

# Public Comment 1 for ED-2013 ICCD-0152

Director of the Information Collection Clearance Division  
U.S. Department of Education  
400 Maryland Avenue, SW LBJ,  
Room 2E105  
Washington, DC 20202

## Comments re: Docket number ED-2013 ICCD-0152

To Whom it May Concern:

The National Gay and Lesbian Task Force is the nation's oldest organization advocating for the needs of lesbian, gay, bisexual, and transgender (LGBT) people and their families. We are pleased to have the opportunity to comment on the Department of Education's School Safety and Discipline survey. To advocate most effectively, it is imperative that we have more accurate data on the incidence of anti-LGBT school violence. Inclusion of questions specific to this population, including sexual orientation and gender identity demographic questions, will aid policy makers in making informed decisions regarding this historically underserved population.

### LGBT Youth Have Distinct Unmet Needs

LGBT youth are among the critical, vulnerable populations whose safety, well-being, and healthy development should be a focus of data collection. Discrimination in health and social service settings, from medical care to child welfare to community prevention programs, exposes LGBT youth to trauma and prevents them from benefitting from key supports for health and development.

LGBT youth and youth questioning their sexual orientation or gender identity (LGBTQ) face increased rates of family rejection,<sup>i</sup> victimization in schools,<sup>ii</sup> and criminalization.<sup>iii</sup> They are disproportionately represented in child welfare and juvenile justice systems,<sup>iv</sup> and lack protections against employment discrimination in a majority of states. As a result, LGBTQ youth represent as much as 40% of the homeless youth population.<sup>v</sup> Of those 40% who are homeless, as many as 62% are likely to attempt suicide as compared to 29% of their straight peers.<sup>vi</sup> Suicidality is an especially critical issue for LGBTQ youth. Research has shown that LGB youth are four times more likely to attempt suicide as their straight peers, and questioning youth are three times more likely.<sup>vii</sup> The American Association of Suicidology reports that nearly half of young transgender respondents reported having seriously thought about taking their lives and one quarter reported having made a suicide attempt.<sup>viii</sup> Surveys of LGB youth suggest that they are more likely to smoke cigarettes, drink alcohol, smoke marijuana, use cocaine, use inhalants, use ecstasy, use heroin, and use methamphetamines than their heterosexual peers.<sup>ix</sup> All of these inequities may be even more pronounced for LGBT people who are also members of other groups that are disadvantaged on the basis of factors such as race, ethnicity, geography, or disability.

We need accurate data in order to advocate most effectively in our work toward eliminating bias and discrimination against these youth, implementing strategies of supporting stable homes, encouraging healthy behaviors and reducing risky ones, and reducing teenage

pregnancy and sexually-transmitted infections.<sup>x</sup> LGBT youth are in need of safety and support to ensure that their well-being and needs are addressed.

*Without Accurate Data, It Is Difficult to Respond to the Unmet Needs of the LGBT Youth Population*

Much of our knowledge about the family, health, economic, educational, and social status of people in the United States comes from survey data. The incidence and qualitative experiences of poverty, illness, unemployment, or income across racial, ethnic, and gender lines are routinely measured through survey questions. Further, survey data are particularly important for assessing the need for public policies that address racial, ethnic, gender, age, or group disparities in important health and social outcomes, and data are necessary to evaluate the impact of those policies.

However, we have much less information about whether and how life experiences differ by sexual orientation and gender identity, creating a large scientific gap between what we know and what we need to know.<sup>xi</sup> In recent years, public policy debates have heightened the need for high quality scientific data on the sexual orientation and gender identity of adults, the aging population, and young people in the United States. In ongoing public discussions about lesbian, gay, bisexual, and transgender (LGBT) policy issues, the practical importance of good data that accurately describe the lives of LGBT people and their families has become increasingly obvious. Discussions of civil rights, program evaluation, public health, and the delivery of human services must rely on sound facts and analyses that come from survey research, but often those facts are not available in the context of LGBT-related policy issues because so few surveys include measures of sexual orientation and gender identity that would allow for the identification of LGBT people.

Health, economic, and social surveys have always had to adapt to changing demands and changing times. For example, as family structures have changed, government and private surveys in the United States have added questions and responses that allow the study of unmarried, cohabiting different-sex couples. Adding sexual orientation and gender identity measures is simply one more adaptation to the changing world that surveys are designed to study, in this case a world with an increasingly visible LGBT population.

We urge the Department of Education (ED) to retain the questions from the School Survey on Crime and Safety (SSOCS) that relate to sexual orientation and gender identity. For example, the 2009-2010 survey asked, in question 20(d), how often student harassment of other students based on sexual orientation or gender identity occurred. In addition to retaining questions about student-on-student harassment, we encourage ED to ask additional LGBT-related questions to more accurately assess the frequency of anti-LGBT crime.

Collecting more high-quality data on the disparities associated with LGBT status and other social, economic, and health concerns of LGBT communities is essential if federal, state, local, and nonprofit agencies are to adequately serve this population. The crucial first step in building this knowledge is adding sexual orientation and gender identity survey measures that can help characterize the needs of LGBT respondents to publically-funded population surveys.

We greatly appreciate the opportunity to comment on the Department of Education's School Safety and Discipline survey. If you have any questions about these comments, please contact Meghan Maury, Policy Counsel for the National Gay and Lesbian Task Force, at (202) 639-6316, or by email at [mmaury@thetaskforce.org](mailto:mmaury@thetaskforce.org).

Sincerely,

The National Gay and Lesbian Task Force

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<sup>i</sup> Ryan, C., Russell, S.T., Huebner, D, Diaz, R. Sanchez, J. (2009). *Family Rejection as a Predictor of Negative Health Outcomes in White and Latino Lesbian, Gay, and Bisexual Young Adults*. Journal of the American Academy of Pediatrics, 123, 346-352. (Finding that LGB young adults who reported higher levels of family rejection during adolescence were 8.4 times more likely to report having attempted suicide, 5.9 times more likely to report high levels of depression, 3.4 times more likely to report illegal drug use, and 3.4 times more likely to report having engaged in unprotected sexual intercourse, compared with peers from families with no or low levels of family rejection.) Available at <http://pediatrics.aappublications.org/content/123/1/346.full.pdf+html>

<sup>ii</sup> Kosciw, J. G., Greytak, E. A., Bartkiewicz, M. J., Boesen, M. J., & Palmer, N. A. (2012). *The 2011 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation's schools*. New York: GLSEN. (Finding that 63.5% of LGBTQ youth surveyed felt unsafe because of their sexual orientation, and 43.9% because of their gender expression.)

<sup>iii</sup> Katayoon Majd et al. (2009) *Hidden Injustice: Lesbian, Gay, Bisexual, and Transgender Youth in Juvenile Courts*. (Finding that although LGBTQ youth only comprise about 5 to 7% of the nation's youth, 13 to 15% of youth in the juvenile justice system are LGBTQ).

<sup>iv</sup> *Id.*

<sup>v</sup> National Gay and Lesbian Task Force, *Lesbian, Gay, Bisexual, and Transgender Youth: An Epidemic of Homelessness* (2006), p.1.

<sup>vi</sup> James M. Van Leeuwen et al., *Lesbian, Gay, and Bisexual Homeless Youth: An Eight City Public Health Perspective*, Child Welfare 85 (2) (2005): 151-170

<sup>vii</sup> Kann, L, et al. 2011. *Sexual identity, sex of sexual contacts, and health-risk behaviors among students in grades 9-12 – Youth Risk Behavior Surveillance, selected sites, United States, 2001-2009*. MMWR 60(SS07): 1-133.

Available at <http://www.cdc.gov/mmwr/preview/mmwrhtml/ss6007a1.htm>

<sup>viii</sup> Arnold H. Grossman & Anthony R. D'Augelli, *Transgender Youth and Life-Threatening Behaviors*, 37(5) SUICIDE LIFE THREAT BEHAV. 527 (2007).

<sup>ix</sup> Kann, L, et al. 2011. *Sexual identity, sex of sexual contacts, and health-risk behaviors among students in grades 9-*

*12 – Youth Risk Behavior Surveillance, selected sites, United States, 2001-2009*. MMWR 60(SS07): n. vi. Available

at <http://www.cdc.gov/mmwr/preview/mmwrhtml/ss6007a1.htm>

<sup>x</sup> Institute of Medicine. 2011. *The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding*, at 92-93.

<sup>xi</sup> Sexual orientation and gender identity are different aspects of an individual's identity. Transgender people, like anyone else, may be gay, straight, or any other sexual orientation. The discriminatory treatment that some transgender people suffer may be based in other's perceptions and understandings of gender identity or sexual orientation. Therefore, data should be collected on both gender identity and sexual orientation in order to fully study the disparities transgender people face. For best practices for asking questions related to sexual orientation, see The Williams Institute (2009). *Best Practices for Asking Questions about Sexual Orientation on Surveys*. Los Angeles: The Williams Institute, available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/SMARTFINAL-Nov-2009.pdf>. For an overview of gender-related measures currently in use in the United States, see The GenIUSS Group (2013). *Gender-related Measures Overview*. Los Angeles: The Williams Institute, available at <http://williamsinstitute.law.ucla.edu/research/census-lgbt-demographics-studies/geniuss-group-overview-feb-2013/>.

## **Response to Public Comment 1 for ED-2013 ICCD-0152**

The U.S. Department of Education (ED) appreciates the importance of collecting data necessary to better understand challenges Lesbian, Gay, Bisexual, and Transgender (LGBT) students may face as they work to complete their compulsory education. To help meet this data need, ED integrated question 20(d) from the 2009-10 School Survey on Crime and Safety (SSOCS) into the proposed Fast Response Survey System (FRSS) data collection. The item is number 7(d) in the proposed data collection instrument submitted for public comment.

ED does not propose to add additional questions to the instrument specifically about LGBT student experiences or school policies. The study is designed to provide estimates of change in the school environment from the time of the last SSOCS study and therefore contains a subset of SSOCS questions. Items 17(a) and item 20(d) in SSOCS provided data about LGBT related school environment problems. However, item 17(a) focused on hate crime incidents in general. Hate crimes related to sexual orientation were reported in response to 17(a) in combination with hate crimes motivated by other reasons (e.g., race). The specific reasons were not reported separately. In addition, because the FRSS study will have a significantly smaller sample size than SSOCS and a significantly shorter questionnaire (for further details see discussions of response burden in the proposal submitted for public comment), the general hate crime question is not being fielded.