



# Inclusive Education for LGBTIQ People

- **Everyone has the right to education.** Discrimination in accessing education on the basis of sexual orientation, gender identity, gender expression, or sex characteristics is a violation of international law.
- The 2030 Agenda for Sustainable Development, adopted by **all** member states of the United Nations (UN), includes a target of **quality education for all** and is built on the premise that no one should be left behind.
- Despite the human rights-based and economic benefits of equal access to education, anti-LGBTIQ discrimination in schools is **widespread**. It includes unchecked bullying, harassment, expulsions, and other disciplinary measures, and enforcement of cisheteronormativity. Perpetrators include students, teachers, administrators, and staff.
- Gendered dress codes and exclusionary access to bathrooms, sports, and extracurricular activities have a particular detrimental **impact on trans, nonbinary, and intersex children's access to education**.
- Bans on so-called gender ideology, censorship of educational materials, and the failure to provide **comprehensive sexuality education** limit **all children's** educational outcomes and perpetuate exclusion.
- States have a **responsibility to protect** all students, including LGBTIQ students, and should urgently remove barriers to educational equality in order to achieve the Sustainable Development Goals and comply with international human rights standards.

This brief relies heavily on Outright’s findings for a forthcoming research report, which is based on a review of 193 UN member states’ laws and policies impacting education, a global survey of recent LGBTIQ learners in ten languages yielding 450 responses, and in-depth key informant interviews with LGBTIQ individuals, teachers, parents, activists, and policymakers in ten countries.

## What obstacles impact LGBTIQ learners’ access to education?

From an early age, LGBTIQ learners experience violence, discrimination, bullying, and exclusion in schools, depriving them of the right to education and hindering their academic development and mental and emotional well-being. Obstacles may include:

- Laws excluding “homosexuals” in educational institutions,<sup>1</sup>
- Admission practices that discriminatorily exclude students,<sup>2</sup>
- Disciplinary measures against students, including exclusion, because of their sexual orientation, gender identity, gender expression, or sex characteristics,<sup>3</sup>
- The practice of subjecting students to conversion practices within the school, and<sup>4</sup>
- Violence and bullying in school, at the hands of both students and staff members.

“Daily, comments were made about my body, my sexuality, my cross dressing, how I’d behave in bed, who I could and couldn’t date, why no one would date me, requests for sexual favors, poking fun at my body and my friends, asking what body parts I had/have, calling me a hermaphrodite/boygirl/tranny/pixie/twink/fairy/catfisher/trap and other things, theorizing what sex with me would be like, creating descriptions of me, etc. Physical harassment included picking me up, grabbing me in inappropriate places and areas of my body without consent, pulling my hair, pulling me into secluded areas, etc. It was persistent and numerous. These incidents all happened at school.”

–Taylor H (pseudonym), 18-year-old nonbinary pansexual student, United States<sup>5</sup>

## Violence and Bullying

A UNESCO study of 94 countries and territories revealed that LGBTIQ students consistently experience higher levels of violence than their non-LGBTIQ peers.<sup>6</sup> Globally, 45 percent of LGBTIQ youth report being bullied at school due to their gender identity or sexual orientation.<sup>7</sup> Cases of abuse frequently go unreported due to fear of further victimization, and sexual and gender minorities often hide their identity in schools to avoid violence.<sup>8</sup>

“When I would go to get lunch, they [other students] would kick me down and push me out of the line. I was a bit feminine, and people don’t like feminine people. They would call me names and pick on me. My classmates often came to my desk to cause trouble and pick on me. And sometimes, when I reported to the teacher,

the teacher didn't care. I feared using the bathrooms in grades six, seven, eight, and nine because I knew the big, upper-class boys would be there. I would wait until I was sure it was empty before going because if they saw me there, they would do something to me."

-Jesse J (pseudonym), 20-year-old bisexual cisgender man, Jamaica<sup>9</sup>

Teachers and other school personnel themselves, at times, verbally and physically harassed students or encouraged students' queerphobic behavior. In other cases, they are unresponsive to complaints of violence.

"The teacher told me, 'You are one of the people who will go to hell.'"

-Peter M (pseudonym), intersex student, Iran<sup>10</sup>

## Gendered Dress Codes and Bathrooms

Intersex, transgender, and gender nonconforming students are particularly impacted by mandatory cisheteronormative dress codes and single-sex bathrooms in schools. Outright's global research among LGBTIQ people between 18 and 28 years old found that a majority of respondents had been required to dress at school according to their sex assigned at birth.. Most school bathrooms are single-sex only, for "boys" and "girls", with no gender-inclusive or gender-neutral bathrooms. A small minority of schools, including those in countries like Taiwan, Sweden, South Africa, and Canada, allow transgender, nonbinary, and intersex students to use bathrooms aligned with their gender identity. In a few cases, transgender and nonbinary students are required to register with the school as persons with disabilities to use a unisex bathroom reserved for this group.

## Exclusion from Sports

Many LGBTIQ students are not provided the same opportunities to participate in sports and extracurricular activities as their cisgender heterosexual peers. Heightened scrutiny of transgender and intersex girls and women, along with homophobic bias against queer people in global and mainstream sports associations, impacts young people seeking to exercise their rights to sporting activities in schools. Most respondents to Outright's survey of recent secondary school learners said that there were no opportunities for transgender, nonbinary, and intersex students to play sports on teams that aligned with their gender identities.

## Bias Within Curriculum

Some countries or school districts, including in Paraguay, Hungary, certain localities in Brazil, and the U.S. state of Florida, have banned so-called gender ideology or prohibited sharing information on diverse sexual orientations and gender identities in schools, including by banning the teaching of books that portray diverse people and families. This censorship paves the way for the introduction of school materials that lack scientific bases, contain religious biases, and reinforce harmful stereotypes on gender and sexuality.<sup>11</sup> Silencing discussions of sexuality and gender in schools contributes to hostility, invisibility, and fear for LGBTIQ students, who are left without legal protections, teacher support, or inclusive educational materials.

## What are the international human rights standards on inclusive access to education?

- The Universal Declaration of Human Rights in Article 26 affirms that everyone has the right to education. It calls for free and compulsory elementary education and emphasizes education's role in promoting human rights, tolerance, and peace.<sup>12</sup>
- The International Covenant on Economic, Social, and Cultural Rights, in Articles 13 and 14, further recognizes the right to education. The UN Committee on Economic, Social and Cultural Rights (CESCR) interprets these provisions through the "4-A" framework—availability, accessibility, acceptability, adaptability—in its General Comment No. 13.<sup>13</sup>
- The Convention on the Rights of the Child, in Articles 28 and 29, guarantees the rights of all children (under 18) to education on the basis of equal opportunity, emphasizing both access and quality.<sup>14</sup>
- The Convention on the Elimination of All Forms of Discrimination against Women, in Article 10, safeguards the rights of women and requires states to eliminate discrimination in all aspects of education.<sup>15</sup>
- The UNESCO Convention against Discrimination in Education (1960) specifically prohibits discrimination in education, reinforcing states' obligations to guarantee inclusive access.<sup>16</sup>

## How does unequal access to education impact the 2030 Agenda for Sustainable Development?

In 2015, world leaders came together at the UN to adopt the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs). SDG 4 on "Quality Education" seeks to ensure that all children have access to free, equitable, and quality primary and secondary

education, in addition to quality early childhood development, and equal access to tertiary education by 2030.<sup>17</sup> Significantly, SDG 4 targets the elimination of gender disparities and equal access to education, including for children in vulnerable situations.<sup>18</sup> Gender disparities, anti-LGBTIQ violence and bullying, exclusionary curricula, and suppression of gender and sexual diversity in schools all facilitate unequal access to education and make SDG 4 impossible to attain. A UNESCO report finds that sexual and gender minority students in Argentina, China, El Salvador, Italy, Poland, and Thailand, for example, consistently report poorer academic results than their peers.<sup>19</sup> States must facilitate inclusive and equitable access to education for all learners to achieve sustainable development.

## Economic Impacts of Exclusion in Education

Barriers to safe and inclusive education ultimately have an impact on LGBTIQ learners' career opportunities and economic outcomes, while also limiting their contributions to local and national economies.<sup>20</sup> As the Williams Institute has found in its global research, "Exclusion of LGBTIQ+ people in educational settings creates challenges to economic inclusion from adolescence by preventing them from building employability skills and expanding their networks. Discrimination and violence against LGBTIQ+ students lead to lower educational attainment, reflected in higher dropout rates and poor labor market outcomes."<sup>21</sup> The Organisation for Economic Co-operation and Development (OECD) describes bullying in schools as an example of "lower investment in human capital," contributing to "poorer returns on educational investment in the labour market."<sup>22</sup>



### Comprehensive Sexuality Education

The UN International Technical Guidance on Sexuality Education defines CSE as a curriculum-based process of teaching and learning about the cognitive, emotional, physical, and social aspects of sexuality. It equips young people with the knowledge, skills, attitudes, and values to realize health and dignity, build respectful relationships, make informed choices, and understand and protect their rights.

Most countries do not mandate, support, or implement school curricula that include topics on sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). Outright's research indicates that the content of sex education, where it exists, in the overwhelming majority of schools globally, focuses on physical developments at puberty (often taught to female and male students separately), abstinence, and safer sex. Topics on homosexuality and sexual and gender diversity are usually negatively portrayed, and the existence of intersex and asexual people is rarely mentioned.

"In general, teachers feel uncomfortable discussing topics related to sex. They lack knowledge about SOGIESC, and when discussing same-sex relationships, they tend to use negative connotations."

-Orphie Z. (pseudonym), lesbian cis woman from Indonesia<sup>23</sup>

### What can states do?

#### Enact laws prohibiting discrimination in access to education and hiring of educational staff.

States should enact and enforce inclusive anti-discrimination laws that prohibit discrimination in access to education based on sexual orientation, gender identity, gender expression, and sex characteristics.

#### Enact laws and policies prohibiting bullying of LGBTIQ students.

States like Bolivia, Colombia, Greece, Lithuania, the Philippines, Seychelles, and Taiwan have enacted LGBTIQ-inclusive anti-bullying laws or policies. More states should enact and implement laws prohibiting bullying and violence against LGBTIQ people in school and learning environments.

#### Repeal laws and revoke policies banning "gender ideology" in schools.

States with laws prohibiting information and content on gender, gender identity, so-called gender ideology, sexual orientation, and all forms of sexual and gender diversity in schools should repeal these provisions to protect equal access to education for all students.

#### Enact laws and policies fostering gender inclusion.

States should enact and implement laws and policies that allow gender-neutral and gender-inclusive terminology, pronouns, uniforms and clothing, and allow students to use names, pronouns, and dress according to their self-identified gender identities and gender expressions. States should also enact and implement laws and policies allowing inclusive bathrooms and facilities at schools for all students and staff.

**Engage in stakeholder engagements and facilitate community support.** States should involve LGBTIQ communities as stakeholders in the formulation, design, and implementation of education programs. In addition, membership states should ensure that community support for education and childhood development includes LGBTIQ families.

**Mandate, fund, and implement Comprehensive Sexuality Education initiatives.** States should mandate and fund the teaching of comprehensive sexuality education topics that accurately represent subjects on sexual orientation, gender identity, gender expression, and sex characteristics, as is age-appropriate, at all levels, to foster inclusive education.

**Require training for school personnel.** States should provide holistic teacher training on LGBTIQ inclusion, addressing bullying and violence, and fostering knowledge on sexual and gender diversity. Training should be carried out in collaboration with LGBTIQ community-based organizations.

## Annex: Sample Anti-Bullying Laws and Policies on Violence Against LGBTIQ students

This list includes specific anti-bullying laws and policies, apart from the “anti-harassment” provisions in several states’ anti-discrimination laws.

**1. Bolivia:** The 2014 Code for Girls, Boys, and Adolescents addresses discrimination based on sexual orientation and gender identity as a type of violence in schools.<sup>24</sup>

**2. Colombia:** Law 1620 of 2013 on the National System on Human Rights, Sexuality Education, and Preventing and Mitigating Violence. Article 5(4) affirms that the system is based on the recognition, respect, and appreciation of dignity, without discrimination based on “gender, sexual orientation, or identity.”<sup>25</sup>

**3. Czechia:** The 2016 Anti-Bullying Guide recognizes bullying based on sexual orientation.<sup>26</sup>

**4. Ecuador:** The 2014 Practical Guide to Addressing School Bullying finds that “perceptions about disability, illness, sexual orientation, race, and ethnicity are among the most common reasons for children to be excluded from the group.”<sup>27</sup>

**5. Greece:** The 2023 Law for Preventing and Combating Violence and Bullying in Schools seeks to address “insults, discrimination, or harassment based on...gender, sexual orientation, gender identity, gender expression or characteristics.”<sup>28</sup>

**6. Ireland:** The 2022 “Cineáltas: Action Plan on Bullying” addresses bullying based on sexual orientation.<sup>29</sup>

**7. Japan:** The “Basic Policy for the Prevention of Bullying, etc. October 11, 2013, Decision by the Minister of Education, Culture, Sports, Science and Technology (Last Revised March 14, 2017)” seeks to prevent homophobic and transphobic bullying.<sup>30</sup>

**8. Lithuania:** The 2016 Law on Education seeks to address cyberbullying on grounds including sexual orientation.<sup>31</sup>

**9. The Philippines:** The Anti-Bullying Act of 2013’s implementing rules and regulations (2025) define “gender-based bullying” as “any act that humiliates, excludes a person or targets individuals based on their gender or perceived gender identity and gender expression” or that creates an “intimidating, hostile, or humiliating environment for the recipient such as... homophobic, misogynistic, or transphobic remarks, among others.”<sup>32</sup>

**10. Seychelles:** The 2018 Anti-Bullying Strategy defines harassment as “any form of unwanted conduct related to any of the nine discriminatory grounds (gender, including transgender, civil status, family status, sexual orientation, religion, age, disability, race, and membership of a recognized community).”<sup>33</sup>

**11. Spain:** The 2023 Law on Measures for Trans Equality includes data on the prevalence of anti-LGBTIQ, especially in the classroom, prohibits discrimination based on sexual orientation, sexual identity, gender expression, and sexual characteristics, and imposes duties on public authorities to enhance diversity, visibility, equality, and non-discrimination.<sup>34</sup>

**12. Taiwan:** Article 3(2)(iii) of the Gender Equity Education Act of 2004 (amended in 2023) provides that “ridicule, attacks, or threats directed at another person’s gender characteristics, gender temperaments, sexual orientation, or gender identity by using verbal, physical or other forms of violence will be under the category of sexual bullying not sexual harassment.”<sup>35</sup>



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