

Human Rights Watch

Children's Rights

<https://www.hrw.org/news/2016/05/16/michigans-lgbt-guidelines-deserve>

Public Facing Advocacy Writing

Help us continue to fight human rights abuses. Please give now to support our work

ryanthoreson

[Share this via Facebook](#)

[Share this via Twitter](#)

[Share this via WhatsApp](#)

[Share this via Email](#)

[Other ways to share](#) [Share this via LinkedIn](#)

[Share this via Reddit](#)  [Share this via Telegram](#)  [Share this via Printer](#)

On Friday, the Obama Administration made headlines when the Department of Education and Department of Justice issued [guidance](#) explaining how public schools should respect the rights of transgender students.

The federal guidance has ignited passionate debate, but it reflects a lesson that schools across the country have understood for years. Having policies in place to support [lesbian, gay, bisexual, and transgender](#) (LGBT) students is crucially important if schools are to make those students feel welcome and engaged in their communities.

Yet policy guidelines for LGBT youth continue to be politicized, most recently in Michigan. At its meeting on May 10, Michigans Board of Education heard hours of public comment about proposed [guidelines](#) that schools could follow to become safer and more inclusive for LGBT students. In introducing the guidelines, the board laudably recognized that LGBT students are at higher risk of anxiety, depression, suicide, and other adverse effects in their mental health from bullying, discrimination, and a lack of support at home and in school.

Michigans guidelines identify best practices ranging from strong anti-bullying policies to staff training to enhanced school resources. But they are under attack by state lawmakers who are incensed that the guidelines also recommend perfectly reasonable accommodations for transgender students. These opponents seek to torpedo the entire set of badly needed guidelines rather than let the provisions they object to stand.

Representative Aric Nesbitt introduced a resolution that would formally urge the board to reject the guidelines, contending that they infringe on parental rights. Representative Tim Kelly went further, proposing a resolution to eliminate the elected Board of Education and its state superintendent altogether. Neither acknowledges the need to make LGBT youth feel safe and welcome in Michigans schools.

The resolutions are pending in the states House of Representatives. In the meantime, the Board of Education has deferred final action on the guidelines as it sifts through thousands of public comments.

At the May 10 meeting, dozens of teachers, counselors, parents, and students stood up for the guidelines, and for good reason.

Over the past eight months, Ive traveled around the country speaking to hundreds of LGBT students. They told me about feeling alienated, invisible, and unsafe in school. They described physical harassment, daily slurs that go unpunished, and the lack of school resources to address their concerns. They said that teachers had told them that LGBT people are abnormal, and that administrators had discouraged them from forming gay-straight alliances.

Transgender students have faced some of the worst treatment, being addressed by the wrong name and pronouns, sexually harassed, and barred from bathrooms, locker rooms, or sports teams consistent with their gender identity. In some cases, students have dropped out or turned to home- or online schooling because they concluded there was no place for them in their public school.

A good first step is for schools to strengthen policies against bullying and harassment. But other students arent the only problem. In 2013, the Gay, Lesbian, and Straight Education Network, a non-profit organization, [found](#) that 55 percent of LGBT youth surveyed reported discrimination by school personnel.

The negativity that students experience often comes from a lack of training and planning, not from malice on the part of school personnel. One thing Ive found striking as I talk to teachers and administrators is that many genuinely want to make all their students feel welcome, but feel they lack resources to create inclusive environments.

The Board of Educations guidelines are precisely the kind of guidance they seek. And because the guidelines are advisory, school boards

and administrators themselves would be free to decide whether and how they'll adopt the recommendations in their districts.

The majority of the guidelines are uncontroversial. But opponents have seized on a recommendation allowing transgender students to use bathrooms and locker rooms that correspond to their gender identity, and have threatened restrictions barring them from doing so. Such restrictions have been rejected by every state to consider them with the exception of North Carolina, where they have been harshly criticized as unnecessary, discriminatory, and illegal.

Opponents also object to a recommendation that school personnel should not disclose a student's gender identity without the student's consent, painting this as an effort to deceive parents. But since transgender students often face emotional, verbal, and even physical violence from family members who don't understand or can't accept their gender identity, outing students can be unethical and dangerous. The guidelines encourage schools to address student needs on a case-by-case basis, preserve confidentiality when necessary, and above all, keep students safe.

Across the country, school districts are recognizing that these types of guidelines provide a helpful baseline for schools to design LGBT-inclusive policies. States like Maryland, Massachusetts, New York, and Washington have guidance in place, but so do school districts in states as diverse as Alaska, Arkansas, Kentucky, Nevada, and Wisconsin. In the last month alone, the State of Oregon and school districts in Pennsylvania and Texas have issued formal guidelines to protect transgender students that are similar to the Board of Education recommendations for Michigan.

Schools that care about the mental health and well-being of their LGBT students should have a blueprint to make a real difference. Lawmakers should reject attacks on the guidelines that feed on fear and stereotypes and instead support the Board of Education's efforts to protect the rights, needs, and dignity of all the state's students.

Human Rights Watch / ACLU Joint Submission Regarding the United States Record Under the International Convention on the Elimination of All Forms of Racial Discrimination

Violence and the Human Rights of Transgender People in the United States

[Share this via Facebook](#)

[Share this via Twitter](#)

[Share this via WhatsApp](#)

[Share this via Email](#)

[Other ways to share](#)

[Share this via LinkedIn](#)

[Share this via Reddit](#)



[Share this via Telegram](#)



[Share this via Printer](#)

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

Get updates on human rights issues from around the globe. Join our movement today.

Human Rights Watch is a 501(C)(3) nonprofit registered in the US under EIN: 13-2875808