LEAVE NO STUDENT BEHIND

CREATING SAFE SCHOOLS & SUPPORT FOR LGBT STUDENTS

A Policy Analysis of Sustainable Development Goal 4
SIPA Capstone Final Report

Client: OutRight Action International

Editors at OutRight: Felicity Daly DrPH, Siri May

Capstone Team: Daniel Bradley, Mihika Srivastava, Shinsuke Koga, and Sophie Papavizas

About OutRight

Every day around the world, LGBTIQ people’s human rights and dignity are abused in ways that shock the conscience. The stories of their struggles and their resilience are astounding, yet remain unknown—or willfully ignored—by those with the power to make change. OutRight Action International, founded in 1990 as the International Gay and Lesbian Human Rights Commission, works alongside LGBTIQ people in the Global South, with offices in six countries, to help identify community-focused solutions to promote policy for lasting change. We vigilantly monitor and document human rights abuses to spur action when they occur. We train partners to expose abuses and advocate for themselves. Headquartered in New York City, OutRight is the only global LGBTIQ-specific organization with a permanent presence at the United Nations in New York that advocates for human rights progress for LGBTIQ people.

hello@OutRightInternational.org
https://www.facebook.com/outrightintl
http://twitter.com/outrightintl
http://www.youtube.com/lgbthumanrights

OutRight Action International
80 Maiden Lane, Suite 1505, New York, NY 10038 U.S.A. P: +1 (212) 430.6054 • F: +1 (212) 430.6060

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# Table of Contents

Definitions .................................................................................................................................................. 2  
Executive Summary .................................................................................................................................. 3  
  Cross-Cutting Recommendations ........................................................................................................ 4  
  Target-Specific Recommendations ....................................................................................................... 5  
LGBTI People and Agenda 2030 ........................................................................................................... 6  
  High-Level Political Forum on the Sustainable Development Goals and SDG 4 ............................ 7  
  Common Themes ..................................................................................................................................... 9  
How to Use This Briefing Paper ............................................................................................................. 11  
About This Briefing Paper ....................................................................................................................... 12  
Target 4.1 ............................................................................................................................................... 13  
Target 4.3 ............................................................................................................................................... 16  
Target 4.5 ............................................................................................................................................... 19  
Target 4.A ............................................................................................................................................... 23  
References .............................................................................................................................................. 27
Definitions

Gender: The term ‘gender’ refers to the attitudes, feelings, and behaviors associated with socially constructed ideas of biological sex such as masculine and/or feminine characteristics.

Gender Based violence: A term for any harm that is perpetrated against a person’s will, and that results from power inequalities that are based on gender roles.

Gender expression: Each person’s presentation of their gender through physical appearance – including dress, hairstyles, accessories, cosmetics – and mannerisms, speech, behavioral patterns, names and personal references. Gender expression may or may not conform to a person’s gender identity.

Gender identity: Each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms.

Sex characteristics: Each person’s physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty.

Sexual orientation: Each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

LGBT/LGBTI: LGBT stands for “lesbian, gay, bisexual and transgender”; LGBTI for “lesbian, gay, bisexual, transgender and intersex”. While these terms have increasing resonance, different cultures use different terms to describe people who have same-sex relationships or who exhibit non-binary gender identities (such as hijra, meti, lala, skesana, motsoalle, mithli, kuchu, kawein, travesty, muxé, fa’afafine, fakaleiti, hamjensgara and two-spirit).

SOGIESC: Stands for sexual orientation, gender identity, gender expression and sex characteristics.

Homophobia: An irrational fear of, hatred or aversion towards lesbian, gay or bisexual people.

Transphobia: An irrational fear, hatred or aversion towards transgender people.

Biphobia: An irrational fear, hatred or aversion towards bisexual people.
Executive Summary

This briefing paper illustrates how Sustainable Development Goal (SDG) 4, Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all, is relevant to all students irrespective of their actual or perceived sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). The paper highlights existing data and data gaps pertinent to the experiences of LGBTI students at all levels of education, as well as vocational and technical training, across four targets within this Goal. The paper makes a series of recommendations regarding what type of data United Nations Member States (Member States) can collect and the initiatives they can implement in order to effectively monitor progress on LGBTI student access to education, and ensure that efforts to achieve SDG 4 are truly universal and follow the Agenda 2030 principle of “leave no one behind.”

Data regarding LGBTI people in education settings are inadequate and incomplete across the globe, but the data that are available indicate that LGBTI students or those perceived to be LGBTI at all education levels face higher rates of violence and discrimination, primarily through bullying, and have associated lower attendance, participation, and proficiency rates compared to their non-LGBTI peers. While students who are or who are perceived to be LGBTI share common experiences of marginalization based on sexual orientation, gender identity and expression, and sex characteristics (SOGIESC), many also face intersecting forms of discrimination in educational settings based on gender, age, race, ethnicity, ability, class, socioeconomic status, migration status, and other factors that drive exclusion.

Safely collecting accurate and complete data disaggregated by SOGIESC where appropriate will allow for the formation of evidence-based laws and policies that serve to promote and protect LGBTI people’s right to education. Evidence currently available suggests that Member States can implement comprehensive education sector polices, such as SOGIESC-focused teacher training and inclusive curricula development, to combat discrimination and support LGBTI students. Furthermore, improving the educational opportunities and outcomes of LGBTI people must be grounded in human rights approaches. Laws, policies, and practices that directly or indirectly criminalize consensual same-sex behavior and self-determination of gender identity must be repealed to eliminate barriers to the right to education.

Civil society, UN agencies, and Member States must work together to ensure safe, accurate and comprehensive reporting on the experiences of LGBTI students and their educational outcomes in development programming. This is necessary to fulfill State obligations to the principle of “leave no one behind” in Agenda 2030.
Cross-Cutting Recommendations

1. Commit to ending stigma and discrimination based on SOGIESC in the provision of education, including within law, policy, guidelines, and curricula.

2. Ensure that LGBTI people are actively and meaningfully engaged in the framing and enhancement of education policy, so that it is reflective of and responsive to the experiences and needs of LGBTI people.

3. Collect and disaggregate data by SOGIESC for all indicators where possible and safe; ensure that data collection includes inclusive definitions of gender.

4. Measure enrollment, participation, and dropout rates of LGBTI students across primary, secondary, tertiary, technical and vocational education settings where it is safe to do so.

5. Repeal discriminatory education laws, policies, and practices that exclude students from accessing education as a result of their real or perceived SOGIESC.

6. Ensure that education professionals are technically trained to support all students including those with diverse SOIGESC and address their educational needs in a non-discriminatory manner.

7. Allocate funding and resources towards comprehensive sexuality education programs that are inclusive of SOGIESC-specific educational programs, inclusive curricula, and teacher training.

8. Fund and partner with community-based and LGBTI-led civil society organizations, which are typically better positioned to reach LGBTI people and gather data related to their discrimination in educational settings.
Target-Specific Recommendations

Target 4.1

- For indicator 4.1.1, disaggregate school attendance, completion, and minimum proficiency levels by sexual orientation, gender identity and expression and sex characteristics (SOGIESC) when safe to do so.
- Collect data on and monitor violence against all students, disaggregated by SOGIESC.
- Collect data on and monitor LGBTI students' mental health and well-being and create evidence based guidelines to support the mental health and well-being of all students.

Target 4.3

- For indicator 4.3.1, disaggregate participation rates of youths and adults in formal and non-formal education and training, by SOGIESC when safe to do so.
- Collect disaggregated data by SOGIESC on dropout rates of youths and adults in and after formal and non-formal tertiary, technical and vocational education and training.
- Include technical and vocational education and training, as well as informal and traditional apprenticeships, within SOGIESC inclusive anti-discrimination laws and policies.

Target 4.5

- For indicator 4.5.1, parity indices should be inclusive of gender diversity.
- Enact national level anti-discrimination legislation which make specific reference to discrimination on the basis of SOGIESC.
- Develop comprehensive national and school policies that enumerate the inclusion of students with diverse SOGIESC.

Target 4.A

- For indicator 4.A.1, measure the proportion of schools with access to inclusive curricula, educational materials, teacher training, and internal guidelines – going beyond physical facilities and infrastructure.
- For indicator 4.A.1, ensure that basic sanitation facilities are safe for and inclusive of all students, regardless of SOGIESC.
- Include SOGIESC comprehensive sexuality education as essential elements of curricula.
- Create and strengthen support systems and safe spaces designed specifically to support LGBTI students.
LGBTI People and Agenda 2030

The Agenda 2030 for Sustainable Development was endorsed by the United Nations (UN) General Assembly in September 2015, encompassing 17 Sustainable Development Goals (SDGs) and 169 targets to build on the Millennium Development Goals (MDGs) and complete what they did not achieve. The SDGs establish intersectional approaches to development in an effort to “leave no one behind.” Former Secretary General Ban Ki Moon asserted that the vision to “leave no one behind” and to achieve the SDGs will only be realized if Member States “reach all people regardless of their sexual orientation or gender identity.”

Agenda 2030 is grounded in the Universal Declaration of Human Rights and international human rights treaties, and seeks “to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls.” Furthermore, SDG 10 aspires to *Reduce inequality within and among countries*, wherein Target 10.2 states “By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.” The UN has previously indicated that the term “other status” includes sexual orientation. This briefing paper reaffirms that the protection and promotion of human rights of LGBTI people is crucial in development initiatives and in all education settings.
High-Level Political Forum on the Sustainable Development Goals and SDG 4

Convened under the auspices of the United Nations Economic and Social Council, the annual High-Level Political Forum (HLPF) is the central platform to inform implementation of the SDGs. Each year, a different theme frames the review of several SDGs and Voluntary National Reviews (VNR) of SDG implementation are submitted by a group of Member States. Civil society closely monitors the HLPF to ensure that the SDGs are responsive to community needs and that VNRs accurately depict progress and challenges in realizing the SDGs.

The July 2019 HLPF theme is Empowering People and Ensuring Inclusiveness and Equality, and the following SDGs will be discussed and reviewed: Goal 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all); 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all); 10 (Reduce inequality within and among countries); 13 (Take urgent action to combat climate change and its impacts); and 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels). SDG 17 (Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development) is reviewed at the HLPF annually.

There are relevant entry points for the advancement of LGBTI inclusion in each of these goals. This briefing paper focuses on SDG 4, *Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all*. The targets in SDG 4 are more ambitious and comprehensive than the approach to MDG 2, *Achieve universal primary education*. Ensuring equitable access to quality education will require focusing on populations that have been left behind and, in many contexts, are actively criminalized and persecuted, including LGBTI people.

This briefing paper illustrates how Member States can ensure that LGBTI people are not left behind and can implement efforts to achieve SDG 4 by addressing the marginalization of LGBTI people and promoting LGBTI inclusive development and access to education. OutRight Action International and the authors of this report identified four SDG 4 targets that Member States and civil society should utilize to measure progress of LGBTI people’s access to and experience of education, including:

- **Target 4.1**: By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes
- **Target 4.3**: By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university
• Target 4.5: By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations
• Target 4.A: Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all

For each of the above targets, this briefing paper analyzes the framing of the target, presents current data available regarding access to education for LGBTI students in all education levels, explores the implications of this data, and proposes revisions to and/or the expansion of current SDG 4 target indicators that would better track progress on LGBTI students’ access to and experience of education.
Common Themes

A set of common themes emerged in the review of literature on LGBTI students access to and experience of education.

Need for Disaggregated Data

There is limited data about the education of LGBTI people worldwide, but the available data suggests that LGBTI people’s experiences in education are consistently poorer than the general population related to experiences of stigma, discrimination and violence on the basis of real or perceived SOGIESC. This discrimination and exclusion is largely invisible because of the lack of national and global data. Data disaggregated by SOGIESC should be collected through routine education surveillance data in school completion rates, math and reading assessment data, bullying rates, school attendance rates, and participation in school activities where it is safe to do so. Data collection methods for SOGIESC should be developed in consultation with LGBTI communities.

Human Rights, Education, and Well-Being

Improving educational outcomes for LGBTI people must be grounded in human rights. The International Covenant of Economic, Social and Cultural Rights recognizes the right of everyone to education and asserts that States Parties to the Covenant “agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedom.” The Yogyakarta Principles provide an application of current international human rights law to issues faced by persons with diverse SOGIESC. Principle 16 states the right to education that is free from discrimination.

Criminalization remains one of the most acute barriers that LGBTI people face in realizing the right to education. There are 70 countries where consensual same-sex behavior is criminalized, including 45 countries that apply such laws to women. Transgender and gender non-conforming people are criminalized and prosecuted under so called ‘cross dressing laws’ in 57 countries. As a result of these discriminatory laws, data in these countries is unavailable or extremely limited, and LGBTI people’s experiences are not documented and are invisible to Member States.

Differential Educational Outcomes Across LGBTI Communities

LGBTI communities are not homogenous, and the needs of LGBTI people in educational spaces are diverse. While LGBTI people share common experiences of discrimination based on SOGIESC, many of these identities intersect with gender, age, race, ethnicity, ability, class, socioeconomic status, migration status, and other factors that drive exclusion. Furthermore, many students are targeted for violence and discrimination in education settings based on a perception of their SOGIESC and may or may not actually identify as LGBTI.
SDG 4 indicators relying on gender binary data do not adequately capture the experiences of transgender and gender non-conforming youth. While there is no current evidence of discrimination and violence in education settings based on intersex status or sex characteristics, these students may encounter exclusion similar to LGBT and gender non-conforming students since they may not adhere to prevalent physical gender norms.

**Necessity of Community Engagement and Ownership**

Design, implementation, and evaluation of initiatives to address the needs of LGBTI people in schools must involve LGBTI-led community organizations to ensure interventions are targeted, appropriate, and effective. LGBTI-led community-based organizations play a crucial role in providing essential services and information to LGBTI students, in addition to working with schools and school leaders to improve educational safety and quality for LGBTI people.

**Financing for Inclusion**

SDG 4 implementation and expansion of access to education will rely on increased government expenditures and additional financing. Most education finance methods focus on other forms of marginalization and do not sufficiently incorporate elements to support LGBTI students. Equity in education efforts often take the form of targeted support programs such as conditional cash transfers and school feeding programs or per capita formula funding, but not all countries have the capacity to apply such formulas due to lack of data or transparency.

Education sectors need dedicated funding to develop and implement LGBTI inclusive programs and policies, such as inclusive curricula, teaching trainings on diverse SOGIESC, combatting bullying that targets LGBTI students, and safe and gender-neutral infrastructure. The foremost framework for tracking and measuring school-related expenditures, the World Bank Systems Approach for Better Education Results (SABER), does not explicitly include SOGIESC in its guidelines.
How to Use This Briefing Paper

For Member States: This paper provides Member States with pathways for addressing the discrimination faced by LGBTI students in all levels of education. The report critically reviews and analyzes four targets within SDG 4, providing insights for data collection and policy sensitization to better incorporate the needs of LGBTI students and to create inclusive and effective educational environments.

For data generators and analysts, including civil society: This report demonstrates how data generators and analysts, including civil society groups, can track and understand progress made with respect to the inclusion of LGBTI students in educational settings. This report is an advocacy tool for monitoring Member State reporting on implementation of SDG 4 in a way that is inclusive of LGBTI people. LGBTI civil society organizations working on education policy at the national level can reference the data outlined in this briefing paper to drive evidence-based advocacy, as well as urge that research funding is made available to fill gaps in the data.
About This Briefing Paper

This briefing paper was written and edited by Felicity Daly, DrPH, Global Research Coordinator, OutRight Action International, along with Daniel Bradley, Mihika Srivastava, Sophie Papavizas, Shinsuke Koga, graduate student consultants at Columbia University’s School of International and Public Affairs (SIPA), and Bela Walker, Capstone Faculty Advisor at Columbia SIPA. The paper was also edited by Siri May, U.N. Program Coordinator, OutRight Action International.

Subject experts and activists representing LGBTI constituencies were contacted to provide suggested resources, scholarship, and feedback in certain areas, including: Elaine Unterhalter, Professor of Education and International Development at University College, London; Christophe Cornu, Team Leader, Section of Health and Education within the Division for Peace and Sustainable Development at UNESCO; and Julio C. Dantas, Founder and President, Todo Mejora.
Target 4.1

By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.

Background

Target 4.1 reflects a continuation of MDG 2 and the Education for All Agenda, emphasizing state-supported and guaranteed access to education for all students. MDG Goal 2 set out to achieve universal primary education and its target 2.A states, “Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling.”

SDG 4 broadens the education agenda significantly, bringing in a range of targets that move beyond basic school completion at the primary level. Target 4.1 of Goal 4 sets a more ambitious goal of achieving both universal primary education as well as secondary education, with an emphasis on education being free and equitable for all students. The target’s indicator also emphasizes that students must reach a minimum level of proficiency, indicating that achievement and progress are just as critical as school completion.

Members States have committed to the provision of 12 years of free, publicly-funded, inclusive, equitable, and quality primary and secondary education, of which at least nine years of this are compulsory. Indicator 4.1.1 calls for Member States to collect data on the proportion of children and young people: (a) in grades 2/3; (b) at the end of primary; and (c) at the end of lower secondary achieving at least minimum proficiency levels in (i) reading and (ii) mathematics, by sex.

What We Know: Relevance for LGBTI students

Available evidence suggests that LGBTI students are particularly vulnerable when it comes to their ability to attend, complete, and make progress in school due to the risk of discrimination and violence they face.

A UNSECO report has found that the proportion of LGBT students experiencing school violence and bullying ranged from 16% to 85% across the world. The same report found that the prevalence of violence was between three and five times higher among LGBT students than among their non-LGBT peers. The study concluded that the experience of violence and bullying in schools had a direct impact on students’ ability to participate in school, including their attendance, grades, graduation, and participation in afterschool activities.

A 2013 European survey conducted across Croatia, Denmark, Ireland, Italy and Poland on the impact of homophobic and transphobic bullying on education and employment. Respondents were asked about their experiences with homophobic bullying and violence at school, as well as
how those experiences impacted their schooling. Sixty-five percent reported that they felt less confident, 53% reported that they had felt depressed, around 50% said they struggled to concentrate and/or did not feel motivated, 49% sometimes chose not to participate in class questions or discussions, 37% thought they achieved lower marks for their work, and 36% reported missing classes as a result.

Data from Latin America show similar trends. In Argentina, a study showed that 45% of transgender students dropped out of school either because of bullying or because of exclusion by school authorities. In a study conducted in Colombia, researchers found that 34% of students are aware of LGBT peers that are excluded from school activities. In Ecuador, 26% of homosexual and bisexual students have experienced violence during their school years and 25% were excluded from school activities for being homosexual or bisexual.

In Asia, studies show that the proportion of LGBT students who experience bullying in school ranges from 7% in Mongolia to 68% in Japan. A 2013 regional survey from Japan found that in response to the bullying, 18% of overall respondents and 23% of teens avoided going to school altogether. A study in India and Bangladesh found that 50% of homosexual men experienced harassment from students or teachers in school or college. While there is limited data available on homophobic and transphobic violence in educational settings in Central Asia, a 2009 study in Kazakhstan found that over 80% of LGBT respondents always or frequently hid their sexual orientation at school or university.

In the Pacific, a 2014 New Zealand study found that lesbian, gay and bisexual students were three times as likely to be bullied as their heterosexual peers and transgender students were five times as likely to be bullied. In Australia, a national report by the Australian Human Rights Commission found that 80% of homophobic bullying involving young people happens in schools and has a major impact on their well-being and their education prospects. Sixty-one percent of LGBTI young people report experiencing verbal homophobic abuse, 18% experience physical homophobic abuse, and 9% experience other types of homophobia, including cyberbullying, graffiti, social exclusion and humiliation.

Data from countries in Africa are particularly limited. In 2015, UNESCO supported the first multi-country study on violence in schools in southern Africa which included SOGIE-related violence. The survey was conducted in Swaziland, Botswana, Namibia, and Lesotho and found that diversity-related violence was reported at over 40% in all four countries, and between 11% and 26% of respondents across the four countries felt that the violence occurs “because some people are perceived as different in terms of their gender.”

Understanding the Data: Impacts of Mental Health on School Attendance, Achievement, and Completion

Homophobic and transphobic violence and discrimination faced by LGBTI students has negative affects on mental health and increase the risk of substance abuse, depression, anxiety, stress,
loneliness, fear, low self-esteem, self-harm, and suicide.\textsuperscript{26} \textsuperscript{27} While data is not available globally, a US study showed that lesbian, gay, and bisexual students are almost three times more likely to contemplate suicide and almost five times as likely to have attempted suicide compared to their heterosexual peers.\textsuperscript{28} Each time that an LGBT student is victimized, their likelihood of exhibiting self-harming behavior increases 2.5 times on average.\textsuperscript{29} In Mexico, results of the first National Survey on Homophobic Bullying conducted in 2012 indicated that one in four LGBT people had contemplated suicide due to the bullying they experienced at school.\textsuperscript{30} In Poland, 63% of LGBT students have thought about suicide compared to 12% among non-LGBT students of the same age.\textsuperscript{31}

**What We Need from Member States**

- *Disaggregated data collection*: Utilizing existing mechanisms such as school-based surveys which are managed by education sectors and ministries, Member States must ensure the inclusion of voluntary and anonymous questions for students to indicate LGBTI status. Surveys should be disaggregated by age, gender, sexual orientation and gender identity or expression, in order to properly identify the different forms of violence faced by LGBTI students.

- *Systematically monitor violence against all students*: School-based surveys should also include questions referring to incidents of violence faced by students because of their actual or perceived SOGIE, as well their ability to report such violence.

- *Monitor students’ mental health and implement guidelines to support students well-being*: Homophobic and transphobic violence and discrimination are associated with poor mental health. School-based surveys must include questions related to students’ mental health, including assessing depression, anxiety, fear, stress, loss of confidence, low self-esteem and loneliness, as well as any thoughts related to self-harm and suicide. These surveys must also include questions on students’ self-identity regarding gender and sexuality. Member States must support the inclusion of guidelines and policies directly addressing LGBTI students’ access to mental health services within school environments.
Target 4.3

By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.

Background

The introduction of indicators to measure access to quality tertiary, technical, and vocational education and training has put equal access to higher education on Member States’ agendas. Through target 4.3, Member States have agreed to ensure equal opportunities to higher and lifelong education, and substantially increase the number of youth and adults who have relevant skills for employment. Learning opportunities in literacy and numeracy can fill the gaps of inadequate formal schooling. Furthermore, UNDP asserts that both higher education and vocational training are critical in eliminating gender and wealth inequalities.

Indicator 4.3.1 measures the participation rate of youth and adults in formal and non-formal technical and vocational education and training in the previous 12 months, by sex. While this is a critical measurement indicator, it currently asks for only a female/male binary disaggregation of the data, leaving out those students who identify as transgender or gender non-conforming.

Though many studies find primary and secondary school environments to be hostile for LGBTI students, LGBTI people also experience hostile climates and violence in higher education and vocational training settings. However, the 2016 Global Education Monitoring (GEM) Report, along with other global, regional, and national monitoring mechanisms are predominantly focused on measuring female/male binary inequalities in vocational training, rather than being inclusive of inequalities among people with diverse SOGIESC.

What We Know: Data on LGBTI Access to Tertiary, Technical and Vocational Education and Training

While the importance of providing LGBTI people with access to technical and vocational education and training is clear, data that is disaggregated not only by gender, but also by SOGIESC are sparse. Additionally, almost no data exist on the nature and proportion of discrimination and violence against LGBTI people in traditional apprenticeships and informal training settings.

Given that LGBTI people face challenges in accessing primary and secondary education, technical and vocational training can play a more significant role for LGBTI people to acquire skills and access employment. Meanwhile, for those who are able to complete primary and secondary education and go on to attend university, violence and discrimination on the basis of SOGIESC can be a major deterrent and/or severely affects students’ ability to fully participate and succeed.
Data on LGBTI people’s engagement in higher education and vocational education and training are also limited, but available evidence demonstrates that violence toward LGBTI people occurs in these settings.\(^3\) In China, 77% of LGBT students from middle schools, tertiary and vocational institutions who responded to a community-based online survey reported they had experienced at least one type of violence because of their SOGIESC.\(^3\) Furthermore, in Nigeria, students have been threatened with expulsion from universities purely because of their sexual orientation.\(^4\) In the United States, a 2015 study of 27 universities by the Association of American Universities found that 3 in 4 LGBT students reported experiencing sexual harassment and 9% experienced sexual assault.\(^5\)

Vocational education and training is a critical tool for countries’ economic and social advancement. According to a pilot study conducted for the World Bank in 2014, discrimination against LGBT people in India could be costing the country’s economy up to $32 billion a year in lost economic output.\(^6\) Developing countries have difficulty providing national affordable vocational education and training programs and thus traditional, non-formal apprenticeship programs provide critical avenues for people to obtain vocational skills in these countries.\(^7\) Gender is often the biggest influencer on the pay and conditions of apprenticeships, and women tend to be under-represented in these programs.\(^8\)

Countries such as Albania, Croatia, and Estonia have specifically enacted laws that prohibit anti-LGBT discrimination in vocational training\(^9\) but the Albanian Labor Act reveals that the current law does not guarantee equal rights for LGBTI people to access employment and vocational training.\(^10\) While these countries have enacted laws that prohibit discrimination in vocational training, reports find that LGBT people are reluctant to report discrimination and to utilize the enacted legislation.\(^11\) LGBTI people are still not protected without effective and substantive implementation of these laws.

Moreover, given that several countries all over the world still criminalize or marginalize people based on SOGIESC, civil society organizations often bear the responsibility of providing LGBTI people with access to vocational training.\(^12\) For example, in Cameroon, where people can be punished for their SOGIE, a civil society group name Alternatives Cameroun, provides a safe space for LGBTI people, as well as offering them vocational training opportunities.\(^13\) In Cambodia, where homosexuality is not criminalized but where LGBTI people are marginalized and are often poorer than the rest of the population, an organization called Micro Rainbow International provides LGBTI people with access to a poverty reduction program, helping to improve their skills and giving them better opportunities to find employment.\(^14\)

LGBTI students’ difficulty in accessing higher education can result in poverty and unemployment. Studies in multiple countries have found rates of poverty, food insecurity, and joblessness to be elevated in these communities.\(^15\) A United States study indicates that a greater percentage of gay and bisexual men fell at or below the federal poverty line compared with heterosexual men.\(^16\) Low levels of education tended to also increase poverty rates for women in same-sex couples compared to men. In Canada, research shows that gay men have personal incomes that are 12%
lower than those of heterosexual men. A 2012 study about LGBT people in the EU revealed higher unemployment rates for LGBT people (15%) compared to the general population (10.5%).

What We Need from Member States

In order to ensure inclusion of LGBTI people within tertiary, technical and vocational education and training spaces, Member States must consider the following additions and amendments to existing measurement indicators and monitoring mechanisms:

- **Participation rate based on SOGIESC disaggregated data:** Member States must establish data collection in tertiary, technical and vocational education and training sectors which disaggregate by age, gender (inclusive of diverse gender identity/expression), sexual orientation to monitor the ability of all people to participate in these areas.
- **Dropout rates based on SOGIESC disaggregated data:** The mechanisms mentioned above must also track dropout rates based on these disaggregated characteristics, given that enrollment and participation are not sufficient to identify the disadvantages faced by LGBTI people.
- **Include technical and vocational education and training, as well as informal and traditional apprenticeships within anti-discrimination laws and policies:** Member States that have anti-discrimination laws should include tertiary education settings, as well as technical and vocational education and training settings as sites that must be free from violence and discrimination. States that are considering introducing legislation should consider a holistic approach.
Target 4.5

By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous people and children in vulnerable situations

Background

Target 4.5 addresses equity and inclusion in all levels of education, going beyond MDG 2, which focused on girls and the achievement of a 1:1 parity ratio of girls to boys in primary education. Target 4.5 emphasizes access to quality education for all vulnerable populations and attempts to provide numerous entry points for marginalized communities. Indicator 4.5.1 focuses on parity indices comparing ratios of female/male, rural/urban, bottom/top wealth quintile and others such as disability status, indigenous people, and the conflict-affected.

The previous two sections of this report have illustrated the exclusion faced by LGBTI students in education settings, yet a wider focus on equity provides an important opportunity to develop a more inclusive understanding of gender identity and expression in schools and provide better pathways for tracking progress towards the achievement of Goal 4. In particular, Target 4.5 can address the unique experiences of transgender and gender non-conforming students who may be missed in the traditional measures of 4.1 and 4.3.

What We Know: Equal Access and LGBTI Inclusion

Students often face discrimination if they do not conform to gender norms, even if they do not identify as LGBTI. A 2015 report from India stated that students who do not appear to conform to traditional gender norms face higher rates of violence in schools compared to lesbian, gay, or bisexual classmates. A 2015 study observed that in Jamaica, the students who are bullied are, in some way, expressly different from their peers in their physical behavior or speech. In Thailand in 2014, 24% of non-LGBT students reported that they too experienced homophobic and transphobic violence because of their appearance or actions.

Transgender and gender non-conforming students may be forced to wear school uniforms that do not match their identity. They may also encounter further discrimination if their school documents, diplomas, or certificates do not match their expressed gender. Schools often have sex-segregated facilities or activities, causing transgender and gender non-conforming students to use facilities or join groups which may not reflect their gender identity or expression and may put them at risk of violence.
Governments have used a range of methods to combat violence and discrimination in educational settings based on SOGIESC. These measures illustrate important components for achieving Goal 4 and Target 4.5:

- **Sweden** ranks highest in IGLYO’s LGBTI Inclusive Education Report for its introduction of the comprehensive “Law on School” which imposes an obligation on schools to create annual plans against abusive treatment and refers to Sweden’s “Law on Discrimination” that protects against SOGIE-based discrimination.

- **Argentina** has adopted three education-related laws that aim to address SOGIE in educational contexts including the National Law for the Promotion of Coexistence and Tackling Social Conflict in Educational Institutions (2013) (26.892), as well as a federal guide on difficult situations linked to school life that includes discrimination and harassment due to SOGIE.

While some governments are attempting to address bullying and create school environments that ensure equal access for all students, they fall short of being truly inclusive or they overlook important elements of protecting LGBTI and gender non-conforming students:

- **Fiji’s 2015 Policy on Child Protection in Schools** mandates that students’ sexual orientation is respected and requires schools to take action against homophobic bullying. This measure does not go far enough to include gender identity/expression or sex characteristics and its implementation varies. The need for policy coherence here is essential as Fiji’s Constitution states that a person must not be unfairly discriminated against, directly or indirectly on the grounds of their SOGIE.

- **The Philippines’ national Anti-Bullying Act** requires all schools to include specific references to violence on the basis of SOGIE within their policies. After a year following introduction of the Act, only 38% of schools submitted their child protection or anti-bullying policies.

- In the United Kingdom in 2014, the Government Equalities Office commissioned a study to evaluate responses to homophobic and transphobic bullying in the education sector, building on a 2011 transgender equality policy that included education sector efforts and the 2010 Equality Act that specifically mentions SOGIE and commits schools to advance equality for LGBT students. However, implementation of these legal measures has not gone far enough. Only 29% of LGBT students in the UK said that teachers intervened when present during SOGIE-related bullying, and 68% of LGBT students reported that teachers and school staff never or only sometimes challenged homophobic, transphobic, and biphobic language.

In countries that overtly discriminate against LGBTI citizens, students do not have protections in educational settings. Criminalization and discriminatory policies impede the achievement of Goal 4 and the entire Agenda 2030 as they target marginalized populations and extend directly to schools:
• The Russian Federation’s 2013 Anti-Propaganda Law prohibiting “propaganda of non-traditional sexual relations among minors” was introduced with the intent of ‘protecting’ children from being exposed to content presenting homosexuality as a norm in society. Thus, there are no curricula discussing SOGIESC. Additionally, there are no anti-discrimination laws addressing SOGIESC, nor national-level or school-level measures to address bullying based on SOGIESC.

• Nigeria adopted laws in 2014 that prohibit any discussions of SOGIE – positive or otherwise – including when related to violence and bullying in schools.

• In the United States, seven states have laws that prohibit the “promotion of homosexuality” and forbid health or sexuality education teachers from discussing lesbian, gay, or bisexual people in a positive way, which often are extended to student groups and other aspects of curricula.

Understanding the Data: Measuring Beyond Parity

Target 4.5’s focus on parity as a measure of gender disparities and equal access to education is problematic for LGBTI and gender non-conforming students. Parity indices do not adequately reflect exclusion faced by these students, for they can be found on either side of the index ratio: both rural and urban, both top and bottom wealth quintiles, disabled and able-bodied, living in conflict settings or in peaceful ones, etc. Furthermore, a female/male parity index focuses solely on a gender binary, relies too heavily on traditional gender norms and roles, and does not do enough to inform governments of the full spectrum of student experiences.

For example, parity data indicates that only 66% of countries have achieved gender parity in primary education, 45% in lower secondary, and 25% in upper secondary. In addition, wealth disparities at all education levels remain large. The global lower secondary completion rate currently stands at 69%, with only 12% of the poorest males and 8% of the poorest females completing lower secondary school. While these measurements highlight important disparities based on gender and wealth and are important to equality, they cannot demonstrate the experiences of LGBTI and gender non-conforming students and the discriminatory societal structures and norms in which they learn.

What We Need from Member States

Target 4.5’s indicator does not go far enough to capture the full scope of equitable access to education and safety in school settings. Member States should take a comprehensive approach to ensuring that all students have access to quality education. Member States should:

• Enact national anti-discrimination legislation, which make specific reference to discrimination on the basis of SOGIESC.

• Develop comprehensive national and school policies that enumerate the inclusion of LGBTI and gender non-conforming students – and implement these policies fully.
• Collect data on students with diverse SOGIESC that does not rely only on parity indices but includes relevant questions in school surveys, data gathered by civil society groups, and other inclusive measurements.
• Fund SOGIESC-specific programs, such as teacher training, SOGIESC-inclusive teaching materials and curricula, and ensure that all schools receive the necessary funding since LGBTI and gender non-conforming students exist in all schools.
Target 4.A

*Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all*

**Background**

Target 4.A acknowledges that incorporating specific gender-sensitive measures is essential in building non-violent, inclusive, and effective learning environments. Implementation of this target seeks to improve and reform learning facilities and environments.

The target is one of three “means of implementation” corresponding to the preceding targets, which puts an emphasis on the creation of national, regional, and global educational environments, as well as capacity-building within the educational sector through the creation of laws, policies, guidelines, and frameworks. Target 4.A serves as a “global signpost,” expressing “global commitments that need to be contextualized and reflected in national education policy priorities.”

Currently, Target 4.A’s approach to tackling discrimination and violence in a gender-sensitive manner is not robust enough, as effective learning cannot be measured simply based on access to the internet or availability of gender-segregated bathrooms. Member States must acknowledge that the means of implementation listed in the target are not reducible to physical infrastructure. Comprehensive policy reform and implementation of inclusive curricula and guidelines are required in order to truly achieve the goals of this target, along with resource and capacity-building which adequately represents the needs of LGBTI students.

**What We Know: Existing Data on the Discriminatory Nature of Learning Environments**

Countries have begun linking violence and discrimination against LGBTI youth to gaps in national laws, education policies, and unsafe school environments. Additionally, schools and universities in countries such as Australia, Canada, China, India, the Netherlands, New Zealand, Thailand, the United Kingdom and the United States provide spaces for student-to-student support, such as “Gay-Straight Alliances.”

However, learning environments remain highly exclusive spaces for LGBTI students. Curricula, school/university guidelines, and teacher training methods sometimes explicitly promote discrimination on the basis of SOGIESC. Additionally, lack of access to support spaces and resources, comprehensive sexuality education, as well as barriers to accessing facilities such as classrooms and bathrooms makes learning extremely difficult for LGBTI students. Globally, there continues to be a lack of discussion within educational institutions on issues related to sexuality,
gender identity, and gender expression, which reinforces negative stereotyping leading to discrimination and violence.

The ways in which schools and other learning environments treat LGBTI students have a direct impact on their ability to achieve their full potential. Civil society organizations have begun addressing these issues through various means and using a variety of tools. However, there continues to be a critical need for Member States to recognize that learning environments are hotbeds for violence against and exclusion of LGBTI students. Some examples of this include:

**Discriminatory Practices and Policies:**

- **Violation of LGBT students’ privacy and freedoms:** In Malaysia, a 2012 study found that discriminatory practices include: universities enquiring about “gender confused” students; “conversion camps” for schoolboys with “effeminate tendencies”; and a federal policy, published through a student handbook, categorizing homosexuality and “gender confusion” as serious offences.82
- **Exclusion from learning activities and opportunities:** A 2014 study conducted in Bogota, Colombia revealed that 34% of students are aware of LGBT peers being excluded from school activities.83
- **Rigid uniform and dress guidelines:** In Japanese schools, gender segregation and norms are reinforced through school uniform policies which make navigating school life difficult for transgender and gender non-conforming children.84 In the Philippines, students who do not conform to dress code requirements are punished harshly by teachers and other administrators; this disciplinary action can include not being allowed to enter school grounds, being removed from classrooms, suspension, or public shaming.85

**Lack of Inclusive Practices and Policies:**

- **Insufficient gender and sexuality education:** In the United Kingdom, two in five LGBT learners are never taught anything about LGBT issues at school, 76% have never learned about bisexuality at school, and 77% have never learned about gender identity or what “trans” means.86 There is little documentation of the experiences of intersex learners in Europe, but individual accounts would suggest that discrimination, exclusion and isolation are also common throughout school.87
- **Gender-segregated spaces:** A Canadian study found that gender-segregated washrooms and changing rooms are the two spaces where LGBT students most commonly feel unsafe.88 GLSEN’s 2015 School Climate survey found a similar result in the United States with over one-third of LGBT students avoiding gender-segregated spaces such as washrooms and locker rooms because they felt unsafe.89
- **Exclusion of LGBTI students in classroom settings:** A survey conducted across Ireland, Italy, Poland, Denmark, and Croatia found that 49% of LGBTI student respondents said they chose not to participate in classroom discussions for fear of discrimination or violence.90
• Few counseling and support networks for LGBTI students facing or at risk of discrimination and violence: Support systems offered on a systematic level and provided by teachers, administrators, and the education sector at large are still rare in many parts of the world.91

Understanding the Data: The Need for Robust Implementation

Currently, few countries have all the elements of a comprehensive education sector response in place. Member States often fail to recognize that educational environments play a significant role in reinforcing harmful gender and cultural norms. Therefore, these environments have the ability to harm LGBTI students’ educational experiences through discriminatory policies. Conversely, policies can positively transform students’ experiences by mandating inclusive curriculum, creating support systems and safe spaces, training teachers to combat and prevent LGBTI discrimination and violence, and the making resources available for education professionals.

Research conducted by civil society organizations in several parts of the world has suggested that teachers and school authorities are often indifferent towards or unable to address school bullying based on real or perceived SOGIE92 93. In some cases, teachers and school authorities have been found to be the perpetrators of bullying against LGBTI children, resulting in grave human rights violations, structural stigmatization of LGBTI persons, and fostering further acts of bullying and violence towards LGBTI students or those whose behavior and/or actions fall outside traditionally accepted gender norms.94

Creating inclusive and effecting learning environments for all must go beyond a focus on physical infrastructure. Instead, laws, policies, and guidelines must be utilized to address LGBTI students’ safety and harmful gender norms should be challenged by providing students with the specific knowledge, skills, and tools to do so.95 To this end, policy, program, and curriculum development needs to reflect an understanding of how systems of social power impact the school climate for sexual and gender minority youth.

What We Need from Member States

• Allocation of education sector resources towards the creation of inclusive curricula: National school curricula must be specifically designed to be inclusive, to break down harmful patterns of conduct, and to counteract prejudices and discriminatory customs that are based on stereotypes of LGBTI persons.
• Mandatory pre-service and in-service teacher training that urges SOGIESC inclusion and specifically provides training on the prevention of discrimination, and homophobic and transphobic violence.
• Revision of school and university regulations which discriminate on the basis of SOGIESC: Schools should provide all students with safe access to bathroom facilities of their choice. Students should not be punished for wearing clothing or accessories that fall outside socially accepted gender norms or do not conform to a student’s assigned sex at birth.
• **Creation of support systems and safe spaces designed specifically for LGBTI students:** Governments must allocate resources for the creation of support groups and dedicated support staff for LGBTI students in schools and universities.

• **Partnerships with civil society organizations** to develop further research in order to provide LGBTI learners, parents, and educators with access to accurate, objective, up-to-date information on SOGIESC issues.
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