

118TH CONGRESS
1ST SESSION

S. RES. 134

Supporting the goals and ideals of the Rise Up for LGBTQI+ Youth in Schools Initiative, a call to action to communities across the country to demand equal educational opportunity, basic civil rights protections, and freedom from erasure for all students, particularly LGBTQI+ young people, in K–12 schools.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2023

Mr. SCHATZ (for himself and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

RESOLUTION

Supporting the goals and ideals of the Rise Up for LGBTQI+ Youth in Schools Initiative, a call to action to communities across the country to demand equal educational opportunity, basic civil rights protections, and freedom from erasure for all students, particularly LGBTQI+ young people, in K–12 schools.

Whereas young people, teachers, school staff, families, and communities must be free from transphobia, homophobia, racism, sexism, and ableism in K–12 schools;

Whereas K–12 schools must be safe and inclusive learning environments that include and affirm LGBTQI+ young people, especially those who are transgender, nonbinary,

intersex, Black, Indigenous, people of color, and people with disabilities and those who are from communities that experience marginalization;

Whereas, for more than 2 decades, Congress has supported a resolution for a National Day of Silence, and, for a decade, Congress has supported a resolution for No Name-Calling Week;

Whereas advocates have designated 2023 to 2024 as a time for communities to support the Rise Up for LGBTQI+ Youth in Schools Initiative in support of LGBTQI+ young people in schools by building on the goals of National Day of Silence and No Name-Calling Week to create a sustained call to action to demand equal educational opportunities, basic civil rights protections, and freedom from erasure for all students;

Whereas LGBTQI+ young people frequently experience bias-based bullying and harassment, discrimination, and punitive discipline that increases the likelihood they will enter the school-to-prison pipeline;

Whereas over 200 anti-LGBTQI+ education bills are introduced each year in State legislatures across the country, the majority of which specifically target transgender and nonbinary young people, including—

(1) in Idaho, where on March 30, 2020, Governor Brad Little signed the first bill into law barring transgender students from playing on the school sports teams that correspond with their gender identity;

(2) between 2021 and 2022, 17 additional States have enacted laws prohibiting transgender students from playing alongside their peers on school sports teams;

(3) in Tennessee in 2021, Governor Bill Lee signed a bill that allows any student, parent, or employee to sue

if they interact with a transgender person in a school bathroom or other facility; and

(4) in 2022, Alabama and Oklahoma enacted laws that prevent transgender students from using the school bathroom or locker room that corresponds with their gender identity;

Whereas GLSEN’s 2021 National School Climate Survey found that LGBTQI+ students who experienced LGBTQI+ discrimination at school in the past year, including being prevented from using the restroom that aligns with the student’s gender identity and being barred from playing on the school sports team that aligns with the student’s gender identity, were nearly 3 times as likely to have missed school in the past month, had lower GPAs, reported lower feelings of school belonging, and had higher levels of depression compared to LGBTQI+ students who had not experienced LGBTQI+ discrimination;

Whereas LGBTQI+ young people are more likely than their non-LGBTQI+ peers to experience mental health concerns, including stress, anxiety, and depression;

Whereas nearly half of LGBTQI+ young people seriously considered suicide in the last year, a trend that increases among Indigenous, Black, and multiracial LGBTQI+ young people;

Whereas the GLSEN’s 2021 National School Climate Survey found that, among LGBTQI+ students who said that they were considering dropping out of school, 31.4 percent indicated that they were doing so because of the hostile climate created by gendered school policies and practices;

Whereas States are passing or attempting to pass legislation that erases or censors LGBTQI+ individuals, history, and contributions from classroom literature and curricula, including—

(1) in March 2022, in Florida, Governor Ron DeSantis signed HB 1557 into law censoring instruction related to LGBTQI+ people, commonly referred to as the “Don’t Say Gay or Trans” law;

(2) in May 2021, in Arizona, Governor Doug Ducey signed HB 2035, which would require parental consent for a child to learn about topics such as the United States Supreme Court ruling in *Obergefell v. Hodges*, 576 U.S. 644 (2015), that the fundamental right to marry is guaranteed to same-sex couples; and

(3) in 2021, Arkansas, Florida, Montana, and Tennessee enacted laws that treat instruction related to LGBTQI+ individuals in history, science, the arts, or any academic class as a sensitive topic that requires parental notification and allows parents to opt their child out of such instruction;

Whereas these laws harm students and force families to consider leaving their homes, as demonstrated in a Williams Institute report, which found that 56 percent of LGBTQI+ parents of students in Florida considered moving out of Florida and 16.5 percent have taken steps to move out of Florida because of HB 1557;

Whereas States have gone farther by specifically targeting transgender students and their families with policies that attack mental health counseling and gender-affirming care for transgender students, including—

(1) in 2022, in Texas, Governor Greg Abbot issued a directive to the Department of Family and Protective

Services to investigate the parents of young people seeking gender-affirming care for child abuse, which purported to require school professionals to report parents who are supportive of their transgender child for investigation; and

(2) by early March 2023, 34 States have introduced over 135 bills that prohibit or create barriers to the social affirmation of transgender and nonbinary students in schools, such as using a student's chosen name and pronouns, regardless of the risk to the student's safety, health, and well-being;

Whereas 85 percent of transgender and nonbinary young people say that recent debates prompted by State legislation restricting the rights of transgender individuals have negatively impacted their mental health;

Whereas every young person must have equal educational opportunity and freedom from the fear that their basic civil and educational rights will be taken away from them;

Whereas young people who develop in positive school climates, free from bullying, harassment, and discrimination, report greater physical and psychological safety, greater mental well-being, and improved educational and life outcomes;

Whereas positive school transformation must recognize that safety is too low of a bar and that all communities deserve to be acknowledged and affirmed in schools;

Whereas students and families, educators, and community members in Arizona, Arkansas, Florida, Idaho, Montana, Tennessee, Texas, and in all States and territories are advocating for safe and inclusive learning environments that affirm LGBTQI+ young people, particularly those

who are transgender, nonbinary, Black, Indigenous, people of color, and people with disabilities; and

Whereas we must all demand the best possible future for all young people in schools, particularly those who identify as LGBTQI+, without exception: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) supports the goals and ideals of the Rise Up
3 for LGBTQI+ Youth in Schools Initiative in de-
4 manding the best possible future for all young peo-
5 ple in schools, particularly those who identify as
6 LGBTQI+; and

7 (2) encourages each State, territory, and local-
8 ity to support the Rise Up for LGBTQI+ Youth in
9 Schools Initiative and adopt laws and policies that
10 prohibit bias-based victimization, exclusion, and era-
11 sure.

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