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THE STUDENT NON-DISCRIMINATION ACT (SNDA)

Every day, students who are, or are perceived to be, lesbian, gay, bisexual, or transgender (LGBT) are subjected to pervasive discrimination, including harassment, bullying, intimidation and violence, which is harmful to both students and our education system. Surveys indicate that as many as nine in 10 LGBT students have been bullied.

Bullying deprives students of equal educational opportunities and contributes to high rates of absenteeism, dropout, adverse health consequences, and academic underachievement among LGBT youth. Left unchecked, discrimination can lead, and has led, to life-threatening violence and to suicide. When school officials engage in discriminatory treatment, or are indifferent to harassing behavior, LGBT students' constitutional rights are infringed.

While Federal civil rights statutes expressly address discrimination on the basis of race, color, sex, religion, disability or national origin, they do not explicitly include sexual orientation or gender identity and, as a result, LGBT students and parents have often had limited legal recourse for this kind of discrimination.

To ensure that every child has the opportunity to learn in a school free of bullying and intimidation, the Student Non-Discrimination Act (SNDA) would:

- Establish a comprehensive federal prohibition of discrimination in public schools based on actual or perceived sexual orientation or gender identity;
- Provide protections for LGBT students and ensure that all students have access to public education in a safe environment free from discrimination, including harassment, bullying, intimidation and violence; and,
- Offer meaningful and effective remedies (loss of federal funding and legal cause of action for victims) for discrimination in public schools based on actual or perceived sexual orientation or gender identity, modeled after Title IX.