



Advocates for Children of New York

Protecting every child's right to learn

Testimony to be delivered to the New York City Council Committee on Education

RE: Int. No 1638 and Res. No. 1442 calling on the Department of Education to create and maintain a Gender-Sexuality Alliance in all Middle and High Schools to support and protect LGBTQ and other vulnerable students.

September 14, 2017

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Good afternoon. My name is Gena Miller. I am a staff attorney and Greenberg Traurig Equal Justice Works Fellow in the School Justice Project at Advocates for Children of New York (“AFC”), where I represent students who are bullied and accused of bullying with a special focus on Lesbian Gay Bisexual Transgender Queer or Questioning (“LGBTQ”) students and students with disabilities. I also provide trainings to parents, students, and professionals on bullying behavior. Each year, we help thousands of parents navigate the education system, and we receive numerous calls on our Helpline about the New York City Department of Education’s (“DOE’s”) failure to address bullying. While AFC has always provided advice and trainings on bullying, my fellowship is enabling AFC to address the issue more systemically.

We appreciate the City Council’s efforts to make schools safer and more inclusive places to learn through Resolution 1442 and Introduction 1638. Gender-Sexuality Alliances (“GSA”) provide vital identity-affirming spaces to gender non-conforming students, LGBTQ students, and allies who are disproportionately affected by bullying behavior. GSAs help to prevent bullying behavior by making clear that



gender non-conforming and LGBTQ students are valuable members of the school community and by creating a forum for these students to develop leadership skills and inclusivity strategies to use within their school communities. GSAs also foster inclusive school communities by helping LGBTQ and gender non-conforming students identify and engage with supportive school staff and other adults in the community. GSAs combat bullying behavior and promote understanding and respect in the school community by encouraging dialogue and providing supportive resources.

Bolstering and expanding support for GSAs will make schools healthier learning environments, but additional steps are needed. Another way to make schools safer for all students is by better training students, staff members, and parents how to report bullying behavior and how schools must respond when bullying behavior occurs. In order to comply with the New York State Dignity for All Students Act (“DASA”), the DOE developed an anti-bullying program called Respect For All (“RFA”) that requires each school to designate one staff member as the RFA liaison. Each RFA liaison must be trained in anti-bullying laws, regulations, and strategies. The RFA Liaison must turnkey this information to students and staff at her school and serve as a resource for stakeholders seeking to report and address bullying behavior.

Over the past few years, our Helpline staff have fielded an increasing number of calls from families concerned that their child has continued to experience bullying despite reporting it to school staff. However, in our experience working on bullying



issues, families and even school staff are typically unaware of who the RFA Liaison is at their school or that such a role exists. Additionally, on August 31, 2016, the New York State Attorney General and the New York State Education Department Commissioner issued a joint Dear Colleague Letter analyzing data reported by school districts pursuant to DASA, suggesting that school districts – New York City, in particular – are significantly underreporting the number of bullying incidents and need to improve DASA training and awareness of its protections.

A costless step the DOE should take to expand stakeholder awareness is to publicize the name and contact information of each school’s RFA Liaison on the homepage of each school’s website. Posting the information on the internet will make this information widely accessible. It will also help to hold schools accountable for appointing and training RFA Liaisons. As noted in the State Attorney General and State Education Department Commissioner’s Dear Colleague Letter, notifying students of their RFA Liaisons through opening-day orientations or school assemblies is important, but insufficient. Later in the school year, students may not recall the contact information or the departure of the RFA Liaison may render the information inaccurate.

Listing the RFA Liaison’s name and contact information on the school portal will also help the DOE comply with DASA. DASA requires that schools provide the name and contact information of each DASA Coordinator (RFA Liaison) to all students, parents, and school staff by, among other ways, posting this information on



the school's internet website. Therefore, we urge the City Council to call upon the DOE to post the name and contact information of each school's RFA liaison on each school's online school portal.

Thank you for the opportunity to testify. I am happy to answer any questions you may have.