

**House Bill 850 Schools, Prekindergarten Programs, and County Boards of Education –  
Discrimination**

House Ways and Means Committee

March 3, 2022

**Position: SUPPORT**

The Mental Health Association of Maryland is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health, mental illness and substance use. MHAMD appreciates this opportunity to present testimony in support of House Bill 850.

HB 850 would prohibit a local board of education, a public or nonpublic elementary or secondary school, or a public or nonpublic prekindergarten program that receives state funds from refusing enrollment of, expelling, withholding privileges from, or otherwise discriminating against any student or prospective student due to their race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability. It also requires local boards of education to adopt and maintain a written anti-discrimination policy as well as requiring nonpublic prekindergarten, primary, and secondary schools that receive state funding to develop and maintain a written anti-discrimination policy that prohibits discrimination.

A majority of LGBTQ students have reported feeling unsafe in their schools (64% of lesbian, gay or bisexual students and 44% of transgender students) with over 90% of Maryland students reporting hearing their classmates use anti-LGBTQ language on a regular basis. Staff and administration may contribute to this discrimination as well, with 21% of Maryland students reporting staff using homophobic language and 26% observing school staff making negative remarks about someone's gender expression.<sup>1</sup> Harassment for LGBTQ students doesn't end in the classroom, with cyberbullying leading to increased discrimination and harassment. Nearly 50% of LGBTQ students have experienced electronic harassment.<sup>2</sup>

Ultimately, the vast majority of LGBTQ students (86.3%) report experiencing harassment or assault based on personal characteristics including sexual orientation and gender expression. LGBTQ students who reported more severe victimization regarding their sexual orientation or gender expression report lower levels of self-esteem and higher levels of depression. For

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<sup>1</sup> Youth Equality Alliance. (2014). *Living in the Margins, A Report on the Challenges of LGBTQ Youth in Maryland Education, Foster Care, and Juvenile Justice Systems*. <https://freestate-justice.org/wp-content/uploads/2013/11/YEA-Report-2014.pdf>

<sup>2</sup> Kosciw, J., Clark, C., Truong, N., & Zongrone, A., *The 2019 National School Climate Survey The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation's Schools*. GLSEN, 2019. <https://www.glsen.org/sites/default/files/2020-11/NSCS19-111820.pdf>

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transgender youth in particular, over 50% of all transgender and nonbinary youth in the US report seriously considering suicide at some point in their lives.<sup>3</sup>

Numerous studies indicate that LGBTQ populations are at particular risk of psychological distress and associated impairment, primarily from elevated exposure to stigma-related minority stress.<sup>4,5</sup> Minority stress is unique, socially based, and chronic, and may make LGBTQ youth more vulnerable to development of behavioral health concerns such as anxiety, depression, or substance use.<sup>6</sup>

There is an on-going crisis of abuse and discrimination being perpetuated against LGBTQ youth in Maryland schools that is contributing to alarmingly high rates of mental health concerns and suicidality. HB 850 would expand non-discrimination policies to better protect these youth and support mental wellness in our schools. For these reasons, MHAMD urges a favorable report on HB 850.

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<sup>3</sup> GLSEN (2019). *The 2019 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in Our Nation's Schools*. <http://glsen.org/research/2019-national-school-climate-survey>

<sup>4</sup> Reisner SL, Poteat T, Keatley J, et al. (2016). *Global health burden and needs of transgender populations: a review*. *Lancet* 2016; 388:412–43. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7035595/>

<sup>5</sup> Dhejne C, Van Vlerken R, Heylens G, et al. (2016). *Mental health and gender dysphoria: a review of the literature*. *International Review of Psychiatry* 2016; 28:44–57. <https://pubmed.ncbi.nlm.nih.gov/26835611/>

<sup>6</sup> Institute of Medicine. (2011). *The health of lesbian, gay, bisexual, and transgender people: Building a foundation for better understanding*. Washington, DC: The National Academies Press. <https://www.ncbi.nlm.nih.gov/books/NBK64806/>