
EMBRACING DIVERSITY:

proposals for an
education free of
homophobia and transphobia

Executive Summary



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2015

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EXECUTIVE SUMMARY

“Embracing diversity: proposals for an education free of homophobia and transphobia”

This initiative is within the framework of the “Understanding Discrimination, Recognizing Diversity” (“*Conociendo la Discriminación, Reconociendo la Diversidad*” or CORE) Project, which is being conducted by the Institute for Women and for Equal Opportunities (*Instituto de la Mujer y para la Igualdad de Oportunidades*) as part of the European Commission Directorate-General for Justice’s PROGRESS programme. This document is the executive summary of the full report. In addition to offering a conceptual, legal and incidence-based analysis, it offers a series of educational resources as well as recommendations, indicators and strategies to prevent, identify and intervene in cases of homophobic and transphobic bullying in schools in Spain.

According to the international institutions, principles and conventions that address the rights of children and young people in educational environments (UNESCO, Convention on the Rights of the Child and Yogyakarta Principles), **homophobic and transphobic bullying in schools is a universal problem** that must be urgently and comprehensively addressed to guarantee **the right to an education that is free of discrimination and violence**. If diversity is one of the principal characteristics of human beings and of their sexuality, such that gender and the various ways to make families are shaded for each person, this document seeks to act as an invitation to recognize and embrace these diversities in schools.

Aware of the important theoretical and conceptual debates surrounding sexual, family and gender-identity diversity, and understanding that diversity is in itself complicated, we have chosen clear and simple language in drafting this text —though without compromising on the rigour necessary for this type of document— so that it is accessible to any individual who has no prior knowledge of the subject. Accordingly, concepts and expressions that have been agreed upon through texts produced by international organizations that are involved in this area —UNESCO, the Council of Europe and the European Union Agency for Fundamental Rights— have been used.

This document has arisen out of a desire to go beyond preventing bullying and to progress to considering the sexual, family and gender-identity diversity that exists in all schools as **an educational opportunity to contribute to creating a new kind of school**.

1. Recognizing and naming homophobic and transphobic bullying in schools

Discrimination and homophobic and transphobic bullying are present to a greater or lesser extent in all schools: according to the Spanish Youth Institute (*Instituto de la Juventud*), three out of every four young people aged between 15 and 29 have witnessed homophobic acts of aggression at their schools in the form of rumours, insults and taunting, and 6.4% have seen lesbian, gay, bisexual or trans people being struck (INJUVE, 2011). According to the same study, around 20% of young people strongly rejected sexual diversity. Consequently, although the majority of young people respect sexual diversity, fear of the spread of stigma means that many students and sometimes even teachers remain silent, look the other way or do not intervene when faced with situations of homophobic exclusion, discrimination or bullying. This increases the exclusion of victims and perpetuates the law of homophobia in schools. Though various studies conducted in our country show that the situation has greatly improved in recent years, **homophobia and transphobia continue to be the principal cause of insults, taunting and rejection** in schools in Europe and in Spain (British Council, 2010; Pichardo et al., 2014).

The principal victims of bullying in schools are lesbian, gay, bisexual and trans people and people who do not conform to culturally assigned gender norms.

Unlike other types of bullying, homophobia is present not only in schools, but also in all the social spaces of the daily lives of children, adolescents and young people. Defencelessness is perpetuated as students who are victims of these situations of violence sometimes do not share their experience at home because of embarrassment or fear of suffering retaliation or of not receiving support from their families or legal guardians.

The consequences of suffering homophobic or transphobic bullying in schools affect the vital, physical and psychological developments of victims, who experience a decline in their academic performance and are more frequently absent from school, which can ultimately lead to academic failure and even to dropping out of school completely (Chamberland et al., 2013). The risk of suicide is much higher among adolescents and young people who are not heterosexual or who are trans (Saewyc, 2011; Muraco y Russell, 2011). In Spain, 43% of adolescents and young people who are lesbian, gay or bisexual and aged between 12 and 15 who have suffered bullying in school as a result of their sexual orientation have considered suicide at some point, with 17% having attempted it (Generelo, 2012).

Homophobic and transphobic bullying in schools also has serious effects on the education community as a whole: those who commit it and those who passively observe it legitimize violence as a valid form of peer relations, and the passivity and silence of teachers and authorities in response to this violence normalizes and ends up invisibilizing a problem that has consequences in the training, education and learning of all students (UNESCO, 2013). For these reasons, **intervention in response to homophobic or transphobic bullying is a responsibility that teaching staff and all members of the education community must fulfil and enforce.**

2. Knowing best practices

In the international sphere, **we can take the public policies of Belgium, Argentina and Quebec as models**. They offer plans and initiatives that comprehensively address homophobic and transphobic bullying. These programmes are duly budgeted and have been prepared in collaboration with LGBT organizations. Specific initiatives have been chosen in some cases, such as Belgium's [interfederal action plan against homophobia and transphobia](#) and Quebec's [Government Action Plan against Homophobia](#), which have specific sections for educational contexts. Other cases, such as Argentina's [Plan Nacional de Educación Sexual Integral](#) (Comprehensive National Sex Education Programme), offer a transversal approach, integrating sexual, family and gender-identity diversity into broader sex-education programmes. This programme has made teacher training one of its main goals: since 2006, more than 80,000 Argentine teachers have received training in sex education.

In Spain, various Autonomous Communities have been leaders in developing public policies that encourage respect for sexual, family and gender-identity diversity and the prevention of homophobic and transphobic bullying in schools. **Andalusia has now become a national and international role model** due to the production of the [Action Protocol on Gender Identity in Andalusia's Education System](#), which is notable for addressing trans realities in schools in a detailed, comprehensive and depathologizing manner.

Extremadura has approved a [Law of social equality for lesbian, gay, bisexual, transsexual, transgender and intersexual people and of public policies against discrimination on the grounds of sexual orientation and gender identity in the Autonomous Community of Extremadura](#), which includes a specific chapter on measures to be taken in the educational environment.

The **Canary Islands' Board of Education, Universities and Sustainability** (*Consejería de Educación, Universidades y Sostenibilidad*) has transversally incorporated the prevention and identification of homophobic and transphobic bullying into all of its courses of action, producing a teachers' [Equality Accreditation](#). It has specific training programmes on sexual diversity for infant, primary and secondary levels, and has proposed "[Recommendations for teachers for the care of children with gender dysphoria and transsexual adolescents in schools.](#)"

In turn, in 2002 the **Basque Country** implemented **Berdindu**, the Basque Government's information and assistance service for matters related to sexual and gender diversity, which has a course of action, [Berdindu Eskola](#), providing an advisory service to schools. Moreover, the [2011-2013 work plan for equality and nondiscrimination on the grounds of sexual orientation and gender identity](#) considers education as one of the areas for priority action and proposes various specific actions for the educational environment.

These examples show us that it is possible to take specific actions at all levels of decision-making that have an influence on the day-to-day reality of education communities. These actions have a direct and real impact, demonstrating that it is possible to take the path toward an education that is free of homophobia and transphobia.

3. Action Guide: prevention, identification and intervention

The first step in constructing an education free of homophobia and transphobia is **to promote the free development of the personality of each person**, fostering respect for sexual, family and gender-identity diversity. Below, we offer a series of recommendations to begin to work in this direction. Moreover, we offer indicators to identify possible cases of homophobic and transphobic bullying and a specially designed protocol to intervene in a systematic and pedagogical manner, **including the whole education community in the construction of a new kind of school.**

Recommendations for prevention

The final report upon which this executive summary is based offers 30 general recommendations and a series of particular recommendations for the whole education community; 25 for management teams and counselling teams and departments; 38 for teaching staff; 8 for students; and 13 for families. Below, we highlight some of these recommendations.

Principal recommendations for school management teams:

1. **Expressly introduce education on sexual diversity and the fight against sexism and homophobia** to the official documents of the school.
2. **Encourage celebrations** of LGBT pride days; the International Day against Homophobia, Transphobia and Biphobia; World AIDS Day; and sexual diversity and gender-identity weeks, as well as celebrations of other awareness-raising events for the whole education community.
3. Through the Counselling Team or Department, **make informational material on LGBT realities available to whoever requires it**, as well as an up-to-date list of resources available in the area.

Principal recommendations for teaching staff:

1. **Do not presume the heterosexuality** of your students or of any member of the education community.
2. **Promote nonsexist coeducational games**, encourage the use of play spaces without segregation by sex and encourage the reading of stories that do not contain gender stereotypes.
3. **Respond immediately to sexist or homophobic comments, jokes or insults** made by students or school staff, regardless of whether or not they are directed at LGBT people.
4. **Show the consequences of homophobic and transphobic bullying** on the people who suffer it, and on relations between all the members of the education community.

Principal recommendations for students:

1. **Do not participate in bullying** using sexual and gender-identity diversity to ridicule, exclude, insult, attack or discriminate against another person. Intervene to prevent it, encourage other people to intervene, and offer your support to anyone who suffers it.
2. In situations of homophobic or transphobic bullying, **silence makes us complicit, but intervention makes a difference**: according to a UNSECO report (2013), when students intervene in cases of homophobic and transphobic bullying, their intervention is more effective than that of an adult person and generally contributes toward the situation dissipating more quickly.

Principal recommendations for families:

1. **Demand comprehensive sexual education**, which includes and respects sexual, family and gender-identity diversity, regardless of your family's situation.
2. **Create a climate of trust and security** in the family so that minors can develop their sexual orientation and gender identity freely and with support.

Indicators for identification

With the aim of identifying possible cases of homophobic and transphobic bullying within the education community, the final report offers a total of 61 observable and contrastable indicators, organized according to the diversity of relationships between all actors: authorities, teaching staff, students and family. Additionally, 16 indicators are offered to identify whether schools are spaces that encourage respect for sexual, family and gender-identity diversity.

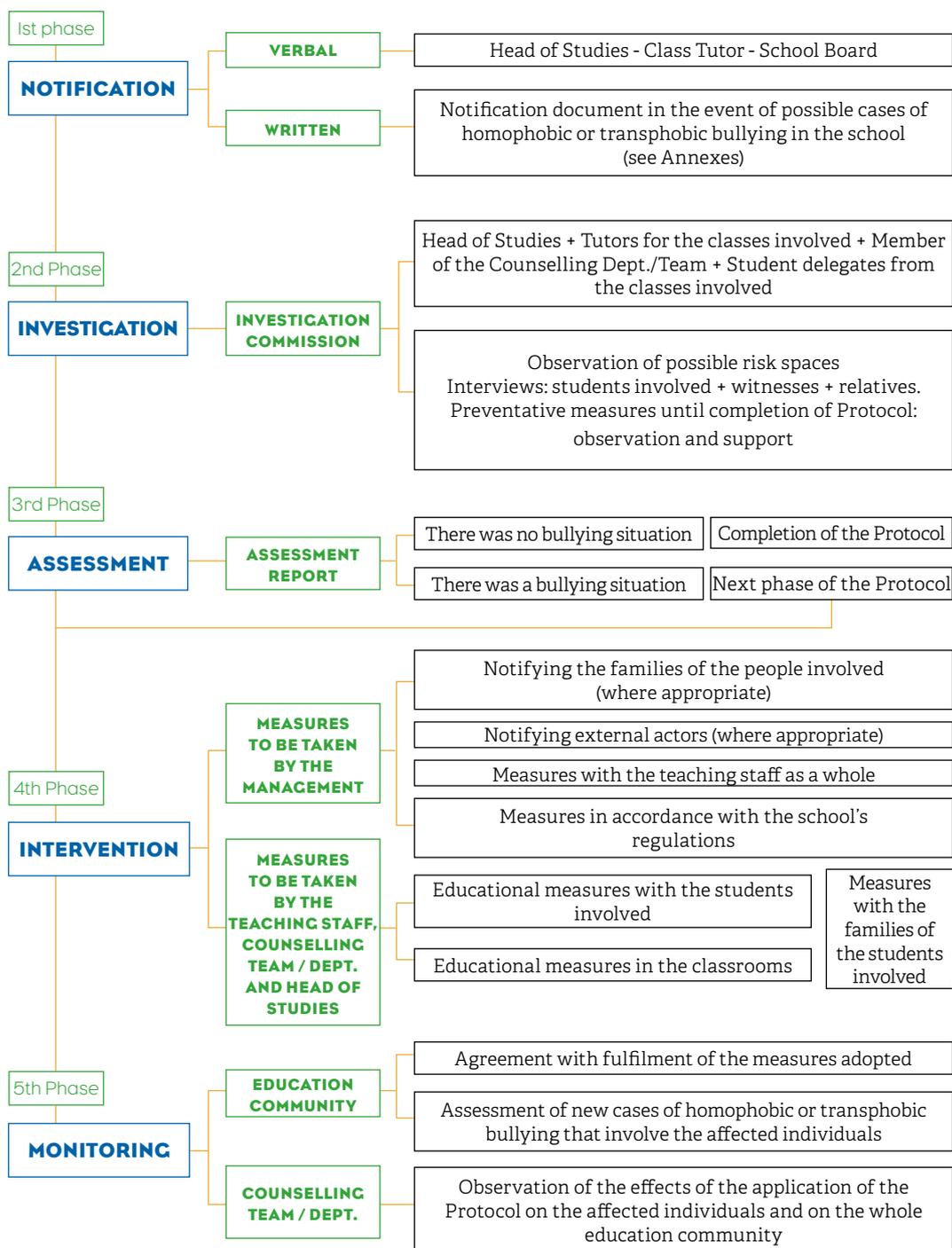
Intervention Protocol

A Protocol is provided, consisting of five phases to comprehensively **intervene in cases of homophobic and transphobic bullying** in schools, involving all the members of the education community:

1. Notification
2. Investigation
3. Assessment
4. Intervention
5. Monitoring

Below, we provide a diagram with the five phases of the Protocol and the principal actions to carry it out. The final report offers a step-by-step description of each one of the phases and the measures to be taken during their implementation.

4. Intervention protocol in the case of homophobic and transphobic bullying among students



5. Teaching resources for classroom work

The Teaching Resource Guide offered in the final report is made up of **50 national and international educational initiatives**. These have been selected from more than 200 materials that were analysed for potential inclusion, following the principal criteria of pedagogical interest for teachers; a specific focus on issues of sexual, family and gender-identity diversity; and open accessibility via the Internet for pedagogical use.

The selected teaching resources are organized into factsheets that cover a series of characteristics, which have been divided into 11 categories to ensure ease of use and access to the resources that they contain:

- **Educational level** at which they are aimed: infant, primary, secondary and post-compulsory.
- **Thematic keys:** gender, sexuality, trans, family diversity, violence, homophobia and transphobia, sexual diversity and LGBT young people.
- **Type of resource:** teacher training, teaching material, awareness-raising material, educational experience, literature and games.
- **Audience** at which they are aimed: authorities, teachers, families and students.
- **Format:** books, audiovisual, websites and blogs.
- **Subjects** in which they can be used.
- **Countries of origin:** Spain, France, the United States, Canada, Argentina and Uruguay, among others.
- **Languages:** principally Spanish, Catalan and Basque, and other English, French and multilingual resources.
- **Year of publication**, author and edition.
- **Brief description** and noteworthy aspects.
- **Direct link** to the online resource.

The majority of the resources located have been published since 2000, with a significant increase in production since 2010. We invite the teaching community to explore the materials in the Guide and to complement them with their own innovations and creativity to fill some of the gaps that may be found when analysing the group of resources studied: the protagonists tend to be male and, when talking about family diversity, an LGBT family tends to be presented as one made up of two mothers or two fathers and their children, without showing the wide variety that also exists in LGBT families: intergenerationality, interethnicity, single parent, trans parent, and so forth (Larralde, 2014).

6. Legal resources

The basic laws of the education system make express reference to formal equality between the genders and to the eradication of all forms of violence or pressure on the grounds of sex, ideology, religion or social circumstances. Though homophobic or transphobic bullying is prohibited within the scope of this provision, our basic regulations do not question the bases or foundations of homophobic or transphobic bullying or the social mechanisms that lead to the perpetuation of the social models that give rise to bullying. However, some legal texts do make express reference to the unacceptability of bullying that is based on sexual orientation or sexual identity, the latter concept referring to the various manifestations of gender identity.

The report contains the national regulatory resources that legally underpin the duty to promote equality and the prohibition of the stereotypes that give rise to homophobic and transphobic bullying. **Any member of the education community has legal resources to demand respect for sexual and gender-identity diversity, even though an express formulation does not exist.**

With regard to the fundamental idea contained in the Spanish Constitution that “Spaniards are equal before the law and may not in any way be discriminated against on account of birth, race, sex, religion, opinion or any other personal or social circumstance” (article 14), article 9.2 orders “the public authorities to promote conditions ensuring that freedom and equality of individuals and of the groups to which they belong are real and effective, to remove the obstacles preventing or hindering their full development”; and article 27.2 states that “education shall aim at the full development of human personality with due respect for the democratic principles of coexistence and for basic rights and freedoms.”

Sexual orientation and gender identity are factors that are intrinsic to the free development of personality and have been recognized as such in the courts on many occasions. The right to freely express affection and to one’s own personality is an indissoluble component of recognition of an individual’s dignity and, therefore, any measure that restricts this free development is discriminatory. However, educational authorities, teaching staff, students and their families **do not usually have legal knowledge. As a result, when a difficult situation arises, the inertia of social prejudice may outweigh many legal judgments and provisions.**

In our national education laws, among the many principles set forth, the objectives of the education system and the rights of students, there is no statement that expressly contains the right to sexual diversity or to the recognition of the free determination of gender identity. This means that for a large part of the education community, such rights essentially do not exist. Nonetheless, as described in the final report, there is a mandate to address these issues, as well as the legal instruments to implement the rights. In any case, articles 78 and 124.3 of the Organic Law on Improving Educational Quality (*Ley Orgánica 8/2013, de 9 de diciembre, para la mejora de la calidad educativa*, or LOMCE 8/2013) consider discrimination or bullying based on gender, orientation or sexual identity, among other factors, as a very serious offence.

7. Public policies and legal resources by Autonomous Community

On reviewing the public policies of the Autonomous Communities in Spain, which have responsibility for educational matters, we find that the vast majority do not take into account the specificity of homophobic bullying in schools or conduct specific programmes to address sexual, family and gender-identity diversity.

The legal texts in each one of the Autonomous Communities occasionally make express reference to sexual and gender-identity diversity, but in any case, the regulation is uneven and irregular. In this regard, we have been able to divide the Autonomous Communities into three categories:

1. Those that have approved specific regulatory instruments against discrimination on the grounds of sexual orientation or gender identity:
 - Andalusia (Trans).
 - Canary Islands (Trans).
 - Catalonia (LGBT).
 - Extremadura (LGBT).
 - Galicia (LGBT).
 - Chartered Community of Navarre (Trans).
 - Basque Country (Trans).
2. Those that have merely referred to some of these possible causes of bullying:
 - Aragon.
 - Castile and León.
 - Valencian Community.
3. Those that have made no differentiating treatment of or reference to homophobia or transphobia whatsoever, trusting in the interpretative judgment of the responsible members of the education community to eradicate violence, bullying and intimidation:
 - Principality of Asturias.
 - Balearic Islands.
 - Cantabria.
 - Castile-La Mancha.
 - Community of Madrid.
 - Region of Murcia.
 - La Rioja.
 - Ceuta.
 - Melilla.

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