

A REPORT ABOUT



DISCRIMINATION AND BULLYING ON THE GROUNDS OF SEXUAL ORIENTATION AND GENDER IDENTITY IN WESTERN AUSTRALIAN EDUCATION

In memory of Isabelle Lake

For her contributions to the project and her passion in challenging sexuality and gender based discrimination, not only in schools but everywhere.

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Glossary and Abbreviations

ACT DET

The Australian Capital Territory Department of Education and Training

ASCWA

Anglican Schools Commission (Inc) Western Australia

Androgynous: Can mean having both masculine and feminine characteristics, or having neither specifically masculine nor feminine characteristics. Some people who are androgynous may identify as genderqueer, trans or androgynous.

Bisexual or Bi: Refers to people whose sexual and romantic feelings are for both men and women, and who identify with these feelings. Many people may engage in bisexual behaviours but not identify as bisexual. See also: pansexual or omnisexual.

Cisgendered: Refers to people whose sense of gender and/or sex matches the sex they were assigned at birth. Cisgender is the antonym of transgender and is used to label those whose gender is not trans.

DSG/DSSG: Diverse Sexuality, Sex and/or Gender. This term is used as an inclusive, label-free way of referring to people who are gay, lesbian, bisexual, transgender, transsexual, intersex, queer, genderqueer, pansexual or who are otherwise sexually, sex and/or gender diverse.

Gay: People whose sexual and romantic feelings are primarily for the same sex and who identify primarily with those feelings. In Australia, both men and women identify as gay, however it often refers mainly to homosexual men.

Gender: How a person, thinks, acts, dresses and speaks which distinguishes them as masculine or feminine. The sociological construction of one's masculinity or femininity. One's gender can be masculine, feminine and/or androgynous.

“Gender refers to the economic, social and cultural attributes and opportunities associated with being male or female.”

Source: Transforming health systems: gender and rights in reproductive health. WHO, 2001.

Gender Identity: The label or name one uses to define and identify their gender. Our sense of ourselves in regards to our gender, gender role, masculinity and/or femininity. The most common gender identities are male and female; however there are many others in the gender diverse community.

“the sense of self associated with cultural definitions of masculinity and femininity. Gender identity is not so much acted out as subjectively experienced. It is the psychological internalization of masculine or feminine traits. Gender identity arises out of a complex process of interaction between self and others. The existence of transvestite and transsexual identities indicates that gender is not dependent upon sex alone, and arises from the construction of gender identities.”

Source: Jary & Jary (2000) Collins Dictionary of Sociology, 3rd Ed.

GenderQueer: Can be used as an umbrella term similar to Transgender but commonly refers to people who are not transsexual, but do not comply with their traditional gender expectations through their dress, hair, mannerisms, appearance and values.

Heterosexism

The attitude or belief that heterosexuality is more 'normal' or superior to other kinds of sexualities. It is heterosexist to assume that people are straight unless otherwise specified, or that you can 'tell' if someone is gay. Heterosexism is also used to include 'cissexism': to assume only two sexes exist and that gender always correlates to our assigned sex.

Homophobia: An individual's or society's misunderstanding, fear, ignorance of, or prejudice against gay, lesbian and/or bisexual people. In this document, 'Homophobia' is also used as an umbrella term to include transphobia, biphobia and heterosexism.

Homosexual: People whose sexual and romantic feelings are primarily for the same sex and who identify primarily with those feelings. People who feel this way often identify as gay or lesbian.

Lesbian: Women whose sexual and romantic feelings are primarily for other women and who identify with those feelings.

MAF

Montessori Australia Foundation

MCEECDYA/ MCEETYA

Ministerial Council on Education, Early Childhood Development and Youth Affairs

Pansexual or Omnisexual: Refers to people whose sexual and romantic feelings are for all genders; this rejects the gender binary of male/female and asserts that there are more than two genders or gender identities. These are inclusive terms that consider the gender diverse community.

Queer: Queer is an umbrella term used to refer to the LGBT community. Some people in the GLBTIQ community prefer not to use this term as the history of the word has negative connotations. These days, the term has been embraced and is more about Pride and inclusivity.

QLD DET

The Queensland Department of Education and Training

SA DECS

South Australian Department of Education and Children's Services

Sex: is the physiological make-up of a person. It is commonly expressed as a binary and used to divide people into males and females. However, in reality, sex is a "complex relationship of genetic, hormonal, morphological, biochemical, and anatomical differences that impact the physiology of the body and the sexual differentiation of the brain. Although everyone is assigned a sex at birth,

approximately 2 percent of the population are intersexed and do not fit easily into a dimorphic division of two sexes that are ‘opposite’”

Sexuality: Sexuality is a central aspect of being human throughout life, and encompasses sex, gender, identities and roles, sexual orientation, eroticism, pleasure, intimacy and reproduction. Sexuality is influenced by the interaction of biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious and spiritual factors.

Sexual Identity: The label or name one uses to define and identify their sexuality. One’s sexual identity does not have to match their sexual behaviours; one may engage in homosexual behaviours but still identify as heterosexual; one may engage in only lesbian behaviours but identify as bisexual.

Sexual Orientation: The direction of one’s sexual and romantic attractions and interests toward members of the same, opposite or both sexes, or all genders. Similar to ‘Sexual Preference’.

TAS DET

The Tasmanian Department of Education

Trans, Transexual or Transgender: A person who identifies as the sex opposite to the one assigned at birth and who may choose to undergo sex affirmation/reassignment surgery. Describes a broad range of non-conforming gender identities and/or behaviours.

UN

United Nations

UNESCO

United Nations Educational, Scientific and Cultural Organization

VIC DEECD

Victorian Department of Education and Early Childhood Development

WA DoE

The Western Australia Department of Education

WTi

Writing Themselves in survey(s), an Australian national survey of same sex attracted and gender diverse (GLBTIQ) students that have been run regularly since 1997.

Foreword by Yvonne Henderson

During 2010, the Equal Opportunity Commission's Training and Education Unit consulted with a range of key stakeholders on the issue of gender and sexuality based harassment and discrimination in schools. Although bullying has long been on the school agenda, it is only in the last decade that particular attention has been paid to homophobic bullying in schools.

Anecdotal evidence from the consultation identified that gender and sexuality based harassment and discrimination in schools remains a serious problem for students in Western Australia. The majority of those consulted during the Equal Opportunity Commission's consultation identified a need for a project in order to develop a policy to systematically address gender and sexuality based bullying and discrimination in schools as an urgent priority.

The *Equal Opportunity Act* was amended in 2000 to make gender history discrimination unlawful. Gay and Lesbian Law Reforms were passed in 2002 by the Western Australia Parliament with the aim of addressing discriminatory policies and practices. These changes recognised that the human rights of same sex attracted people had long been violated. The Equal Opportunity Act was amended to make sexual orientation discrimination unlawful in 2002.

Whilst there is no doubt that generalised bullying policies have their place in schools, homophobic bullying differs from other bullying for a number of reasons, and therefore also requires a specific focus in educational policy. The pervasiveness of homophobia makes it harder for those working with young people to challenge homophobia compared to other forms of bullying, and makes it even more difficult for GLBTIQ young people to access support. Most Gay, lesbian, bisexual, transgender, intersex and queer (GLBTIQ) young people also come from heterosexual families, making feelings of alienation and isolation more absolute.

Following this consultation, I convened a steering committee and a working group was also formed with representatives from the Department of Education, Independent Schools, Catholic Education, GLBTIQ community organisations and the Teacher's Union. With the facilitation of the Equal Opportunity Commission the Steering Committee and Working Group instituted the *Challenging Sexuality Based Discrimination and Bullying in School* Project. The purpose of this project is to develop a coordinated and coherent strategy across public and private schools to systematically address gender and sexuality based bullying and discrimination experienced by students in schools. The critical goal of this project is to create a

safe environment for GLBTIQ student at schools in Western Australia without compromising their learning opportunities. The project developed a *Nationwide Education Department Policy Comparison and GAP* analysis. Dr Tiffany Jones from La Trobe University was invited to analyze the findings in the context of her work on GLBTIQ students in Australia.

This report is Dr. Jones' analysis of this area with her research results and recommendations for the ongoing development of the project. I wish to thank Dr. Jones for her clear and well researched findings and on behalf of the Steering Committee and Working Group members assure her that these groups will work to ensure that a model policy in this area is achieved.

A handwritten signature in black ink, appearing to read 'Yvonne Henderson', with a long horizontal line extending to the right.

Yvonne Henderson

COMMISSIONER FOR EQUAL OPPORTUNITY

Executive Summary

Introduction

Greater recognition of discrimination on the basis of sexual orientation and gender identity led the United Nations to take a direct stand against school-based homophobic bullying. The UN Secretary-General called the prevalence of this specific type of bullying a public health crisis. UNESCO has released several documents guiding education sectors globally to explicitly address it. Education leadership are advised to take urgent action, and to prevent the need for a reactive approach to homophobic discrimination and bullying driven by the type of legal actions and public protests now emerging across several Australian states.

Literature Review – Schools and GLBTIQ Students

Human rights statements and laws have recently been introduced that protect against discrimination on the basis of sexual orientation and gender identity which many Australian education stakeholders may not be aware of, or reflecting in policy and practice. However, media controversies surrounding school-based discrimination will not have escaped notice, particularly around same-sex couples at school formals and teen suicides stemming from homophobic bullying. Around 2% of people are born intersex and there is an increasing number of youth who question their gender identity. Further, 10% of secondary students identify as gay or lesbian, and bisexuality may count for over one-third of adolescents' sexual experiences. Research reveals that as Australian GLBTIQ students increasingly 'come out' they are actually experiencing *more* abuse at school than in previous years: 61% reported verbal homophobic abuse, 18% reported physical homophobic abuse and 69% reported other forms. Overall, 80% experienced the abuse at school

(up from 69% a decade ago). Other problems included a lack of relevant sexuality education, and deficiencies in social and structural supports.

Education policy can make a difference to these issues at both state/ sector and school levels. GLBTIQ students in Victoria and NSW particularly benefit from state level anti-homophobia policies, and GLBTIQ students who know their schools have policy protection in place are more likely to feel safe (75% v. 45%) and to report a specific GLBTIQ support feature at their school (84% v. 41%). Strikingly, they are almost half as likely to be physically abused at school, less likely to self-harm and almost half as likely to attempt suicide due to homophobia. ***Distinct protective policies that explicitly name homophobic discrimination and bullying can make a potentially dramatic difference to self-harm and suicide rates*** for one of the most vulnerable youth groups in Australian society today.

WA Education Review – Gaps and Opportunities

A comparative review of WA education for GLBTIQ students reveals an urgent situation for the state. While a strong majority of WA GLBTIQ students reported receiving a school-based sexuality education, these provisions mainly overlooked GLBTIQ issues. ***Only 12% were taught that homophobia is wrong, the lowest result across all states.*** Only 20% of WA GLBTIQ students attend a school with protective policy against homophobia in place (11% for Catholic schools), and there was a lack of specific supports seen in schools in other states. Many students considered their schools actively homophobic. These issues appeared linked to the lack of an explicit, separate state level policy dealing with homophobic discrimination and bullying. However, unique partnership structures and resources exist which could be utilised by the WA DET – if it chose to take a stand against homophobic bullying – to support swift and informed progress in the state.

Rationale – The Safe and Supportive Schools Approach

Research shows that policies taking a ‘Safe and Supportive Schools’ approach, explicitly mentioning anti-discrimination laws and homophobic bullying, and providing detailed guidelines for the provisions of specific structural and social supports for GLBTIQ students, are the most useful type of policy-led approach for protecting GLBTIQ students currently used by education providers. This approach entails the direct establishment of expectations for school provisions around sexual orientation and gender identity, and is built on a philosophy of support for GLBTIQ students (and the many other students in the school affected by homophobia and GLBTIQ issues). Steps are taken by schools to ensure safe and equitable educational provision and prevent discrimination, without relying on GLBTIQ students having to identify themselves to have their specific needs met. These steps are framed as a professional duty of leadership and staff for all school levels, sectors and types. They involve establishing particular structural and social supports, training and leadership.

Recommendations – Policy and Practice Strategies

The report concludes with a series of recommendations arising out of recent research, consultations with the WA EOC Working Group and Steering Committee and UNESCO, and key informants from the Victorian and NSW contexts. These recommendations are directed to government, education authorities and schools. Important features include the need for policy-based leadership, clear guidelines and training and specific structural provisions. Many different education stakeholders are seen as having a role in preventing discrimination and bullying on the basis of sexual orientation and gender identity.

1. INTRODUCTION – A Public Health Crisis

** Paul (gay male WA state school student, 17 years old)¹ has been called ‘a fucking disgusting faggot’ at his government school, told ‘god hates you’ and ‘your gay because your daddy raped you arnt ya?’. He suffered cyber-bullying, written abuse, graffiti and rumours. At 12 years old he was exiting the school when other students ‘dragged me off to the nearby park where they punched me and kicked me and beat me merciless with planks of wood. after they had finished they left me in a pool of my own blood and i literally had to crawl home where i was lucky i had gotten home before anyone else so i could clean myself up. i am suprised i am not dead!’ Now Paul can’t concentrate in class and his marks have dropped. He hides at recess and lunch or skips school.*

On December 8th in 2011, over 200 UN Member States attended the New York convention ‘Stop Bullying – Ending Violence and Discrimination Based on Sexual Orientation and Gender Identity’. UN Secretary-General Ban Ki Moon contended:

Bullying of this kind is not restricted to a few countries but goes on in schools (...) in all parts of the world. This is a moral outrage, a grave violation to human rights and a public health crisis (UN Secretary-General, 2011).

That month, UNESCO held the ‘First International Consultation on Homophobic Bullying’ in Rio, Brazil. International leadership, research experts and education activists formulated education policy guidance. The last decade has seen more education policies developed at national, state, sector and school levels around gay, lesbian, bisexual, transgender, intersex and queer (GLBTIQ) issues. This reflects the increased recognition of problems around school provisions.

1.1 A Precarious Position for Educational Bodies

Lawsuits and public protests are increasingly pitched against education leadership internationally who refuse to act on homophobic bullying. Such cases are being seen in Australia. For example, Christopher Tsakalos’ 1997 court proceedings against the

¹ Excerpts from raw survey data on Australian GLBTIQ students (Hillier et al., 2010).

NSW DET and Cranebrook High School held them accountable for his experience of verbal taunts, death threats and weekly bashings by large groups of students (Kendall & Sidebotham, 2004). The action was settled with Tsakalos returning to school and implementing anti-homophobia training. Damages were sought for the breach of duty of care and Tsakalos' resulting suffering and loss of enjoyment of life. The NSW DET ultimately had to develop policies and practices towards preventing homophobic bullying.

1.2 Avoiding a 'Reactive Approach'

Educational leadership should avoid being put in such 'reactive' positions on discrimination and bullying. Waiting for an incident to occur equates to waiting to be held publicly accountable for inaction. It is extremely difficult after such incidents to restore the community's faith in an institution's ability to ensure students' wellbeing. Leadership at all levels need to take preventative measures. New research has brought to light the benefits of protective policy around homophobic bullying and GLBTIQ issues in educational contexts (Jones, 2012; Jones & Hillier, 2012). This report stems from such research, new human rights directives and a concern for *both the frustrations of GLBTIQ students and educational leadership* around these issues.

1.3 Overview of Report

This introduction locates the report within the global push for policy around discrimination and bullying on the basis of actual or perceived sexual orientation, gender identity and gender expression. The literature review outlines the shifting contexts and research that underline the importance of specific provisions for GLBTIQ students. The review of Western Australian education identifies key gaps

and opportunities for improvements. The fourth section supplies a rationale for the Safe and Supportive Schools approach. The fifth section provides recommendations.

2. LITERATURE REVIEW – Schools and GLBTIQ Students

* Jo (f-m trans student, 17, WA) was once suspended for 3 days for kissing his girlfriend. He has suffered verbal abuse and rejection from teachers, school counselling staff and students and was once cornered, beaten up and raped at his government school. Jo says *'I suffer from trauma related depression, that has a lot to do with homophobic acts that have happened to me.'* He tried moving schools and avoiding using female bathroom facilities, but the situation got so bad he dropped out.

This literature review identifies the context for controversies and current policies around GLBTIQ students. It then details new research on Australian GLBTIQ students, discrimination and bullying, and the impacts of policies addressing these problems.

2.1 Shifting Sands

The UN Human Rights Council recently passed the first ever resolution on sexual orientation and gender identity, and advised Australia to amend national anti-discrimination and marriage laws (2011). Many other countries have remodelled marriage laws (ILGA Europe, 2009; Jones, 2009), and the Australian Senate recently remodelled over 58 laws on GLBTIQ issues (Gay and Lesbian Rights Lobby, 2008). The *International Technical Guidance on Sexuality Education* (UNESCO, 2009) decries discrimination on the grounds of sexual orientation and gender identity (p.11). Further, the *UNESCO Rio Statement on Homophobic Bullying and Education for All* (2011) calls upon all governments to 'live up to their responsibility' to eliminate barriers to education created by homophobia and transphobia, including the 'unacceptable and devastating prevalence' of anti-GLBTIQ bias and violence in schools. UNESCO will launch further policy guidance in May, based upon comparative research (UNESCO, 2012) and monitoring.

2.2 Australian Education Controversies

The Australian media has identified the need for anti-homophobia efforts in schools (McDougall, 2008; Usher, 2010). Same-sex partner bans at school formals have caused outrage (Cook, 2010; Ironside, 2008; Ryan, 2010). Some independent schools have been under fire around expulsion of gay students (Marr, 2011), provision of services (Fyfe, 2011), and anti-gay/ conversion-themed teachings (AFP, 2011). There have also been stories around transsexual students' transitions (Kissane, 2009), and 'cross-dressing' primary school students (Gradwell, 2009). Schools increasingly need guidance on such issues.

2.3 Australian Education Policies

The *Melbourne Declaration on Educational Goals for Young Australians* (MCEETYA, 2008) outlines a commitment from all governments to ensure an education service free from discrimination based on grounds including 'gender' and 'sexual orientation' (p.7). But the Universal Periodic Review of Australia revealed a need for development in some education policy areas (UN Human Rights Council, 2011).

2.3.1 States with Distinct Policy Documents

Only two Australian states – Victoria and NSW – have direct education policy documents entirely focussed on explicit protection against homophobia and GLBTIQ student issues. Both states also had some indirectly relevant policies.

The Victorian DEECD's policies are the largest, most comprehensive and explicit anti-homophobia and pro-diversity policies in Australian education. They take a

largely 'Safe and Supportive Schools' approach. They principally include the eight-page document *Supporting Sexual Diversity in Schools* (VIC Government, 2008) and a large policy on 'Gender identity and students with a transgender or intersex status' in the *Victorian Schools Reference Guide* (VIC Government, 2007, 4.5.10.11). The guide also covers sexual diversity within 'Sexuality education' (3.17.2) and 'Student disclosures and confidentiality' (3.17.5). Homophobic bullying was allocated a section in *Safe Schools are Effective Schools: A resource for developing safe and supportive school environments* (VIC Government, 2006, p. 14) and its update *Building Respectful and Safe Schools: A resource for school communities* (VIC Government, 2010a, pp. 29-30). In addition, human resources policies protect same-sex attracted and transgender staff (VIC Government, 2009a, 2010b) and inclusive health education materials are provided (VIC Government, 2004, 2009b). The Catholic sector notably only has conservative, morality-based policy (Catholic Education Office Melbourne, 2001).

The New South Wales DET policies combine 'Anti-discrimination' approaches with aspects of 'Safe and Supportive Schools' approaches. It features the education policy *Homophobia in Schools* (Boston, 1997), which particularly considers student complaints. There are references negating homophobic discrimination in conduct policies (NSW Government, 2005, p. 6; 2008a, p. 2; 2008b, p. 11; 2010). The *Complaints Handling Policy Guidelines* (NSW Government, 2008c) directs discrimination complaints on the basis of homosexuality or transgender status towards Legal Services (p.14). Lessons addressing homophobia appear in the mandatory *Personal Development Health and Physical Education Syllabus (years 7-10)* (Board of Studies NSW, 2003). NSW Catholic sexuality education curriculum materials discourage discrimination on the basis of homosexual and transgender identity (Catholic Education Commission NSW, 2004, p. 77).

2.3.2 States with Indirect Policy Indicators

The other states and territories have only indirect education policies (primarily on another or broader topic, wherein discrimination and bullying on the grounds of sexual orientation and gender identity was not the main focus). This includes WA policies, covered in Section Three of this report.

Tasmania has three relevant indirect government education policies focussed on discrimination. They include 'sexuality' in the list of traits not to be discriminated against: broadly in *Anti-discrimination and anti-harassment policy* (TAS Government, 2008a, rationale, 1.1, 1.2), regarding schooling access in *Equity in Schooling: Policy & Implementation Plan* (TAS Government, 2008b, introduction) and regarding support materials in *Supportive School Communities Policy Framework 2003-2007* (TAS Government, 2003, p. 12).

The Australian Capital Territory had three relevant indirect policies around promoting safety from harassment. *Countering Bullying, Harassment and Violence in ACT Public Schools* includes 'sexual orientation' in a list of traits associated with harassment (ACT Government, 2007a, p. 2). *Countering Sexual Harassment in Public Schools* uses 'homophobia' in its definitions of sexual harassment, hostility and violence (ACT Government, 2007b, p. 2). The *Equity and Diversity Plan 2007-2009* (ACT Government, 2007c) uses the term 'sexuality' to define diversity in relation to harassment.

Queensland's *Inclusive Education Statement* (QLD Government, 2005) lists an appreciation of 'sexuality' only within indicators of inclusive education (p.2). Only an entirely separate glossary document *CRP-PR-009: Inclusive Education - Key Terms* (QLD Government, 2006) defines 'diversity' with the term 'sexual orientation'. Some health curricula provisions exist (QLD Government, 1999; 2000a, pp. 3-4; 2000b, p. 5; 2001, 2004).

The Northern Territory has a policy that negates teachers propounding political or personal views – *Principles for Dealing with Controversial Issues in Schools* (NT

Government, 1998). There is minimal mention of sexual identity in state health curricula (NT Government, 2007a, 2007b, 2007c).

South Australia describes ‘serious problem sexual behaviour’ with a homophobic over-reliance on homosexuality in the policy *Responding to problem sexual behaviour in children and young people* (South Australia Department of Education and Children’s Services, Catholic Education SA, & Association of Independent Schools of SA, 2010).

2.4 Research Context

Education research has shifted from problematising GLBTIQ students to *problematising school environments*. Education policy is seen as a potential ‘solution’.

2.4.1 Australian GLBTIQ Students

Amongst secondary students, about 10% identify as gay or lesbian and bisexuality may count for over one-third of adolescents’ sexual experiences (Sears, 2005, p. xx). In addition, 1.7% of students are ‘born intersex’ – which means their physical make-up such as DNA, hormones and/ or genitalia falls between male and female categories (Carroll, 2005b, p. 441). A growing number of students identify as ‘transgender’, ‘genderqueer’ and ‘gender variants’ (Carroll, 2005a; Rasmussen, 2006). The 2010 third national Australian ‘*Writing Themselves In*’ (WTi) survey of same-sex attracted and gender questioning young people gathered responses from 3,134 Australians (ranging from 14–21 years). All states and territories were proportionately represented (for other background details on this group not examined here, see Hillier, et al., 2010). Overall, 57% were female, 40% were male and 3% inhabited other gender diverse positions – ‘genderqueer’, ‘transgender F-M’, ‘transgender M-F’, ‘intersex’ and so on. By orientation, 56% identified as gay/ lesbian/ homosexual, 28% as bisexual, 5% positioned as questioning, 4% as queer

and 1% as heterosexual (yet somewhat same-sex attracted). Other sexual identity terms included 'pansexual', 'no label' or 'me'.

2.4.2 Discrimination and Bullying in Schools

The WTi surveys provided data about GLBTIQ students' experiences of discrimination and bullying over time (Hillier, et al., 2010). There can be a misperception in Australia that GLBTIQ students now have a much easier time at school due to broader cultural tolerance. However, as GLBTIQ students have increasingly come out over the past decade (98% had spoken to someone about their sexual feelings in 2010, compared with 95% in 2004 and 82% in 1998), ***their experience of bullying has significantly increased***. In 2010, 61% of young people reported verbal abuse because of homophobia, 18% of young people reported physical abuse because of homophobia and 69% reported other forms of homophobia including exclusion, cyber-bullying and rumours. Overall, 80% experienced the abuse at school (a figure that had increased from 74% in 2004 and 69% in 1998). These students are being ***bullied more now than ever before***, an epidemic reflected in research from around the world (Hunt & Jensen, 2009; Kosciw, Greytak, Diaz, & Bartkiewicz, 2010; UNESCO, 2012). Perhaps this is because they are more visible ('out').

Gender questioning students are at particularly high risk of all types of abuse. The physical abuse ranged from having clothes ruined to severe bashings and rapes resulting in hospitalisation. Abuse profoundly impacts wellbeing; victims felt less safe at school and were more likely to self-harm and attempt suicide. Students described having their abuse complaints ignored by staff, being punished for reporting abuse or being asked to leave their schools as the problem was 'too difficult'. There were also issues with students being made to use inappropriate uniforms or facilities, and not receiving relevant sexuality education material. Most

reported discrimination against same sex couples at school dances, and deficiencies in social and structural supports.

2.4.3 The Impacts of Policies

In the two sectors where distinct explicit policy documents wholly on the topic of homophobic bullying and GLBTIQ student issues existed (the Victorian and NSW Government sectors), GLBTIQ students were ***significantly more likely to report school-level policy protections*** (Jones, 2012). GLBTIQ students were also significantly more likely to report that their sexuality education was inclusive and that all students were taught 'that homophobia was wrong'. Equally, in sectors where there were only indirect policies in place, these benefits were comparatively reduced. General inclusion policies with little mention of GLBTIQ students (for example in QLD) or disparate policy indicators simply did not carry a strong enough message to schools and staff that preventing discrimination and bullying on the basis of sexual orientation and gender identity (not just other grounds) was indeed ***their legal and professional duty***.

i) Increased School Support and Improved Provision

GLBTIQ students who knew their school had protective policies in place were:

- More likely to feel safe (75% v. 45% at schools without policies).
- More likely to feel good about their sexuality (85% v. 78%).
- More likely to report a support feature at their school (84 % v. 41%), such as:
 - posters about sexual diversity (33% v. 8%),
 - students who speak up against homophobia (43% v. 16%),
 - friendliness towards them regardless of their sexuality (57% v. 20%),
 - equal treatment at events like formals (40% v. 10%),
 - links with sexual diversity support services (32% v. 6%),

- and access to library books about diversity (49% v. 16%).

Notably, a strong majority of GLBTIQ students from the Victorian government sector reported **at least one support feature** (73%). Conversely, most GLBTIQ students from NSW Catholic (60%), QLD Catholic (54%) and NSW Other Christian (55%) sectors reported **no support features**. Sector-specific policy contexts were reflected: Victoria's DEECD explicitly recommended schools displayed posters and information on noticeboards (VIC Government, 2008, p. 5; 2010a, p. 29); used external referrals to experts on gender identity and sexual diversity (VIC Government, 2007 4.5.10.11.1; 2008, p. 5); developed a relevant 'library of resources' and created 'same-sex attracted friendly environments' (VIC Government, 2008, p. 10). All other systems lacked recommendations around support features, and the dearth of policy on GLBTIQ students in religious systems likely further enabled conservative default positions (where no supports were provided). Thus, explicit recommendations in Victorian DEECD policies appeared most useful in contributing towards specific supports for GLBTIQ students.

Policy protection at the school level had a highly significant relationship with GLBTIQ students' overall rating of their school. Of the 1,156 students who rated their school as homophobic, the majority (52%) reported there was no policy protection at their school (36% didn't know and only 13% attended schools where there was a policy). Of the 578 students who ranked their school as supportive, the majority (56%) knew there was an anti-homophobia policy at their school (34% didn't know and only 10% attended schools where there was no policy). This suggests that explicit GLBTIQ policy protections contribute to supportive school environments, reflecting international research.

ii) Reduction in Homophobic Bullying

Poignantly, Figure 1 shows how Australian GLBTIQ students who knew their school had protective policies were almost half as likely to be physically abused at school, and less likely to suffer other forms of homophobic abuse. This is a dramatic

difference that cannot be ignored by education leadership, parents and communities. The difference had much to do with how teachers, principals and other school staff made their ‘no-tolerance’ approach to homophobic bullying very clear to students. In such schools incidents of homophobic violence were more likely to be handled swiftly and successfully with reprimands and educational efforts directed at offenders, and counselling and support offered to victims.

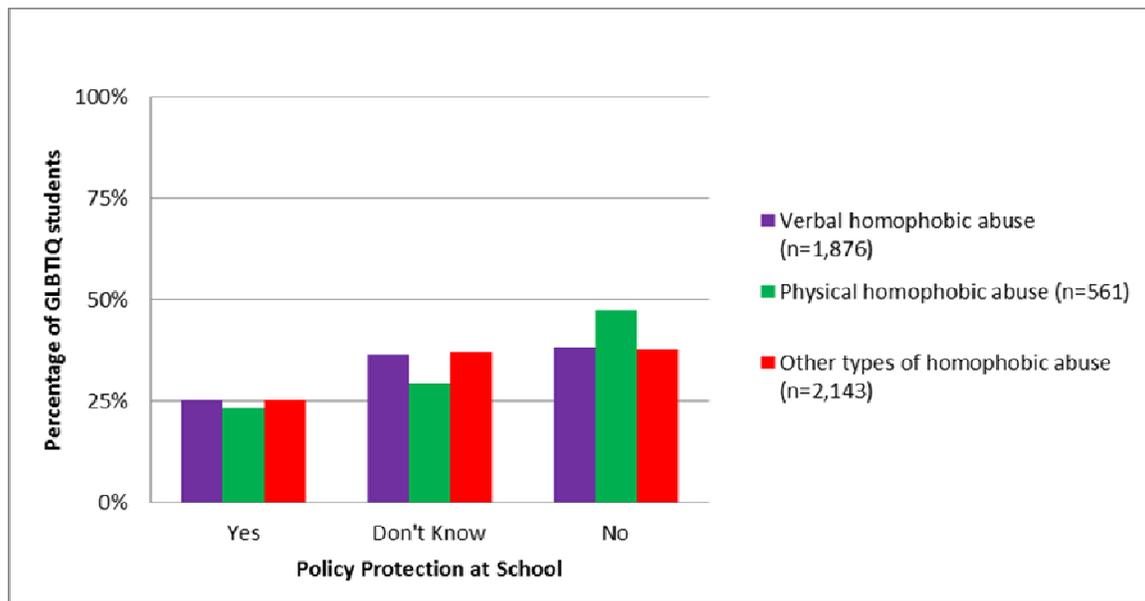


Figure 1: GLBTIQ students’ perceived policy protection vs. homophobic abuse.

iii) Reduction in Wellbeing Risks (Self-Harm and Suicide)

Figure 2 shows how protective policies lowered GLBTIQ students’ risks for self-harm and suicide due to homophobia². GLBTIQ students who knew their school had protective policies were:

² The wording of the survey question used for this data made it clear that the self-harm and suicide issues under discussion only related to those based on homophobia. Thus, although more survey participants had thought about or attempted self-harm or suicide than presented here, those who did so for other reasons (including mental health issues or unrelated traumas) were excluded from this data set.

- Less likely to think about self-harm (32% of GLBTIQ students whose school had a policy thought about self-harm v. 47% of GLBTIQ students whose school had no policy).
- Less likely to self-harm (26% v. 39%).
- Less likely to think about attempting suicide (34% v. 47%).
- Less likely to attempt suicide (12% v. 22%).

Strikingly, with policies in place suicide attempts were almost halved. Yet a lack of policy, or lack of clarity around policy, was contrastingly problematic for GLBTIQ students' wellbeing. Indeed, the risk as indicated here underestimates the full magnitude of the problem, because no surveys could be collected for students whose suicide attempts did end their lives. But these terrible figures also highlight an incredible opportunity. They reveal **educational leaders can make a potentially dramatic difference to self-harm and suicide rates** for one of the most vulnerable youth groups in Australian society today through the development and promotion of protective policies.

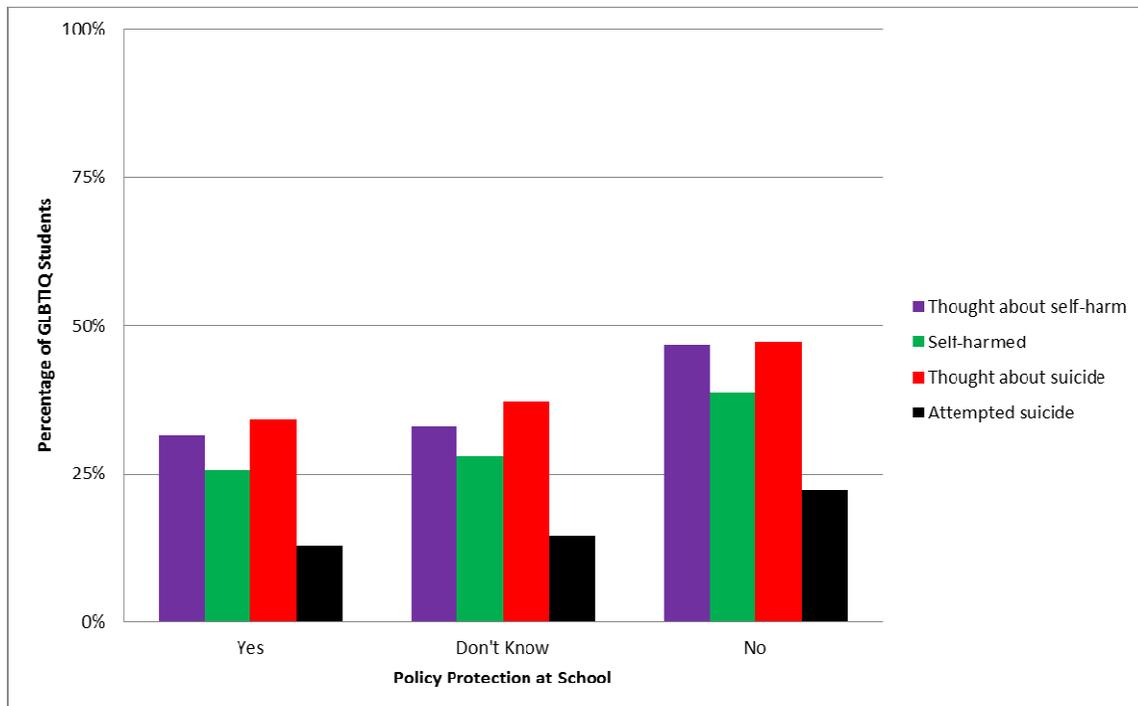


Figure 2: GLBTIQ students' perceived policy protection vs. self-harm and suicide risk.

3. WA EDUCATION REVIEW – Gaps and Opportunities

** Lisa (lesbian student, 18, WA) says her schools' sex-ed efforts were 'very hetero-orientated. I think gay sex was mentioned once in 6 years (if that), and lesbian sex never. In the end I had to ask my doctor for information on lesbian safe-sex'. She wants schools to provide information and posters about diversity, and says staff must 'crack down on the homophobic comments that fly around left, right and center!'*

The WA context was reviewed using secondary analysis of survey data taken from Wti3. Comparative analysis of the state policy context and an assessment of available partners and programs are considered.

3.1 WA GLBTIQ Students

New research into WA GLBTIQ students (Jones, 2012)³ has highlighted WA's strengths and areas for improvement. ***A strong majority of 94% of WA GLBTIQ students reported their school had some form of sexuality education***, a percentage almost as high as in NSW (where it is mandatory). However, the bulk of this education overlooked GLBTIQ issues. It constituted information about how traditionally male and female bodies change at puberty (91% of students received this information), the reproductive role of heterosexual sex / 'mating' (89%) and risks around heterosexual sex such as STIs (87%). ***Only 12% of WA GLBTIQ students were taught that homophobia is wrong, the lowest result across all states.*** Worse, 59% of WA GLBTIQ students at Catholic schools were taught sex outside of marriage was wrong, which is problematic as they currently cannot foreseeably marry in the Australian legal context. Further, 33% of WA GLBTIQ students were taught to convert to heterosexuality. Such 'ex-gay' conversion

³ The total number of WA GLBTIQ students in the sample from the larger body of data on Australian GLBTIQ students was 305.

processes have been widely denounced by respected psychological and psychiatric bodies as ineffective and extremely damaging (APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation, 2009). The data reflected findings from a study of mainly heterosexual WA students, who argued their schools focussed on puberty and procreation, overlooking harassment of GLBTIQ students (Sorenson & Brown, 2007). In short, WA provides more sexuality education than most other states, but with little consideration for its GLBTIQ students.

Currently, only 20% of WA GLBTIQ students attend a school with protective policy around bullying or discrimination on the basis of sexual orientation and gender identity (only 11% for Catholic schools). Further, **82% of WA GLBTIQ students do not classify their school as a supportive school.** In addition, **44% of WA GLBTIQ students consider their school to be actively homophobic, a higher figure than in any other state.** The students were asked if their school featured any of a list of specific support features. The largest portion (47%) of WA GLBTIQ students attended a school with no social support features (friendliness to GLBTIQ students, students who speak up against homophobia) OR structural support features (library books, links to groups/ services, posters, equal treatment of partners at events). WA was on par with QLD as the two states with the most unsupportive schools socially and structurally. The most likely support feature was friendliness towards GLBTIQs, which less than one third of GLBTIQ students across WA school types experienced. Statistics were even worse for WA Catholic schools; 72% of WA GLBTIQ students reported no support features at their Catholic school, the worst result across all state sectors. The other independents in WA had similar results to government schools. Clearly, WA schools need guidance to improve conditions for GLBTIQ students.

3.2 WA Policy

WA legislation protects against discrimination on the grounds of 'sexual orientation' and 'gender history', with some exemptions for religious educational institutions (WA Parliamentary Counsel, 2010). Education policy does not yet adequately reflect this legal context. There are currently no distinct education policy documents that deal directly and solely with homophobic bullying or GLBTIQ student issues at the state or sector levels in WA education. WA does have policies protecting GLBTIQ employees (WA Government, 2004, p. 7; WA Government Department of Health and Department of Education & Association of Independent Schools WA, 2002, p. 4), and the new online version of the state's *Behaviour Management in Schools* policy (WA Government, 2008) mentions 'homophobic' verbal bullying (p.18). However, such minimal, indirect and secondary reference to GLBTIQ students in a more general policy **is not enough** to address the very specific educational provisions that must be made for the welfare of GLBTIQ students to be protected or to combat institutionalised discrimination. The lack of **detailed guidance** on GLBTIQ student issues is substantial and problematic. Research shows the lack of explicit state and sector level policy documents dealing solely with issues of homophobic bullying and/ or sexual diversity is associated with fewer school policies, fewer social and structural support features, and increased risks around self-harm and suicide for GLBTIQ students (Jones, 2012; Jones & Hillier, 2012).

The state's education leadership is vulnerable to potential accusations of negligence around the public health crisis of homophobic bullying, lawsuits from students and their families or public controversies around inequitable provisions. This has already been seen in the case of the St Mary's Anglican Girls' School formal debate, in which over half of one Perth newspapers' readers decried the school's discriminatory ban of same sex partners and protesting students launched an internet campaign defaming the school (Symonds, 2011a, 2011b). It was also seen in the outcry defending Mikey James, a transsexual student forced to leave his WA

state school because of the mishandling of the verbal and physical abuse he experienced there around his gender transition (Hiatt, 2012).

3.3 WA Curricula

Growing and Developing Healthy Relationships (WA Government Department of Health and Department of Education & Association of Independent Schools WA, 2002) had one obscured note within some related materials telling teachers to encourage students to 'challenge heterosexist attitudes' (teaching notes, p.25). Teachers were also to interrupt student disclosures of sexual orientation during class (p.26). However, this document was NOT compulsory curricula material. *Guiding Principles for the Provision and Practice of Sexual Health Education* (WA Government, 2003) mentioned 'sexual orientation' in a diversity statement (p.11). The Anglican policy *Christian Religious Studies Progress Map* (Anglican Schools Commission, 2008) promoted a values-clarifying analysis of 'sexuality' for 'personal choice' using a range of theoretical frameworks (p.18). These small opportunities to encourage efforts around GLBTIQ students are easily overlooked; seen in the significant gaps to content WA students experience in practice.

3.4 WA Potential Partners and Programs

The WA educational leadership can capitalise upon recent Australian research that outlines the best kinds of policies for GLBTIQ student issues. Constructing a distinct, direct policy based upon the new research, could draw together and foreground the currently indirect and disparate policy and curricula indicators around GLBTIQ issues. Structures unique to this state exist which could support swift, informed progress. Additionally, well-positioned attendees to the Challenging Sexuality and Gender Based Committee's extremely well-received education forums have

articulated an interest and capacity to contribute towards anti-homophobia education (adapting existing anti-bullying programs, offering expertise or providing community links).

4. RATIONALE – The Safe and Supportive Schools Approach

* [Josh \(bi male student, 14, WA\)](#) came out to both a teacher and a student counsellor at his government school, but they were not supportive. The one highlight for Josh is a sexual diversity poster displayed at school which makes him feel '*excellent*'.

'Safe and Supportive Schools' policies that explicitly mention anti-discrimination laws and homophobic bullying, and provide detailed guidelines for the provisions of specific structural and social supports for GLBTIQ students, have emerged as the most useful type of policy-led approach for protecting GLBTIQ students (Jones, 2012; Jones & Hillier, 2012; UNESCO, 2012).

4.1 Safe and Supportive Schools Policies

In this approach, policies are ideally developed at ***both the state/sector and school levels*** to explicitly reinforce legal and professional requirements around the need to provide a safe and supportive space for GLBTIQ students, staff and families. Examples are found in Victoria and internationally.

4.1.1 Framework

'Safe and Supportive Schools' are educational spaces in which all students, and specifically GLBTIQ students, are physically, socially and psychologically protected and supported. This protection and support involves both structural elements (policies, support features, educational efforts, resources and removal of heterosexist barriers to education) and social elements (active efforts to encourage a supportive and welcoming attitude amongst staff and peers to GLBTIQs).

UNESCO's (2011) recommended measures for promoting such schools include ensuring:

- Safe school climates free of anti-GLBTIQ bias and violence;
- Access to relevant GLBTIQ sexuality information;
- Staff prepared and willing to maintain accessible learning environments;
- Mechanisms of periodic review by which educational institutions, systems and governments consult with development partners and all education sector stakeholders hold themselves accountable.

4.1.2 Key Leadership Issues

Explicit discussion of the schools' anti-discrimination stance, which includes grounds of sexual orientation and gender history in keeping with WA law, is the professional duty of leadership. Steps for achieving the 'Safe and Supportive School' are implemented without 'waiting for' a complaint or incident to occur. These steps are to be operated on the presumption that statistically, GLBTIQ students likely attend the school, and should not have to make their identities known to access equitable education.

4.1.3 Why all school levels (including primary and secondary)?

From their first school day, children are explicitly and implicitly taught what it means to have a particular sex, so-called gendered behaviors or sexual orientation. Over a third of GLBTIQ students knew their sexual difference before puberty (Hillier, et al., 2010). One tenth 'always knew', 26% knew by age 10, 60% knew by age 13 and 85% by age 15. Five percent were unsure when they knew. Students with diverse gender identities were particularly likely to have always felt different. It is thus important to affirm diverse gender expressions, feelings and families even with younger students.

4.1.4 Why all school sectors (including independents and religious schools)?

Australian GLBTIQ students attended every school sector and type (Hillier, et al., 2010): 65% attended government schools, 18% attended Catholic schools and 12% attended 'other Christian' schools – figures consistent with broader demographics (Australian Bureau of Statistics, 2010). Others attended Jewish, Steiner, Islamic, Scientology, non-denominational, community, distance, ballet, home and other schools. One-fifth of respondents came from rural and remote areas. There is no sector or school type that can claim that their GLBTIQ students do not deserve to be safe. The increased risks these students face around violence, educational disruption or suicide are so significant that educational leadership of all beliefs are united by an ethical responsibility to protect them. Further, homophobic bullying and gender stereotypes are frequently used to shame non-GLBTIQ students. Combating homophobia protects all students in all schools.

4.2 Safe and Supportive Schools Practices

4.2.1 Structural and Social Provisions

Structural steps principals should be involved in include (but are not limited to):

- Developing explicit, visible, widely launched and frequently reinforced policy and school code protections against bullying and discrimination on the basis of sexual orientation and gender identity.
- Overseeing the confidential development of management plans for transgender and intersex students in which the student and a family member/ carer/ representative are involved, which focus on the ***management of the school*** according to the students' needs (rather than managing ***the student***). This plan should be developed after reviewing information from organisations such as

the WA Gender Project and Freedom Centre. It should safeguard the confidentiality of students' gender status or transitions from staff and students, outline agreed processes for informing others *if relevant*, consider name and gender term preferences/ transitions in enrolment documentation and usage, plan for appropriate courses of action in the event of problematic scenarios and allow for multiple meetings and reviews as needed.

- Ensuring there are some gender-neutral toilet options available in central areas within the school (not reserved for students with a disability) that any student may use regardless of their gender status, but their usage must not be enforced upon trans or intersex students.
- Ensuring there are some gender-neutral uniform options available to all students.
- Providing for safe gender-neutral sleeping quarters on school camps.
- Ensuring forms and invitations to school events are gender-neutral and do not presume heterosexuality.
- Providing inclusive curricula, posters and resources that represent a range of sexualities/ gender identities. Involving head staff in reviews of curricula, resources and materials around GLBTIQ representations.
- Providing inclusive GLBTIQ-friendly counselling/ nursing services.

Social steps include (but are not limited to):

- Encouraging all staff and students to respond to homophobic or transphobic abuse of any form swiftly and appropriately – ranging from educational interventions and gentle responses to unintentionally discriminatory language, to discipline for students who inflict homophobic violence on others, and counselling referrals and activism opportunities for victims.
- Encouraging friendliness and appreciation of diverse students.
- Encouraging inclusive language and challenging gender-based assumptions.
- Occasionally making generalised positive statements valuing GLBTIQ diversity.

4.2.2 Why Staff Training?

Teachers' attitudes towards GLBTIQ students can be greatly enhanced with training that gives them better understanding of GLBTIQ issues in schools (Larrabee & Morehead, 2010). As university-based teacher education has not provided enough training on GLBTIQ issues (Carman, Mitchell, Schlichthorst, & Smith, 2011), educational leadership should support teacher training initiatives for staff like those provided through the NSW DET, VIC DEECD and SSCV. Leadership should contribute to mounting pressure for universities to make such training standard across education degrees.

4.2.3 Why Involve Head Staff?

Head teachers for all departments should review whether existing curricula, textbooks and learning materials convey negative messages about GLBTIQs, or simply reinforce existing gender norms and stereotypes. In such cases, homophobia and transphobia may become perpetuated (UNESCO, 2012). Head librarians, counsellors, nurses and other staff can audit other key resources. Principals and head teachers should outline disciplinary and curriculum provisions related to sexual diversity and gender identity (sexuality education, human rights education, possibilities for a cross-curricula approach and informal teachable moments).

5. RECOMMENDATIONS – Policy and Practice Strategies

* Eliza (female, lesbian, 18, WA) attends a government school with an anti-homophobia policy in place. It features posters, students who speak up against homophobia, friendliness towards diverse people, diverse sex education and equal treatment of same sex partners at events. While she has not come out at home, she disclosed her sexuality to a teacher at 14 and was referred to support services. There were a few rumours about her initially, but teachers handled these well through education. She says homophobia at school hasn't impacted her and her '*Very Supportive*' school is one of the few places in her world where she feels truly safe enough to do '*just normal student things, like learn*'.

Preventing discrimination and bullying on the basis of sexual and gender identity requires *leadership* from state, sector and school level educational bodies. Recommendations are drawn from research, consultations with the WA EOC Working Group and Steering Committee and UNESCO, and key informants from the Victorian and NSW contexts.

- Develop distinct and direct policies at the state, sector and school level promoting a 'Safe and Supportive' approach around GLBTIQ students. In these policies:
 - Specifically name and explicitly describe the issues of bullying and discrimination on the basis of sexual orientation and gender identity (information from this report can be incorporated as needed).
 - Cite international human rights polity, WA anti-discrimination legislation and any relevant institutionally-specific values/ goals in policy rationales.
 - Encourage development of other (school/ class) policies as relevant.
 - Encourage affirming sexuality education messages and review of all curriculum areas/ resources/ materials.
 - Recommend specific structural and social support features.

- Outline planning processes and provisions around gender identity issues specifically (see rationale around management plans).
 - Conceive homophobic abuse as not just one-off incidents but as a broader social effect to be addressed through a combination of disciplinary and educational measures.
 - Conceive all staff and students as responsible for contributing to preventing homophobic bullying.
 - Include problematic scenario examples and 'good response' guidelines.
 - Include links to relevant information, groups and services.
- Launch policies through all available media (newsletters, emails, websites, conferences, parent forums, assemblies, noticeboards, diaries/ codes).
 - Encourage implementation regularly.
 - Organise staff/teacher training and other professional development opportunities around GLBTIQ issues, combating homophobic bullying and delivering inclusive educational services.
 - Audit the use of language and processes in institutional systems, invitation templates and addresses to redress unintentional heterosexism.
 - Audit curricula, facilities, gender-neutral uniform and toilet options, library resources, supportive displays and other provisions as discussed in this report. Include GLBTIQ perspectives and/or gender-neutral approaches on physical development, reproduction and safer sex in sexuality education, and general anti-homophobia and diversity lessons.
 - Review provisions periodically.

5.4 Conclusion

While discrimination and bullying on the basis of sexual orientation and gender identity is rife in WA schools, this report was able to highlight useful applications of policies that could, with the development of specific implementation measures, contribute to positive outcomes for GLBTIQ students. Several Australian states are responding to the new research data to improve provisions. WA leadership are in an excellent position to act on these issues by harnessing available partnerships, responding to research and taking a preventative (rather than a reactive) approach.

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