



Texas Health Textbooks Should Acknowledge Importance of Gender Identity and Sexuality

IDRA Testimony regarding Agenda Item #2: Report from the Commissioner of Education Regarding Instructional Materials Offered for Adoption under *Proclamation 2022*, submitted by Chloe Latham Sikes, Ph.D., to the Texas State Board of Education, November 16, 2021

Dear Chairman Ellis and Honorable Members of the State Board of Education:

My name is Dr. Chloe Latham Sikes, and I am the Deputy Director of Policy at IDRA, a national education non-profit committed to achieving equal educational opportunity for all youth. We operate the IDRA EAC-*South*, the largest of four equity assistance centers, which is federally funded under the 1964 Civil Rights Act and provides training to schools across the U.S. South to ensure all students can learn free from discrimination, including discrimination based on gender identity.

We are concerned about the publisher's rejection of recommendations to include references to students who are gender non-binary, transgender, and otherwise identify in the LGBTQ community. Excluding references in instructional materials to LGBTQ youth and their experiences ignores the very real and important experiences of young people in Texas schools, discriminates against one of the most vulnerable student populations in our country, and reflects a very narrow and inaccurate reading of the Health Education TEKS for middle school grades.

LGBTQ Information is Necessary Health Information in the TEKS

The Texas Essential Knowledge and Skills (TEKS) for health education in middle school grades (6th and 7-8th) include instruction about important health topics. This includes information about healthy behaviors to manage stress and understand issues related to body image; the interrelationships of physical, mental and social health; expected changes to male and female anatomy and physiology during puberty; and the role of hormones related to growth, development and personal health (TAC 19, [§115.22](#) and [§115.23](#)).

Health education instructional materials must include references to LGBTQ experiences to convey a comprehensive understanding and appreciation of human health. Youth who identify as LGBTQ experience distinct changes related to stress, body image, physical, mental and social health and anatomical and physiological changes during puberty and adolescence. In order to fully address the mandated TEKS, instructional materials must include the full range of human gender identities, sexualities and experiences related to health, puberty, hormones, and the school and social climate.

LGBTQ Information is Necessary to TEKS on Bullying Prevention and Interpersonal Relationships

Students in the LGBTQ community experience exclusion, harassment and bullying in schools at higher rates than their peers due to their gender identity and sexual orientation. In 2019, more than one in 10 LGBTQ students reported being discouraged from school sports and activities,

and 59% had experienced discrimination through school policies and practices based on their identities (GLSEN, 2020). Tragically, 42% of transgender people will attempt suicide in their lifetime (GLSEN, 2017).

The TEKS for health education in middle school grades requires students to engage in behaviors that reduce the risk of bullying, including through strategies to prevent and intervene in physical, emotional, social and sexual bullying. Given the high rates of bullying, exclusion and harassment that LGBTQ students experience, all students must have instructional materials that educate them to prevent and intervene in these discriminatory and harmful practices.

Instructional materials about health education must be inclusive of all students' experiences. Excluding references to LGBTQ people and their experiences contributes to unwelcoming and unsafe school climates for these students.

Excluding References to LGBTQ Experiences Runs Afoul of Federal Protections Against Discrimination on the Basis of Sex

In addition to creating unwelcoming, unsafe, and unfair barriers for LGBTQ students, excluding them in health education materials goes against the spirit of federal Title IX protections against school-based discrimination on the basis of sex. In its opinion on Title VII in *Bostock v. Clayton County, Georgia*, the U.S. Supreme Court made clear that discrimination based on sex includes protections based on gender identity or sexual orientation for LGBTQ individuals. This was reiterated through President Biden's Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, issued January 20, 2021, which specifically notes the importance of protecting young people in schools from this type of discrimination.

Students' educational success depends on their ability to access equitable educational opportunities – whether in their classrooms, on the athletic field, or in their textbooks and instructional materials. The State Board of Education should ensure that all students have access to safe and welcoming materials and school environments.

Recommendations

- Adhere to the Health Education Texas Essential Knowledge and Skills by including references LGBTQ references in health education instructional materials; and
- Support policies, practices, and materials that promote comprehensive school policies regarding bullying and sexual harassment that specifically speak to LGBTQ gender nonconforming youth.

IDRA is available for any questions or further resources that we can provide. Thank you for your consideration. For more information, please contact Dr. Chloe Latham Sikes, IDRA Deputy Director of Policy, at chloe.sikes@idra.org.

Resources

IDRA. (2019). Gender Justice, *IDRA Newsletter*. <https://idra.news/nlOct19p>

IDRA. (2019). School Climate Affects LGBTQ Student Well-being, infographic. Intercultural Development Research Association. <https://idra.news/iGlbqt19>

Kosciw, J.G., Clark, C.M., Truong, N.L., & Zongrone, A.D. (2020). The 2019 National School Climate Survey – The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation’s Schools. GLSEN. [NSCS-2019-Executive-Summary-English_1.pdf \(glsen.org\)](#)

National Center for Transgender Equality and National Gay and Lesbian Taskforce. (2010). Findings of the National Transgender Discrimination Survey. https://transequality.org/sites/default/files/docs/resources/ntds_state_tx.pdf

NEA. (2016). *Legal Guidance on Transgender Students’ Rights*. Washington, D.C.: National Education Association. https://www.nea.org/sites/default/files/2020-07/2018_Legal%20Guidance_Transgender%20Student%20Rights.pdf

Shaffer, S., & Lerner, P. (October 2017). Supporting LGBTQ Students Faced with Sexual & Gender Harassment, IDRA Newsletter. <https://budurl.me/IDRAInOct17c>

The White House. (January 20, 2021). Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation, Presidential Action. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-preventing-and-combating-discrimination-on-basis-of-gender-identity-or-sexual-orientation/>

IDRA is an independent, non-profit organization led by Celina Moreno, J.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. IDRA strengthens and transforms public education by providing dynamic training; useful research, evaluation, and frameworks for action; timely policy analyses; and innovative materials and programs.



School Climate Affects LGBTQ Student Well-being

60% of LGBTQ students feel unsafe at school.

35% of LGBTQ students missed at least one entire day of school in the past month because they felt unsafe or uncomfortable.

92% of LGBTQ students felt distressed by hearing anti-LGBTQ remarks at school.

57% of students reported hearing homophobic remarks from their teachers or other school staff.

Lesbian, gay, and bisexual youth are **3-5 times more likely** to attempt suicide.

40% of transgender people will attempt suicide in their lifetime.

62%

of LGBTQ students report experiencing LGBTQ-related discriminatory policies or practices at school.

Some schools have policies prohibiting students from...

- ✗ discussing or writing about LGBTQ topics in school assignments;
- ✗ attending a dance or function with someone of the same gender;
- ✗ wearing clothing or items supporting LGBTQ issues; and
- ✗ using the preferred name or pronoun of transgender and gender nonconforming students.

LGBTQ students who experienced higher levels of victimization because of their sexual orientation or gender expression...

- ▶ Were nearly **three times as likely** to have missed school in the past month than those who experienced lower levels;
- ▶ Had **lower grade point averages** than students who were less often harassed;
- ▶ Were **twice as likely** to report that they did not plan to pursue college than those who experienced lower levels; and
- ▶ Were **more likely** to have been disciplined at school.

Students who feel safe and supported at school naturally do better in school

Effective School-based Supports...



Data Sources: The 2017 National School Climate Survey, GLSEN; Side by Side, 2019; The Williams Institute, UCLA School of Law, 2019

