [Wilcox \(2003: 63\)](#) finds that the vast majority of participants in two Metropolitan Community Church congregations in California had reconciled their religion with their sexuality before arriving in their congregations; [Moon \(2004: 56\)](#) argues that (the mostly straight) people at conservative-leaning and liberal-leaning United Methodist congregations in Illinois generally arrived at their views on religion and homosexuality through personal experience, which informed their everyday theologies; and [Wolkomir \(2006\)](#) finds that people enrolling in a Southern ex-gay

organization had already concluded that same-sex desire was incompatible with their Christian faith by the time they arrived in the group. Certainly, studies find that such organizations shape the precise language participants use to understand religion and sexuality, but they do not necessarily lead to or change their overall perceptions of or strategies for understanding the connections between religious and sexual identities.

A comparison of the many case studies on the connection between religious and sexual identities does, though, provide clues that context must matter for people's approaches to understanding the connections between religious and sexual identities. As already shown, although most religious traditions provide adherents with the conservative notion that religious and sexual identities may be in conflict, a few religious traditions (such as LGBTQ-led religious congregations, many mainline Protestant congregations, and certain non-Christian religious groups) may lead to adherents' more liberal perceptions that their religious and sexual identities are compatible. Additionally, reviewing studies on LGBTQ-led congregations, [Wilcox \(2009\)](#) concludes that the male-dominated nature of many LGBTQ-led congregations, combined with the diverse spiritual landscape of a city like Los Angeles, may lead queer women to abandon participation in formal religious groups and pursue a strategy of religious individualism to construct their own personal religious approaches. The study that follows analyzes LGBTQ activist groups, a type of organization rarely considered in studies on religion and sexuality, and affirms that groups play a major role in shaping people's approaches to understanding the connections between religion and sexuality. It also advances scholarly literature by advancing a Goffmanian approach to understanding groups' impacts on approaches to religion and sexuality.

THEORETICAL FRAMEWORK

To conceptualize how LGBTQ activist groups shape participants' approaches to understanding the connections between religion and sexuality, I employ a Goffmanian approach that conceptualizes human interaction as social drama—with humans “performing” in different ways depending on the people with whom they interact [see [Sumerau et al. \(2016\)](#) for another Goffmanian approach to the study of religion and sexuality, based on Goffman's concept of the “moral career.”]. Specifically, I consider how LGBTQ activist groups forge different frames ([Goffman 1974](#); cf. [Snow et al. 1986](#); [Snow and Benford 1988](#)) in their interactions with different audiences ([Goffman 1959](#); cf. [Blee and McDowell 2012](#)), and in the process affect participants' approaches to understanding religion and sexuality.

In considering the impact of LGBTQ activist groups on approaches to religion and sexuality, I do not limit my attention to activist groups that deploy disruptive protest tactics in the pursuit of structural or policy changes, a focus that has traditionally characterized literature in social movement studies (cf. critique

in [Coley 2018a](#)). Rather, activist groups—defined broadly as groups that seek to bring about social change—deploy distinct tactics depending on the types of changes they seek and the constituencies they target to bring about those changes. Although some activist groups that I call direct action groups do deploy direct action tactics in hopes of convincing administrators to pass certain policies, other activist groups that I call educational groups engage in campus-wide educational campaigns to change students’ hearts and minds about religion and sexuality, and still other activist groups that I call solidarity groups construct safe spaces to connect similarly identified people with one another and facilitate members’ personal development (cf. [Coley 2018a](#)).² Thus, activist groups engage distinct audiences that may require distinct approaches to conversations about religion and sexuality.

The audiences that LGBTQ activist groups engage might first be categorized in terms of whether they comprise friends or foes ([Blee and McDowell 2012](#): 3). Scholars studying how activist groups draw people into a movement by promoting strategic action frames—pithy ways of describing the nature of social problems and the need to address those problems—have long argued that mobilization of foes (e.g., conservatives) requires attending to laborious tasks such as “frame transformation,” in which activists tackle the “old meanings or understandings” of people who are skeptical of a movement and then “plant and nurture new values” ([Snow et al. 1986](#): 473). Alternatively, mobilization of friends (e.g., liberals) may only require “frame bridging” and “frame extension,” in which activists diffuse information to potential beneficiaries or conscience constituents who already sympathize with the movement ([Snow et al. 1986](#)).

Audiences can also be categorized in terms of whether they comprise the front stage or the back stage ([Goffman 1959](#); also see [Benford and Hunt 1992](#)). When activist groups appeal to outsiders comprising the front stage—perhaps challenging leaders to change certain policies or attempting to change attitudes held by people in the wider community—framing scholars argue that they must adopt messaging that achieves broad “cultural resonance,” perhaps messaging rooted in authoritative cultural discourses ([Snow and Benford 1988](#)). However, when activist groups concentrate on insiders comprising the back stage—that is, attempt to facilitate personal changes among their members—any proffered ideas may not need to achieve cultural resonance but instead simply resonate with the lived experiences of individual members [see [Snow and Benford \(1988\)](#)’s discussion of experiential commensurability].

Based on this prior work on how distinct audiences necessitate different frames and framing tasks, we can formulate expectations about how LGBTQ

²The term “solidarity groups” is motivated in part by these groups’ emphasis on connecting people on the basis of their “solidary identities,” defined by [Gamson \(1991\)](#) as identities linked to specific social locations such as gender or sexuality. People in these groups provide support even to people who may not possess their same gender and sexual identities (e.g., a gay man may provide support to a transgender woman).

activist groups' different audiences shape distinct approaches to understanding the connections between religion and sexuality. First, LGBTQ activist groups do vary in terms of whether they mobilize foes or friends. Educational groups exist to change straight people's attitudes about same-sex relationships; they must attract straight, conservative Christians (foes) to their group and confront their beliefs that homosexuality is sinful head-on, offering perspectives about how Christian teachings can be reconciled with LGBQ people's desires to enter into same-sex relationships. These groups attempt to "challenge old meanings or understandings" (Snow et al. 1986: 473), directly engaging with *conservative* discourses about the conflictual nature of religious and LGBQ identities (table 1). Direct action groups and solidarity groups, however, exist to improve the lives of LGBTQ people, either by ensuring LGBTQ people are free of formal discrimination or by providing LGBTQ people opportunities for personal growth. They make no effort to mobilize conservative Christians but mobilize LGBTQ people and their allies (friends) to achieve their goals. These groups solely attempt to diffuse information to those sympathetic to a movement (Snow et al. 1986), adopting *liberal* compatibility discourses about religion and sexuality to which LGBTQ people and their allies are likely to respond favorably.

Second, some LGBTQ activist groups train the people whom they mobilize to adopt messaging for a wider audience (i.e., they speak to the front stage). Direct action groups certainly target a wider audience, as they must convince leaders to pass official changes in school policies. Educational groups also target a wider audience, as they seek to educate members of their broader Christian university community on LGBTQ issues. Both groups must ensure their messaging achieves cultural resonance with the outsiders to whom they communicate (Snow and Benford 1988), so they defer to *authoritative* understandings of religious and sexual identity derived from a single familiar religious tradition, Christianity (table 1). By contrast, solidarity groups exist by and for their LGBTQ members (i.e., they are oriented to the back stage): they seek to provide LGBTQ people opportunities to socialize and receive help in their life journeys and have no need to craft messaging for outsiders. Because they can simply concern themselves with whether ideas resonate with individual participants (Snow and Benford 1988), they can offer space for participants to construct personalized understandings of religion and sexuality, enabling participants' religious *individualism*.

An implication of this Goffmanian framework for understanding how LGBTQ activist groups shape approaches to religion and sexuality is that groups and their participants are strategic in their messaging. Although leaders who craft groups' messaging or members who adopt groups' proffered ideas might be personally religious or personally LGBQ, personal religiosity and personal identification with the LGBQ community are not necessary conditions for groups to successfully promote and shape beliefs about religion and LGBQ identities.

TABLE 1 Typology of Activist Groups and Their Associated Approaches to Religion and Sexuality

Activist group audiences	Groups mobilizing “friends”	Groups mobilizing “foes”
Groups with “front stage” orientation	Direct action groups— <i>Liberal</i> compatibility discourses rooted in <i>authoritative</i> understandings of religion and sexuality	Educational groups— <i>Conservative</i> conflict discourses rooted in <i>authoritative</i> understandings of religion and sexuality
Groups with “back stage” orientation	Solidarity groups— <i>Liberal</i> compatibility discourses rooted in <i>individualistic</i> understandings of religion and sexuality	Unobserved

DATA AND METHODS

To understand how people form their approaches to understanding religious and sexual identities, I conducted in-depth interviews with participants in LGBTQ activist groups at four Christian colleges and universities: Belmont University in Nashville, TN; Catholic University in Washington, DC; Goshen College in Goshen, IN; and Loyola University Chicago in Chicago, IL. I selected the four schools because they vary in terms of two characteristics that have been linked to varying levels of LGBTQ-inclusion at Christian colleges and universities (Coley 2018a: ch. 1): (1) whether they are affiliated with religious traditions emphasizing personal piety or social justice and (2) whether they are located in conservative or liberal states or districts (defined by a state’s or district’s vote for Mitt Romney or Barack Obama in the 2012 Presidential election). The schools also happened to differ in terms of Protestant or Catholic affiliations. The first school, Belmont, resides in a “red” state (Tennessee), was for much of its history affiliated with the Tennessee Baptist Convention, and at the time of the study branded itself as a conservative, nondenominational Christian university. The second school, Catholic University, is associated with the conservative wing of the Catholic Church but resides in the “blue” District of Columbia. Third, Goshen College belongs to a religious tradition that emphasizes social justice (the Mennonite Church USA)—the college brands itself as a “social justice college”—but resides in a “red” state (Indiana). Finally, Loyola Chicago belongs to a religious tradition that emphasizes social justice (the Jesuit order in Catholicism) and resides in a “blue” state (Illinois).

I employ a comparative case-based research strategy as a way to identify the specific characteristics of groups and/or their sites that contribute to variation in approaches to religion and sexuality. Specifically, by examining a range of activist groups (i.e., direct action groups, educational groups, solidarity groups)

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within a range of sites (e.g., sites that varied in terms of Catholic and Protestant affiliations, affiliations with communalistic and individualistic theological traditions, locations in blue and red states or districts), I was able to isolate characteristics that contributed to variation in approaches to religion and sexuality from others that did not. Ultimately, I show that characteristics of schools and their states or districts were less important than characteristics of activist groups and the audiences with whom they engage in shaping approaches to religion and sexuality.

I conducted interviews with 77 people overall. I sought out participants by e-mailing leaders featured on group web pages or Facebook groups, asking those leaders to circulate calls for participants within their groups, and following up on recommendations each participant made regarding other people I could interview. Most schools were home to multiple LGBTQ groups, so I sought out interviews with participants in any active groups. I draw especially on a subset of interviews with 65 students—25 at Belmont, 13 at Catholic, 12 at Goshen, and 15 at Loyola. Among these students, 54% identified as men, 86% identified as white, 77% identified as lesbian, gay, or bisexual, and 8% identified as transgender or gender fluid. In addition to quoting from interviews with student respondents, I occasionally refer to interviews with 12 faculty, staff, and community members who participated in protests or advised the groups—eight at Belmont, two at Loyola Chicago, one at Catholic, and one at Goshen.

I conducted most interviews during the 2013–2014 school year, although I also draw on an early wave of interviews collected at Belmont during the 2010–2011 school year when protests were taking place. The interviews ranged from 45 minutes to 3 hours, averaging 1.5 hours, and covered a wide range of topics, including participants' religious backgrounds and beliefs, participants' motivations (religious or otherwise) for joining LGBTQ groups, LGBTQ groups' religious messaging, the activities in which the LGBTQ groups were engaged, and the impacts of LGBTQ groups on participants' religious beliefs and practices.

I transcribed each interview and then inductively coded the interviews. For example, to identify LGBTQ groups' forms, I coded respondents' answers to an open-ended question that asked, "How would you describe your organization to someone who wasn't familiar with it?" I found that organizations exhibited one of three forms based on their missions and activities—direct action, educational, or solidarity forms—and that they varied in their front stage versus back stage orientation and their focus on mobilizing friends versus foes. In cases where groups took on multiple functions, I drew on data from questions that asked respondents to list activities that their group had been engaged in, which allowed me to assess groups' priorities and emphases. Similarly, in coding respondents' ways of talking about religion and sexuality, I coded a variety of questions related to respondents' religious views, including direct questions such as "How would you describe your own perspective on religion and sexuality?" I found that respondents tended to emphasize perceptions of religion and sexuality as either compatible or contradictory and used either authoritative or individualistic strategies for understanding

the connections between religion and sexuality. I then analyzed overlap in codes of LGBTQ groups' front stage versus back stage orientations and focuses on mobilizing friends versus foes, along with respondents' perceptions of and strategies for understanding overlaps in religion and sexuality, to arrive at the findings below. Note that, although I primarily rely on such interview data in describing my general findings, I occasionally reference field notes from personal observations of protests at Belmont and media coverage about the LGBTQ groups.

REFRAMING CONVERSATIONS ABOUT RELIGION AND SEXUALITY

Direct action groups deploy extra-institutional protest tactics (e.g., rallies, sit-ins) in an effort to change campus policies. Direct action groups were present at all four of the Christian colleges and universities at various points of time—for example, the Advocate group at Loyola Chicago as it operated in the mid-2000s, the CUAllies group at Catholic University as it operated from 2009 to 2011, and the Open Letter movement at Goshen College that lasted from 2011 to 2015—but I concentrate here on the Bridge Builders group at Belmont as it operated from 2010 to 2011.

Although Belmont's Bridge Builders group first operated as an (unofficial) educational group beginning in 2009—focusing on facilitating conversations about religion and sexuality with a select group of students and staff—the group shifted to its direct action form in the fall of 2010 after a soccer coach suddenly left the university after coming out as a lesbian and soon-to-be-mother. Although the exact circumstances of her departure were shrouded by a nondisclosure agreement, students believed that she was fired and thus quickly mobilized to pressure the school to adopt an inclusive nondiscrimination policy, which they believed would have protected the soccer coach, as well as approve their LGBTQ student group. The group's efforts were very successful: after only a few days of outside rallies, sit-ins, prayer walks, and letter writing drives—and after gaining the support of one of Belmont's most influential donors, Mike Curb, who told the media that “If the matter is not resolved, I will continue speaking out about this the rest of my life” ([Nashville Scene Staff 2011](#))—Bridge Builders convinced the school to approve the group and adopt an inclusive nondiscrimination policy.

As a direct action group, Bridge Builders had two characteristics that shaped the way its members approached discussions of religion and sexuality: first, the group was oriented to the front stage, seeking to ensure its appeals were heard by the wider community (including administrators). This front stage orientation necessitated that group members adopt a message rooted in the teachings of one religion (Christianity) that resonated with others at the university. Second, to achieve its goals, the group focused on mobilizing like-minded allies who were ready and willing to participate in protests against the soccer coach's firing on

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short notice. This focus on mobilizing like-minded allies led the group to rely on liberal understandings of religion and sexuality rooted in a Christian social justice ethic that saw Christianity as on the side of the oppressed, the kind of rhetoric that appealed to would-be protest participants.

Before the protests began, and every night following the start of the protests, Bridge Builders leaders met to discuss their messaging strategy. Most of the group's leaders were not well-steeped in debates about religion and sexuality. Thus, to help facilitate their sessions, group leaders invited students from nearby Vanderbilt University's Divinity School who had deeper insights into Christian perspectives on sexuality. For example, Danielle (all names are pseudonyms), a straight white student at Vanderbilt's Divinity School, helped the students craft their message. She told me that everything about her faith led her to support LGBTQ rights. For example, she pointed to Christian teachings that Jesus and God were with the "least" of those in society, as well as the teachings of John Wesley that called for members of the faith to love one another. She encouraged members to spread such a Christian message of justice and love:

AUTHOR: What about your faith motivates you to seek justice, as you've said. . . ?

DANIELLE: Well . . . for me the story of Jesus, which is a story that I cling to, is a story of somebody who was a stranger in a land and ministered to everyone. And Matthew 25 says whatever you've done unto the least of these brothers of mine, you've done unto me . . . that's the verse that always sticks to me, because if I think of people who are oppressed in this world, I think of people who can't marry the person of their choice. . . . Also, in Genesis, God declared all he had created good. And so if I have to choose between God and my gay friends, I choose my gay friends, because they're people who I can see I told the students that John Wesley, the good Methodist founder, said, though we may not think alike, can we not love alike? And to me, I think that's what the church is called to do. And so . . . it's just *everything* about my faith that causes me to do this.

Another student at Vanderbilt's nearby Divinity School, Jack, a white gay man, shared a similar view that the apparent firing of the soccer coach was a denigration of Christian values and that LGBTQ rights were in line with Christian teachings about "justice and peace and love":

AUTHOR: So what would you say motivated you to become involved in the protests?

JACK: . . . I felt what happened to the soccer coach was such a gross injustice, and I was troubled by the way that people were, from my perspective, denigrating Christianity by justifying [the soccer coach's] firing based on what they called Christian values. I thought, I have a responsibility as a divinity student, as a person of faith, not to allow that to win the day . . . I couldn't not get out and do something.

AUTHOR: Why do you think being a person of faith compelled you to take action. . . ?

JACK: So . . . as a person of faith, as a Christian, I believe in the stories and teachings of the Bible and the resounding calls over generations to act on behalf of justice and peace and love. And that action is something that I believe we are called as humans to work toward, realizing that it will always be incomplete and imperfect in this life. . . .

As I spoke to members of Bridge Builders, it was apparent that the group (partly thanks to the work of these seminary students) was shaping Belmont students' ways of speaking about religion and sexuality—whether or not the Belmont student in question was personally religious or not. Katie, an influential straight white woman leader in the group, spoke to me at some length about the group's efforts to frame LGBTQ inclusion as a value rooted in a Christian social justice ethic. Specifically, she noted that the group decided not to engage in attempts to change opponents' minds about the morality of same-sex relationships and instead decided to affirm the compatibility between Christianity and LGBTQ rights:

KATIE: I think we tried to stay away from the . . . Christianity is homosexuality right or wrong thing. We just stayed away from that because we were like, honestly it doesn't matter at this point, we're not going to try to change what people believe. . . . Rather than trying to change people's personal beliefs, we were trying to say what we believe is the correct Christian response. It's to be accepting and welcoming of everyone. . . . So part of it was saying, Belmont, you're being hypocritical because you're doing this out of your Christian faith, but at the same time you're not loving. . . .

When I asked another straight white member, Alex, about the kinds of messages he emphasized in talking to the media and others during the protests, he replied:

ALEX: That Christianity is not exclusive, it is inclusive. It is a faith about love. It's the greatest gift of all—love. To show the kind of hate and bitterness toward [the soccer coach]—not just her, but anyone who is gay or anyone who is different—is not holding up the values of Christianity, which are love and inclusiveness. . . . There were a lot of strong Christians trying to encourage love and acceptance of people who were different. . . . And I will be honest, I had not thought much about my own views on Christianity and gay rights issues much before the protests, but I feel like Bridge Builders helped me formulate my perspective on these issues, for sure.

Other students similarly told me that participation in the protests at Belmont greatly shaped both their beliefs and practices with respect to religion and sexuality. For example, a white lesbian woman named Rachel said she began attending an LGBTQ-friendly Christian church after meeting a religion major through the protests who was “very passionate about the fact that it was okay for her to [become] a pastor and to be gay, and that was totally fine, and that everyone should just get the fuck over it,” adding that the woman helped her understand “I didn't have to stick with the views that had been espoused to me since I was a child about gay people in religion.” Also, a white gay student named Cyrus told me group leaders helped him formulate his perspective on what a Christian university is supposed to be: “loving and inclusive” rather than hateful and exclusive.

It is clear protest participants responded well to the messaging strategy that group leaders promoted through meetings, Facebook events, and e-mails. In addition to conducting interviews, I attended the protests and took note of protest signs. I found nearly all contained “liberal” Christian themes: “WWJD?”, “God is Love, 1 John 4:8,” “Belmont, Love Thy Neighbor as Thyself,” “Jesus Had 2 Dads

and He Turned Out Just Fine,” “Jesus Was Born to a Nontraditional Mother, Would Belmont Fire Her Too?”, and “CHRIST = LOVE.” At the first protest, a retired African-American Methodist bishop prayed over the students, urging them to continue speaking out in favor of the Christian message of love and justice. At another event, a prayer walk, a white gay man raised similar themes: “God of peace and justice, you surround us now. We believe you liberate the oppressed, God” (Brooks 2010).

Overall, the protest participants continually expressed an understanding of Christianity as compatible with LGBTQ rights. The group’s front stage orientation led members to draw solely on teachings from the Christian religion, and the group’s focus on mobilizing friends led members to adopt perspectives that appealed to socially liberal members of its community.

RECONCILING RELIGION AND SEXUALITY

Educational groups use more conciliatory methods (Safe Zone trainings, lectures, movie showings) as a way to establish a shared set of beliefs and then inform their broader communities about those beliefs—in this case, beliefs related to religion and sexuality. Educational groups were present at most of the schools I studied at various points of time—such as Bridge Builders at Belmont as it operated in 2009 and then again after 2011, and CUAllies at Catholic University as it operated after 2011—but I focus here on the case of Advocates at Goshen College, which has operated as an educational group since its founding in the late 1990s.

The focus of Advocates on reconciling religion and sexuality was borne out of the circumstances of its founding. Specifically, as related to me by nearly every member of the Advocates group, the LGBTQ community at Goshen College suffered from a series of injustices in 1990s. In the most haunting episode, the outline of a human body was reportedly spray-painted across train tracks that run through the campus, along with the words “Another Dead Fag.” In another episode, a community bulletin board that contained pro-LGBTQ messages and flyers was set on fire. Although the Goshen College Board of Oversees had denied a group known as the Lesbian, Bisexual, and Gay Alliance official recognition in 1994, these acts of hate convinced the school to approve the LGBTQ group (as well as a solidarity group named PRISM) in the late 1990s. Needless to say, the Advocates group saw as its most pressing task the need to promote acceptance toward LGBTQ people on campus.

Two facets of Advocates, as an educational group, shaped its approach to conversations about religion and sexuality. First, like the direct action group discussed above, Advocates had a front stage orientation, concentrating on communicating a message about religion and sexuality to members of the wider Goshen College community. This front stage orientation meant that the group

would solely draw on teachings in Christianity, particularly teachings familiar to members of the Mennonite Church USA, thus employing an authoritative approach and ensuring the group’s message would resonate at the school. Second, and unlike the direct action group discussed above, Advocates had a focus on “mobilizing” (attracting to its events) people who were skeptical of or even hostile to LGBTQ people because of their more conservative Christian beliefs. Thus, Advocates had to engage with conservative beliefs that viewed Christianity and homosexuality as incompatible, teaching members of the community how the two could be reconciled. In the process, group members themselves learned a great deal about identity reconciliation.

Illustrative of its outreach to Christian skeptics or foes of LGBTQ rights, Advocates regularly organized lectures and workshops on campus to educate the wider community about LGBTQ issues. Advocates also worked with the school’s Campus Ministries, which agreed to require its “Ministry Leaders” (students who lived in every dorm on campus for the purpose of providing spiritual help to residents) to attend Safe Zone trainings and learn how to be allies to LGBTQ people. Through such events, respondents learned to grapple with the kinds of conservative understandings about religion and sexuality that they often ran up against. For example, a straight white member named Hope references group discussions and a lecture about how to read the Bible:

HOPE: I’ve been exposed to a lot of different Biblical interpretations through the group . . . and I’m sure you know about all the Sodom and Gomorrah and stuff . . . [we talked] about alternative Biblical interpretations and all the other immoralities and sexual immoralities going on in those stories as opposed to just a homosexual thing. And also . . . we were talking last week about different translations, different words in Greek and Hebrew that were translated into homosexual, and how that might not really have been as accurate as it should have been. . . . I don’t know if people told you about the Ted Swartz presentation we had. He had this quote about hawks coming down and pecking little bits of the Bible and how . . . it’s not proper to dive bomb and grab one little piece that’s applicable to your current situation, it’s important to actually understand the context. And remembering that Jesus didn’t directly say anything about homosexuality.

Similarly, when I asked his perspective on religion and sexuality, Liam, a gay man of color who was also active in College Ministries, referred to working through interpretations of Scripture that might be used against LGBTQ advocates:

AUTHOR: Has your participation in the organization shaped or changed your religious views at all? Has it given you a new perspective on religion and sexuality at all?

LIAM: Well, it . . . clarifies vague beliefs I’ve had in relation to religion and sexuality, sexuality in the church. I feel like I didn’t know a lot about that before. . . . There are a lot of great points in the Bible, but too many people take some parts literally, and some parts figuratively, and they’re not consistent. It’s important also to recognize issues of translation, and how the Bible has been translated continually over hundreds of years, and to recognize that some pronouns have been thrown in there with additional translation.

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Ron, a gay white man involved in the group, talks about reading articles about sexuality written by others within the Mennonite Church and coming to an understanding of gay sexuality as a “God-given good gift” that “we can use to help build the kingdom of God”:

RON: I definitely did a lot of work sifting through my thinking on [religion and sexuality] . . . other students in the group pointed me to texts that allowed me to work through my own thoughts on religion and sexuality. . . . So, sifting through all the hermeneutical questions and questions of interpretation. . . . [O]ne of the things at the core of my understanding of religion and sexuality that I have to keep reaffirming . . . as you hear so much condemnation and very . . . closed-minded, legalistic understandings of scripture and sex, is holding on to the idea of sexuality as a good gift, a God-given good gift. . . . I read something from another gay Mennonite [who] talks about gay sexuality being a gift that we can use to help build the kingdom of God. . . . I like what that communicates, as being something we have to connect deeply with . . . another person, and in so doing . . . further the work of the kingdom of God.

Finally, when I interviewed Lynn—a straight woman of color who had not previously thought much about religious teachings on LGBTQ issues—she spoke about Bible verses that can be used to say “God doesn’t accept LGBTQ members”:

LYNN: Personally, I’m not the most religious person. But I think a lot of people have the understanding that . . . I guess they think certain Bible verses point to the idea that God doesn’t love, God doesn’t accept LGBTQ members. I’ve had to think a lot lately about my own views and responses to those people.

Overall, as with direct action groups, the front stage orientation of the Advocates group led the group to root its approach in the Christian religion, a religion with obvious resonance at a Mennonite school. Unlike direct action groups, however, the Advocates group was particularly engaged in drawing foes or skeptics to this group, and this led group members to take seriously the conservative premise that same-sex relationships are incompatible with Christianity.

INDIVIDUALIZING APPROACHES TO RELIGION AND SEXUALITY

Finally, solidarity groups construct safe spaces as a way to connect similarly-identified people with one another to engage in social activities and to provide mutual support. Solidarity groups have been present at most of the schools I studied at one point or another—from the short-lived Queer/Straight Student Organization (Q.S.S.O., pronounced “Queso”) at Belmont in 2014 to PRISM at Goshen College—but I focus here on the case of Advocate at Loyola Chicago.

Unlike the other colleges and universities in this study, Loyola Chicago was much farther along in terms of its evolution on LGBTQ rights during the time of my research. Although Loyola Chicago rejected a lesbian, gay, and bisexual group’s formal request for recognition in the 1980s, in 1990 it approved an organization

known as the Gay, Lesbian, and Bisexual Association (GLABA), and the mission of providing a welcoming environment for LGBTQ students has since been institutionalized at the university through the work of the Student Diversity & Multicultural Affairs Office. The school still does not have a “perfect record” on LGBTQ rights—after Illinois legalized same-sex marriage in 2013, for example, the school quickly passed a new rule saying that only “Catholic weddings” (between a man and a woman) would be allowed on campus. Nevertheless, because the university has become fairly welcoming to LGBTQ students, the LGBTQ student group that became known as Advocate has, especially in recent years, mostly focused on community-building and mutual support functions.

As a solidarity group, Advocate exclusively focused on mobilizing or engaging members of the LGBTQ community (“friends”). For example, the group provided personal support to LGBTQ people who were in the process of coming out or who were facing pushback or hostility from their family members and friends. The group also regularly organized social opportunities for LGBTQ people to meet each other, from ice cream socials to dodgeball nights to “Alphabet Soup” bingos. Advocate also organized meetings for members to talk about issues facing the LGBTQ community, including issues related to religion and sexuality, but unlike with educational groups, these events were intended for members rather than outsiders, so such events concentrated on liberal approaches that would appeal to many LGBTQ people.

The group also had a back stage orientation that did not require it to craft a message that would resonate with the broader Loyola community. Indeed, a through-line for all of its activities was an emphasis on celebrating the diversity of identities that existed within the group. The group very much embraced the idea of focusing on the self as a kind of “reflexive” project (Giddens 1991), of celebrating its members’ pursuits of authenticity, a focus that Wilcox (2009) views as emblematic of individualism. Because members were given ample opportunities to talk about their own identities—but were not encouraged to come to any kind of consensus about matters of religious and sexual identity, as were members of educational groups—students were exposed to views from a variety of religious traditions and were able to each arrive at religious beliefs that appealed to them personally. For example, Lily, a queer white woman, describes having come to reject her Catholic upbringing but now exploring Wiccan and Buddhist thought:

AUTHOR: Did you expect backlash in any way in response to your joining Advocates?

LILY: Coming into Loyola, I was scared out of my mind, because . . . I was stuck with this mentality of, oh, they’re Catholics, they’re going to scorn me. But honestly, once I talked to people about it and learned that it’s nicknamed “Gayola,” I felt a lot more safe and a lot more comfortable. Coming in, Day 1, I was like “oh, okay.”

AUTHOR: So do you have any religious background yourself? Or no?

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LILY: I used to be Roman Catholic as a child—I remember that I saw an episode of the Simpsons where they made a joke that every time you swear, you get 1,000 years of hell, and I panicked. . . . I started praying to God and all these things. . . . I’m at a point right now where—I’m done with the Roman Catholics personally. . . . But because of things I’ve learned in Advocate, I’m currently at an agnostic phase. I’ve learned about other religions, such as the Wiccan religion and the Buddhist religion, to kind of see where I fit. . . . I know it’s kind of a cliché, but I do believe in just general spirituality.

When I asked a queer white man named Franklin about his religious background, he described being a “pretty militant atheist” in high school. However, after his time in Advocate, he similarly now identifies as “some type of agnostic” and is reading Buddhist teachings:

FRANKLIN: Before I started college, I was a pretty militant atheist . . . but I know I’m not an atheist anymore, I’m some type of agnostic, I very much like Buddhist teachings I’ve read, so I think—I mean, I don’t even know what to classify as currently.

AUTHOR: Has Advocate played a role in any of your shift in mindset about religious issues, or was Advocate really not a part of that shift?

FRANKLIN: I think it was, yes. I think so much of the rhetoric around sexuality issues is that in order to be an activist on sexual issues you have to be completely secularist. . . . Advocate introduced me to people who are queer activists or Marxists but they are also incredible entrenched in a Catholic tradition and Catholic identity. . . . So I think that before being in Advocate . . . I thought it was very much an either/or choice, I didn’t know there are things like queer theology, liberation theology, and just how vast and expansive the Catholic tradition is, let alone all these other religions.

Elizabeth, a white pansexual woman, describes already having a very diverse religious upbringing. Although she was skeptical of Catholicism after high school, she now identifies as “20% Catholic” and attends mass in Chicago, partly because of people she met in Advocate:

AUTHOR: Coming into Loyola . . . did you identify . . . as Catholic?

ELIZABETH: [laughs] So this is usually where I start confusing people, because my dad is Catholic and my mom is Jewish. They got married and decided we should go to an American Baptist church. So I was baptized as an adult, since it’s Baptist. So technically I’m American Baptist. But I attended an Opus Dei school, and when I’m here I go to Catholic mass down the street. And occasionally mass on campus. But when I’m home, I also go to the Baptist church. I also do Jewish holidays—we’re planning Passover right now—so I also identify as Jewish. . . .

AUTHOR: Has the organization shaped your religious views at all?

ELIZABETH: My outlook on the Catholic Church from the time I graduated from high school to now has done a total 180, because I thought the Catholic Church was all like Opus Dei and that they all hate gay people and will stone us to death, but coming to Loyola, being around Catholic people in Advocate, I was like wow, the Catholic Church is actually really supportive of gay people, that’s amazing, I had no idea. So . . . I’m starting to be more open to involvement in the Catholic Church.

As a final example, a gay man of color named Damon was a committed Catholic upon enrolling at Loyola Chicago, but Advocate gave him space to explore the Episcopal Church, and he now attends an Episcopal congregation with his boyfriend whom he met in Advocate. When I asked if Advocate shaped his religious views, he replied:

DAMON: I think it has . . . what I've learned from Advocate has helped me go back and see where my faith and sexuality meet. It's definitely shaped my views about religion, for sure . . . and it's helped me value my own personal spirituality, more than anything else.

Certainly, the amount of religious diversity within the group is partly the result of Loyola Chicago's more diverse student body. However, Advocate clearly placed no pressure on members to adopt a coherent message about religion and sexuality that it might communicate to the wider campus. Rather, given its back stage orientation, Advocate celebrated the diversity in its midst, encouraging students to form their own unique religious views.

DISCUSSION AND CONCLUSION

What factors affect people's approaches to understanding the connections between religious and sexual identities? Recent studies have shown that groups can powerfully shape people's views about the connection between religious and sexual identities (Fuist 2016; Izienicki 2017; Levy 2012), including in ways that lead LGBTQ people to view such identities as compatible. This article affirms the role of groups in shaping approaches to religion and sexuality, but it also extends past research in two ways. First, the study analyzes how groups shape not only participants' views on the compatibility or contradictions of religious and LGBTQ identities but also participants' authoritative or individualistic strategies for understanding the connections between religious and LGBTQ identities. Second, the study examines a field of groups (activist groups) rarely examined in studies on how groups shape approaches to religion and sexuality.

The study arrives at two key findings. First, whether an LGBTQ activist group is primarily focused on mobilizing friends or foes affects whether the group gravitates toward liberal or conservative discourses on religion and sexuality. If an LGBTQ group only seeks to draw like-minded people to its protests or events, it will opt to use liberal rhetoric about the compatibility between religion and sexuality, the kind of rhetoric that will most appeal to allies; however, if an LGBTQ group seeks to draw skeptics or even opponents of LGBTQ equality to its events, it must directly engage with conservative discourses about religion and sexual identity conflicts. Second, whether an LGBTQ activist group is primarily oriented to the front stage or back stage affects whether it defers to widely shared, authoritative approaches to religion and sexuality or encourages members to develop personalized understandings of religion and sexuality. Specifically, if an LGBTQ group hopes to enact changes in its wider community, it will draw on

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authoritative teachings of a single religion that resonate with that community; however, if an LGBTQ group is primarily interested in facilitating members' personal growth, it will provide space for members to mine insights from a variety of religious traditions.

The study identifies three types of patterns—authoritative and liberal, authoritative and conservative, and individualistic and liberal—associated with three types of LGBTQ activist groups—direct action groups, educational groups, and solidarity groups, respectively. However, as [table 1](#) showed, one additional pattern is not analyzed in this study: an individualistic and conservative group. A group representing this kind of pattern would, theoretically, have a back stage orientation, catering only to its members, but a focus on engaging people skeptical about the morality of same-sex relationships. My research provided initial evidence that this kind of group exists: a “Difficult Dialogues” group focused on exploring the morality of same-sex relationships formed at Belmont in Spring 2010; however, the group was confidential in nature and short-lived. Thus, I lack extensive interview data on this type of group. Future research might analyze such groups and thus further assess the theoretical framework presented here.

The study points to new directions for research in the sociology of religion, advancing a Goffmanian framework that might be extended to examine how groups in other settings shape people's engagement in conversations about religion and sexuality. For example, future studies might examine whether LGBTQ activist groups in other types of settings shape approaches to conversations about religion and sexuality in ways similar to those described here; those studies could assess the article's generalizability beyond the field of Christian colleges and universities. Future studies might also build on the article's typology of audiences, identifying other categories of audience interactions that seem to matter for approaches to religion and sexuality.

The study also points to new directions in social movement studies. Recent studies show that activists' attitudes may be an outcome rather than just a cause of activist group participation (e.g., [Blee 2002](#); [Munson 2010](#)); this article builds on such research, illustrating that activist groups' interactions with distinct audiences play key roles in the beliefs that participants adopt. Further application of the Goffmanian approach to the study of activist groups, with its careful attention to activist group performances before different audiences, might yield insights about activist groups' impacts on members' beliefs with regard to a variety of other social issues.

The study's insights also hold important implications for the well-being of a marginalized student population. Because scholars have argued that activist groups' attempts to change policies are most effective when they make claims that are culturally resonant ([Snow and Benford 1988](#)), the finding that LGBTQ groups can shape how participants talk about religion and sexuality—as in this case, where groups framed justice for LGBTQ people as being rooted in Christianity, the religion with which these colleges and universities are

associated—is encouraging. Similarly, because scholars argue that activist groups are most effective in changing the minds of skeptics when they directly challenge skeptics’ understandings (Snow et al. 1986), the finding that LGBTQ groups can push participants to engage with conservative ideas about religion and sexuality could contribute to real improvements in campus climates. On Christian campuses across the United States, LGBTQ activist groups are indeed working to change campus policies and climates and are making real differences in the lives of students.

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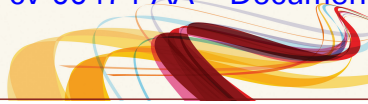
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Creating Safe Spaces: Opportunities, Resources, and LGBTQ Student Groups at U.S. Colleges and Universities

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Abstract

Research shows that lesbian, gay, bisexual, transgender, and queer (LGBTQ) student groups facilitate LGBTQ students' personal development. Nevertheless, we know little about the prevalence of LGBTQ student groups and why some colleges and universities are home to LGBTQ student groups while others are not. Drawing on our original database of officially recognized LGBTQ student groups across all four-year, not-for-profit U.S. colleges and universities, we first show that LGBTQ student groups can be found at 62 percent of U.S. colleges and universities. Guided by social movement theory, and employing logistic regression analyses, we then show that LGBTQ groups are more likely to be present in favorable political contexts (Democratic-leaning states), favorable educational sectors (public and secular schools), and schools that have the human and organizational resources necessary to support them. The study advances scholarship on LGBTQ issues in higher education and holds important practical implications for students working to promote LGBTQ inclusion in U.S. schools.

Keywords

LGBTQ, higher education, student activism, social movements

Introduction

Lesbian, gay, bisexual, transgender, and queer (LGBTQ) people have made substantial legal progress in the United States. Just two decades ago, no states recognized same-sex marriage, most states allowed people to be fired on the basis of their sexual orientation and/or gender identity, and more than a dozen states criminalized sexual intercourse between two consenting same-sex adults (Movement Advancement Project 2020). Today, as a result of Supreme Court rulings, same-sex marriages are recognized by every state, employment discrimination on the basis of sexual orientation and gender identity is prohibited, and so-called anti-sodomy laws have been struck down (Movement Advancement Project 2020).

Despite these rapid gains, LGBTQ people in the United States still face significant challenges. On U.S. college and university campuses, for example, LGBTQ students face problems ranging from formal discrimination (Coley 2018b) to microaggressions, bullying, and harassment (Chica 2019; Craig et al. 2017; Hughes 2019). These problems, in turn, contribute to higher rates of depression and suicidal ideation among LGBTQ college students (Craig et al. 2017; Wolff et al. 2016; Woodford, Kulick, and Atteberry 2015; Woodford, Weber, et al. 2018).

A growing body of research has demonstrated the role that LGBTQ groups play in addressing problems faced by LGBTQ students. For example, research shows that students who join LGBTQ groups are less likely to experience depression (Kulick et al. 2017; Woodford, Kulick, et al. 2018) and more likely to develop positive personal relationships (Fetner and Elafros 2015).¹ LGBTQ student groups also play an important role in improving the campus climate for all LGBTQ students, whether they participate in such groups or not (Hughes 2020; Marx and Kettrey 2016), and they inspire many students to engage in activism both within and outside

¹Kulick et al. (2017) show that the effects of campus engagement on mental health are contingent on race: "For White LGBTQ students, engagement in student leadership appears to weaken the heterosexism-depression link . . . [but for] LGBTQ students of color, engaging in LGBTQ-specific spaces can strengthen the association between sexual orientation victimization and depression" (p. 1125).

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the confines of their schools (Coley 2018a; Renn 2007; Renn and Bilodeau 2005; Schmitz and Tyler 2018).

Yet despite the demonstrated value of LGBTQ student groups, we currently know little about the prevalence of LGBTQ student groups and the types of school where LGBTQ student groups are most likely to be found. To date, only a few quantitative studies have systematically examined the presence of LGBTQ student groups or student centers at U.S. colleges and universities, and these studies are limited in their focus either by geographic scope—for example, Kane (2013) examines the establishment of LGBTQ student groups in a single state, North Carolina—or by educational sector—Coley (2017, 2020) examines LGBTQ student group formation at Christian colleges and universities. We simply lack an understanding of why some U.S. colleges and universities, beyond single states or particular educational sectors, might be home to LGBTQ student groups while other schools still lack them.

To both quantify and explain the presence of LGBTQ student groups on college and university campuses, we constructed an original, comprehensive data set of officially recognized LGBTQ student groups across all 1,953 four-year, not-for-profit colleges and universities in the United States. Building on political opportunity and educational opportunity theories of social movement mobilization, we assess the possibility that LGBTQ groups are more likely to be present in favorable political contexts (e.g., in blue states) and in favorable educational contexts (e.g., in public and secular schools). Additionally, building on resource mobilization theory, we consider whether LGBTQ groups are more likely to be present at schools that have the human and organizational resources necessary to form and/or sustain them (e.g., at schools with larger numbers of students, a higher percentage of women students, and Democratic student organizations). We find strong support for the association between political opportunities, educational opportunities, school resources, and the presence of LGBTQ student groups.

The study makes several contributions. First, we contribute the only study to date of LGBTQ groups across all four-year, not-for-profit U.S. colleges and universities, showing that LGBTQ groups can currently be found at the majority (62 percent) of such colleges and universities nationwide.² Second, we build on other studies that have linked political opportunities and school resources to the presence of LGBTQ student groups (Fetner and Kush 2008; Fine 2012; Kane 2013; McEntarfer 2011) but advance the literature by also assessing the association between educational opportunities and the presence of LGBTQ student groups. Finally, through our analysis of the opportunities and resources associated with the presence of LGBTQ student groups at U.S. colleges

and universities, we contribute practical insights into the environments most conducive to LGBTQ student groups. We elaborate on these findings and their implications later in the article, but first we describe our theoretical approach and outline our methods of data collection and our analytic strategy.

Theorizing the Presence of LGBTQ Student Groups at U.S. Colleges and Universities

To explain the presence of LGBTQ student groups at U.S. colleges and universities, we follow other scholars of LGBTQ student groups by drawing on theories from the sub-field of social movement studies (Fetner and Kush 2008; Fine 2012; Kane 2013; McEntarfer 2011). Why social movement theory? Although early social movement theorists focused on activist groups that deployed direct action tactics in pursuit of governmental policy changes (e.g., McAdam 1982), recent scholarship has sought to broaden scholars' understanding of the types of activities and goals that might be associated with activist groups. For example, in his study of LGBTQ student groups at Christian colleges and universities, Coley (2018a) identifies three ideal-typical forms of LGBTQ student groups. First, direct action groups deploy extra-institutional protest tactics (such as rallies, sit-ins, and marches) in pursuit of policy changes at their schools (e.g., changes in nondiscrimination policies). Second, educational groups employ more institutionalized, conciliatory educational tactics (such as lectures, movie showings, and Safe Zone trainings) in attempts to transform campus cultures (e.g., to reduce bullying and increase acceptance of LGBTQ people on campus). Finally, solidarity (or affinity) groups simply work to construct a safe space on campus for LGBTQ students to meet each other and support each other's personal growth. Although the methods and goals of these LGBTQ groups differ, they all seek to facilitate some type of change on their campuses and thus can be conceptualized as activist groups. In this section, we draw insights from several theories in social movement studies to suggest ways that *political opportunities*, *educational opportunities*, *human resources*, and *organizational resources* might facilitate the presence of LGBTQ groups at U.S. colleges and universities.

Political Opportunities

In social movement studies, political opportunity theories were borne out of an awareness that the political context can either enable or constrain social movement mobilization (McAdam 1982). When politicians signal that they are favorable to a given cause, activist groups that seek to advance that cause are more likely to emerge, grow, survive, and succeed (McAdam 1982). This is because favorable political opportunities can shape people's sense of "what is possible" (Johnston 2011:28), inspiring even highly marginalized groups to form organizations and/or continue mobilizing for change.

²A popular web resource, CampusPrideIndex.org, provides information about LGBTQ groups and LGBTQ rights initiatives on more than 300 of the 1,953 four-year, not-for-profit U.S. colleges and universities.

A key indicator of a favorable political environment for LGBTQ people is a state's support for Democratic presidential candidates. In the most recent presidential election, for example, Democratic presidential candidate Hillary Clinton issued statements of support for same-sex marriage, federal nondiscrimination laws inclusive of sexual orientation and gender identity, and policies ensuring that transgender students have equal access to schools. In contrast, Republican presidential candidate Donald Trump issued fairly ambivalent statements about the rights of LGBTQ people, and once in office, Trump quickly moved to roll back LGBTQ-inclusive policies (Zezima and Callahan 2016). Indeed, in one of his first acts in office, the Trump administration announced that it no longer considered Title IX of the Educational Amendments of 1972 to protect students on the basis of gender identity or gender expression and thus made it clear that it would not investigate colleges and universities that denied transgender students equal access to bathrooms, locker rooms, and residence halls (Kreighbaum 2017). Trump's supporters, moreover, were less supportive of LGBTQ rights such as same-sex marriage and antidiscrimination policies than were Clinton's supporters (Kaufman and Compton 2020).

A state's support for Democratic presidential candidates, then, may send a signal to LGBTQ students in that state that they live in a relatively liberal, accepting environment and thus that an LGBTQ student group could emerge or continue to thrive at their school. Past studies have indeed uncovered an association between a state's support for Democratic presidential candidates and the presence of LGBTQ student groups (Coley 2017, 2020) or LGBTQ student centers (Fine 2012).³ We assess a similar possibility here, employing a state's support for Hillary Clinton in 2016 as a proxy for a state's Democratic leanings:

Hypothesis 1. Colleges and universities located in states that cast more (in percentages) votes for the Democratic presidential candidate in 2016 are more likely to have LGBTQ student groups.

Educational Opportunities

Extending the insights of political opportunity theorists, social movement scholars have recently identified characteristics of educational opportunity structures that might enable or constrain campus activism (Coley 2021; Reger 2018). Coley (2021), for example, argues that public colleges and universities offer more opportunities for the formation of campus groups than private colleges and universities because public schools are “by definition less exclusive spaces than private schools” and are required by federal courts to allow students to form organizations that represent diverse

³In contrast to LGBTQ student groups, LGBTQ student centers are run by paid staff and thus receive a higher level of investment from their respective colleges and universities (Fine 2012).

backgrounds and viewpoints (p. 180). Private colleges and universities, by contrast, have more latitude to restrict different groups' abilities to operate on campus. Although little past research explicitly assesses whether schools' public or private statuses affect the ability of students to form or maintain LGBTQ student groups, Fine (2012) has shown that public schools are more likely to be home to LGBTQ student centers. Thus, we expect public schools will be more conducive to LGBTQ student groups:

Hypothesis 2. Public colleges and universities are more likely to have LGBTQ student groups than are private colleges and universities.

In his work on educational opportunity structures, Coley (2021) argues that religious schools (all of which are private) offer even fewer opportunities for the formation of campus groups than do secular schools (which can be public or private) because religious schools possess the ability to discriminate on the basis of characteristics that might normally be protected by state and/or federal laws, including sexual orientation and gender identity. Indeed, analyzing data collected in 2013, Coley (2017) shows that a minority (45 percent) of Christian colleges and universities are home to LGBTQ student groups. Additionally, 31 percent of Christian colleges and universities go so far as to ban so-called homosexual acts or homosexual behavior in their student handbooks (Coley 2018b). Comparing secular schools to religious schools in North Carolina, Kane (2013) finds that religious schools are less likely than secular schools to be home to LGBTQ student groups. Based on this past theorizing of educational opportunity structures, along with past empirical research on LGBTQ student groups, we thus expect that the secular colleges and universities in our study will be more conducive environments for LGBTQ student groups:

Hypothesis 3. Secular colleges and universities are more likely to have LGBTQ student groups than are religious colleges and universities.

Human Resources

Resource mobilization theories in social movement studies suggest that activist groups are more likely to exist when marginalized groups have access to resources (Edwards and McCarthy 2004; McCarthy and Zald 1977). Even in contexts rich with opportunities, if marginalized groups are unable to either generate new resources or appropriate existing resources to support their mobilization efforts, LGBTQ groups are unlikely to form or survive. We consider the role that human resources and organizational resources might play in the establishment and continuation of LGBTQ student groups at U.S. colleges and universities.

First, LGBTQ groups are unlikely to exist at schools lacking in “human resources”—that is, leaders, members, and

allies (Edwards and McCarthy 2004:127–28). Without people who would be willing to lead and participate in a group, LGBTQ student groups would not be able to exist. Past scholarship on LGBTQ groups thus first suggests that schools with larger numbers of students are more likely to have LGBTQ student groups. Although we lack data on the number of LGBTQ students at each college and university, it is likely that as the size of a student body grows, the number of LGBTQ students at a school and straight allies at a school will grow (Coley 2017, 2020; Fetner and Kush 2008; Fine 2012):

Hypothesis 4. Colleges and universities with larger student bodies are more likely to have LGBTQ student groups.

Schools with more women students may be more likely to have LGBTQ student groups. One reason is that women in the United States are marginally more likely to personally identify as LGBTQ than are men (Gates 2017). Second, many straight, cisgender women who do not identify as LGBTQ may nevertheless join LGBTQ student groups as a way to show their support for the LGBTQ community. Indeed, a common stereotype of LGBTQ groups in high schools is that they draw gay men and their straight women friends (Miceli 2005; Pascoe 2012:chap. 5). Although this may be less true of LGBTQ groups at colleges and universities, straight, cisgender women are simply more likely to identify as allies of the LGBTQ community than are straight, cisgender men (Moon 1995; Worthen 2012) and thus might contribute to a welcoming campus climate that fosters LGBTQ student mobilization.⁴ We assess this possibility in our fifth hypothesis:

Hypothesis 5. Colleges and universities with higher percentages of women students are more likely to have LGBTQ student groups.

Organizational Resources

Finally, beyond “human resources,” LGBTQ student groups may benefit from access to “organizational resources” (Edwards and McCarthy 2004:127); specifically, LGBTQ student groups may be more likely to form and/or sustain themselves when they can appropriate the resources of other existing organizations on a campus. Democratic student organizations represent an organization possessing resources that would be of great value to LGBTQ student groups. First, they comprise members who would likely be supportive of LGBTQ rights and who might be interested in joining or supporting an LGBTQ student group (Holland, Matthews, and Schott 2013; Kaufman and Compton 2020). Second, they possess leaders who also are likely to be supportive of

LGBTQ rights and who might be willing to lend their expertise in structuring organizations or navigating their schools’ bureaucracies. Although past quantitative studies of LGBTQ groups do not consider the association between the presence of Democratic student organizations and the presence of LGBTQ student organizations in schools, quantitative studies do show that college students who identify as Democrats are more likely to be supportive of the LGBTQ community in general (Holland et al. 2013). Also, qualitative research provides evidence that Democratic student organizations have supported LGBTQ organizations’ efforts to exist on college and university campuses (Coley 2018a:16, 119). We thus assess this final hypothesis:

Hypothesis 6. Colleges and universities that are home to Democratic student organizations are more likely to have LGBTQ student groups.

Data and Methods

To quantify and explain the presence of LGBTQ student groups, we constructed an original, comprehensive database of LGBTQ college and university student groups. We began by obtaining a list of all four-year, not-for-profit U.S. colleges and universities from the U.S. Department of Education (<http://nces.ed.gov/ipeds>). The initial list contained 2,026 schools; however, after visiting the website of each school, we removed 73 from the list that had shut down, were online only (prior to COVID-19), or had been misclassified (e.g., some were actually community colleges). Thus, our final list contains 1,953 colleges and universities across the 50 U.S. states. We constructed the database in December 2019 and January 2020.

Dependent Variable

To construct our dependent variable—a simple measure of whether a school has an LGBTQ student group—we first visited the student organization websites of each college and university contained in our database. Specifically, we located either a static web page that listed all student organizations at a school or a searchable database containing separate web pages for each student organizations at a school, and we searched for LGBTQ student groups using the keywords “LGBT,” “LGBTQ,” “gay,” “lesbian,” “queer,” “GSA [Gay-Straight Alliance],” “Equality,” “Spectrum,” “Prism,” and “Alliance.” If none of these keywords led us to relevant LGBTQ student organizations listed on these official student organization pages, we then conducted Google searches using the name of each specific college or university along with the keyword “LGBTQ.”⁵ If either of these methods led us to evidence that a school had an officially recognized

⁴Worthen (2012) finds, however, that women may be more prejudiced toward lesbians in particular as compared to men.

⁵Google’s search algorithm is constructed in such a way that the search term “LGBTQ” also generates links to pages that use similar terms like “LGBT,” “gay,” and “sexuality.”

LGBTQ student group as of the 2019–2020 school year, we recorded a “1”; otherwise, we recorded a “0.”⁶

Independent Variables

For our key measure of political opportunities—state support for the Democratic Party—we constructed a variable for the percentage of votes cast for the Democratic presidential candidate in 2016, Hillary Clinton, for each state (US Election Atlas 2020). To construct our measures of educational opportunities, we drew on data from the U.S. Department of Education (Integrated Postsecondary Educational Data System [IPEDS] 2018) to construct dummy variables indicating whether schools are “public” (rather than private) and “secular” (rather than religious). Similarly, to construct measures of schools’ human resources, we drew on U.S. Department of Education data (IPEDS 2018) to construct variables for the number of students at a school and the percentage of women students at a school. We log the number of students variable because this variable is highly right skewed. Finally, for our measure of a relevant organizational resource, we constructed a variable indicating whether a school was home to a Democratic student organization. Specifically, we again visited the student organization web pages of the schools contained in our database and searched for a Democratic student organization using the keywords “Democrat(s)” and “Democratic.” If these keywords did not lead us to official documentation that these schools had Democratic student organizations, we then conducted subsequent Google searches using the name of each school along with the keyword “Democrats.” When we uncovered evidence that a school had a Democratic student organization as of the 2019–2020 school year using either method, we recorded a “1” for that variable; otherwise, we recorded a “0.”

Control Variables

Our focus is on assessing political opportunity, educational opportunity, and resource mobilization approaches to LGBTQ student group presence. However, Fetner and Kush (2008) have linked two other variables—schools’ presence in rural versus nonrural areas and in Southern versus non-Southern states—to the presence of LGBTQ student groups in a slightly different context (U.S. high schools), with the logic that rural areas have traditionally been less hospitable to LGBTQ people than more urban areas and states in the South have historically been much more resistant to the

⁶We recorded a school as having an LGBTQ student group no matter if that LGBTQ student group was tailored to all people in the student body or if that LGBTQ student group was tailored toward a specific group of students (e.g., LGBTQ people of color, LGBTQ law students, LGBTQ medical students). In practice, though, nearly all colleges and universities that had more specialized LGBTQ student groups also had more general LGBTQ student groups.

expansion of LGBTQ rights than have non-Southern states.⁷ Fetner and Kush (2008) indeed find that high schools outside rural areas and outside the South are more likely to be home to LGBTQ student groups. Thus, using data from the U.S. Department of Education (IPEDS 2018), we include variables indicating whether a school is located in a nonrural area and outside the South.

Analytic Strategy

Our analysis proceeds in two stages. First, we present descriptive analyses demonstrating the prevalence of LGBTQ student groups at U.S. colleges and universities. Then, we provide results from binary logistic regression analyses, regressing our variable that indicates the presence of an LGBTQ student group at a college or university on the political opportunity, educational opportunity, resource mobilization, and control variables of interest. We provide results from binary logistic regression analyses because of our dichotomous dependent variable, and we employ cluster-robust standard errors to account for clustering by state. We indicate whether variables are statistically significant in our regression tables; however, because we are describing the characteristics of the population of four-year, not-for-profit U.S. colleges and universities, we focus on describing the substantive effects of our independent variables of interest when reporting our results below.

Results

Descriptive Findings

We begin by providing descriptive statistics. Table 1 provides basic definitions of our variables and their associated means, standard deviations, and numerical ranges. As the table indicates, approximately 62 percent of U.S. colleges and universities are home to LGBTQ student groups, providing evidence that LGBTQ students have made inroads at the majority of U.S. colleges and universities.

Figure 1 provides a map of the United States wherein states in the darkest shade of blue have the highest proportions of colleges and universities that are home to LGBTQ student groups and states in the lightest shade of blue have the lowest proportions of schools that are home to LGBTQ student groups. The 10 states with the highest proportions of colleges and universities with LGBTQ student groups—Colorado, Connecticut, Maine, Massachusetts, Nevada, New Hampshire, Pennsylvania, Rhode Island, Washington, and Wyoming—nearly all voted for the Democratic presidential

⁷For example, most Southern states resisted legalizing same-sex marriage and resisted banning employers from discriminating on the basis of sexual orientation and/or gender identity until the U.S. Supreme Court ordered them to do so (Movement Advancement Project 2020).

Table 1. Descriptive Statistics.

Variable	Description	Mean	Standard Deviation	Minimum	Maximum
LGBTQ student group	Presence of at least one officially recognized LGBTQ student group	0.62	0.49	0	1
Percentage Clinton vote	Percentage vote for Hillary Clinton during the 2016 presidential election for the state in which a school is located	47.29	9.35	21.88	62.22
Public school	Whether a college or university is public (not private)	0.34	0.47	0	1
Secular school	Whether a college or university is secular rather than religious (either Christian or Jewish)	0.60	0.49	0	1
Number of students	Number of students at a college or university	6,071.51	9,530.95	7	90,955
Number of students (log)	Number of students at a college or university (in logarithmic form)	7.71	1.58	1.95	11.42
Percentage women students	Percentage of women students at a college or university	55.48	17.47	0	1
Democratic student organization	Presence of an officially recognized Democratic student group	0.40	0.49	0	1
Non-South	Presence of a school outside the Southern United States	0.67	0.47	0	1
Nonrural	Presence of a school outside a rural area	0.74	0.44	0	1

Note: $N = 1,953$. Descriptive statistics for number of students are reported in both prelogarithmic and logarithmic form. LGBTQ = lesbian, gay, bisexual, transgender, and queer.

candidate in 2016, with the only exceptions being Pennsylvania (which had voted for Democratic presidential candidates for several cycles prior to 2016) and Wyoming (which is the only state that has only one four-year college or university, the University of Wyoming). All of these states are outside the South. By comparison, the 10 states with the lowest proportions of colleges and universities with LGBTQ student groups—Alabama, Alaska, Delaware, Hawaii, Idaho, Louisiana, Mississippi, Montana, Oklahoma, and Tennessee—mostly gave their electoral votes to the Republican presidential candidate (Donald Trump) in 2016. The only exceptions are Delaware and Hawaii, which are surprisingly the two states with the lowest proportions of colleges and universities that contain LGBTQ student groups; only 40 percent of colleges and universities in Delaware and only 22 percent of colleges and universities in Hawaii have LGBTQ student groups.

Logistic Regression Analyses

Table 2 provides results from binary logistic regression analyses. Model 1 includes the political and educational opportunity variables, model 2 includes the human and organizational resource variables, model 3 includes all independent variables, and model 4 includes all independent variables along with the two control variables. As model 1 in Table 2 indicates, schools in states that cast a higher share of votes for the 2016 Democratic presidential candidate (Hillary Clinton) tend to be more hospitable environments for LGBTQ student groups. Controlling for other variables, the odds of a school's having an LGBTQ student group are approximately 2 percent higher for every 1 percent increase in a state's vote for

Clinton in 2016 ($e^{0.017} = 1.02$ odds ratio). Additionally, public and secular schools tend to be friendlier environments for LGBTQ student groups. Holding the other variables in the model constant, the odds of having an LGBTQ group are 321 percent higher for public schools as compared to private schools (4.21 odds ratio), although this effect weakens once the variable for student body size is included in later models, and the odds of having an LGBTQ group are 118 percent greater for secular schools as compared to religious schools (2.18 odds ratio). Note that the Nagelkerke indicator of model fit is approximately 0.22.

Model 2 of Table 2 shows that schools are more likely to have LGBTQ student groups as the student body size increases (2.35 odds ratio) and the percentage of women students increases (1.01 odds ratio). Schools with Democratic student organizations also are more likely to have LGBTQ student groups, and the substantive effect of this variable is particularly notable, as the odds of a school's having an LGBTQ group are 247 percent greater for schools with Democratic student organizations as compared to schools without Democratic student organizations (3.47 odds ratio). Note also that the Nagelkerke indicator of model fit increases from 0.22 (in model 1) to 0.45 (in model 2), indicating that resource variables explain a larger proportion of the variance in LGBTQ student groups across U.S. colleges and universities.

The patterns identified in models 1 and 2 continue to hold in model 3, which includes all variables from models 1 and 2, and in model 4, which adds control variables. The overall portrait of LGBTQ-inclusive schools provided in model 4 suggests that LGBTQ student groups are more likely to be found in Democratic-leaning states (1.02 odds ratio), public

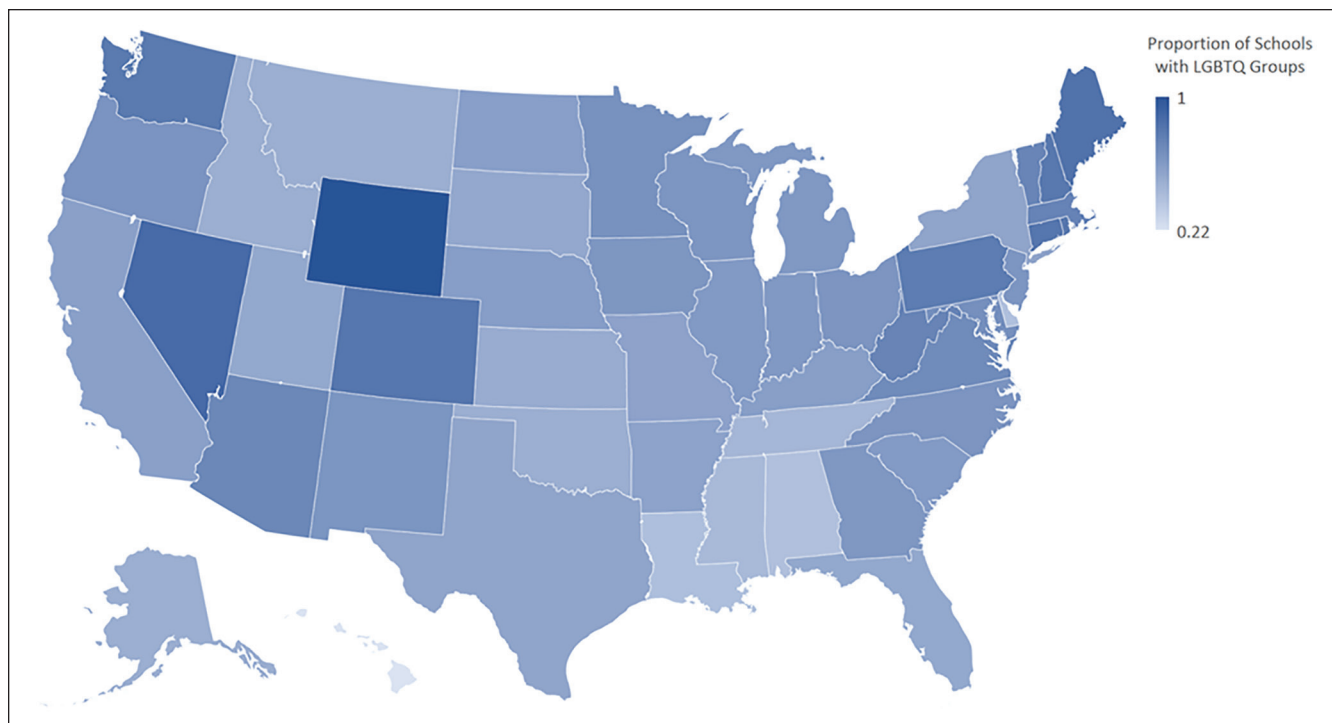


Figure 1. Proportion of schools with lesbian, gay, bisexual, transgender, and queer groups, by state.

schools (1.52 odds ratio), secular schools (1.92 odds ratio), schools with large student bodies (2.12 odds ratio), schools with larger percentages of women students (1.01 odds ratio), schools that are home to Democratic student organizations (4.30 odds ratio), and schools that are located outside the South (2.09 odds ratio). The Nagelkerke measure of model fit is approximately 0.5 in model 4, indicating that these variables account for nearly half of the variance in LGBTQ student groups across U.S. colleges and universities.

Figure 2 graphs the effects of our primary variables of interest on the predicted probabilities of schools' having LGBTQ student groups and thus facilitates substantive interpretations of our findings. In terms of the political opportunity variable, with all of the other variables in model 4 held at their mean, we find that the predicted probability of schools' having LGBTQ groups in the most Republican-leaning states is lower (as low as 0.54) than in the most Democratic-leaning states (up to 0.66). In terms of the educational opportunity variables, the probability of private schools' having an LGBTQ student group is lower (0.60) than for public schools (0.65), while the probability of religious schools' having an LGBTQ student group is lower (0.55) than for secular schools (0.66). Finally, in terms of the human and organizational resource variables, we find that the predicted probability of schools' having LGBTQ groups ranges from less than 0.2 for the smallest schools (with 50 or fewer students) to greater than 0.8 for the largest schools (with more than 20,000 students); the predicted probability of schools with all men having LGBTQ groups is lower

(0.51) than for schools with all women (0.70); and the predicted probability of schools without Democratic student organizations having LGBTQ student groups is lower (0.52) than for schools with Democratic student organizations (0.75).

Discussion

Why are some schools home to LGBTQ student groups whereas others are not? The results confirm the expectations derived from political opportunity theory, educational opportunity theory, and resource mobilization theory. First, political opportunity theory suggests that when governmental leaders express support for a given cause, they inspire organizations that rally around that cause and agitate for further change (Johnston 2011; McAdam 1982). We do find that blue states—in this case, states that cast a higher share of votes for the 2016 Democratic presidential candidate, Hillary Clinton, who expressed public support for LGBTQ rights—are more often home to schools with LGBTQ student organizations.⁸ These results align with prior studies that similarly show that state support for previous

⁸In additional analyses (not shown here), we examined whether the presence of a Democratic governor and the presence of a school nondiscrimination law were associated with the presence of LGBTQ student groups. However, we found that these variables were weakly associated with the presence of LGBTQ student groups at U.S. colleges and universities.

Table 2. Logistic Regression Models for Lesbian, Gay, Bisexual, Transgender, and Queer Student Groups.

	Model 1	Model 2	Model 3	Model 4
	<i>b</i>	<i>b</i>	<i>b</i>	<i>b</i>
	se	se	se	se
<u>Political context</u>				
Percentage Clinton vote	0.018*		0.029***	0.017*
	0.009		0.008	0.008
<u>Educational context</u>				
Public	1.437***		0.408*	0.417*
	0.203		0.193	0.213
Secular	0.780***		0.686***	0.653***
	0.231		0.159	0.164
<u>Human resources</u>				
Number of students (log)		0.856***	0.726***	0.753***
		0.059	0.064	0.068
Percentage women students		0.010**	0.011***	0.011***
		0.003	0.003	0.003
<u>Organizational resources</u>				
Democratic student organization		1.243***	1.425***	1.460***
		0.172	0.165	0.173
<u>Control variables</u>				
Non-South				0.737***
				0.201
Nonrural				-0.129
				0.171
Constant	-1.201**	-6.935***	-7.901***	-7.992***
	0.381	0.444	0.547	0.532
Chi-square	343.55***	792.27***	871.62***	900.51***
Nagelkerke	0.219	0.453	0.489	0.502

Note: N = 1,953. Values are unstandardized coefficients with standard errors clustered by state.
 *p < .05. **p < .01. ***p < .001 (two-tailed tests).

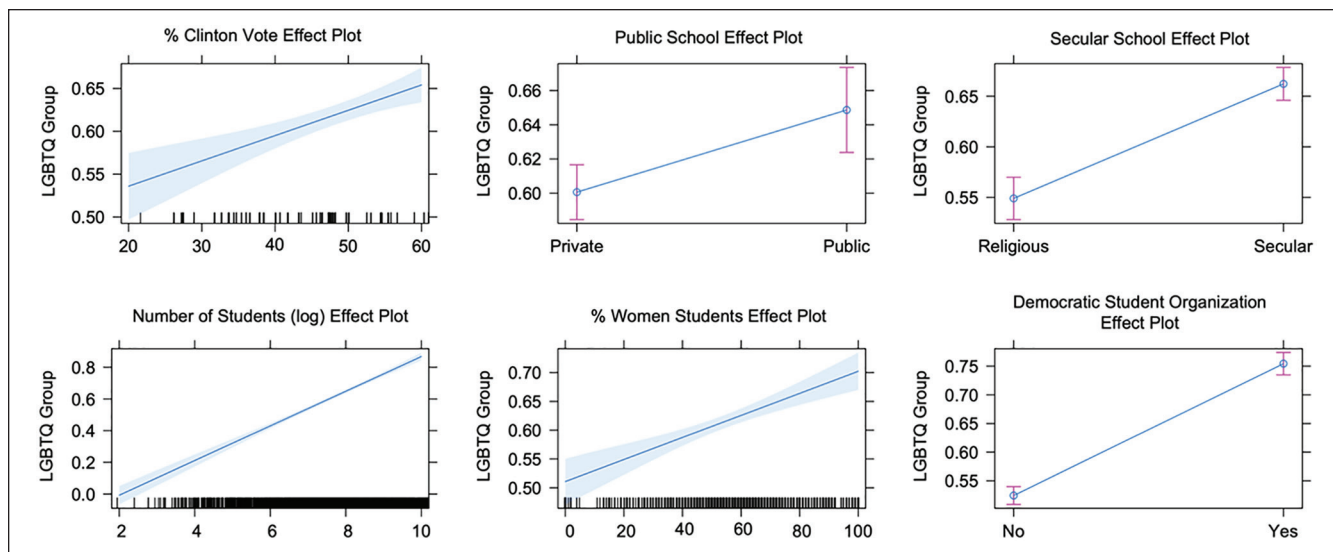


Figure 2. Predicted probabilities of schools’ having lesbian, gay, bisexual, transgender, and queer groups, by percentage Clinton vote, public versus private status, secular versus religious status, number of students, percentage women students, and Democratic organization presence.

Note: For the percentage Clinton vote, number of students (log), and percentage women students variables, confidence intervals are indicated through shading; for the public school, secular school, and Democratic student organization variables, confidence intervals are indicated through whiskers.

Table 3. Summary of the Evaluation of Hypotheses.

Hypotheses	Supported	Not Supported
Political opportunity hypothesis		
<i>Hypothesis 1.</i> Colleges and universities located in states that cast more (in percentages) votes for the Democratic presidential candidate in 2016 are more likely to have LGBTQ student groups.	X	
Educational opportunity hypotheses		
<i>Hypothesis 2.</i> Public colleges and universities are more likely to have LGBTQ student groups than are private colleges and universities.	X	
<i>Hypothesis 3.</i> Secular colleges and universities are more likely to have LGBTQ student groups than are religious colleges and universities.	X	
Resource mobilization hypotheses		
<i>Hypothesis 4.</i> Colleges and universities with larger student bodies are more likely to have LGBTQ student groups.	X	
<i>Hypothesis 5.</i> Colleges and universities with higher percentages of women students are more likely to have LGBTQ student groups.	X	
<i>Hypothesis 6.</i> Colleges and universities that are home to Democratic student organizations are more likely to have LGBTQ student groups.	X	

Note: LGBTQ = lesbian, gay, bisexual, transgender, and queer.

Democratic presidential candidates like Barack Obama (in 2012) and John Kerry (in 2004) was associated with the presence of LGBTQ student groups or LGBTQ student centers in those states (Coley 2017; Fine 2012). We thus find support for hypothesis 1 (see Table 3).

Educational opportunity theory suggests that certain characteristics of schools, such as their public versus private status or secular versus religious status, shape students' ability to form campus activist groups (Coley 2021). We expected that LGBTQ groups would be more likely to exist at public colleges and universities, given that public schools must allow students to form LGBTQ student groups so long as they allow other student groups to form on campus. We did find support for this expectation (hypothesis 2), although the difference in the predicted probability of public schools versus private schools having LGBTQ student groups (0.65 vs. 0.60) was not stark. Given Fine's (2012) previous finding that the single greatest predictor of a school's having an LGBTQ student center is whether a school is public rather than private, our results suggest that the factors most associated with LGBTQ student group presence may be slightly different than the factors most associated with LGBTQ student center presence.

We also expected that secular colleges and universities would be more likely to be home to LGBTQ groups since religious colleges and universities have the ability to discriminate against students on the basis of sexual orientation and gender identity. Note that the population of religious colleges and universities in the United States almost exclusively comprises Christian and Jewish schools. We again find strong support for this expectation (hypothesis 3), in line with past literature (Kane 2013). In further examining our data, we find that Jewish colleges and universities are much less likely to be home to LGBTQ groups than are Christian

colleges and universities, although this seems to be because most Jewish colleges and universities are quite small, dedicated to rabbinical training, and thus not home to many student organizations of any type. Christian colleges and universities that tend to be home to LGBTQ student groups are associated with the Roman Catholic Church or Mainline Protestant denominations (such as the Disciples of Christ, Episcopal Church, Evangelical Lutheran Church in America, Presbyterian Church USA, United Church of Christ, and United Methodist Church). Christian colleges and universities that tend to lack LGBTQ student groups are associated with historically white Evangelical Protestant denominations (such as the Assemblies of God, Churches of Christ, Nazarene Church, and Southern Baptist Convention) or are nondenominational. Christian colleges and universities associated with historically black Protestant denominations fall in the middle, with about half of schools containing LGBTQ student groups.

A final relevant theory, resource mobilization theory, suggests that activist organizations are more likely to emerge, grow, survive, and/or succeed when they are able to mobilize human resources (e.g., leaders and rank-and-file participants) and appropriate organizational resources (Edwards and McCarthy 2004; McCarthy and Zald 1977). For one of our measures of human resources, we assessed whether schools with larger numbers of students would be more likely to have LGBTQ student groups since these schools would likely have a larger overall number of LGBTQ students and straight allies who might be willing to join LGBTQ student groups, and we found strong support for this expectation (hypothesis 4). We also assessed whether schools with a higher share of women students would be more likely to have LGBTQ student groups since women are slightly more likely to personally identify as LGBTQ, are significantly

more likely to support LGBTQ rights, and are more willing to join LGBTQ groups even as straight allies. We similarly found support for this expectation (hypothesis 5), and this finding contrasts with those of past studies that found the percentage of women at a school to be insignificantly or weakly related to LGBTQ student center presence (Coley 2017; Kane 2013). Additionally, for our measure of organizational resources, we considered whether schools that are home to Democratic student organizations might be more likely to be home to LGBTQ student groups, since members of such organizations may contain many supporters of LGBTQ rights who would be willing to join and/or lend their support for LGBTQ groups. No other previous studies had directly assessed this possibility, but we did find strong support for hypothesis 6.⁹

Conclusion

A large and growing literature demonstrates the positive impacts of LGBTQ student groups in schools. Studies show that LGBTQ student groups play a positive role in the lives of students, as LGBTQ participants are more likely to develop positive personal relationships and report better mental health than do nonparticipants (Fetner and Elafros 2015; Kulick et al. 2017; Woodford, Kulick, et al. 2018). Some evidence suggests LGBTQ student groups also make schools safer, including by decreasing incidences of bullying and harassment against LGBTQ students in schools (Marx and Kettrey 2016). Nevertheless, previous literature has been mostly silent on the question of why some colleges and universities are home to LGBTQ student groups whereas others are not (though see Kane's 2013 study on LGBTQ student groups at North Carolina colleges and universities and Coley's 2017 study on LGBTQ student groups at U.S. Christian colleges and universities).

Through an analysis of our new, comprehensive database of LGBTQ student groups across the 1,953 four-year, not-for-profit colleges and universities in the United States, we have identified characteristics of colleges and universities

that are associated with the presence of LGBTQ student groups. Informed by political opportunity theories of social movements, we found first that political context matters: Schools in blue states that cast a larger (percentage) share of votes for Hillary Clinton, the 2016 Democratic presidential candidate, are more likely to be home to LGBTQ student groups. Through an original application of educational opportunity theory (Coley 2021), we show also that educational context matters, as public and secular schools are much more likely to be home to LGBTQ student groups. Finally, guided by resource mobilization theories of social movements, we show that school resources matter: Schools with larger numbers of students, schools with larger percentages of women students, and schools that are home to Democratic student organizations are also more likely to be home to LGBTQ student groups.

Our article represents the most comprehensive study of LGBTQ student groups at U.S. colleges and universities and is the first study to identify correlates of officially recognized LGBTQ student groups across all four-year, not-for-profit U.S. colleges and universities. However, it is important to note what these analyses do *not* show. First, because our dependent variable indicates only whether a school has an officially recognized LGBTQ student group, our study does not identify all schools where LGBTQ students may currently be mobilizing or all schools that offer programming related to LGBTQ issues. For example, at many conservative Christian colleges and universities, students have formed unofficial or underground LGBTQ student groups that are not included in our data set (Coley 2018a). Also, some schools may sponsor LGBTQ-related programs (such as Safe Zone programs) yet lack LGBTQ student groups. Future studies thus might undertake analyses of unofficially recognized LGBTQ student groups or officially sponsored LGBTQ programs.

Additionally, because we rely on cross-sectional data, we cannot conclusively show that political opportunities and school resources cause the initial formation or establishment of LGBTQ groups. Rather, we show only that political opportunities and school resources are associated with the active presence of LGBTQ student groups (as of the 2019–2020 school year). Although social movements theory would suggest that the political and resource factors we identify should be linked to the initial formation of these groups, it is still possible that just as many LGBTQ groups have been established in less hospitable states and in less resource-rich schools yet quickly folded and are not present in our data. Thus, future studies could further address questions of causality.

Our study should not be understood as having identified all possible ingredients for the successful establishment of LGBTQ groups on college and university campuses. For example, although we link the presence of Democratic student organizations to the presence of LGBTQ student organizations, it is also possible that other types of student

⁹In additional analyses (not shown here), to rule out the possibility that the Democratic student organization variable serves as simply a latent indicator of a school's tendency to have a wide range of student organizations, we considered whether schools with Republican student organizations are more likely to have LGBTQ student groups. Republican student organizations are generally more opposed to LGBTQ rights (Binder and Wood 2013), so we would not expect this variable to be strongly associated with LGBTQ student group presence *unless* this variable simply suggested that a wide range of student interests were represented at a school. We found that the predicted probability of a school's having an LGBTQ student group was only slightly higher (0.63) if a school had a Republican student group compared to if a school lacked a Republican student group (0.61). By contrast, the presence of a Democratic student organization seems to be strongly and meaningfully associated with the presence of an LGBTQ student group.

organizations (such as feminist student organizations or organizations for students of color) facilitate the formation or active presence of LGBTQ student groups; future studies could explore this possibility. Relatedly, because our study is quantitative in nature, it likely emphasizes structural factors (state characteristics, institutional characteristics) linked to the presence of LGBTQ groups in schools, likely at the expense of agentic processes associated with the establishment of LGBTQ groups on college and university campuses. Qualitative research shows that students must often take up the work of “framing” LGBTQ groups as in line with the institutional missions of their colleges and universities, thus making the groups appealing to students and palatable to administrators (see, e.g., Coley 2018a: chap. 4; Hughes 2020; McEntarfer 2011). Our study should be understood as complementing, but not replacing, this important qualitative work about the establishment of LGBTQ groups at colleges and universities.

Finally, because we focus on only four-year, not-for-profit U.S. colleges and universities, future studies should assess whether state political opportunities, school institutional characteristics, and school resources are similarly associated with the presence of LGBTQ groups in other educational settings, including U.S. community colleges, high schools, and middle schools as well as schools outside the United States. More work is necessary to know whether the characteristics that seem to explain the presence of LGBTQ groups at U.S. colleges and universities are generalizable to other educational sectors and geographical locations.

With that said, our study does hold significant practical implications for LGBTQ students who are working to create LGBTQ-inclusive changes at U.S. colleges and universities. Specifically, our study suggests that LGBTQ students looking to form or join LGBTQ student groups may want to seek out public, secular schools that are located in blue states and that have a large number of students, a relatively high percentage of women students, and Democratic (and perhaps other Left-leaning) student organizations. Conversely, our study identifies types of environments that would present more challenges and barriers for students looking to join or form LGBTQ student groups. Thirty-eight percent of U.S. colleges and universities still lack LGBTQ student groups, and these schools are often private, religious schools that are located in red states and that attract a relatively small number of students, contain a relatively smaller percentage of women students, and lack a Democratic student organization. LGBTQ students at schools with these characteristics may face starker challenges to their health, safety, and well-being (Fetner and Elafros 2015; Kulick et al. 2017; Woodford, Kulick, et al. 2018).

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Theologies of Exclusion: Christian Universities and Discrimination against Sexual Minorities¹

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ABSTRACT

In an era of rapidly evolving attitudes toward lesbian, gay, bisexual, and transgender rights, why do some Christian colleges and universities continue to discriminate against lesbian, gay, and bisexual students? The most intuitive answer to this question might point to many religious traditions' conservative teachings about same-sex relationships. Nevertheless, many schools associated with socially conservative religious traditions are actually inclusive of their sexual minority students. Building on recent insights from the literature on religion and the “culture wars,” and analyzing original data on student handbook bans on same-sex relationships and “homosexual behavior” across 682 Christian colleges and universities, I show that it is when schools are associated with individualist religious traditions that emphasize personal piety that conservative teachings on same-sex relationships are associated with discrimination against sexual minorities. The study holds implications both for research on the exclusion of sexual minorities in schools and for theoretical debates on the relationship between religion and social injustice.

Introduction

Despite the rapid gains by the lesbian, gay, bisexual, and transgender (LGBT) movement in the United States, many Christian faith traditions continue to resist extending equal rights to LGBT people. For example, the largest Christian group in the United States—the Roman Catholic Church—maintains that “homosexual acts [are] acts of grave depravity” and opposes the full inclusion of its noncelibate lesbian, gay, and bisexual members (Human Rights Campaign 2015). Although several mainline Protestant denominations (e.g., Disciples of Christ, Episcopal Church, Evangelical Lutheran Church in America, Presbyterian Church USA, and United Church of Christ) now accept lesbian, gay, and bisexual members and clergy, the largest mainline Protestant denomination, the United Methodist Church, continues to label homosexuality as a “sin” and refuses to ordain openly lesbian, gay, and bisexual clergy (Human Rights Campaign 2015). No major white evangelical Protestant denominations (e.g., Assemblies of God, Churches of Christ, Church of the Nazarene, Lutheran Church—Missouri Synod, Southern Baptist Convention, Wesleyan Church, and Wisconsin Evangelical Lutheran Synod) have embraced LGBT inclusion, and most black Protestant denominations and other religious groups emanating from the Christian tradition continue to resist LGBT inclusion.

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Given the generally bleak landscape for LGBT people within Christian faith traditions (although see, e.g., Adler 2012; Kane 2013b; Whitehead 2013, 2017), it is perhaps no surprise that many Christian-affiliated colleges and universities in the United States still actively discriminate against LGBT students. Indeed, many Christian colleges and universities (31%) maintain official bans on “homosexual acts” or “homosexual behavior” (or similar prohibitions on same-sex relationships), generally found alongside bans on rape and incest in student handbooks.² The consequences of such discriminatory stances toward sexual minority students can be significant, certainly putting many students at risk of expulsion. Even if such bans are not always enforced, “if [people] define situations as real, they are real in their consequences” (Thomas and Thomas 1928:571–572): such bans contribute to a negative campus climate for lesbian, gay, and bisexual students (Craig et al. 2017; Rockenbach and Crandall 2016; Woodford, Levy, and Walls 2013) and thus put students at risk of bullying, harassment, and mental health problems (Craig et al. 2017; Wolff et al. 2016). Still, recent research shows that most Christian-affiliated colleges and universities (55%) have actually adopted official nondiscrimination policies protective of their lesbian, gay, and bisexual students, and this group of schools includes many colleges and universities affiliated with Christian traditions that maintain that homosexuality is a “sin” (Coley 2017). Why is it, then, that some Christian colleges and universities officially discriminate against sexual minorities while others do not?

Although a handful of recent studies have examined predictors of LGBT inclusion in U.S. schools (Coley 2017; Fetner and Kush 2008; Fine 2012; Kane 2013b), only one study to date has examined discriminatory policies in U.S. schools in the form of formal prohibitions on same-sex relationships or sexual behavior. That study, by Wolff and Himes (2010), examines a random selection of 20 Christian colleges and universities associated with the Council for Christian Colleges and Universities (CCCU), finding that all had some form of campus ban on homosexual acts, homosexual behavior, or extramarital sexual relations. The study helpfully identifies an issue of ongoing concern for sexual minority students at Christian colleges and universities, but the group of Christian colleges and universities from which that sample was drawn is not representative of all Christian colleges and universities—the CCCU represents only conservative (and mostly, white evangelical Protestant) Christian campuses. The study is also descriptive in nature and does not examine predictors of discriminatory policies. We thus continue to lack research that can explain the variation in discriminatory policies toward sexual minorities across a wide range of Christian colleges and universities.

In this study, I address the puzzle of why some Christian colleges and universities discriminate against sexual minorities while others do not by drawing on recent insights from the literature on religion and the “culture wars.” Moving past the binary division of religious traditions into “conservative” and “liberal” camps—with religious traditions that oppose rights for sexual minorities assumed to be in the former camp and religious traditions that support rights for sexual minorities assumed to be in the latter camp—an emerging literature recognizes that religious traditions are also characterized by “individualist” (sometimes labeled “libertarian”) and “communalist” (or “communal”) impulses (Fuiist, Stoll, and Kniss 2012; Kniss 2003; Kniss and Numrich 2007). Individualist religious traditions emphasize personal morality and piety, whereas communalist religious traditions emphasize social justice. Put another way, individualist religious traditions concentrate on the failings of individuals and the obligations of individuals within the larger society; they deploy the language of “sin” and emphasize the need for personal responsibility. Communalist religious traditions concentrate on the failings of society and the obligations of society to their members, and they deploy a language of structural failings and call for human

²I do not focus on bans on gender transitions or transgender identification in this study, because few Christian colleges and universities have adopted explicit policies on transgender issues in their student handbooks. This is not to suggest, however, that Christian colleges and universities are inclusive of transgender students: As Coley (2017:103) found, only 10% of Christian colleges and universities have adopted nondiscrimination policies inclusive of “gender identity” or “gender expression.”

rights. Although many religious traditions that have adopted conservative teachings on same-sex relationships fall squarely in the individualist camp, other religious traditions that maintain conservative positions on same-sex relationships are nevertheless better characterized by their communalist impulses. As I show, it is when Christian colleges and universities are associated with religious traditions that are both conservative *and* individualist that they will be most likely to maintain official bans on same-sex relationships or sexual behavior (most commonly referred to as “homosexual acts” or “homosexual behavior”).

The study’s findings hold not only theoretical implications for literatures in the sociology of religion and sexualities but also practical implications for students mobilizing to challenge discriminatory policies across many Christian colleges and universities (Coley 2014, 2018; Hughes 2018; McEntarfer 2011; Vespone 2016). I elaborate on these findings and their implications later in the article, but I first review previous research on religious opposition to and support for LGBT rights and discuss my data and analytic approach.

Theorizing discrimination against sexual minorities at Christian colleges and universities

A large body of research has attempted to account for the role of religious groups in the “culture war” debates, including the ongoing debates over LGBT rights. Some researchers (e.g., Hunter 1991; Wuthnow 1988, 1989) link conservative and liberal divides to different religious positions on social issues. Christians with *conservative* religious beliefs—defined in terms of their traditionalist beliefs in the inerrancy and infallibility of church scriptures and/or the authority of church leaders—tend to oppose the incorporation of LGBT members within their religious traditions and are more likely to oppose LGBT rights. In comparison, Christian with *liberal* religious beliefs—defined in terms of their adherence to modernist readings of church scriptures—are more likely to support inclusion of LGBT members within their traditions and thus endorse LGBT rights. Although researchers have debated whether these conservative versus liberal divides are most evident between entire denominations or between congregations in any given denomination, the literature’s overall emphasis on conservative versus liberal divides (rather than other potential dividing lines) is of primary interest here. Furthermore, although conservative and liberal divides manifest in a wide range of social debates, I concentrate here on denominations’ conservative and liberal divides over the morality of same-sex relationships.

Research on religion and support or opposition to LGBT rights does show that Christian religious traditions with conservative beliefs on same-sex relationships tend to oppose extending rights to LGBT people, whereas Christian religious traditions with liberal beliefs on same-sex relationships tend to endorse LGBT rights. Perhaps unsurprising, at the U.S. denominational level, religious groups with conservative religious teachings on the morality of same-sex relationships all ban the ordination of lesbian, gay, and bisexual clergy and refuse to recognize same-sex marriages (Human Rights Campaign 2015). Most religious groups with conservative teachings on same-sex relationships have also advised congregations to deny lesbian, gay, and bisexual people membership, with the notable exception of the United Methodist Church, which advises the acceptance of lesbian, gay, and bisexual members (Human Rights Campaign 2015). Similarly, in studies of acceptance of gays and lesbians conducted at the U.S. congregational level, Adler (2012:192) showed that “congregations that are *not* biblically inerrant are over two times as likely ... to allow membership privileges than those that are biblically inerrant,” and Whitehead (2013:307) found that religiously “conservative ... congregations are much less likely to include lesbians and gays in congregational life or formally welcome them” especially as compared to religiously liberal congregations. In a sign that religious traditions’ official theological positions may be loosely coupled with congregational practices regarding the inclusion of sexual minorities, though, the studies show that Catholic parishes, despite belonging to a religious tradition that

officially condemns same-sex relationships, are highly likely to welcome those who are in same-sex relationships as members in practice (see also Whitehead 2017).

A variety of studies have also documented mobilization against LGBT rights in the public sphere by religious traditions with conservative beliefs about same-sex relationships. It is true that, in the early 1960s, many people of faith who maintained that homosexuality was a “sin” were inspired to become active in homophile organizations, arguing against anti-sodomy laws and police harassment of lesbian, gay, and bisexual people (White 2015:ch. 3). Yet by the late 1960s and early 1970s, as gay liberationists and lesbian feminists began mobilizing alongside civil rights, feminist, and working-class movements in the United States, Christians increasingly perceived their institutions to be under assault and came to form the backbone of a major backlash against LGBT rights. Evangelical activist Anita Bryant, for example, formed the organization Save Our Children in 1977, mobilizing churchgoers against local nondiscrimination ordinances inclusive of sexual orientation (Fetner 2008). Similarly, Baptist minister Jerry Falwell formed the Moral Majority in 1979, a conservative coalition that would mobilize churchgoers in support of socially conservative politicians and against any attempts to advance LGBT rights (Wilcox 1991). Conservative Christians were instrumental in a number of anti-LGBT rights policy campaigns thereafter, including in opposition to funding for HIV/AIDS research in the 1980s, in support of discriminatory federal legislation such as the Defense of Marriage Act in the 1990s, in support of a Federal Marriage Amendment that would define marriage as a union between one man and one woman in the 2000s (Griffith 2017; Williams 2010), and in support of religious freedom laws allowing religious discrimination against LGBT people in the 2010s (Kazyak, Burke, and Stange 2018).

Although most research on religious opposition to or support for various “culture war” issues such as LGBT rights continues to focus on such conservative versus liberal religious divides over the morality of same-sex relationships, emerging research (e.g., Fuist et al. 2012; Kniss 2003; Kniss and Numrich 2007) links individualist (sometimes called “libertarian”) and communalist (or “communal”) religious divides to positions on social issues. Christians who hold *individualist* orientations—and who believe that churches should focus on reforming individuals—generally believe homosexuality threatens their moral purity and are more likely to oppose LGBT rights. However, Christians who hold *communalist* orientations—and who believe that churches should focus on promoting social and/or economic justice in the wider society—are more likely to support LGBT rights. Communalist religious traditions often exhibit a tendency to endorse human rights even for those whom they disagree, and thus a communalist orientation can lead religious traditions to oppose discrimination against LGBT people and endorse LGBT rights even when they hold conservative beliefs on the morality of same-sex relationships.

Recent research on religion and LGBT rights supports a link between individualist and communalist theological orientations and opposition to or support for LGBT rights. In their article aptly titled “Beyond the Liberal-Conservative Divide,” Fuist et al. (2012:68) mapped the theological orientations of various religious traditions; they showed that all of the religious traditions with LGBT-inclusive policies happen to have communalistic theologies. In addition, many LGBT religious organizations protesting their denominations’ policies on same-sex relationships draw on communalistic theological arguments, with the primary exceptions being those LGBT religious organizations protesting the Church of Jesus Christ of Latter-day Saints, Jehovah’s Witness, and evangelical Protestant groups (Fuist et al. 2012:70). In a study on LGBT inclusion at Christian colleges and universities, Coley (2017) shows that Christian schools affiliated with communalist religious traditions are much more likely to have LGBT groups and nondiscrimination policies inclusive of sexual orientation than are Christian schools affiliated with individualist religious traditions, even when controlling for religious traditions’ conservative or liberal teachings on same-sex relationships.

Such insights on individualist and communitist theological orientations across religious traditions allow us to move past binary conceptions of conservative and liberal religious divides and thus understand religious traditions as the more complex and multifaceted entities that they are. Specifically, such insights allow us to understand how Christian colleges and universities associated with religious traditions that teach that homosexuality is a “sin” might nevertheless choose not to discriminate against sexual minority students, that is, if these Christian colleges and universities are also associated with religious traditions that have well-developed bodies of social justice teachings, comfort with the idea of universal human rights, and/or concern for the way that societies fail their most vulnerable members. Conversely, Christian colleges and universities may interpret teachings stating that homosexuality is a “sin” as mandates to discriminate when those schools are associated with religious traditions that emphasize personal piety. Denominations certainly have ways to encourage or even require a Christian college or university to adopt an accommodating or discriminatory stance toward their lesbian, gay, and bisexual students, such as requiring schools to place members of or leaders in their denominations on those schools’ boards of trust or attaching certain expectations or requirements to money given to the school by a denomination (Coley 2018:ch. 4). If students at a school, or alumni of or donors to a school, are members of the denomination in question, they may add additional pressure to a school drawing on the language of their theological traditions (a phenomenon Fuist et al. [2012] certainly documented in their study of LGBT activists groups mobilizing to promote inclusive membership policies within their respective denominations).

Overall, given the theory and research on religion and the “culture wars” just reviewed, I proceed in this study to test this central proposition: Christian colleges and universities associated with religious traditions that view same-sex relationships as “sinful” will adopt student handbook bans on same-sex relationships or sexual behavior (most commonly referred to as “homosexual behavior” or “homosexual acts”) when those denominations also exhibit individualist theological orientations.

Data and methods

The study’s population of interest is Christian colleges and universities in the United States ($N = 682$). I generated a list of such schools through the U.S. Department of Education’s Integrated Postsecondary Education Data System (Integrated Postsecondary Education Data System [IPEDS] 2014) website. Although these schools certainly differ in the degree to which they expect all members of their community to be Christian—with schools that accept only Christian students or hire Christian faculty or staff on one end, to schools that maintain no expectations that students, faculty, staff, or administrators be Christian on the other end—all of these schools currently maintain religious ties to a Christian denomination or, in the case of non-denominational schools, at least actively identify themselves as Christian.

The dependent variable is a discriminatory student handbook ban on same-sex relationships or sexual behavior.³ To identify such bans, I examined the student handbooks of the 682 Christian colleges and universities for the 2013 to 2014 school year. I searched for terms such as “homosexual,” “homosexuality,” “gay,” and “sex” to identify any language in the student handbooks regarding sexual intercourse or relationships between two people of the same sex. The schools that adopted discriminatory policies against lesbian, gay, and bisexual students generally

³A potential additional source for data on discriminatory policies at Christian colleges and universities might be the Title IX waivers that the U.S. Department of Education began issuing to Christian colleges and universities toward the end of the Obama administration, allowing religious schools to discriminate against transgender students in particular (Gjeltén 2018). However, the Trump administration rescinded protections for transgender students—in essence issuing a “blanket Title IX waiver” for religious schools to be able to discriminate (Soulforce 2018)—making these waivers redundant and leading many schools to stop requesting them (Allen 2018).

did so by banning “homosexual acts” or “homosexual behavior” alongside behaviors such as “rape” and “incest” in a student code of conduct section of the student handbook (although I also counted a school as having a discriminatory student handbook ban if it had other language suggesting that same-sex relationships were banned or that the school viewed marriage as only being between a man and a woman).⁴ Because the language of “homosexual acts” and “homosexual behavior” was remarkably similar across the student handbooks of the Christian colleges and universities with such bans, Christian colleges and universities were likely looking to peer schools to see how other schools dealt with such relationships or behavior. In qualitative interviews as part of a larger project (Coley 2018), I found that the seemingly broad and ambiguous language of “homosexual acts” and “homosexual behavior” (rather than homosexual intercourse, same-sex relationships, etc.) was adopted out of a belief, at the time such language was drafted, that only two people of the opposite sex could properly have sexual intercourse. Thus, the language of “homosexual acts” and “homosexual behavior” is meant to be enforced against two people of the same sex engaged in sexual activity. Nevertheless, because of the ambiguity of the language, it could theoretically be applied against two people of the same sex engaged in behaviors such as hand-holding. I found that bans on same-sex relationships or sexual behavior were present at 31% of the Christian colleges and universities ($n = 211$ of 682).

The primary independent variables of interest are affiliation with *individualist* (rather than communalist) religious traditions and affiliation with religious traditions with *conservative* (rather than liberal) teachings on same-sex relationships, with a special focus on the interaction between individualism and conservative positions on same-sex relationships. To construct the variable that indicates whether a school is affiliated with an individualist religious tradition, I obtained information on religious affiliation from IPEDS (2014) and then coded the data according to classifications by Fuist et al. (2012:68).⁵ Table 1 lists examples of religious traditions with individualist and communal orientations. In general, evangelical Protestant denominations (e.g., Assemblies of God, Churches of Christ, Church of the Nazarene, Lutheran Church—Missouri Synod, Southern Baptist Convention, Wesleyan Church, Wisconsin Evangelical Lutheran Synod) and independent and nondenominational Christian traditions possess individualist orientations, whereas the Roman Catholic Church, black Protestant denominations (e.g., African Methodist Episcopal, Christian Methodist Episcopal Church, National Baptist Convention), mainline Protestant denominations (e.g., American Baptist Churches USA, Disciples of Christ, Episcopal Church, Evangelical Lutheran Church in America, Presbyterian Church USA, United Church of Christ, United Methodist Church), and the historic Protestant peace churches (Church of the Brethren, Friends General Conference, Mennonite Church USA) exhibit communal orientations.⁶ Overall, 35% of Christian universities are associated with individualist religious traditions ($n = 238$ of 682).

To construct the variable that indicates whether a school belongs to a religious tradition with socially conservative teachings on same-sex relationships, I used the data on religious affiliation from IPEDS (2014) and then coded these religious traditions as having socially conservative positions on same-sex relationships if they consider same-sex relationships to be “sinful.” I draw

⁴Note that some schools (13.7%) adopted broader bans on “homosexual/heterosexual intercourse.” For my initial analyses, unless these schools separately indicated that they believed same-sex relationships to be intrinsically immoral or that they believed marriage should be between only a man and a woman, I did not code schools with such bans as having discriminatory handbook bans.

⁵I cross-checked Fuist et al.’s (2012) classifications and filled in occasional gaps in their study with my own review of official materials provided on the websites of these denominations.

⁶Although Fuist et al. (2012) consider only formal denominations in their study, I code independent and nondenominational Christian schools as individualist given that their doctrines generally align with evangelical Protestant denominations (Association of Religion Data Archives 2018). Indeed, past research shows nondenominational Christian churches to be deeply individualist in nature, perhaps unsurprising given that they reject formal association with other congregations (e.g., Cohen and Hill 2007).

Table 1. Examples of major religious traditions, by individualist and communal orientations and by conservative and liberal teachings on same-sex relationships.

	Religious traditions with communal orientations	Religious traditions with individualist orientations
Religious traditions with conservative teachings on same-sex relationships	African Methodist Episcopal American Baptist Churches USA Christian Methodist Episcopal Church Church of the Brethren Mennonite Church USA Moravian Church in North America National Baptist Convention Roman Catholic Church United Methodist Church	Assemblies of God Churches of Christ Church of the Nazarene Lutheran Church—Missouri Synod Seventh Day Adventist Southern Baptist Convention Wesleyan Church Wisconsin Evangelical Lutheran Synod
Religious traditions with liberal teachings on same-sex relationships	Disciples of Christ Episcopal Church Evangelical Lutheran Church in America Friends General Conference Presbyterian Church USA United Church of Christ	Nondenominational Christian ^a Independent Baptist ^a Independent Lutheran ^a

^aNondenominational and independent schools were coded as being associated with liberal teachings on same-sex relationships if those schools had broken off from a denomination due to a rejection of a denomination's social conservatism.

primarily on information from the Human Rights Campaign's (2015) faith statement database. Religious traditions with socially conservative or liberal teachings on same-sex relationships are also noted in Table 1. The group of religious traditions with socially conservative positions on same-sex relationships includes not only the aforementioned evangelical Protestant denominations but also the Roman Catholic Church, all of the aforementioned black Protestant denominations, two of the mainline Protestant denominations (American Baptist Churches USA and United Methodist Church), and two of the historic peace churches of Protestantism (Church of the Brethren and Mennonite Church USA). Religious traditions with socially liberal positions on same-sex relationships are limited to some of the mainline Protestant denominations (e.g., Disciples of Christ, Episcopal Church, Evangelical Lutheran Church in America, Presbyterian Church USA, and United Church of Christ) and the Friends General Conference, along with some independent or nondenominational Christian universities that have broken off previous ties to socially conservative denominations.⁷ Overall, 79% of Christian universities are associated with religious traditions that teach that same-sex relationships are "sinful" ($n = 538$ of 682).

I include control variables from past studies on LGBT groups and policies in U.S. schools (Coley 2017; Fetner and Kush 2008; Fine 2012; Kane 2013a). Although these studies concentrate on LGBT-inclusive policies in U.S. schools, I include variables from such studies with the expectation that any positive effects in studies of LGBT inclusion would be reversed in a study of discriminatory policies toward sexual minorities. For a first group of control variables, I consider institutional characteristics associated with LGBT-related policies, specifically a school's selectivity (percentage acceptance rate, drawing directly from data on the IPEDS [2014] website) and endowment per student (drawn directly from data on FindTheBest [2014], given the lack of data on endowment in IPEDS [2014]). Findings in past studies would seem to imply a negative effect for school selectivity and endowment on discriminatory handbook policies (Coley 2017; Kane 2013a).

For a second group of control variables, I consider student body characteristics associated with LGBT-related policies: the number of students at a school, the percentage of students of color,

⁷Although I classified many nondenominational Christian colleges and universities as socially conservative, given that their doctrines generally align with evangelical Protestant denominations (Association of Religion Data Archives 2018), if I found specific documentation that a school had broken off from a Christian denomination in reaction to its social conservatism, I coded that school as "liberal."

the percentage of women students, the percentage of students on need-based loans, and the percentage of students who major in religious studies or theological studies, all drawn directly from data on the IPEDS (2014) website. Findings in past studies would seem to suggest that schools with a lower total number of students and more religious/theological studies students would tend to adopt discriminatory handbook policies (Coley 2017; Fetner and Kush 2008; Fine 2012). (Findings on race, gender, and income composition of students have been extremely mixed across studies, with some indication that a higher percent of students of color is negatively associated with LGBT inclusion; Coley 2017; Kane 2013a.)

Finally, a third group of control variables relates to the sociopolitical contexts in which these Christian colleges and universities are embedded. I consider whether a school is located in a “blue” (Democratic-leaning) state, whether a school is located outside of the South, and whether the school is located outside of a rural area, drawing on data on school location from IPEDS (2014) matched with relevant data on 2012 election results and Census Bureau classification of southern states and rurality. Past studies would seem to imply negative effects for location in “blue states,” the non-South, and nonrural areas on the presence of discriminatory handbook policies (Coley 2017; Fetner and Kush 2008; Fine 2012).

In the analyses that follow, I provide descriptive statistics and results from logistic regressions. The descriptive statistics compare schools with discriminatory handbook bans to schools without discriminatory bans in terms of all variables included in the study (not holding other variables constant). I indicate when differences between schools with discriminatory bans and schools without discriminatory bans are statistically significant by providing results from chi-square tests of proportions and *t* tests of means. The multivariate logistic regression analyses indicate the logged odds of a Christian college or university having a student handbook ban on same-sex relationships or sexual behavior (e.g., “homosexual behavior” or “homosexual acts”). Because intraclass correlation coefficients indicate that a significant proportion of the total variance in discriminatory handbook bans is explained by clustering within religious traditions (but not within states), I employ cluster robust standard errors by religious tradition.⁸

Results

I begin by providing descriptive statistics. Specifically, Table 2 contrasts schools with discriminatory policies to schools without discriminatory policies in terms of each variable included in the study. The results show that schools with discriminatory policies tend to be associated with religious traditions with conservative teachings on same-sex relationships (94.31%); however, numerous schools without discriminatory policies are also associated with religious traditions maintaining conservative positions on same-sex relationships (75.14%). Schools with discriminatory policies are similarly associated with individualist religious traditions (91%), but the contrast with the percentage of schools that lack discriminatory policies but are associated with individualist religious traditions (9.77%) is much more stark. The bivariate relationships for control variables generally align with expectations.

Next, Table 3 provides the results of the multivariate logistic regression analyses of discriminatory student handbook bans at Christian colleges and universities. Model 1 represents the base model, including all control variables but excluding variables related to the individualist or socially conservative nature of a school’s affiliated religious tradition. The measure of model fit (Nagelkerke’s measure) is approximately 0.48. The remaining models (2 through 4) then introduce the variables for affiliated religious traditions seriatim. Model 2 shows that affiliation with a religious tradition that maintains a conservative position on same-sex relationships is significantly

⁸I also estimated results from multilevel models that conceptualize school (i.e., student body and institutional) characteristics as nested within denominations and found that the results were consistent with the logistic regression models that follow.

Table 2. Descriptive statistics for discriminatory handbook policies at Christian universities.

	All schools	Schools with discriminatory policies	Schools without discriminatory policies	Sig.
Affiliation with conservative religious tradition (prop.)	78.89%	94.31%	75.14%	***
Affiliation with individualist religious tradition (prop.)	34.90%	91.00%	9.77%	***
Number of students (mean)	2,430	1,985	2,630	***
% Students of color (mean)	31.79%	27.41%	33.75%	***
% Women (mean)	59.17%	53.27%	61.81%	***
% Students on loans (mean)	67.07%	63.54%	68.66%	**
Endowment (FTE) (mean)	\$30,025	\$18,121	\$35,358	***
% Acceptance (mean)	67.70%	70.77%	66.32%	*
% State vote for Obama (mean)	48.93%	46.82%	49.87%	***
Non-South (prop.)	61.88%	53.55%	65.61%	***
Nonrural (prop.)	74.78%	70.14%	76.86%	*
Sample size	682	211	471	

Note. Sig. = significance; prop. = proportion; FTE = full-time equivalent.

* $p < .05$. ** $p < .01$. *** $p < .001$ (two-tailed tests).

Table 3. Logistic regression models for discriminatory handbook policies at Christian universities.

	Model 1	Model 2	Model 3	Model 4
	<i>b</i>	<i>b</i>	<i>b</i>	<i>b</i>
	SE	SE	SE	SE
<i>Religion variables</i>				
Affiliation with religious tradition with conservative teachings on same-sex relationships		1.565*		-0.945
		0.737		0.619
Affiliation with individualist religious tradition			4.275***	0.778
			0.445	1.282
Affiliation with religious tradition with conservative teachings on same-sex relationships x individualist religious tradition				4.281**
				1.355
<i>Student body characteristics</i>				
Number of students	0.000	0.000	0.000	0.000
	0.000	0.000	0.000	0.000
% Students of color	-2.413**	-2.557**	-2.631**	-2.315*
	0.892	0.844	0.875	1.010
% Women	-2.045	-1.952	-2.308	-2.037
	1.434	1.497	1.543	1.767
% Student loans	-0.957	-0.715	-0.139	-0.802
	0.825	0.884	1.026	1.015
% Religion majors	7.750***	7.450***	4.723***	4.463***
	2.247	2.214	0.937	1.083
<i>Institutional characteristics</i>				
Endowment (FTE)	0.000	0.000	0.000	0.000
	0.000	0.000	0.000	0.000
% Acceptance	-0.298	-0.249	0.218	1.021
	0.684	0.677	0.930	0.982
<i>Contextual characteristics</i>				
% State vote for Obama	-2.292	-2.232	-1.759	-2.471
	1.690	1.544	3.214	3.430
Non-South	-0.637	-0.672	0.110	0.109
	0.379	0.421	0.581	0.552
Nonrural	-0.177	-0.316	-0.342	-0.210
	0.267	0.281	0.278	0.360
Constant	3.068*	1.594	-0.551	0.026
	1.341	1.279	1.254	1.156
Chi-square	281.00***	304.80***	526.49***	561.83***
Nagelkerke	0.476	0.508	0.758	0.791

Note. SE = standard error; FTE = full-time equivalent.

* $p < .05$. ** $p < .01$. *** $p < .001$ (two-tailed tests).

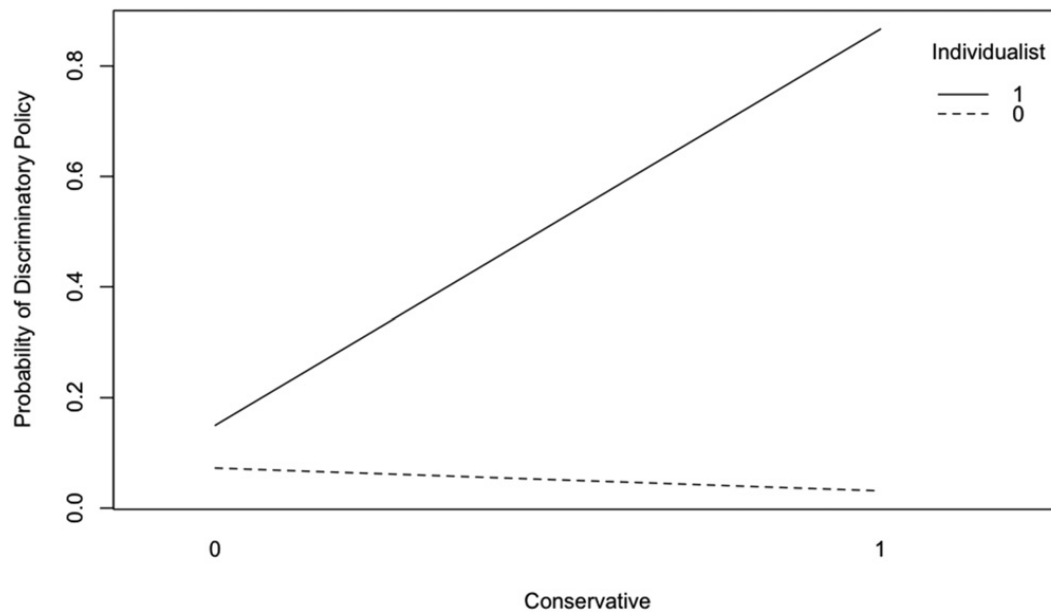


Figure 1. Interaction effect between individualist orientation and conservative teachings about same-sex relationships on presence of discriminatory policy.

and positively associated with the presence of discriminatory student handbook bans, as expected. By exponentiating the coefficient for a religious tradition with a conservative position on same-sex relationships, one finds that the odds of having a discriminatory handbook ban are 4.78 times greater for schools associated with religious traditions maintaining conservative positions on same-sex relationships than for schools associated with religious traditions maintaining liberal positions on same-sex relationships. Note, however, that the measure of model fit in Model 2 improves only slightly (to 0.51). Model 3 introduces the variable for affiliation with an individualist religious tradition, and this variable is similarly significantly and positively associated with the presence of student handbook bans. In this case, however, the odds of having a discriminatory handbook ban are 71.88 times greater for schools associated with individualist religious traditions than for schools associated with communal religious traditions. Nagelkerke's measure now improves to 0.76. Finally, Model 4 introduces the interaction term indicating whether a school is affiliated with a religious tradition that is both conservative and individualist in nature. This interaction term is significantly and positively associated with the presence of student handbook bans, indicating that when a school is associated with an individualist religious tradition, the simultaneous association with a religious tradition maintaining a conservative position on same-sex relationships now leads to 72.31 greater odds of having a discriminatory handbook ban. In this final combined model, the measure of model fit improves further to 0.79.

Figure 1 provides a visual model of the interaction effect between theological orientation and teachings on same-sex relationships and makes the utility of the interaction term clear. Specifically, Figure 1 shows that it is when a school is associated with a religious tradition that maintains both a conservative teaching on same-sex relationships and an overall individualist orientation that it is more likely to have a discriminatory ban than not (with more than 80% of such schools having discriminatory policies). Schools affiliated with religious traditions that maintain conservative teachings on same-sex relationships yet are also associated with communalist religious traditions are not likely to have discriminatory bans, and similarly any schools affiliated with religious traditions with liberal teachings on same-sex relationships (whether those religious traditions are individualist or not) are unlikely to have student handbook bans.

Only rarely do any of the control variables have statistically significant effects on the presence of student handbook bans. Specifically, in each of the models, an increase in the percentage of

students of color at a school is negatively associated with the presence of a student handbook ban, whereas an increase in the percentage of religion or theological studies majors at a school is positively associated with the presence of a student handbook ban. No other control variables are significant. The finding on a school's racial composition is somewhat surprising, given that the percentage of students of color at a school has sometimes been negatively associated with the presence of LGBT groups at colleges and universities (Coley 2017; Kane 2013a). This finding seems to indicate that, although racially diverse campuses may not be particularly inclusive, they do not go out of their way to be exclusionary, either. By contrast, the finding on percentage of religion and theological studies majors at a school is very much in line with past literature and may partly be driven by some highly conservative schools that require students to maintain religion or theological studies as one of their college majors (Coley 2017).

Alternative models

It is possible that the dependent variable included in the preceding models undercounts the number of schools that take discriminatory actions against sexual minority students. Specifically, although past research has shown that more than 55% of Christian colleges and universities have adopted nondiscrimination policies inclusive of sexual orientation (Coley 2017), and although this study shows that more than 31% of Christian colleges and universities have adopted student handbook policies on same-sex relationships or sexual behavior, a remaining 13.7% of Christian colleges and universities lack either kind of policy or have seemingly neutral policies toward sexual minority students (e.g., bans on “homosexual/heterosexual intercourse”). It is possible these schools might still find ways to discriminate against sexual minority students or enforce seemingly neutral bans against their lesbian, gay, bisexual students more often than against their heterosexual students. Thus, in additional analyses (not shown here but available upon request), I constructed an alternative dependent variable that analyzes whether a school has declined to adopt a nondiscrimination policy inclusive of sexual orientation (and thus has a formal student handbook ban on same-sex relationships or behavior, a seemingly neutral policy against homosexual/heterosexual policy, or no policy at all). The results remain consistent with the models just presented—the interaction effect between individualist orientation and a conservative teaching on same-sex relationships remains the strongest predictor—although the overall model fit is slightly weaker (0.64 in the combined model). The only control variable that is significant (and a negative predictor) in a combined model is a state's percentage vote for Obama, indicating that a state's political leanings may rise in importance when considering why schools lack inclusive nondiscrimination policies.

Discussion

Why do some Christian colleges and universities discriminate against lesbian, gay, and bisexual students? The results clearly support the central proposition advanced in this study—specifically, Christian colleges and universities associated with conservative religious traditions that teach that homosexuality is a “sin” will tend to adopt discriminatory student handbook bans on same-sex relationships or sexual behavior if those religious traditions also exhibit individualist theological orientations that emphasize matters of personal piety. Christian schools associated with conservative religious traditions that nevertheless exhibit communal theological orientations—that is, that are oriented toward issues of social justice—tend to lack such handbook bans, as do most Christian schools associated with liberal religious traditions (whether individualist or communalist).

A close analysis of the data reveals limited heterogeneity among schools associated within any given denomination in terms of their policies on same-sex relationships; in other words, schools

associated within any given denomination largely take the same approach to same-sex relationships. Specifically, the following denominations (all exhibiting communal orientations) are not affiliated with any schools that have adopted discriminatory student handbook policies regarding same-sex relationships or sexual behavior: African American Episcopal Church, American Baptist Churches USA, Disciples of Christ, Episcopal Church, Evangelical Lutheran Church in America, United Church of Christ, and United Methodist Church. Roman Catholic Church, Presbyterian Church USA, and Friends schools come quite close to lacking discriminatory policies. This is not to say these schools are entirely welcoming—indeed, school cultures likely vary significantly—but it is to say that these schools have generally decided not to formally exclude lesbian, gay, and bisexual students from their schools. Conversely, all schools affiliated with the following denominations (all exhibiting individualist orientations) have adopted discriminatory policies toward “homosexual acts” and “homosexual behavior”: Assemblies of God and Wesleyan Church. Churches of Christ, Nazarene, and Seventh Day Adventist schools also come close to nearly all having discriminatory policies. (For the sake of this discussion, I have not listed those denominations that are only affiliated with fewer than five schools.)

The schools with the most diversity in terms of their policies among the remaining larger religious traditions are independent and nondenominational Christian schools (some of which broke off from denominations because of objections to their social conservatism and thus no longer have a formal denomination holding them back from opening their doors to lesbian, gay, and bisexual students), as well as Southern Baptist schools. The Southern Baptist Convention is more decentralized than many other large denominations, and indeed Baptist schools tend to be affiliated with state Baptist conventions (rather than the national Southern Baptist Convention as a whole), which may provide individual schools some flexibility in setting policies. Again, it is important to emphasize that schools that lack discriminatory handbook bans are not necessarily welcoming—indeed, very few Baptist schools have gone so far as to adopt inclusive nondiscrimination policies—as well as to note that many of the schools continue to marginalize sexual minority students through more subtle ways, such as through heteronormative housing policies.

Overall, though, it seems clear that the religious traditions with which Christian colleges and universities are affiliated have a strong impact on their schools’ policies toward sexual minorities, and this effect is likely due to those religious traditions’ individualist or communal orientations. Indeed, the theological orientations of the religious traditions with which Christian colleges and universities are affiliated may shape schools’ conceptions of what it means to *be* a Christian college or university. Specifically, schools associated with individualist religious traditions (which emphasize personal piety) may see themselves as catering primarily to Christian students and hold them to their traditions’ interpretations of Christian teachings on same-sex relationships. However, schools associated with communal religious traditions (which emphasize social justice) may see themselves as providing education to everyone in their surrounding communities, whether those people are Christian or non-Christian, and that means that these schools open their doors even to students with whom they disagree.

Conclusion

Lesbian, gay, and bisexual students attend Christian colleges and universities for many of the same reasons as straight students: Some students are devoutly religious and seek to both grow in their faith and have opportunities to explore questions regarding the meaning of life in ways that might not be possible at secular schools (Glanzer, Hill, and Johnson 2017; Hawthorne 2014). Other lesbian, gay, and bisexual students, much like their heterosexual peers, attend Christian colleges and universities not so much out of any strong faith convictions (Dalessandro 2016) but because their parents have encouraged them to go there, because the school is in an attractive location, because the school has a good academic reputation, or because the school gave them the

most financial aid (Coley 2018). Regardless, sexual minority students face particular challenges to their inclusion at nearly one-third of such campuses in the form of student handbook bans on same-sex relationships and sexual behavior.

This study is the first both to document and to explain variations in the presence of discriminatory policies toward sexual minority students across Christian colleges and universities in the United States, showing that schools tend to discriminate against their sexual minority students when they are affiliated with religious traditions that teach that same-sex relationships are “sinful” and exhibit an overarching focus on issues of personal piety. The study not only fills a lacuna in research on campus policies toward lesbian, gay, and bisexual students but also seeks to advance sociological theory on the role of various religious traditions in the “culture wars.” Specifically, the study pushes back against the notion that religious traditions engaged in the culture wars can be distinguished along predictable conservative or liberal lines and instead argues that to fully understand religious traditions’ support or opposition to social justice, one must also understand these religious traditions’ individualist or communal orientations (Fuist et al. 2012; Kniss 2003; Kniss and Numrich 2007). Past studies in the sociology of religion on black Protestant churches, although not using the same language of individualism or communalism, have demonstrated similar divides between (and within) religious traditions. For example, Barnes (2004:202) has shown that black churches specializing in “prophetic functions” (e.g., by promoting community empowerment) were more involved in providing social services to black communities than black churches specializing in “priestly functions,” which focused on “spiritual/religious needs of members” (see also Reed, Williams, and Ward [2016] on this priestly and prophetic distinction). Similarly, Davidson and Garcia (2014) have shown that, due to their churches’ histories of teachings in favor of social justice, black Protestants are more likely to support social services for undocumented immigrants as compared to the more individualistic white evangelical Protestants. However, this study is relatively unique in applying such a framework across a full range of Christian religious traditions (also see Coley 2017; Fuist et al. 2012). Future studies might similarly draw on this framework to understand religious traditions’ stances on social issues such as transgender rights, no-fault divorce, and access to contraception.

The results also contribute to the literature on gender, sexuality, and education. Past scholarship has identified predictors of LGBT groups and inclusive nondiscrimination policies in U.S. schools (Fetner and Kush 2008; Fine 2012; Kane 2013b), including Christian colleges and universities in particular (Coley 2017). However, we have lacked insight into why some schools adopt policies that discriminate against their sexual minority students, a phenomenon mostly confined to religious colleges and universities and previously identified by Wolff and Himes (2010). This study has both documented and theorized variation in such discriminatory policies across the full range of Christian colleges and universities in the United States. Future studies might examine whether the framework can explain discriminatory policies at non-Christian religious colleges and universities in the United States or at Christian colleges and universities outside the United States.

Finally, the results have practical implications for the growing number of student movements mobilizing to challenge discriminatory policies at Christian colleges and universities (Coley 2014, 2018; McEntarfer 2011; Vespone 2016), as well as for the work of activist groups such as Soulforce (a national organization that has held “Equality Rides” to schools with discriminatory student handbook policies; see Powell 2011; Spencer and Barnett 2013). Lesbian, gay, and bisexual students attending many Christian colleges and universities face a negative campus climate (Craig et al. 2017; Rockenbach and Crandall 2016; Woodford et al. 2013), placing them at risk of bullying, harassment, and mental health problems (Craig et al. 2017; Wolff et al. 2016). Sexual minority students at such schools also commonly report experiencing personal religious-sexual identity conflicts (Bailey and Strunk 2018; Coley 2014; Hughes 2018; Longard 2013; Wedow et al. 2017), given long-standing skepticism and hostility toward lesbian, gay, and bisexual people from many

people of faith (e.g., Barringer, Gay, and Lynxwiler 2013; Zeininger, Holtzman, and Kraus 2017). The results suggest one practical strategy for challenging such discriminatory policies and thus improving the campus climate for sexual minorities (and perhaps also transgender students) at Christian colleges and universities: deploying communalist religious arguments in favor of LGBT rights. One comparative study of LGBT activism at four Christian colleges and universities showed that employing religious discourse that emphasizes that a Christian community should be loving and welcoming toward everyone has been highly successful at ending discriminatory policies at some schools (such as Belmont University, a formerly Southern Baptist and currently non-denominational university in Nashville, Tennessee, and Goshen College, a Mennonite college in Goshen, Indiana) (Coley 2018:ch. 4). Activist groups that eschewed religious discourse in favor of more generic pro-human rights arguments were, by comparison, less successful in challenging discriminatory policies (Coley 2018:ch. 4). The continued individualist leanings of many of these schools' affiliated denominations will continue, however, to remain an obstacle, as will these schools' affiliation with conservative consortiums such as the CCCU (Wolff and Himes 2010), which will perhaps force more pointed policy and legal conversations in the years to come (Gjelten 2018).

Author notes

Jonathan Coley holds a PhD in Sociology from Vanderbilt University and is currently an Assistant Professor of Sociology at Oklahoma State University. His research agenda is situated within the fields of social movements and the sociology of religion, focusing on processes related to minority-group inclusion within conservative, religious settings. His first book, *Gay on God's Campus: Mobilizing for LGBT Equality at Christian Colleges and Universities*, was published by The University of North Carolina Press in 2018. He has also published articles in journals such as *Social Currents*, *Sociological Perspectives*, *Mobilization*, and *Social Movement Studies* and the series *Research in Social Movements, Conflicts and Change*.

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Sexual Minority Students in Non-Affirming Religious Higher Education: Mental Health, Outness, and Identity

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Sexual minority (SM) students are vulnerable to increased rates of psychological distress and harassment as a result of stigma and other forms of marginalization in the college environment. However, little research has been conducted on the experiences and psychological functioning among SMs who attend nonaffirming religiously affiliated universities (NARAU) that enforce restrictive admission and conduct policies toward SM students, and/or view same-sex romantic expressions and identities as sinful. SM students ($N = 213$) attending NARAU completed the Counseling Center Assessment of Psychological Symptoms (CCAPS), the Outness Inventory (OI), and the Lesbian, Gay and Bisexual Identity Scale (LGBIS). Results indicate that SM students who attend Mormon, Evangelical, and Nondenominational Christian NARAU had more difficulty coming to terms with their sexual orientation than those in Catholic or Mainline Protestant schools. Furthermore, Mormon students reported significantly more incongruence between their sexual orientation and religious beliefs than other religious groups. Students who were involved with a Gay–Straight Alliance (GSA) had significantly less difficulty with their sexual orientation, less negative identities, and less religious incongruence than those students not involved with a GSA. More than 1 third (37%) reported being bullied or harassed at school because of their sexual orientation. Almost 1 in 5 (17%) reported a mental health professional had attempted to change their sexual orientation. Implications and recommendations for NARAU campus communities and counseling centers are discussed.

Keywords: gay, higher education, lesbian, religion, sexual minority

Sexual minorities¹ (SM; a term that encompasses lesbian, gay, bisexual, and queer/questioning [LGBQ] persons) can encounter unique challenges in the college environment, including verbal and sexual harassment, threats, and physical assaults (Rankin, Weber, Blumenfeld, & Frazer, 2010). More subtle forms of marginalization are often overlooked, including anti-LGBQ jokes or slurs, incivility and social rejection, limited access to SM role models,

lack of inclusion of LGBQ topics in curriculum, insufficient support services, and poor overall campus climate (Meyer, Oullette, Haile, & McFarlane, 2011; Swim, Pearson, & Johnston, 2007; Woodford, Han, Craig, Lim, & Matney, 2014). Students who have multiple minority identities (e.g., a Black lesbian female) report even higher rates of victimization and marginalization than both SM and non-SM students (Rankin, 2005; Rankin et al., 2010).

SM students who feel marginalized on their campuses are more likely to conceal their identity to avoid harassment, intimidation, and/or being identified as a SM (Pachankis & Goldfried, 2006; Rankin, 2005). Concealment, harassment, and stigma are associated with feeling of isolation, emotional distress, cognitive preoccupation, negative self-esteem, disengagement from academic responsibilities, and lower GPA among SM college students (Pachankis, 2007; Smart & Wegner, 1999; Woodford & Kulick, 2015). Further, SM students are more likely to seek college counseling services, and report significantly higher amounts of depressive symptoms, social anxiety, and eating concerns than their heterosexual peers, particularly among SMs who are questioning

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¹ We did not include gender minorities (e.g., transgender, genderqueer persons) in most of this article because a majority of the studies reviewed and measures used (see Method section) were only standardized on sexual minority populations. Data on gender minority students were collected in a separate follow-up study.

their sexual orientation (Center for Collegiate Mental Health [CCMH], 2015a; Effrig, Maloch, McAleavey, Locke, & Bieschke, 2014; Maloch, Bieschke, McAleavey, & Locke, 2013; McAleavey, Castonguay, & Locke, 2011; Woodford et al., 2014). Given these disparities, it is unsurprising that past data indicate that SM students are up to 2.6 times more likely to attempt suicide than heterosexual peers (Kisch, Leino, & Silverman, 2005). Recent data suggest that perceived burdensomeness of sexual orientation may be a factor that mediates this increased risk among cisgender SM individuals (Silva, Chu, Monahan, & Joiner, 2015).

These challenges may influence SM students in disproportional ways than heterosexual peers, even at college campuses that promote inclusive and LGBQ-affirming environments (Rankin et al., 2010; Woodford et al., 2014). However, many unanswered questions remain about campus environments that are explicitly non-affirming or rejecting toward SM students. In particular, almost no data exist on the experiences of SM students who attend nonaffirming religiously affiliated universities (NARAU). *Affirming* describes religious communities and beliefs that fully welcome SM individuals to all levels of participation (e.g., church membership) and view nonheterosexual identities and relationships as normative (Barnes & Meyer, 2012; Lee, 2012). In contrast, *non-affirming* religious perspectives and communities maintain that only heteronormative roles and relationships are morally acceptable. As such, the majority of same-sex romantic behaviors and gender nonconforming expressions are viewed as sinful and/or psychologically disordered (Barnes & Meyer, 2012; Lee, 2012). These faith communities often do not allow SM persons to become members, hold positions of leadership or employment, or participate in sacred traditions (e.g., communion; Hatzenbuehler, Pachankis, & Wolff, 2012). As a result, the purpose of this study is to examine the experiences, psychological functioning, sexual identity, and overall outness of SM students who attend NARAU.

Religion and Spirituality Among SM Individuals

Religion and spirituality play an important role in identity development and disclosure among SMs. In a sample of strongly religious Christian SM students at three religiously affiliated Evangelical universities, participants reported both positive and negative experiences following initial awareness of same-sex attraction including shame, guilt, fear about their families reaction, or being part of “[God’s] diverse Kingdom” (Yarhouse, Stratton, Dean, & Brooke, 2009, p. 100). Only a small proportion had disclosed their sexual identities to family members, a youth pastor, or a teacher, yet more than half had disclosed to a friend. Furthermore, only 14% of the SM sample identified as “gay,” and those who did not identify as gay reported greater confusion about their sexual identity. Other findings suggest that greater involvement in nonaffirming religious communities is associated with higher *internalized homophobia*—the extent that a person absorbs negative social and community sentiments toward LGB persons—among SMs (Barnes & Meyer, 2012).

Religion and religious community involvement can be important sources of social and emotional support that can be associated with positive health benefits and decreased psychiatric morbidity (Galek, Flannely, Ellison, Siltan, & Jankowski, 2015; Hamblin & Gross, 2014). Other benefits can include a sense of connection with a higher power to help resolve identity concerns, connection

to others who share similar values, and a general sense of love, hope, grace, forgiveness, support, encouragement, strength, and acceptance (Yarhouse et al., 2009). Additionally, those who experience dissonance with their sexual orientation may also see religion as a means of healing or correcting perceived sinful identities and/or sexual/romantic attractions (Yarhouse et al., 2009). Despite the potential benefits of religious involvement for SM individuals, significantly fewer LGB adults identify as religious when compared to heterosexual adults (Pew Research Center, 2015a).

Evidence remains mixed as to whether benefits associated with religion exist for SM individuals (Rodriguez, 2009; Rosario, Yali, Hunter, & Gwadz, 2006). To examine the ecological impact of religion on LGB youth, Hatzenbuehler, Pachankis, and Wolff (2012) conducted a population-based study of LGB youth in Oregon to assess whether denominational positions on homosexuality and gay rights were predictive of alcohol abuse and sexually transmitted infection (STI) risks (assessed via number of sexual partners). The authors found that LGB youth living in counties that had higher concentrations of nonaffirming faith communities had increased rates of alcohol abuse and more sexual partners than LGB youth who lived in counties with more affirming faith communities. The results remained significant even when controlling for other community factors (e.g., number of gay-straight-alliances in school) and were stronger among LGB youth when compared with a heterosexual control group. Among LGB adults, Meyer, Teylan, and Schwartz (2015) found that seeking treatment from a religious or spiritual advisor was associated with increased odds of attempting suicide, even when controlling for previous mental health diagnoses and multiple suicide attempts. Furthermore, individuals who experience dissonance between their religious beliefs and sexual orientation are often inclined to seek out sexual orientation change efforts (SOCE), such as reparative (“reorientation”) therapies (Bradshaw, Dehlin, Crowell, Galliher, & Bradshaw, 2015; Jones & Yarhouse, 2011). Thus, seeking help from a religious resource may worsen health outcomes for many SMs.

A likely moderator that could explain the discrepancies found in the data could be whether faith communities are affirming or nonaffirming. Nonaffirming views are largely (though not always) consistent with official doctrine of faith communities that most Americans belong to: Evangelical Protestants (25.4% of all Americans), Catholics (20.8%), Mainline Protestants (14.7%), Jews (1.9%), and Mormon/LDS (1.6%; Pew Research Center, 2015a). Past studies are helpful to distinguish group differences, noting that Protestants and Catholic LGB adults report more conflict about their sexual orientation than those who are Jewish, atheist, or agnostic (Schuck & Liddle, 2001). A potentially important nuance is that some faiths and religious individuals emphasize same-sex behavior as sinful as opposed to sexual orientation or attraction alone (Rosik, Griffith, & Cruz, 2007). Of note, many SM individuals who perceive rejection from nonaffirming religious communities often leave their religious faith entirely, become spiritual but no longer religious, or reinterpret religious teaching and their own personal theology (Schuck & Liddle, 2001). Further, attending a nonaffirming church is associated with symptoms of anxiety in lesbian and gay adults (Hamblin & Gross, 2013). Nonaffirming communities may also contribute to the perception that one must be less open about their sexual orientation. In a study of Mormon

adults who experienced same-sex attraction, participants who felt stigmatized by the Church of Jesus Christ of Latter-day Saints (LDS) reported greater concealment of their sexual orientation, which was positively associated with symptoms of anxiety and depression (Grigoriou, 2014).

SM Student Experiences in Non-Affirming Religious Higher Education

NARAUs include colleges, universities, and seminaries that have a rich and important history of providing students with liberal arts education while also nurturing faith and spiritual development through theological integration, community worship, and a range of other religious activities on campus. Though lacking in recent data, previous estimates indicate that there are over 200 NARAUs in the United States that actively bar admission of openly SM students, maintain behavioral codes that prohibit same-sex romantic expression, and/or limit and prohibit student organizations that affirm SM identities (Soulforce, 2008). Many NARAU's do not hold behavioral policies on campus, yet adhere to teachings that reject SM identities or relationships (e.g., marriage should only be between one man and one woman). Among religious institutions and communities, there is a wide range of beliefs and practices regarding gender and sexuality issues. Further, many faith-leaders and individuals have called for greater compassion and grace toward members of the SM community (e.g., Donadio, 2013) or advocated for civil rights such as legalization of same-sex marriage (Jones, 2015), though such remarks are not always synonymous with full affirmation of SM identities or relationships.

To understand sexual identity and developmental milestones of SM students who attend NARAUs, Stratton, Dean, Yarhouse, and Lastoria (2013) sampled 247 SM students from 19 NARAUs. The authors operationalized SMs as individuals who experienced "same-sex attraction" (SSA), on the grounds that "persons in Christian colleges and universities who experience SSA but would not self-identify as gay, lesbian, bisexual" because of religious conflict with these terms (Yarhouse et al., 2009, p. 99). Results indicated that students who experienced moderate levels of SSA experienced significantly more confusion about their sexual identity than those with a high degree of SSA. Furthermore, the attitude toward one's sexual orientation was moderated by level of SSA, such that students with high amounts of SSA and low amounts of "opposite sex attraction" were less likely to view same-sex relationships and attractions as negative. Another important finding was that among students who reported SSA, an overwhelming majority (79%) still identified as heterosexual. The authors concluded that the decision to identify as heterosexual "may be associated with the influence of the campus culture, religious conviction, or personal choice, but it may also reflect a distinctive of those seeking to develop an identity that engages both the religious and the sexual" (Stratton et al., p. 19).

Data have also explored policies and behavioral standards that restrict LGBQ expressions and carry potential consequences at NARAUs. In a random sample of written student codes of conduct at 20 member institutions of the Council for Christian Colleges and Universities (primarily Evangelical schools), Wolff and Himes (2010) found the following consequences for LGBQ "behavior" (e.g., holding hands, kissing, or any other form of sexual expression): academic probation, mandatory psychological counseling,

on-campus restrictions/limitations of privileges, suspension, and dismissal/expulsion. Further, a flurry of recent media reports show that many NARAUs deny the use of campus space to LGBQ affirming student organizations or clubs, maintain hostile classroom and campus environments for SM students, and endorse SOCE (Eckholm, 2011; Hinch, 2013; Jaschik, 2013; Sieczkowski, 2014). A qualitative study at a Roman Catholic university provided concrete examples of hostilities and harassment on campus, noting that SM students received death threats, saw hate speech (e.g., "God Hates Fags") written on dorm room doors and bathrooms, and encountered other difficulties (Getz & Kirkley, 2006). A recent study at a Roman Catholic college in the Northeast found that half of SM and gender minority undergraduate students reported being harassed or bullied on campus, and that up to 16% experienced violence (Lockhart, 2013). However, students rarely report these incidents because of fears of not being taken seriously and/or treated with disrespect, having to out themselves in an unsupportive environment, and the perception that reporting will only make the situation worse (Lockhart). A majority of these students reported that they regretted coming out while attending that college and made considerable effort to conceal their sexual or gender identity on campus.

Such policies and campus climates create potential difficulties for students wishing to form LGBQ-affirming spaces. McEntarfer (2011) examined the approaches used and subsequent experiences of SM students attempting to create an affirming student group (e.g., Gay-Straight Alliance) at three NARAUs, and found four major strategies used: (a) collaborative (i.e., finding common ground with school administrators); (b) conciliatory (i.e., accepting restrictions of what can be done); (c) assertive (e.g., public, non-violent protests and rejection of campus policies); and (d) underground/subversive (i.e., promoting change and advocacy via non-identified students). Regardless of approach, students and allied faculty made diversity a core focus of their efforts, which required significant time and energy (often being stressful). Though some NARAU faculty and staff were visibly supportive of SM students in McEntarfer's study, other research portrays situations in which affirming faculty and staff are much less visible due to fears of job loss, career repercussions, or lack of training (Estanek, 1998; Getz & Kirkley, 2006).

An important limitation of the above research is that much of the current data do not capture more recent student experiences. Social attitudes toward LGBQ individuals and rights are rapidly shifting toward greater acceptance (Pew Research Center, 2015b). Evidence of increasing social acceptance of LGBQ individuals can even be found in traditionally nonaffirming faith communities, though to a much lesser extent (Pew Research Center, 2015c). Given the swiftly changing social trends toward LGBQ rights and the prevalence of nonaffirming faith communities in the United States, current research on the experiences of SM individuals who take part in religious higher education is needed.

Current Study

No study to date (to the best of our knowledge) has attempted a quantitative investigation of the mental health and psychological functioning of SM students who attend NARAUs. Given the unique environment and potential challenges that SM students can experience in NARAUs, as well as increased media attention and

student activism, this is an important and timely topic for further study. Our first aim was to assess the role of campus climate in regard to sexual identity, outness, and mental health (Rankin et al., 2010). SM individuals from nonaffirming faith communities may be more likely to experience rejection and harassment/bullying, and have difficulty forming a Gay–Straight Alliance (GSA) on campus (Lockhart, 2013; McEntarfer, 2011). As a result, we hypothesized:

Hypothesis 1: Sexual minority students who are not involved with a GSA and/or have been bullied at school will be less open about their sexual orientation, have more negative views about their sexual orientation, experience more difficulty coming to terms with their sexual orientation, and experience greater psychological distress.

Data suggest that SM students are more likely to seek mental health services and experience significantly higher amounts of depressive symptoms, social anxiety, and eating concerns than heterosexual peers (Effrig et al., 2014; McAleavey, Castonguay, & Locke, 2011). Other studies indicate greater associations between SM status and general psychopathology and academic concerns (e.g., Woodford & Kulick, 2015). Hence, we hypothesized:

Hypothesis 2: Sexual minority students who attend NARAUs will report psychological distress as evidenced by clinically elevated (high) symptoms of depression, social anxiety, and eating concerns, as well as moderately elevated symptoms of substance abuse, hostility, academic distress, and generalized anxiety.

Belonging to a nonaffirming religious faith may be a predictor of mental health symptoms for SMs who experience dissonance between their orientation/identity and religious beliefs, particularly for Mormons (Grigoriou, 2014). Further, explicit evidence exists that Evangelical NARAUs enforce consequences for SM relationships and expression (Wolff & Himes, 2010). Furthermore, many SM students at NARAUs choose not to disclose their SM status or outwardly identify as heterosexual (Stratton et al., 2013). However, no study to date (to the best of our knowledge) has investigated whether differences are found across different types of religious schools. As a result:

Hypothesis 3: Sexual minority students who identify as Christian or Mormon, or attend an Evangelical or Mormon NARAU will have the most psychological distress, negative views about their sexual orientation, difficulty coming to terms with their sexual orientation, and be the least open about their sexual orientation.

Method

Participants

The sample consisted of 213 SM students currently enrolled in various NARAUs. Eligibility criteria were as follows: (a) currently attends a religious college, university, or seminary that holds a nonaffirming view of LGBQ topics and/or does not admit openly LGBQ students and/or prohibits expression of LGBQ identity; (b) identifies as LGBQ and/or is questioning sexual orientation; (c) is

18 years of age or older; and (d) lives in the United States. The exact number of NARAUs represented is unknown because the specific college attended was an optional question in the hope that participants would feel safer (and therefore be more honest) when answering questions. Participants attended NARAUs from all parts of the U.S. The majority of participants identified as White (83%), Christian (62%), undergraduates (78%), and identified as gay/lesbian (56%). The mean age of the sample was 22.5 years ($SD = 4.5$). The Other Non-Christian (12%) category of personal religion included non-Christian faiths with less than 10 respondents (e.g., Muslim, Jewish, Bahai'i). Mainline Protestant schools (14%) included Lutheran, Presbyterian and Methodist. Other Christian schools (16%) included those that participants did not endorse any of the nominal categories we provided, wrote in their own responses, and had fewer than 10 responses (e.g., Church of Christ, Mennonite, and Quaker). We intentionally allowed individuals who were questioning ($n = 11$) their sexual orientation to participate even if they did not identify as LGBQ, given that not all SMs use or feel comfortable with LGBQ labels (Yarhouse et al., 2009). We also decided to keep heterosexual-identified ($n = 7$) students in our analyses in light of data that some highly religious SMs still identify as heterosexual because of potential stigma or congruence with religious beliefs (Stratton et al., 2013), an inherent limitation in SM research (Hamblin & Gross, 2014). Demographics are reported in Table 1.

Table 1
Sample Demographics ($N = 213$)

Characteristic	n (%)
Gender	
Male	91 (43)
Female	109 (51)
Transgender/other	12 (6)
Ethnicity	
Latino/a	18 (8)
Caucasian	177 (83)
Black	7 (3)
Asian/Pacific Islander	1 (5)
Other	11 (5)
Current religion	
Christian	133 (62)
Agnostic	27 (13)
Atheist	14 (7)
Mormon (LDS)	14 (7)
Other non-Christian	26 (12)
Class standing	
Undergraduate	155 (72)
Grad Student	59 (28)
School religious affiliation	
Catholic	60 (28)
Mainline Protestant	30 (14)
Evangelical	28 (13)
Non-denominational	43 (20)
Mormon (LDS)	16 (8)
Other Christian	35 (16)
Sexual orientation	
Gay or lesbian	119 (56)
Heterosexual	7 (3)
Bisexual	51 (24)
Questioning	11 (5)
Other	26 (12)

Procedures

Data were collected online using a secure platform. Participants were recruited through nonrandom purposive sampling techniques via paid social media and newspaper advertisements, e-mailing SM and religious organizations, professional list-serves and colleagues, and contacting SM student groups at religious colleges. This sampling method was similar to other studies that have recruited often difficult to access SM individuals in nonaffirming environments (Grigoriou, 2014). We questioned whether or not to approach NARAU administrators or staff directly to help with recruitment, but were skeptical that we would receive their support given the potential for the results to portray NARAUs negatively, or whether SM students would answer as openly knowing their school had approved the study. Recruitment messages also stated the opportunity to be entered into a drawing to win one of four small gift cards to increase participation. Participants completed the measures described below.

Measures

Lesbian, Gay and Bisexual Identity Scale (LGBIS). The LGBIS measures both internalized and externalized homonegativity, and how these constructs affect LGB individuals' sexual identity formation (Mohr & Fassinger, 2000). Using a 7-point Likert scale, participants respond to questions about various LGB identity experiences by selecting from 1 (*disagree strongly*) to 7 (*agree strongly*). The LGBIS consists of several subscales (e.g., Identity Confusion, Difficult Process, Need for Acceptance) and one composite score, "Negative Identity." Participants completed the entire LGBIS. However, we only included the Difficult Process subscale (e.g., "admitting to myself that I'm an LGB person has been a very painful process") and composite score in the results as these most pertained to our research hypotheses. For additional analysis, we created a "Religious Incongruence" subscale that included two items ("I'll never be fully accepted by God if I'm in a same-sex relationship," and "I can't be true to my faith and be in a same-sex relationship at the same time"). The subscale demonstrated a modest relationship with the Negative Identity composite scale, $r = .420$, $p < .01$, suggesting concurrent validity yet also distinctness. The interitem correlation was moderate, $r = .565$, $p < .001$, and demonstrated acceptable internal consistency (Cronbach's alpha = .722). This subscale was not included in the composite score.

Outness Inventory (OI). The OI focuses on degree of openness ("outness") regarding one's sexual orientation to family, religious community (e.g., rabbi, priest), and employers (Mohr & Fassinger, 2000). The OI is based on the theoretical assumption that LGB individuals will determine their level of outness depending on how accepting they perceive others in their life to be regarding sexual orientation topics. Using a 7-point Likert scale, participants select their response from options ranging from 1 (*the person definitely does NOT know about your sexual orientation status*) to 7 (*the person definitely knows about your sexual orientation status, and it is OPENLY talked about*). The OI contains an "Overall Outness" composite score. For additional analysis, we created an "Out to College" subscale that included items relevant to roommate, professor/faculty, and classmate disclosure. The subscale demonstrated a modest relationship with the Overall Outness scale, $r = .671$, $p < .001$, suggesting concurrent validity

yet also distinctness. Interitem correlations on the Out to College subscale were all moderately positive, $r = .335-.585$, $p < .001$, and demonstrated acceptable internal consistency (Cronbach's alpha = .732). The college subscale was not included in the Overall Outness composite score.

Counseling Center Assessment of Psychological Symptoms (CCAPS). The CCAPS is standardized 62-item instrument that assesses mental health symptoms in college students (CCMH, 2015b). The instrument is widely used among students who are obtaining services at college counseling centers (CCMH, 2015b; McAleavey et al., 2012). The CCAPS has been widely validated, has a large standardization sample, and shows moderate to strong concurrent validity with related measures: Beck Depression Inventory & CCAPS Depression subscale, $r = .82$, Eating Attitudes Test-26 & Eating Concerns subscale, $r = .58$, Social Phobia Diagnostic Questionnaire & Social Anxiety subscale, $r = .75$ (McAleavey et al., 2012). Participants indicate how well various statements describe them during the past two weeks on a 0–4 Likert scale (e.g., 0 = *not at all like me* to 4 = *extremely like me*). The CCAPS consists of several subscales that maintain strong internal consistencies: (a) Depression ($\alpha = .91$), (b) Social Anxiety ($\alpha = .84$), and (c) Eating Concerns ($\alpha = .90$), among others. These three subscales appear to be the most relevant to SM students (Effrig et al., 2014; McAleavey, Castonguay, & Locke, 2011). The CCAPS also contains a composite Distress Index, but this was not included due to strong overlap with the Depression subscale in our sample ($r = .93$).

The CCAPS provides numeric "cut points" which are helpful in determining symptom severity (low, moderate, & high) and also provide an estimate of whether individuals are most likely to resemble a clinical (i.e., in treatment) or a nonclinical level of psychological distress (CCMH, 2015b, p. 14). Cut points were validated by comparing college students in treatment, not in treatment, and those in treatment who also met *DSM-IV-TR* diagnostic criteria for more severe psychopathology (McAleavey et al., 2012). Hence, individuals who surpass the cut points (whether moderate or high) are more likely to be experiencing symptoms that are "potentially problematic" (p. 14).

Experiential and demographic questions. We also collected data on a range of campus-related experiences and involvement with a gay-straight alliance (GSA). Participants were asked to check whether each of the experiences listed had happened to them or not, and to indicate GSA involvement (yes/no). These items are presented in Table 2.

Statistical Analyses

To test the first hypotheses about campus experiences and climate, GSA involvement and bullying because of sexual orien-

Table 2
Student Experiences and Campus Climate (N = 213)

Experience	n (%)
Involved with a Gay–Straight Alliance that is part of the school	95 (45)
Bullied or harassed at school because of sexual orientation	78 (37)
Mental health professional attempted to change sexual orientation	36 (17)
Mental health professional affirmed LGB sexual orientation	101 (47)

tation were used as categorical (independent) variables, with dependent variables consisting of subscales on the OI (Out to College, Overall Outness), LGBIS (Negative Identity, Difficult Process, Religious Incongruence), and the CCAPS (Depression, Social Anxiety, Eating Concerns). Differences were analyzed using Factorial MANCOVA to control Type I error rates. We used age of participant as a covariate on the first hypothesis only, because older participants may have had more time to acquire campus experiences (bullying, involvement with GSA). Means and standard deviations for all of the CCAPS subscales were calculated and compared with clinical cut points provided by the CCAPS manual to test the second hypothesis using a descriptive comparison. To test the third hypothesis, categorical differences in the dependent variables (Overall Outness, Out to College, Negative Identity, Religious Incongruence, Depression, Social Anxiety, and Eating Concerns) were analyzed using one-way MANOVA with LSD post hoc comparison for each of the independent variables (School Affiliation and Participant Religion). We ran two separate one-way MANOVAs, rather than one Factorial MANOVA, because of inadequate sample sizes in some categories needed to test for interactions.

Results

To test the first hypothesis, categorical differences on the CCAPS, LGBIS, and OI scales were analyzed by campus climate variables (involvement with a GSA and bullying because of sexual orientation), while controlling for age as a covariate. Box’s Test of Equality was significant, Box’s $M = 149.16, p < .05$, hence unequal variance was assumed using Pillai’s trace. Factorial MANCOVA results revealed significant main effects for age, trace = .127, $F(8, 179) = 3.261, \eta^2 = .127, p < .01$, involvement with a GSA, trace = .142, $F(8, 179) = 3.711, \eta^2 = .142, p < .001$, and bullying, trace = .138, $F(8, 179) = 3.587, \eta^2 = .138, p < .01$. An interaction was not significant for bullying \times GSA involvement, trace = .039, $F(8, 179) = .914, \eta^2 = .039, p > .05$. Between-subjects ANCOVAs were calculated as follow-up to the MANCOVA model. Marginal means, standard errors, F values, and effect sizes are presented in Table 3. The age covariate was significant for Out to College, $F(1, 191) = 19.392, \eta^2 = .094, p < .001$, and Overall Outness, $F(1, 191) = 7.457, \eta^2 = .039, p < .01$, suggesting that group differences are attributable to age on these scales. Main effects in GSA involvement were found for the Difficult Process, Negative Identity, and Religious Incongruence subscales, indicating that students involved with a GSA had less negative identities, less difficulty with their sexual orientation, and less religious incongruence. A main effect for bullying was found on the Depression subscale, such that students who were bullied because of their sexual orientation at school reported higher levels of depressive symptoms.

To test the second hypothesis, sample means and standard deviations were compared with clinical “cut points” established by the CCAPS manual (CCMH, 2015b). All of the means surpassed the cut point for “moderate” criteria, suggesting that our sample demonstrated a greater likelihood of potential clinical concerns. None of the means surpassed the cut points for “high” clinical concerns. Results are summarized in Table 4.

Regarding the third hypothesis, categorical differences on the Depression, Social Anxiety, Eating Concerns, Negative Identity, Difficult Process, Religious Incongruence, Overall Outness, and

Table 3
Campus Variables: MANCOVA Model Results (Age as Covariate)

Measure	LGBIS			OI		CCAPS		
	Difficult process	Negative identity	Religious incongruence ^a	Overall outness	Out to college ^a	Depression	Social anxiety	Eating concerns
Involved with GSA at school	$F(\eta^2) = 18.03 (.09)^{***}$	$F(\eta^2) = 21.43 (.10)^{***}$	$F(\eta^2) = 5.05 (.03)^*$	$F(\eta^2) = 4.04 (.02)$	$F(\eta^2) = 11.34 (.06)$	$F(\eta^2) = 3.25 (.02)$	$F(\eta^2) = 1.51 (.01)$	$F(\eta^2) = 2.92 (.02)$
Yes, $M (SE)$	4.07 (.17)	3.52 (.12)	2.23 (.21)	4.05 (.17)	4.81 (.21)	1.35 (.11)	1.78 (.12)	1.10 (.11)
No, $M (SE)$	5.00 (.14)	4.27 (.10)	2.85 (.17)	3.59 (.14)	3.89 (.17)	1.62 (.09)	1.97 (.10)	1.36 (.10)
Bullied or harassed at school due to sexual orientation	$F(\eta^2) = .67 (.00)$	$F(\eta^2) = .73 (.00)$	$F(\eta^2) = .35 (.00)$	$F(\eta^2) = 12.96 (.07)$	$F(\eta^2) = 8.54 (.04)$	$F(\eta^2) = 4.23 (.02)^*$	$F(\eta^2) = .10 (.00)$	$F(\eta^2) = .15 (.00)$
Yes, $M (SE)$	4.45 (.17)	3.83 (.13)	2.46 (.21)	4.21 (.18)	4.74 (.21)	1.63 (.11)	1.90 (.12)	1.20 (.12)
No, $M (SE)$	4.62 (.13)	3.97 (.09)	2.62 (.16)	3.42 (.13)	3.96 (.16)	1.34 (.08)	1.85 (.09)	1.26 (.09)

Note. Higher scores on the LGBIS indicate a more negative view of one’s sexual identity. Higher scores on the OI indicate greater amount of openness about sexual orientation. Higher scores on the CCAPS indicate greater levels of psychological distress.

^a Experimental subscales. Not included in the composite variables.
* $p < .05$. *** $p < .001$.

Table 4
CCAPS Risk & Severity Indicators

Subscale	M (SD)	Cut point classification	Clinical interpretation
Depression	1.48 (.93)	Moderate	Potentially problematic
Substance use	.77 (.86)	Moderate	Potentially problematic
Generalized anxiety	1.67 (1.00)	Moderate	Potentially problematic
Social anxiety	1.88 (.95)	Moderate	Potentially problematic
Eating concerns	1.26 (.95)	Moderate	Potentially problematic
Academic distress	1.54 (.97)	Moderate	Potentially problematic
Hostility	1.07 (.95)	Moderate	Potentially problematic
Family distress	1.62 (.99)	Moderate	Potentially problematic
Distress index	1.60 (.89)	Moderate	Potentially problematic

Note. Means classified as Low, Moderate, or High per clinical cutoffs. Scores in the Moderate or High category can be “potentially problematic” (CCMH, 2015b).

Out to College scales were analyzed by school religious affiliation and participant religion. The independent variables were analyzed separately because we did not have sufficient sample sizes to test for interactions. Box’s Test of Equality was significant, Box’s $M = 253.74, p < .05$, hence unequal variance was assumed using Pillai’s trace for school affiliation. Box’s Test of Equality was not significant, Box’s $M = 181.47, p = .44$, hence equal variance was assumed using Wilk’s Λ criteria for participant religion. MANOVA results revealed significant main effects for both participant religion, Wilk’s $\Lambda = .646, F(32, 680) = 2.669, \eta^2 = .103, p < .001$ and school religious affiliation, trace = .422, $F(40, 930) = 2.142, \eta^2 = .084, p < .001$.

Between-subjects ANOVAs were calculated as follow-up to the MANOVA model. Marginal means, standard errors, F values, and effect sizes are presented in Table 5.

For the School Affiliation variable, differences were significant for Difficult Process, Negative Identity, Religious Incongruence, Depression, and Social Anxiety, but not for Overall Outness, Outness to College, or Eating Concerns. Post hoc analyses revealed that SM students who attend Nondenominational, Evangelical, and Mormon NARAUs had significantly more difficult sexual identity processes than students in Catholic and Mainline Protestant schools. SM students attending Other Christian schools also had more difficult processes than those in Catholic NARAUs. SM students in Nondenominational and Mormon NARAUs reported more negative sexual identities than students in Catholic NARAUs. SM students who attend Mormon NARAUs endorsed significantly higher levels of religious incongruence about their sexual orientation than students who attended all other types of NARAUs. Students who attended Other Christian programs reported significantly fewer symptoms of depression and social anxiety than students at Catholic, Mainline Protestant, and Mormon NARAUs.

For the Participant Religion variable, between-subjects ANOVA revealed that differences were significant for the Difficult Process, Negative Identity, and Religious Incongruence scales, but not the other variables. Post hoc analyses revealed that Mormon students reported a more difficult process and negative sexual identity than students who identified as Atheist, Agnostic, or Other Non-Christian. Likewise, Christian students reported a more difficult process and negative sexual identity than Agnostic and Other

Table 5
Religion Variables: MANOVA Model Results

Composite or subscale	LGBIS			OI			CCAPS		
	Difficult process	Negative identity	Religious incongruence ^a	Overall outness	Out to college ^a	Depression	Social anxiety	Eating concerns	
Participant religion	$F(\eta^2) = 6.52 (.12)^{***}$	$F(\eta^2) = 5.26 (.10)^{***}$	$F(\eta^2) = 8.15 (.15)^{***}$	$F(\eta^2) = 1.62 (.03)$	$F(\eta^2) = 1.49 (.03)$	$F(\eta^2) = .38 (.01)$	$F(\eta^2) = .83 (.02)$	$F(\eta^2) = .56 (.01)$	
Christian, M (SE)	4.86 (.12)	4.15 (.09)	2.39 (.15)	3.59 (.14)	4.14 (.16)	1.44 (.09)	1.82 (.09)	1.29 (.09)	
Agnostic, M (SE)	4.22 (.28)	3.59 (.21)	2.89 (.34)	3.42 (.31)	4.05 (.38)	1.40 (.20)	2.08 (.20)	1.31 (.20)	
Atheist, M (SE)	4.29 (.38)	3.66 (.28)	2.50 (.45)	4.38 (.41)	4.39 (.51)	1.47 (.26)	1.97 (.26)	.88 (.27)	
Mormon (LDS), M (SE)	5.46 (.36)	4.60 (.27)	4.89 (.43)	3.33 (.39)	3.43 (.49)	1.65 (.25)	2.19 (.26)	1.24 (.26)	
Other non-Christian, M (SE)	3.56 (.28)	3.37 (.21)	2.13 (.39)	4.07 (.31)	4.86 (.38)	1.60 (.20)	1.79 (.20)	1.27 (.20)	
School affiliation	$F(\eta^2) = 5.14 (.12)^{***}$	$F(\eta^2) = 3.09 (.08)^*$	$F(\eta^2) = 6.75 (.15)^{***}$	$F(\eta^2) = .74 (.02)$	$F(\eta^2) = 1.12 (.03)$	$F(\eta^2) = 2.36 (.06)^*$	$F(\eta^2) = 2.35 (.06)^*$	$F(\eta^2) = 1.54 (.04)$	
Catholic, M (SE)	4.03 (.19)	3.59 (.14)	2.19 (.22)	3.76 (.20)	4.49 (.25)	1.58 (.13)	1.91 (.13)	1.35 (.13)	
Mainline Protestant, M (SE)	4.26 (.25)	4.01 (.19)	2.66 (.30)	3.61 (.28)	4.20 (.34)	1.74 (.17)	2.18 (.17)	1.54 (.18)	
Evangelical, M (SE)	5.06 (.26)	4.06 (.20)	2.23 (.31)	3.93 (.28)	4.39 (.35)	1.34 (.18)	1.72 (.18)	1.01 (.18)	
Non-denominational, M (SE)	5.22 (.23)	4.35 (.18)	2.71 (.27)	3.28 (.25)	3.66 (.31)	1.42 (.16)	1.87 (.16)	1.28 (.16)	
Mormon (LDS), M (SE)	5.28 (.34)	4.45 (.26)	4.75 (.41)	3.58 (.37)	3.80 (.46)	1.75 (.23)	2.23 (.23)	1.31 (.24)	
Other Christian, M (SE)	4.64 (.24)	3.92 (.18)	2.36 (.29)	3.74 (.26)	4.20 (.32)	1.06 (.16)	1.49 (.16)	.98 (.17)	

Note. Higher scores on the LGBIS indicate a more negative view of one’s sexual identity. Higher scores on the OI indicate greater amount of openness about sexual orientation. Higher scores on the CCAPS indicate greater levels of psychological distress.

^a Experimental subscales. Not included in the composite variables.

* $p < .05$. *** $p < .001$.

Non-Christians. Finally, Mormon SM students endorsed significantly higher levels of religious incongruence about their sexual orientation than all of the other groups.

Supplementary frequency data was collected on the experimental OI “Out to College” subscale. 54% of SM students reported that they have talked about their sexual orientation with a professor or faculty member at least once, 51% have talked about their sexual orientation with a classmate or peer at least one time, and 69% of students who have a roommate have talked about their sexual orientation with their roommate at least once (more than half report that they talk about it openly with their roommate).

Discussion

Our findings present a complex picture of SM student experiences, sexual identity, outness, and psychological functioning at NARAUs in the United States. We stress that NARAUs are a very diverse group of institutions, and therefore conclusions and results may not apply to all NARAUs.

Our first hypothesis was partially supported in that SM student involvement with a GSA on campus was associated with a more positive view of their sexual identity, less religious incongruence, and less difficulty with their sexual orientation than students not involved with a GSA. This finding is not surprising considering students who know other SM students would have less stigma or shame about their sexual orientation if they know they are not alone, have a place to discuss concerns, and form peer relationships. Another consideration is that NARAUs who allowed a GSA to form on campus may already be more welcoming (or at least less restrictive) campuses to SMs, hence these results may be explained by the campus climate rather than the involvement with a GSA. A possible limitation is selection bias, in which students who join GSA’s may already be more socially adept, have less stigma about their sexual orientation, and perhaps have greater baseline well-being.

With regard to bullying, our hypothesis was again partially supported in that students who were bullied at school because of their sexual orientation reported more symptoms of depression. Contrary to our expectations, no differences were found on the other variables (social anxiety, negative identity, and outness). Rankin et al.’s 2010 national survey of LGBTQ college students found that 23% of LGBTQ students experienced bullying or harassment on campus, whereas this was even higher among our sample (37%). A possible explanation is that stigma associated with reporting sexual orientation harassment, as well as lack of clear protections for SM students, contribute to this discrepancy at NARAUs, a finding consistent with another study at a Catholic NARAU (Lockhart, 2013). As a result, it is likely that more harassment and bullying of SM students occur at NARAUs, a finding which warrants both concern and further study.

Our second hypothesis aimed to understand whether our SM sample demonstrated potential clinical concerns on a range of mental health indicators; this portion of the hypothesis was supported. All of the subscales on the CCAPS were above the “moderate” cut point, suggesting that SM students in our sample who attend NARAUs are at-risk for potentially significant concerns that could become the focus of clinical attention. However, our hypothesis that students would have elevated (“high”) scores on the Depression, Social Anxiety, and Eating Concerns subscales was not supported. This is not to say that

these subscales could not be a clinically significant concern. Yet for our sample as a whole, these symptoms did not rise to the diagnostic threshold for serious psychiatric pathology. We did not assess for whether participants were currently in counseling services, though it would not be surprising if many were because there is evidence that SMs seek out counseling services at higher rates than their heterosexual peers (McAleavey, Castonguay, & Locke, 2011). A *self-selection* bias could have existed in that SM adults experiencing distress may have been more interested and willing to participate in a study that asked them about those experiences that are associated with distress (Grasser, 2014).

With regard to mental health symptoms, our third hypotheses was partially supported for Mormons, but not Evangelicals. Students who attended Other Christian schools reported significantly fewer symptoms of depression and social anxiety than students at Catholic, Mainline Protestant, and Mormon NARAUs. We did not find any significant differences for personal religion on any of the CCAPS subscales. This is a difficult finding to interpret, given the range of Other Christian affiliations reported (e.g., Mennonite, Quaker, and Church of God). A possible explanation for why Evangelical students did not report more depressive symptoms and social anxiety than those in other schools could be that students who find nonaffirming theological positions and environments congruent with their religious beliefs would likely not be distressed by them (e.g., a student who believes being gay is sinful would not be distressed by a school code of conduct that supports this position). Also, religion may offer a substantial amount of comfort and source of community to many SM individuals who find incongruence with their sexual orientation and their faith (Yarhouse et al., 2009).

With regard to sexual identity and religious incongruence, our hypothesis was largely supported for Mormons, but only partially for Evangelicals. Results indicated that SM students who attend Nondenominational, Evangelical, and Mormon NARAUs had significantly more difficult sexual identity processes than students in Catholic and Mainline Protestant schools, and that SM students attending Other Christian schools had more difficult processes than those in Catholic NARAUs. SM students in Nondenominational and Mormon NARAUs reported more negative sexual identities than students in Catholic NARAUs. Though we did not ascertain the exact theological positions of all of the nondenominational schools, it is likely that many of these programs strongly resemble Evangelical Christian programs. For example, three of the most well-known Evangelical colleges in the U.S. (Wheaton College, Biola University, & Regent University) could be considered nondenominational because they are not affiliated with a specific church. Parallel results indicated that both Mormon and Christian students reported a more difficult process and negative sexual identity than students who identified as Agnostic or Other Non-Christian. These results are consistent with past research in that Protestants (including Evangelicals) and Catholic LGB adults report more conflict about their sexual orientation than those who are Jewish, Atheist, or Agnostic (Schuck & Liddle, 2001).

Our results appear to cast Catholic schools in a different light in comparison with most of the other schools with regard to SM identities and difficulty with one’s sexual orientation. We theorize that Catholic schools are different from many of the other NARAUs we assessed because, although Church doctrine may officially condemn LGB relationships, we did not find evidence that they explicitly ban

SM students from forming same-sex relationships or attending their schools, unlike many Evangelical, Nondenominational, and Mormon schools (Biaggio, 2014; Lyon, 2007; Wolff & Himes, 2010). Furthermore, without such a ban in place, more Catholic schools may allow GSAs and other SM-themed activities on campus than more restrictive NARAU. However, data about the exact policies at each school were not collected. Further, a selection bias is again possible in that SM students may choose to attend a school that is less restrictive, hence potentially inflating baseline wellbeing or openness.

A somewhat surprising result was that students who identified as Mormon/LDS or attend Mormon schools were more likely to report incongruence between their sexual orientation and religious faith than all of the other groups. Hence, Mormon students and college environments appear to be unique. This finding may be important to understand in terms of the LDS church's stance on SM issues. For instance, sexual activity between members of the same-sex is grounds for excommunication within the LDS church, a serious consequence (Grigoriou, 2014). Excommunication involves no longer having church membership, ostracism from loved ones, and the belief that the excommunicated individual will be separated from God and family members for eternity (Public Broadcasting System, April, 2007). As such, Mormon students may hold to nonaffirming religious beliefs in especially strong ways in light of severe consequences for violating strict heteronormative rules. Our findings should be interpreted with caution as we did not have many Mormon participants ($n = 16$). However, a much larger study of 634 Mormons supports these conclusions; recent data indicate that sexual identity confusion is correlated with symptoms of depression for SM Mormons, and greater involvement with the LDS church is associated with increased minority stress for SMs (Crowell, Galliher, Dehlin, & Bradshaw, 2015).

Contrary to our third hypothesis, we did not find any differences in students' outness about their sexual orientation across participants' religion or school affiliations. We question whether an individual's perception of openness may be mediated by the presence of having a few individuals they could talk to openly about their orientation regardless of the actual campus environment. This may be supported by our frequency data; more than half of our sample reported having talked to a faculty member or classmate about their sexual orientation, whereas more than two thirds have talked to a roommate. Given the stigma surrounding LGBQ topics on many campuses, it seems reasonable to assume that SM students would not disclose such information unless they felt comfortable sharing it, hence pointing to the likelihood of supportive faculty members, peers, and roommates. However, we did not assess the individual's reactions to their disclosures, and the possibility exists that such disclosures may have been more harmful than helpful if the person reacted in a negative or rejecting manner.

Helping Sexual Minority Students on Religious Campuses

Our results indicate that involvement with a school GSA was associated with less negative perceptions of sexual identity, less difficulty with one's sexual orientation, and less religious incongruence. As such, allowing students to form GSAs would appear to have potential benefits. However, this could have potential drawbacks in NARAU as well, given that school administrators may wish to control or monitor content, membership, and so forth. Furthermore, more than a third of students reported being bullied because of their

sexual orientation at school. Rankin and colleagues' 2010 Campus Pride report lays a comprehensive framework for best practices to improve campus climate for SM students, which could in turn reduce bullying and harassment on campus. Steps include: (a) developing LGBTQ inclusive policies; (b) demonstrating institutional commitment to LGBTQ diversity; (c) integrating LGBTQ topics and concerns into curricular and cocurricular education; (d) responding appropriately to anti-LGBTQ harassment, violence, and other incidents; (e) creating "brave spaces" for student dialogue on-campus, especially in dormitories (p. 16); (f) offering comprehensive, culturally appropriate medical and mental health services; and (g) improving recruitment and retention efforts of LGBTQ students. We recognize that several of these recommendations are more difficult to implement than others, though this does not excuse lack of effort to safeguard SM students.

Wolff and Himes (2010) note that NARAU can improve campus climate for SM students in manners that are consistent with their institutional religious values. For example, most NARAU have mission statements that strive for virtues such as love, grace, or compassion (e.g., "love thy neighbor"). Furthermore, many NARAU pride themselves on creating campus climates that allow for spiritual growth through fellowship and community with others. This is a unique and important strength NARAU possess that could be further enhanced to support SM students who wish to openly discuss their sexual orientation with others. Of note, some Evangelical NARAU campuses have taken small but important strides to better support this kind of dialogue. For example, Biola University (2014) held an event featuring a gay speaker whose views did not align with the university's official theological position. Given that our results point to higher religious incongruence and difficult processes among Mormon students, similar dialogue could be helpful at Mormon/LDS schools if it were to feature differing perspectives of LGBQ Mormons.

Some NARAU have made other systemic changes to make campus environments much more welcoming to SM students. Steps include adding sexual orientation as a protected class to antiharassment policies, starting focus groups on campus, and providing administrative support for educational programs and staff training on LGBTQ topics (Getz & Kirkley, 2006). Limited outcome data exist on the benefits of such programming, but suggest increased awareness of social and cultural identity for all students, improved confidence among faculty/staff/students to be resources for SM students, and greater sensitivity and compassion toward SM individuals across the campus community (Getz & Kirkley, 2006). Also, a study of primarily heterosexual Evangelical Christian college students found that when students know someone who is LGB, they have significantly less negative attitudes toward LGB persons (Wolff, Himes, Miller Kwon, & Bolinger, 2012). Therefore, having open, nonjudgmental, and nonpunitive dialogue on campus is likely to have many benefits to students, faculty, staff, and positively affect campus climates. Findings from Eisenberg (2002) on condom use among LGB students on college campuses may have useful parallels to these implications. The study found that the more LGB resources on campus (e.g., having a LGB student group, staff who were implementing LGB diversity, etc.), the more likely sexually active LGB students were to use condoms. Such results are important in that improving campus climate for SM students as a whole may have many other benefits in addition to mental health.

Implications for College Counseling Centers

Findings revealed that nearly a fifth of students (17%) have had a mental health professional attempt to change their sexual orientation, a process referred to as reparative/conversion therapy or sexual orientation change efforts (SOCEs). Of note, we did not assess whether SOCEs occurred on-campus or with an outside provider. However, it seems reasonable to infer that a sizable portion of these respondents have received such services at a university/college counseling center given their ease of access and affordability, or been referred off-campus if these services were not available on-campus.

These findings raise significant concerns. In 2009, a task force of the American Psychological Association concluded that “efforts to change sexual orientation are unlikely to be successful and involve some risk of harm” and are most likely to be sought out by those who are “strongly religious” (American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation, 2009, p. v). Furthermore, the American Psychiatric Association declared that SOCEs “represent a significant risk of harm by subjecting individuals to forms of treatment which have not been scientifically validated and by undermining self-esteem when sexual orientation fails to change” (American Psychological Association, 2013). Some SM students, particularly those who experience strong dissonance between their sexual orientation and religious beliefs, may come to counseling with the stated desire for SOCE. As a result, significant staff training is needed in models of psychotherapy which are exceptionally focused on encouraging self-determination, sensitive to religion/spirituality, embrace a developmental view of sexual and gender identity, and have safeguards to protect students from therapist bias and potentially harmful practices.

Limitations & Future Directions

External validity may be limited by the nonrandom purposive sampling approach and relatively small sample, though a range of NARAU were included. Another limitation of this study was the small number of racial/ethnic minority participants, as well as those from non-Christian religious traditions. However, NARAU are overwhelmingly Christian in the United States. We used standardized inventories and questions focused on sexual minorities. As such, our results cannot be generalized to gender minority students. Another limitation is that we relied solely on participant responses and perceptions, and did not collect parallel objective campus climate data (e.g., reviewing the school’s nondiscrimination policy). Hence, we were not able to analyze the potential impact of community-level determinants on mental health independently. Also, we did not collect a representative sample of heterosexual NARAU students or SMs who attend nonreligious schools, which could have served as a comparison group. A qualitative study would likely provide very rich, valuable data to supplement this study’s quantitative results.

Conclusion

Religiously affiliated colleges, universities, and seminaries are an important, unique part of the American higher education system. Such institutions also maintain strong traditions and practices

central to their campus identity and mission. Efforts aimed at helping SM students who attend such institutions are no easy task. Greater dialogue about sexual orientation issues and development, sensitivity toward diverse populations, compassion and care for SM students, and the use of data to guide interventions may be important steps in promoting campus climates that can be welcoming to SM students at NARAU.

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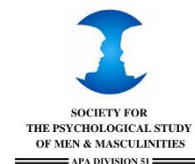
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SOCIETY of GROUP PSYCHOLOGY
and GROUP PSYCHOTHERAPY



Professional Psychology Groups urge the U.S. Department of Education to Protect LGBTQ+ Students at Religious Colleges and Universities

Our signing professional psychological groups affirm the importance of religious diversity and freedom of religious expression. Further, our groups recognize that religion and spirituality (R/S) are important to the lives of thousands of lesbian, gay, bisexual, transgender, and queer (LGBTQ+) people.

While recognizing the potential benefits of religious faith and participation, our groups echo the *American Psychological Association's* (APA) statement that “prejudice based on or derived from religion continues to result in various forms of harmful discrimination,” as stated in the [APA Resolution on Religious, Religion-Based and/or Religion-Derived Prejudice](#)¹. Too many in the LGBTQ+ community are painfully aware of the ways in which they have been excluded from religious participation, condemned for their identities, and watched religion be used to oppose equity and civil rights for LGBTQ+ people all over the world – which have caused many harms to the community^{2,3}.

Decades of psychological research has consistently found that discrimination toward LGBTQ+ people is harmful, and can result in increased rates of suicide, mental health symptoms, substance abuse, isolation, and lower academic achievement in school settings⁴. We also know that policies and practices that promote equity and safety for LGBTQ+ people are associated with mental health benefits, improved wellbeing, and better academic outcomes⁴.

LGBTQ+ students and employees at *non-affirming faith-based colleges and universities* (NFBCUs) are discriminated against in admission, retention, and employment due to a combination of restrictive policies, stigma, absence of formal social support groups, and lack of legal protections⁵. Recent studies and reports suggest that LGBTQ+ students at NFBCUs may experience higher rates of bullying and harassment than their heterosexual and cisgender peers⁶, and develop mental health symptoms because of psychological distress and isolation^{6,7}.

Further, several studies show evidence that some LGBTQ+ students have been referred for *sexual orientation/gender identity change efforts* at NFBCUs^{6,7,8}. APA's [Resolution on Sexual](#)

This is an official statement of the Divisions, Societies, and Associations listed above, and does not represent the position of the American Psychological Association or any of its other Divisions or subunits.

*Orientation Change Efforts*⁹ (SOCE) states that “APA opposes SOCE because such efforts put individuals at significant risk of harm and encourage individuals, families, health professionals, and organizations to avoid SOCE.” Similarly, the APA *Resolution on Gender Identity Change Efforts* (GICE) states that “explicit attempts to change individuals’ gender according to cisnormative pressures [...] cause harm by reinforcing anti-transgender and anti-gender nonbinary stigma and discrimination”¹⁰. Our groups hold strong concerns that some NFBCUs have policies that attach disciplinary threats to transgender and non-binary students who transition¹¹, thus discouraging students from accessing gender-affirming medical and psychological services. These gender-affirming clinical services have been shown to be lifesaving for many transgender and non-binary people¹⁰.

Unlike LGBTQ+ people at non-religious universities, LGBTQ+ students and employees at NFBCUs are left with no legal protections due to exemptions in current Title IX legislation, which are granted by the U.S. Department of Education (ED)⁶. Consistent with APA’s Resolution on *Opposing Discriminatory Laws, Policies, and Practices Aimed at LGBTQ+ Persons*¹², our groups “oppose the enactment of laws, policies, and procedures that exempt any group from following antidiscrimination laws designed to protect any group”, and call upon policy makers and courts to recognize religious freedom without ignoring harmful practices and policies directed at LGBTQ+ people. Our groups also raise this concern given that NFBCUs are indirectly funded by the U.S. government through student loans, research grants, and other federal dollars; thus, taxpayers are, even if unwittingly, funding religiously-based discrimination.

In response, our groups call on ED to *investigate allegations of harm* toward LGBTQ+ students at NFBCUs, and to *take appropriate actions* to protect LGBTQ+ students.

Signatories:

Society for the Psychology of Sexual Orientation and Gender Diversity (APA Division 44)
 Society for the Teaching of Psychology (APA Division 2)
 Society for the Psychological Study of Social Issues (APA Division 9)
 Society of Counseling Psychology (APA Division 17) Section on Lesbian, Gay, Bisexual, and Transgender issues
 Psychologists in Public Service (APA Division 18)
 Society for Military Psychology (APA Division 19)
 Society for Community Research and Action (APA Division 27)
 Society for Humanistic Psychology (APA Division 32)
 Society for the Psychology of Women (APA Division 35)
 Society for Child and Family Policy and Practice (APA Division 37)
 Society for Psychoanalysis and Psychoanalytic Psychology (APA Division 39)
 American Psychology-Law Society (APA Division 41)
 Society of Group Psychology and Group Psychotherapy (APA Division 49)
 Society for the Psychological Study of Men & Masculinities (APA Division 51)
 Society for Pediatric Psychology (APA Division 54)
 Asian American Psychological Association (AAPA)
 National Latinx Psychological Association (NLPA)/Orgullo Latinx: Sexual Orientation and Gender Diversity special interest group

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- ⁹ American Psychological Association (February, 2021). *APA Resolution on Sexual Orientation Change Efforts*. <https://www.apa.org/about/policy/resolution-sexual-orientation-change-efforts.pdf>
- ¹⁰ American Psychological Association (February, 2021). *APA Resolution on Gender Identity Change Efforts*. <https://www.apa.org/about/policy/resolution-gender-identity-change-efforts.pdf>
- ¹¹ Jaschik, S. (July 14, 2014). *Freedom of Religion or Freedom to Discriminate? Inside Higher Ed*. <https://www.insidehighered.com/news/2014/07/14/two-legal-cases-illustrate-growing-tensions-over-rights-transgender-students>
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BRIEFING ROOM

Executive Order on Guaranteeing an Educational Environment Free from Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity

MARCH 08, 2021 • PRESIDENTIAL ACTIONS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. It is the policy of my Administration that all students should be guaranteed an educational environment free from discrimination on the basis of sex, including discrimination in the form of sexual harassment, which encompasses sexual violence, and including discrimination on the basis of sexual orientation or gender identity. For students attending schools and other educational institutions that receive Federal financial assistance, this guarantee is codified, in part, in Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in education programs or activities receiving Federal financial assistance.

Sec. 2. Review of Agency Actions. (a) Within 100 days of the date of this order, the Secretary of Education, in consultation with the Attorney General, shall review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (collectively, agency actions) that are or may be inconsistent with the policy set forth in section 1 of this order, and provide the findings of this review to the Director of the Office of Management and Budget.

(i) As part of the review required under subsection (a) of this section, the Secretary of Education shall review the rule entitled “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 85 Fed. Reg. 30026 (May 19, 2020), and any other agency actions taken pursuant to that rule, for consistency with governing law, including Title IX, and with the policy set forth in

section 1 of this order.

(ii) As soon as practicable, and as appropriate and consistent with applicable law, the Secretary of Education shall review existing guidance and issue new guidance as needed on the implementation of the rule described in subsection (a)(i) of this section, for consistency with governing law, including Title IX, and with the policy set forth in section 1 of this order.

(iii) The Secretary of Education shall consider suspending, revising, or rescinding – or publishing for notice and comment proposed rules suspending, revising, or rescinding – those agency actions that are inconsistent with the policy set forth in section 1 of this order as soon as practicable and as appropriate and consistent with applicable law, and may issue such requests for information as would facilitate doing so.

(b) The Secretary of Education shall consider taking additional enforcement actions, as appropriate and consistent with applicable law, to enforce the policy set forth in section 1 of this order as well as legal prohibitions on sex discrimination in the form of sexual harassment, which encompasses sexual violence, to the fullest extent permissible under law; to account for intersecting forms of prohibited discrimination that can affect the availability of resources and support for students who have experienced sex discrimination, including discrimination on the basis of race, disability, and national origin; to account for the significant rates at which students who identify as lesbian, gay, bisexual, transgender, and queer (LGBTQ+) are subject to sexual harassment, which encompasses sexual violence; to ensure that educational institutions are providing appropriate support for students who have experienced sex discrimination; and to ensure that their school procedures are fair and equitable for all.

Sec. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers,

employees, or agents, or any other person.

JOSEPH R. BIDEN JR.

THE WHITE HOUSE,

March 8, 2021.



MEMORANDUM

March 26, 2021

TO: Federal Agency Civil Rights Directors and General Counsels

FROM: Principal Deputy Assistant Attorney General Pamela S. Karlan
Civil Rights Division PSK

SUBJECT: Application of *Bostock v. Clayton County* to Title IX of the Education Amendments of 1972

Several federal agencies have recently contacted the Civil Rights Division with questions regarding the application of the Supreme Court’s reasoning in *Bostock v. Clayton County*, 140 S. Ct. 1731, 590 U.S. ___ (2020), to Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681 *et seq.*) (Title IX), particularly in light of Executive Order 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*, 86 Fed. Reg. 7023 (Jan. 25, 2021). The Department of Justice is charged with coordination of the implementation and enforcement of Title IX by Executive agencies. Exec. Order No. 12250, § 1-2, 45 Fed. Reg. 72,995 (Nov. 4, 1980). Under the Executive Order 12250 authority delegated to the Civil Rights Division, 28 C.F.R. § 0.51(a) (1981) and 28 C.F.R. § 42.412(a) (1981), I write to share the Division’s view as to whether *Bostock* applies to Title IX.

Executive Order 13988 sets out the Administration’s policy that “[a]ll persons should receive equal treatment under the law, no matter their gender identity or sexual orientation.” Citing the Supreme Court’s holding in *Bostock* that the prohibition on discrimination “because of . . . sex” under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* (Title VII), covers discrimination on the basis of gender identity and sexual orientation, the Executive Order explains that *Bostock*’s reasoning applies with equal force to other laws that prohibit sex discrimination “so long as the laws do not contain sufficient indications to the contrary.” The Executive Order directs agencies to review other laws that prohibit sex discrimination, including Title IX, to determine whether they prohibit discrimination on the basis of gender identity and sexual orientation. We conclude that Title IX does.

Title IX provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. § 1681(a). Because their statutory prohibitions against sex discrimination are similar, the Supreme Court and other federal courts consistently look to interpretations of Title VII to inform Title IX. *See, e.g., Franklin v. Gwinnett Cnty. Pub. Sch.*, 503 U.S. 60, 75 (1992); *Jennings v. Univ. of N.C.*, 482 F.3d 686, 695 (4th Cir. 2007); *Gossett v. Oklahoma ex rel. Bd. of Regents for Langston Univ.*, 245 F.3d 1172, 1176 (10th Cir. 2001). Thus, *Bostock*’s discussion of the text of Title VII informs the Division’s analysis of the text of Title IX.

First, like Title VII, Title IX applies to sex discrimination against individuals. The *Bostock* Court focused on this feature of Title VII in reaching its holding. *Bostock*, 140 S. Ct. at 1740–41 (“[The statute] tells us three times—including immediately after the words “discriminate against”—that our focus should be on individuals”). Similarly, Title IX focuses on individuals when it uses the term “person.” See *Cannon v. Univ. of Chicago*, 441 U.S. 677, 704 (1979) (stating that, in enacting Title IX, Congress “wanted to provide *individual citizens* effective protection against those [discriminatory] practices” (emphasis added)).

Second, Title IX’s “on the basis of sex” language is sufficiently similar to “because of” sex under Title VII as to be considered interchangeable. In *Bostock* itself, the Supreme Court described Title VII’s language that way: “[I]n Title VII, Congress outlawed discrimination in the workplace *on the basis of* race, color, religion, sex, or national origin.” *Bostock*, 140 S. Ct. at 1737 (emphasis added); see also *Meritor Sav. Bank, FSB v. Vinson*, 477 U.S. 57, 64 (1986) (“[W]hen a supervisor sexually harasses a subordinate *because of* the subordinate’s sex, that supervisor ‘discriminate[s]’ *on the basis of* sex.” (emphasis added)). The *Bostock* Court concluded that Title VII’s prohibition of discrimination “because of” sex includes discrimination because of sexual orientation and transgender status, finding that when an employer discriminates against employees for being gay or transgender, “the employer must intentionally discriminate against individual men and women in part because of sex.” *Bostock*, 140 S. Ct. at 1740–43. The same reasoning supports the interpretation that Title IX’s prohibition of discrimination “on the basis of” sex would prohibit recipients from discriminating against an individual based on that person’s sexual orientation or transgender status. This interpretation of Title IX is consistent with the Supreme Court’s longstanding directive that “if we are to give Title IX the scope that its origins dictate, we must accord it a sweep as broad as its language.” *N. Haven Bd. of Ed. v. Bell*, 456 U.S. 512, 521 (1982) (citations and internal alterations omitted).

In the months following the *Bostock* decision, two appellate courts have reached the same conclusion, citing *Bostock* to support their holdings that Title IX protects transgender students from discrimination on the basis of gender identity. *Grimm v. Gloucester Cnty. Sch. Bd.*, 972 F.3d 586, 616 (4th Cir. 2020), *as amended* (Aug. 28, 2020), *reh’g en banc denied*, 976 F.3d 399 (4th Cir. 2020), *petition for cert. filed*, No. 20-1163 (Feb. 24, 2021); *Adams v. Sch. Bd. of St. Johns Cnty.*, 968 F.3d 1286, 1305 (11th Cir. 2020), *petition for reh’g en banc pending*, No. 18-13592 (Aug. 28, 2020). Other circuits reached this conclusion before *Bostock*. See *Whitaker By Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034, 1049–50 (7th Cir. 2017) (transgender boy was likely to succeed on his claim that school district violated Title IX by excluding him from the boys’ restroom); *Dodds v. U.S. Dep’t of Educ.*, 845 F.3d 217, 221–22 (6th Cir. 2016) (per curiam) (school district that sought to exclude transgender girl from girls’ restroom was not likely to succeed on the claim because Title IX prohibits discrimination based on sex stereotyping and gender nonconformity).

After considering the text of Title IX, Supreme Court caselaw, and developing jurisprudence in this area, the Division has determined that the best reading of Title IX’s prohibition on discrimination “on the basis of sex” is that it includes discrimination on the basis of gender identity and sexual orientation. Before reaching this conclusion, the Division considered whether Title IX “contain[s] sufficient indications” that would merit a contrary conclusion. The Division carefully considered, among other things, the dissenting opinions in

Gloucester and *Adams*, and the concerns raised in the dissents in *Bostock*. Like the majority opinions in those cases, however, the Division ultimately found nothing persuasive in the statutory text, legislative history, or caselaw to justify a departure from *Bostock*'s textual analysis and the Supreme Court's longstanding directive to interpret Title IX's text broadly. Whether allegations of sex discrimination, including allegations of sexual orientation or gender identity discrimination, constitute a violation of Title IX in any given case will necessarily turn on the specific facts, and therefore this statement does not prescribe any particular outcome with regard to enforcement.

I hope this memorandum provides a starting point for your agencies to ensure the consistent and robust enforcement of Title IX, in furtherance of the commitment that every person should be treated with respect and dignity. The Civil Rights Division is available to answer any questions your agencies have as you implement Title IX's protections against sexual orientation and gender identity discrimination.



**COMMONWEALTH OF
PENNSYLVANIA
OFFICE OF ATTORNEY
GENERAL
JOSH SHAPIRO
ATTORNEY GENERAL**



**STATE OF CALIFORNIA
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January 30, 2019

VIA Federal eRulemaking Portal & Mail

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue S.W.
Washington D.C. 20202

Re: Comment on Proposed Rule Regarding Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—Docket ID ED–2018–OCR–0064 (83 Fed. Reg. 61,462 (Nov. 29, 2018))

Dear Secretary DeVos:

On behalf of the Commonwealths of Pennsylvania and Kentucky, the States of New Jersey, California, Delaware, Hawai‘i, Illinois, Iowa, Maine, Maryland, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Rhode Island, Vermont, Washington, and the District of Columbia, we write to express our strong opposition to the *Proposed Rule Regarding Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance* (the “proposed rule”), published by the Department of Education (the “Department”) in the Federal Register on November 29, 2018. This rule seeks to impose procedures for the implementation of Title IX of the Education Amendments Act of 1972 (Title IX). Unfortunately, many of these proposed procedures would thwart the very purpose of Title IX—to provide equal access to educational opportunities. For this reason, we urge you to withdraw this rule.

Proper enforcement of Title IX is an issue of immense importance to our states, our resident students and families, our teachers, and our communities. The ability to learn in a safe environment free from violence and discrimination is critical and something that we as states prioritize and value.

Conduct that violates Title IX may also violate criminal laws, and state attorneys general, along with county and local prosecutors, have the responsibility to investigate and prosecute these violations when warranted. Many of our states prohibit discrimination based on sex.¹ We have a strong interest in vigorous enforcement of these laws and in ensuring that our own enforcement efforts are not undermined by a weaker federal regime.

Title IX applies to public K-12 schools as well as public colleges and universities, so the states are regulated entities under the proposal. And the states themselves regulate, and in many cases provide funding for, private educational institutions within their borders, which will be subject to the proposed rule to the extent they receive federal funds. Most importantly, the states have a profound interest in protecting the well-being of their students and in ensuring that they are able to obtain an education free of sexual harassment, violence, and discrimination.

We represent states in which schools² have worked to bring their procedures in line with Title IX's requirements: to provide students an educational environment free from discrimination based on sex, including sexual harassment and violence. The proposed rule imposes new requirements on schools and complainants that would mark a significant departure from that fundamental purpose of Title IX.

In this comment letter, we address aspects of the proposed rule that would be incompatible with Title IX, inappropriate exercises of the Department's authority, and unsupported by the facts. Section I of the comment provides relevant factual and legal background on sexual harassment and violence and its impact on education. Section II addresses the Department's proposal for a general rule to govern schools' obligations to respond to sexual harassment and violence. Section III addresses the proposed definitions of "complainant," "formal complaint," and "supportive measures." Section IV details problems with the Department's proposed formal grievance procedures. Section V requests clarification regarding how the proposed rule will interact with other federal, state, and local laws and policies. Section VI addresses other issues with the proposed rule. Section VII identifies flaws in the

¹ *E.g.*, Cal. Const., art. I, § 7(a) & (b); Cal. Educ. Code § 220; Cal. Gov't Code § 11135; Minn. Stat. § 363A.13; N.J.S.A. 10:5-12; Pa. Const. art. I, § 28.

² For purposes of this letter, "school" is defined consistent with the statute to include "any education program or activity receiving Federal financial assistance," which includes but is not limited to most elementary and secondary schools and institutions of undergraduate and higher graduate education. 20 U.S.C. § 1681, *et. seq.* We use "school" synonymously with the term "recipient" used by the proposed rule.

Department's regulatory impact analysis. And Section VIII speaks to the effective date of any Title IX rule adopted by the Department.

Finally, we are concerned that during the notice and comment process the Department of Education has not proactively released required records under the Administrative Procedure Act (APA). The APA requires federal agencies to reveal "for public evaluation" the "technical studies and data upon which the agency relies" in rulemaking, including reports and information relied on by the agency in reaching its conclusions.³ We understand that studies relied on by the Department in preparing the Regulatory Impact Analysis⁴ have not been made available to the public in contravention of the APA. In addition, tens of thousands of comments already submitted to Regulations.gov are also not available to the public,⁵ even though the Notice of Proposed Rulemaking (NPRM) specifically indicates "all public comments about these proposed regulations" will be available for inspection "[d]uring and after the comment period" by accessing Regulations.gov. 83 Fed. Reg. at 61,463. We ask that the Department promptly make this information public and provide sufficient time for a meaningful response.

³ *American Radio Relay League, Inc. v. FCC*, 524 F.3d 227, 236 (D.C. Cir. 2008) (internal quotations and citations omitted).

⁴ *See, e.g.*, 83 Fed. Reg. at 61,485 (discussing "examin[ation of] public reports of Title IX reports and investigations at 55 [institutions of higher education] nationwide").

⁵ *Compare* <https://www.regulations.gov/document?D=ED-2018-OCR-0064-0001> (stating that approximately 96,800 comments have been submitted as of 2:00 PM ET on January 30, 2019), *with* <https://www.regulations.gov/docketBrowser?rpp=25&po=0&dct=PS&D=ED-2018-OCR-0064&refD=ED-2018-OCR-0064-0001> (allowing the public to access only 8,909 comments as of 2:00 PM ET on January 30, 2019).

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I. Title IX Guarantees Students an Equal Education Free of Sexual Harassment⁶, Which is Pervasive and Deeply Harmful to Students.

Title IX of the Education Amendments Act of 1972 is a civil rights statute that guarantees students equal access to educational programs and activities free of discrimination based on sex.⁷ Since at least 1992, this right has been applied to protect students from sexual harassment and sexual violence that would limit or deny their ability to participate equally in the benefits, services, and opportunities of federally funded educational programs and activities.⁸

Sexual harassment of students occurs far too frequently—at all grade levels and to all types of students. More than 20 percent of girls aged 14 to 18 have been kissed or touched without consent.⁹ In grades 7–12, 56 percent of girls and 40 percent of boys are sexually harassed every year, with nearly a third of the harassment taking place online.¹⁰ In college, nearly two thirds of both men and women will experience sexual harassment.¹¹ More than 1 in 5 women and nearly 1 in 18 men in college were survivors of sexual assault or sexual misconduct due to physical force, threats of force, or incapacitation.¹² The federal government’s own studies reaffirm these statistics: the U.S. Department of Justice’s Bureau of Justice Statistics found that, on average, 20.5 percent of college women had experienced sexual assault since entering college,¹³ while the Centers for Disease Control and Prevention found that one in five women

⁶ Sexual violence and sexual assault can both be forms of sexual harassment. The term “sexual harassment” as used herein includes sexual violence, which courts and the Department have recognized is a subset of actionable conduct under the term “sexual harassment.” *See, e.g.*, U.S. Dep’t of Educ., Off. for Civil Rights, *Dear Colleague Letter*, at 1 (Apr. 4, 2011, withdrawn Sept. 22, 2017) (the “2011 DCL”) (“Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX.”).

⁷ 20 U.S.C. § 1681(a).

⁸ *Franklin v. Gwinnett Cty. Pub. Schs.*, 503 U.S. 60 (1992).

⁹ Nat’l Women’s Law Center, *Let Her Learn: Stopping School Pushout for: Girls Who Have Suffered Harassment and Sexual Violence* 1 (Apr. 2017), <https://nwlc.org/resources/stopping-school-pushout-for-girls-who-have-suffered-harassment-and-sexual-violence>.

¹⁰ Catherine Hill & Holly Kearn, *Crossing the Line: Sexual Harassment at School*, AAUW 11 (2011), <https://www.aauw.org/files/2013/02/Crossing-the-Line-Sexual-Harassment-at-School.pdf>.

¹¹ Catherine Hill & Elena Silva, *Drawing the Line: Sexual Harassment on Campus*, AAUW 17, 19 (2005), <https://history.aauw.org/files/2013/01/DTLFinal.pdf> (noting differences in the types of sexual harassment and reactions to it).

¹² *E.g.*, David Cantor et al., *Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct*, Association of American Universities 13-14 (Sept. 2015, reissued Oct. 2017), <https://www.aau.edu/sites/default/files/AAU-Files/Key-Issues/Campus-Safety/AAU-Campus-Climate-Survey-FINAL-10-20-17.pdf>.

¹³ *See generally*, Campus Climate Survey Validation Study, Final Technical Report (Jan. 2016), Appx. E, https://www.bjs.gov/content/pub/pdf/App_E_Sex-Assault-Rape-Battery.pdf; *see also* Sofi Sinozich & Lynn Langton, *Rape and Sexual Assault Victimization Among College-Age Females, 1995–*

have experienced sexual assault in their lifetimes.¹⁴ And harassment is not limited to women: Men and boys are far more likely to be subjected to sexual assault than to be falsely accused of it.¹⁵ Historically marginalized and underrepresented groups—such as girls who are pregnant or raising children, LGBTQ students, and students with disabilities—are more likely to experience sexual harassment than their peers.¹⁶

Despite the frequency of campus sexual harassment and violence, those subjected to it often refrain from reporting it. In 2016, only 20 percent of rape and sexual assault survivors reported these crimes to the police.¹⁷ Only 12 percent of college survivors¹⁸ and two percent of female survivors ages 14–18¹⁹ reported sexual assault to their schools or the police. One national

2013, U.S. DOJ, Office of Justice Programs, Bureau of Justice Statistics (Dec. 2014), <https://www.bjs.gov/content/pub/pdf/rsavcaf9513.pdf>.

¹⁴ Ctrs. for Disease Control & Prevention, *National Intimate Partner and Sexual Violence Survey*, https://www.cdc.gov/violenceprevention/pdf/nisvs_report2010-a.pdf; see also Ctrs. for Disease Control & Prevention, *Understanding Sexual Violence Fact Sheet*, <https://www.cdc.gov/violenceprevention/pdf/sv-factsheet.pdf> (last checked Jan. 21, 2019) (reporting that 1 in 2 women and 1 in 5 men experienced sexual violence other than rape during their lifetimes, about 1 in 5 women have experienced completed or attempted rape, 1 in 21 men have been made to penetrate someone else in their lifetime, and 1 in 3 female rape victims experienced it for the first time between 11-17 years old and 1 in 9 reported that it occurred before age 10).

¹⁵ E.g., Tyler Kingkade, *Males Are More Likely To Suffer Sexual Assault Than To Be Falsely Accused Of It*, *Huffington Post* (Oct. 16, 2015), https://www.huffingtonpost.com/2014/12/08/false-rape-accusations_n_6290380.html.

¹⁶ Nat'l Women's Law Center, *Let Her Learn: Stopping School Pushout for Girls Who Are Pregnant or Parenting* 12 (2017), <https://nwlc.org/resources/stopping-school-pushout-for-girls-who-are-pregnant-or-parenting> (56 percent of girls aged 14 to 18 who are pregnant or raising children are touched or kissed without consent); Joseph G. Kosciw et al., *The 2017 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation's Schools*, *GLSEN* 26 (2018), <https://www.glsen.org/article/2017-national-school-climate-survey-1>; *AAU Campus Climate Survey*, *supra* note 12, at 13–14 (nearly 25 percent of transgender or gender non-conforming students are sexually assaulted in college); Nat'l Women's Law Center, *Let Her Learn: Stopping School Pushout for Girls With Disabilities* 7 (2017), https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/04/Final_nwlc_Gates_GirlsWithDisabilities.pdf (“[C]hildren with disabilities were 2.9 times more likely than children without disabilities to be sexually abused.”).

¹⁷ DOJ, Bureau of Justice Stats., *Criminal Victimization, 2016: Revised*, at 7 (Oct. 2018), <https://www.bjs.gov/content/pub/pdf/cv16.pdf>.

¹⁸ *Poll: One in 5 Women Say They Have Been Sexually Assaulted in College*, *Wash. Post* (June 12, 2015), <https://www.washingtonpost.com/graphics/local/sexual-assault-poll/>; see also *Drawing the Line: Sexual Harassment on Campus*, *supra* note 11, at 2 (“[L]ess than 10 percent of these students tell a college or university employee about their experiences and an even smaller fraction officially report them to a Title IX officer.”).

¹⁹ *Let Her Learn: Stopping School Pushout for Girls Who Have Suffered Harassment and Sexual Violence*, *supra* note 9, at 2.

survey found that of 770 rapes on campus during the 2014–2015 academic year, only 40 were reported to authorities under the Clery Act guidelines.²⁰ Students often choose not to report for fear of reprisal, because they believe their abuse was not important enough, or because they think that no one would do anything to help.²¹ Reporting is even less likely among students of color,²² undocumented students,²³ LGBTQ students,²⁴ and students with disabilities.²⁵

When not addressed properly, sexual harassment can have a debilitating impact on a student's access to education.²⁶ For example, 34 percent of college survivors of sexual assault drop out of college,²⁷ often because they no longer feel safe on campus.²⁸

This is why effective Title IX enforcement is crucial: Protecting students from the devastating effects of sexual harassment is a necessary component of an equal education free

²⁰ N.J. Task Force on Campus Sexual Assault, *2017 Report and Recommendations*, <https://www.nj.gov/highereducation/documents/pdf/index/sexualassaulttaskforcereport2017.pdf>.

²¹ RAINN, *Campus Sexual Violence: Statistics*, <https://www.rainn.org/statistics/campus-sexual-violence>.

²² Colleen Murphy, *Another Challenge on Campus Sexual Assault: Getting Minority Students to Report It*, *The Chronicle of Higher Education* (June 18, 2015) (discussing underreporting by student of color), <https://www.chronicle.com/article/Another-Challenge-on-Campus/230977>; see also Kathryn Casteel, Julie Wolfe & Mai Nguyen, *What We Know About Victims of Sexual Assault in America*, *Five Thirty Eight Projects* (last checked Jan. 21, 2019), <https://projects.fivethirtyeight.com/sexual-assault-victims> (reporting results of the 2017 National Crime Victimization Survey (NCVS), finding that 77 percent of incidents of rape and sexual assault were not reported to the police and that 15 percent of the incidents of rape and sexual assault in the NCVS were reported by Hispanic respondents and 13 percent by non-Hispanic black respondent).

²³ See Jennifer Medina, *Too Scared to Report Sexual Abuse. The Fear: Deportation*, *N.Y. Times* (Apr. 30, 2017), <https://www.nytimes.com/2017/04/30/us/immigrants-deportation-sexual-abuse.html?mcubz=3>.

²⁴ National Center for Transgender Equality, *The Report of the 2015 U.S. Transgender Survey: Executive Summary* 12 (Dec. 2016), <https://transequality.org/sites/default/files/docs/usts/USTS-Executive-Summary-Dec17.pdf>.

²⁵ Nat'l Women's Law Center, *Let Her Learn: Stopping School Pushout for: Girls with Disabilities* 7 (2017), https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/04/Final_nwlc_Gates_GirlsWithDisabilities.pdf.

²⁶ E.g., Audrey Chu, *I Dropped Out of College Because I Couldn't Bear to See My Rapist on Campus*, *Vice* (Sept. 26, 2017), https://broadly.vice.com/en_us/article/qvjzpd/i-dropped-out-of-college-because-i-couldnt-bear-to-see-my-rapist-on-campus.

²⁷ Cecilia Mengo & Beverly M. Black, *Violence Victimization on a College Campus: Impact on GPA and School Dropout*, 18(2) *J.C. Student Retention: Res., Theory & Prac.* 234, 244 (2015), <https://doi.org/10.1177/1521025115584750>.

²⁸ E.g., Alexandra Brodsky, *How Much Does Sexual Assault Cost College Students Every Year?*, *Wash. Post* (Nov. 18, 2014), <https://www.washingtonpost.com/posteverything/wp/2014/11/18/how-much-does-sexual-assault-cost-college-students-every-year/>.

from discrimination. In enacting Title IX, Congress intended to ensure that all students, regardless of sex, have equal access to education. Title IX places the obligation on schools—not students—to provide educational programs and activities free from sex discrimination, sexual harassment, and sexual violence. A school’s compliance with Title IX is not limited to responding appropriately to individual reports or formal complaints filed by students. Instead, schools have an affirmative legal obligation to stop harassment, eliminate hostile educational environments, prevent recurrence of harassment, and remedy its effects not only on those subjected to sexual harassment, but on the entire student body.²⁹

Consistent with the purpose of the law, any Title IX regulation should focus on maximizing student access to an education free of sexual discrimination, harassment, assault, stalking, and domestic violence.³⁰ Yet the proposed rule does the opposite. It prioritizes reducing the number of Title IX investigations a school conducts, flipping Title IX on its head. It narrows the scope of schools’ responsibility, contrary to decades of established law and practice, and ignores the reality of how sexual harassment affects a student’s access to education. It will chill reporting of sexual harassment—which is already severely underreported—by imposing onerous burdens on students who seek to report sexual harassment and to vindicate their right to an equal education. It will make the standard for non-compliance so high that only schools who deliberately and intentionally flout the law will be required to take even the most basic remedial and preventative action, leaving many students without recourse or help from their school. And it will allow systemic harassment and toxic campus cultures to flourish by removing schools’ well-established obligation to seek out and remedy such violations.

Equally concerning, the proposal blurs the lines between the procedures governing criminal proceedings and those applicable to non-criminal proceedings under Title IX. As a civil rights statute, Title IX is focused on ensuring equal access to educational programs and activities, not denying life and liberty to the guilty. In non-criminal proceedings, both parties are treated equally, with neither side receiving greater procedural protections than the other and with procedures designed to find the truth when the parties dispute the facts. But the proposed rule provides greater protections to respondents, and imposes significant and inappropriate burdens on complainants. Criminal procedures and protections do not apply in the Title IX context.

²⁹ See generally *Gebser v. Lago Vista Indep. Sch. Dist.*, 524 U.S. 274, 288 (1998) (“In the event of a violation, [under OCR’s administrative enforcement scheme] a funding recipient may be required to take ‘such remedial action as [is] deem[ed] necessary to overcome the effects of [the] discrimination.’ §106.3.”); U.S. Dep’t of Educ., Off. for Civil Rights, *Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, at 20 (66 Fed. Reg. 5512, Jan. 19 2001) (the “2001 Guidance”).

³⁰ The Violence Against Women Act, 42 U.S.C. 12291, recognizes the need to protect against domestic violence, assault, and stalking. Similarly, it is appropriate for the implementation of Title IX to recognize that domestic violence, assault, and stalking may impermissibly restrict access to educational opportunities on the basis of sexual discrimination.

At the end of the day, Title IX sets the floor—not the ceiling—on what schools must do to provide non-discriminatory education to all their students. Any Title IX regulation should encourage schools to uncover and prevent any harassment that negatively affects a student’s access to education—not incentivize schools towards willful ignorance. And any Title IX regulations certainly cannot bar state and local governments and schools from responding more robustly to campus sexual harassment, or interfere with schools’ compliance with other applicable federal, state, and local laws and policies that require such a response. Schools must continue to enjoy a right to establish codes of conduct and protections for students that go beyond what Title IX requires.

Working with the Department’s Office for Civil Rights (OCR), many schools across the country have developed Title IX procedures that are fair to all parties, that reflect each school’s unique circumstances, and that further the statute’s anti-discrimination mandate. In many places, the proposed rule subverts these carefully refined policies. The Department’s proposal is based on the misguided belief that schools are facing a torrent of frivolous Title IX complaints, but the effect will be to reduce the filing of bona fide complaints. The proposed rule introduces new biases into the process, imposes uniform requirements ill-suited to many schools’ circumstances, and undermines the goal of a discrimination-free campus. The Department’s proposal would reverse practices endorsed by both Democratic and Republican administrations;³¹ contravene Supreme Court and other legal precedent and requirements, including the mandates of the APA; ignore the reality of where campus sexual assault occurs; impose onerous burdens on complainants; and run contrary to Title IX itself and other federal laws. The result will chill reporting of sexual harassment and prevent schools from effectively addressing its insidious effects.

It is vital that the Department’s regulations support schools in fulfilling their Title IX obligations. As the Department noted in 2001, a “grievance procedure applicable to sexual harassment complaints cannot be prompt or equitable unless students know it exists, how it works, and how to file a complaint.”³² But the Department lacks statutory authority to issue regulations, such as the proposed rule, that would impede enforcement of Title IX and limit schools’ ability to rid their programs and activities of sex discrimination. Title IX mandates that no student “be excluded from participation in, denied benefits of, or be subjected to discrimination under any education program or activity” on the basis of sex.³³ And the Department’s instruction from Congress is to “effectuate” this anti-discrimination mandate.³⁴ By effectively mandating ceilings to schools’ Title IX investigations and tilting grievance

³¹ *E.g.*, 2001 Guidance; U.S. Dep’t of Educ., Off. for Civil Rights, *Dear Colleague Letter* (Jan. 25, 2006) (the “2006 DCL”); 2011 DCL.

³² *E.g.*, 2001 Guidance at 20.

³³ 20 U.S.C. § 1681(a).

³⁴ 20 U.S.C. § 1682.

procedures against complainants, the rule undermines Title IX under the guise of enforcing it. The Department may not promulgate regulations that limit the effectiveness of the statutory mandate or hinder schools' efforts to combat discrimination even more vigorously than the statute requires.

II. The Department of Education's Title IX Standards Are Contrary to Title IX and Weaken Students' Protections Against Sexual Harassment and Violence.

The Department has proposed a general standard for the sufficiency of a school's response to sexual harassment that would mark a significant retreat from decades-long, bipartisan efforts to combat sexual harassment and its impact on equal access to education. Proposed § 106.44(a) would provide that "[a] recipient with actual knowledge of sexual harassment in an education program or activity of the recipient against a person in the United States must respond in a manner that is not deliberately indifferent." This proposed standard—as well as the proposed definitions of "sexual harassment," "actual knowledge," "program or activity," and "deliberate indifference"—depart from current law and policy without any sound justification. As a result, the proposed rule does not effectuate the anti-discrimination mandate of Title IX as it applies to sexual harassment; rather, the rule would undermine it.

The Department's stated reason for proposing this rule is that "the administrative standards governing recipients' responses to sexual harassment should be generally aligned with the standards developed by the Supreme Court in cases assessing liability under Title IX for money damages in private litigation." 83 Fed. Reg. at 61,466. But the Department's "alignment" of the proposed rule with Supreme Court precedent is only partial and arbitrarily selective, incorrect as a matter of law, and unreasonable as a matter of policy. This proposal is ill-advised and should be withdrawn.

The Department does not point to any unfairness in the previous definition of sexual harassment, the application of constructive knowledge or agency principles, the requirement that schools address off-campus conduct, or the reasonableness standard—all of which have been in place for decades (and many of which continue to apply under Title VII³⁵). The Department reverses course and removes protection for student subject to sexual assault based on an unreasoned desire to equate Title IX government investigations with private civil actions for money damages.

The Supreme Court distinguishes between the Department's administrative enforcement of Title IX and its decisions involving monetary damages actions. Unlike private civil money damages cases, the risk of significant monetary damages resulting from an OCR Title IX investigation is substantially reduced. This is because "Title IX requires OCR to attempt to

³⁵ Title VII of the 1964 Civil Rights Act prohibits employment discrimination based on race, color, religion, sex and national origin. 42 U.S.C. § 2000e *et seq.*

secure voluntary compliance” in the first instance.³⁶ In contrast, the Court’s fear in *Gebser*³⁷ was allowing private parties “unlimited recovery of damages under Title IX” without actual notice to the schools.³⁸ In the Department’s administrative enforcement scheme, a school is obligated to take corrective action, and rarely, if ever, loses its Title IX funding.³⁹ This does not raise the possibility of large damages awards or significant risk of losing federal funding, which the *Gebser* court acknowledged as its “central concern.”⁴⁰ The Court was concerned that because Title IX was adopted under the Spending Clause, by simply accepting federal funds schools would make themselves liable for monetary damages for conduct that they were not only unaware of, but also that they would have remedied had they been made aware.⁴¹ Conversely, “OCR always provides the school with actual notice and the opportunity to take appropriate corrective action before issuing a finding of violation.”⁴² The Department’s application of the standards for private civil suit damages to Title IX enforcement actions ignores the distinctions the Supreme Court has drawn between administrative enforcement actions and cases seeking monetary damages.

A. The Proposed Rule Would Narrow the Definition of “Sexual Harassment” In Ways that Would Undermine the Objectives of Title IX.

1. The Proposed Definition of “Sexual Harassment” Would Significantly Depart from Previous Title IX Policy.

In § 106.44(e)(1), the Department has proposed a narrow definition of “sexual harassment” that represents a significant departure from its longstanding understanding of the term. The Department has done so without providing any meaningful justification for the abrupt change in decades’ worth of consistent policy—which went through a notice and comment making process—and practice. Proposed § 106.45(b)(3) also requires schools to cease investigating any complaint of sexual harassment that does not meet the definition.

In its 1997 Guidance, the Department recognized that sexual harassment results from conduct that is “sufficiently severe, persistent, **or** pervasive that it adversely affects a student’s

³⁶ 2001 Guidance at 15.

³⁷ *Gebser*, 524 U.S. 274.

³⁸ *Gebser* 524 U.S. at 286.

³⁹ 2001 Guidance at 14–15.

⁴⁰ *Gebser*, 524 U.S. at 287. *See also Davis Next Friend LaShonda D. v. Monroe Cty. Bd. of Educ.*, 526 U.S. 629, 639 (1999); 20 U.S.C. §§ 1682 & 1683 (identifying that among other things, prior to termination of funds the department shall provide notice of the failure to comply, determine that compliance cannot be secured by voluntary means, file a written report with the committees of the House and Senate and wait thirty days, and provide for judicial review of the decision); 2001 Guidance at 14–15.

⁴¹ *Gebser* 524 U.S. at 287; *See also Davis* 526 U.S. at 639; 2001 Guidance at iii–iv.

⁴² 20 U.S.C. §§ 1682 & 1683; 2001 Guidance at iv.

education or creates a hostile or abusive educational environment.”⁴³ After the Supreme Court in *Davis*⁴⁴ established a narrower definition of harassment for money damages actions, the Department in its 2001 guidance reinforced its interpretation that Title IX prohibits conduct of a sexual nature that is “severe, persistent, **or** pervasive.”⁴⁵ It also reinforced the notion that the question of whether sexual harassment occurred requires a flexible analysis.⁴⁶ In 2001, the Department further recognized sexual harassment includes “unwelcome sexual advances” and “physical conduct of a sexual nature.”⁴⁷ The Department has repeatedly emphasized in its guidance that the prohibition on sexual harassment requires schools to investigate “hostile environment” harassment⁴⁸ and to “eliminate discrimination based on sex in education programs and activities.”⁴⁹ A prudential assessment is used to determine whether conduct is sufficiently severe or pervasive.⁵⁰ According to the Department, “the more severe the conduct, the less the need to show a repetitive series of incidents.”⁵¹ Thus, a single severe incident, or for example, repeated unwelcome sexual comments and solicitations, could create a hostile environment.

The Department now seeks to abandon its long-standing policy, backed by case law, in favor of a definition more restrictive than the Title IX statute and more restrictive than what is set forth in *Gebser* and *Davis*, which was created for the very different context of civil actions involving money damages. In § 106.44(e)(1), it proposes to require that harassment be severe,

⁴³ See U.S. Dep’t of Educ., Off. for Civil Rights, *Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties*, 62 Fed. Reg. 12,034 (Mar. 13, 1997) (the “1997 Guidance”). As the Supreme Court recognized in *Cannon v. University of Chicago*, Title IX is patterned after Title VI, except for the substitution of the word “sex.” 441 U.S. 677, 694-95 (1979). The Department’s 1994 “Racial Incidents and Harassment Against Students at Educational Institutions” is another example of this consistent policy, as it sets forth the same definition of harassment for Title VI claims on the basis of race, color, or national origin. 59 Fed. Reg. 11,448, 11,449 (Mar. 10, 1994) (“A violation of Title VI may also be found if a recipient has created or is responsible for a racially hostile environment --- i.e., harassing conduct (e.g., physical, verbal, graphic, or written) that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in our benefit from the services, activities or privileges provided by a recipient.”).

⁴⁴ 526 U.S. 629 (1999).

⁴⁵ 2001 Guidance at v.

⁴⁶ 2001 Guidance at vi (“We also believe that the factors described in both the 1997 guidance and the revised guidance to determine whether sexual harassment has occurred provide the necessary flexibility for taking into consideration the age and maturity of the students involved and the nature of the school environment.”).

⁴⁷ 2001 Guidance at 2.

⁴⁸ 2001 Guidance at 5–7.

⁴⁹ 2001 Guidance at i.

⁵⁰ 2001 Guidance at 6.

⁵¹ 2001 Guidance at 6.

pervasive, **and** objectively offensive for administrative enforcement of Title IX claims, thus adding a requirement that the conduct be objectively offensive and removing the possibility that a violation could be found on any one of three bases—the severity, the persistence, or the pervasiveness of the misconduct. In this part, it adopts part of the definition from the Court’s requirements for sexual harassment in money damages actions. However, the Department also proposes to require that the harassment “effectively den[y]” the individual access to the school’s education program or activity. Proposed § 106.44(e)(1)(ii). This is a sea change from the statute, which states that victims should not “be excluded from” or “denied” the benefits of an educational program or activity and from the Supreme Court’s definition, which requires the harassment to “deprive” a victim of access to educational opportunities or benefits to be actionable.⁵² By requiring that the harassment “effectively deny” the victim of equal access to educational programs or activities, the Department deviates significantly from its Title IX authority.

In its NPRM, the Department states its belief, without justification, that “responses to sexual harassment should be generally aligned with the standards developed by the Supreme Court” in private litigation for damages. 83 Fed. Reg. at 61,466. The Department extols the virtue of a uniform standard and states that the Court’s decisions are rooted in textual interpretation of Title IX. *Id.* However, in doing so, the Department ignores both the uniformity with which sexual harassment has long been defined and enforced under both Title IX and Title VII, as well as the Supreme Court’s own acknowledgment that administrative enforcement of Title IX can be more flexible than the Court’s decisions regarding private money damages.⁵³

The Department also ignores the prudential considerations that the Supreme Court identified in developing the standard for a civil suit for damages where Congress has not spoken on an issue, which are inapplicable in the administrative enforcement context. The *Gebser* court identified that while Congress expressly authorized administrative enforcement of Title IX, it did not expressly authorize either civil actions or the right for individual parties to obtain damages in court. Rather, the Supreme Court identified these rights by implication.⁵⁴ The Department cannot

⁵² *Davis*, 526 U.S. at 650.

⁵³ *Davis*, 526 U.S. at 639 (“Federal Departments or agencies . . . may rely on any . . . means authorized by law . . . to give effect to the statute’s restrictions.”) (internal quotations omitted); *Gebser* 524 U.S. at 292 (stating that the Department of Education could administratively require the school to promulgate a grievance procedure because “[a]gencies generally have authority to promulgate and enforce requirements that effectuate the statute’s non-discrimination mandate . . . even if those requirements do not purport to represent a definition of discrimination under the statute.”) (internal quotations and citations omitted). *See supra* Section II.

⁵⁴ *See Gebser* 524 U.S. at 292 (acknowledging the power of the Department to “promulgate and enforce requirements that effectuate [Title IX’s] nondiscrimination mandate, which are distinct from circumstances giving rise to a civil action for monetary damages); *id.* at 289 (discussing the difference between the “statute’s *express* system of enforcement to require notice to the recipient and an opportunity to come into voluntary compliance” and a “judicially *implied* system of enforcement” that “permits

lawfully improperly restrict the enforcement and application of Title IX based on its misapplication of Supreme Court precedent.

Moreover, although Title VII does not provide a perfect analogy to Title IX, in this instance, it is instructive. Title VII regulations describe workplace harassment as “[u]nwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.”⁵⁵ The Supreme Court has reaffirmed the unwelcome component of harassment stating that “[t]he gravamen of any sexual harassment claim is that the alleged sexual advances were unwelcome.”⁵⁶ The Supreme Court has also reaffirmed that to create a hostile environment the harassment can be either severe or pervasive, such that it either limits or alters the conditions of employment. In adopting the broader definition of sexual harassment for Title VII, the Court recognized that Congress had explicitly authorized a civil action in damages. The Court thereby further reinforced that its decisions in *Gebser* and *Davis* are limited to civil actions in damages, where Congress has not spoken, but do not extend to Federal agency enforcement of the statute, where Congress’ clear mandate is to affirmatively “‘protect’ individuals from discriminatory practices carried out by recipients of federal funds.”⁵⁷

We are also concerned because Title VII prohibits gender-based harassment that is not sexual, which the Department has also consistently recognized under Title IX in its policy guidance and its enforcement practices.⁵⁸ This interpretation is consistent with the text and purpose of Title IX and Supreme Court cases interpreting Title VII in the employment context.⁵⁹ Despite this, the proposed regulations do not specifically address the prohibition against gender-based harassment. Thus, we recommend that, in issuing the final rule, the Department state explicitly that “unwelcome conduct on the basis of sex,” in § 106.44(e)(1)(ii), covers all sex-based conduct.

Once again, by disregarding Supreme Court precedent and Title VII in its formulation of the proposed rule, the Department has embraced the notion that students in a school environment

substantial liability without regard to the recipient’s knowledge or its corrective actions upon receiving notice”).

⁵⁵ 29 C.F.R. § 1604.11(a).

⁵⁶ *Meritor Savings Bank v. Vinson*, 477 U.S. 57, 68 (1986) (internal quotation marks omitted).

⁵⁷ *Gebser*, 524 U.S. at 287.

⁵⁸ 2001 Guidance at v; U.S. Dep’t of Educ., Off. for Civil Rights, *Dear Colleague Letter Re: Title IX Coordinators* (Apr. 24, 2015), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201504-title-ix-coordinators.pdf> (“In addition, a recipient should provide Title IX coordinators with access to information regarding . . . incidents of sex-based harassment. Granting Title IX coordinators the appropriate authority will allow them to identify and proactively address issues related to possible sex discrimination as they arise.”).

⁵⁹ See, e.g., *Oncale v. Sundowner Offshore Serv., Inc.*, 523 U.S. 75, 81–82 (1998); EEOC, *Sex-Based Discrimination*, <https://www.eeoc.gov/laws/types/sex.cfm> (“Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person’s sex.”).

should be unprotected from sex-based harassment, even though they would be protected in the employee-employer context. The Department lacks authority to carve out exclusions to this landmark civil rights legislation not drafted in statute and inconsistent with courts' precedent.

2. The Proposed Definition of "Sexual Harassment" Would Fail to Account for the Context in Which Sexual Harassment Occurs.

The Department's proposed definition of "sexual harassment" is drafted to preclude schools, in many circumstances, from addressing hostile environment harassment, an important component of the schools' educational responsibilities and the Department's enforcement responsibilities. The requirement that harassment be severe, pervasive, **and** objectively offensive fails to take into account how harassment in a school setting frequently arises in a gradually escalating manner. Isolated and infrequent harassing behavior can become pervasive over time if left uncorrected, but the definition in the proposed rule does not require any remedial action until smaller problems have become larger, more significant ones. Failure to promptly address potential hostile environments could engender distrust in the institutions' ability to address sexual harassment on campus and create situations where the conduct that could have been prevented has exploded into something much more severe and potentially dangerous. This could increase liability under other legal theories, where a school could have stopped the conduct from escalating much sooner. Many schools are concerned that if they are not permitted to address conduct under Title IX until it becomes sufficiently severe, pervasive, and objectively offensive, they will fail to proactively avoid potential liability and fail to respond adequately to many harassing behaviors and will therefore be unsuccessful in establishing a welcome educational environment, free from gender discrimination.

Likewise, the severity requirement may exclude, for example, a situation in which the same group of students repeatedly makes unwelcome sexual comments or derogatory sex-based comments at multiple women walking by a fraternity house, thereby causing each of those women to alter their walking path. Even though the conduct is persistent, the school might not consider the offensive behavior severe enough or pervasive enough to warrant remedial action, given the one-time nature of the act as experienced by each of the women. But under Title IX, a school should address sexual harassment affecting multiple students before the harassing behavior escalates to the point where it is severe, pervasive, **and** objectively offensive for an individual student.⁶⁰

Finally, the Department acknowledges that employee-on-student harassment includes instances where the provision of some aid or benefit is made contingent upon an individual's participation in unwelcome sexual conduct. However, the proposed rule improperly restricts this type of misconduct to employee-on-student conduct only. Students may engage in *quid pro quo*

⁶⁰ 2001 Guidance at 13–14 ("In other cases, the pervasiveness of the harassment may be enough to conclude that the school should have known of the hostile environment—if the harassment is widespread, openly practiced, or well-known to students and staff.").

harassment as well. There are circumstances in which, for example, a student conditions assistance with studying on unwelcome sexual conduct. Likewise, students in positions of authority, such as teaching assistants or resident advisors, as well as students serving on boards, student government, clubs, or other activities, may condition the provision of aid or a school benefit on engaging in unwelcome sexual conduct. Conduct of this type contributes to a hostile sexual environment for students, and is undoubtedly a type of sexual harassment against which Title IX should protect.

3. The Proposed Definition of “Sexual Harassment” Would Chill Reporting.

The rate of student reporting of incidents of sexual harassment in grades K-12 and on college campuses is already exceedingly low.⁶¹ Survivors often fail to report sexual harassment as a result of trauma (13 percent of female sexual assault survivors attempt suicide⁶² and 34 percent of college survivors drop out of college),⁶³ lack of confidence in the institution’s protection and procedures, and lack of knowledge in the processes offered.⁶⁴

A heightened requirement for sexual harassment will exacerbate the factors that prevent students from reporting the harassment they experience. Many students would question whether institutions will take their experiences seriously. Some will wonder whether their harassment will be seen as sufficiently severe by the school to warrant a response. And in many cases, individuals subjected to sexual harassment will not know whether the offensive conduct that they experienced was pervasive or an isolated event. The complicated definition of sexual harassment may also confuse students, many of whom already report a lack knowledge about or understanding of the Title IX grievance processes.⁶⁵ This restrictive definition turns the purpose of Title IX—to prevent and combat sexual violence—on its head. It fosters confusion and distrust among students and will likely chill reporting of sexual harassment, thus restricting

⁶¹ *See supra* Section I.

⁶² RAINN, *Victims of Sexual Violence Statistics*, <https://www.rainn.org/statistics/victims-sexual-violence>. By comparison, a national survey estimated that 0.5 percent of adults 18 years or over attempted suicide nationally. *See* American Foundation for Suicide Prevention, *Suicide Statistics*, <https://afsp.org/about-suicide/suicide-statistics/>.

⁶³ Senate Health, Education, Labor & Pensions Committee, Letter from Senators Murray and Hassan, Advocates and Survivors of Sexual Assault Urge Secretary DeVos to Withdraw Title IX Rule, Urge Students and Survivors to Make Their Voices Heard (Nov. 28, 2018), <https://www.help.senate.gov/ranking/newsroom/press/murray-hassan-advocates-and-survivors-of-sexual-assault-urge-secretary-devos-to-withdraw-title-ix-rule-urge-students-and-survivors-to-make-their-voices-heard>.

⁶⁴ Rutgers, The State University of New Jersey, Center on Violence Against Women and Children, *#iSpeak Student Experience, Attitudes and Beliefs about Sexual Violence Results, New Brunswick*, 1, 31 (2015) (hereinafter “Rutgers Survey”), <https://socialwork.rutgers.edu/centers/center-violence-against-women-and-children/research-and-evaluation/campus-climate-project/reports-findings>.

⁶⁵ Rutgers Survey, *supra* note 64, at 31–32.

schools' knowledge of harassment on campus and hampering their ability to address and prevent it.

B. The Proposed Rule Would Inappropriately Limit Schools' Obligation to Respond to Sexual Harassment and Violence by Excusing Failures to Respond to Conduct that Does Not Occur "In an Education Program or Activity."

Proposed § 106.44(a) requires a response only to "sexual harassment *in* an education program or activity." Proposed § 106.45(b)(3) similarly requires dismissal of Title IX complaints, even when the conduct alleged would constitute sexual harassment, if the conduct "did not occur *within* the recipient's program or activity." The proposed regulations thereby improperly narrow the scope of Title IX and sexual harassment complaints that will be investigated by focusing on whether the alleged *incident(s)* occurred in an education program or activity, rather than focusing on whether the incident(s) gave rise to *discrimination* in an educational institution's program or activity.

This change in focus directly contradicts the plain language of Title IX. Regardless of whether an incident giving rise to an alleged Title IX violation itself occurs in an education program or activity, Title IX protects students who, based on sex, are "excluded from participation in [or] . . . denied the benefits of . . . any education program or activity receiving Federal financial assistance."⁶⁶

In keeping with the clear statutory text, both courts and the Justice Department have concluded a school may violate Title IX by failing to respond adequately to alleged misconduct that occurred in a location outside the control of the school if that conduct causes a hostile environment in the education setting. As the U.S. Justice Department itself has explained: "When assessing whether off-campus rape creates a hostile environment on campus, courts have recognized that the pernicious effects of rape by another student are not limited to the event itself and can permeate the educational environment. This is due to the daily potential of the victim student encountering her assailant as they both live and learn at the college."⁶⁷

The Department's proposed change is also an unjustified departure from preexisting and continuously repeated Department policy in effect since at least 2001. In 2001, the Department published guidance after engaging in a notice and comment process, stating that in determining whether a hostile environment exists, the educational institution must determine whether "the conduct denies or limits a student's ability to participate in or benefit from the program based on

⁶⁶ 20 U.S.C. § 1681(a).

⁶⁷ Statement of Interest of the United States 12–13, *Weckhorst v. Kan. State Univ.*, No. 16-2255 (D. Kan. filed July 1, 2016), ECF 26 (citations omitted) (collecting cases); *see also id.* at 11–14; Statement of Interest of the United States 12–21, *Farmer v. Kan. State Univ.*, No. 16-2256 (D. Kan. filed July 1, 2016), ECF 32; *Doe 12 v. Baylor Univ.*, 336 F. Supp. 3d 763, 780-81 (W.D. Tex. 2018).

sex.”⁶⁸ On January 25, 2006, the Department reiterated its support for existing policy by directing educational institutions to rely on the 2001 Guidance for their obligations regarding preventing and remedying sexual harassment.⁶⁹

In 2011, the Department reiterated that schools have an obligation to assess whether there is a nexus between alleged off-campus harassment and the denial of access to an education program or activity. In this regard, the Department stated that “[s]chools may have an obligation to respond to student-on-student sexual harassment that initially occurred off school grounds, outside a school’s education program or activity . . . [b]ecause students often experience the continuing effects of off-campus sexual harassment in the educational setting [and, therefore] schools should consider the effects of the off-campus conduct when evaluating whether there is a hostile environment on campus.”⁷⁰ Then on September 22, 2017—in this current administration—the Department stated that, “schools are responsible for redressing a hostile environment that occurs on campus even if it relates to off-campus activities.”⁷¹ This longstanding policy is also consistent with the Supreme Court’s interpretation of Title IX.⁷² By confining Title IX’s jurisdiction to only sexual harassment and assault that occurred in the first instance “within” an education program or activity, § 106.45(b)(3), the proposed regulation ignores this precedent and is flatly inconsistent with the statutory text.⁷³

Furthermore, there are a number of situations that underscore the need to evaluate the effect of conduct that occurs off-campus or outside an education program or activity to be consistent with Title IX protections. For example, a student forced to perform a sex act by students from his or her school at an off-campus location should be able to pursue Title IX remedies to protect her or him from further harassment on campus. Similarly, a student who is sexually abused by a teacher or professor near campus or off-campus should be protected by Title IX. In addition, an athlete who was sexually assaulted by a school trainer or doctor at any

⁶⁸ 2001 Guidance at 5.

⁶⁹ 2006 DCL at 6.

⁷⁰ 2011 DCL at 4.

⁷¹ U.S. Dep’t of Educ., Off. for Civil Rights, *Q&A on Campus Sexual Misconduct*, 1 n.3 (Sept. 22, 2017).

⁷² *See, e.g., Davis*, 526 U.S. at 644 (the statute “confines the scope of prohibited conduct based on the recipient’s degree of control over the harasser and the environment in which the harassment occurs.”); *Gebser*, 524 U.S. at 278, 279 (assuming sexual harassment of the student complainant by the teacher under Title IX, even where sexual contact occurred in her home while giving her a book and “never on school property” but during school time).

⁷³ Requiring a recipient to only respond “to conduct that occurs *within* its ‘education program or activity,’” 83 Fed. Reg. at 61,468 (emphasis added), is also directly contradictory to proposed § 106.44(a), which requires a response from “[a] recipient with actual knowledge of sexual harassment *in* an education program or activity.” *Id.* (emphasis added).

time should be protected by Title IX. This is so even where the sexual assault occurred off campus—in the homes of the athletes who used the University’s facilities, as well as other locations not operated or controlled by the University, such as hotels during events. If the proposed rule becomes final, school districts and Universities would be required to dismiss similarly egregious Title IX complaints simply because they occurred off-campus, even if they result in a hostile educational environment.

The Department’s focus on the context in which sexual misconduct itself occurs also contradicts studies showing that off-campus conduct may create a hostile environment on campus, thus leading a student to be denied the benefits of an educational program or activity.⁷⁴ Even the studies relied on by the Department to justify the current policy changes, which are used to highlight the costs of sexual assault, do not distinguish between on- and off-campus assault.⁷⁵ Universities themselves acknowledge the effect off-campus activities can have on a student’s on-campus learning.⁷⁶ It is arbitrary to assume that only harassment that occurs *in* an educational program or activity affects a student’s access to the educational program or activity.

It is similarly arbitrary to limit Title IX’s protections to activity occurring only in an educational program or activity when the Clery Act, 20 U.S.C. § 1092 (f), specifically recognizes that information regarding crimes occurring on “[p]ublic property . . . immediately adjacent to and accessible from the campus” is relevant to understand the crime statistics for the campus.⁷⁷ The Department attempts to clarify that “Title IX’s ‘education program or activity’ language should not be conflated with Clery Act geography [because] these are distinct jurisdictional schemes,” but this is a distinction without any obvious or appropriate purpose. It does not make sense to alert potential students to, for example, a rape that may occur outside the specific confines of an educational program or activity if that same incident would never affect the student’s access to the educational program or activity.

In sum, the inquiry as to whether conduct that occurs off-campus or outside a school’s program and activities creates a hostile environment under an education program or activity on the basis of sex is fact-specific and requires a school’s careful assessment. The language of the

⁷⁴ See, e.g., Christopher P. Krebs, Ph.D., et al., *The Campus Sexual Assault (CSA) Study*, National Institute of Justice 5–19 (Oct. 2007), <https://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf> (finding two-thirds of campus sexual assaults occur off-campus but can still severely impact a student’s access to the educational program).

⁷⁵ 83 Fed. Reg. at 61,485 (citing Cora Peterson et al, *Lifetime Economic Burden of Rape Among U.S. Adults*, 52 AM. J. of Preventative Med. 691 (2017)).

⁷⁶ See, e.g., Isa Gonzalez, *Title IX Coordinator Discusses How Proposed Education Dept. Reforms Could Impact UD*, Flyer News (Dec. 17, 2018) (quoting University of Dayton’s Title IX coordinator as explaining “[e]ven [for] students who live in landlord housing or near the campus footprint, their experience is often as if they are a residential student.”), <https://tinyurl.com/ybboqxn2>.

⁷⁷ 34 C.F.R. § 668.46.

proposed regulation ignores this, in contravention of existing and long-held Department policy, as well as judicial, OCR, and Justice Department interpretations.

C. The “Actual Knowledge” Standard is Too Restrictive.

1. The Proposed Rule Undermines the Purpose of Title IX and Creates an Improper Incentive to Willfully Ignore Sexual Harassment Because it Requires Schools to Respond Only if They Have “Actual Knowledge” of the Harassment.

Previous Department policy required schools to address all student-on-student sexual harassment allegations if the school knew or reasonably should have known about them.⁷⁸ The Department has also long-imputed notice to a school when “any employee with authority to take action to redress the harassment, who has the duty to report to appropriate school officials . . . or an individual who a student could reasonably believe has this authority or responsibility” has notice of the harassment.⁷⁹ Finally, the Department has required agency principles (i.e., vicarious liability) to apply to most instances of employee-on-student harassment.⁸⁰ As the Department has previously recognized, including the “good judgment and common sense of teachers and school administrators” is key to judging compliance with Title IX.⁸¹

Now, absent adequate justification, the Department proposes to eliminate these elements of notice. Under proposed § 106.44(e)(6), a school lacks actual knowledge unless allegations are brought to the attention of an employee with the authority to institute corrective measures (or when a formal complaint is filed with the Title IX Coordinator). Teachers at the K-12 level are deemed officials with the authority to institute corrective measures, but not at the university level. Furthermore, the proposed rule eliminates vicarious liability for employee-on-student sexual harassment, requiring the “actual knowledge” standard in this context as well. In all contexts, if the respondent is the only one with notice, actual knowledge is not imputed to the school.

By defining “actual knowledge” narrowly and ignoring situations in which a school clearly ought to have known of sexual harassment, the proposed rule virtually abandons Title IX’s overriding goal of addressing hostile environments, eliminating sexual harassment, and creating an educational environment free from discrimination on the basis of sex. The actual knowledge requirement shifts the burden from schools to students. Instead of requiring schools to address instances of sexual harassment of which they are aware because an employee who a student would reasonably believe has the authority to report or assist has received notice, the proposed rule would flip Title IX on its head and require students to report sexual harassment to

⁷⁸ 2001 Guidance at 13.

⁷⁹ *Id.*

⁸⁰ 2001 Guidance at 10.

⁸¹ 2001 Guidance at ii.

authority figures whom they are generally hesitant to seek out or of whom they may not be aware.

The proposed rule creates an improper incentive structure for schools that discourages them from uncovering allegations and instead incentivizes them to shield themselves from learning about wrongdoing. In the very different context of civil suits for damages, the dissent in *Gebser* warned specifically about this phenomenon, stating that as long as schools “can insulate themselves from knowledge about this sort of conduct, they can claim immunity from damages liability.”⁸² The ongoing prospect of administrative enforcement of Title IX, even in the absence of “actual knowledge” of harassment, has deterred schools from ignoring problems. The Department now proposes to do away with that incentive. Instead, the proposed rule could create a situation where multiple employees, such as teachers (at the university level), resident advisors, campus medical personnel, school resource officers, or guidance counselors are fully aware of allegations of sexual harassment, but absent an explicit obligation to report to an official with authority to institute corrective measures, the school would not have a responsibility to investigate or take remedial action.

It is clear that in crafting the proposed rule, the Department ignored the evidence that students subjected to sexual harassment hesitate to report to officials with authority to take corrective action, due to various barriers, including lack of knowledge of reporting procedures, fear of being disbelieved, or fear of facing negative repercussions and additional harassment.⁸³ Campus climate surveys demonstrate that those subjected to sexual harassment often report to close acquaintances, and officials may find students reluctant to formally report.⁸⁴ Only 17 percent of students in one survey reported disclosing sexual harassment incidents to formal campus resources, while 77 percent disclosed to close friends and 52 percent reported to roommates.⁸⁵ However, the Department now requires students to directly report to specific authorities or file formal complaints. The proposed rule should not disregard such clear evidence that reporting on campus is complex and requires schools to be more vigilant in addressing sexual harassment.

⁸² *Gebser* 524 U.S. at 298.

⁸³ Rutgers Survey, *supra* note 64, at 32.

⁸⁴ *Id.*

⁸⁵ Rutgers Survey, *supra* note 64, at 31–32.

2. Constructive Knowledge and Agency Principles Should Apply to the School's Notice of Sexual Harassment and Violence.

The Department has not demonstrated any unfairness with the constructive knowledge or agency principles it has long implemented, and there is no adequate justification for reversing course now.⁸⁶

The Department has long required that a school should investigate, if a school knew or reasonably should have known of sexual harassment, whether by employees, students, or third parties.⁸⁷ This standard provides the required flexibility for universities since a constructive knowledge standard considers the school's size, its available resources, the public nature of the harassment, and the status of the individuals to whom the harassment was reported. Importantly, the "should have known" standard does not impute knowledge for isolated instances that a school, taking reasonable care, would not be aware of. However, a constructive notice standard prevents schools from willfully ignoring obvious signs of harassment, such as graffiti in public places,⁸⁸ systemic abuse of power by a teacher, constant unwelcome cat-calling, or other abusive behavior of a sex-based nature at known locations. Requiring schools to act on constructive knowledge ensures investigations into a hostile environment or culture of harassment, which is a primary purpose of Title IX. Constructive knowledge has been the Department's long-standing position in Title IX cases, and the Department has put forward no convincing rationale for abandoning this eminently sound approach.⁸⁹

In the proposed rule, the Department also reverses course on agency principles, upending years of federal government positions on this important issue and even flouting Supreme Court

⁸⁶ If the Department nevertheless adopts the proposed "actual knowledge" standard, it should adopt mandatory, prompt reporting requirements for all non-confidential employees, so that Title IX Coordinators and other officials with authority to institute corrective measures are notified of sexual harassment more quickly. Mandatory reporters should include those individuals are considered "responsible employees" under current policy. *See* 2001 Guidance at 13. At the same time, students should have people to confide in, while knowing that their discussions will be kept confidential. Following best practices and prior Department guidance and practice schools should be required to make public (1) the individuals to whom students can report confidentially with no fear of being required to file a formal complaint and (2) the individuals who are required to report harassment to officials with corrective authority. *E.g.*, U.S. Dep't of Educ., Off. for Civil Rights, *Questions and Answers on Title IX and Sexual Violence*, at D-4, E-13, 16, 22 (Apr. 29, 2014, withdrawn Sept. 22, 2017) (the "2014 Q&A"). Converting Department policy into a proposed rule could help to mitigate (but not resolve) the problems with the proposed "actual knowledge" standard.

⁸⁷ 2001 Guidance at 13–14.

⁸⁸ 2001 Guidance at 14

⁸⁹ *See* 2001 Guidance at 14 ("If a school otherwise knows or reasonably should know of a hostile environment and fails to take prompt and effective corrective action, a school has violated Title IX even if the student has failed to use the school's existing grievance procedure or otherwise inform the school of the harassment.")

guidance.⁹⁰ Agency principles should continue to apply to employee-on-student harassment, just as they do to supervisor-on-employee harassment. The Department previously explained that notice to a school is triggered when the employee is or appears to be acting in the context of carrying out his or her responsibility to students.⁹¹ In *Gebser*, the U.S. Department of Justice stated that it is appropriate to hold a school responsible in such instances because “the teacher was aided in accomplishing the harassment by his agency relationship with the recipient or his apparent authority.”⁹² In light of this, it is particularly disturbing that the proposed rule exempts the school from actual knowledge when the only person with actual knowledge is also the respondent. This requirement would apply to the K-12 context as well. It sets up a scenario in which a student would have no valid Title IX claim when any school employee, including a school leader such as a superintendent, principal, or vice principal, repeatedly harasses or sexually assaults them in class or during school-related activities, unless the misconduct was known by another responsible school official.⁹³ This proposed rule must be stricken. As indicated in prior guidance, a school should be required to address conduct by an individual taking advantage of the position of authority and concomitant access to students afforded to them by the education institution, regardless of the school’s notice.⁹⁴

The 2001 guidance articulated the standards and possible scenarios for applying agency principles in situations involving employee-on-student harassment.⁹⁵ The guidance appropriately recognized that the application of vicarious liability to schools would require a determination that the employee was acting or appearing to act in the context of the employee’s duties, and it set out multiple potential factors to consider before imposing liability.⁹⁶ That careful approach, based on evidence and experience, should not be reversed without ample justification. Requiring schools to take action based on constructive knowledge and agency principles also provides an opportunity to protect schools from later dealing with situations that could have been resolved with much less damage had the school acted more quickly to alleviate the problems.

⁹⁰ *Franklin*, 503 U.S. 60 (implying that agency principles may be appropriate in the Title IX context).

⁹¹ 2001 Guidance at 10.

⁹² *Gebser*, 524 U.S. 274, No. 96-1866, Statement of Interest of the United States, 9 (filed Jan. 16, 1998).

⁹³ See, e.g. *Salazar v. South San Antonio Independent Sch. District*, 2017 WL 2590551 (5th Circuit), cert. denied, 138 S. Ct. 369 (holding that district could not be liable under Title IX for principal of elementary schools repeated sexual molestation of an elementary school student, because the principal who engaged in the molestation was the only one aware of the conduct).

⁹⁴ 2001 Guidance at 10.

⁹⁵ 2001 Guidance at 10-12.

⁹⁶ 2001 Guidance at 10-11.

Once again, Title VII is instructive. Under Title VII, the definition of “employer” includes any “agent of the employer,”⁹⁷ and courts routinely look to agency principles to determine employer liability for employee harassment.⁹⁸ Here, as in other areas of the proposed regulations, the Department sets up a scenario in which school employees are afforded better protection from harassment than students, who are far more vulnerable due to their age and experience. If a school can be held liable for monetary damages for supervisor-on-employee harassment under Title VII, then surely the Department of Education should require schools to at least respond to employee-on-student harassment under Title IX. Furthermore, schools arguably have more responsibility to protect their K-12 students, because they act *in loco parentis* while students are in attendance.⁹⁹

The Department has failed to articulate intervening circumstances, facts, or evidence that would justify a reversal from the application of consistent agency policy and decisions to employee-on-student harassment. The proposed rule change should not be adopted.

D. The Proposed Rule Would Adopt a “Deliberative Indifference” Standard That Is Not Appropriate for Administrative Enforcement of Title IX.

Since at least 1997, the Department has understood Title IX to require schools to act reasonably in taking steps to end sexual harassment and prevent its recurrence.¹⁰⁰ Specifically, schools are required to act in a “reasonable, commonsense” manner in addressing sexual harassment and to take “prompt and effective” steps once they have knowledge of harassment.¹⁰¹ Moreover, the existing regulations, in effect since 1975, have required schools to have procedures that provide a “prompt and equitable” response to any complaint of sex discrimination, a requirement that the Department has consistently enforced for decades and applied to all forms of sex discrimination, including sexual harassment.¹⁰²

Under the proposed rule, even a school that responds unreasonably, untimely, and ineffectively to sexual harassment may avoid repercussions, so long as the school’s response is not “deliberately indifferent.” Proposed § 106.44(a). And “only” a “response to sexual harassment” that is “intentionally” and “clearly unreasonable in light of the known circumstances” will be considered “deliberately indifferent.” *Id.*

⁹⁷ 42 U.S.C. § 2000e(b).

⁹⁸ *Vinson* at 72 (“[W]e do agree with the EEOC that Congress wanted court to look to agency principles for guidance in this area.”)

⁹⁹ *Veronia School District 47J v. Acton*, 515 U.S. 646, 656 (1995) (discussing that the duty is both “custodial and tutelary”).

¹⁰⁰ 1997 Guidance.

¹⁰¹ 2001 Guidance at iii, 15

¹⁰² 34 C.F.R. 106.8(b).

The Department has failed to justify such a policy change. The NPRM does not point to any instances in which schools were burdened or unfairly penalized as a result of the reasonableness standard. To the contrary, the proposed rule neglects the purpose of the Department’s administrative enforcement of Title IX, which is to provide schools with an opportunity to correct prior actions in response to sexual harassment and address a hostile environment moving forward (before they incur liability for damages).¹⁰³ Rarely does administrative enforcement lead to the dramatic step of withholding Title IX funding; rather, the Department’s role is to “make schools aware of potential Title IX violations and to seek voluntary corrective action.”¹⁰⁴ Without some basis for demonstrating that the reasonable care standard was inadequate or overly burdensome for schools, it is inconsistent with the intent of Title IX to adopt a standard that is less protective of students who experience discrimination.

Although the Department purports to draw its “deliberately indifferent” standard from case law, it misses the mark. Courts have concluded that “[r]esponses that are not reasonably calculated to end harassment are inadequate.”¹⁰⁵ And a failure to investigate alleged sexual harassment can be unreasonable in light of the circumstances, even absent a formal complaint.¹⁰⁶ Again, the requirement that schools not act with deliberate indifference in response to complaints, as adopted by the courts for money damages actions, is immaterial to the Department’s administrative enforcement of Title IX.¹⁰⁷ The Department should intervene to ensure schools are responding appropriately to sexual harassment allegations well before the school would be liable for money damages in a civil suit for its failure to act.

In addition, students should receive protection from sexual harassment at least equal to the protection afforded employees in the workplace. Under Title VII, employers (including schools) are liable for acts of sexual harassment in the workplace unless the employer “can show that it took immediate and appropriate corrective action.”¹⁰⁸ Students are generally more vulnerable to sexual harassment than adult employees, particularly in grades K-12, since they are both minors and subject to compulsory school attendance requirements.¹⁰⁹ Under the proposed

¹⁰³ See *North Haven Bd. of Ed. v. Bell*, 456 U.S. 512, 521 (1982) (reiterating that the text of Title IX should be accorded “a sweep as broad as its language.”).

¹⁰⁴ 2001 Guidance at iii–iv (stating that if OCR finds violations of Title IX, it must first “attempt to secure compliance by voluntary means.”).

¹⁰⁵ See *Zeno v. Pine Plains Cent. Sch. Dist.*, 702 F.3d 655, 669 (2d Cir. 2012) (holding that a university did not engage in efforts that were “reasonably calculated to end [the] harassment”).

¹⁰⁶ E.g., *Feminist Majority Found. v. Hurley*, 911 F.3d 674, 696 (4th Cir. 2018) (holding a school administrator responsible for a claim of retaliation under Title IX, and stating that the retaliation spanned a sufficient period that the University should have taken “reasonable steps to address it”).

¹⁰⁷ See *supra* Section II.

¹⁰⁸ 29 C.F.R. §§ 1604.11

¹⁰⁹ See *supra* Section I.

rule, an employee who is sexually harassed can sue a school *for money damages* if the school fails to take immediate and appropriate corrective action, but the Department of Education cannot take even non-monetary enforcement action against a school that fails to protect a student from sexual harassment unless the school's response failed the much higher "deliberate indifference" standard. Furthermore, graduate students who teach and other student employees of a school may fall under a complicated enforcement scheme, depending on whether they are considered "employees" or "students." The Department should not create this artificial disparity in the enforcement of sexual harassment prohibitions, which would indicate to students that the Government takes student safety less seriously than employee safety. If anything, the Department should afford students greater protection from sexual harassment due to their vulnerabilities.

E. Safe Harbor Provisions Are Inappropriate and Schools Must Investigate Any Potential Hostile Environment.

The proposed rule provides several safe harbor provisions for schools. Taken together with the deliberate indifference standard, the safe harbor provisions severely curtail the Department's ability to meaningfully enforce Title IX's anti-discrimination objectives. Curtailing OCR's ability to independently review comprehensively how schools handle sexual harassment complaints is contrary to its mandate to investigate compliance with Title IX. The new rule would incentivize schools to do the bare minimum in enforcement of Title IX, contrary to the statutory mandate to provide educational programs and activities that are free from harassment.

The safe harbor provisions take various forms. The first, proposed § 106.44(b)(1), provides schools a safe harbor from a finding of deliberate indifference if they carry out grievance procedures consistent with those outlined in the rule in response to a formal complaint. 83 Fed. Reg. at 61,469. Any failure to fairly and adequately implement those procedures in a manner that is equitable, timely, or effective is seemingly irrelevant. Such a safe harbor erodes schools' responsibility to investigate hostile educational environments. This is of particular concern in the K-12 context where most complaints are taken verbally and informally by a dean, vice principal or other administrator who plays multiple roles.

The other safe harbors are equally untenable. Proposed § 106.44(b)(2) provides a safe harbor to a school where, upon actual knowledge of multiple complaints against the same respondent, the Title IX coordinator files a complaint on the complainant's behalf and the school follows the proposed grievance procedures. The proposed rule, in § 106.44(b)(3), also provides a safe harbor from a finding of deliberate indifference if a school that has actual knowledge of sexual harassment, absent a formal complaint, merely offers the complainant supportive measures. 83 Fed. Reg. at 61,469. Finally, in proposed § 106.44(b)(5), the Department also prevents OCR from a finding of deliberate indifference solely because OCR would have come to a different responsibility conclusion. 83 Fed. Reg. at 61,470.

Title IX imposes an affirmative obligation on schools to ensure that students are not subject to discrimination on the basis of sex. As a result, the Department has long recognized that

schools have an obligation to take reasonable steps to prevent harassment “whether or not the student who was harassed makes a complaint or otherwise asks the school to take action.”¹¹⁰ Consistent with this recognition, the 2001 Guidance made it clear that a school’s obligation to investigate and respond to a report of harassment does not depend on the filing of a formal complaint: “Once a school has notice of possible sexual harassment of students—whether carried out by employees, other students, or third parties—it should take immediate and appropriate steps to investigate or otherwise determine what occurred and take prompt and effective steps reasonably calculated to end any harassment, eliminate a hostile environment if one has been created, and prevent harassment from occurring again.”¹¹¹ Federal courts have reaffirmed schools’ affirmative obligation to protect their students from harassment.¹¹²

The proposed rule fails to recognize the obligation of schools to address harassment in the absence of a formal complaint (unless, of course, a complainant receives written notice of the available resolution options and, voluntarily and without coercion, decides not to pursue the complaint). By implication, therefore, it suggests that a school’s Title IX responsibilities are triggered only when a student begins the formal complaint process. This, of course, is false: nothing in the language of Title IX supports such a narrow view of a school’s obligations. To the contrary, Title IX prohibits discrimination on the basis of sex in education programs receiving federal funds, period. So at a minimum, a school that is put on notice of evidence of harassment, through whatever means, has an obligation to investigate and, if it determines that harassment is occurring, take steps to address it and provide notice of the outcome of its process. Any rule purporting to implement Title IX must make this fact clear: once a school has actual knowledge of harassment, it must investigate—even if the student has not reported it to the school.

Any final rule must also make clear that schools are obligated to investigate and address systemic problems of which they are made aware. The Department has regrettably stepped away from its own obligation to identify systemic violations of Title IX.¹¹³ It should not compound this error by limiting the obligations of schools to investigate such violations. Incidents of harassment rarely occur in a vacuum: too often, they are fueled by the presence of a toxic culture or hostile environment that enables such abuses. Title IX’s prohibition on discrimination on the basis of

¹¹⁰ 2001 Guidance at 15.

¹¹¹ *Id.*

¹¹² *Feminist Majority Found.*, 911 F.3d at 692 (“We are satisfied that the University was obliged to investigate and seek to identify those students who posted the threats and to report the threats to appropriate law enforcement agencies.”); *see also Abbott v. Pastides*, 900 F.3d 160, 173 (4th Cir. 2018) (observing that “universities have obligations not only to protect their students’ free expression, but also to protect their students”).

¹¹³ *E.g.*, Adam Harris, *Memo Outlines Education Dept. Plans to Scale Back Civil-Rights Efforts*, *The Chronicle of Higher Education* (June 15, 2017), <https://www.chronicle.com/blogs/ticker/memo-outlines-education-dept-plans-to-scale-back-civil-rights-efforts/118937>.

sex thus requires schools that are made aware of systemic discrimination to respond, and to do so in a manner commensurate to the scope of the problem. By failing to affirmatively state that schools have such an obligation, the proposed rule rewrites Title IX in a way that is inconsistent with its plain language and clear purpose.

In the same vein, creating a safe harbor for merely providing supportive measures to a student subjected to sexual harassment (or a parent complainant) who was not informed of or was otherwise unaware of the procedural step of filing a formal written and signed complaint is particularly unjust. Under the proposed rule, a school with knowledge of sexual assault against a student cannot be found to have responded inadequately as long as it offered the survivor a change of class schedule or some other similarly meager support. Deeming a school to have fully satisfied its Title IX obligations by providing only supportive measures to individuals subjected to sexual harassment who do not file formal complaints is likely to chill reporting and reduce investigations into a hostile educational environment, as individuals subjected to sexual harassment will find the process inadequate and will likely lose trust in the institution's processes.

Additionally, any provision on supportive measures must ban schools from pressuring students subjected to sexual harassment into accepting supportive measures in lieu of an investigation or grievance mechanism. The Department should prohibit even subtle incentives to accept supportive measures over formal adjudications. Any indication of students being steered or pressured into accepting only supportive measures or being discouraged from pursuing other options (such as local law enforcement) should be thoroughly investigated by OCR and remediated by the school.

Finally, the safe harbors remove OCR's discretion in Title IX enforcement. OCR's independent weighing of the evidence surely is a relevant factor in determining whether a school has been or is being deliberately indifferent (or unreasonable). Suppose, for example, OCR finds that, despite adopting the proper procedures for addressing formal complaints, the school's decision-makers always find in favor of complainants, or always find in favor of respondents. Absolute safe harbors remove OCR's ability to determine a school's liability if there is a pattern or practice of shielding respondents or favoring complainants. The Assistant Secretary, after a thorough investigation, should have the discretion to decide whether a school's determination of responsibility was discriminatory, or whether a school's overall climate is a discriminatory one.

The Department should remove the safe harbor provisions from the proposed rule.¹¹⁴

¹¹⁴ While we strongly oppose the existence of any safe harbor in any final rule, if the Department nevertheless continues to include them, we strongly recommend any safe harbor incentivize schools to provide additional protections.

III. The Department Should Adopt Policies for Complaints that Maximize Reporting.

A. The Department's Proposed Definition of "Complainant" Is Too Restrictive.

Proposed § 106.44(e)(2) defines "complainant" as "an individual who has reported being the victim of conduct that could constitute sexual harassment, or on whose behalf the Title IX Coordinator has filed a formal complaint."¹¹⁵ This definition raises many problems.

Importantly, the proposed definition of "complainant," in conjunction with the proposed definition of "formal complaint" (which must be "a document signed by a complainant or by the Title IX Coordinator"), effectively preclude third parties from filing formal complaints of sexual harassment, which triggers the recipient's obligation under the proposed rule to initiate an investigation or proceedings to address the allegations.¹¹⁶ This is a departure from prior guidance, which recognized that a school must investigate and take appropriate remedial action "regardless of whether the student [subjected to sexual harassment], student's parent, or a third party files a formal complaint."¹¹⁷

The proposed shift in policy regarding who may file a formal complaint of sexual harassment ignores the realities of how sexual harassment is reported on campus. Only a small percentage of campus sexual violence is formally reported, for reasons previously articulated.¹¹⁸ And instances of sexual harassment are often communicated to close confidants, who may report such incidences to appropriate officials. In K-12 schools, instances of sexual harassment or violence are often reported by a parent or guardian on behalf of a student or another student or employee witness to the sexual harassment. By eliminating the requirement that schools initiate investigations in response to information reported by third parties, the Department's proposal will result in more harassment going unacknowledged and unaddressed. The proposed definition

¹¹⁵ "For purposes of this definition, the person to whom the individual has reported must be the Title IX Coordinator or another person to whom notice of sexual harassment results in the recipient's actual knowledge under [the proposed rule]." These comments address this part of the definition of "complainant" in their discussion of the "actual knowledge" standard.

¹¹⁶ In some States, a parent or guardian could file a formal complaint on behalf of a minor child, but on this issue, the Department's proposed rule would defer to state law and local educational practice. *See* 83 Fed. Reg. at 61,482.

¹¹⁷ 2014 Q&A at D-2, 15–16. Existing Department guidance also recognizes that, in some instances, the survivor may not want the school to proceed with an investigation and appropriately established several factors for a school to weigh in balancing whether to move forward over a survivor's objections. The factors to weigh include the survivor's wishes along with the school's duty to provide a safe and nondiscriminatory environment for all students, the seriousness of the alleged harassment, the age of the student harassed, whether there have been other reports of harassment against the alleged harasser, and the rights of the accused individual to receive information about the accuser and the allegations, where a formal proceeding with sanctions may result. 2001 Guidance at 17-18.

¹¹⁸ *See supra* Section I & Section II.C.

should be modified to clarify that a third party, such as a witness, parent, guardian, or school employee, may file a formal complaint.¹¹⁹

More broadly, the proposed rule will yield results that cannot be squared with schools' obligations under Title IX and the case law applying it. Schools have a legal obligation to take reasonable steps to prevent and eliminate sexual harassment, including hostile environment harassment.¹²⁰ Yet the proposed rule places the burden on individuals subjected to sexual harassment to report harassment in a particular manner. In addition, a hostile environment "can occur even if the harassment is not targeted specifically at the individual complainant. For example, if a student, group of students, or a teacher regularly directs sexual comments toward a particular student, a hostile environment may be created not only for the targeted student, but also for others who witness the conduct."¹²¹ Similarly, a school's repeated failure to respond appropriately to allegations of sexual assault may contribute to a hostile environment for students who have not themselves been the subject of an assault. It is not clear from the Department's proposal whether students who have witnessed but who have not been "targeted" by harassment may qualify as individuals who may file a formal complaint. Consistent with existing policy, the Department should clarify that these individuals may file formal complaints.

B. The Definition of "Formal Complaint" Creates a Barrier to Filing for Complainants, Particularly Underage Students, and Does Not Provide for Reasonable Accommodation.

Proposed § 106.44(e)(5) defines the "formal complaint," which must be filed to trigger most of the protections set forth in the remainder of the regulation, as "a document signed by a complainant or by the Title IX Coordinator alleging sexual harassment . . . and requesting initiation of the recipient's grievance procedure." *Id.* This requirement is inconsistent with the objective of the statute because it creates an unnecessary barrier to obtaining the protections against discrimination promised unequivocally by Title IX's text. It is also a departure from the existing regulations, which require a recipient to establish procedures for addressing "any action which would be prohibited by" the regulation.¹²² As applied, a recipient could dismiss a meritorious complaint of which it has notice or fail to take action solely for immaterial technical reasons, such as the complaint not being signed or failing to include specific language "requesting initiation" of the grievance procedures.

¹¹⁹ We recognize that schools reasonably may respond differently to complaints filed by those subjected to sexual harassment and complaints filed by third parties, but the appropriateness of a school's response should be fact-specific. *See* 2001 Guidance at 18 (identifying "factors" that "will affect the school's response" when "information about harassment is received from a third party (such as from a witness to an incident or an anonymous letter or telephone call)").

¹²⁰ *E.g.*, 2001 Guidance at 5–14.

¹²¹ 2001 Guidance at 6 & n. 43 (collecting cases).

¹²² 34 C.F.R. § 106.8(b) (emphasis added).

Furthermore, the proposed regulation ignores the reality in elementary and secondary schools throughout the nation that complaints of sexual harassment are most often brought to the attention of administrators verbally by children, many of whom will be unaware of the proposed regulation's prescriptions. As such, the proposed regulation will too often result in K-12 students being deprived of their rights under Title IX based on the mere technicality of not filling out and signing a written document. In this regard, we note that the Department has included no cost estimate for training students (or their parents and guardians) on the new sweeping changes in the regulations. They will nonetheless be responsible for meeting these procedural requirements to obtain any relief.

In addition, the proposed rule runs afoul of other federal civil rights laws because it fails to specify that reasonable accommodations in the grievance process shall be provided for individuals whose disabilities may inhibit their ability to read, write, and sign a complaint.¹²³ Moreover, for a complainant who is under 18, as many in the schools affected by this regulation are, the proposed regulations do not address how schools will implement this requirement if a parent later disagrees with a child complainant's decision to file or is not consulted prior to filing. The change also creates unnecessary administrative costs, paperwork, and delay because schools must create or receive a signed document before executing their clear responsibilities under the law to investigate and, as necessary, stop the harassment, prevent its recurrence, and remedy its effects.

C. "Supportive Measures" Should be Responsive to a Complainant's Needs.

Under prior guidance, the Department acknowledged that Title IX may require a school to take "interim measures" to protect a complainant and other students before the conclusion of an investigation.¹²⁴ In § 106.44(e)(4), the proposed rule would introduce the new term "supportive measures" and would provide that implementing supportive measures may itself be an adequate response in some cases of sexual harassment.

The proposed rule provides a safe harbor to a school that "offers and implements supportive measures *designed to* effectively restore or preserve the complainant's access to the recipient's education program or activity," without regard to whether the supportive measures are actually (or even reasonably) effective in accomplishing that objective. Further, for supportive measures to be effective, a school must acknowledge the crucial role of the complainant and, as needed, the respondent in crafting such measures and work with the parties to design appropriate measures after assessing what is needed to stop the harassment, prevent its recurrence, and address its effects. The Department should clarify that although schools should not be required to provide every measure the student requests, they should give due

¹²³ See generally Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; Americans with Disabilities Act of 1990 as amended, 42 U.S.C. § 12131, *et. seq.*

¹²⁴ 2001 Guidance at 16, 18 ("It may be appropriate for a school to take interim measures during the investigation of a complaint.")

consideration to what the student who was harassed deems appropriate supportive measures in light of the circumstances, so that access to programs and activities can be assured.

The proposed rule would provide that supportive measures offered to a complainant or respondent should be designed to avoid “unreasonably burdening the other party.” 83 Fed. Reg. at 61,496. By comparison, Department policy issued between 2001 and 2014 consistently emphasized that, in adopting interim measures, schools should minimize the burden on the student who was harassed. For example, the 2001 Guidance stated that such measures should “be designed to minimize, as much as possible, the burden on the student who was harassed.”¹²⁵ The 2014 Guidance stated that schools should minimize the burden on the complainant. For example, if the complainant and alleged perpetrator share the same class or residence hall, the school should not, as a matter of course, remove the complainant from the class or housing while allowing the alleged perpetrator to remain without carefully considering the facts of the case.”¹²⁶

We agree that schools should endeavor to avoid “unreasonably burdening” alleged perpetrators, but we believe this principle requires elaboration. The Department should clarify that, consistent with prior policy, there should be a presumption against imposing unnecessary burdens on the complaining student when devising supportive measures. By crafting appropriate and individualized measures, this can be done even while protecting the due process rights of the respondent during the pendency of the investigation.

And the Department should likewise make clear that schools retain their local flexibility to deal immediately with potentially predatory or violent situations, even in ways that significantly burden one or more students, and even before a formal complaint has been filed or there has been an adjudication of responsibility, when necessary to meet their responsibilities for student safety and well-being. In such situations, to ensure the safety and well-being of its students, a school may need to impose a temporary and immediate suspension on a student, subject to the right for that student to have a prompt hearing with a right to return to the educational environment.

IV. The Proposed Grievance Procedure Fails to Provide a Fair and Equitable Process for Resolving Formal Title IX Complaints.

In 2001, the Department recognized that “[s]trong policies and effective grievance procedures are essential to let students and employees know that sexual harassment will not be tolerated and to ensure that they know how to report it.”¹²⁷ This is why the Department has consistently required school grievance procedures to provide for “prompt and equitable resolution of sex discrimination complaints.”¹²⁸ In many places, the proposed rule fails to meet

¹²⁵ 2001 Guidance at 16.

¹²⁶ 2014 Q&A at G-2, 33.

¹²⁷ 2001 Guidance at iii.

¹²⁸ 2001 Guidance at 14.

this standard: it improperly tilts the proceedings in favor of the respondent, it prevents schools from imposing reasonable controls that protect confidentiality and ensure fair proceedings, and it burdens schools and students alike with untenable hearing requirements. In other places, the proposed rule requires clarification to ensure a truly equitable process. As such, the proposed grievance procedures must be substantially revised in order to comply with Title IX.

A. Credibility Determinations Should Not Be Based Solely on Person’s Status.

To ensure that all evidence is evaluated objectively, the proposed rule states that “credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.” Proposed § 106.45(b)(1)(ii). We agree that all evidence must be considered fairly and objectively by recipient schools. But fact-finders should not be categorically prohibited from considering any factor—including the person’s status and motivations for offering their testimony—when determining credibility. As the EEOC has recognized in the employment context, no single factor is determinative of credibility.¹²⁹ Instead, the final rule should state that “credibility determinations may not be based solely on a person’s status as a complainant, respondent, or witness.”

B. The Presumption of Non-Responsibility Improperly Tilts the Process in Favor of the Respondent.

The proposed rule states that there is a “presumption” that the respondent is “not responsible” for the alleged sexual harassment. §§ 106.45(b)(1)(iv) & (b)(2)(i)(B). The presumption appears aimed at protecting respondents in a manner akin to the presumption of innocence in criminal cases. But the grievance procedures are non-criminal in nature, so a criminal presumption by another name is not appropriate. Relatedly, but more fundamentally, the presumption contradicts the regulation’s stated goal of promoting impartiality by inherently favoring the respondent’s denial over the complainant’s allegation. Instead the allegation and the denial must be treated neutrally, as competing assertions of fact whose truth can only be determined after an investigation. The problem would be even starker if any final regulation were to retain recipients’ ability to choose a “clear and convincing” evidence standard (which we contend is not appropriate). The presumption of non-responsibility and the “clear and convincing” standard of evidence likely would, in practice, compound one another and raise an exceedingly high bar to any finding of responsibility for sexual harassment.

Accordingly, there should be no presumption regarding the respondent’s responsibility.

¹²⁹ EEOC, Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (June 18, 1999), <https://www.eeoc.gov/policy/docs/harassment.html>.

C. The Department Should Provide Prompt Timeframes and Should Not Encourage Good Cause Delay for Concurrent Law Enforcement Proceedings.

Since 1980, the regulations have required that schools provide a “prompt” resolution to any allegation of discrimination prohibited by this part.¹³⁰ Department policy interpreting the regulations has also required grievance procedures for resolving allegations of sexual harassment to be completed “promptly.”¹³¹ Proposed § 106.45(b)(1)(v) would require schools to establish “reasonably prompt timeframes for conclusion of the grievance process.” According to the preamble, the Department has selected the language “reasonably prompt” to track “the language in the Clery Act regulations at 34 C.F.R. § 668.46(k)(3)(i)(A).” 83 Fed. Reg. at 61,473. We are concerned that schools will likely construe “reasonably prompt” as imposing a more relaxed timeliness obligation than “promptly.” Other than a desire to provide consistency with the Clery Act, the Department does not provide an adequate justification for a change that may result in further delays in completion of the resolution process for both parties to a sexual harassment investigation, each of whom have a significant interest in a prompt resolution. The Department should strike “reasonably,” so that change in wording does not constitute a departure from its long-established guidance without adequate justification.

In addition, we urge the Department to reaffirm, in issuing any final rule, the goal of completing investigations of formal complaints in a 60-day timeframe,¹³² subject to the institutions’ need for flexibility for practical concerns and to protect due process rights. Timely resolution of grievance procedures is vital for complainants who may be re-victimized as the process drags on without resolution or relief. As the Department has recognized, “OCR experience” had shown that “a typical investigation takes approximately 60 calendar days following receipt of the complaint,” although “the complexity of the investigation and the severity and extent of the harassment” can necessitate a longer process.¹³³ In the proposed rule, the Department notes that “[s]ome recipients felt pressure in light of prior Department guidance to resolve the grievance process within 60 days.” But nowhere does the Department claim that OCR’s experience has changed. Rather than abandon this timeline, the Department should provide schools with guidelines for timeliness that continue to recognize that grievance procedures can vary in length based on the complexity of the investigation, the severity of the harassment, and factors outside of the schools’ control, such as the unavailability of witnesses.¹³⁴

¹³⁰ See current 34 C.F.R. § 106.8(b), proposed § 106(c).

¹³¹ *E.g.*, 2001 Guidance at 19; 2011 DCL at 8.

¹³² Of course, other stages such as appeals will have a separate prompt timeframe, as OCR has consistently recognized.

¹³³ 2011 DCL at 12; *see also* 2014 Q&A at 31.

¹³⁴ *E.g.*, state administrative procedures that require multiple stages but are still completed within a prompt timeframe.

Such a definition will also provide clear notice to schools of the Department’s expectations for a prompt resolution.

Finally, the Department provides in proposed § 106.45(b)(1)(v) that schools may temporarily delay the process for good cause, which can include “concurrent law enforcement activity.” For several reasons, any final rule should be clear that concurrent law enforcement activity, without more, is not good cause to delay Title IX proceedings. First, “because legal standards for criminal investigations are different, police investigations or reports may not be determinative of whether harassment occurred under Title IX and do not relieve the school of its duty to respond promptly and effectively.”¹³⁵ Conduct may restrict a student’s access to education even though it does not rise to the level of a criminal violation. Second, as we discuss more fully elsewhere, schools generally have an independent obligation under Title IX to investigate and resolve complaints of sexual harassment—regardless of any parallel criminal investigation.

Generally, school and law enforcement officials should de-conflict their investigations to avoid prejudicing each other’s investigation. Although concurrent law enforcement activity should not be considered sufficient grounds for delaying Title IX proceedings, some limited circumstances would support good cause for a temporary delay. For example, a school may find good cause to delay a portion of a Title IX investigation at the request of a prosecutor to protect the integrity of a criminal investigation, or “a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence.”¹³⁶ But “once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school must promptly resume and complete its fact-finding for the Title IX investigation.”¹³⁷ And schools should not refrain from providing supportive measures in the interim.

Therefore, if the Department finalizes its proposal, § 106.45(b)(1)(v) should be revised to reflect that “concurrent law enforcement activity” may be grounds for delaying Title IX proceedings only when there is good cause beyond the mere existence of concurrent law enforcement activity. That said, any final rule should also clarify that schools must tell complainants of their right to file a concurrent criminal complaint and not dissuade them from doing so.

¹³⁵ 2001 Guidance at 21 & n.110 (citing *Academy School Dist. No 20*, OCR Case No. 08-93-1023 (school’s response determined to be insufficient in a case in which it stopped its investigation after complaint filed with police); *Mills Public School Dist.*, OCR Case No. 01-93-1123 (not sufficient for school to wait until end of police investigation)).

¹³⁶ 2011 DCL at 10 & n.25.

¹³⁷ *Id.* (noting that in “one recent OCR sexual violence case, the prosecutor’s office informed OCR that the police department’s evidence gathering stage typically takes three to ten calendar days, although the delay in the school’s investigation may be longer in certain instances”).

D. When Issuing a Notice Upon Receipt of a Formal Complaint, Schools Should be Required to Protect Confidentiality and Preserve the Integrity of the Investigation.

In § 106.45(b)(2)(i)(B), the proposed rule defines the notice a school must provide upon receipt of a formal complaint. We agree that due process requires that a respondent have access to information about the complained-of conduct in order to have a meaningful opportunity to prepare an effective response. But by requiring schools in all circumstances to send written notices that identify the complainant and detail the allegations, the proposed rule fails to address the potential confidentiality concerns of both the complainant and the respondent. For example, a written notice sent to the parties that names the complainant and details the allegations could be leaked or forwarded to unrelated third parties. This could damage the respondent's reputation,¹³⁸ invite retaliation against the complainant, threaten both parties' access to education, and, depending on the information disclosed regarding the complainant's medical information related to sexual violence, violate state and federal health care privacy laws.¹³⁹

We are also concerned by the proposal's mandate that the required notice be provided "[u]pon receipt of a formal complaint," proposed § 106.45(b)(2)(i)(B), and then supplemented on an "ongoing" basis, "[i]f, in the course of an investigation, the recipient decides to investigate allegations not included in the notice provided pursuant to paragraph (b)(2)(i)(B)."

§ 106.45(b)(2)(ii). As long as the respondent receives the necessary information early enough to have a meaningful opportunity to prepare a response, schools should retain some discretion as to when they provide a respondent information about allegations being investigated. For example, a school may wish to conduct a preliminary investigation to determine whether the new allegations are credible or whether alleged systemic conduct is occurring. Schools may also need to delay notice to avoid prejudicing the investigation.

To avoid these problems, any final rule should instead advise schools to provide the respondent with prompt written notice of the filing of a formal Title IX complaint, including the specific allegations against her or him, the applicable grievance procedures and conduct code sections, a prompt timeframe for providing access to relevant information about the allegations, and an opportunity to respond. This would allow schools to continue to protect both parties by, for example, sending respondents only an initial written notice about the existence of a complaint and specific allegations, and then providing him or her with relevant information in person, including additional details about the alleged conduct and the identity of the complainant. Any final rule should also allow schools to protect respondents and complaints in other ways, such as by barring them from disclosing personally identifiable information except as necessary to prepare a response.

¹³⁸ *E.g.*, 2001 Guidance at 18 ("Publicized accusations of sexual harassment, if ultimately found to be false, may nevertheless irreparably damage the reputation of the accused.").

¹³⁹ *E.g.*, 2001 Guidance at 17–18.

Any final rule should also allow schools to withhold the identity of the complainant in certain circumstances. We agree that in many circumstances, the respondent must be informed of the complainant's identity to prepare an adequate response. But there are circumstances in which a school may not need to identify a complainant who has requested confidentiality, such as when the complaint involves harassment in a public setting (e.g., a teacher saying something to a whole class or systemic problems at a fraternity). In addition, when a school moves forward with a complaint on behalf of a student who has requested confidentiality, the school can still provide prospective relief, such as sexual harassment training and guidance that can meet its obligations to prevent harassment and address its effects. Students who have declined to pursue a formal investigation should not be identified against their will if appropriate corrective measures can still be pursued.

Finally, any final rule should require any notice to include a warning that retaliation against the complainant, including by making statements or spreading rumors intended to intimidate or dissuade him/her from filing or pursuing a Title IX complaint, constitutes an independent Title IX violation.

E. Schools Should be Allowed to Place Limited, Reasonable Restrictions on Discussions by the Parties.

In § 106.45(b)(3)(iii), the proposed rule bars schools from restricting the parties from discussing the allegations under investigation. We agree that parties cannot be barred from disclosing information needed to prepare a response or prepare for an interview or hearing. But there are several circumstances in which a school may need to place reasonable limitations on the ability of both parties to discuss the allegations. For example, a school may be able to respect a complainant's request for confidentiality by requiring the respondent to not disclose the complainant's identity unless necessary to prepare his or her response. In addition, schools should be allowed to limit (in the short term) discussions to preserve the integrity of the investigation, such as limiting conversations between parties and witnesses to prevent witness tampering. Finally, effective interim supportive measures should continue to include a school's ability to restrict the respondent from contacting the complainant or otherwise harassing or retaliating against him or her during the pendency of the investigation. Therefore, any final rule should state that the school must not restrict the ability of either party to discuss the allegations under investigation as necessary to prepare a response or prepare for an interview or hearing.

F. The Proposed Hearing Procedures Will Chill Reporting, Burden Schools, and Harm Both Complainants and Respondents.

Proposed § 106.45(b)(3)(vi) allows K-12 institutions to conduct live hearings at their discretion. Live hearings place a sharp spotlight on both parties. K-12 students—particularly those in elementary and middle school—will typically lack the maturity necessary to participate. They also have greater vulnerability to potential traumatization or re-traumatization. In addition, allowing live hearings raises serious privacy concerns for children, particularly with respect to

student witnesses. The final rule should not allow live hearings in the K-12 context unless otherwise required by state law.

If live hearings do take place in K-12 schools, the final rule should include minimum protections for student parties and witnesses who testify, and require schools to protect the confidentiality of the participants and the process. Given the privacy considerations for underage minors and potential for re-traumatization, the complaining and responding student should never be required to testify in the same room or to face each other in any cross-examination. The regulation should also provide exceptions for student testimony and participation where the student's maturity level would make in-person participation inappropriate.

In § 106.45(b)(3)(vii), the proposed rule requires all institutions of higher education to conduct live hearings at which each party's advisor must be allowed to conduct cross-examination of the other party. As we discuss below, any final rule should not mandate live hearings, return advisors to a supporting role only, and only allow party questioning via neutral third parties.

First, although some states require them, live hearings can pose problems. Schools may have a legitimate interest in avoiding circumstances that may subject the complainant to further harassment. Particularly in cases of sexual violence, requiring the complainant to face the respondent risks re-traumatizing a survivor. In addition, live hearings can be burdensome on institutions. They are typically overseen by faculty members or school staff who, no matter how dedicated they are to a fair process, are not professional mediators or judges. Months or even years can pass between hearings, which can undermine the efficacy of training, while the presence of attorneys for either party risks intimidating the panel and overtaking the proceedings. And finding a time when the panel members, the parties, and all witnesses are available can delay proceedings. To avoid these problems, some schools instead have the fact-finder or investigator conduct hearings with, or take sequential evidence from, all parties and witnesses, with the parties able to submit questions in advance. This allows for the solicitation of live testimony and enables the fact-finder to personally evaluate the speaker's credibility.¹⁴⁰

Therefore, the final rule should permit investigations via methods other than live hearings, subject to constitutional due process protections.

Second, requiring cross-examination by a party's advisor during a live hearing will create serious problems to both the school and the parties. The opportunity for the parties to pose questions is an important element of fact-finding. Indeed, the ability to pose questions of witnesses and the other party protects both respondents and complainants. But the Department's shift to cross-examination by advisors has created even greater problems—problems that will

¹⁴⁰ *E.g., Doe v. Univ. of S. California*, 241 Cal. Rptr. 3d 146, 163 (Cal. Ct. App. 2018) (holding that “[w]here a university’s determination turns on witness credibility, the adjudicator must have an opportunity to assess personally the credibility of critical witnesses,” but not finding due process violation in the university’s decision to not hold a live hearing).

inhibit the Department’s stated goals of discovering the truth and reducing the burden on schools. 83 Fed. Reg. at 61,476.

Advisor-led cross-examination will be untenable. Some parties may choose to bring in attorney advisors. This risks disparate treatment if, for example, the complainant has an attorney advisor and the respondent has an institution-provided faculty member advisor. In cases in which the school is required to provide the advisor, schools are concerned that they could later be challenged for failing to provide an adequate advisor. Attorney-advisor cross-examination also risks intimidating the non-lawyer faculty or staff member(s) who typically oversee Title IX hearings. To ensure that the fact-finder can run a fair and effective hearing, schools may feel the need to hire attorneys to serve as dedicated Title IX fact-finders, which would impose an even greater expense and burden on institutions. In addition, cross-examination by an advisor of the party’s choice—which could be an attorney, a family member, or a fellow student—risks harassing the respondent, retraumatizing the complainant, and further deterring survivors from filing formal complaints.¹⁴¹

To avoid these problems, any final rule should permit the practice already widely used in schools that hold live hearings. Each party should be allowed to bring to a hearing or interview an advisor of his or her choice who serves only a supportive function. The complainant and respondent should be allowed to pose questions through a neutral third party, such as the fact-finder overseeing the hearing. This would balance the need for each party to ask questions of the other party, the need for the fact-finder to evaluate how the parties respond to live questions, and the need to protect all parties from trauma, intimidation, and further harassment. The Department must also ensure that adjudicators are sufficiently empowered to control the proceedings and place some reasonable limitations on the questioning of the parties and witnesses. By making relevance the only ground for excluding questions, 83 Fed. Reg. at 61,476, the Department’s proposal would result in protracted and unwieldy hearings that would impose additional costs on schools and parties (costs not reflected in the Department’s regulatory impact analysis). Such hearings may not ultimately protect respondents and complainants from abusive or harassing questioning or, most importantly, facilitate the discovery of truth.

¹⁴¹ See, e.g., Tom Lininger, *Bearing the Cross*, 74 Fordham L. Rev. 1353, 1357 (2005) (“As a general matter, victims willingness to report crimes varies inversely with their fear of embarrassment during cross-examination.”); Anoosha Rouhanian, *A Call for Change: The Detrimental Impacts of Crawford v. Washington on Domestic Violence and Rape Prosecutions*, 37 B.C.J.L. & Soc. Just. 1, 35 (2017); William J. Migler, *An Accused Student’s Right to Cross-Examination in University Sexual Assault Adjudicatory Proceedings*, 20 Chap. L. Rev. 357, 370 (2017); H. Hunter Bruton, *Cross-Examination, College Sexual-Assault Adjudications, and the Opportunity for Tuning Up the “Greatest Legal Engine Ever Invented”*, 27 Cornell J.L. & Pub. Pol’y 145, 176 (2017).

G. Schools Should Not be Required to Provide Parties With Access to All Collected Evidence.

In § 106.45(b)(3)(viii), the proposed rule details how institutions must prepare investigative reports and provide the parties with access to evidence. These provisions raise several serious concerns.¹⁴²

First, no platform exists that is wholly immune from “downloading or copying the evidence.” Among many other vulnerabilities, the relevant evidence could easily be photographed using a smartphone camera. The final rule should not require schools to provide such sensitive information in a way that exposes both the respondent and the complainant.

Second, providing all parties access to “any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility” is overbroad. Schools should not be required to provide the parties with access to evidence that is privileged and confidential, such as “communications between the complainant and a counselor or information regarding the complainant’s sexual history.”¹⁴³ Schools also cannot provide parties with access to evidence that it itself cannot use, such as an illegal voice recording in a state such as Pennsylvania that requires two-party consent.¹⁴⁴ Nor should a school provide either party with evidence that was collected as part of the investigation but which is irrelevant.

Nor can schools be required to provide access to information where doing so is barred by the Family Educational Rights and Privacy Act (FERPA). The Department mischaracterizes the law when it asserted in the preamble that this provision “is consistent” FERPA, “under which a student has a right to inspect and review records that directly relate to that student.” 83 Fed. Reg. at 61,475. FERPA does not allow one student to review information about other students. 34 C.F.R. § 99.12(a). And not every piece of evidence obtained as part of an investigation is necessarily “directly related to” *each* student who is a party to an investigation for the purposes of FERPA.¹⁴⁵ For example, a complainant’s full medical history, even if obtained as part of an investigation to ascertain the extent of alleged physical injuries, is both irrelevant to the specific

¹⁴² See, e.g., Richard Reed, *Feds concerned about loophole that may have enabled UO to get alleged rape victim’s records*, The Oregonian (June 13, 2015), https://www.oregonlive.com/education/index.ssf/2015/06/feds_voice_concern_about_looph.html (discussing disclosure of student’s confidential counseling records regarding an alleged rape on campus and the impact on the survivor and other legal liability).

¹⁴³ 2011 DCL at 11 n.29.

¹⁴⁴ Digital Media Law Project, *Recording Phone Calls and Conversations*, <http://www.dmlp.org/legal-guide/recording-phone-calls-and-conversations> (last checked Jan. 18, 2019).

¹⁴⁵ 20 U.S.C. § 1232g(a)(4)(A)(i).

allegation at issue and not at all “directly related” to the respondent. Likewise, “if a school introduces an alleged perpetrator’s prior disciplinary records to support a tougher disciplinary penalty, the complainant would not be allowed access to those records.”¹⁴⁶

Therefore, any final rule should permit schools to place reasonable limitations on a respondent’s access to information.

H. The Standard of Proof Should Remain Preponderance of the Evidence.

Proposed regulation § 106.45(b)(4)(i) requires the recipient to:

[A]pply either the preponderance of the evidence standard or the clear and convincing evidence standard, although the recipient may employ the preponderance of the evidence standard only if the recipient uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. The recipient must also apply the same standard of evidence for complaints against students as it does for complaints against employees, including faculty.

Although the proposed regulation expressly provides an “option” regarding the standard that may be used, requiring that the preponderance of the evidence standard only be used if it is also used in other specific contexts could effectively eliminate the preponderance of the evidence standard in Title IX proceedings. This proposal is presented under a veneer of treating complaints equitably, but would, in fact, often create an inequitable situation at odds with Title IX’s text and intent, exceed the Department’s authority under Title IX, and be strikingly unfair to those subjected to sexual harassment and sexual violence.

First, the idea that a heightened standard of proof should apply to claims of sexual harassment and violence in school disciplinary processes misapprehends these proceedings’ fundamental purpose. While of great consequence to all parties involved, these are not criminal proceedings. In criminal proceedings, a heightened standard of proof is constitutionally mandated and appropriate given the retributive nature of criminal sanctions, as well as the potential of loss of life or liberty. In contrast, student disciplinary proceedings must be viewed in light of the institutions’ educational missions. As stated in a publication by the Association for Student Conduct Administration, “[t]he goal is to protect the academic environment.”¹⁴⁷ That goal is undermined by a standard that “says to the victim/survivor, ‘Your word is not worth as

¹⁴⁶ 2011 DCL at 11.

¹⁴⁷ Chris Loschiavo & Jennifer Waller, PhD, *Preponderance of the Evidence Standard: Use in Higher Education Campus Conduct Processes*, 1, 3, Association for Student Conduct Administration, <https://www.theasca.org/files/The%20Preponderance%20of%20Evidence%20Standard.pdf>.

much to the institution as the word of accused’ or, even worse, that the institution prefers that the accused student remain a member of the campus community over the complainant.”¹⁴⁸

Second, the “preponderance of the evidence” standard in this context is widespread and has been in use for decades. In fact, the Department has required schools to employ this standard since at least 1995, under both Democratic and Republican administrations.¹⁴⁹ Further, contemporaneous surveys showed that the majority of colleges and universities employed this standard even before the Department’s 2011 guidance.¹⁵⁰ Tellingly, multiple rounds of comments on Title IX guidance in the past 20 years yielded no complaints about, or even mention of, the preponderance of evidence standard.¹⁵¹

While the proposed rule pushes back on the analogy to civil litigation as one of its rationales for employing the clear and convincing standard, 83 Fed. Reg. at 61,477, the Department cannot dispute that the preponderance of the evidence standard is typical in civil lawsuits, including ones in which civil rights violations—such as Title IX and Title VII—are alleged.¹⁵² The 2001 Guidance noted that “[w]hile *Gebser* and *Davis* made clear that Title VII agency principles do not apply in determining liability for money damages under Title IX, the *Davis* Court also indicated, through its specific references to Title VII caselaw, that Title VII remains relevant in determining what constitutes hostile environment sexual harassment under Title IX.”¹⁵³ The Department’s proposed rule turns Title IX on its head, making it harder for a victim of sex discrimination to obtain relief than a respondent. In this regard, a respondent will now be able to sue a school for a “due process” violation of Title IX and only have to prove the

¹⁴⁸ *Id.* at 4.

¹⁴⁹ Katherine K. Baker, et al., *Title IX & the Preponderance of the Evidence: A White Paper*, Feminist Law Professors 1, 10 (Aug. 7, 2016), <http://www.feministlawprofessors.com/wp-content/uploads/2017/07/Title-IX-Preponderance-White-Paper-signed-7.18.17-2.pdf> (citing Letter from Gary D. Jackson, Reg’l Civil Rights Dir., Off. for Civil Rights, U.S. Dep’t of Educ., to Jane Jervis, President, The Evergreen St. Coll. (Apr. 4, 1995) (Clinton Administration); Letter from Howard Kalle, Chief Att’y, D.C. Enforcement Off., Off. for Civil Rights, U.S. Dep’t of Educ., to Jane Genster, Vice President and General Counsel, Georgetown Univ. (Oct. 16, 2003) (George W. Bush Administration)).

¹⁵⁰ *Id.* at 7 (citing two studies showing that shortly before 2011 DCL, (1) 80 percent of schools with a standard of evidence used the preponderance standard and (2) 61 percent of college and university administrators surveyed used the preponderance standard).

¹⁵¹ *Id.* at 9–10.

¹⁵² See, e.g., *Desert Palace, Inc. v. Costa*, 539 U.S. 90, 99 (2003) (noting that under the “conventional rule of civil litigation,” the preponderance of the evidence standard generally applies in cases under Title VII); *Price Waterhouse v. Hopkins*, 490 U.S. 228, 252–55 (1989) (approving preponderance standard in Title VII sex discrimination case) (plurality opinion); *id.* at 260 (White, J., concurring in the judgment); *id.* at 261 (O’Connor, J., concurring in the judgment).

¹⁵³ 2001 Guidance at vi; see also *Jennings v. Univ. of N.C.*, 482 F.3d 686, 695 (4th Cir. 2007) (“We look to case law interpreting Title VII of the Civil Rights Act of 1964 for guidance in evaluating a claim brought under Title IX.”).

case by a preponderance of the evidence, whereas the complainant would have to prove sexual harassment in the first instance by the higher clear and convincing standard.

Further, as acknowledged in the NPRM, the Department’s own OCR uses a preponderance of the evidence standard. 83 Fed. Reg. at 61,477. OCR’s Case Processing Manual requires that a noncompliance determination be supported by the preponderance of the evidence when resolving allegations of discrimination under all the statutes enforced by OCR, including Title IX.¹⁵⁴

The “preponderance of the evidence” standard is the only standard of proof that can provide for an “equitable resolution” of student harassment complaints,¹⁵⁵ as required under Title IX.¹⁵⁶ Absent a statutory instruction to the contrary, the Department has no authority to depart from the usual allocation of risk between parties to grievance proceedings. In discussing appellate rights, the Department recognizes that each party in grievance proceedings is equally deserving of an accurate outcome. 83 Fed. Reg. at 61,478–79. This recognition makes the Department’s proposal to use a standard other than preponderance of the evidence—which privileges one party’s interests over others’ and the search for truth—all the more inexplicable.

To be sure, this proposed regulation applies by its terms to complaints against employees as well, and some colleges and universities have policies for faculty under which a higher standard of proof is used. But schools have a qualitatively different relationship with their employees than their students. In the modern university context, courts “have increasingly recognized a college’s duty to provide a safe learning environment both on and off campus.”¹⁵⁷ This most obviously manifests itself in the student housing context, where students are almost entirely dependent on the university for security, and have little to no power to enhance their security themselves.¹⁵⁸ The proposed regulation’s requirement that schools can only use a preponderance of the evidence standard for student complaints if they use that same standard for

¹⁵⁴ U.S. Dep’t of Educ., *Case Processing Manual*, Art. III, § 303, <https://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.pdf>. Notably, this Manual was updated under this Administration (in November 2018) and retained the preponderance of the evidence standard.

¹⁵⁵ *Herman & Maclean v. Huddleston*, 459 U.S. 375, 390 (1983) (“A preponderance-of-the-evidence standard allows both parties to ‘share the risk of error in roughly equal fashion.’ Any other standard expresses a preference for one side’s interests.”) (internal quotation marks omitted). *See also Steadman v. SEC*, 450 U.S. 91, 96 (1981) (same).

¹⁵⁶ *See* 34 C.F.R. §106.8(c) (construing Title IX to require equitable resolution of grievances).

¹⁵⁷ Kristen Peters, *Protecting the Millennial College Student*, 16 S. Cal. Rev. L. & Soc. Just. 431, 448 (2007); *see also Duarte v. State*, 88 Cal. App. 3d 473 (Cal. 1979) (noting that students “in many substantial respects surrender[] the control of [their] person[s], control of [their] own security to the university”); *Mullins v. Pine Manor Coll.*, 449 N.E.2d 331, 335–36 (Mass. 1983) (holding that “[p]arents, students, and the general community . . . have a reasonable expectation, fostered in part by colleges themselves, that reasonable care will be exercised to protect resident students from foreseeable harm.”).

¹⁵⁸ *See Mullins*, 449 N.E.2d at 335.

complaints against employees ignores the fundamental fact that schools are obliged to protect their students in different ways than their employees, which is especially true for students who are minors.¹⁵⁹

The proposed rule prohibits schools from having a different standard of proof for allegations of sexual harassment than it does for other infractions that carry the same potential sanctions. The reasons provided for this change further highlight the inherent one-sidedness underlying the proposal to alter the standard of proof. Here, the Department only discusses the “heightened stigma often associated with a complaint regarding sexual harassment,” 83 Fed. Reg. 61,477, but fails to recognize the trauma associated with being subjected to sexual harassment or violence, and how this could be exacerbated by applying an evidentiary standard of proof favoring the accused over the individual subjected to sexual harassment or violence.

The proposed rule will have the effect of deterring complainants from filing administrative school complaints and instead encourage additional costly civil litigation, an additional cost impact for which the Department fails to account. Assuming that the Department’s proposed regulations are adopted, a complainant filing a civil lawsuit under Title IX would now be required to meet the same extremely high burdens—e.g., standards for deliberate indifference, actual knowledge, and sexual harassment—in school as in court. But the court case would be adjudicated under the preponderance of the evidence standard, a lower burden of proof than would be available in many school grievance proceedings under the proposed rule. In addition, the complainant would be able to obtain damages in court, something that the Department’s proposed rule explicitly prohibits in the administrative context.

The problem is that civil adjudication is only an alternative for students with means to pursue it. Students without the financial means would be uniformly disadvantaged in pursuing sexual harassment complaints. Additionally, where school proceedings are perceived unfair or unduly burdensome, some students may choose to pursue criminal actions, which can be re-traumatizing for a person subjected to sexual harassment and more stigmatizing for the accused.

Finally, the proposed rule may also prove unworkable for many institutions that will be unable to meet two masters. To meet the second requirement of consistency between faculty and student complaints, colleges and universities will most frequently be required to adopt the higher standard of proof, clear and convincing, since tenured faculty often are entitled by law and contract to an application of the higher standard. But to meet the first requirement of consistency between conduct code violations with similar maximum penalties, many colleges and universities that handle all conduct code violations using a preponderance of the evidence standard would be required to adopt the higher standard of proof. The Department’s rule will thus likely require colleges and university to enact far reaching changes to conduct violation policies and practices that extend well beyond the scope of the Department’s authority to regulate under Title IX, inappropriately reaching conduct that has nothing to do with

¹⁵⁹ See *supra* note 99.

discrimination on the basis of sex—for example, cheating and simple battery. Further, the Department provides no explanation for why these proceedings—faculty disciplinary standards and code of conduct complaints—are more appropriate analogues to Title IX’s disciplinary proceedings than Title VII or sexual harassment civil proceedings in court.

I. The Written Determination Must Include Steps to Eliminate Any Hostile Environment.

Proposed § 106.45(b)(4)(ii) provides a summary of what the final written determination must include. Any final rule should confirm that the written determination must also include assurances that the school will take steps to prevent recurrence of harassment, correct its discriminatory effects, and prevent any retaliation against the complainant.¹⁶⁰ As we have discussed, the effects of harassment can go beyond the complainant and the respondent. The Department has long recognized that Title IX requires schools to “eliminate any hostile environment that has been created,” which may require implementing corrective measures throughout the education community.¹⁶¹

J. The Department Should Clarify that both Complainants and Respondents Have Equal Access to the Appeal Process.

As currently written, § 106.45(b)(5) states that “[i]n cases where there has been a finding of responsibility, although a complainant may appeal on the ground that the remedies are not designed to restore or preserve the complainant’s access to the recipient’s education program or activity, a complainant is not entitled to a particular sanction against the respondent.” This could be read to suggest that a complainant can only appeal the remedies provided and not the substantive findings. To avoid a rule that could be read to favor one party over another, any final rule should clarify that both complainant and respondent should be given equal grounds for appeal. In addition, the final rule should clarify that even if a complainant is not entitled to a particular sanction, complainant can still appeal and seek a different sanction than the one imposed.

K. Any Informal Resolution Must Empower Complainants and Seek Restorative Justice.

In § 106.45(b)(6), the Department proposes to allow informal resolution of any sexual harassment complaint. The use of informal resolution has been shown to have powerful remedial benefits in the criminal justice system.¹⁶² But any use of informal resolution under Title IX must be voluntary and only initiated after the parties have full notice of their options, including the right to proceed with a formal resolution process. In addition, informal resolution should allow

¹⁶⁰ 2001 Guidance at 17.

¹⁶¹ 2001 Guidance at 16.

¹⁶² *E.g.*, Common Justice, *Common Justice Model*, https://www.commonjustice.org/common_justice_model (last checked Jan. 29, 2019).

for an option to access voluntary restorative justice. And schools should have the option not to offer informal resolution in cases of sexual violence or assault, which may raise more difficult issues that some schools may not have the resources to adequately address.

To that end, any final rule that allows schools to offer an informal resolution process must require them to provide complainants and respondents with written notice of the options for informal resolution at the outset, but not pressure students to pursue an informal resolution. Confirmation that the parties received written notice of the availability of informal resolution should be maintained by the school. Any final rule should also state that any informal resolution process must involve a trained staff member. With voluntary written consent of both parties, a face-to-face meeting may be part of an informal process, but at no point should a complainant be required to resolve the problem alone with the respondent.¹⁶³ Both parties must receive written notice of the outcome of the informal resolution process, including any remedies and sanctions. Finally, both parties must be informed of the right to discontinue the informal process at any time and file a formal complaint.¹⁶⁴

L. The Recordkeeping Retention Period Should Be Extended.

Sections 106.45(b)(7)(i)–(ii) of the proposed rule set forth a requirement that all recipients “create, make available to the complainant and respondent, and maintain for a period of three years records of” any sexual harassment investigation, the results of that investigation, any appeal from that investigation, and all training materials relating to sexual harassment. The explicit requirement to retain such records is a positive step that will help improve consistency in investigations and allow the Department to assess compliance with Title IX.

But the Clery Act requirement to report all crimes that occurred within the last three years has little to do, as a matter of policy or law, with how long recipients should *retain records* of sexual harassment and sexual assault after they have been reported. It does not follow that the period of *retention* for such records should be tied to the Clery Act’s limitation period for *reporting* specific campus crimes.¹⁶⁵

In fact, when interpreting the Clery Act’s requirement to “Retain Records,” the Department has explicitly held that all three years of records relied upon for annual reporting must be kept for another three years *after* the publication of that year-end report—or “in effect,

¹⁶³ 2001 Guidance at 21.

¹⁶⁴ *Id.* In some cases, informal resolution may also require the existence of a safety guardrail to ensure that the school has made a sufficient inquiry to determine the scope of likely harm to the complainant and others in the school community and the extent of the injuries to fashion appropriate redress.

¹⁶⁵ *See* The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), 20 U.S.C. § 1092(f); 34 C.F.R. 668.46(c)(1) (requiring schools to annually report all crimes which occurred in the prior three calendar years by the end of the following year).

seven years.”¹⁶⁶ The proposed regulation asserts that it “tracks the language in the Clery Act,” thereby implying that this proposed change is consistent with current law. 83 Fed. Reg. at 61,471, 61,473, 61,475, 61,476, 61,478. However, as demonstrated above, the proposed three-year retention requirement is inconsistent with the Clery Act’s seven-year retention requirements. The retention period in the proposed regulations therefore should be, at minimum, seven years.

In addition, as a practical matter, a three-year recordkeeping requirement could undermine criminal prosecutions related to the incidents at issue. For example, several states have no statute of limitations for rape or certain other serious sexual offenses.¹⁶⁷ In other states, the statutes of limitations for sexual offenses far exceed the three-year recordkeeping requirement.¹⁶⁸ And sexual offenses against minors are often subject to significantly lengthened statutes of limitations.¹⁶⁹

The proposed regulations therefore would permit recipients to discard vital records that could help the criminal prosecution of sexual assault and rape well before the statute of limitations for such crimes has run, thereby potentially letting the perpetrators of these serious crimes go free. Given that so many related crimes have statutes of limitations substantially longer than the three-year requirement in the proposed regulations, the retention policy is inadequate, and should be extended in any final rule.

V. The Department Should Not Adopt a Title IX Rule that Adversely Affects Schools’ Ability to Go Beyond Title IX’s Requirements in Addressing Sexual Harassment and Violence, Including Their Ability to Comply with Other Applicable Laws.

A. Title IX Cannot, And Does Not, Restrict The Ability of States and Schools To Provide Broader Protections Against Sex Discrimination.

The proposed rule’s new general standard and definitions of terms, as discussed above,¹⁷⁰ would narrow schools’ obligations to respond to sexual harassment and assaults and decrease the

¹⁶⁶ U.S. Dep’t of Educ., *The Handbook for Campus Safety and Security Reporting* 9–11 (2016 Ed.); *see also id.* at 6–11 (“As with all other Clery Act-related documentation, your institution is required to keep emergency test documentation for seven years.”).

¹⁶⁷ *See, e.g.*, Cal. Penal Code §§ 261, 799; N.J.S.A. 2C:1-6a(1).

¹⁶⁸ Any “major sexual offense” committed in the state of Pennsylvania can be prosecuted within twelve years of its occurrence. 42 Pa.C.S.A. § 5552(b)(1).

¹⁶⁹ In California, for example, assaults against minors can be prosecuted at any point up until the victim’s 40th birthday. Cal. Penal Code § 801.1(a)(2). In Pennsylvania, assaults against minors can be prosecuted until the victim’s 50th birthday. 42 Pa.C.S.A. § 5552(c)(3). In New Jersey, “criminal sexual contact” involving minor victims may be prosecuted up to five years after the victim turns 18. N.J.S.A. 2C:1-6b(4).

¹⁷⁰ *See supra* Section II.

protections afforded to those subjected to sexual harassment and assault. In addition, this newly-narrowed definition of sexual harassment could potentially have negative consequences in other contexts. Section 106.45(b)(3) of the proposed regulation holds that whenever “the conduct alleged by the complainant would not constitute sexual harassment as defined in section 106.44(e) . . . , the recipient *must dismiss* the formal complaint with regard to that conduct.” (emphasis added). One reading of this requirement would dictate that no recipient could attempt to address sexual harassment or assault if the basis of those claims did not fit within the newly-narrowed federal definition provided in the proposed regulations, even where the recipient’s own policy or state law would nevertheless prohibit the actions alleged by the complainant. We believe that the proposed rule at § 106.45(b)(3), if finalized, must be revised to state, consistent with other parts of the proposed regulation,¹⁷¹ that Title IX cannot, and does not, restrict the ability of states and schools to provide broader protections against sex discrimination. Further, we believe that the Department should ensure that schools can continue to enforce additional civil rights protections.

Even if the proposed rule allows broader protections against sex discrimination, mandating that schools dismiss Title IX complaints that fall outside of the regulations’ scope will still burden schools by requiring them to create two separate procedures: one for Title IX sexual harassment and one for conduct that may constitute sexual harassment under other applicable law or policies but not under the Department’s interpretation of Title IX. 83 Fed. Reg. at 61,475 (noting that “a recipient remains free to respond to conduct that does not meet the Title IX definition of sexual harassment”). Yet the Department has long held that Title IX does not require a school “to provide separate grievance procedures for sexual harassment complaints.”¹⁷² Indeed, many schools prohibit sexual harassment in the school’s code of student conduct.¹⁷³

¹⁷¹ Other sections of the proposed regulation accurately reflect that Title IX does not preempt the field of sex discrimination. *See, e.g.*, 83 Fed. Reg. at 61,475 (“a recipient remains free to respond to conduct that does not meet the Title IX definition of sexual harassment”); (responses could include “responding with supportive measures for the affected student or investigating the allegations through the recipient’s student conduct code” and that “such decisions are left to the recipient’s discretion in situations that do not involve conduct falling under Title IX’s purview”).

¹⁷² 2001 Guidance at 19.

¹⁷³ *E.g.*, Uni. of Pittsburgh, *Title IX—Policies and Procedures*, <https://www.titleix.pitt.edu/policies-procedures> (Jan. 17, 2019); San Francisco Unified School District (SFUSD), *Administrative Regulation 5145.3* (Aug. 8, 2016), [http://www.sfusd.edu/en/assets/sfusd-staff/Equity/Nondiscrimination,%20Harassment%20-%20AR%205145.3%20-%20English%20\(8.8.16\).pdf](http://www.sfusd.edu/en/assets/sfusd-staff/Equity/Nondiscrimination,%20Harassment%20-%20AR%205145.3%20-%20English%20(8.8.16).pdf) (defining harassment on the basis of sex as “[a]cts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, regardless of whether they are sexual in nature, where the act has the purpose or effect of having a negative impact on the student’s academic performance or of creating an intimidating, hostile, or offensive educational environment”); Rutgers, the State University of New Jersey, *Policy Prohibiting Discrimination and Harassment*, Section 60.1.12 (rev. Jul. 5, 2016), http://catalogs.rutgers.edu/generated/ejbppp_current/pg67.html (including indirect harassment and hostile environment created by generalized harassing behaviors); The George Washington Univ., *The Sexual and*

Moreover, it's unclear what a school would do differently when considering a non-Title IX sexual harassment complaint, given that the Department purports to believe that its grievance proposals constitute the floor of fair and equitable proceedings.

If the Department were, however, to impose regulations that inhibit state laws or recipient codes of conduct that are more protective of those subjected to sexual harassment for behavior that falls outside of the Department's narrowed definition of sexual harassment under Title IX, those regulations would be inconsistent with civil rights law and Title IX generally. In creating the Department of Education, Congress explicitly announced its intention "to protect the rights of State and local governments and public and private educational institutions in the areas of educational policies and administration of programs," and specifically not to "to increase the authority of the Federal Government over education or diminish the responsibility for education which is reserved to the States and the local school systems and other instrumentalities of the

Gender-Based Harassment and Interpersonal Violence Policy (July 1, 2018), <https://my.gwu.edu/files/policies/SexualHarassmentFINAL.pdf> (defining gender-based harassment to include "harassment based on gender, sexual orientation, gender identity or gender expression, which may include acts of aggression, intimidation or hostility, whether verbal or non-verbal, graphic, physical or otherwise ..."); Georgetown Univ., *Code of Student Conduct 2018-2019*, Section 33, <https://studentconduct.georgetown.edu/code-of-student-conduct> (defining sexual harassment "as any unwelcome conduct of a sexual nature, including sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual or gender-based nature when: [1] Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic relationship; or [2] Submission to or rejection of such conduct is used as a basis for making an employment or academic decision affecting an individual; or [3] Such conduct has the purpose or effect of interfering with an individual's work or academic performance, denying or limiting an individual's ability to participate in or benefit from the University's education programs, or creating an intimidating, hostile, or offensive environment for work or academic pursuit"); Howard Univ., *Code of Student Conduct* (Apr. 18, 2015), Section VI.23, <http://www.howard.edu/secretary/documents/StudentCodeofConductApprovedApril182015.pdf> (same); D.C. Code § 38-1802.04(C)(1A)(5) ("title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) ... shall apply to a public charter school"); District of Columbia Public Charter School Board, *Resources for Transgender and Gender-Nonconforming Students* (last checked Jan. 24, 2019), <https://www.dcpsb.org/resources-transgender-and-gender-nonconforming-students> ("Title IX protects all students, including transgender and gender-nonconforming students, from sex discrimination. Title IX encompasses discrimination based on a student's nonconformity with sex stereotypes and gender identity, including a student's transgender status"); Office of the State Superintendent of Education, *Civil Rights and Gender Equity Methods of Administration (MOA) Coordination*, <https://osse.dc.gov/service/civil-rights-and-gender-equity-methods-administration-moa-coordination> ("Under federal law, all students in the District are protected against discriminatory actions based upon a student's sex, race, ethnic origin or disability. [Career and Technical Education] [(CTE)] students and families should expect the following: ... Your school and school district must post the federal laws that explicitly note your rights that protect you against any type of discrimination that would prevent deter you from equal access to enrolling and completing CTE courses; ... [and] Your school and school district must draft grievance policies, let you know how to file a grievance, and who the contact person is"); Wash. Admin. Code § 478-121-155 (2017) (prohibiting, in the Student Conduct Code for the University of Washington, sexual harassment).

States.¹⁷⁴ Moreover, federal laws that are designed to protect citizens are presumed to allow for the enactment of state and local legislation that is more protective, barring explicit *congressional* intent to the contrary.¹⁷⁵ For example, Title VII, which prohibits discrimination in employment in certain contexts, does not bar states from prohibiting discrimination in employment in other contexts that are not covered by Title VII.

Nothing within Title IX’s text or history suggests Congress intended the unusual result of impeding state and local efforts to protect those subjected to sexual harassment more broadly than Title IX or preventing schools from proactively avoiding Title IX liability (or for that matter, impeding their efforts to comply with other federal laws that may apply, such as Title VII).

B. State Laws Provide Greater Protections for Students In Their States.

As might be expected, states already have enacted laws that provide greater protections than those required by Title IX.

For example, California defines sexual harassment as “unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting,” so long as the conduct would have “the purpose or effect of having *a negative impact* upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.”¹⁷⁶ This definition goes beyond the definition in the proposed regulation, which would require that the objectionable conduct “effectively den[y]” the complainant of equal access to the educational program or activity. 83 Fed. Reg. at 61,496. California also provides clear protection against discrimination for sex-based and gender-based harassment, including harassment on the basis of gender identity and sexual orientation. Sexual harassment can be proved based on a showing of severity or pervasiveness, which, as discussed provides additional protections not in the proposed rule.

¹⁷⁴ 20 U.S.C. § 3403(a).

¹⁷⁵ See *Ferebee v. Chevron Chem. Co.*, 736 F.2d 1529, 1543 (D.C. Cir. 1984) (“[F]ederal legislation has traditionally occupied a limited role as the floor of safe conduct; before transforming such legislation into a ceiling on the ability of states to protect their citizens, and thereby radically adjusting the historic federal-state balance, . . . courts should wait for a clear statement of congressional intent.”); *Home Builders Ass’n of Greater Chicago v. U.S. Army Corps of Engineers*, 335 F.3d 607, 617 (7th Cir. 2003) (“[M]any federal regulatory laws, establish a floor, but not a ceiling, on state and local regulation.”).

¹⁷⁶ Cal. Ed. Code § 212.5(c); see also Cal. Educ. Code 48900.2 (sexual harassment must “be sufficiently severe **or** pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive environment”).

Another example is the state of Oregon, which has a number of laws that protect the civil rights of students.¹⁷⁷ By statute and regulation, Oregon prohibits discrimination on the basis of sex,¹⁷⁸ and also prohibits sexual harassment of students by staff and other students.¹⁷⁹ Higher

¹⁷⁷ The Oregon Attorney General represents both the Oregon Department of Education and the Higher Education Coordinating Commission, which have roles in addressing discrimination in Oregon's colleges and universities.

¹⁷⁸ Oregon Revised Statute (ORS) 659.850(1) prohibits discrimination defined as: "... any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on race, color, religion, sex, sexual orientation, national origin, marital status, age or disability. "Discrimination" does not include enforcement of an otherwise valid dress code or policy, as long as the code or policy provides, on a case-by-case basis, for reasonable accommodation of an individual based on the health and safety needs of the individual." It further provides in (2) that: "A person may not be subjected to discrimination in any public elementary, secondary or community college education program or service, school or interschool activity or in any higher education program or service, school or interschool activity where the program, service, school or activity is financed in whole or in part by moneys appropriated by the Legislative Assembly."

¹⁷⁹ Oregon Administrative Rule (OAR), Chapters 589-021; ORS 342.704. The latter provides in relevant part:

- (1) (b) Sexual harassment of students includes:
 - (A) A demand for sexual favors in exchange for benefits; and
 - (B) Unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment; ...
 - (c) All complaints about behavior that may violate the policy shall be investigated;
 - (d) The initiation of a complaint in good faith about behavior that may violate the policy shall not adversely affect the educational assignments or study environment of the student; and
 - (e) The student who initiated the complaint and the student's parents shall be notified when the investigation is concluded.
- (2) The State Board of Education shall adopt by rule minimum requirements for school district policies on sexual harassment of staff by students and other staff including, but not limited to, requirements that:
 - (a) All staff and students are subject to the policies;
 - (b) Sexual harassment of staff includes:
 - (A) A demand for sexual favors in exchange for benefits; and
 - (B) Unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a staff person's ability to perform the job or that creates an intimidating, offensive or hostile work environment;
 - (c) All complaints about behavior that may violate the policy shall be investigated;

Education Coordinating Commission (HECC) regulations, which apply to both private career schools and post-secondary universities, prohibit schools from “otherwise limiting any student in their enjoyment of a right, privilege or opportunity,” which likely includes harassment claims.¹⁸⁰ Aggrieved students can file a complaint with HECC, which then reviews the complaint and determines whether it is valid.¹⁸¹ Once HECC issues its order, such order would be subject to a contested case hearing through the Oregon Office of Administrative Hearings.¹⁸²

All universities in Oregon are also required to have a written sexual assault protocol,¹⁸³ but many of the proposed rule’s provisions would create inconsistencies. The protocol applies to

(d) The initiation of a complaint in good faith about behavior that may violate the policy shall not adversely affect any terms or conditions of employment or work environment of the staff complainant; and

(e) The staff member who initiated the complaint shall be notified when the investigation is concluded.

¹⁸⁰ OAR 715-011-0050(8).

¹⁸¹ OAR 715-011-0075

¹⁸² OAR 715-011-0085.

¹⁸³ ORS 350.255 provides:

(1) Each public university listed in ORS 352.002 (Public universities), community college and Oregon-based private university or college shall adopt a written protocol to ensure that victims of sexual assault receive necessary services and assistance in situations where:

(a) The alleged victim of the sexual assault is a student at the university or college and the alleged sexual assault occurred on the grounds or at the facilities of the university or college; or

(b) The alleged perpetrator of the sexual assault is a student at the university or college, or a member of the faculty or staff of the university or college, regardless of where the alleged sexual assault occurred.

(2) A written protocol adopted under subsection (1) of this section must ensure that each victim who reports a sexual assault is provided with a written notification setting forth:

(a) The victim’s rights;

(b) Information about what legal options are available to the victim, including but not limited to:

(A) The various civil and criminal options the victim may pursue following an assault; and

(B) Any campus-based disciplinary processes the victim may pursue;

(c) Information about campus-based services available to the victim;

(d) Information about the victim’s privacy rights, including but not limited to information about the limitations of privacy that exist if the victim visits a campus health or counseling center; and

(e) Information about and contact information for state and community-based services and resources that are available to victims of sexual assault.

(3) A written notification provided under subsection (2) of this section must:

situations in which the alleged victim is a student and the assault occurred on the grounds or at the facilities of the university or if the alleged perpetrator is a student or member of faculty of the university, regardless of the location. As such, under Oregon law, universities have the ability to regulate activities of students that occur off-campus.¹⁸⁴ Under Oregon law, the complainant may provide notice to the university generally in order to trigger a review required by state standards; the complainant need not inform an official with authority to take corrective action as required under the proposed rule. Under Oregon law, public universities, including community colleges, and Oregon-based private universities and colleges, regardless of religious affiliation, are required to follow the sexual harassment and assault protocol.¹⁸⁵ Accordingly, in Oregon, the Department's proposed rule will drastically narrow the scope of Title IX investigations by imposing bottlenecks on almost every phase of the process, including the physical locations subject to the law, the level of formality of the notice required to initiate a grievance process, the applicable definition of "harassment," and the standard by which culpability must be determined. As a result, the proposed rule conflicts with Oregon's multiple discrimination statutes.

Another example is the state of Washington, which provides broad civil rights protections to individuals subjected to harassment and violence on the basis of sex and sexual orientation through its Law Against Discrimination (WLAD).¹⁸⁶ Because the Department's proposed Title IX regulation does not mention sexual orientation, Washington's law arguably provides greater civil rights protections. Further, because the purpose of the law is to deter and to eradicate discrimination in Washington, it requires liberal construction, and "nothing contained in the law shall 'be construed to deny the right to any person to institute any action or pursue any civil or criminal remedy based upon an alleged violation of his or her civil rights[.]'"¹⁸⁷

Similarly, the state of Nevada, like California, defines sexual harassment more broadly than the proposed rule contemplates. Nevada's sexual harassment codes and guidelines are

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- (a) Be written in plain language that is easy to understand;
 - (b) Use print that is of a color, size and font that allow the notification to be easily read; and
 - (c) Be made available to students:
 - (A) When a sexual assault is reported;
 - (B) During student orientation; and
 - (C) On the Internet website of the university or college.

¹⁸⁴ ORS 350.255.

¹⁸⁵ *Id.*

¹⁸⁶ Wash. Rev. Code § 49.60; Wash. Rev. Code § 49.60.030(1) ("The right to be free from discrimination because of ... sex, ... sexual orientation, is recognized as and declared to be a civil right."); *see also* Const. art. XXXI, §§ 1–2 (amend. 61) (equality of right shall not be denied or abridged on account of sex).

¹⁸⁷ *Marquis v. City of Spokane*, 922 P.2d 43, 49 (Wash. 1996).

designed to permit State agencies and organizations to be proactive and discipline or remove an employee before his/her actions subject the State to liability.¹⁸⁸ Further, Nevada’s Clark County School District, like California, includes a broader definition of sexual harassment than the proposed regulation, identifying prohibited conduct as “sufficiently severe, persistent, **or** pervasive to limit a student’s ability to participate in or benefit from an educational program or to create an intimidating, hostile, or offensive educational or work environment.”¹⁸⁹

Likewise, the University of Nevada, in Las Vegas and Reno, defines sexual harassment more broadly than the proposed rule, explaining sexual harassment includes “sexual advancements, requests for sexual favors, and other visual, verbal or physical conduct of a sexual or gender bias nature” in situations including when “[t]he conduct has the purpose or effect of substantially interfering with an individual’s academic or work performance, or of creating an intimidating, hostile or offensive environment in which to work or learn.”¹⁹⁰

The proposed rule’s conflict with a number of current proactive laws and policies that deal with sexual harassment in many of our states, together with the decreased protections the proposed rule would afford to victims of sexual harassment, is yet another reason we oppose the proposed rule.

VI. Other Areas That Should Be Addressed Before Any Final Rule is Adopted.

A. Any Final Rule Should Reinstate the Longstanding Prohibition of Policies That “Suggest” Sex Discrimination.

Section 106.8(b)(2)(ii) of the proposed regulation unnecessarily, and without adequate justification, narrows the types of discriminatory publications that a recipient is prohibited from using and distributing to its applicants, students, and employees. The current regulation states that a recipient cannot “use or distribute a publication . . . which *suggests*, by text or illustration, that such recipient treats applicants, students, or employees differently on the basis of sex.”¹⁹¹ For many years, this section has addressed the use and distribution of materials by recipient

¹⁸⁸ *E.g.*, Nevada Admin. Code 284.0995.

¹⁸⁹ Clark County School District Regulation, *Discipline: Harassment*, https://ccsd.net/district/policies-regulations/pdf/5141.2_R.pdf; *see also* Washoe County School District’s policy, <https://www.washeschools.net/site/default.aspx?PageType=3&ModuleInstanceID=1853&ViewID=7b97f7ed-8e5e-4120-848f-a8b4987d588f&RenderLoc=0&FlexDataID=6800&PageID=1189> (“Sexual Harassment is a form of sexual discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual’s employment, unreasonably interferes with an individual’s work performance or creates an intimidating, hostile or offensive educational or work environment. The term sexual harassment includes sexual violence under Title IX of the Educational Amendments.”).

¹⁹⁰ *See* University of Nevada, Las Vegas, *Policy Against Sexual Harassment*, § 4(c), <https://www.unlv.edu/hr/policies/harassment#7> (last checked Jan. 28, 2019).

¹⁹¹ 34 C.F.R. 106.9(b)(2) (emphasis added).

educational institutions that promote and perpetuate sex stereotypes through images or pictures, thereby discouraging applicants of one sex or another from applying or participating in a career path or type of class or program. The proposed change limits the prohibition to only publications that explicitly “state” a school’s policy of engaging in different treatment on the basis of sex. This change is fundamentally inconsistent with Title IX’s goals, for at least two reasons.

First, the proposed change is contrary to clearly established Supreme Court precedent that explicitly recognizes the right to be protected from discrimination and harassment based on sex, including sex stereotyping.¹⁹² The Department has provided no statistical or other evidence to show that the rationale for this important provision has changed, or that sex-stereotyping no longer needs to be remedied in our educational institutions.¹⁹³ Nor has it provided any justification for retreating from clearly-established Supreme Court law on this issue.

¹⁹² See *Price Waterhouse*, 490 U.S. at 251 (“As for the legal relevance of sex stereotyping, we are beyond the day when an employer could evaluate employees by assuming or insisting that they matched the stereotype of their group . . .”); *Oncale*, 523 U.S. at 80 (recognizing that harassment on the basis of sex can include harassment of a female in “sex-specific and derogatory terms” motivated by “general hostility to the presence of women”); see also 2001 Guidance at 3 (recognizing that “gender-based harassment, which may include acts of verbal . . . hostility based on sex or sex-stereotyping . . . is also a form of sex discrimination to which a school must respond, if it rises to a level that denies or limits a student’s ability to participate in or benefit from the educational program.”).

¹⁹³ The published policies and other distributed materials of a school can be particularly susceptible to “suggestions” of sex stereotyping, even where they do not “state” discriminatory rules. A prospective student is often introduced to an educational institution and its course offerings through the visual images in its publications issued by mail or posted on its website. Both male and female students continue to be subjected to sex stereotyping in the forms of visual images, statements, and conduct that discourages them from engaging in, limits, or denies their access to vocational and education career paths based on sex. This includes male students discouraged from engaging in dance or theater because these occupations are not sufficiently “masculine,” and female students discouraged from participating in science or engineering based on stereotypical conceptions of a woman’s ability to do math and science. See, e.g., Rachael Pells, *Sexism in schools: 57% of teachers admit to stereotyping girls and boys*, Independent (Feb. 8, 2017), <https://www.independent.co.uk/news/education/education-news/sexism-schools-poll-teachers-stereotypes-boys-girls-stem-subjects-sciences-maths-tech-a7567896.html> (also noting that female employees in the US account for less than a quarter of STEM workers, despite making up almost half the overall workforce); Daniel Reynolds, *You Throw Like a Girl: Gender Stereotypes Ruin Sports for Young Women*, Healthline (July 2, 2018) (girls receive less encouragement from teachers and family members to be physically active and participate in sports; as a result, girls ages 8 to 12 are 19 percent less active, according to 2016 study), <https://www.healthline.com/health-news/gender-stereotypes-ruin-sports-for-young-women#1>; Claire Cain Miller, *Many Ways to Be a Girl, but One Way to Be a Boy: The New Gender Rules*, N.Y. Times (Sept. 14, 2018) (three quarters of girls 14 to 19 said they felt judged as a sexual object or unsafe as a girl, and three-quarters of boys said strength and toughness were the male character traits most valued by society), <https://www.nytimes.com/2018/09/14/upshot/gender-stereotypes-survey-girls-boys.html>; Suzanne Vranica, *Stereotypes of Women Persist in Ads*, Wall St. J. (Oct. 17, 2003).

Second, the proposed change is fundamentally inconsistent with the plain language of § 1681(a), which states that no person shall be “excluded from participation in [or] be denied the benefits of . . . any education program or activity receiving Federal financial assistance.”¹⁹⁴ As the Supreme Court has recognized, Title IX protects students “not only . . . from discrimination, but also . . . from being ‘excluded from participation in’ or ‘denied the benefits of’ any ‘education program or activity receiving federal financial assistance’.”¹⁹⁵ Therefore, a school can violate Title IX where a student is denied access to educational benefits and opportunities on the basis of gender, even in the absence of a facially discriminatory policy.¹⁹⁶

The proposed change is inconsistent with and unsupported by the plain language of Title IX because it only prohibits explicit intentional discrimination while allowing implicit discrimination, which can nevertheless deny students a fair and equal education. Courts have consistently recognized and upheld Title IX regulations that prohibit policies found to have a discriminatory effect on one sex.¹⁹⁷ Indeed, this proposed change itself constitutes a discriminatory policy in violation of Title IX.

Moreover, prohibiting policies that “suggest” discrimination is not unique to the Title IX context; the Fair Housing Act and its implementing regulations have similarly been interpreted to prohibit publications advertising housing that “suggests” that a particular race would be disadvantaged.¹⁹⁸

Finally, the proposed regulation’s stated justification—that it would “remove subjective determination” from evaluating violations and make the requirement “more clear”—cannot excuse a result that harms the intended beneficiaries of Title IX—those subjected to discrimination on the basis of sex. 83 Fed. Reg. at 61,482. The justification also rings hollow, since, for more than thirty years, courts and administrators of Title IX have applied this regulation and others to address sex-stereotyping without apparent difficulty. The Department

¹⁹⁴ 20 U.S.C. § 1681(a).

¹⁹⁵ *Davis*, 526 U.S. at 650; *see also Vinson*, 477 U.S. at 64 (stating in the employment context that Title VII’s arguably narrower discriminatory prohibitions “evince[] a congressional intent to strike at the entire spectrum of disparate treatment of men and women”).

¹⁹⁶ *See Davis*, 526 U.S. at 650 (“The statute makes clear that . . . students must not be denied access to educational benefits and opportunities on the basis of gender.”).

¹⁹⁷ *See Mabry v. State Bd. of Cmty. Colleges & Occupational Educ.*, 813 F.2d 311, 317 n.6 (10th Cir. 1987) (compiling “regulations implementing Title IX [that] prohibit some facially neutral policies.”); *Sharif by Salahuddin v. New York State Educ. Dep’t*, 709 F. Supp. 345, 361 (S.D.N.Y. 1989) (“Several Title IX regulations specifically prohibit facially neutral policies. . . . with a discriminatory effect on one sex.”).

¹⁹⁸ *See, e.g., Corey v. Sec’y, U.S. Dep’t of Hous. & Urban Dev. ex rel. Walker*, 719 F.3d 322, 326 (4th Cir. 2013) (interpreting Fair Housing Act, 42 U.S.C. 3604(c) (prohibiting any publication which “indicates” discrimination); *Ragin v. New York Times Co.*, 923 F.2d 995, 999 (2d Cir. 1991) (same).

provides no support, empirical or otherwise, for its position that schools or courts have been hampered by a lack of clarity in this rule.

In sum, the stated basis for such a dramatic change is unsupported and inconsistent with Title IX's plain statutory language and objectives, established case law, and congressional intent.

B. The Proposal to Eliminate the Requirement that Institutions Invoke the Statute's Religious Exemption in Writing Raises Concerns of Fair Notice to Students.

The Department proposes to amend § 106.12 to eliminate the current requirement that an educational institution "shall" advise OCR "in writing" if it wishes to invoke Title IX's statutory exemption for educational institutions controlled by religious organizations to the extent application of Title IX "would not be consistent with the religious tenets of such organization."¹⁹⁹ The proposed amendment is unnecessary and raises a concern that students at some institutions will not know their rights under Title IX until it is too late.

The proposed amendment is unwarranted because schools' burden in notifying the Department regarding religious exemptions is minimal. The Department characterizes the current rule as "confusing," 83 Fed. Reg. at 61,482, but identifies no basis for confusion. And schools have successfully asserted religious exemption in letters to the Department hundreds of times over the past several decades.

In addition, we are concerned that the proposed amendment will lead to more students unknowingly enrolling in schools that believe themselves to be exempted from Title IX but do not claim the exemption publically, only to learn of their school's position after they seek to assert their Title IX rights. Students should know before they matriculate whether (and to what extent) their school intends to comply with Title IX, and they should be able to assume that they will enjoy Title IX's full protections unless the school has informed them otherwise. No student should learn, only after becoming a victim of discrimination, that their school considered itself exempt from the relevant requirements of Title IX. Even worse, under the proposal, a school seemingly could wait to assert its exemption from Title IX until after it initiates grievance procedures and a complainant undergoes cross-examination and has personal information shared with the respondent and others.

If the Department eliminates the current rule's letter requirement, the Department should require schools to disclose their Title IX exemption status to current and prospective students in writing and bar schools from claiming an exemption after the fact if they have affirmatively represented that they comply with Title IX.

¹⁹⁹ 20 U.S.C. § 1681(a)(3).

C. Restriction of Remedies to Exclude “Damages” and Lack of Definition Inconsistently Limits Remedial Scheme Which Was Intended to Strike at the Entire Spectrum of Discrimination on the Basis of Sex.

Even in circumstances where an egregious violation of Title IX might warrant relief to an individual subjected to sexual violence and assault, proposed § 106.3(a) removes the ability of the Department to assess “damages,” a remedy long available under common law. 83 Fed. Reg. at 61,495. In addition, the proposed regulation fails to define “damages,” potentially leaving it open to an overly broad interpretation with a great impact on the intended beneficiaries of the statute, those subjected to sex discrimination. Therefore, the scope and impact of the change proposed by the Department on intended beneficiaries of the statute, and on the Department’s ability to address and remedy noncompliance has not been adequately explained.

Specifically, the proposed change is contrary to the plain language of the statute, which authorizes the use of “any other means authorized by law.”²⁰⁰ The change inconsistently limits the Department’s authority to provide remedies for noncompliance to only those means authorized in equity. The statutory enforcement language in Title IX mirrors language from the Civil Rights Act of 1964. But there, the drafters identified precisely where remedies would be limited.²⁰¹ Congress did not provide such a limit here. Yet the Department would impose one for the first time, more than 45 years after the passage of Title IX. This undermines Title IX’s purpose and improperly usurps Congress’s role.

Furthermore, OCR’s public resolution agreements reflect that where noncompliance is found, the Department has historically provided compensatory or remedial services (e.g., counseling, tutoring, and academic support) to overcome or remedy the effects of harassment on the student, including, as warranted, funding for tuition where a student withdraws from the institution because a recipient has created, encouraged or permitted a hostile environment on the basis of sex.²⁰² Without a definition of damages, we are concerned that the proposed change may

²⁰⁰ 20 U.S.C. § 1682.

²⁰¹ 42 U.S.C. 2000a-3 (limiting relief to “preventative relief” only).

²⁰² *Southern Methodist University*, OCR Complaint Nos. 06-11-2126; 06-13-2081; 06-13-2088, <https://www2.ed.gov/documents/press-releases/southern-methodist-university-agreement.pdf> (in sexual harassment/sexual violence matter, requiring University to reimburse complainant for all university-related expenses (tuition/fees, housing/food, and books) incurred for the fall semester minus any scholarship and grant assistance received, and all counseling expenses incurred over a two-year period); *Tufts University*, OCR Complaint No. 01-10-2089, <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/01102089-b.html> (in sexual harassment/sexual violence matter, voluntary resolution agreement includes reimbursement to the student complainant for educational and other reasonable expenses, incurred during a year time period, and a complaint review which, as appropriate, would provide remedies, such as referrals to counseling); *Princeton University*, OCR Complaint No. 02-11-2025, <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/02112025.html> (in sexual harassment/sexual violence matter, voluntary resolution agreement includes reimbursement for appropriate University-related expenses, as well as expenses for counseling, that Students 1-3 incurred

be used to impermissibly limit the authority granted by Congress to the Department to utilize “any other means authorized by law,” thereby resulting in remedies and regulations that are inconsistent with the statute and its objectives, which include providing “individual citizens effective protection against [discriminatory] practices” and “overcom[ing] the effects” of such discrimination.²⁰³

D. Any Final Rule Should Include Guidelines for Confidentiality.

Issues relating to the confidentiality of information are critical to any discussion of how to effectively investigate and remedy sexual harassment and assault. As a result, any rule implementing Title IX should separately address schools’ obligations with respect to requests by complainants to keep information confidential.²⁰⁴ A school must, for instance, take all reasonable steps to honor a request from a complainant to keep his or her identity confidential. They should, however, notify the complainant that maintaining confidentiality may limit the schools’ ability to effectively investigate and respond to allegations of harassment and that, depending on the nature of the complaint, certain information—including the identity of the complainant—must be disclosed if the student wishes to file a Title IX complaint. The school should inform the student of the actions it will take regardless of whether the student wishes to go forward with a formal complaint, including that it will take reasonable steps to prevent retaliation.

Furthermore, any final rule should make clear that a request by a student to maintain confidentiality does not free the school of its obligation to investigate and respond to the allegation. Rather, the school must still “investigat[e] the complaint to the extent possible,”²⁰⁵ and it must also take reasonable actions to prevent recurrences of the conduct alleged by the complainant.

As discussed in Section IV.D, it may be possible to conduct a full investigation without revealing the name of the complainant. In other matters, a complete investigation may not be possible, but the school can nonetheless take certain actions, including seeking to identify whether there have been other complaints regarding the same individual and implementing measures that reiterate and reinforce Title IX prohibitions and provide remedies for the complainant that do not impact the due process rights of the respondent. And under all

from the date each first reported alleged sexual assault/violence to the date of the resolution); *City University of New York, Hunter College*, OCR Complaint No. 02-13-2052, <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/02132052.html> (in sexual harassment/sexual violence matter, voluntary resolution agreement includes assessing whether complainant in case 1-3 and 5-7 and 9-12 suffered effects as a consequence of College not offering counseling or other interim measures or from any hostile environment created and take steps to address these effects).

²⁰³ 20 U.S.C. § 1682; *Gebser*, 524 U.S. at 286, 288.

²⁰⁴ See 2001 Guidance at 17–18.

²⁰⁵ 2001 Guidance at 18.

circumstances, a school should consider whether other corrective action short of disciplining the accused individual may be appropriate.²⁰⁶

Finally, any final rule should make clear that, independent of specific requests by individuals to maintain confidentiality, schools have an affirmative obligation to preserve the confidentiality of all documents and evidence utilized in investigations of Title IX complaints.

E. Schools Have Continuing Obligations Following a Finding of Responsibility or Following an Independent Investigation.

The proposed regulations fail to explain the obligations Title IX imposes on schools following a finding of responsibility. Rather, the proposed regulations seem to imply that a school's duties upon such a determination extend no further than disciplining the students determined to be responsible, and then only if the determination was made through a formal proceeding. *E.g.*, Proposed § 106.45(b)(4). But schools' obligations go much further.

First, as discussed in Section II.E, a school has an independent obligation to protect its students by preventing and remedying harassment, even in the absence of a formal report. A school must take steps to end the harassment, if it is ongoing, and to prevent future harassment by the same individual. If the conduct was enabled by or reflects a toxic culture or other systemic problems, the school must address such systemic issues.

Furthermore, schools must address the effects of the harassment, which may include appropriate remedial actions for the complainant or the broader community.²⁰⁷ It is for this reason that the safe harbor provisions addressed above²⁰⁸ are inconsistent with Title IX to the extent that they erode schools' continued responsibilities to their students.

Critically, any regulations should also specify that a school's obligation to respond following a determination of harassment is not time-limited, and that the school must take steps to ensure that its remedial efforts are successful and to identify whether further efforts are necessary. The full extent of this obligation will depend in part on the nature and severity of the conduct at issue, but in all circumstances the school should understand that it maintains an obligation to take reasonable steps to address the ongoing impact of a violation of Title IX.

²⁰⁶ See 2001 Guidance at 18 (“Examples include conducting sexual harassment training for the school site or academic department where the problem occurred, taking a student survey concerning any problems with harassment, or implementing other systemic measures at the site or department where the alleged harassment has occurred.”).

²⁰⁷ See, *e.g.*, *Gebser*, 524 U.S. at 288–89; *Feminist Majority Found.*, 911 F.3d at 696.

²⁰⁸ See *supra* Section II.E.

F. The Proposed Rule Fails to Sufficiently Address the Family Educational Rights and Privacy Act (FERPA).

As noted in Part IV.G, the proposed regulations do not adequately address the Family Educational Rights and Privacy Act (FERPA).²⁰⁹ For example, FERPA generally forbids disclosure of information from a student’s “education record” without consent of the student (or the student’s parent).²¹⁰ The regulations need to address whether proposed regulation § 106.45(b)(3)(v)’s requirements that recipients provide each “party whose participation is invited or expected [at a hearing] written notice of the date, time, location, participants, purpose of all hearings, investigative interviews, or other meetings with a party” can include information about the sanction that will be implemented. Additionally, the proposed regulations and their accompanying justification focus only on the rights of respondents to have access to their educational records. *See, e.g.*, 83 Fed. Reg. at 61,475 (citing a student’s “right to inspect and review records that directly relate to that student” pursuant to FERPA); 83 Fed. Reg. at 61,476 (“[t]he scope of the parties’ right to inspect and review evidence collected by the recipient is consistent with students’ privacy rights under FERPA, under which a student has a right to inspect and review records that directly relate to that student.”). Equally important, however, and completely unaddressed by the proposed regulations, is the right of the complainant to have their educational records kept private.²¹¹ The interplay of these competing rights should be addressed in any final regulations, particularly in light of Title IX’s mandate that grievance procedures be equitable.²¹²

VII. The Regulatory Impact Assessment Fails to Accurately Assess the Effect of the Proposed Rule.

The Department asserts the proposed regulations were issued “only on a reasoned determination that their benefits justify their costs,” 83 Fed. Reg. at 61,484. However, even a cursory review of the Department’s costs analysis reveals its inadequacy. The Department acknowledges that it “cannot estimate the likely effects of these proposed regulations with absolute precision.” 83 Fed. Reg. at 61,484. While we agree it is difficult to precisely estimate the costs of the proposed regulations, a minimal review of the Department’s analysis shows the costs of the proposed regulations are much higher than it estimates.

A. Ignored Costs.

The Department states the economic analysis explicitly excludes economic consequences of sexual assault incidents themselves, stating that it is “only intended to capture the economic

²⁰⁹ 20 U.S.C. § 1232g.

²¹⁰ 20 U.S.C. § 1232g (b)(1).

²¹¹ 20 U.S.C. § 1232g (b)(1).

²¹² *See* 34 C.F.R. § 106.8(c) (requiring grievance procedures adopted pursuant to Title IX provide for “equitable resolution” of student complaints).

impacts of this proposed regulatory action.” 83 Fed. Reg. at 61,485. The Department’s statement is self-contradictory. The proposed regulatory action is exclusively aimed at changing the laws and regulations governing sexual assault and harassment, which have concrete and obvious economic costs. The analysis cannot possibly capture the economic impacts of the proposed regulatory action if it excludes from any analysis the actual economic costs incurred by students subjected to sexual harassment and violence—the very students the regulations govern. To provide a cost estimate that even marginally reflects the realities of the regulation, the costs of sexual assault and harassment must be considered. For example, the cost of rape in the United States has been estimated to be \$122,461 per survivor, or \$3.1 trillion over all survivor’s lifetimes, and these costs are borne by survivors, society, and the government.²¹³ In addition to considering the costs of sexual assault and harassment, the Department should consider the economic impact on students who will lose access to their education as a result of being denied justice under these proposed regulations.

However, even setting aside the rippling costs of students subjected to sexual harassment whose sexual assaults would be excluded from Title IX’s purview, there are additional costs that the proposed regulation ignored.

1. Allegations that Do Not Meet the Proposed Stringent Requirements May Still Resurface as Costly Lawsuits.

While the Department finds savings in narrowing Title IX’s scope, it ignores the costs stemming from the exclusion of allegations that would no longer fall within that scope. The Department anticipates a decreased number of investigations under the drastically scaled-down requirements in covered conduct/location, as well as the reduction in “responsible employees” to whom conduct may be reported. However, in order to seek justice for themselves, students will be forced file their allegations in court or with law enforcement. It is unreasonable to assume that the proposed changes will simply make these allegations disappear, especially amidst nationwide trends of increasing filings of sexual harassment and assault claims.²¹⁴

The Department has the ability to assess, based on a review of prior and existing cases, how many will not be addressed or resolved under the proposed regulations. But it failed to undertake this task or provide the public with accurate and adequate information about the

²¹³ Peterson et al., *Lifetime Economic Burden of Rape Among US Adults*, 52 Am. J. of Preventative Med. 691 (2017). These costs were not unknown to the Department, as the Department cited this study in their analysis. 83 Fed. Reg. at 61,485 n.16. The Department nevertheless disregarded these costs by assuming they would be unaffected by the proposed regulations. *Id.* at 61,485.

²¹⁴ See Jamie D. Halper, *In Wake of #MeToo, Harvard Title IX Office Saw 56 Percent Increase in Disclosures in 2018, Per Annual Report*, The Harvard Crimson (Dec. 14, 2018), <https://www.thecrimson.com/article/2018/12/14/2018-title-ix-report>; U.S. Equal Employment Opportunity Commission, *EEOC Releases Preliminary FY 2018 Sexual Harassment Data*, (Oct. 4, 2018), <https://www.eeoc.gov/eeoc/newsroom/release/10-4-18.cfm> (stating “charges filed with the EEOC alleging sexual harassment increased by more than 12 percent from fiscal year 2017”).

impact. Nevertheless, it is reasonable to anticipate that because the Department has narrowed its jurisdiction, the nation will see both an increase in Title IX complaints in civil and criminal courts, as well as an increase in costly lawsuits alleging non-Title IX causes of action.

2. The Department Should Consider the Relationship Between Uninvestigated Allegations and Short- and Long-Term Absences.

Complainants whose Title IX allegations are not investigated may also have increased absences, which would decrease receipt of tuition and attendance-related funding by institutions of higher education (IHEs) and local educational agencies (LEAs). The Department did not include lost tuition costs for complainants who drop out or take a leave of absence from colleges or universities, or any decrease in attendance-related funding for LEAs, despite such absences being clearly contemplated as possible supportive measures for sexual misconduct complainants.²¹⁵ According to the Campus Climate Survey Validation Study, over 8 percent of rape victims and 1.6 percent of sexual battery victims dropped classes and changed their schedule, and over 21 percent of rape victims and 5.9 percent of sexual battery victims considered taking time off school, transferring, or dropping out.²¹⁶ These absences may have direct and indirect costs, which warrant the Department's consideration.²¹⁷

3. Costs to Transgender Students.

Finally, the Department fails to even mention the term "transgender" in the proposed regulations.²¹⁸ This overt exclusion may make transgender students less likely to report on-campus sexual harassment or sexual assault to the designated "coordinator." According to a recent survey of transgender people, 17 percent of K-12 students and 16 percent of college or

²¹⁵ *Sample Language for Interim and Supportive Measures to Protect Students Following an Allegation of Sexual Misconduct*, White House Task Force to Protect Students from Sexual Assault 1, 6 (Sept. 2014), <https://www.justice.gov/archives/ovw/page/file/910296/download>.

²¹⁶ Krebs et al, *Campus Climate Survey Validation Study Final Technical Report*, Bureau of Justice Statistics Research and Development Series 1, 114 (Jan. 2016), <https://www.bjs.gov/content/pub/pdf/ccsvsfr.pdf>.

²¹⁷ U.S. Dep't of Educ., et al., *Dear Colleague Letter Regarding Chronic Absenteeism* at 1 (Oct. 7, 2015), <https://www2.ed.gov/policy/elsec/guid/secletter/151007.html> ("A growing and compelling body of research demonstrates that chronic absence from school . . . is a primary cause of low academic achievement and a powerful predictor of which students will eventually drop out of school.").

²¹⁸ The Department withdrew its May 13, 2016 Dear Colleague Letter on Transgender Students less than a year after its joint issuance with the U.S. Department of Justice's Civil Rights Division (U.S. Dep't of Educ., Office for Civil Rights, & U.S. DOJ, Civil Rights Division, *Dear Colleague Letter*, 1 (Feb. 22, 2017)).

vocational school students who were out or perceived as transgender reported leaving school because of mistreatment.²¹⁹

B. Unreasonably Low Estimate of Percentage of Title IX Complaints Based on Sexual Harassment or Sexual Violence.

The Department's assumption that sexual harassment and sexual assault make up only 50 percent of Title IX complaints (83 Fed. Reg. at 61,488) is unreasonably low, relies on an unclear baseline, and ignores the nationwide uptick in sexual harassment complaints discussed above. As we have explained, sexual harassment is pervasive.

In addition to the low initial baseline, studies show there is an upward trend of sexual harassment-related Title IX complaints.²²⁰ The Department's own OCR reported that there was a 277 percent increase and an 831 percent increase in its receipt of sexual violence complaints at the K-12 and postsecondary levels, respectively, since Fiscal Year 2011.²²¹ This upward trend means, at a minimum, that averaging prior years' complaints is not a fair extrapolation of sexual harassment-related Title IX claims.

C. The Department Provides Unreasonably Low Cost Estimates for Implementing the Proposed Rule.

The Department significantly underestimates the amount of time that will be required by Title IX coordinators to review any final rule and to revise local grievance procedures accordingly. The Department estimates that for LEAs, the Title IX Coordinator and a lawyer will spend 4 hours and 8 hours, respectively, reviewing any final regulations. 83 Fed. Reg. at 61,486. For IHEs, the Department estimates review would take 8 and 16 hours, respectively. 83 Fed. Reg. at 61,487. Given the dramatic nature of the changes contained in the proposed regulations, and the extensive and nuanced changes that will be required of recipients' own policies, it is unreasonable to assume that Title IX coordinators will require only a day or less to review, and that educational institutions' attorneys will only take two days or less to review. Further, the Department severely underestimates the time that will be required to revise grievance procedures to comply with any new regulations. The Department assumes that for LEAs, Title IX Coordinators will spend 4 hours and lawyers will spend 16 hours on revising grievance procedures. 83 Fed. Reg. at 61,486. The Department estimates these times will be doubled for IHEs. *Id.* This includes no time for stakeholder input on grievance procedure revisions and

²¹⁹ S.E. James, et al, *The Report of the 2015 U.S. Transgender Survey*, National Center for Transgender Equality 1, 11 & 136 (Dec. 2016), <http://www.transequality.org/sites/default/files/docs/USTS-Full-Report-FINAL.PDF>.

²²⁰ Celene Reynolds, *The Mobilization of Title IX across U.S. Colleges and Universities, 1994-2014*, 00 Social Problems 1 (Mar. 2018), <https://doi.org/10.1093/socpro/spy005>.

²²¹ U.S. Dep't of Educ., Off. for Civil Rights, *Securing Equal Educational Opportunity: Report to the President and Secretary of Education* (Dec. 2016), <https://www2.ed.gov/about/reports/annual/ocr/report-to-president-and-secretary-of-education-2016.pdf>.

underestimates the amount of time required to revise procedures. Finally, the Department anticipates it will only take a single hour for Title IX coordinators to create or modify a “safe harbor” form for complainants who report sexual harassment but who do not want to file a formal complaint. 83 Fed. Reg. at 61,494. It is unreasonable to assume that a significant document intended to serve as a “safe harbor” would be created in only one (1) hour by a Title IX Coordinator, and that an attorney would not even review it. These cost estimates are arbitrary and unreasonably low.

The Department also assumes the Title IX Coordinator, investigator, and a decision maker will each spend 16 hours in training. 83 Fed. Reg. at 62,486. It is concerning that the Department would contemplate only that a single investigator and a single decision-maker would or should attend the training. 83 Fed. Reg. at 61,486. Especially since the Department is anticipating limiting the number of people who can accept formal complaints, it will be essential to provide training to all staff who interact with students regarding how to counsel students on the appropriate channels for instigating formal complaints. It will also be essential to provide training for students, parents and guardian on how to properly file complaints, so that they do not lose their rights due to an inconsequential procedural mistake. Further, the Department does not accurately represent the costs for training hearing officers and panels during live hearings, where they will need to be versed in evidentiary procedure and taking examination and cross-examination. In addition, the Department “do[es] not calculate additional costs in future years as [it] assume[s] that recipients will resume training of staff one[sic] their prior schedule after Year 1.” 83 Fed. Reg. at 61,487. This limitation to one year of training costs and to training only individuals who can receive formal complaints underscores the Department’s inappropriate focus away from the protection of students who are meant to be protected by Title IX.

There are also several ways in which the Department inappropriately underestimates the costs of investigations. First, the Department estimates “a reduction in the average number of investigations per IHE per year of 0.75.” 83 Fed. Reg. at 61,487. It is unreasonable to assume this reduction, given that reports are, as described above, increasing, and the proposed regulations create significant additional avenues for complaints filed by respondents. Second, while the Department assumes an approximate reduction of 0.18 of the number of IHE investigations by disregarding off-campus sexual harassment (83 Fed. Reg. at 61,487), the Department fails to allocate time for the investigation that would need to occur for the jurisdictional analysis to establish where the incident occurs.

In addition to underestimating the time it will take for a recipient to investigate Title IX complaints, the Department underestimates the cost for the parties’ representation in the investigative process. For responses to a formal complaint at the LEA level, the Department assumed that both parties would obtain legal counsel who would work for one hour and, in the alternative, estimated an average cost non-attorney advisor cost would be two attorney hours. 83 Fed. Reg. at 61,487. The calculated cost the Department associated with the representation is flawed in two respect. First, the Department assumes a rate of \$90.71 per hour. 83 Fed. Reg. at

61,486. The Department provides no basis for this assumed rate for an attorney, which is significantly lower than the average hourly rate of attorneys.²²² Second, it is unreasonable to assume adequate representation could occur with representation by an attorney for only one hour (or two hours for a non-attorney) for a hearing, particularly one involving a complex investigation of a sexual assault.

Finally, the Department fails to appropriately estimate the costs of the live hearings required under the proposed regulations. The Department will require live hearings at IHEs, but fails to consider many of the increased costs this requirement will entail. For example, the Department does not estimate any costs for transcription and translation services that may be needed. Further, the Department estimates that in 60 percent of IHEs, the Title IX Coordinator also serves as the decision-maker. 83 Fed. Reg. at 61,488. Only allowing costs for an additional adjudicator in 40 percent of hearings is arbitrary and in direct contradiction to proposed regulation § 106.45(b)(4) which precludes the decision-maker from being the same person as the Title IX Coordinator of the investigation.

VIII. The Department Should Delay the Effective Date of the Rule.

If the Department adopts a final rule along the lines of its proposal, it should give schools adequate time to respond before the rule takes effect. We believe that an effective date no earlier than three years from the date of the final rule would be appropriate.

A compliance window of three years or more is warranted because the proposed rule represents a stark departure from the substantive and procedural standards that educational institutions have been applying for years. Schools will need time to overhaul their procedures, hire new staff, train employees, and disseminate information to students. Smaller schools in particular will require an extended period to come into compliance. For reasons discussed above, the Department's new rule will cause confusion among students, staff, and other stakeholders however quickly they are implemented, but the confusion will only be compounded if the Department does not allow schools enough time to respond appropriately.

Adopting an earlier effective date would be inconsistent with the Department's recent approach to other regulations that would apply to fewer schools than the proposed Title IX rule, and that would not require such significant programmatic changes. For instance, the Department has seen fit to allow schools until July 2019 to comply with provisions of its 2014 Gainful

²²² See, e.g., Jay Reeves, *Top 10 Hourly Rates by City*, Lawyers Mutual Byte of Prevention Blog, (Apr. 6, 2018), <https://www.lawyersmutualnc.com/blog/top-10-lawyer-hourly-rates-by-city> (listing lawyer rates by practice area ranging from \$86/hour to \$340/hour); Hugh A. Simons, *Read This Before You Set Your 2018 Billing Rates*, Law Journal Newsletters (Nov. 2017), <http://www.lawjournalnewsletters.com/2017/11/01/read-this-before-you-set-your-2018-billing-rates/> (indicating first year associates cost their employers approximately \$111/hour). Further, it is unreasonable to assume adequate representation could occur with representation by an attorney for only one hour (or two hours for a non-attorney).

Employment rule²²³ and its 2016 Borrower Defense rule,²²⁴ and delayed the effective date of the 2016 Program Integrity and Improvement rule until July 2020.²²⁵ Setting aside the reasonableness of the Department's decisions with respect to these other regulations, it would only be appropriate for the Department to adopt a similar compliance period for Title IX rule that would have more far-reaching consequences for many more schools.

IX. Conclusion

Proper enforcement of Title IX has an immense impact on our states, our colleges and universities, our K-12 schools, and most importantly, our students. Title IX requires schools to provide an education that is free from sexual harassment, violence, and discrimination. Our educational institutions, relying on prior guidance from the Department, have spent many years developing procedures and policies to address these issues, and they have made great strides in fostering more open and inclusive educational environments. The proposed rule, however, is a step backward, rather than a step forward, in achieving Title IX's goals. It would inject confusion and bias into the Title IX adjudicatory process. Survivors of sexual harassment and violence would face significant reporting obstacles under the new rule, further undermining the already too low sexual violence and harassment reporting rates. The proposed rule is not consistent with Title IX as written and fails to further its goals. It should be withdrawn.

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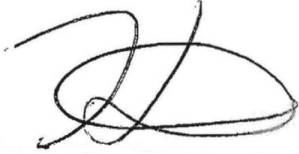


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²²³ See 83 Fed. Reg. 28,177 (June 18, 2018).

²²⁴ See 83 Fed. Reg. 6,458 (Feb. 14, 2018); 83 Fed. Reg. 34,047 (July 19, 2018).

²²⁵ 83 Fed. Reg. 31,296 (July 3, 2018).



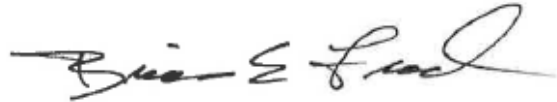
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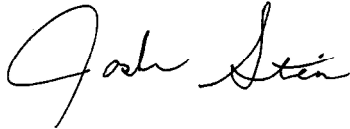
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REPORT ON CONVERSION THERAPY



WHAT IS CONVERSION THERAPY?

“Conversion therapy” is used as an umbrella term to describe interventions of a wide-ranging nature, all of which have in common the belief that a person’s sexual orientation or gender identity (SOGI) can and should be changed. Such practices aim (or claim to aim) at changing people from gay, lesbian or bisexual to heterosexual and from trans or gender diverse to cisgender. Depending on the context, the term is used for a multitude of practices and methods, some of which are clandestine and therefore poorly documented.

The term “therapy”, derived from the Greek, denotes “healing”. However, practices of “conversion therapy” are the very opposite: they are deeply harmful interventions that rely on the medically false idea that LGBT and

other gender diverse persons are sick, inflicting severe pain and suffering, and resulting in long-lasting psychological and physical damage. Conversion therapy currently happens in a multitude of countries in all regions of the world.

In 2012, the Pan American Health Organization (PAHO) noted that “conversion therapies” had no medical justification and represented a severe threat to the health and human rights of the affected persons, and in 2016, the World Psychiatric Association found that “there is no sound scientific evidence that innate sexual orientation can be changed”. In 2020, the Independent Forensic Expert Group (IFEG) has declared that offering “conversion therapy” is a form of deception, false advertising and fraud.

WHO ARE ITS PROMOTERS AND PERPETRATORS?

Perpetrators of “conversion therapy” practices include private and public mental health-care providers, faith-based organizations, traditional healers and State agents; promoters additionally include family and community members, political authorities and other agents.

Faith-based organizations and religious authorities in particular operate in a space surrounded by blurred lines, advising the family and victim and often promoting or providing the practices alone or in partnership with others.

Conversion therapy is a lucrative business for providers around the world. Marketing mechanisms operate to support the business model, and some States actively perpetrate or promote abuse through such practices.

State officials, including judges or police officers, may order “conversion therapy”, even in the absence of explicit legal provisions. It is also done through public policy. For example, Malaysia has adopted plans to curb behaviours perceived as immoral, including same-sex behaviour, and specifically promotes practices of “conversion therapy”, including through university programmes.

Young people are disproportionately subjected to practices of “conversion therapy”. A recent global survey suggests that 4 out of 5 persons subjected to them were 24 years of age or younger at the time and, of those, roughly half were under 18 years of age.

WHAT ARE THE APPROACHES USED IN “CONVERSION THERAPY” PRACTICES?

There were three main approaches identified in the practice of “conversion therapy”:

PSYCHOTHERAPY

Interventions based on the belief that sexual or gender diversity is a product of an abnormal upbringing or experience. Variations applied include psychodynamic, behavioural, cognitive and interpersonal therapies. A recurrent method used is aversion (electric shocks, nausea-inducing or paralysis-inducing drugs) through which a person is subjected to a negative, painful or otherwise distressing sensation while being exposed to a certain stimulus connected to their sexual orientation.

MEDICAL

Practices rooted on the postulation that sexual or gender diversity is an inherent biological dysfunction. They rely on pharmaceutical approaches, such as medication or hormone or steroid therapy. In the Islamic Republic of Iran, individuals who inevitably fail at “converting” their sexual orientation will often be pressured to undergo gender-affirming surgery, in the belief that it will neutralize their orientation.

FAITH-BASED

Interventions that act on the premise that there is something inherently evil in diverse sexual orientations and gender identities. Victims are usually submitted to the tenets of a spiritual advisor, and subjected to programmes to overcome their “condition”. Such programmes can include anti-gay slurs as well as beatings, shackling and food deprivation. They are also sometimes combined with exorcism.



“The degrading nature of many conversion therapy practices, including physical abuse, electro-shock therapy, pseudo-medical procedures, and the use of anti-LGBT epithets and slurs, contribute to an overall dehumanising environment towards persons with diverse SOGI.”

WHAT ARE THE CONSEQUENCES OF “CONVERSION THERAPY” PRACTICES?

The methods and means commonly utilized to implement practices of “conversion therapy” lead to psychological and physical pain and suffering. The deep impact on individuals includes significant loss of self-esteem, anxiety, depressive syndrome, social isolation, intimacy difficulty, self-hatred, shame and guilt, sexual dysfunction, suicidal ideation and suicide attempts and symptoms of post-traumatic stress disorder.

The application of international human rights law is guided by the fundamental principles of universality, equality and non-discrimination. Practices of “conversion therapy” target a specific group on the exclusive basis of sexual orientation and gender identity, with the specific aim of interfering in their personal integrity and autonomy. In that sense, such practices are inherently discriminatory.

All practices attempting conversion are inherently humiliating, demeaning and discriminatory. The combined effects of feeling powerless and extreme humiliation generate profound feelings of shame, guilt, self-disgust, and worthlessness, which can result in a damaged self-concept and enduring personality changes.

These practices also violate the prohibition of torture and ill-treatment, since they take point of departure in the belief that sexually diverse or gender-diverse persons are somehow inferior – morally, spiritually or physically – than their heterosexual and cisgender siblings and must modify their orientation or identity to remedy that inferiority. Therefore, any means and mechanisms that treat LGBT persons as lesser human beings are degrading by their very definition and may amount to torture depending on the circumstances, namely the severity of physical and mental pain and suffering inflicted. Finally, these practices also violate the right to health, including the freedom from non-consensual medical treatment.

“The IESOGI is convinced that the decision to subject a child to conversion practices can never truly be in conformity with a child’s best interests. Parents must make decisions for their children under the premise of informed consent, which entails knowing the practice’s true nature, its inability to actually achieve “conversion”, and the mounting evidence pointing towards its long-term physical and psychological harm”.

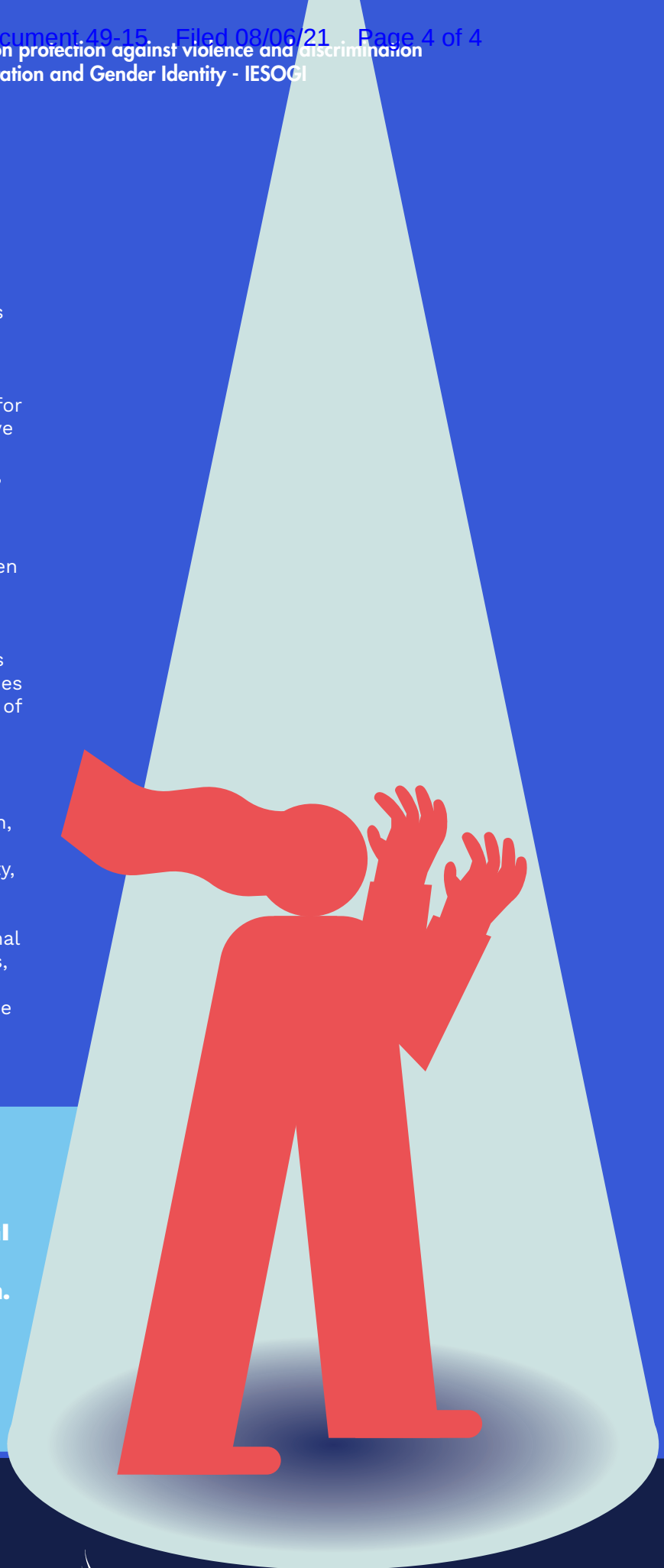


RECOMMENDATIONS TO STATES

The IESOGI has called for a global ban on practices of “conversion therapy”, a process that must include: clearly defining the prohibited practices; ensuring public funds are not used to support them; banning advertisements; establishing punishments for non-compliance and investigating respective claims; creating mechanisms to provide access to all forms of reparation to victims, including the right to rehabilitation. He also recommends that States:

- a. Take urgent measures to protect children and young people from practices of “conversion therapy”;
- b. Carry out campaigns to raise awareness among parents, families and communities about the invalidity and ineffectiveness of and the damage caused by practices of “conversion therapy”;
- c. Adopt and facilitate health-care and other services related to the exploration, free development and/or affirmation of sexual orientation and/or gender identity;
- d. Foster dialogue with key stakeholders, including medical and health professional organizations, faith-based organizations, educational institutions and community-based organizations, to raise awareness about the human rights violations connected to practices of “conversion therapy”.

Criminalisation, demonization and pathologisation play a role in perpetuating violence and discrimination on the basis of SOGI and enable the exposure of LGBT persons to practices of conversion. Combatting such biases and prejudices requires action on the part of States, the medical community, and civil society.



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Sexual Orientation Change Efforts, Adverse Childhood Experiences, and Suicide Ideation and Attempt Among Sexual Minority Adults, United States, 2016–2018

John R. Blosnich, PhD, MPH, Emmett R. Henderson, MS, Robert W. S. Coulter, PhD, MPH, Jeremy T. Goldbach, PhD, MSSW, and Ilan H. Meyer, PhD

Objectives. To examine how sexual orientation change efforts (SOCE) are associated with suicide morbidity after controlling for adverse childhood experiences (ACEs).

Methods. Cross-sectional survey data are from the Generations survey, a nationally representative sample of 1518 nontransgender sexual minority adults recruited between March 28, 2016, and March 30, 2018, in the United States. Self-identified transgender individuals were included in a separate, related TransPop study. We used weighted multiple logistic regression analyses to assess the independent association of SOCE with suicidal ideation and suicide attempt while controlling for demographics and ACEs.

Results. Approximately 7% experienced SOCE; of them, 80.8% reported SOCE from a religious leader. After adjusting for demographics and ACEs, sexual minorities exposed to SOCE had nearly twice the odds of lifetime suicidal ideation, 75% increased odds of planning to attempt suicide, and 88% increased odds of a suicide attempt with minor injury compared with sexual minorities who did not experience SOCE.

Conclusions. Over the lifetime, sexual minorities who experienced SOCE reported a higher prevalence of suicidal ideation and attempts than did sexual minorities who did not experience SOCE.

Public Health Implications. Evidence supports minimizing exposure of sexual minorities to SOCE and providing affirming care with SOCE-exposed sexual minorities. (*Am J Public Health.* 2020;110:1024–1030. doi:10.2105/AJPH.2020.305637)

SOCE include increased distress, depression, hopelessness, and suicidal thoughts and behaviors.^{6,8–10} SOCE have been practiced by religious counselors, medical professionals, and other health care providers for decades.¹¹ Despite several national professional organizations' official positions against SOCE (e.g., American Psychological Association,¹¹ American Medical Association,¹² National Association of Social Workers¹³), as of June 2019, only 18 US states (and Puerto Rico and Washington, DC) have laws that ban subjecting minors to SOCE.¹⁴

Minority stress theory describes stressors as unique in that they stem from homophobia and chronic in that they are present in day-to-day social interactions.¹⁵ Minority stressors include prejudicial events and conditions that are expressed both interpersonally (e.g., violent attacks, discrimination) and structurally (e.g., laws allowing rejection of sexual minorities in housing and employment).¹⁶ By its very nature and purpose, SOCE can be defined as a minority stressor because they promote heteronormativity as the only acceptable way of life and reinforce individual, family, and community rejection of LGB sexual orientation. By reinforcing stigmatizing societal attitudes and promoting self-rejection, professionals who engage in

Suicide has increased to a level that, along with drug overdose— and alcohol-related deaths, has reduced life expectancy for US persons for 3 consecutive years.¹ Suicidal ideation and suicide attempt (i.e., suicide morbidity) are strong predictors of death by suicide,² and suicide morbidity occurs more frequently among lesbian, gay, and bisexual (LGB or sexual minority) populations than among heterosexuals.^{3,4}

Identifying unique stressors that are associated with sexual minority individuals' suicidal ideation and suicide attempts can lead to tailored intervention and prevention efforts.

One stressor unique to sexual minorities is experiencing sexual orientation change efforts (SOCE), sometimes referred to as conversion or reparative therapy.⁵ SOCE

include a variety of approaches such as immersion in heterosexual-focused cognitive exercises, amplification of shame for same-gender attraction, and physical punishment (e.g., electric shock) intended to condition against mental or physical attraction to the same gender.^{6–8} Negative outcomes of

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SOCE provide the exact opposite of recommended therapeutic approaches that should support self-acceptance.^{17–19} Minority stress also affects sexual minorities through internalization of stigmatizing social attitudes and stereotypes. For example, LGB people internalize homophobic notions, contributing to adverse health outcomes.^{17,20}

Related to stigmatization in their families, sexual minorities have a high prevalence of adverse childhood experiences (ACEs),²¹ including physical and sexual abuse. Evidence shows dose–response relations of ACEs with suicidality,²² which may partly explain disparities in poor mental health between sexual minority and heterosexual individuals.^{23,24} Less is understood about how ACEs and SOCE may be associated among sexual minorities. For instance, it is plausible that sexual minority children may be less accepted by their parents and more likely to be subjected to SOCE. To date, no research has examined the relationship between ACEs and SOCE to our knowledge.

Regardless of its relationship with ACEs, there has been scant investigation of how experiencing SOCE is related to suicidal ideation and attempt among sexual minorities. Similarly, little is known about the independent associations of SOCE and ACEs and suicidal ideation and attempt. The dearth of inquiry stems mainly from a lack of data on experiencing SOCE among sexual minorities. Capitalizing on a novel probability-based national sample of sexual minority adults, we examined how experiencing SOCE is associated with suicide morbidity, after considering the effects of ACEs.

METHODS

We collected data as part of the Generations study, which was designed to examine health and well-being across 3 generations of nontransgender sexual minority people.

Generations contracted with Gallup to use an innovative 2-phase sampling approach. In phase 1, Gallup used a dual-frame sampling procedure, which included random-digit dialing to reach US landline and cellphone users (a random selection method was used for choosing a respondent in households reached on landline phones). Respondents screened at phase 1 were eligible to participate in phase 2

(a self-administered Web or paper questionnaire) if they identified as cisgender or gender nonbinary sexual minority (and not transgender); were in the age ranges for 1 of the 3 cohorts of interest in the Generations study (aged 18–25, 34–41, or 52–59 years); belonged to the racial and ethnic groups targeted (Black, Latino, or White, or had multiple racial and ethnic identities that included at least 1 of these; Table 1); completed at least sixth grade; and spoke English well enough to conduct the telephone interview in English.

The specific age groups were selected to represent people who came of age in distinct social historical periods relevant to lesbian gay bisexual transgender (LGBT) rights. The investigators identified the Pride generation as people who came of age in the 1970s and were aged 51 to 59 years at the time of recruitment, the Visibility generation as people who came of age in the late 1980s and 1990s and were aged 34 to 41 years at the time of recruitment, and the Equality generation as people who came of age in the 2000s and were aged 18 to 25 years at the time of recruitment.

Asian American and American Indian/Alaska Native sexual minority people were excluded because their low representation in the US population meant the researchers would have not been able to recruit sufficient numbers of respondents during the recruitment period to allow meaningful statistical analyses for these racial and ethnic groups. Education level was selected because respondents needed to be able to comprehend and self-administer the main study questionnaire. Respondents who identified as transgender, regardless of their sexual orientation, were invited to participate in a related TransPop study, which asked questions that were tailored to the transgender population.

In phase 1 366 640 respondents were screened in the brief telephone interview between March 2016 and March 2017. Of these respondents, 3.5% ($n = 12\,837$) identified as sexual minority, transgender, or both. After applying the study inclusion criteria, 3525 were eligible to participate in the Generations study. The final cooperation rate²⁵ for the Generations study was 39%. The final sample included 1518 respondents, including 187 respondents from an enhancement recruitment period (April

2017 to March 2018) aimed at increasing the number of Black and Latino respondents. The entire sample was weighted for nonresponse using the US Census and for specific demographics of the LGBT population using Gallup data collected since 2012. More information about the study's methodology and rationale is available online at <http://www.generations-study.com>.

Measures

Demographic covariates included gender identity (man, woman, or nonbinary or genderqueer); sexual identity (lesbian, gay, bisexual, queer, pansexual, asexual, or other minority sexual identities); racial and ethnic identity (White, Black or African American, Hispanic or Latinx, or other racial and ethnic identity); educational attainment (high school diploma or less, some college, college degree, or more than a college degree); and age.

ACEs were measured using 11 items employed by the Centers for Disease Control and Prevention in population health surveillance.²⁶ The items are predicated with the statement “Now, looking back before you were 18 years of age. . .” and followed by several categories of negative experiences (e.g., living with anyone who was depressed, mentally ill, or suicidal; frequency of parents or adults in the home ever slapping, hitting, kicking, punching, or beating up each other; frequency of physical abuse). Three items specifically asked respondents about sexual abuse: How often did anyone at least 5 years older than you, or an adult, (1) ever touch you sexually, (2) try to make you touch them sexually, and (3) force you to have sex? These 3 sexual abuse items were combined into a cumulative measure of “any sexual abuse” if a respondent affirmatively answered 1 or more of the items.

Experiencing SOCE was measured by an item created by the survey team: “Did you ever receive treatment from someone who tried to change your sexual orientation (such as try to make you straight/heterosexual)?” Response options were: no; yes, from a health care professional (such as a psychologist or counselor who was not religious focused); and yes, from a religious leader (such as a pastor, religious counselor, priest). Because respondents could report experiencing both forms of SOCE, answers were combined in a

TABLE 1—Sociodemographic Characteristics of Individuals, by Experiencing Sexual Orientation Change Efforts (SOCE), Counts, and Weighted Proportions: Probability Sample of Sexual Minorities, United States, 2016–2018

	Overall Sample (n = 1518), No. (%; SE) or Mean ±SE	Experienced SOCE		P
		No (n = 1410), No. (%; SE) or Mean ±SE	Yes (n = 108), No. (%; SE) or Mean ±SE	
Gender identity				
Woman	750 (55.0; 0.016)	708 (94.3; 0.011)	42 (5.7; 0.011)	.15
Man	674 (37.6; 0.015)	616 (91.2; 0.014)	58 (8.8; 0.014)	
Nonbinary or genderqueer	94 (7.4; 0.009)	86 (94.2; 0.022)	8 (5.8; 0.022)	
Sexual identity				
Lesbian/gay	833 (46.9; 0.016)	757 (89.9; 0.014)	76 (10.1; 0.014)	.01
Bisexual	493 (40.6; 0.016)	476 (96.3; 0.011)	17 (3.7; 0.011)	
Other sexual identity	181 (12.5; 0.010)	166 (94.3; 0.018)	15 (5.7; 0.018)	
Racial/ethnic identity				
White	931 (59.5; 0.016)	871 (94.2; 0.010)	60 (5.8; 0.010)	.14
Black/African American	180 (13.5; 0.011)	162 (88.6; 0.029)	18 (11.3; 0.029)	
Latino/a	158 (10.8; 0.010)	145 (91.7; 0.027)	13 (8.3; 0.027)	
Other racial/ethnic identity	249 (16.2; 0.011)	232 (94.0; 0.019)	17 (6.0; 0.019)	
Educational attainment				
More than a college degree	288 (9.6; 0.006)	260 (90.6; 0.018)	28 (9.4; 0.018)	.08
College degree	429 (16.0; 0.009)	403 (95.5; 0.016)	26 (4.5; 0.016)	
Some college	492 (31.9; 0.014)	464 (94.5; 0.011)	28 (5.5; 0.011)	
High school diploma or less	309 (42.5; 0.017)	283 (91.8; 0.009)	26 (8.2; 0.009)	
Age, y	30.9 ±0.37	30.7 ±0.38	32.7 ±1.43	.19

Note. Percentages and means were weighted. Sample size was n = 1518.

single category of having experienced SOCE by either or both sources.

Suicide morbidity was captured with several measures adapted from the Army Study to Assess Risk and Resilience in Service Members instrument,²⁷ which was adapted from the Columbia Suicide Severity Rating Scale (C-SSRS).²⁸ These measures included suicidal ideation (i.e., “Did you ever in your life have thoughts of killing yourself?”), having made a plan for suicide (i.e., “Did you ever think about how you might kill yourself [e.g., taking pills, shooting yourself] or work out a plan of how to kill yourself?”), and attempted suicide (“Did you ever make a suicide attempt [i.e., purposefully hurt yourself with at least some intention to die]?”). Individuals who reported at least 1 previous suicide attempt were then asked, “What were the most serious injuries you ever received from a suicide attempt?” The C-SSRS has 6 different categories of injury severity, but because of low frequencies in some categories, we combined information

from these 2 items to create a 3-category suicide attempt variable: no attempt; attempt with no or minor injury (e.g., surface scratches, mild nausea, sprain, first-degree burns, flesh wound); and attempt with moderate or severe injuries (e.g., broken bones, second- or third-degree burns, stitches, bullet wound, major fracture, coma requiring respirator, or surgery).

Analyses

We summarized demographics for the overall sample using descriptive statistics. We examined ACEs as 8 dichotomous categories (yes or no) and in a count of ACEs endorsed by the respondents. We tested differences in sociodemographics, ACEs, and suicide morbidity between respondents who had experienced SOCE and respondents who did not experience SOCE. To better understand the relation between ACEs and experiencing SOCE, we used multiple logistic regression to assess the association of

exposure to SOCE with ACEs after adjusting for demographics.

To investigate the independent associations of ACEs and SOCE with suicidal ideation, suicide planning, and suicide attempt, we first conducted separate multiple logistic regression models including covariates and ACEs followed by second models that added experiencing SOCE. For the 3-category variable of suicide attempt, we conducted multinomial logistic regression analyses, with “no attempts” set as the reference category; we followed the same method of having the first model include covariates and ACEs followed by a second model that added experiencing SOCE. We conducted all analyses using Stata/SE version 15 (StataCorp, College Station, TX). We weighted analyses to account for the complex sampling design and nonresponse. We reported all point estimates with 95% confidence intervals and assessed statistical significance at a *P* level of less than .05. All reported means and percentages are weighted.

RESULTS

Of the 1518 participants, 55% identified as women, more identified as lesbian or gay than bisexual (46.9% vs 40.6%, respectively), and about 60% identified as White (Table 1). Among men and women, sex assigned as birth was 100% concordant; for nonbinary individuals, 67.3% reported being assigned female sex at birth and 32.7% indicated being assigned male sex at birth (data not shown). Across the sample, 6.9% (n = 108) experienced SOCE from any source; of them, 80.8% reported SOCE from a religious leader, and 31.0% reported SOCE from a health care provider. Individuals with gay or lesbian identities were more likely to report experiencing SOCE than bisexually identified respondents or respondents with other sexual minority identities (e.g., queer, pansexual). The prevalence of experiencing SOCE did not significantly differ across the age cohorts of Generations: 6.2% among those aged 18 to 25 years, 8.3% among those aged 34 to 41 years, and 7.8% among those aged 52 to 59 years (*P* = .43; data not shown).

Participants had an average of 3 ACEs, and odds of experiencing SOCE were significantly greater among people who as

children lived with a parent or another adult who was depressed, mentally ill, or suicidal; lived in a household with parental intimate partner violence; or reported emotional, physical, or sexual abuse (Table 2) than among their counterparts. When ACEs were counted, there was a significant 25% increased odds of reporting SOCE experiences with each additional ACE experienced.

Sexual minorities who experienced SOCE had greater prevalence of all measures of suicide morbidity relative to sexual minorities without SOCE experiences (Table 3). Results of regression models with only ACEs and not SOCE and then with both ACEs and

SOCE showed little change in estimates, and interaction tests of ACEs and SOCE were not significant (data not shown). Therefore, results of the full models are shown in Table 4. In the adjusted models, ACEs were positively associated with all measures of suicide morbidity. Compared with not experiencing SOCE, experiencing SOCE was associated with twice the odds of lifetime suicidal ideation, 75% increased odds of planning to attempt suicide, 88% increased odds of attempting suicide resulting in no or minor injury, and 67% increased odds of suicide attempt resulting in moderate or severe injury (the last did not reach statistical significance at $P < .05$).

DISCUSSION

We found that about 7% of sexual minorities experienced SOCE. This compares with 17% reported by a previous study from the Multisite AIDS Cohort Study.²⁹ But that study is not directly comparable because its sample included men who have sex with men, was not representative of the US population, and had a mean age of 61.5 years, which is older than our sample. A study using a nonprobability sample of transgender and gender nonbinary individuals in the United States found that about 10% reported experiences of SOCE.³⁰ To our knowledge, our study is the first to publish data on SOCE in a nationally representative sample of non-transgender sexual minorities in the United States.

We found that sexual minorities who experienced ACEs were more likely to have experienced SOCE than were sexual minorities who did not experience ACEs. Even after adjustment for exposure to ACEs, which are known risk factors for mental health problems and suicide morbidity, experiencing SOCE was independently associated with suicidal ideation, suicide planning, and suicide attempts. We did not find a significant relation between experiencing SOCE and suicide attempt with moderate or severe injury, but it is noteworthy that the odds ratio estimate was in the same direction and of similar magnitude as the other significant associations. The relatively small sample may have hampered statistical power for the rare outcome of suicide attempts resulting in moderate or severe injury.

To date, the mental health harms of SOCE have been documented primarily via qualitative inquiry.^{6–8} Our study adds to previous anecdotal findings with quantitative evidence showing the association between SOCE and suicide morbidity. The results of this study suggest that SOCE is a stressor with particularly insidious associations with suicide risk. The SOCE associations may be explained with the construct of perceived burdensomeness of the interpersonal theory of suicide,³¹ which has been associated with suicide morbidity among sexual minorities.³² Further research into this area may investigate the specific constructs and mechanisms (e.g., enacted stigma, internalized stigma, identity concealment) that could incite perceived burdensomeness and

TABLE 2—Prevalence and Adjusted Association of Adverse Childhood Experiences (ACEs) With Experiencing Sexual Orientation Change Efforts (SOCE), Counts, Weighted Proportions, and AORs: Probability Sample of Sexual Minorities, United States, 2016–2018

ACEs	Experienced SOCE		P	Multivariable, ^a AOR (95% CI)
	No, No. (%; SE) or Mean ±SE	Yes, No. (%; SE) or Mean ±SE		
Household substance use				
No	771 (94.4; 0.010)	48 (5.6; 0.010)	.11	1 (Ref)
Yes	639 (91.8; 0.013)	60 (8.2; 0.013)		1.56 (0.92, 2.65)
Parental separation or divorce				
No	928 (93.6; 0.009)	72 (6.4; 0.009)	.45	1 (Ref)
Yes	482 (92.3; 0.015)	36 (7.7; 0.015)		1.38 (0.83, 2.30)
Parental mental illness				
No	789 (94.0; 0.010)	50 (6.0; 0.010)	.23	1 (Ref)
Yes	621 (92.1; 0.013)	58 (7.9; 0.013)		1.76 (1.05, 2.94)
Incarcerated household member				
No	1218 (93.3; 0.009)	90 (6.7; 0.009)	.59	1 (Ref)
Yes	192 (92.1; 0.023)	18 (7.9; 0.023)		1.17 (0.57, 2.39)
Parental partner violence				
No	960 (94.5; 0.009)	62 (5.5; 0.009)	.02	1 (Ref)
Yes	450 (90.5; 0.016)	46 (9.5; 0.016)		1.86 (1.13, 3.05)
Emotional abuse				
No	478 (96.1; 0.011)	22 (3.9; 0.011)	.01	1 (Ref)
Yes	932 (91.9; 0.011)	86 (8.1; 0.011)		2.48 (1.31, 4.70)
Physical abuse				
No	870 (94.7; 0.009)	49 (5.3; 0.009)	.02	1 (Ref)
Yes	540 (90.9; 0.014)	59 (9.1; 0.014)		1.87 (1.11, 3.13)
Sexual abuse				
No	907 (95.4; 0.008)	47 (4.6; 0.008)	< .001	1 (Ref)
Yes	503 (89.1; 0.017)	61 (10.9; 0.017)		2.95 (1.75, 5.00)
No. of ACEs	3.3 ±0.07	4.2 ±0.31	.01	1.25 (1.10, 1.42)

Note. AOR = adjusted odds ratio; CI = confidence interval. Percentages and means are weighted. Sample size was n = 1518.

^aAll multivariable models were weighted and adjusted for age, gender identity, sexual identity, education, and race/ethnicity.

TABLE 3—Prevalence of Suicide Morbidity, by Experiencing Sexual Orientation Change Efforts (SOCE), Counts, and Weighted Proportions: Probability Sample of Sexual Minorities, United States, 2016–2018

Lifetime Suicide Morbidity	Experienced SOCE		P
	No, No. (%; SE)	Yes, No. (%; SE)	
Suicidal ideation	967 (73.4, 0.014)	90 (84.0, 0.042)	.04
Made a suicide plan	763 (58.7, 0.016)	74 (71.7, 0.054)	.03
Attempted suicide			
No	1087 (73.8, 0.015)	65 (59.6, 0.060)	.02
Yes, no injury or minor injury	172 (13.4, 0.012)	23 (24.6, 0.053)	
Yes, moderate or severe injury	151 (12.8, 0.012)	20 (15.7, 0.042)	

Note. Percentages were weighted. Sample size was n = 1518.

create the risk of suicidal thoughts and behaviors among survivors of SOCE.

Limited evidence exists to guide clinical practice with individuals who have experienced SOCE. Many people participate in SOCE to conform to social expectations of

family, culture, and religion.⁶ Yet SOCE are ineffective and may compound or create problems, such as depression, guilt, intimacy avoidance,^{5–8} and, as we have shown here, suicidal ideation and suicide attempts. Cognitive behavioral therapy may help resolve

these outcomes by addressing the detrimental effects of minority stressors,¹⁸ including the effects of SOCE. However, best practices for affirming care with sexual minorities who experienced SOCE are largely uncharted.

Health care and social service providers working with sexual minorities with histories of or active suicidal thoughts and suicide attempts should be aware that cumulative trauma assessments should include a history of SOCE experiences, which may have amplified internalized stigma. To better understand the impacts of SOCE as a unique minority stressor for sexual minorities, population health surveys that include items about stressful life experiences should also include items to assess experiences of SOCE.

Study Limitations

The Generations study team developed the SOCE measure, and although it seems

TABLE 4—Associations of ACEs and Experiencing Sexual Orientation Change Efforts (SOCE) With Suicide Morbidity, AORs: Probability Sample of Sexual Minorities, United States, 2016–2018

	Suicide attempt ^a			
	Suicidal Ideation (n = 1489), AOR (95%CI)	Suicide Planning (n = 1480), AOR (95%CI)	Suicide Attempt With No/Minor Injury (n = 1507), AOR (95%CI)	Suicide Attempt With Moderate/Severe Injury (n = 1507), AOR (95%CI)
Experienced SOCE	1.92 (1.01, 3.64)	1.75 (1.01, 3.06)	1.88 (1.01, 3.50)	1.67 (0.76, 3.64)
No. of ACEs	1.28 (1.17, 1.39)	1.27 (1.19, 1.37)	1.27 (1.17, 1.39)	1.38 (1.25, 1.52)
Age, y	0.97 (0.96, 0.98)	0.98 (0.97, 0.99)	0.99 (0.97, 1.00)	0.99 (0.97, 1.00)
Gender identity				
Female (Ref)	1	1	1	1
Male	1.06 (0.77, 1.45)	0.86 (0.64, 1.15)	1.19 (0.78, 1.82)	0.46 (0.28, 0.78)
Nonbinary/genderqueer	3.32 (1.32, 8.35)	2.22 (1.08, 4.56)	0.98 (0.35, 2.74)	1.70 (0.83, 3.50)
Sexual identity				
Gay/lesbian (Ref)	1	1	1	1
Bisexual	1.34 (0.93, 1.92)	1.16 (0.83, 1.61)	1.12 (0.69, 1.82)	1.53 (0.94, 2.49)
Other sexual minority	2.19 (1.27, 3.79)	1.87 (1.13, 3.09)	1.55 (0.74, 3.25)	0.96 (0.47, 1.96)
Racial/ethnic identity				
White (Ref)	1	1	1	1
Black/African American	0.55 (0.35, 0.85)	0.65 (0.43, 0.99)	1.43 (0.85, 2.39)	0.54 (0.26, 1.12)
Latino/a	0.55 (0.34, 0.89)	0.70 (0.45, 1.10)	1.02 (0.53, 1.98)	0.59 (0.26, 1.31)
Other racial/ethnic identity	0.93 (0.59, 1.48)	1.22 (0.81, 1.82)	0.85 (0.50, 1.44)	1.12 (0.68, 1.85)
Educational attainment				
Postgraduate (Ref)	1	1	1	1
College degree	1.01 (0.70, 1.46)	0.88 (0.62, 1.25)	1.53 (0.86, 2.73)	0.84 (0.45, 1.56)
Some college	0.90 (0.61, 1.33)	1.08 (0.75, 1.54)	1.56 (0.89, 2.73)	1.21 (0.68, 2.15)
High school diploma or less	1.02 (0.65, 1.60)	0.91 (0.60, 1.37)	1.54 (0.83, 2.84)	0.97 (0.51, 1.84)

Note. ACE = adverse childhood experience; AOR = adjusted odds ratio; CI = confidence interval. All multivariable models were weighted. Sample size was n = 1518.

^aEstimated with multinomial logit model (no suicide attempts as reference category).

straightforward, no evidence of the measure's validity and reliability exists at this time. Additionally, people who experienced SOCE may continue to have negative feelings about their same-sex sexual orientation and may be more likely than others to hide their sexual minority identity; thus, our study recruitment method may have underrepresented SOCE exposure among sexual minorities.

Our measure of SOCE is limited in that it does not differentiate among the diverse experiences SOCE people may have had. Despite the strong associations of SOCE, further research is necessary to understand variability in SOCE experiences. For instance, our survey item broadly captured SOCE, but we are unable to determine if SOCE were received from a practitioner who solely focused on SOCE (e.g., conversion camps) or arose in the context of a generalized discussion with a mental health profession or religious leader. Thus, we cannot discern differential impact of various experiences of SOCE.

Similarly, our measure did not allow us to accurately time SOCE experiences as they related to ACEs exposure. To probe causal relationships, future survey items ought to attend to issues of the timing of ACEs and SOCE (e.g., age of first and last experiences) and the type and dosage of these stressful exposures (e.g., number of experiences). Other methodological limitations include that ACEs may be prone to recall bias, likely resulting in underestimates of the phenomena.³³ Additionally, other childhood adversities may not be captured in the ACEs inventory (e.g., community safety) that may be associated with SOCE or suicidal ideation or attempt. Last, data about mental health care utilization other than SOCE were not available, so we could not examine the relationship of non-SOCE mental health treatments, ACEs, and suicidality.

Other limitations include that because of their low base rates in the US population, our methodology did not allow us to recruit sufficient numbers of Asian and American Indian/Alaska Native sexual minorities to facilitate analyses of these groups. Our survey completion rate is lower than that of the 2017 Behavioral Risk Factor Surveillance System (BRFSS) survey (63.8%), but this may be because our comprehensive self-administered survey may be more demanding for

respondents than the BRFSS interviewer-administered phone modality.³⁴

Public Health Implications

Major professional medical and health services organizations condemn the practice of SOCE.^{11–13} However, to date, 32 US states have no laws protecting minors from SOCE, and existing laws do not apply to adults or SOCE administered through religious leaders.¹⁴ This religious exemption is particularly concerning because among the sexual minorities in this sample who experienced SOCE, 4 of 5 people received it from a religious provider. The landscape regarding legality of banning SOCE continues to evolve,³⁵ and despite both the lack of scientific evidence to uphold SOCE and the documented harm it can do, sexual minority people continue to be at risk for exposure to SOCE. Greater awareness of the harms of SOCE need to be conveyed to the general public, especially in areas that may have a greater prevalence of professionals who engage in SOCE. **AJPH**

CONTRIBUTORS

J. R. Blossnich conducted the analyses. J. R. Blossnich and I. H. Meyer conceptualized the study. All authors contributed to writing and reviewing article drafts.

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CONFLICTS OF INTEREST

The authors have no conflicts of interest to disclose.

HUMAN PARTICIPANT PROTECTION

Approval was received for this study by the institutional review boards of the University of California, Los Angeles and the University of Pittsburgh.

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Fighting for survival: The experiences of lesbian, gay, bisexual, transgender, and questioning students in religious colleges and universities

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ABSTRACT

Little is known about the experiences of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) students attending religious colleges and universities. This study used grounded theory to analyze the narratives ($N = 271$) of LGBTQ former and current students. The central theme described by LGBTQ students was a fight for survival with five subthemes: (a) institutionalized homo/transphobia (strict school policies, enforcement of heterosexuality and gender conformity through discipline, conversion therapy); (b) a culture of fear (fear of exposure, homophobic panic and code words, seeking cover); (c) marginalization and isolation; (d) struggle (suffering and suicide, reconciling faith and LGBTQ identity); and (e) coping and resilience (surviving through critical thinking and strategic activism). Implications for practice are provided.

KEYWORDS

gay, lesbian, bisexual, and transgender students; religious colleges and universities; hegemony; religious abuse

Introduction

Lesbian, gay, bisexual, transgender, and questioning (LGBTQ) college and university students attend public and private institutions (Woodford, Krentzman, & Gattis, 2012). Although the independent nature of many religiously affiliated universities and colleges makes definitive enrollment numbers difficult to determine, the United States Department of Education (2014) states that there are more than 4 million undergraduate students enrolled in private non-profit (2.7 million) or for-profit (1.5 million) schools. Broughman, Swaim, and Keaton (2009) reported that sectarian entities comprise approximately 76% of private educational institutions. Although public attitudes on and off campuses are increasingly accepting of LGBTQ identities (Newport, 2011), it is unknown whether students in religiously affiliated institutions benefit from such social changes. LGBTQ students in religious colleges and universities may also have distinct experiences that influence their well-being

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Color versions of one or more of the figures in the article can be found online at www.tandfonline.com/wgls.

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that are not captured in research with students in non-sectarian institutions. The limited research on LGBTQ students in religious schools suggests that despite the proliferation of sectarian institutions, there are challenges accessing these populations. This study explores the virtually unknown experiences of LGBTQ current and former students at religiously affiliated colleges and universities (RCU).

College climates for LGBTQ students

Educational climates have a profound influence on the mental health of students. Mounting research indicates that homophobia, transphobia, heterosexism, and hostility on college campuses (Rankin, 2003; Woodford et al., 2012) contribute to fear, anxiety, and depression among LGBTQ students (Evans & Broido, 1999; Woodford, Han, Craig, Matney, & Lin, 2013). Such climates result in students feeling unsafe and so fearful of exposure that they avoid spaces known to be LGBTQ friendly and/or try to present as heterosexual/gender conforming (Newman & Fantus, 2015). Moreover, students often do not report incidents of victimization to administration for fear of retribution, such as lowered grades or disrespectful classroom treatment (Rivers & Taulke-Johnson, 2002).

Research indicates the negative consequences of hostile campus climates on well-being of LGBTQ students. School victimization is related to suicidality and poor mental health, such as posttraumatic stress disorder (PTSD; D'Augelli, Pilkington, & Hershberger, 2002; Walls, Freedenthal, & Wineski, 2008). Negative perceptions of campus climate are significantly associated with emotional distress and academic disengagement (Cress, 2000), as well as discrete stigmatizing events, such as victimization by peers (Coker, Austin, & Schuster, 2010). Schmidt and Nilsson (2006) note that even when LGBTQ youths do not experience direct victimization in school, they face a “bottleneck effect” in career development, as they must focus their energy on addressing internal psychological issues regarding the suppression and “neutralization” of their sexual identity while in school, rather than being able to direct that energy toward their classes or careers (p. 22).

The religious school as a social context

Social context is important to the healthy development of psycho-sexual identity (Wilkinson & Pearson, 2009). As key socializing institutions, schools are critical contexts in which to examine the development and emergence of LGBTQ identity. To understand the experiences of LGBTQ students in religious schools, sexual orientation and gender identity must be considered within the broader context of religion. Despite increasing societal pressures, many religious organizations have not fundamentally altered their viewpoint that the “homosexual lifestyle” goes against their moral code (Cohen, Aviv, & Kelman, 2009). Sherkat (2002) suggests that LGB individuals have long experienced rejection by many religious denominations, as “few of the more than 2,500 American religious denominations actively ‘affirm’ homosexuality as a valid and morally supportive lifestyle and many still condemn it as a

sin” (p. 12). Despite increased tolerance from many denominations, there remains a lack of acceptance of LGBTQ individuals in major religious institutions (Sherkat, Powell-Williams, Maddox, & de Vries, 2011).

Research on the effects of religion on LGBTQ populations is mixed. Rosario, Yali, Hunter, and Gwadz (2006) discovered that religious participation served as a protective factor for sexual health and substance abuse for male but not female youths. Other studies have found that religion negatively impacts well-being among LGBTQ populations (Hatzenbuehler, Pachankis, & Wolff, 2012). Minority stress theory, which posits elevated stigma exposure contributes to mental health disparities for LGB populations (Meyer, 2003), supports an explanation of the differential influence of religion on LGB students. Specifically, non-affirming religious settings appear to contribute to minority stress and high levels of internalized homophobia (Barnes & Meyer, 2012). Similarly, compared to communities with LGBTQ affirmative religious climates, hostile religious social contexts contribute to higher rates of alcohol use, sexual health risks, and suicide attempts for LGBTQ youths (Hatzenbuehler, 2011; Hatzenbuehler et al., 2012).

Non-affirming religious contexts tend to be those rooted in fundamentalism (Whitley, 2009). A study conducted by Tsang and Rowatt (2007) with 137 college students at a private religious university found a positive correlation between fundamentalism and level of prejudice toward gay men and lesbians. In such religious contexts, LGBTQ individuals may feel that their identities and relationships are “wrong”; this homophobic perspective is reinforced as LGBTQ individuals are actively shunned by their peers in many religious environments (Sanabria, 2012; Whitehead, 2010). As a result, LGBTQ students often feel alienated within non-affirming religious organizations (Wolff & Himes, 2010).

LGBTQ students and religious schools

In response to increasing student demands for the organization of gay-straight alliances on campuses, many secular schools have begun to focus on LGBTQ issues (Eckholm, 2011). Some scholars assert that the policies of sectarian institutions are also evolving, with LGBTQ issues gaining attention within Christian colleges over the past decade and few schools currently disciplining or banning LGBTQ populations (Wolff & Himes, 2010). However, such claims of LGBTQ support have been refuted by LGBTQ advocacy organizations (Soulforce, 2014; Epstein, Telford, & O’Flynn, 2003). More than 200 American colleges and universities with religious or military affiliations continue to reject admission to “out” LGBTQ students (Soulforce, 2014). On religious campuses, there are a variety of strategies employed by administrators (in the name of religious morality or freedom) that reduce LGBTQ student influence (Eckholm, 2011). A recent trend is for RCU to create sanctioned groups for LGBTQ students under the close scrutiny of school leadership; such groups create the appearance of a supportive climate but have been experienced as unsafe by some LGBTQ students. Most educational institutions do not request that students identify their sexual orientation or gender identity, which may absolve

universities from specifically considering LGBTQ student needs (Epstein, Telford, & O'Flynn, 2003). Despite the challenges articulated by LGBTQ students, few studies have focused on their needs in religious social contexts. This study aims to generate an understanding of the experiences of current and former students at RCU using grounded theory.

Methods

Data collection

An online project aimed at gathering data on the experiences of LGBTQ students in sectarian educational institutions in the United States was conducted. Data consisted of personal narrative documents (Bowen, 2009) submitted anonymously through the website of Heartstrong, Inc., a national education organization. No identifying information was collected. The main page of the website contained a large clickable tab that stated "Share your experiences in religious schools." Potential participants were then able to click to receive information and begin the study. After completion of informed consent, participants were able to complete a Religious Educational Experiences Narrative (REEN). The REEN was created for this study and did not limit the length of the narrative replies. Between 2006 and 2010, 321 REENs were submitted ranging in length from one to seven pages. All REENs were analyzed for study inclusion criteria: (a) a minimum of one completed year at a religiously affiliated college or university and (b) self-identification as an LGBTQ individual. In total, 271 forms met inclusion criteria.

The REEN posed two primary questions related to participants' experiences as an LGBTQ student in a religious school: (a) Please describe your experiences in religious colleges and universities; and (b) Please describe the experiences of any of your friends in these environments. This second research question was based on the literature that identifies that both personal and ambient heterosexual harassment (directed toward peers) impacts the mental health of college students (Silverschanz, Cortina, Konik, & Magley, 2008). The content was analyzed according to the guiding exploratory questions for the study: What are/were experiences of LGBTQ persons while enrolled in religious colleges or universities? What were participants' responses to their experiences in these settings? What effects, if any, did these experiences have on their mental health, well-being, academics, and religious involvement?

Sample

Participant ages ranged from 17 to 56 ($\bar{x} = 29$). A majority identified as male (59%), compared to female (40%) or transgender (1%). Reported sexual orientations included gay (59%), lesbian (30%), bisexual (7%), or unsure/questioning (4%) (see Table 1). Participant race and ethnicity were not captured, but participants were able to write in their religious and educational affiliations in an open-ended question.

Table 1. Participant demographics (*N* = 271).

Demographic	Count	Percentage (%)
<i>Age (N = 271)</i>		
>20	13	4.70
20–30	124	45.75
30–40	99	36.53
40–50	27	9.96
<50	8	2.90
<i>Gender Identity (N = 262)</i>		
Male	182	69.4
Female	78	29.7
Transgender	2	.07
<i>Sexual Orientation (N = 271)</i>		
Gay	164	60.4
Lesbian	71	25.9
Questioning/Unsure	21	8.1
Straight	6	2.3
Bisexual	6	2.3
Queer	3	1.0
<i>Graduated from Religious School (N = 230)</i>		
Yes	150	65.2
No	80	34.8

Note. All questions were voluntary and some participants did not respond. The Religious Educational Experiences Narrative (REEN) did not contain questions about race or ethnicity.

Participants reported a wide variety of denominations and sectarian institutions, including Catholic, Seventh-day Adventist, Islamic, Jewish, Methodist, Christian, Baptist, as well as variations within those groups (e.g., charismatic, fundamentalist, conservative, orthodox).

Analysis

Data were analyzed using grounded theory strategies (Charmaz, 2014). The process of exploring the experiences of LGBTQ students in RCU began by reading transcripts to initiate understanding of participants’ experiences. All four authors independently coded the transcripts, using open and line-by-line coding and constant comparison within and across data (Charmaz, 2014). The two primary researchers then engaged in focused coding to further explore initial codes that appeared particularly relevant to participant struggles during college or university, which allowed for some of the implicit concepts in the data to become more explicit. Grounding the analyses in the data led to identification and ordering of codes, the generation of categories, and the development of larger analytical concepts (Charmaz, 2014). Theoretical sampling, the process of purposely seeking and exploring specific data to elaborate and refine emerging categories (Charmaz, 2014), was used to ensure the development of precise categories and overarching concepts. Over four research meetings, core findings were discussed and concepts were further refined, leading to the development of one primary theme, Fight for Survival, and five subthemes (institutionalized homo/transphobia; fear; isolation; struggle; and coping and resilience) associated with the experiences of LGBTQ students in RCU.

The research team took several steps to enhance the methodological rigor of the study and to ensure credibility, confirmability, dependability, and transferability of

results. Trustworthiness measures included the research experience of the investigative team (members have expertise in grounded theory methodologies and clinical and research experience with LGBTQ populations); the use of thick description (the extensive use of descriptive accounts and quotes); and maintenance of an audit trail (detailed recordings of the research steps and process) (Padgett, 2008). Written notes, memos, and feedback from the research team were used throughout data analysis to confirm themes and to validate interpretations of participant experiences to ensure the findings were grounded in the data.

Researchers' backgrounds and assumptions

The first author is a lesbian who has worked with LGBTQ populations in practice and research for two decades. She was also a student at a religious undergraduate institution. The second author is a pansexual woman with more than 15 years of research experience with LGBTQ populations and is currently a faculty member at a Catholic university that takes an affirming stance toward LGBTQ populations and issues. As a student, she did not attend a religious institution. The third author identifies as a heterosexual person of color with no religious school experience. The fourth author is a gay man that attended an undergraduate religious institution. Previous clinical, research, and personal experience led to the researchers' assumptions that LGBTQ students in religious educational institutions have experiences that are different from other educational experiences.

Because researchers had limited access to participants and there was no opportunity for member checking, all members of the research team met twice for two hours to reflect upon the findings within the context of our own professional, religious, and social locations to explore the possibility of biased interpretations. Helpful feedback from this process included the recognition that while the data included narratives from students/former students who experienced egregious harm within their religious educational contexts, and that while similar to the experiences of some of the researchers and/or former LGBTQ youths served by members of the research team, these experiences may vary by student and institution, and may not be universal. This perspective was incorporated into the research team's final analysis and presentation of the findings and limitations. The research team worked to explore and reflect upon the impact that positionality (e.g., queer, female), religious backgrounds and or current affiliations (Christian, Jewish, Muslim, atheist), and prior clinical experiences (e.g., working with LGBTQ students that had attended/were attending religious schools) may have on the interpretation of findings.

Findings

A core idea that emerged from the experiences of LGBTQ students in religious schools was their *fight for survival*. This fight for survival included emotional, psychological, spiritual, and physical facets. Participants' narratives revealed five sub-themes associated with their fight to survive in religious schools:

1. institutionalized homo/transphobia (strict school policies, enforcement of heterosexuality and gender conformity through discipline, conversion therapy);
2. a culture of fear (fear of exposure, homophobic panic and code words, seeking cover);
3. marginalization and isolation;
4. struggle (suffering and suicide and reconciling faith and sexual orientation); and
5. coping and resilience (or a struggle for resilience).

Participants' quotes have been presented as submitted, except where indicated in brackets.

Institutionalized homophobia and transphobia

Strict anti-LGBTQ school policies

LGBTQ students were very aware of their school policies. To set the context for their experiences, many participants initially described strict policies for student behavior that were clearly outlined in student handbooks. According to one participant, these anti-LGBTQ policies were introduced at the very beginning of their matriculation: "During orientation, each student was given a code of conduct that was enforced." These handbooks essentially function as the student code of conduct and students are required to sign off and abide by them as conditions of continued enrollment. Another participant (age 21) noted the strong anti-LGBTQ stance explicated in his or her school's policy: "In the student handbook, it clearly states that if students are caught in homosexual acts, they will be expelled."

Within these handbooks, many schools articulated inappropriate behavior (e.g., caught performing homosexual acts) instead of identity (e.g., being LGBTQ). However some policies considered an LGBTQ orientation as a transgression equal to troubling sexual crimes (e.g., sexual violence). One student (age 23) stated, "In the handbook, it lists homosexuality as equally violent as rape and sexual abuse and they were each disciplined with equal weight."

Thus, conservative religious educational institutions often hold policies completely forbidding students from acting on their sexual orientation or voicing the "struggle" of having an LGBTQ identity (Sanabria, 2012) and reinforce those expectations by establishing parallels with egregious crimes. The institutionalization of homophobic policies and viewpoints in documents such as the student handbook, a principal document which is supposed to detail and safeguard the rights of students, was particularly troubling to many respondents.

Enforcement of heterosexuality and gender normativity through discipline

Many students reported instances of discipline for attempting to embody their burgeoning LGBTQ identities. In some circumstances, often under threat of expulsion, students would agree to modify attitudes, behaviors, or appearance that transgressed university-sanctioned social norms. The following quote describes the experience of a transgender freshman (age 19) forced to engage in dress and

behavior inconsistent with his internal sense of self in order to continue matriculating in his Christian school.

During my first year at college, someone saw my girlfriend and I kiss on the swings at the campus park and immediately went and told the pastor of the school and church. The pastor called my house and informed my grandparents that I wasn't allowed on campus because of my actions. They were going to expel me but my grandparents want me in that school and I really have no say in it. Also they found my website that explains me being transgender and wanting to be male. So when I went into the meeting immediately they said I was out of the school. My grandparents were then called in and somehow I was let back in with these rules: I had to wear a skirt every day, grow my hair out, stay away from the girls, [and] go to their church 3 times a week. I was forced to sign a contract saying I was to follow those rules for the rest of the year.

For violating both implicit and explicit rules, this student was disciplined through social exclusion, open shaming, and threats of expulsion, which in turn caused stress for his family. The final agreement between the school and the grandparents resulted in consequences that can have notable detrimental impacts on well-being for transgender individuals. Other participants similarly reported that their families or friends were often used as an additional form of social pressure to coerce changes in their attitudes or behavior.

Students often had to engage in concrete behaviors (e.g., signing a contract or attending services) intended to enforce conformity to a gender or religious norm. Sometimes the enforcement included physical punishment or deprivation. A 42-year-old participant stated the following:

I] was slated in the end to be put on a 40 day fast of bread and water because I loved another man. I am diabetic. If I had submitted to the fast I would have died. I left them instead. For the penalty of masturbation, [I] had to recite almost endlessly a litany of prayers, bowings to the east and received harsh words and disciplines for such infractions. It was thought that it would be better that a homosexual should die so as not to commit any homosexual acts or deeds.

The enforcement of heterosexuality and gender conformity within some RCU included a wide range of disciplinary actions that were damaging to students' well-being.

Conversion therapy

Very few participants reported seeking help to cope with their struggles regarding their LGBTQ identities. Most stated simply that “[t]here are no safe or available resources for those who struggle.” Those that accessed the school counseling center experienced interventions intended to suppress their LGBTQ identity.

I did not have anyone to talk to. I put in a counseling request form, though I was afraid of what might happen because of my school's policy. I was sure that they would not even be allowed to affirm me as gay. During my intake appointment the counselor did exactly what I feared, she referred me to what I was sure was “reparative therapy”; at least that was what she described. I did not protest because, quite simply, I was too scared. After much internal conflict, I decided to go through with it and contact the therapist because I was completely desperate at that point. I was even considering “ex-gay” again. (Age 25)

Other students similarly reported the widespread use of controversial and unethical conversion therapies when they sought mental health care.

While a student at college I sought counseling from a Christian psychologist and professor. He encouraged me to see him in his private practice and to go through 40 sessions of “aversive conditioning” or electric shock therapy to cure me of my homosexuality. (Age 32)

Such experiences with mental health practitioners contributed to participant reluctance to pursue psychosocial care while students.

Culture of fear

Students clearly articulated a culture of fear that permeated many of their experiences as LGBTQ students at religious institutions. Participants reported a fear of exposure of their LGBTQ identities, which was perpetuated by a broader climate that used “homophobic panic” and stigmatizing “code words.” In response, the LGBTQ students sought cover and tried to survive by using a variety of strategies to protect themselves and their identities.

Fear of exposure

Threats by faculty and other students resulted in fear of exposure of participants’ LGBTQ identities. Given that school policies and practices punished students for having, displaying, or acting on an LGBTQ identity, hiding their identities was a pervasive concern. The fear of expulsion was a particular issue for many students.

People at school could tell I was different, and comments and jokes came back to me from time to time. I lived in constant fear of expulsion from the college. I did not want this because I borrowed so much money to go there I could not back out; and I had nowhere else to go at this point because I was abandoned by my family because of my sexuality. (Age 31)

Some students discussed the climate of fear cultivated by the expulsion of others.

The impact the expulsion [of a student admitting he was gay] had on the student body was one of constant fear—that the “underground” [LGBTQ] students would be discovered, that students or administration officials would be posted near the gay bar in town in order to catch student[s], that those who were attending gay-friendly events, churches, or businesses would be evidence enough to be expelled. (Age 29)

I never felt afraid for my physical safety, but there was an enormous shadow following me around everywhere, apprehension that I’d be discovered and expelled. (Age 37)

Fear was perpetuated among students through stories that circulated in which students that exhibited LGBTQ behaviors were disciplined and “made examples” as a warning to others.

The people I went to school with ridiculed [a lesbian] and treated her like trash until the school finally expelled her when she came out. There were rumors circulating that her transcript was totally deleted from their records. I didn’t want to end up like that. (Age 24)

Thus, the threat of expulsion was a very powerful warning to students to vigilantly hide their LGBTQ identities.

Homophobic panic and code words

Communication of unacceptability of LGBTQ identities through language was an important component of the culture of fear. Some students reported direct homophobic slurs used simultaneously with religious pressure to modify their behavior, while many noted that homophobic attitudes, beliefs, and language were never discussed directly; instead, school administrators and faculty would use broadly understood “code words” to deliver the message that LGBTQ identities and behaviors were unacceptable. An intricate exclusionary system reinforced the idea that LGBTQ students were a threat to religious beliefs and consequently needed to be changed or rejected.

Some guys called me “queer” and other hurtful names. One guy punched me out several times, saying that I didn’t deserve to be at a school with “real Christians.” Several people held prayer meetings dedicated to helping me “get my heart right with God.” All of these code words about being “different” masked a homophobic panic (Age 26)

Many students stated that the specific terms or identity labels (e.g., gay, lesbian, homosexual) were never spoken, as instead schools delivered anti-LGBTQ messages via “code.” Participants noted that the anti-LGBTQ stigma is so pervasive that it is often communicated indirectly; for example, “in a secret society where everyone knows what they mean. We students are so familiar with this insider language that it is clear what administrators are referring to when they target friendships that are *too close*.”

I was questioning my sexuality, but certainly wasn’t “out” so I was not expelled or disciplined in school. However, in Religious Life (course) we were always warned against “particular friendships” or “exclusive relationships” and I was disciplined over one such exclusive relationship with my roommate. (Age 33)

Other students discussed that the reinforcement of acceptable behavioral norms was delivered using indirect or spiritual tones.

Though I wasn’t expelled from the College for [LGBTQ] reasons officially, I was deemed to be “different” and not “spirit-filled.” It was suggested by several faculty members that I not return with my “rebellious spirit” intact. (Age 25)

Such coded language was interpreted by participants as a rejection of their behavior for being “too gay” or “too friendly with other women,” which led to a fear of judgment and consistent internal monitoring of their behavior in order to make it through their education.

Seeking cover

To survive, participants coped in several ways. For some, the choice to attend religious school was an attempt to seek cover and avoid or hide their LGBTQ identities.

I decided to go to a conservative Christian school as a sort of last ditch effort to run away from my sexuality. I thought if there was one thing that would convince me I wasn't gay, it would be Christian college. (Age 31)

Existing in an environment of constant surveillance caused some students to become hypervigilant and monitor their gender presentation or sexual orientation to avoid suspicion. Several sought to deny their sexual orientation by fully embracing a non-LGBTQ lifestyle. Some channeled their internalized homophobia into anti-LGBTQ activities in the hopes of suppressing their own LGBTQ identities. This projection or overcompensation was often directed toward helping others in their battle against LGBTQ behaviors.

I was very homophobic and a volunteer counselor at a local ministry to help people change their sexual orientation. I started to break down toward the end of the last semester as the struggle to cope with my attractions to other men was causing extreme anxiety. (Age 40)

In an effort to deflect attention from their own feelings, others aggressively sought out and reported those in their colleges that were LGBTQ.

My fear of God and the institution prevented me from acknowledging and/or doing anything "gay." Actually I was one of the "gay bashers." I successfully facilitated the expulsion of two of my fellow students as well as the removal of a faculty member. I now realize that this was my way of providing "cover" for myself. How sick I was. I believed their abusive hatred and felt somehow I was doing the right thing. How I regret my actions today!!! (Age 35)

Many participants went to great lengths to seek cover for their LGBTQ identity by creating fake heterosexual relationships, and some of these behaviors continued long after leaving college.

There was a time in my sophomore year that a kind friend pulled me aside and asked if I knew about the rumor going around that I was gay. Of course I denied it (I was denying it to myself at the time, I didn't come out to myself until 12 years later), but I realized that that would explain why people were starting to avoid me. So I went on the offensive. I created an imaginary girlfriend at home and started to talk about her. I figured that since she was imaginary, I might as well make her blonde and stunningly beautiful. It only took a week for things to start to improve for me. People started to talk to me again. (Age 34)

Several participants similarly sought cover in both heterosexual marriages and active church ministry.

In college I was not out to myself and yet had circumstances where I was drawn to other gay men. In seminary, I received my degree in Pastoral Theology and had an affair with another man but didn't come out to myself until 8 years later. By that time I was married and had two children. (Age 56)

Based on the teachings of my former school and my then current church, I threw myself lock stock and bible into the straight world, as a good married Christian housewife, certain that as they taught me in the past, it was a matter of willpower and walking away from sin. I was tenacious. I stayed to all appearances a nice straight happily married Church attending Conservative Christian wife for TEN years before I could no longer ignore my gender and my unhappiness. (Age 41)

Sadly, such misguided efforts aimed at taking cover to survive in a hostile climate had long-lasting negative impacts on participants. For example, participants discussed issues such as mental health problems that were linked to these negative educational experiences.

Marginalization and isolation

Administration and faculty contributed to the marginalization of LGBTQ students, often through the use of laughter or silence.

One day I came to my dorm room with a sign posted on my door. This sign said, "I am a homosexual, I love sex with children." I am still unsure of the intent of this message and I could not tell if it was a joke or a personal attack. Regardless, I reported the incident to my RA, who began to laugh. I went on to report this incident to the Student Development Office, and they did nothing. Throughout the school, I was often the butt of cruel "gay jokes" and I found little comfort in their so-called "Christian" environment. (Age 28)

Other students articulated that in classes faculty made jokes at the expense of LGBTQ students.

I was appalled my senior year when two professors made jokes in the classes about homosexuals. Of course everyone thought this was funny. Students were allowed and encouraged to bash homosexuals. I still have the memory burned in my mind of the last day of a social work class with families. The professor (dean of the department) stated, "what are some of the problems with families in America today?" One of the female students answered "gays." The professor then continued a conversation on why gays are harming American families today and it was clear no one could speak up in opposition. (Age 26)

The silencing of LGBTQ students or their allies reinforces the predominance of heterosexuality and gender normativity and fuels fears of disclosure. Thus, the use of silencing and shaming can contribute to less disclosure and further stigmatization of LGBTQ individuals.

The importance of community experienced in religious schools was often discussed by participants. Being isolated, voluntarily or involuntarily, from religious communities may represent a loss of identity and self because such support may be difficult to find elsewhere for individuals who have experienced extreme homophobia within religious institutions.

I eventually left and no longer consider myself Catholic or a member of any organized religion. I still long for the sense of community I experienced and would love connecting with other [LGBTQ] former members of religious orders. (Age 36)

Some participants still reported a pervasive sense of isolation and disconnection as a result of their intersecting LGBTQ and Christian identities.

To my knowledge, I have never been around any gay persons. There have been no examples for me to follow and I spent many years, always knowing I was gay and always feeling like I was the only gay Christian in the entire universe. At this point in my life, I would like to form friendships with other LGBT people but I feel trapped (I come from a very conservative family as well) because I do not know any other LGBT people. (Age 45)

Consequently, the social exclusion experienced by LGBTQ students can result in isolation and a quest for affirmative support.

Struggle

Students expressed multiple manifestations of their struggle for survival within this social context that included suffering and suicide, as well as struggles between their religious and LGBTQ identities.

Suffering and suicide

The theme of suffering was quite pronounced throughout the students' narratives. The treatment they received as students in religious schools was often accepted by participants as their punishment for being LGBTQ.

My years at [university] was my purgatory for being cowardly. There were so many uncalled-for homophobic comments in classes and chapel and general student conversations that I can't even begin to list each singular incident. (Age 31)

Such experiences of shame often spanned their years as students and contributed to accumulated stress to their mental health. Many participants stated that the constant pressure and need to escape the pain of daily life often led to suicide attempts while enrolled in school.

I became extremely depressed and suicidal while attending school there. I took to drinking and partying to try to escape myself. One night I was with a friend and was so despondent, I took out a gun and threatened myself. He took it from me but it didn't stop how I felt. Within six hours of my friend taking the shotgun, he was having me admitted to a hospital mental ward as I got to the point of using a knife to try to kill myself. (Age 24)

Several students considered their suicidality and poor mental health as punishment for their inability to repress their LGBTQ identity. Many who hadn't experienced this themselves had seen such behavior in their friends.

Most of the young people I knew "disciplined" themselves. There were many suicide attempts and "nervous breakdowns" along with a constant low-level depression. (Age 25)

The persistent antigay messages that these students received contributed to a sense of shame that was so powerful that many almost did not survive.

Reconciling faith and LGBTQ identities

Students in religious schools are taught that being LGBTQ means the severance of a spiritual relationship. Many have been raised in religious social contexts that include family, educational, and church systems. This struggle to live authentically both as a religious or spiritual person and as LGBTQ posed a challenge for many students. This religious context continued to shape the recognition and reporting of LGBTQ identity into young adulthood.

I was taught homosexuality is a sin and one cannot have a relationship with God if they CHOOSE to live that lifestyle. So I hid my sexuality while in college and then abandoned

my relationship with God. I have just recently come out to my parents and they still demand that I repent and surrender this choice. (Age 35)

The struggle between the external pressures exerted by their educational institutions and their internal struggles with coexisting was commonly articulated in participant reflections.

During my junior and senior years of college, I struggled to reconcile my faith and my sexual orientation. I had other gay friends there, some who I was sexually active with, but none of us were open about it. We all hid it and “struggled” spiritually with it. (Age 27)

This internal battle caused inner turmoil for the participants because many had found comfort in their religious relationships. They were nostalgic for the feelings of closeness with their religion, but could not reconcile them with their shame. Some students appeared to be losing the struggle to reconcile their faith and LGBTQ identity positively.

I miss having a relationship with God and I hate feeling like a dirty person every time I think about being a lesbian, but I don't know how to get around these issues. I feel like a bad, dirty person every day because I am homosexual. I feel that it is not a choice, but I can't turn off the voices I've heard for nearly 20 years that tell me I'm wrong. (Age 51)

In this study, many participants coped with this struggle by initially repressing their sexual orientation in favor of their religious identity. As time passed, many chose to seek out religious environments that were open and affirming and start the long process of self-acceptance by integrating their new, affirming faith with their sexual orientation and/or gender identity.

I came to the belief that God made me this way. I tried to be straight for years and it never worked. This is who God made me to be, and God doesn't make mistakes. (Age 42)

For many, this reconciliation required a great deal of study.

Thank God for the internet and my research. It took me the last two years of my marriage, researching everything from the bible in its original Hebrew, to seeking online connections for help as I wrestled with my most painful question, can you be gay and be Christian? My faith survived my coming out process. (Age 36)

Many others felt that such reconciliation was not possible and/or felt comfortable abandoning their religious identity, and accepting and owning their LGBTQ identity.

Such is the nature of homophobia and the effect of religious oppression—some of us come to our senses and some do not. It must be dealt with or it deals with us—and suffering is the result. I threw out the ex-gay ministry propaganda, and decided that I'd be much happier being gay than worrying about whether or not I was going to heaven. I stopped believing in their “god” and never looked back. (Age 44)

Thus, despite encountering significant stigma while students in religious schools, through these struggles many participants advanced their own identity development. This growth, through (a) a reconciliation of faith and identity, or (b) a

rejection of faith, or (c) a combination of the two, contributed to a reduction in despair and increased well-being.

Coping and resilience

Surviving through critical thinking and strategic activism

Many participants credited their survival to their ability to think critically about their experiences and become active. Supporting other students was a way that participants were able to cultivate their own resilience. One student defied the administration and created a more open campus atmosphere by starting an “underground” LGBTQ support group. This represented a very real sense of empowerment.

As the administration got word of my efforts (with the [LGBTQ] support group), I was asked to bring an end to the group and told if I did not stop passing out flyers I would be asked to leave the school. I did not end the group and I was prepared to be kicked out if that meant that [LGBTQ] students on campus could meet and get the support they needed. I would alter the location of the group every week and the meeting place was always confidential and always on campus. That was one of my necessities—it had to be on campus to meet the needs and send the school a message. The administration had a tough time targeting me after more and more students started to come out on campus and be open, God-loving queer folk. (Age 30)

This positive, proactive response on campus to institutionalized homophobia illustrates an important form of resilience.

In contrast, for some participants, leaving the campus, either voluntarily or involuntarily, gave them the freedom express their true selves.

When I was 21, just a few months after graduating from university, I finally came out to myself. I felt such a relief to finally allow myself to feel. (Age 23)

Leaving campus allowed others to gain a different perspective and reflect on their experiences.

I was asked to move off campus (I think they were trying to sweep me under the rug). When I left the university, I did not believe in God and despised the hypocrisy of the evangelical/fundamentalist Christians I met there. I have fought my way back. (Age 35)

The ability to critically examine and grow beyond the exclusionary values that were revered in their RCU may be a particular act of resilience for these students.

Discussion

This study provides a glimpse into the understudied world of LGBTQ students in religious colleges and universities and provides insight for social service professionals. Overall, participants articulated the centrality of a fight for survival when they considered their experiences in religious schools. As illustrated in [Figure 1](#), the emergent conceptual model suggests that a larger context of fundamentalist/antigay

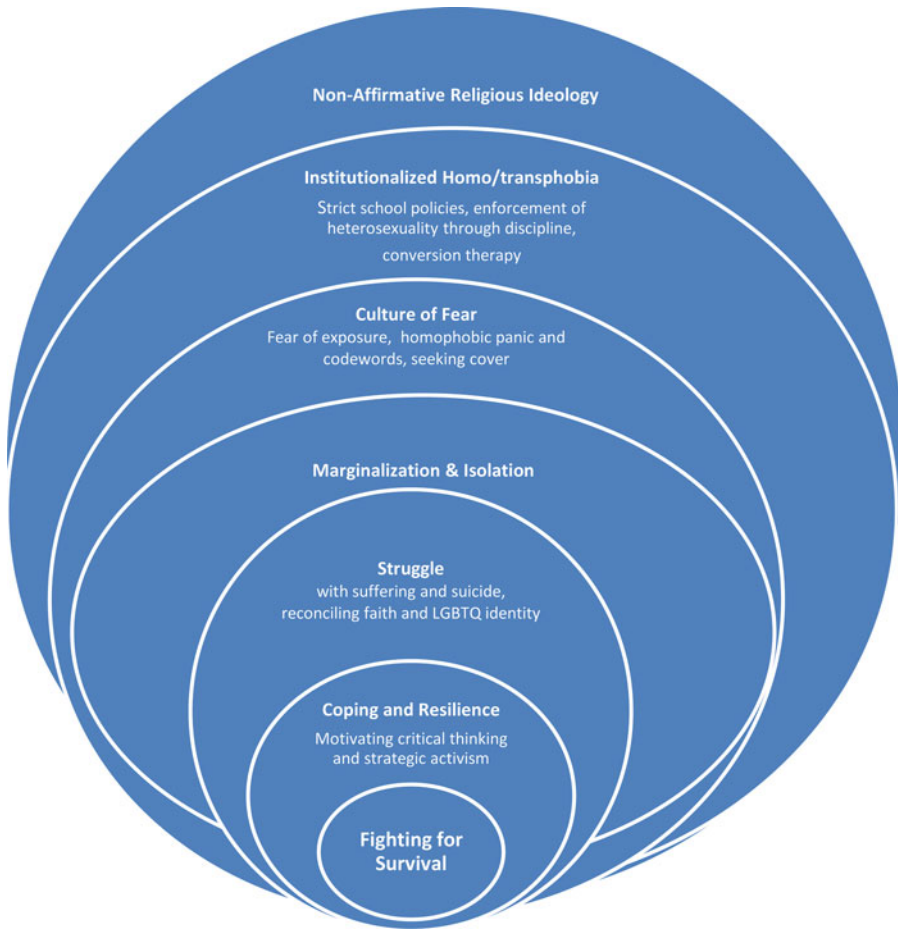


Figure 1. Fighting for survival: A conceptual model of LGBTQ students' experiences in religious colleges and universities.

religious ideology impacts anti-LGBTQ institutional policies and structure, which in turn contributes to a culture of fear that may result in students seeking cover for their LGBTQ identities. This fear leads to isolation, which contributes to struggles with suffering and suicide. For many participants, these struggles to survive resulted in a renegotiation of LGBTQ and religious identities, which contributed to their resilience.

Students struggled in various ways to resolve the conflict they felt between their sexual orientation and the religious doctrine to which they had been exposed. For instance, participants reported immersing themselves in helping others to eliminate their LGBTQ identity, burying themselves in religious ministry, entering into heterosexual relationship (both real and imagined), and abandoning their schools or faith. Students' painful struggles to understand their emerging sexuality and to reconcile intersecting faith and sexual identities were exacerbated by homophobic policies that isolated students and threatened academic failure and expulsion for embracing their identities. Similar to the findings of Wilkinson & Pearson (2009), students repressed or rejected their sexual orientation while

some internalized and/or embraced anti-LGBTQ attitudes and actions. As many religious institutions assert identity is an individual choice, LGBTQ students may experience shame because they are not strong enough to “overcome” this identity and consequently believe they deserve punishment (Sanabria, 2012; Whitehead, 2010). These conflicts resulted in great suffering, including suicidality for some students, and contribute to their poor mental health (Exley, 2013; Helminiak, 2008; Schuck & Liddle, 2001).

Study participants that sought professional treatment found that the response by counselors ranged from ineffective to harmful “reparative” therapies. Such findings are particularly concerning given the stance of all major mental health and educational associations (National Association of Social Workers [NASW], American Psychological Association [APA], American Counseling Association [ACA], Council on Social Work Education [CSWE]) that clearly renounce conversion therapies (Alessi & Craig, 2016; Anton, 2010; Craig et al., 2016; NASW, 2000; Whitman, Glosoff, Kocet, & Tarvydas, 2013). More recently, several states have banned conversion therapy (Lavender, 2015), yet these important advances may not have influenced the climate at RCU.

When LGBTQ students are afraid to disclose their LGBTQ status, then the student body is only aware of heterosexually identified students (Turner, Crisp, & Lambert, 2007), which in turn perpetuates further silence. Pettigrew and Tropp (2006) found that as individuals increasingly socialize with those who are different, they develop empathy, become less anxious about future interactions, and become less prejudicial in their attitudes. Specific to religious contexts, Cunningham and Melton (2013) found that effects of religiosity on sexual prejudice decreased when more contact was reported between LGBTQ and religious individuals. Woodford, Levy, and Walls (2013) found that heterosexual Christian students enrolled in a large non-sectarian liberal arts university often harbored strong anti-LGBTQ personal feelings, yet reported that the open campus climate exposed them to LGBTQ students, which contributed to a reduction of their own homophobia. The results of this study suggest that LGBTQ students in religious colleges or universities who do not have “out” classmates or professors, or an LGBTQ-affirming climate to neutralize pre-existing prejudicial attitudes, may experience threats to their mental health.

Harsh penalties for LGBTQ students may emerge from the sense that religious organizations believe they are under attack. All participants discussed the struggles they experienced between their LGBTQ and religious identities in an environment of administrative vigilance. Macgillivray (2008) found that religious hegemony or authority is enshrined in institutional policies and covenants. Perceived threats to these policies, such as an LGBTQ identity, are considered direct attacks on spiritual and educational authority. Narratives suggest that faculty, administration, and students all serve as anti-LGBTQ enforcers in various capacities. Macgillivray (2008) found that religious teachers feared that the legitimization of gay identities would lead to the destruction of social norms. Thus, to protect society and their religious beliefs, teachers had to be vigilant enforcers of anti-LGBTQ rhetoric. These religious beliefs

were “protected” through a range of strategies similar to this study, such as covertly mocking LGBTQ students and overtly disciplining them. Importantly, this study found that such approaches were also utilized by other students toward their LGBTQ classmates.

In defense of this perceived attack on spirituality, some religious school leaders have opposed antidiscrimination policies for LGBTQ students and support their expulsion on the grounds of freedom of religion. Echoing Hills’ (1997) explanation that conservatives see antidiscrimination policies as “barely concealed weapons aimed at their beliefs” (p. 1588), religious high school administrators have argued that anti-LGBTQ policies protect parental rights to a religious education and changing those policies would be a violation of the First Amendment. This approach effectively positions the ardently religious as the group experiencing discrimination (Macgillivray, 2008), and the need for protection from this “threat of homosexuality” contributes to homophobic attitudes (Harbaugh & Lindsey, 2015; Haslam & Levy, 2006). Such fears are now being enshrined in the religious freedom legislation being considered across many states (National Conference of State Legislatures, 2015).

Although participants shared challenges associated with navigating LGBTQ identities while enrolled in RCU, they also articulated resilience. Ungar (2012) describes resilience as the facilitative processes that enable coping in the face of adversity and notes that environments that facilitate or hinder resilience may be particularly influential to coping and ultimately impact mental health. Although religious environments provide a sense of community (Berger, 1967; Krause, 2008) and belonging (Lim & Putnam, 2010), the rejection experienced by some participants left them floundering for social connections and support. This study found that survival for LGBTQ individuals included seeking community outside of the traditional religious contexts (e.g., with LGBTQ advocacy). Study participants reduced the impact of discrimination in a homophobic social context by managing their LGBTQ identities using “role flexing” (e.g., identifying with the least stigmatized identity in a given context) (Craig, Austin, Alessi, McInroy, & Keane, 2016; Wilson & Miller, 2002). While leaving their institutions physically (e.g., withdrawing from classes) or emotionally (e.g., internally rejecting the doctrine) was the only option for some, others became advocates actively working to eliminate barriers for LGBTQ students. This positive, proactive response to institutionalized homophobia has been demonstrated in earlier research (Craig, Dentato, Messinger, & McInroy, 2016). Wilkinson and Pearson (2009) found that students that report LGBTQ attraction in stigmatizing contexts often leverage that same stigmatized identity to combat stigma on behalf of others. Other participants retained their spiritual connections by deftly negotiating oppressive religious perspectives to create positive spiritual relationships. Although the long-term effects of attending religious educational institutions are not well-understood, the results of this study point to lingering effects of pervasive and persistent religious social environments to LGBTQ student mental health.

Implications for practice

This study provides several insights to inform practice with LGBTQ populations. It is critical to consider the effects of attendance at religious educational institutions with homophobic and transphobic cultures, policies, and practices. As identified by study participants, LGBTQ individuals may have a range of responses to those experiences that may impact their long-term mental health. Initially, practitioners should assess their clients for attendance at RCU and acknowledge the possibility of psychosocial effects. Few study participants had ever discussed these experiences. Although religious involvement can be protective for some LGBTQ individuals, the results of this study indicate that involvement with non-affirming, non-inclusive religious organizations may pose serious risks. For instance, the impact of these experiences on feelings such as guilt, shame, and fear appeared to cross the boundaries of denomination or age. Services and interventions for these individuals should be tailored to these experiences; particularly noting that clients may report a struggle between religious and sexual or gender identities. For many clients, their own familial and religious identities are inextricably linked and they may internalize their experience in a RCU as a failure to live up to the expectations of those communities. Openly addressing any shame and guilt through affirmative practice approaches that reinforce the positive nature of LGBTQ identities is critical (Craig, Austin & Alessi, 2013).

A key component of affirmative practice with clients exposed to LGBTQ oppression based in religion is the self-reflection and self-awareness of providers, and a willingness to engage in social change efforts. Service providers should explore their own beliefs with regard to LGBTQ identity and religious affiliations and involvement. Providers must recognize that progress on LGBTQ issues at national and state levels does not necessarily trickle down to a RCU rooted in fundamentalist ideologies and anti-LGBTQ beliefs. As such, practitioners should take steps to recognize hegemony and advocate for positive change across colleges and universities. Practitioners must take an active stance against RCU that embrace policies and practices that explicitly oppress LGBTQ students, faculty, and staff (e.g., written policy statements and student handbooks), as well as against other implicit and insidious forms of LGBTQ oppression (e.g., do not have an LGBTQ student organization, fail to provide gender-inclusive restrooms or housing). Raising awareness about the deleterious impact of LGBTQ-oppressive practices and the positive impact of inclusivity is also critical. Practitioners can work with institutions to create campuses that are safe, welcoming, and affirming across the spectrum of identities. Despite such potential, this study suggests a tremendous gap in the provision of safe and affirming higher education for LGBTQ students, a gap which deserves immediate scrutiny and action.

Limitations

This study has several limitations. This research was designed to elicit the experiences of current and former students in RCU. Students that did not participate

may have different narratives. For example, negative experiences may have compelled some students to participate while those with positive narratives did not. Thus the data may reflect the experiences of students in schools with more fundamentalist beliefs and do not cover all RCU. Moreover, there may be individual supportive faculty, staff, and students within these institutions. This study spanned several years and a vast number of religious educational environments. Although the heterogeneity of the themes over time and institutional contexts is illuminating for this exploratory study, this study does not claim to capture the nuance of particular denominations and recognizes that some institutions may have evolved over time. However, current information suggests that some RCU continue to espouse anti-LGBTQ policies and approaches to education. For example, the San Diego Christian College (SDCC) student handbook states the following:

This covenant is binding for all members who choose to become part of the SDCC Community and are standards that should be maintained while a member. The traits that should not inhabit our lives are identified as abusive anger; malice; jealousy; lust; sexually immoral behavior including premarital sex, adultery, pornography, homosexuality, [and] evil desires. (SDCC, 2010, p.2)

As participants were not required to list their religious schools (although some did), we opted not to list the institutions because we would not have a comprehensive list. Importantly, religiously affiliated educational environments may be on a continuum between and within denominations (Moon, 2014) and there is likely great diversity within those student experiences. Despite this challenge, it is important to give voice to the experiences of participants in this study. Moreover, the lingering effects of these experiences are important as the current climates may have little bearing on the lives of former students. Importantly, we did not ask whether the participants experienced long-term effects from these experiences in RCU, yet most participants utilized the open-narrative format to reflect extensively and insightfully about those effects. Surprisingly, few of our participants espoused fluid sexual or gender identities (e.g., genderqueer). This could be due to the retrospective nature of the data collection or the pressures of religious environments that leave little room for flexible identities (Wilkinson & Pearson, 2009), but remains an intriguing area for study.

Conclusion

The results of this exploratory study across multiple institutions indicate experiences in religious social contexts share unique features that deeply impact both current and former students. Despite the progress of the LGBTQ movement, such advances may not be impacting the lives of LGBTQ students in RCU. Since thousands of LGBTQ students attend these educational institutions across the United States, their experiences are important to study and our results offer critical insights into the painful experiences and potential implications of anti-LGBTQ university policies, practices, and ideologies on the lives of students.

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FEBRUARY 24, 2021

LGBT Identification Rises to 5.6% in Latest U.S. Estimate

BY JEFFREY M. JONES



STORY HIGHLIGHTS

- Estimate has risen more than one percentage point from 2017 update
- Majority of LGBT Americans say they are bisexual
- One in six adults in Generation Z consider themselves LGBT

WASHINGTON, D.C. -- Gallup's latest update on lesbian, gay, bisexual or transgender identification finds 5.6% of U.S. adults identifying as LGBT. The current estimate is up from 4.5% in Gallup's previous update based on 2017 data.



Currently, 86.7% of Americans say they are heterosexual or straight, and 7.6% do not answer the question about their sexual orientation. Gallup's 2012-2017 data had roughly 5% "no opinion" responses.

The latest results are based on more than 15,000 interviews conducted throughout 2020 with Americans aged 18 and older. Gallup had previously reported annual

updates from its 2012-2017 daily tracking survey data, but did not routinely measure LGBT identification in 2018 or 2019.

The identity question asked in 2020 offers a greater level of detail than the question asked in previous years. Now, respondents have the ability to more precisely indicate aspects of their sexual orientation or gender identity. In addition to being able to identify whether they are lesbian, gay, bisexual or straight, respondents may also specifically identify whether they are transgender.

Different approaches to measuring LGBT status can produce varying estimates of its incidence in the U.S. population. Results from Gallup's new question do appear comparable to those from its prior question. The 1.1-percentage-point increase in the 2020 estimate (using the new question) compared with the 2017 estimate (using the old question) is about what would have been predicted from the recent trends. The LGBT percentage rose an average of 0.3 points per year in 2016 and 2017. Assuming that trend continued the past three years, the total increase would have been about one percentage point.

Majority of LGBT Americans Identify as Bisexual

More than half of LGBT adults (54.6%) identify as bisexual. About a quarter (24.5%) say they are gay, with 11.7% identifying as lesbian and 11.3% as transgender. An additional 3.3% volunteer another non-heterosexual preference or term to describe their sexual orientation, such as queer or same-gender-loving. Respondents can give multiple responses when describing their sexual identification; thus, the totals exceed 100%.

Rebasing these percentages to represent their share of the U.S. adult population finds 3.1% of Americans identifying as bisexual, 1.4% as gay, 0.7% as lesbian and 0.6% as transgender.

Americans' Self-Identified Sexual Orientation

Which of the following do you consider yourself to be? You can select as many as apply: Straight or heterosexual; Lesbian; Gay; Bisexual; Transgender.

	Among LGBT U.S. adults	Among all U.S. adults
	%	%
Lesbian	11.7	0.7
Gay	24.5	1.4
Bisexual	54.6	3.1
Transgender	11.3	0.6
Other (e.g., queer, same-gender-loving)	3.3	0.2

Percentages total more than 100% because respondents may choose more than one category.

GALLUP, 2020

LGBT Identification Not Uncommon Among Younger Generations

One of the main reasons LGBT identification has been increasing over time is that younger generations are far more likely to consider themselves to be something other than heterosexual. This includes about one in six adult members of Generation Z (those aged 18 to 23 in 2020).

LGBT identification is lower in each older generation, including 2% or less of Americans born before 1965 (aged 56 and older in 2020).

Americans' Self-Identification as LGBT, by Generation

	LGBT	Straight/Heterosexual	No opinion
	%	%	%
Generation Z (born 1997-2002)	15.9	78.9	5.2

GALLUP, 2020

	LGBT	Straight/Heterosexual	No opinion
	%	%	%
Millennials (born 1981-1996)	9.1	82.7	8.1
Generation X (born 1965-1980)	3.8	88.6	7.6
Baby boomers (born 1946-1964)	2.0	91.1	6.9
Traditionalists (born before 1946)	1.3	89.9	8.9

GALLUP, 2020

The vast majority of Generation Z adults who identify as LGBT -- 72% -- say they are bisexual. Thus, 11.5% of all Gen Z adults in the U.S. say they are bisexual, with about 2% each identifying as gay, lesbian or transgender.

About half of millennials (those aged 24 to 39 in 2020) who identify as LGBT say they are bisexual. In older age groups, expressed bisexual preference is not significantly more common than expressed gay or lesbian preference.

Americans' Self-Identified Sexual Orientation, by Generation

	Bisexual	Gay	Lesbian	Transgender	Other
	%	%	%	%	%
Generation Z (born 1997-2002)	11.5	2.1	1.4	1.8	0.4
Millennials (born 1981-1996)	5.1	2.0	0.8	1.2	0.4
Generation X (born 1965-1980)	1.8	1.2	0.7	0.2	0.1
Baby boomers (born 1946-1964)	0.3	1.2	0.4	0.2	0.0
Traditionalists (born before 1946)	0.3	0.3	0.2	0.3	0.1

Figures represent the percentage of all adult members of each generation who have that sexual orientation

GALLUP, 2020

In addition to the pronounced generational differences, significant gender differences are seen in sexual identity, as well as differences by people's political ideology:

- Women are more likely than men to identify as LGBT (6.4% vs. 4.9%, respectively).
- Women are more likely to identify as bisexual -- 4.3% do, with 1.3% identifying as lesbian and 1.3% as something else. Among men, 2.5% identify as gay, 1.8% as bisexual and 0.6% as something else.
- 13.0% of political liberals, 4.4% of moderates and 2.3% of conservatives say they are lesbian, gay, bisexual or transgender.
- Differences are somewhat less pronounced by party identification than by ideology, with 8.8% of Democrats, 6.5% of independents and 1.7% of Republicans identifying as LGBT.
- There are no meaningful educational differences -- 5.6% of college graduates and 5.7% of college nongraduates are LGBT.

Bottom Line

At a time when Americans are increasingly supportive of equal rights for gay, lesbian and transgender people, a growing percentage of Americans identify themselves as LGBT. With younger generations far more likely than older generations to consider themselves LGBT, that growth should continue.

The pronounced generational differences raise questions about whether higher LGBT identification in younger than older Americans reflects a true shift in sexual orientation, or if it merely reflects a greater willingness of younger people to identify as LGBT. To the extent it reflects older Americans not wanting to acknowledge an LGBT orientation, the Gallup estimates may underestimate the actual population prevalence of it.

One of the biggest recent advances in LGBT rights was the legalization of same-sex marriage nationwide. Gallup's new estimates on same-sex marriages and domestic partnerships in the U.S. can be found here.

Editor's note: On Feb. 26, 2021, some article text was revised to clarify aspects of sexual orientation versus gender identity.

Learn more about how the [Gallup Poll Social Series](#) works.

SURVEY METHODS



RELEASE DATE: February 24, 2021

SOURCE: Gallup <https://news.gallup.com/poll/329708/lgbt-identification-rises-latest-estimate.aspx>

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FEBRUARY 24, 2021

One in 10 LGBT Americans Married to Same-Sex Spouse

BY JEFFREY M. JONES



STORY HIGHLIGHTS

- 9.6% of LGBT adults in the U.S. are married to a same-sex spouse
- Number of same-sex marriages have increased since 2016
- Opposite-sex marriages, partnerships more common among bisexual adults

WASHINGTON, D.C. -- About one in 10 LGBT adults in the U.S. (9.6%) are married to a same-sex spouse, with a slightly smaller proportion (7.1%) living with a same-sex domestic partner. Half of LGBT adults have never been married, while 11.4% are married to an opposite-sex spouse and 9.5% are either divorced or separated.

Overall, less than 1% of U.S. adults are married to a same-sex spouse. The greatest percentage of Americans, 47.7%, are married to an opposite-sex spouse.

U.S. Adults' and LGBT Adults' Marital Status

	U.S. adults	LGBT adults
	%	%
Married to opposite-sex spouse	47.7	11.4
Married to same-sex spouse	0.6	9.6
Living with opposite-sex domestic partner	8.1	9.2
Living with same-sex domestic partner	0.4	7.1
Single/Never married	22.9	50.5
Separated	2.4	2.0
Divorced	9.5	7.5
Widowed	5.9	2.5
No opinion	2.6	0.4

Based on aggregated data from 2020 Gallup polls

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These results are based on aggregated data from 2020 Gallup surveys, encompassing interviews with more than 15,000 U.S. adults. According to Gallup's latest estimate, 5.6% of U.S. adults identify as lesbian, gay, bisexual or transgender, with over half of them saying they are bisexual. LGBT identification is most prevalent among young adults, explaining the high proportion of the subgroup that has never been married.

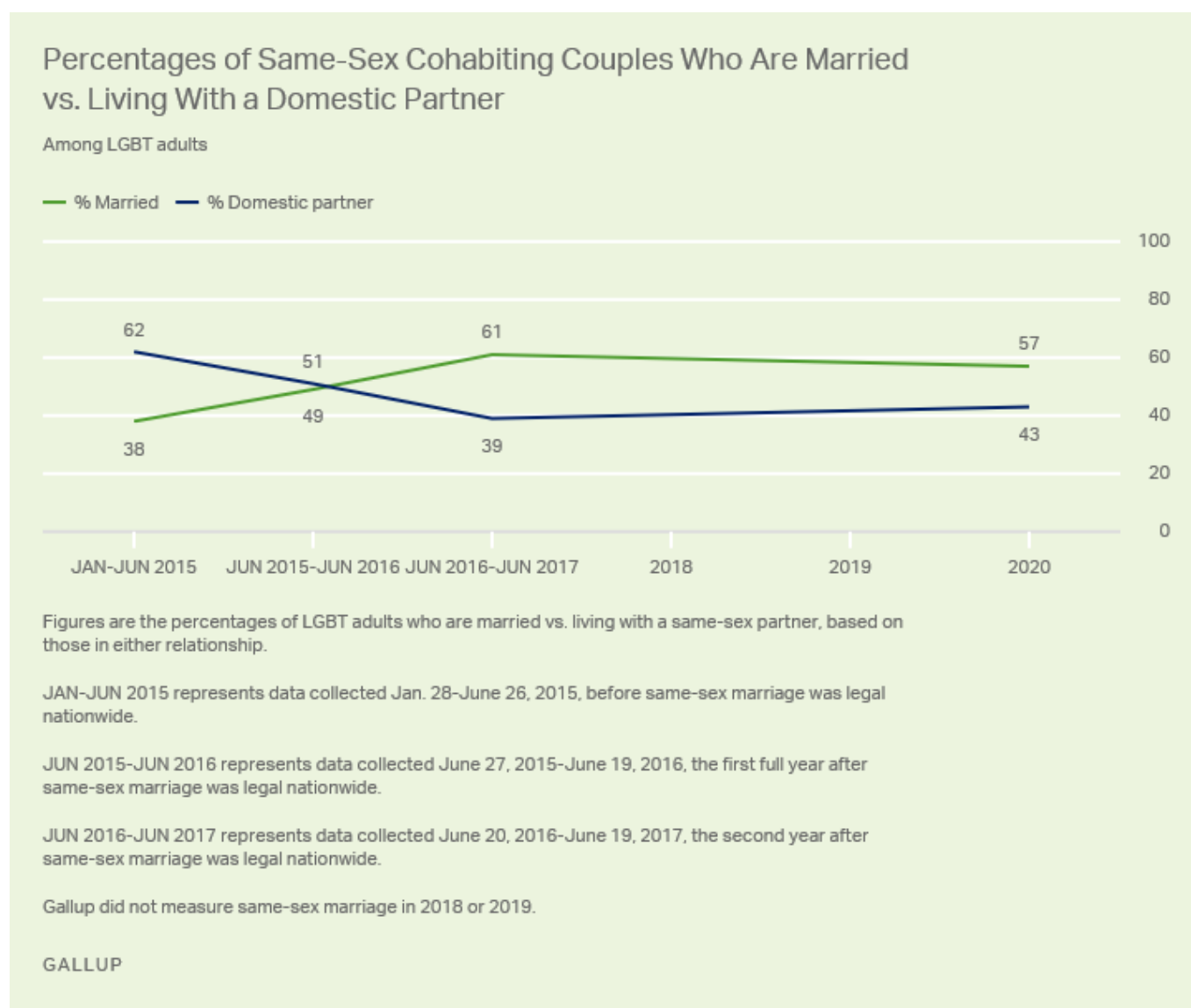
The percentage of LGBT adults in same-sex marriages appears to have leveled off after increasing following the Supreme Court's 2015 *Obergefell v. Hodges* decision that legalized same-sex marriages nationwide. In the six-month period before the *Obergefell* ruling, Gallup found that 7.9% of LGBT adults were in same-sex marriages. That percentage increased to 9.6% in the first year after the decision (through June 2016) and is the same in the 2020 average.

However, because of the growth in LGBT identification in recent years, coupled with the growth in the U.S. population more generally, the number of same-sex marriages has likely increased significantly. In the pre-*Obergefell* decision period, Gallup estimated that 0.3% of U.S. adults overall were married to a same-sex spouse. In the first year after that ruling, the proportion of U.S. adults in same-sex marriages was 0.4%, and is 0.6% today.

Extrapolating those percentages to the U.S. population suggests that an estimated 1.5 million U.S. adults are married to a same-sex spouse, which would translate to about 750,000 same-sex marriages. Previously, Gallup estimated there were 368,000 same-sex marriages before the *Obergefell* decision and 491,000 in the first 12 months after it.

Same-sex marriage rates are similar among most demographic subgroups of U.S. adults, although the percentage does exceed 1% among higher-socioeconomic-status Americans -- those in upper-income households (annual incomes of \$100,000 or more) and those with education beyond a four-year college degree. The percentage of people married to a same-sex spouse also exceeds 1% among political liberals, Democrats and those with no religious affiliation.

Additionally, Gallup trends show that same-sex cohabiting couples are increasingly opting for marriage rather than domestic partnership. In the months leading up to the nationwide legalization of same-sex marriage in 2015, many more LGBT Americans in same-sex cohabiting couples were living together but not married (62%) as opposed to being married (38%). In the first 12 months after same-sex marriages were legalized, the split was roughly even, with 49% being married and 51% not married. Since then, about six in 10 same-sex couples have been married, including 57% in the 2020 data.



Same-Sex Committed Relationships Uncommon for Bisexual

Adults

Notably, same-sex marriages are largely confined to gay, lesbian or transgender adults. Only 1.0% of bisexual adults -- who comprise the largest segment of the LGBT population -- report being married to a same-sex spouse. Meanwhile, 17.2% of bisexual adults are married to a spouse of the opposite sex, which explains why LGBT adults overall are somewhat more likely to be married to an opposite-sex spouse than to someone of the same gender.

Bisexual adults are also much less likely to have a same-sex domestic partner (2.7%) than to have an opposite-sex domestic partner (13.3%), which also leads to more LGBT adults in opposite-sex than same-sex domestic partnerships.

As might be expected, the patterns are different among gay and lesbian adults, who are much more likely to be in same-sex marriages and domestic partnerships than to be married to or in domestic partnerships with members of the opposite sex. Still, close to half of gay and lesbian adults identify their marital status as single.

Marital Status Among U.S. Adults Who Identify as Bisexual vs. Gay or Lesbian

	Bisexual adults	Gay/Lesbian adults
	%	%
Married to opposite-sex spouse	17.2	0.3
Married to same-sex spouse	1.0	23.9
Living with opposite-sex domestic partner	13.3	1.6
Living with same-sex domestic partner	2.7	15.9
Single/Never married	55.5	47.8
Separated	1.0	1.3
Divorced	8.0	6.1

Based on aggregated data from 2020 Gallup polls; Gallup does not have sufficient data to report reliable, separate estimates for gay vs. lesbian adults, or for transgender adults.

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	Bisexual adults	Gay/Lesbian adults
	%	%
Widowed	1.4	1.9
No opinion	0.0	1.0

Based on aggregated data from 2020 Gallup polls; Gallup does not have sufficient data to report reliable, separate estimates for gay vs. lesbian adults, or for transgender adults.

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Gallup does not have sufficient data for transgender adults to yield reliable estimates of marital status among that group.

Bottom Line

Same-sex marriages are not common in the U.S., or even very common among LGBT adults. But they are becoming more prevalent in the U.S. because of the increase in the LGBT population more generally and because more same-sex cohabiting couples are opting to marry rather than be unmarried partners.

What is unclear is how marital rates among LGBT adults will change as the population grows older and many reach the age when they would want to be in a committed relationship. Though it has been more than five years since same-sex marriage became legal, LGBT adults aged 30 and older are much more likely than non-LGBT adults in the same age group to describe their marital status as single (27.5% vs. 10.9%, respectively).

But decisions about entering committed relationships will be coming at a time when societal trends and attitudes are moving away from marriage. The 48% of Americans who reported being married in 2020 is down from 55% less than a generation ago, in 2006. Additionally, fewer Americans today than in the recent past believe it is important that people be married if they have children together, or if they want to spend the rest of their lives together.

It is unclear what those attitudes are among LGBT Americans, but young adults, nonreligious people, Democrats and political liberals -- the subgroups most likely to be LGBT -- are among the least likely subgroups to see marriage as being relevant.

And while many LGBT adults may decide not to get married, Americans increasingly support their right to marry a same-sex partner if they choose to do so.

Learn more about how the Gallup Poll Social Series works.

SURVEY METHODS



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