



Legislation Text

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Res. No. 1442-A

Resolution calling upon the New York City Department of Education to provide curricular and other supports to protect lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) and other vulnerable students and to ensure that administrators, teachers and students in all middle and high schools are informed that, under the Equal Access Act, students have a right to convene and participate in a Gender-Sexuality Alliance (GSA) at school.

By Council Members Dromm, Kallos, Rosenthal, Rodriguez, Menchaca, Reynoso and Rose

Whereas, Research shows that lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) students are particularly vulnerable to bullying and harassment on the basis of sexual orientation or gender identity/expression; and

Whereas, The biennial National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN) documents the unique challenges LGBTQ students face and identifies interventions that can improve school climate; and

Whereas, According to GLSEN's 2015 National School Climate Survey, the vast majority of LGBTQ students in New York State, as many as 87%, regularly heard anti-LGBT remarks from other students and 19% also regularly heard school staff make homophobic remarks; and

Whereas, Additionally, responses to GLSEN's survey show that 65% of LGBTQ students in New York State were verbally harassed due to sexual orientation and 60% due to gender expression, 29% were physically harassed due to sexual orientation and 23% due to gender expression, and 13% were physically assaulted due to sexual orientation and 9% due to gender expression; and

Whereas, GLSEN's research further reports that 51% of New York State students who had been harassed or assaulted in school never reported it to a staff person, and only 33% of the students who did report

the incident said school staff intervened effectively; and

Whereas, The high incidence of verbal and physical harassment and victimization experienced by LGBTQ students creates a hostile school climate that can affect their academic success and mental health; and

Whereas, According to GLSEN’s research, LGBTQ students who experienced higher levels of victimization because of their sexual orientation were more than three times as likely to have missed school in the past month, had lower grade point averages, had lower self-esteem and had higher levels of depression than students who were less often harassed; and

Whereas, Findings from the 2015 National School Climate Survey demonstrate that students attending schools with LGBTQ-related resources and supports report more positive school experiences, including lower victimization and absenteeism and higher academic achievement; and

Whereas, One of the LGBTQ-related supports cited as essential, a comprehensive anti-bullying/harassment policy, has already been adopted by the New York City Department of Education; and

Whereas, That policy, articulated in Chancellor’s Regulation A-832, states that “it is the policy of the New York City Department of Education to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying committed by students against other students and free from discrimination committed by students against other students on account of actual or perceived race, color, creed, ethnicity, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, disability, or weight”; and

Whereas, Additional school-based supports cited by GLSEN that are related to a safer and more inclusive school climate include supportive educators and LGBT-inclusive curriculum, such as incorporating the contributions of notable LGBT individuals in American history courses; and

Whereas, Another LGBTQ-related support cited as critical by GLSEN is a Gay-Straight Alliance, also known as a Gender-Sexuality Alliance (GSA); and

Whereas, According to the organization GSA Network, a GSA is “a student-run club, typically in a high

school or middle school, which provides a safe place for students to meet, support each other, talk about issues related to sexual orientation and gender identity and expression, and work to end homophobia and transphobia”; and

Whereas, In June 2011, the United States Department of Education (USDOE) issued a “Dear Colleagues” letter highlighting the importance of GSAs in combatting bullying and harassment of LGBTQ students and promoting safer schools, as well as outlining the responsibilities of schools in protecting students’ rights to convene GSAs on school grounds and providing equal access to school resources; and

Whereas, The USDOE letter specified that students’ rights to convene GSAs and have equal access to school resources are protected under the Equal Access Act enacted by Congress in 1984; and

Whereas, According to GLSEN’s research, LGBTQ students who had a GSA in their school 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 more connected to their school community than students without a GSA; and

Whereas, However, some LGBTQ students in City schools have reported encountering barriers to starting GSAs, such as finding a faculty advisor, which the DOE should address; and

Whereas, DOE should also support other student- or faculty-initiated efforts that encourage the implementation of Chancellor’s Regulation A-832; and

Whereas, GSAs are an essential component to maintaining “a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying” for LGBTQ students; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to provide curricular and other supports to protect lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) and other vulnerable students and to ensure that administrators, teachers and students in all middle and high schools are informed that, under the Equal Access

Act, students have a right to convene and participate in a Gender-Sexuality Alliance (GSA) at school.

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