How Safe Are Our Schools?:

An analysis of the Current Policy Framework Aimed at Protecting Queer Young People in New Zealand Secondary Schools

Murray Riches
Intern for the Green Party of Aotearoa New Zealand

Acknowledgments

Key Terms

Queer is a reclaimed word that represents sexuality and gender diversity. It is used to encompass lesbian, gay, bisexual, transgender, intersex, fa'afafine, and takataapui identities, as well as everyone in between and not sure (Rainbow Youth, 2011).

Rainbow is a commonly used term and imagery internationally to broadly encompass all those in queer communities, sometimes including family and allies, especially in a human rights context. It reflects the fact that diversity is positive, and gender and sexuality is understood as being on a spectrum.

LGBTI stands for lesbian, gay, bisexual, transgender and intersex. Like queer, it is used as a short-hand term that represents sexuality and gender diversity in its broadest sense. Sometimes LGBT or LGBTQ is also used by other authors quoted in this report.

Trans* is used in this context as the umbrella term encompassing many different forms of gender diversity and gender identity, including FtM, MtF, intersex, transsexual, cross-dresser, (Cross dressing) whakawahine, fa'afafine, transvestite, transgenderist, androgyne, and gender-queer.

Contents

I came out more than thirty years ago. In that intervening time the lives available to queer adults have improved vastly, but for the young person coming out today things may not have changed all that much: there are few role models, there is often little support and there is still frequently a pervasive hostile environment.

I was pleased to support the "It Gets Better" project, but even more pleased to sponsor Murray Riches 2011 report on how life could be made better for young queer people right now. Over the past three years my focus has been on one particular area for improvement identified by that report: the secondary school environment.

Authorized by Kevin Hague, Parliament Buildings, Wellington.

Anecdotal evidence has been strong that there are some great schools around that really contribute to great outcomes for young queer people. But equally we know that other schools clearly fail to meet an acceptable standard. How can this be? How is it possible that such wildly inconsistent results can co-exist in what is supposed to be a national, high quality education system?

This new report quantifies the problem, outlines how it arises, and puts forward proposals for fixing it. The results, both from the schools themselves, but also from the Education Review Office, whose core role is quality assurance, are significantly worse than we expected.

Fundamentally we need a specific national standard for schools to achieve in support young queer people and keeping them safe. Schools need resources and assistance to help them achieve the standard, but then their performance must be regularly and independently assessed, and remedial actions required if the standard is not met. This is a basic quality improvement cycle.

Finally I want to note with alarm the great difficulty we had obtaining from many schools material which must have been readily to hand as it had just been supplied to ERO. Many public schools were very reluctant to provide information, and some still have not despite their legal obligations. Most private schools refused to supply information. The safety and wellbeing of young people is a matter of extreme public interest, and it is not acceptable for schools to refuse to meet their duty of public accountability, whether or not this is currently required by law.

This is a very important report. It demands action.

Kevin Hague MP
13 August, 2014

Executive Summary

Contemporary research into the wellbeing of queer youth in Aotearoa suggests secondary schools are a particularly hostile environment for these students. The purpose of this research project is to look at the current levels of support required in schools, and investigate how those requirements are met and monitored in a cross section of New Zealand secondary schools. This is to provide a means of assessing how the current policy framework and implementation supports the safety of queer students.

The study involved an analysis of the school's latest Board Assurance Statement provided to the Education Review Office (ERO), the school's policy on bullying, including homophobic bullying, and the school's programme to deal with bullying. These documents were assessed against a number of key questions important to this study, and were supported by the principal's responses to several key questions. The reports of ERO on each school were critically read and assessed for any mention of issues that might relate to the inclusion or exclusion of queer students, and/or bullying of these students. These mentions were extracted and recorded, and compared both quantitatively and individually to the results of our assessment of the schools' policies and responses.

The documents revealed that just a third (33.3%) of the schools involved in the study provided evidence of some mention of homophobic bullying in their policies, with just 18.8% of schools demonstrating a proactive role in challenging heteronormativity to provide a safe and supportive environment for their students.

Further, only 8.3% of the schools involved in the sample provided documents that included some mention of gender diversity, while the vast majority of resonses (66.7%) did not have any mention of issues specific to gender diverse students, and some specifically excluded *trans identities in their documents when talking about 'people of both/either gender'.

When looking at the key role education can play in combating bullying, the study found only 31.3% of the total schools showed evidence that their anti-bullying education made special mention of some kind of diversity education. Further, just 14.6% of the schools involved in the study showed they had education relating to sexual and gender diversity in their anti-bullying education programmes.

Just 22.9% of school Principals said they were aware of at least once instance of homophobic bullying. Given the exceptionally high rate of bullying experienced by queer youth at high school, it is very surprising, and concerning, to discover that over half of the principals who responded to this question were not aware of even one instance of homophobic bullying in their school. This lack of awareness amongst schools highlights how the marginalisation of queer young people may often go unnoticed, or even accepted as normal, by school staff, and rings alarm bells about the systems in place for preventing, identifying, reporting and addressing queer bullying.

While some schools are doing significant work to ensure the safety of their students, it is apparent from the findings of this study that there is far too much variation amongst

the level of support and protection offered to queer students, with some schools failing to meet even the most minimal requirements, or even accepting that queer students exist within them. This finding should be of great concern to ERO and the Ministry of Education as it means a significant proportion of students in New Zealand secondary schools are not kept safe by the current policy framework schools are expected to adhere to.

What is even more alarming is that the current system of checks and balances that is supposed to ensure the safety of these students, through the ERO review process, did not detect significant issues with this sample of schools. Just 18.3% of the schools had mention of any issues which *might* relate to bullying or exclusion of queer students in the ERO reports, and upon further checking, the results for these particular schools were often incongruous with the results of our survey. In fact, some of the schools that ERO noted positively on measures of 'diversity' and 'inclusion' were extremely poor-performing when it came to policies and awareness of issues relating to queer students.

While the current legislative framework does implicitly include a requirement that schools have policies in place to combat sexuality and gender-based bullying, the results of this study suggest this most minimal requirement is not being appropriately monitored or enforced by ERO. This disparity suggests there is a need for greater compulsion and in-depth monitoring of student safety.

Although this study highlights that more needs to be done to protect the needs of queer students in nearly all schools, there are particular concerns around who is responsible for ensuring this in private and charter schools. There needs to be greater transparency for potential students, parents and policy-makers about the environments and education provided within these schools.

Summary of recommendations

- Make teaching about sexual and gender diversity an explicit, rather than implicit, curriculum requirement for all schools.

- Greater transparency into the environment for queer students in private, charter and state-integrated special character schools, including clear lines of responsibility for ensuring their safety.

- A Ministry-led inquiry into the safety of queer students being educated in 'special-character' school environments where that special character is based on religious or cultural texts or values that explicitly discourage or condemn queer behaviour and identities.

- Government funding for community-based educators to carry out rainbow diversity workshops in secondary schools.

- The Ministry to work with existing resources, organisations and guidelines for creating safe environments, to make them more accessible to schools and help schools implement them, as well as understanding their legal obligations.

- Standard ERO assessments to include specific reporting on how well the school is ensuring a safe environment for queer students and staff.

- ERO assessors to be trained in what a queer-friendly environment looks like, and ERO, the Ministry of Education and other government departments to change reporting practices to include more diverse gender identities than 'girls and boys'.

Introduction

Despite the liberation of queer rights over the past thirty years, queer youth continue to be disproportionally affected by bullying, prejudice, mental illness and poor educational outcomes. Contemporary research into the wellbeing of queer youth in Aotearoa suggests secondary schools are a particularly hostile environment for non-heterosexual students. The purpose of this research project is to assess how, in practical terms, the self-reported current national ERO standards are being implemented in secondary schools to protect queer students and whether this system is effective or requires change.

The Context

Young people are engaging with issues of sexual orientation and gender identity at an increasingly younger age. Where young people were once addressing questions of sexuality in their late teens, youth are now becoming sexually diverse before the age of thirteen (Henrickson, 2007; Le Brun, Robinson, Warren, & Watson, 2004). This increased awareness of sexuality has major implications for secondary schools, and how they deal with diversity and prejudice.

Both national and international research has revealed that queer youth face a disproportionate amount of stress in school. They are frequently victim to persecution, violence and social stigma, and are accordingly more susceptible to a range of issues including poor educational achievement, depression, and suicidal tendencies.

Wellbeing

In 2007, OutThere commissioned research into the health and wellbeing of secondary school students in New Zealand who identified as being attracted to the same or both sexes, as part of the broader study carried out by Auckland University. This research resulted in the *Youth07* report (Rossen, Lucassen, Denny, & Robinson, 2009). The *Youth07* report revealed concerning health disparities between heterosexual and non-heterosexual students. Specifically, in comparison to their heterosexual peers, queer students reported higher rates of depression, suicidal tendencies and self-harming, and were more likely to seek help for emotional concerns.

Figure 1: Depressive symptoms and deliberate self-harming (2007)


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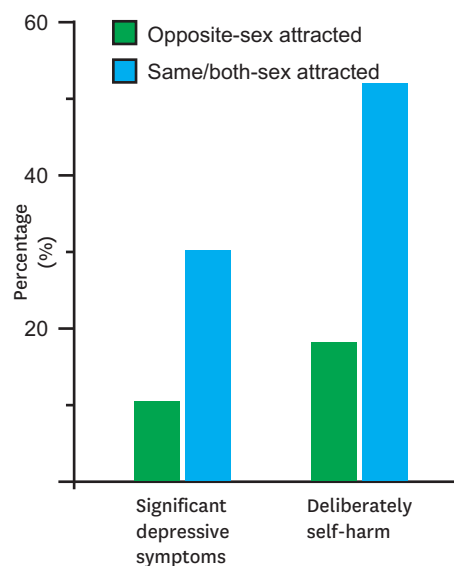
Disturbingly, the *Youth07* report also established that around half of the non-heterosexual students had self-harmed in the past year, and a third had seriously considered committing suicide. Further, the investigation revealed queer youth are three times more likely to report depressive symptoms and twice as likely to self-harm (see Figure 1). Queer youth also experience higher rates of bullying, less positive social relationships, and are more likely to engage in high risk behaviour such as alcohol and drug abuse or unsafe sexual encounters (see Figure 2) (Rossen et al., 2009).

However, such findings outlining the negative health outcomes of queer youth are not isolated to this report. Numerous studies undertaken around the world continue to highlight the disproportionate tendencies towards isolation, depression, suicide, and other negative health outcomes among queer youth. These studies clearly demonstrate that the issues queer youth struggle with in Aotearoa are global phenomena, produced by pervasive, unjust and systematic prejudice (Dorais, 2004; Robinson, 2009; Grossman, Haney, Edwards, Alessi, Ardon & Howell, 2009).

Queer-Phobic Bullying

Queer-phobic bullying is widely experienced in New Zealand secondary schools. In an extensive study of 107 New Zealand schools, 95% of students and 92% of staff did not believe queer students would feel safe in their school (Nairn & Smith, 2003). However, the harm caused by queer-phobic bullying is not limited to direct harassment. As Thurlow (2001) explains, a lot of the negative language used by secondary aged youth contains queer-phobic pejoratives. While these terms may not be aimed at queer youth specifically, the linking of queer labels to hate-speech reinforces feelings of isolation and creates a hostile environment for queer youth.

Figure 2: Alcohol, cigarette, marijuana and other drug use
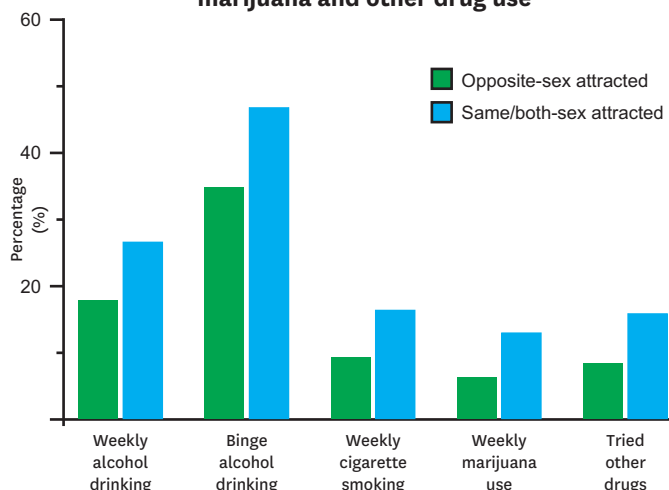
Youth Suicide

New Zealand reports the highest rate of youth suicide of any OECD country (SPINZ, 2012). While it is hard to know what proportion of youth suicide is linked to sexuality or gender-diversity (because some young people will take their own life to avoid 'coming out'), the high rate of suicidal behaviour reported by non-heterosexual youth suggests there is a strong link between the lack of support offered to queer youth and the extremely high rate of youth suicide in New Zealand.

Education

A queer identity also impacts on an individual's education. Henrickson (2007) reported queer youth have significantly lower educational attainment than their heterosexual

peers, and are much more likely to leave school prematurely, often as a result of sexuality based harassment. Further, a recent Human Rights Commission inquiry (*To Be Who I Am*) identified trans* people as being *particularly* vulnerable in secondary school. The inquiry emphasized the dire need for initiatives to improve the safety of trans* students (Metzger & Camburn, 2010).

Current Policy and Legislative Environment

Schools and school boards have legal and constitutional obligations under a number of national and international laws and guidelines to proactively protect and nurture queer students. An in-exhaustive list includes (PPTA, 2012);

Articles 2, 13, 17 and 29 of **the United Nations Convention on the Rights of the Child**, which protects against discrimination based on sex and allows freedom of expression and fulfilment of personality, talents abilities and identity.

The New Zealand Bill of Rights Act 1990, which protects against discrimination on the basis of sexual orientation and biological sex (which the Crown Law Office believes includes gender identity).

The Human Rights Act 1993, (which would likely also include transgression by a school on failure to prevent harassment of queer students).

The Health and Safety in Employment Act 1992, which also protects students while at school and requires schools to both identify and assess hazards, including those that cause physical, emotional or psychological harm, and prevent exposure to these hazards.

The National Educational Goals (NEGs), which are the state-set objectives of any publically funded school, and include; achievement through programmes which allow all students to realise their full potential as individuals, and; equality of educational opportunity for all New Zealanders, by identifying and removing barriers to achievement.

The National Administration Guidelines (NAGs) are guidelines, rather than rules, which schools are supposed to follow. They include identifying students and groups who are not achieving, who are at risk of not achieving or who have special needs. NAGs also require that schools provide a safe physical and emotional environment for students.

The New Zealand Curriculum must be inclusive, specifically, non-discriminatory, and to affirm students identities, while teaching students to respect others and human rights. The health and physical education section require that students "develop competencies for mental wellness, reproductive health and positive sexuality" as well as "strengthening personal identity and sense of self-worth".

Technically all, but particularly the last three of these requirements, are audited in schools by the Education Review Office (ERO), usually on a three year cycle. A self-reporting mechanism where the school Board is responsible for assuring ERO that it is meeting its legal and educational requirements is the basis of ERO reviews. From the Education Review Office 'Framework for School Reviews' 2014:

Providing a safe and healthy learning and working environment and complying with statutory legislation and legal requirements are important responsibilities of schools. For this reason ERO evaluates the school's provision of a safe and healthy learning and working environment and the board's compliance with statutory legislation and legal requirements.

ERO's Board Assurance Statement (BAS) and Self-Audit Checklist, completed before the review, provides an opportunity for the school to systematically review these aspects of school performance and to provide assurance that all reasonable steps have been taken to meet legal and health and safety requirements.

ERO checks the board's compliance as attested in the BAS. If this indicates any significant problems, ERO may decide to investigate further. ERO's main interest in compliance is to do with the quality of the school's self review. Any non-compliance not identified by the board and discovered by ERO may be included in the ERO report and, if significant, may result in a further review. ERO decides on a case-by-case basis whether or not to report noncompliance issues identified by the board.

ERO also checks six key areas to do with student safety. These are: emotional safety of students (including prevention of bullying and sexual harassment), physical safety of students, teacher registration, processes for appointing staff, stand-downs, suspensions, expulsions and exclusions, and attendance.

As part of the Board Assurance Statement, boards must attest that they are sure there are:

- 'policies/procedures to ensure compliance with legislation, including the non-discrimination provisions in the Human Rights Act, and that these policies/procedures are regularly review, and implemented appropriately'

- that they report to the school's community on 'the achievement of groups [...] who are not achieving, or are at risk of not achieving or have special needs' as well as

- 'aspects of the curriculum which require particular attention' and

- that the teaching and learning programme provides all students with opportunities to achieve success and meets the NZ Curriculum statements in specific areas, including health and P.E. , and

- that they are *sure* the Board has health and safety policies and procedures/guidelines/practices lined to: Physical and emotional health of students, behaviour management, discipline procedures, cross cultural awareness, and prevention of sexual harassment.

In theory, this review process should highlight when the physical, emotional and learning needs of queer students are not being met by the school culture, physical environment, and curriculum or policy framework. However, because the process relies heavily on self-reporting, if school boards are not aware of a problem in the school, particularly a problem that students might be reluctant to self-report, it is questionable whether the process proactively protects students. In fact, there may be a perverse situation where schools or boards that are less aware of or supportive of the

needs of queer students are less likely to both have students self-report the problems because of a lack of support, as well as the school proactively identifying any problems in the ERO process. An absence of awareness or knowledge, by its nature, is unlikely to be self-reported. The self-governance model of 'Tomorrow's Schools' may leave the experience of individuals to chance, a concern when it is widely felt by the queer community that many schools are not doing anything to promote the safety and wellbeing of their queer students (Riches, 2011).

In addition, while many of the applicable guidelines and laws do protect the rights of queer students, none of them explicitly spell this out in relation to these students. It is easy to see that in a school with transphobic bullying a trans* student will be at physical and emotional risk and is unlikely to reach their potential which breaches their rights, but the NAGs, NEGs and curriculum don't mention queer, gay or trans* students or how to protect them. Unless the Boards themselves are aware of the risks to and needs of queer students when writing the assurance statements, their attention will not be drawn to them by the reporting process. Sexuality and gender as specific risk factors are not mentioned, even specifically when talking about bullying, safety and 'diversity'. By way of contrast, the specific needs of Māori, Pacific and International students, gifted students and students with disabilities are focus points in current ERO documentation (ERO, 2014, 2011). The needs of Māori, international, and gifted and talented students are explicitly addressed in ERO reports. In a 2007 ERO review of the quality of sex education, required by the health strand of the curriculum, only one in five New Zealand secondary schools gave students the opportunity to discuss queer-phobia, acceptance and diversity. By contrast, "Programmes in the majority of schools in the study reflected an assumption that their students were heterosexual" (ERO, 2007).

Resource and Support Provision

When we searched in 2011 before starting this study, we did not find any specific resources or support provided by the Ministry of Education to help secondary schools ensure safe spaces for queer youth. In order to develop safer, queer friendly environments, some schools sourced outside help to establish diversity groups or facilitate diversity education workshops for students and/or teachers (Riches, 2011). Similarly, a comparative report on school based LGBTI bullying and policies between Australia and New Zealand conducted in 2012 found that New Zealand lagged behind in including specific policy and guidelines on LGBTI bullying rather than generic bullying guidelines, with worse outcomes for students (Tierney, 2012). Since this project was initiated, there has been a guideline document produced by the Ministry, among others, to generally tackle bullying in schools, but it does not provide in-depth information about creating safe spaces for queer students. The PPTA Rainbow taskforce has produced more in-depth and specific guides. See 'New Resources' below.

Literature Review

Bullying

A recent study by the same author as this report, which consulted a significant number of queer community leaders in New Zealand, found that bullying is seen as a major issue confronting queer youth (See Appendix). Both anecdotal evidence and studies carried out in New Zealand and abroad consistently demonstrate queer youth are the victims of physical and verbal harassment and bullying far more frequently than their heterosexual peers.

Grossman, Haney, Edwards, Alessi, Ardon, and Howell (2009) support this, reporting that a North American study found queer students were three times more likely than heterosexual youth to feel unsafe at school, and nine out of ten reported physical harassment (compared to 62% of heterosexual youth). Further, they found queer youth were more likely to miss school, underperform academically and drop out. The study also linked such harassment to higher levels of drug use, suicidal behaviour, and risky sexual behaviour amongst queer youth.

Isolation

Alongside bullying, the aforementioned domestic study found a feeling of isolation, coupled with the invisibility of the queer community in many areas, compounded the struggles faced by queer youth in New Zealand. "In the absence of support groups or other forms of social support, many queer youth feel totally out of place and alone in their environment . . . Many respondents viewed this isolation as a more subtle, yet equally damaging, form of bullying. One respondent explained that in many cases this isolation is more damaging, as the young people often have no one supporting them and the isolation often goes unnoticed and ignored" (Riches, 2011, p. 14).

Inconsistency between Schools

The lack of consistency between schools in New Zealand has been highlighted as a significant problem when seeking to ensure all young people are adequately supported. Although ERO standards currently require all schools to demonstrate they have policies in place that ensure the safety of all students, which includes queer students, there is concern within the rainbow community that many schools do very little to actively promote the safety and wellbeing of their queer students. The 2011 survey of rainbow community leaders found that many of the people involved in supporting queer young people were concerned that while some schools are doing great work to support queer students and encourage open discussion about sexuality, others are doing very little, and in many cases failing to meet the minimal guidelines set out by the Ministry of Education.

This inconsistency means that a student's experience of high-school is left almost entirely up to chance, as there is no framework of accountability to ensure all schools are positive environments. Further, the 2011 study found that community leaders who work directly with schools were sometimes frustrated that some schools refused them entry, therefore inhibiting the educator's ability to reach certain students and share their empowering message.

The 2011 study of leaders, including those working within schools, found they felt this variability was partially because queer support issues currently fall outside of the core directives outlined in the curriculum. It was felt that the implementation of diversity education and support groups is left largely to the discretion of the schools and Boards of Trustees. Therefore, the study found that in order to ensure all schools are supportive environments for queer youth, it is important legislation explicitly requires schools take the appropriate steps to create these supportive environments.

The need for legislation that insists schools take the necessary steps to empower queer youth is supported by many researchers internationally. Elia and Eliason (2010), for example, explain that the lack of legislation to insure the inclusion of queer issues in schools serves to reinforce the prevailing heteronormative values present in any form of education. Further, Quinlivan (2006) suggests New Zealand secondary schools' overwhelming focus on academic achievement neglects the broader needs of their students. They therefore argue schools need to place more emphasis on developing students' social outcomes, alongside academic outcomes.

The Importance of High Schools

In building a more supportive environment, the first and most obvious place to start is at school. As most young people spend a majority of their time at high school, creating a culture that promotes diversity in our schools would have a real, positive impact on the lives of every young person in New Zealand.

This argument is supported by Elia and Eliason (2010) who explain every school has a 'hidden curriculum' that serves to reinforce existing heterosexist messages. Even in schools deemed to be tolerant of queer individuals (i.e. acknowledge queer people in policies etc.), Elia and Eliason argue the pervasive message is still predominantly heterosexist and the climate is not one where queer youth feel safe and empowered. Pascoe (2007) also supports this conclusion in her book, *Dude You're a Fag*, where she reports on the 'ferociously heteronormative context' (p. 161) and the prevalence of institutional homophobia in her direct observations of a Californian High School (p. 161).

The 2011 study drawn on above also found many community leaders expressed concern that subtle heterosexist messages are endemic in many high schools. Further, some informants argued that the presence of heterosexual privilege and restrictive gender assumptions in every form of school culture—from the sports field to the school ball— is a subtle, yet potent, form of bullying and alienation that reinforces the message that queer people do not belong in our culture.

Sexuality and Gender Diversity Education

The 2011 study of rainbow community leaders emphasized the need to have sexuality and gender diversity education made a part of the core curriculum so that it is implemented uniformly by all schools. The study argued "[d]iversity education is a positive and proactive way of challenging heteronormative values and creating a positive culture. By encouraging all students to question their assumptions about sexuality and gender, diversity education would both empower those in the class who may be queer or questioning as well as help break down the very heteronormative

assumptions at the root of the isolation and rejection experienced by queer youth in high schools" (Riches, 2011, p. 20).

Although any visibility given in the classroom is bound to have a positive effect, some literature suggests the best model for queer focused diversity education is for it to come from someone who has a real understanding of queer issues. There is a risk that making sexual diversity education another component of Health class, where a heterosexual teacher talks about an 'other' called 'queer', will only reinforce the heteronormative construction of queer sexuality as abnormal. Such lack of understanding on the subject may result in queer students feeling even more isolated and out-of-place.

Visibility in the Curriculum

Queer identities are largely invisible in the classroom. When the books students read in English class or the practical algebra problems they solve in mathematics continue to represent a narrow heterosexual norm, heteronormative assumptions and values are reinforced.

Actively promoting non-heterosexual characters in the curriculum is a simple and low-cost way of validating queer lifestyles, challenging hegemonic, heteronormative beliefs about sexuality, and empowering queer students.

Such a suggestion is supported by numerous researchers and field experts. Pascoe (2007), for example, explains that the "inclusion of non-heterosexual and non-normatively gendered people in the official learning of the school would make sexual minority and gender-variant students feel less alone" (p. 172). Quinlivan (2006) also suggests the use of a variety of texts drawn from popular culture, which question certain assumptions about gender and sexuality, would challenge and undermine the attitudes which underlie gender and sexuality based harassment within schools.

Teacher Development

Anecdotal conversations with queer youth in New Zealand support the claims of many international studies which suggest teachers often don't have the skills or knowledge to confront homophobia and support queer youth. Grossman, Haney, Edwards, Ardon, and Howell (2009) support this claim, suggesting queer youth feel most vulnerable and alienated when those in power do nothing to stop the harassment—or even contribute to it. They therefore emphasize the importance of educating teachers to ensure they have the skills and knowledge to confront bullying and victimisation.

Further, teachers need to be aware of the implications their actions have. As Pascoe (2007) explains, "whether or not they are teaching specifically about sexuality or gender, teachers need to be aware of how they contribute to the hidden curriculum" (p. 172). This was also highlighted by Riches' (2011) which suggested that it is vital that sexuality and gender diversity training is included as a significant part of teacher training as well as ongoing professional development programs. Teachers themselves should also be encouraged to serve as role models of diversity. The study found it was really important that teachers are equipped with the appropriate skills and knowledge needed to ensure queer students feel safe and valued in their care.

New Resources

Between the initiation and completion of this project, the resources available to prevent queer bullying and bullying in general in New Zealand improved. In particular, the Post Primary Teachers Association's Rainbow Taskforce put out an updated guide 'Affirming diversity of sexualities and gender identities in the school community; guidelines' as well as some case studies and definitions to help teachers and school Boards, available online: http://ppta.org.nz/resources/publication-list/2283-glbti-resources-ppta. This comprehensively outlines principals' and boards' responsibilities to proactively protect students under the law, best practice guidelines for policy documents and action points for schools, and some case studies and exercises. It is not exhaustive in outlining the steps and resources that schools can utilise, but it is a much more comprehensive document than has been provided by the Ministry. In addition the Taskforce has been working directly in a small group of schools delivering 'safer schools for all' workshops that demonstrate in-depth practical ways for schools to meet their legal requirements for queer students and staff.

The cross-sector Bullying Prevention Advisory Group has also recently developed *Bullying prevention and response: A guide for schools* (2014). This document is jointly supported by, among others, the Ministry of Education, the PPTA, and the Human Rights Commission. Although it deals with all bullying rather than exclusively focusing on queer bullying, it does make mention of the higher rate of bullying of same-sex attracted students and 'differing' sexual orientation and gender-identity as putting students at higher risk. It also encourages promotion and acceptance of diversity, but does not give in-depth guidance on how schools can achieve this for queer students in particular.

The PPTA guidelines may have been available to schools before they answered this study's questions, but the cross-sector guidelines were only very recently released, so any impact of the latter will not be evident in the study.

Method

This study was primarily informed by the responses of 60 Official Information Act requests sent to a representative sample of New Zealand secondary schools. In order to insure a random and representative sample, the study focused on secondary schools which were subject to an Education Review Office (ERO) review between November 2011 and June 2012. These schools were contacted in September 2012 by a letter requesting:

- The latest Board Assurance Statement provided to ERO and all related documents

- The school's policy on bullying, including homophobic bullying, and all related documents

- The school's programme to deal with bullying and all related documents.

The letter also sought the Principals responses to a few short answer questions about the schools current environment for queer young people. These questions included:

- Does your school teach students about gender and sexuality diversity?

  - If yes, who teaches this and which class is it taught in?

  - If no, what are the barriers to this diversity education?

- Have there been instances of homophobic bullying in your school that you are aware of?

  - If yes, what steps has your school taken to support victimised students?

- Does your school have a support group, such as a diversity group or a QSA (Queer Straight Alliance), which provides social support to LGBTQ students at your school?

  - If yes:

    - Does this group receive support from staff?

    - Is this group publicly visible to all students?

    - How many students attend this group?

  - If no, what are the barriers to having a support group in your school?

The documents requested under the Official Information Act, as well as the principals' direct answers to the specific question, were then collated and assessed on a matrix of ten quantitative measures, as well as put through a qualitative analysis to provide context for the findings.

Our quantitative analysis of the documents and responses asked;

From the OIA documents:

1.   Do the documents make specific mention of homophobic bullying?

2.   Do the documents make any mention of addressing structural bullying by challenging homophobic language?

3.   Do the documents make any mention of addressing structural bullying by changing/challenging the way heteronormative assumptions are perpetuated?

4.   Is there mention of issues specific to trans* students?

5.   Is there mention of a commitment to proactive education in combating bullying?

6.   Does the education talk about diversity?

7.   Does this education mention sexual and gender diversity specifically?

From the principal's responses:

8.   Does the school teach students about gender and sexuality diversity?

9.   Is the principal aware of any instances of homophobic bullying at the school?

10.   Does the school have a support group for queer students?

We then wanted to see whether the Education Review Office was effective in its quality assurance role for student safety in schools. If schools rated poorly on our survey matrix, ERO should have detected this and recommended changes in areas where the schools were failing, and conversely schools that did well would be praised.

All 60 ERO reports for all of the schools originally contacted were accessed on the ERO website, critically read, and analysed. Any part of the reports that could have identified issues with the requirements looked at in this study comprehensively gathered into a spreadsheet. A problem matrix was then created of schools that were identified by ERO for positive and negative mentions of diversity and inclusion, and for any areas of non-compliance on health and safety, bullying, behaviour management, and the health curriculum. This problem matrix was then compared with the results of our survey, both quantitatively on and on an individual school level.

Key Limitation: Low response rate

Although subject to the OIA, some public and integrated schools were reluctant to comply with our request, and a significant number of schools failed to reply with the required documents even after follow up requests were sent. Some principals were unaware that they were subject to the OIA, with one asking on a follow-up call: "Can just anyone ask for this stuff?!" (This school did not respond). The documents requested are core requirements for every school, and should be readily accessible without great difficulty. While some schools were extremely helpful, and saw the importance of this work, others expressed annoyance that the study was a distraction, and some went so far as to assert that there were no queer young people enrolled in their school. While it would be a near statistical impossibility to discover there are no queer students at a school of many hundred students, this attitude reflects a concerning lack of awareness amongst these school, many of which were not able to be included in our study because of their failure to participate.

The study size needed to be adjusted to reflect the fact that the 9 private schools were not subject to the OIA. Two of these private schools responded to the survey and were included in the study. We also removed one public school for technical reasons, and a further three special schools and one activity centre that did not reply, but included

the three special schools that did. Special schools are set up to cater to students with additional learning needs, and although they are subject to the same ERO provisions and the OIA, the unique pressures on these schools makes a non-response more understandable in context.

The initial response rate was so low that it took several months and follow up requests to complete the survey. The final sample size was n=(60-7(private) -4(special and activity centre) -1(technical)=48 schools. The total non-response rate of the remaining schools was 12/48 = 25%. 37 schools of the total 60 contacted provided a partial or full response to the question, and of these, 36 were included in the study results. Not all of these responders provided all of the information requested. Of the 50 organisations that were required legally to respond, 15 did not, and 35 did, a compliance rate of just 70%

It is therefore important to remember that the quantitative results provided in this report may suggest the situation is much more positive than is actually the case. While the study has had to proceed without obtaining responses from all of the schools contacted, it seems reasonable to assume those schools who responded to our request had better policies pertaining to queer students' wellbeing than those who did not respond. Therefore, the differing attitudes expressed by school principals, alongside the low response rate from schools, needs to be kept in mind when viewing the results of this study. While we cannot include the non-respondents in the quantitative survey analysis, we feel it is reasonable to assume their refusal to participate in the study should raise some concerns about the adequacy of the policies in their schools. We did include all schools contacted in the analysis of ERO reports.

Private Schools

It is worth noting that private schools are not subject to the same level of public scrutiny as public schools, despite receiving 45 million dollars a year of public funding (RadioNZ; 2013a). This means that it is harder to gauge, and therefore ensure, the safety of the young people who attend them. These schools are more likely to be run by religious organisations and are not obliged to teach the standard curriculum, which has obvious implications for queer students and their families. Private schools also have no obligation to enrol any particular student.

One school replied: *"Private schools are not required to report to the Ministry on National Standards. Under the Education Act there is no mandatory requirement for our schools to comply with either the National Education Guidelines or the National Administration Guidelines therefore the request for this information does not apply."*

Another said: *"Personally, given the demands on the time of secondary school managers today, I find it unacceptable that an individual MP or a parliamentary party would consider such a request of schools."*

Information that is publically accessible under the OIA only becomes legally accessible in non-public schools if requested by the Secretary for Education themselves, and it is unclear what, if anything, the Government is doing to independently ensure the safety of queer students in private schools. This lack of scrutiny is particularly concerning with the recent development of charter schools in New Zealand which receive large

amounts of public funding but are not held to the same standards regarding the curriculum or teacher qualifications as public schools. The Ombudsman has described the exclusion of charter schools from the Official Information Act as 'unconstitutional' (RadioNZ; 2013b).

Private schools are subject to ERO checks and reports—however, a standard ERO report on a public or state-integrated school specifically says:

Board assurance on legal requirements
Before the review, the board of trustees and principal of the school completed the ERO Board Assurance Statement and Self-Audit Checklists. In these documents they attested that they had taken all reasonable steps to meet their legislative obligations related to:

- *board administration*
- *curriculum*
- *management of health, safety and welfare*
- *personnel management*
- *financial management*
- *asset management.*

During the review, ERO checked the following items because they have a potentially high impact on student achievement:

- *emotional safety of students (including prevention of bullying and sexual harassment)*
- *physical safety of students*
- *teacher registration*
- *processes for appointing staff*
- *stand-downs, suspensions, expulsions and exclusions*
- *attendance.*

A standard ERO report on a private school simply says whether it is suitable for registration as a private school on a number of grounds (premises, staff, curriculum) and says:

Other Statutory Obligations
There are good systems in place for the school managing body to be assured that its other statutory obligations are met.

ERO does not declare that it has checked the physical and emotional safety of students in the same way as for a public school.

Findings

Note that we will not be providing full information on individual school responses, or the names of the schools involved in the study, as the objective is to assess the overall school environment rather than comparatively rate schools, and we do not want to unfairly compromise the schools who complied with the law by responding.
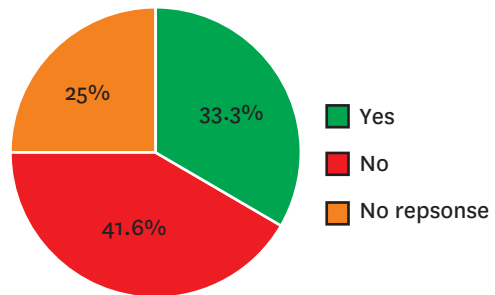
The first part of this analysis involved an investigation of the documents requested and supplied by each of the schools involved in the study. These documents included the latest Board Assurance Statement provided to ERO, the school's policy on bullying, including homophobic bullying, and the school's programme to deal with bullying.

Under the current ERO guidelines, schools are required to have policies in place which ensure the safety of all students including queer students and therefore, address homophobic bullying. This analysis found just a third (33.30%) (n=16) of the schools of the schools included in this sample provided evidence of some mention of homophobic bullying in their policies.

Specific mention of homophobic bullying in policy and documents supplied to ERO

- 25%
- 33.3%
- 41.6%
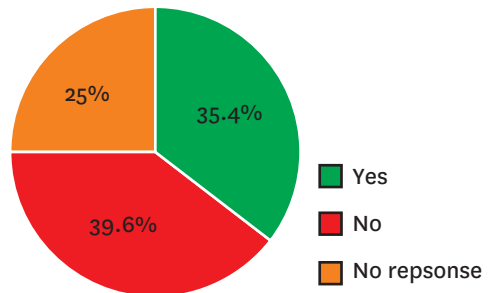- ■ Yes
- ■ No
- ■ No repsonse

Further to making mention of homophobic bullying, the study was interested in whether schools were proactive in challenging structural homophobia in schools. One way of looking into this was to investigate whether schools mentioned the need to challenge homophobic language in their policies. This anaylisis revealed that 35.4% (n=17) made some mention of challenging homophobic language in their school, while 39.6% (n=19) did not mention homophobic language in their bullying policies. In both cases, less than half of the schools which provided a response dealt proactively with homophobia.

Challenging homophobic language in policy and documents supplied to ERO

- 25%
- 35.4%
- 39.6%
- ■ Yes
- ■ No
- ■ No repsonse

As well as challenging the use of homophic language, the study looked for instances of schools using other methods to challenge heteronormative assumptions embedded within the school culture. The analysis of whether the school documents revealed any attempts to address structural bullying by changing or challenging the way students' heteronormative assumptions are perpetuated by staff and/or school structures revealed only 18.8% (n=9) of schools taking a proactive role in challenging
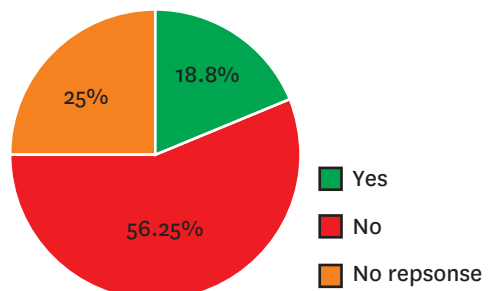
Challenging heteronormative assumptions and structures in policy and documents supplied to ERO

- 25%
- 18.8%
- 56.25%
- ■ Yes
- ■ No
- ■ No repsonse

heternormativity as part of their commitment to provide a safe and supportive environment for their students.

Prior research has revealed schools can be particularly challenging spaces for trans* students, particularly as much of the school structure is built on a strong gender binary system. Gender bathrooms and sports teams, for example, can be a source of significant stress for young people who fit outside of the binary gender expectations ascribed to them at birth. Thus, our study was interested to see if schools made any mention of these specific challenges and sought to address them in any way. From the analysis of the documents review we found that only 8.3% (n=4) of the schools involved in the sample provided documents that included some mention of gender diversity. One example was particularly comprehensive and included supplementary material that is delivered in health classes listing Fa'afafine, Takataapui and other trans* identities. However, the vast majority of responses (68.1%, n=32) did not have any mention of issues specific to gender diverse students, and some specifically excluded trans* identities in their documents when talking about 'people of both/either gender'.

## *Proactive Education to Combat Bullying*

All of the schools who responded to our OIA request made some mention of using proactive education to combat bullying in their schools. However, only 31.3% (n=15) of the total schools showed evidence that their anti-bullying education made special mention of some kind of diversity education, or sought to highlight the intersection of difference and bullying. Again, this was less than half of respondents.

Further, while most schools appear to use proactive education programmes to help prevent bullying, just 14.6% (n=7) of the schools involved in the study said they included education relating to sexual and gender diversity in their bullying programmes. 60.4% of the schools did not.
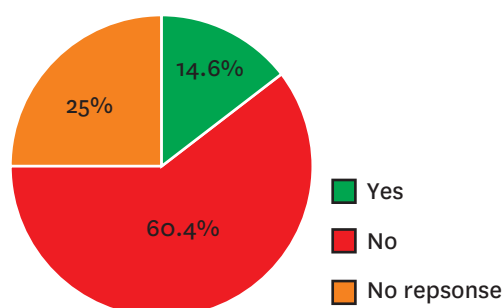
Mention of issues specific to trans* students in policy and documents supplied to ERO
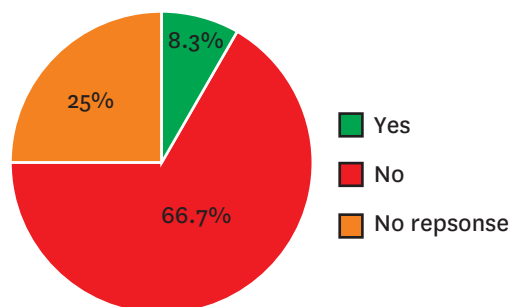
Education about diversity in anti-bullying programme
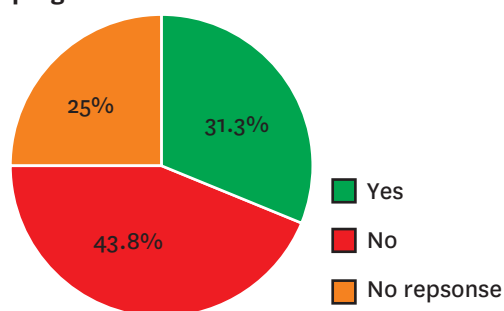
Education about bullying around sexual and gender diversity

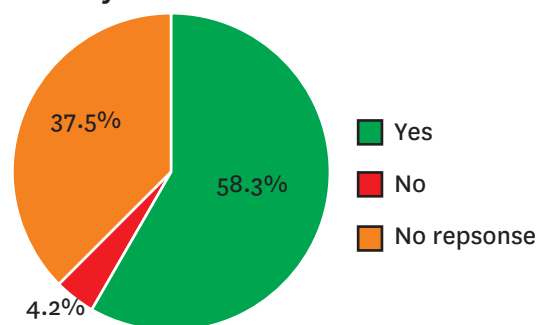## Findings from questions directed at Principals

As well as analysing the school's policies, we invited the school principals to answer a short questionnaire about the policies and practices in place within their schools.

A majority of the school principals (58.3%; n=28) who responded to our questionnaire reported that their school did teach students about gender and sexuality diversity. Further, most principals reported that this was done as part of the Year 9 and/or 10 health or Physical Education programme, and for the most part taught by the normal Health or PE teacher. Only one school mentioned they invite a specialized (Queer Straight Alliance) group in to have the discussion with the students.

Of the two schools that had no form of gender or sexuality diversity education, one principal explained that during his five years at the school he had not seen

Principals who believe their school provides education about gender and sexuality diversity

- Yes
- No
- No repsonse

37.5%
58.3%
4.2%

Principals who acknowledge instances of homophobic bullying

- Yes
- No
- Not addressed

22.9%
41.6%
35.4%

any need for such education, and felt it would be best handled by the school counsellor, "if such matters arise". This is not in line with the New Zealand curriculum. Nonetheless, when ERO reported on this integrated, religious, all boys' school, it did not find any problems with the school's curriculum, and said that: "This is a welcoming school where a positive tone and warm relationships prevail. The culture focuses on students' well-being through a strong pastoral care system [...] Procedures and guidelines focus on students' all-round development. Students feel they're in a safe, inclusive environment [...] there is an inclusive atmosphere in the school". This may not be so inclusive, however, for trans* students given the school's flagship "Good [Name of School] Man" programme which "models expected behaviour, key competencies and values."

The remaining school said 'However, the teacher in charge of Health is always careful to be inclusive of sexual preference when discussing relationships'. It is questionable whether this would fulfil curriculum requirements as listed in the previous section. Interestingly, this school was also a religious, integrated, all girl's school which ERO said had a *"a knowledgeable, well-informed board, that is led by an experienced chairperson and is committed to maximising the potential of all students [...] a supportive and committed school community[...] and an extensive pastoral care and guidance network that promotes a safe, nurturing physical and emotional environment for staff and students"*. There were no curriculum issues identified.
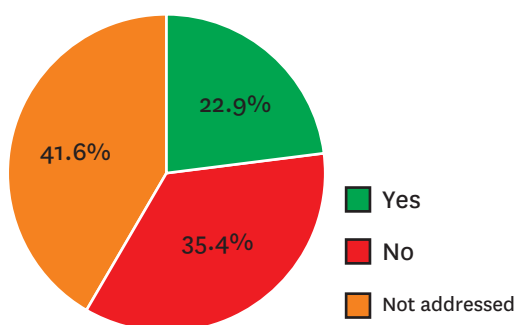
Principals were also asked if they were aware of instances of homophobic bullying at their school. 22.9% (n=11) of school principals were aware of at least once instance, while 35.4% (n=17) were not, and 41.6% (n 20) either did not respond or did not address the question. Given the exceptionally high rate of bullying experienced by queer youth at high school, it is very surprising, and concerning, to discover that over half of the principals who responded to this question were not aware of even one instance of homophobic bullying in their school. Further, many principals did not convey an understanding of the need to treat homophobic bullying any differently to 'standard bullying'. Homophobic bullying was sometimes very serious in nature, with one principal saying that a student who was assumably the victim of homophobia was met with 'disproportionate violence'. Other schools did not mention education as a core way of confronting the bullying, and one school admitted homophobic bullying had resulted in a student leaving to another school.

A lack of comprehensive systems for monitoring and addressing bullying could be one factor contributing to the lack of awareness about it from principals. One school had a different account from two staff members in the same response, with a staffer saying on behalf of the principal that they were not aware of bullying around sexual orientation, while the guidance counsellor at the same school did mention specific incidents. There were also instances of responses where the homophobic bullying was assumed to be directed at 'straight' students, but it is concerning that the staff took the bullied student's heterosexual orientation for granted. One principal said that there had been one past instance of 'homophobic' [sic] bullying but the student now 'identifies as straight, lives in [city redacted] and runs a successful business'.

Encouragingly, one school mentioned 'School's Out (a voluntary advocacy and education group run mostly by young people and focused on queer youth rights)' played a key role in confronting homophobic bullying in their school. Another school mentioned out students were central in confronting instances of homophobic bullying. Further, one principal said the school took the use of homophobic language, such as using the word 'gay' as a negative slang, very seriously.

Finally, principals were asked if their school has a support group, such as a diversity group or a QSA (Queer Straight Alliance), which provides social support to queer students. Concerningly, only 10.4% (n=5) of the principals questioned said their school did have such a support network in place. Half the total schools in the sample, and nearly all those that responded, said they did not.

Existence of support group, such as a diversity group or QSA

Yes — 10.4%
No — 50.0%
Not addressed — 39.6%
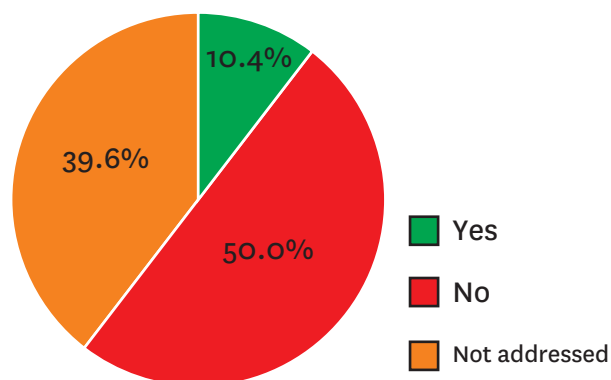
When asked about the barriers to having such a group in their school, most principals felt there was no real need for a group in their school. Some principals expressed concern that they did not have enough support from the community to establish such a group; one rural school principal, for example, felt they did not have access to the same support urban schools might get from community-based support groups (i.e. Rainbow Youth or Schools Out). Other schools felt the current guidance counselling available to students was sufficient, and some felt there may be parent and/or staff resistance to such a group being established in their school. The most recurring theme regarding support groups was a lack of a need due to lack of demand, or 'lack of queer students'. There did not seem to be any awareness of the inverse logic of the situation; in a more supportive school, students are more likely to be visibly queer and to be vocal about their needs.

Analysis of the Education Review Office Reports

Not one of the 60 ERO reports mentioned queer, rainbow or gay students or their families in any way. There was absolutely no mention of homophobic or transphobic bullying or risk. Queer students were totally invisible in the reports. But did the reports provide accurate information for queer students and their families about safety and acceptance at school in other ways?

Schools with positive ERO findings that could affect queer students

Seven schools had positive mentions of diverse/diversity, although this was often linked to ethnicity. All seven of these schools were required to respond to the survey, and five of them did so.

Of the five responses, the answers were mixed. One school was particularly good and answered affirmatively to all proactive measures on every question posed of the principals and the documents. Of note, this school had a connection to 'School's Out' support group.

All of the remaining four schools did not make specific mention of homophobic bullying in their policy/attestation documents, did not challenge homophobic language or heteronormativity, and did not make mention of trans* or gender-queer students. Only one of these four mentioned a proactive commitment to combat bullying, but the bullying education did not talk about diversity in any way including sexual or gender diversity.

Three of the four taught students about gender and sexual diversity, and one did not respond to that question. Two did not respond to the question about homophobic bullying, and two said that there had not been incidents, but only one of these had a support group, and the support group was new and not yet public or visible to all students. The rest either did not have a support group or did not respond.

It's worth noting that one of these schools which replied and did not rate well on the matrix did not have a bullying policy at all; but the principal said;

'Having something as a policy is no guarantee that a school is actually living the intention of the policy. Schools should all be on guard for and intolerant of any form of bullying but most will do that well without a policy. We have been identified nationally

as a school which values student safety and which is innovative in our creation of a safe environment for all students but we do not have a policy on bullying.'

This is a point worth considering and a potential limitation of this study's assessment matrix. It is true that the attestation for Boards to ERO requires 'procedures / guidelines / practices' rather than just 'policies'. However, this particular school has an extensively qualified staff member on hand who is authoritative on bullying to lead a team approach—something that other schools may not have the luxury of. If schools do not have a highly dedicated and qualified staff member on hand, then policy documents are necessary to provide guidelines and ensure consistency. Strategies for proactively protecting students should not be person-dependent.

A further 14 schools were described by ERO as 'inclusive', which arguably is a softer test than 'diverse/diversity' as it could be seen as a benevolent term opposed to 'exclusive', but not necessarily celebratory. 10 of these schools responded to the OIA, but one was excluded for technical reasons. Again, the findings for the remaining nine schools were mixed.

One school rated affirmatively across nearly all the measures, but noted no incidences of homophobic bullying and rather ironically notes that 'straight students often put down other straight students using homophobic slurs'! That school also did not have a support group because there was 'no demand'. Obviously the school should not be making assumptions about the sexuality of students bullied by homophobic slurs or discounting this homophobic bullying, regardless of the sexuality of the student as it will have an impact on bystanders and the school culture. Similarly, it's hard to know whether the 'no demand' is real or assumed.

The school with the next highest number of positive survey responses was also mixed. It had quite comprehensive policy documents which mentioned homophobic bullying, challenged homophobic language and heteronormative assumptions, but did not mention trans* or gender-queer students, and talked about proactively combatting bullying with diversity education (but not sexual or gender diversity). However, this school rated negatively in the remaining measures including teaching about gender and sexual diversity as required by the curriculum, and used language that excluded gender-diverse students in its flagship programmed praised by ERO. This may be an example of policy looking good on paper, as suggested by the principal above.

Of the remaining schools, they rated an affirmative on 2-5 of the survey questions. None of the schools had a rainbow support group. Only the highest rating school mentioned trans* students. Only two of the schools challenged heteronormative assumptions, and only 4/9 schools challenged homophobic language. Note that these are the very 'best' of all 60 schools for diversity and inclusion, if the ERO reporting process is to be trusted. However, one school which responded very well and rated affirmative on 9 out of 10 survey questions did not rate a positive mention on diversity or inclusion from ERO.

Schools with negative ERO findings that could affect queer students

Given the poor results we found overall in our survey, is ERO recommending major changes and picking up the need to do more to have an inclusive curriculum and safe environments?

Only one of the schools in the study received a negative mention on diverse/diversity, and that was a state-integrated Catholic school, which was required to respond but did not, so we could not compare their responses with the ERO report.

ERO noted that:

Although teachers reflect on the impact of their programmes, some need to better review and critique their teaching strategies to cater more effectively for the diverse needs of their students.

But also that:

Respectful and welcoming students demonstrate the Christian ethos of the college [...] Students are focused learners who work cooperatively and interact respectfully.

This school also had a negative mention from ERO for strategies around behaviour, however.

Seven of the 60 schools assessed had recommendations to improve, or negative mentions around health and safety in the ERO reports. Only one school out of 60, also one of these seven, had a negative mention for bullying. A further four schools had negative mentions or recommendations around behaviour management; a total of just 11 schools picked up for potential improvements that might relate to physical or emotional safety of bullied queer students. Of these 11, four also received positive mentions on diversity and inclusion. Additionally, it was clear in the context that some of the 11 schools were definitely identified for reasons not relating to the safety of queer students, for example:

"ERO found the board to be non-compliant in management of personnel and health and safety.The board must: immediately consider and address potential hazards in the technology workshops."

Just two schools out of 60 were identified by ERO as needing to improve the delivery of the health curriculum, and it was unclear what part of it ERO was referring to. Neither of these schools were the two that self-reported not teaching gender and sexual diversity. Both of these schools were also in the seven that were picked up for health and safety reasons.

Taken together, the 11 schools with negative mentions for diversity, bullying, health and safety, behaviour management or health curriculum equalled 18.3% of the 60 ERO reports checked. One of the lowest-rating schools in our survey, which only responded affirmatively to the questions on pro-active education to prevent bullying, and teaching about gender and sexuality diversity, but negatively on all other measures, had positive mentions for diversity and inclusion from ERO and no negative ERO mentions. Another school which had exactly the same result in our survey also had no negative ERO mentions on any of our criteria.

Other qualitative findings of note from the ERO reports

ERO reports consistently used language which excluded trans* identities. Sometimes this was based on reporting of programmes from the schools about different subject choices for 'boys and girls' or programmes like 'growing good men', but sometimes it was directed from ERO when talking about appropriate teaching styles for boys and girls, or all male/single-sex environments. In many cases, the gender of the students was not the subject of the sentence and it would have made no difference to replace a gendered word simply with 'students'. Every school was reported on statistically in the 'about the school' section which included a % breakdown into 'boys' and 'girls', suggesting that the very way that students are registered and recorded needs to fundamentally change before teaching and reporting practice can become more inclusive.

Many of the schools in the study were 'special character' religious schools, both state-integrated and private, including Catholic, Anglican, and Brethren. Nearly all of these schools had positive reporting from ERO about the religious values of the school being reflected in the curriculum, including compassion and respect for others. However, there is no discussion by ERO about how queer people are included in this culture or any tension between the values of the New Zealand curriculum and the religious texts underpinning the schools, some of which are explicitly condemning of queer people and lifestyles.

From ERO reporting on a Brethren school:

Trustees and staff are aware of the need to maintain a safe physical environment. Systems in place are comprehensive and thorough […] The Brethren ethos and philosophy influences the content of the educational programmes in association with The New Zealand Curriculum.

It poses the question about how both of the above statements from ERO can be true when the official Brethren position on homosexuality not only condemns it, but argues against extending legal protection on the basis of sexual discrimination, and asks for Brethren institutions to be exempt from such protection:

"We believe that homosexuality is not an inherited condition in the same category as race, gender or national origin, all of which are free from moral implication. We believe that homosexuality is a deviation from the creator's plan for human sexuality. While homosexuals as individuals are entitled to civil rights, including equal protection of the law, The Brethren Church opposes legislation which would extend special consideration to such individuals based upon their "sexual orientation." Such legislation inevitably is perceived as legitimizing the practice of homosexuality and elevates that practice to the level of an accepted moral standard. While maintaining our opposition to proposed so-called "Gay Rights" legislation, where such legislation has been enacted into law, The Brethren Church strongly urges that churches and religious organizations be exempted from compliance by amendment to the law. The position and practice of such organizations regarding homosexuality are determined by their religious convictions. This we hold to be a grave matter of religious freedom."

Key Conclusion from Findings

While some schools are apparently doing significant work to ensure the safety of their students, it is apparent from the findings of this study that there is far too much variation amongst the level of support and protection offered to queer students, with some schools failing to meet even the most minimal requirements, or even accepting that queer students exist within them. This finding should be of significant concern to ERO and the Ministry of Education as it means a significant proportion of students in New Zealand secondary schools are not kept safe by the current policy framework schools are expected to adhere to.

The Ministry of Education should be greatly concerned that only one third (33.3%) of the schools subject to the OIA request made any mention of addressing homophobic bullying in their policy documents. Further, given the pervasiveness of homophobic bullying in secondary schools, it is concerning that only a quarter (25%) of schools reported being aware of such events taking place in their school. This lack of awareness amongst schools highlights how the marginalisation of queer young people may often go unnoticed, or even accepted as normal, by school staff, and ring alarm bells about the systems in place for preventing, identifying, reporting and addressing queer bullying.

While the majority of schools who responded to our request reported they had some form of gender and sexuality education in their school (56.3%), less than a third (31.3%) of the sample actually mentioned diversity education in their anti-bullying policy documents, and just 14.6% mentioned gender and sexuality diversity education around bullying, and only four of the 48 schools provided *any* mention of trans* or gender-queer students in their bullying policies, bullying programme, or board assurance documents. Even more concerning, at least two schools in the sample definitely *do not* teach about gender and sexual diversity, and in at least one case it is apparent that the school is not fulfilling curriculum requirements, but the ERO did not detect this in either case.

Not only did ERO not pick up on these lacks of policies, awareness or support in any school, they did not directly or indirectly address the safety of queer students in any way. Less than 20% of the schools examined by ERO had any identified issues that even *potentially* specifically affected queer students, and even the schools with positive mentions for 'diversity' and 'inclusion' mostly rated poorly on proactive measures to protect them. In one case where a school was specifically exclusive in several ways of sexual and gender diversity, ERO rated it positively. This begs the question: 'What kind of diversity is ERO checking for?' and confirms that 'inclusion' doesn't in this case mean for queer people.

This briefing recommends that in order to improve the health and educational outcomes of queer youth, significant action must be taken to ensure secondary schools are safe and supportive environments. To achieve this, the policy response must actively challenge heteronormativity and queer-phobia in secondary schools.

Making sexuality and gender diversity education a part of the core curriculum is the best way to achieve this policy goal. It needs to explicitly, rather than implicitly, be made a curriculum requirement to reach all schools. Diversity education is the most effective response because it will positively impact *all* students. Working directly with students ensures the most vulnerable are supported, while simultaneously changing heteronormative attitudes. Further, diversity education does not require significant funding or the development of extensive resources.

More needs to be done to protect the needs of queer students in nearly all schools, but there are particular concerns around who is responsible for ensuring this in **private, integrated and charter schools. There needs to be greater transparency** for potential students, parents and policy-makers about the environments and education provided for queer students within these schools, and a **Ministry-led inquiry into how special character schools ensure that queer students are not being discriminated against within a religious environment that frowns on queer identities.**

This briefing recommends the Ministry fund community-based educators, such as Rainbow Youth and Family Planning, to carry out diversity workshops in secondary schools. This would ensure schools have access to the appropriate knowledge and skills to conduct such education. Further, this option would utilise the well-established educational tools these organisations already have (Rainbow Youth, 2012). Supporting these community-based groups in an educational role will also develop community reliance and link young people to established community-based support networks. A hands-on approach with the rainbow community fills a gap in schools where queer leadership may not be present and makes diversity practice 'real' rather than being a policy tick-box.

The Ministry should also work directly with these organisations, the PPTA Rainbow Taskforce and teachers to implement the available guidelines for creating a safe environment for queer students, families and staff, and make schools aware of their obligations. Given the extreme variability in attitudes, knowledge and policy that this study found between schools and school staff, this is the simplest way to support schools to create positive environments for families and students who encounter difficulties. It is clear that at the time of the study schools were lacking in resources and guidance. One principal asserted that while 'homophobic attitudes are common' they felt they lacked the 'ongoing advisory support we felt we would need' to set up a support group at the school. It is also clear that the schools were not all aware of the support that is available from NGOs and the PPTA, and the Ministry needs to take the lead on proactively implementing this in all schools. It is hard to imagine all the schools in this study individually becoming safe and welcoming environments as silos without some central leadership, information sharing and best-practice support. This would be

a welcome extension to the more generic recent cross-agency work on bullying prevention.

In the same way that schools and ERO are forced to focus on the needs of particular vulnerable groups that have specific reporting requirements, like Māori, special education needs, and international students, **reporting on the physical and emotional wellbeing of queer students and staff as part of standard ERO assessment** will protect these vulnerable students. It will lead schools and boards to educate themselves about what is required to make their schools safe, and allow queer students and their families to make informed choices when enrolling in schools. This will also provide an assessment framework to make sure that the above measures are improving school environments over time.

ERO themselves and the Ministry of Education, as well as the Ministry of Statistics and other government departments, will need to bring themselves up to speed by **educating school reviewers about queer safety and identities, and reassessing their tools for statistical recording of student genders to include non-binary gender identities.**

Queer youth are among the most vulnerable members of our society. This report urges the Minister to make this recommendation a policy and funding priority.

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Full report available at: https://www.greens.org.nz/press-releases/making-safer-environment-queer-youth

Schools

- Develop policies that would ensure all schools create safe and empowering environments for queer students.

- Make sexuality and gender diversity education part of the core curriculum.

- Weave diversity awareness into all aspects of the curriculum.

- Make queer issues and diversity training a central part of teacher training and professional development.

- Ensure that teaching staff diversity, in terms of culture, gender and sexual identities, has administrative and institutional support.

Support Groups

- Promote the establishment of both community and school based support groups.

- Develop a national network where support groups can collaborate and support one another.

- Develop a national QSA network to promote the establishment of QSA groups throughout the country.

- Ensure collaboration between QSA and community based groups and networks.

Visibility

- Hold the media accountable for negative or narrow representations of queer people.

- Develop the capabilities of media spokespeople throughout our community.

- Develop a database of media spokespeople throughout the country.

- Engage with and educate journalist and reporters.

- Encourage celebratory events that raise the visibility of the queer community.

- Seek government support for a national visibility/public education campaign.

- Work alongside sporting and cultural institutions to encourage more out role models in different public domains.

Nurturing Internal Diversity

- Ensure queer events and spaces cater for all queer people, not just the hegemonic groups.
- Cross-Sectorial Professional Development:
- Make diversity training and queer issues a central part of the training and professional development of all professionals who work with youth i.e. Counsellors, Nurses, Teachers, Social Workers.

Policy

- Establish a policy group or network dedicated to promoting policy initiatives that will empower queer youth and seek to have the queer youth perspective heard in any policy development.
- Work with schools and other institutions to see existing policy implemented or enforced.
- Develop policies that make it easier for transgender youth to navigate the health system and access the appropriate services.
- Specific research into the health needs of transgender youth and the implications of existing policies is needed.