

MAKING YOUR SCHOOL SAFE



for **LESBIAN, GAY, BISEXUAL**
and **TRANSGENDER** Students



THE EQUALITY AUTHORITY
AN tÚDARÁS COMHIONANNAIS



CURRENT SITUATION

Lesbian, gay, bisexual and transgender (lgbt) students are part of every student body and contribute to the life of every school. Yet in many schools their sexual identity is not recognised or they are subjected to harassment and bullying, a problem which is often not addressed adequately by management, teachers and other members of staff.

Students who are victims of harassment based on their sexual orientation – imputed or actual – often feel that they cannot speak to teachers or management in the school about it. This silence and marginalisation, combined with the harassment and bullying they receive, creates a very serious and dangerous situation for many lgbt students.

Negative experiences in school can have a profound effect on the emotional well-being of lgbt students. Constant exposure to verbal harassment can have serious implications for a young person's psychological well-being, as well as impeding their personal and educational development. Poor performance in school and early school leaving are often a direct

consequence of harassment and bullying of young lgbt people in schools.

Homophobic bullying and harassment contributes to a culture of homophobia in a school and creates an unhealthy environment for all students. It implies that disrespect is acceptable towards people who do not conform to rigid gender stereotypes and that anyone who is perceived to be 'different' is a legitimate target for ridicule, taunts, aggression or even physical assault. Students have a right to learn in a safe environment.

EQUALITY LEGISLATION

The Equal Status Acts prohibit schools from discriminating (with certain exemptions) on nine grounds, including gender¹ and sexual orientation (this includes a sexual orientation that is imputed to the person concerned). Harassment on the sexual orientation and gender grounds is prohibited and sexual harassment is prohibited. This prohibition applies to all aspects of school life: in the class room, during extra-curricular activities, on school trips, on the sports field, and so on.

¹ The European Court of Justice in an employment discrimination case held that discrimination against a transsexual person constituted discrimination on the ground of sex.

A person who is responsible for the operation of a school must not permit a student of the school (or anybody else who has the right to be at the school, such as visiting students) to be harassed because of their sexual orientation or gender or to be sexually harassed. This responsible person will be liable for the harassment or sexual harassment unless they took reasonably practicable steps to prevent it.

Schools are liable for discrimination or harassment committed by an employee in the course of their work, whether or not it was done with the school's knowledge or approval. A school has a defence against being liable for the discriminatory actions or harassment of an employee if it can prove that it took such steps as were reasonably practical to prevent the employee from committing the actions.

A SAFE AND INCLUSIVE LEARNING ENVIRONMENT

In seeking to create a safe and inclusive learning environment for all students including LGBT students, a school can act in a number of ways. Reasonably practicable steps to help a school meet its obligations under the Equal Status Acts could include the following.

- **Anti-bullying and anti-harassment policy and code of behaviour:**
You should make sure that your anti-bullying and anti-harassment policy is explicit in addressing all forms of homophobic bullying and harassment. The code of behaviour should explicitly refer to LGBT students and set out procedures and initiatives in relation to homophobic bullying and harassment.
- **Admissions:**
You should ensure that your admissions policy is welcoming and inclusive of all students, including LGBT students.
- **School development plan:**
You should develop your school plan within a framework of equality and inclusion for LGBT students, including equality objectives for these students.
- **Policy:**
You should develop an Equality Policy for your school and address equality issues for LGBT students within other policy areas.

Steps your school can take to create an environment free from homophobia include the following.

- **Staff training:**

You should empower your staff with the knowledge, skills and confidence needed to raise their awareness of equality issues and LGBT students and to address homophobic harassment and bullying in your school.

- **Promotional literature:**

You should make sure all promotional literature for your school is inclusive in its language and message.

- **Guidance counsellors:**

You should ensure that your guidance counsellor has sufficient training and understanding on the area of sexual identity, and identify the supports your school will make available to a young person who 'comes out' or begins to question their sexual identity. Student-to-student supports could also be developed.

- **RSE:**

You should ensure that sexual orientation is addressed in a positive and open way when talking about human sexuality. SPHE teachers should be supported in attending in-service training on sexuality and sexual orientation.

- **CSPE:**

You should include LGBT experiences in areas of the curriculum such as Human Rights, Human Dignity, Discrimination, Legal Rights, Political Campaigning and Advocacy.

- **School environment:**

You should ensure that positive images and messages are displayed in your school celebrating diversity and showing images of lesbian, gay, bisexual and transgender people. An environment where diversity is affirmed and supported is a healthier environment for all students.

- **Student Council:**

You should seek to ensure that membership of your school's student council reflects the full diversity of students in the school, including LGBT students.

OTHER RESOURCES

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Pobal has produced *More than a Phase: A Resource Guide for the Inclusion of Young Lesbian, Gay, Bisexual and Transgender Learners*. This guide provides an insight into the issues affecting LGBT young people in educational settings, and offers practical steps which schools and other educational organisations can take to ensure the safety and well-being of LGBT young people. The Pobal Resource Guide will be published at www.pobal.ie/live/publications

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The Department of Education and Science and the Equality Authority have jointly published an information booklet entitled *Schools and the Equal Status Acts*. It is available on the Internet at <http://www.education.ie/robots/view.jsp?pcategory=17216&language=EN&ecategory=21409>

<http://www.equality.ie/index.asp?locID=106&docID=66>

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The Equality Authority has published an information booklet on the Employment Equality Act. It is available on the Internet at: <http://www.equality.ie/index.asp?locID=106&docID=52>

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A statutory *Code of Practice on Sexual Harassment and Harassment at Work* has been prepared by the Equality Authority and has been given legal effect. The *Code of Practice* can be downloaded from the Internet at: <http://www.equality.ie/index.asp?locID=108&docID=-1>

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SUPPORT FOR YOUNG PEOPLE

Young people seeking some support from and contact with LGBT community services can contact these organisations

DUBLIN

BeLonG To Youth Project
(01) 873 4184
info@belongto.org
www.belongto.org

Outhouse LGBT
Community Centre
(01) 873 4932
info@outhouse.ie

Gay Switchboard Dublin
(01) 872 1055
info@gayswitchboard.ie

Dublin Lesbian Line
(01) 872 9911 (Thursday
7.00 p.m. – 9.00 p.m.)

Gay Men's Health Project
(Health Service Executive)
(01) 873 4952
gmhpoutreach@eircom.net

DUNDALK

Dundalk Outcomers
(042) 932 9816
(042) 935 2915
info@outcomers.com

DONEGAL, DERRY, BELFAST AND NORTHERN IRELAND

Rainbow Project, Derry
(048) 7128 3030
(The area code is 028
inside Northern Ireland)
david@rainbow-project.com

Rainbow Project, Belfast
(048) 9031 9030
(The area code is 028
inside Northern Ireland)
gary@rainbow-project.com

CORK

Linc, Lesbians in Cork
(021) 480 8600
Rainbow Chicks
youth group

The Other Place
(021) 427 8470
info@gayprojectcork
UNITE youth group

LIMERICK, GALWAY, THE WEST & NORTH WEST

Rainbow Support Services
(061) 310 101
(061) 468 611
rainbowlrmk@eircom.net

Gay Switchboard Limerick
(061) 310 101
(Tuesday & Thursday 7.30
p.m. – 9.30 p.m.)

Lesbian Line Limerick
(061) 310 101
(Wednesday 7.30 p.m.
– 9.30 p.m.)

Gay Line Galway
(091) 566 134
(Tuesday & Thursday:
8.00 p.m. – 10.00 p.m.)

Lesbian Line Galway
(091) 564 611
(Wednesday: 8.00 p.m.
– 10.00 p.m.)

OutWest Gay Helpline
(094) 937 2479

Clare Area Lesbian Line
(065) 686 6802

SOUTH EAST

SPHERE,
Wexford youth group
(087) 953 6080
spherewexford@yahoo.ie

sOUTH youth group,
Waterford
(086) 337 3730

This project is supported by

Association of Secondary Teachers, Ireland



National Parents' Council – Post Primary



Teachers' Union of Ireland



An Garda Síochána



Union Secondary Students



Pobal



National Association of Principals and Deputy Principals



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Cumann Náisiúnta Príomhoidí agus Príomhoidí Tánaisteacha

Parents Support