



December 6, 2011

United States Senate
Washington, DC 20510

Dear Senator:

On behalf of the hundreds of thousands of members of People For the American Way (PFAW), we write urging your support and cosponsorship of the Student Non-Discrimination Act (SNDA) (S. 555). We hope that you will take the earliest opportunity to address what has become a pervasive national problem¹.

Following the increased media attention paid to bullying-related suicides last fall, PFAW took a strong stand on behalf of lesbian, gay, bisexual, and transgender (LGBT) students and those who are perceived to be LGBT. According to the 2009 National School Climate Survey:² 84.6% of LGBT students suffer verbal harassment; 40.1% were subject to physical harassment; and 18.8% experienced physical assault based on sexual orientation. For gender identity harassment, it's 63.7% verbal and 27.2% physical, with 12.5% reporting physical assault. In many cases, not surprisingly, this makes these vulnerable students feel unsafe: 61.1% reported feeling unsafe based on sexual orientation; 39.9% based on gender identity.

A student who feels unsafe due to bullying and harassment may choose to simply avoid the situation altogether, adding a loss of learning to the harms they're already suffering. According to the 2009 National School Climate Survey,³ "29.1% of LGBT students missed a class at least once and 30.0% missed at least one day of school in the past month because of safety concerns, compared to only 8.0% and 6.7%, respectively, of a national sample of secondary school students." And even when they remain in class, targeted students lose as much as half a grade point. But as we know all too well, this isn't just a question of education. It's a matter of life and death.

We must continue working to reverse this trend. S. 555 protects students from school-based sexual orientation and gender identity discrimination, much like Title IX does for gender discrimination, and much like other areas of law do for various protected classes. It recognizes bullying and harassment as discrimination, and it provides both for remedies against discrimination and incentives for schools to prevent it from happening in the first place.

¹ On December 8, 2010, USA Network published its 2nd annual "United or Divided" poll. 58% of respondents gave America a C or D grade for its efforts to stop bullying by kids. 89% believed it was a serious problem, and nearly as many, 85%, supported congressional action to resolve the problem. 70% were concerned that it's a growing trend. See USA Network, Hart Research Associates, and Public Opinion Strategies at <http://www.nbcumv.com/mediavillage/networks/usanetwork/pressreleases?pr=contents/press-releases/2010/12/08/usanetworksnewu1291853077900.xml>.

² 2009 National School Climate Survey, Gay, Lesbian and Straight Education Network, September 2010. <http://www.glsen.org/cgi-bin/iowa/all/news/record/2624.html>

³ *Ibid.*

Ultimately, this is about stopping abhorrent behavior that prevents victimized students from accessing quality education. All children deserve far better than that. And S. 555 deserves your consideration, including as part of the reauthorization of the Elementary and Secondary Education Act (ESEA).

Sincerely,

Handwritten signature of Marge Baker in black ink.

Marge Baker
Executive Vice President for Policy and Program

Handwritten signature of Jen Herrick in blue ink.

Jen Herrick
Senior Policy Analyst