



# How to Make Your School Safe

School professionals can take many actions to create a safer, more inclusive environment for LGBTQ youth and their allies.

## Through proactive measures, you can:

- ☐ address discrimination and harassment at school
- ☐ help ensure the school and staff's compliance with legal and professional obligations
- ☐ reduce the school's exposure to liability

# TO PROACTIVELY CREATE A SAFER SCHOOL...

## **DO enact written policies**

If you're an administrator or policy-maker, advocate for, formulate and enact written policies specifically addressing and prohibiting discrimination and harassment based on sexual orientation and gender identity and expression (see page 6).

## **DO train all employees**

School districts can provide training to faculty and staff to help them recognize and respond to anti-LGBTQ harassment. Information on LGBTQ-inclusive training programs is available from organizations such as the Gay, Lesbian and Straight Education Network ([www.glsen.org](http://www.glsen.org)) and the Anti-Defamation League ([www.adl.org](http://www.adl.org)). Make sure the program you use specifically addresses sexual orientation and gender identity and expression.

## **DO protect employees from discrimination**

The Constitution prohibits the government, including public schools, from discriminating based on anti-LGBT hostility or prejudice. In over twenty-five states, moreover, statutes, regulations or executive orders provide additional protection against employment discrimination based on sexual orientation; an increasing number of states include gender identity in these laws as well. School district policies expressly prohibiting discrimination against employees based on sexual orientation and gender identity help ensure respect for employees' legal rights. In addition, they help foster a climate of inclusion and acceptance and increase the possibility of LGBTQ students finding positive role models among faculty and staff.

## **DO show your support**

Statements by individual staff members emphasizing their support of LGBTQ people can have a substantial impact, both on students who experience mistreatment (who will find comfort in knowing that the employee is available as a resource and ally), and on students who engage in such mistreatment (who need to be reminded that such conduct will not be condoned). There are many ways in which staff members can communicate their support. You can display an "LGBTQ Safe Zone" sticker in offices and classrooms, for example, or participate in student-sponsored events like the Day of Silence. You can, when setting expectations for student conduct, specifically mention LGBTQ issues. In addition, you can:

- Adopt LGBTQ-inclusive curricula (see page 15).
- Support LGBTQ-supportive student groups, such as gay-straight alliances (GSAs, see page 22).
- Remember and support the needs of transgender students (see page 26).

## **DON'T forget the Internet**

An increasing amount of peer abuse occurs online, but valuable online resources for students, especially LGBTQ students, are available on the Internet as well. Schools must be careful not to unduly restrict Internet access or to punish students for constitutionally protected speech (see "Don't Block the Net," page 16).

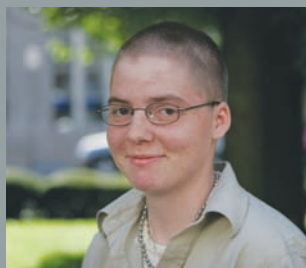
At the same time, schools must not tolerate abusive speech that disrupts the education, health and well-being of their students. Contact your state Department of Education, a local attorney or Lambda Legal's Help Desk (1-866-542-8336

or visit [www.lambdalegal.org/help/online-form](http://www.lambdalegal.org/help/online-form)) to help clarify these matters. Also, see page 18.

### **DON'T limit your policies to what's required by law.**

Educational and related professional organizations, including the National Education Association, the American School Counselor

Association and the American Psychological Association have issued codes of ethics and/or other official statements that provide important guidance on issues affecting LGBTQ youth and their allies. School officials and employees should inform themselves of their professional obligations, regardless of what the law provides for or requires.



#### TAKING ACTION:

## Megan Donovan, Joey Ramelli, Nancy Wadington

From coast to coast, students are successfully holding their schools accountable — in court.

Megan Donovan and Joey Ramelli, students at Poway High School in Poway, CA, both endured antigay abuse from fellow students. Ramelli was slammed into lockers, knocked to the ground and even found life-threatening messages taped to his car in the school's parking lot. Donovan was physically attacked by a fellow student. Although they reported the abuse to school officials, the issue was not further addressed. In June 2005, a San Diego jury found that school officials failed to take appropriate action to protect them from harm. Though the school district and school officials appealed that decision, Lambda Legal defended the verdict, and in October 2008, a California appellate court unanimously upheld it. Lambda Legal reached a settlement on behalf of Donovan and Ramelli.

Nancy Wadington (above) endured antigay abuse at her high school in southern New Jersey until the middle of 11th grade, when she had to leave school to protect her safety. In a lawsuit Lambda Legal filed on her behalf against school officials, Wadington asserted that she suffered verbal and physical attacks from other students over a two-and-a-half year period. In an effort to avoid the attacks, she stayed out of the hallways, walked around the outside of the school building to get to her next class, and stopped using the school bathrooms, which led to abdominal pain during class. Under New Jersey's Law Against Discrimination, school officials who know or should know about discriminatory abuse must take effective remedial action. After a mediation, school officials agreed to mandatory training for administrators, faculty and staff, and to pay Wadington an amount as long as she kept it confidential.

## IF HARASSMENT OR DISCRIMINATION OCCURS...

### **DO respond swiftly**

School employees at every level should react quickly when they witness or hear reports of anti-LGBTQ slurs, name-calling or other harassment. In addition to disciplining the perpetrators or referring them to designated authorities, school employees can offer support to the targeted student and/or alert guidance counselors and other supportive staff to the problem.

### **DON'T treat the target as the problem**

Some reactions to harassment can isolate and stigmatize the student targeted for harassment without having any real effect on the underlying problem. Common counterproductive efforts include physically isolating a student who is experiencing harassment, providing the student with an “escort” or suggesting that the student change her or his behavior to avoid mistreatment. Escorts and physical separation might have temporary value when there is a serious, imminent threat to a student’s safety, but typically such measures only give school officials a false sense of having solved the problem while failing to improve the environment for students in a meaningful or sustainable way.

### **DON'T assume discipline is the only possible remedy**

School officials sometimes assume that once they’ve disciplined an offender, they’ve adequately addressed the problem. They may also assume that if they’re unable to discipline an offender (for example, because they do not know her or his identity), there is no way to respond to the problem. There are many ways to respond proactively to harassment beyond discipline, including:

- written policies, counseling and trainings for staff and/or students (see above)
- making statements to students and staff reaffirming your school’s commitment to a safe environment
- monitoring troublesome areas within the school
- providing institutional support for gay-straight alliances and similar groups (see page 22), as well as for days of action like the Day of Silence (see page 21).

### **DON'T use confidentiality and anonymity as excuses not to act**

School officials often mistakenly assume that if the student is unwilling or unable to identify a perpetrator, or requests confidentiality or anonymity, there is no way to respond to harassment. Many of the individual and institutional remedies discussed in this booklet can be implemented even without knowing the identity of individual harassers and without compromising requests for confidentiality.

### **DON'T go it alone**

If you need further guidance, reach out to local advocacy and community organizations with knowledge of LGBTQ youth issues or Lambda Legal’s Help Desk at 1-866-542-8336 or visit [www.lambdalegal.org/help/online-form](http://www.lambdalegal.org/help/online-form).