GALE Guide for Country Assessment

Version January 2018

In the country report, we prefer to speak about <u>DESPOGI</u>, which means "Disadvantaged because of their Expression of Sexual Preference Or Gendered Identity"*.* In principle, we use acronyms like LGBTI only when quoting research, other publications or respondents. For spelling, we use US English.

Section 1: Summary information

Reliability scores

The country report starts with an assessment of the reliability of the analysis. The reliability is based on how reliable the data is, and on how many perspectives play a role in the analysis. For each category GALE gives one to five stars.

Reliability of data:

5: very reliable (most research based on a *comparison* between random samples of LGBTI and heterosexuals in education)

4: quite reliable (most research based on *random samples* of LGBTI or heterosexual respondents in education)

3: fairly reliable (most research based on LGBTI or hetero *convenience samples*)

2: *inferred assessment* based on *comparable data* from the education sector and internationally typical *data for LGBTI* (for example, about bullying in general or sex education and comparison with international differences between LGBTI and heterosexual samples) or/and *expert quotes*

1: *inferred assessment* based on *data about general attitudes* in the population and individual quotes

0. *no data at all*, assessment based on inference from internet sources like Wikipedia

Multiple perspectives:

5: agreement or average between *three perspectives* (LGBTI activists/population, government officials, education sector experts)

4: agreement or average between *two perspectives* of experts

3: *agreement* or *average within* one *perspective* of experts

2: *average* of non-expert opinions

1. *one* non-expert respondent

0. only *internet sources* like Wikipedia

Example 1: Netherlands. Data: the data are a mix of very reliable and quite reliable research (4,5). The assessment matrix is based on the average of respondents in a 3-perspective expert meeting on

LGBTI issues education (5). We score the Netherlands as 5 stars on reliability of data and 5 stars on multiple perspectives.

Example 2: Azerbaijan. Data: there is no research available, the assessment is based on a small scale descriptive research based on a few interviews and on limited information about general attitudes. This is scored as 1 star. Perspectives: one local activist filled in the Right to Education Checklist: 1 star. We score Azerbaijan as 1 star on reliability of data and 1 star on multiple perspectives.

The right to education matrix

The GALE right to education matrix was developed in 2012 to give a short overview of the scores in a country. This is an example of the matrix, for Poland (2017). The format of the matrix is an Excel file with a "data" sheet, a "matrix" sheet and a "report" sheet. The Google results on the GALE Checklist can be copied into the "data" sheet of the Excel file, which then results in numbers in the matrix. The "report" sheet is not used for the country reports but as background information in strategic workshops.

The matrix contains the number of scores per item and the final assessment marked in color. You make the final assessment only after completing the complete country report, so you can take all data into account. To assist you, next to the matrix, there is a space to make a short summary of why you assessed the checkpoints as you did. Normally, GALE will follow average scores of expert respondents. The short explanation should focus on decisions that differ from the respondents scores, it is like a clarification in case of different opinions. The short explanation is not copied in the published report.

The finalized matrix is copied into the country file. The 6-color band below the matrix is a help to fill in the right colors in the Excel version of the matrix and is not published.

Right to Education Assessment Matrix	Forbidden	Discouraged	No policy	Encouraged	Supported	No data
Access to school						
1. Full access to schools for DESPOGI?			3		2	
2. Freedom of self expression for DESPOGI?	1	2	2			
3. Protection against DESPOGI bullying?		1	3	1		
4. No drop-out of DESPOGI?		1	4			
5. Equal school performance of DESPOGI?			4	1		
An appropriate curriculum						
6. Is there public information about sexual diversity?		4			1	
7. Curricula about DESPOGI inclusive diversity?	2	2	1			
8. Curricula about DESPOGI inclusive sexuality?	2	1	2			
9. Specific information for DESPOGI students?		1	4			
10. Peer-learning opportunities for DESPOGI?		3	2			
Good teachers						
11. Is staff supportive for DESPOGI?		2	3			

12. Staff competent to teach about sexual diversity?	3		2			
13. Is staff competent to support DESPOGI?	1	2	2			
14. Supportive school environment for DESPOGI?		1	3		1	
15. Employment protection for DESPOGI staff?			1		3	

Numbers show the number of respondents scoring an item.

The GALE Right to Education Assessment Checklist is based on an analysis of the five main conventions ruling the right to education. GALE collects data on this per country through https://www.gale.info/cgi-bin/quickscan.cgi?txt=mapping_en.

As you can see in the Poland example, it may be that respondents don't agree with each other. Sometimes they score some checkpoints so differently, that making a calculation of an average would not be useful. This is often the case when respondents score an item based on the availability of a law or policy, while others score the item as an assessment of the social situation or (the lack of) implementation of a policy.

The final assessment of GALE is the responsibility of the GALE assessors. It starts with the assessment of local expert respondents, but is then checked with facts.

The rule of the thumb is that a law or policy is only "encouraging" or "supportive" when there is proof it is implemented and has impact on the social situation. The assessment also ends with local expert respondents, who are asked to evaluate the assessment. The assessors may decide to change the assessment when there are strong arguments to do so. An example of a strong argument could be agreement during a multi-perspective strategy workshop in the assessed country.

General assessment

This subsection contains a summary judgment of the country. Ideally it touches upon:

1. the general context (general quality and safety of the education system and whether the management of education is centralized, decentralized or/and privatized)

2. public attitudes about sexual diversity and key laws

3. a short impression of research and feedback about the specific situation of DESPOGI students

Section 2: Legal context

In this section we sketch the legal national and international context. This section is printed in Arial Unicode MS font size 9.

Laws

Under "Laws" we offer a very short overview of laws pertaining to DESPOGI. This is based primarily on the ILGA report on State-sponsored Homophobia and were necessary on additional information from Wikipedia and the IE Barometer. Note that the IE Barometer is often not up-to-date and the data

may be even ten years out of date.

Conventions

Under "Conventions" we show which of the five conventions that refer to right to education are signed. The information is based on the original UN documentation of conventions and are summarized in the internal GALE file "GALE Monitor R2E Data" (sheet conventions). In a next edition, we may add signatories to some main UN recommendation as well, like the Recommendation for International Understanding (and Human Rights Education). We did not add recommendations about the rights of teachers, because we decided to mainly focus on student's rights. We may add such recommendations when they are relevant for DESPOGI students in the future.

International statements and dialogue

Under "International statements and dialogue" we mention whether a State has signed the UNESCO Call for Action (2016) and whether they have joined the international Equality Coalition (a group of countries opposing the increasingly organized "traditional values coalition"). We also mention whether the State submitted a report for the most recent review of the Convention against Discrimination in Education or for the Recommendation for International Understanding (and Human Rights Education), and whether it contained a mention of sexual diversity. This is also summarized in the internal GALE file "GALE Monitor R2E Data" (sheet conventions). Finally, under this section we add relevant quotes from Treatment Body communications, like the UPR and the recommendations in the review of the Convention of the Rights of the Child.

Section 3: More information

This section has two parts: a general sketch over social attitudes and recent developments that are relevant for education, and a detailed analysis of the information we found on the 15 checkpoints.

General information

The structure of this paragraph is:

1. Information about the education system
2. Information about equality and inequality
3. Attitudes about sexual diversity in general
4. General points of attention related to education for DESPOGI (we try to prevent replication of texts that are given here and texts under the checkpoints)

All information is referenced according to scientific publications custom. When mentioning resources, name first author and date. If there are more than two authors, list the first author + "et al", preferably with the relevant page. Full references of formal and offline only publications will be mentioned in the chapter "sources". External editors can give the full references at the bottom of the country report

(which will be moved to the resource section with final editing). Use APA formatting for full references. Non-formal references are referenced by giving an internet address.

Education system: We are interested in the general quality of the education system because when the whole system is substandard, then this will also have impact on DESPOGI students. Moreover, research has show that bad and unsafe schools are always worse for minorities and notably also for LGBT students.
We are also interested in aspects that help activists to plan strategic change. Relevant information is for example how the education system works (centralized, decentralized, State-owned of privatized, access to education (especially for girls), good or poor teacher training, religious or political influence on curricula, influence of wars). This information is mostly based on sources like the EI Barometer (https://www.ei-ie.org/barometer/en/), the Wiki page "education in..", and if we cannot find the relevant information there, other sources. I may be difficult to find out how much influence the Ministry of Education and others have on the content and quality of education; this is often not explicit or clear. Sometimes local experts can help to fill this in with feedback on the draft.

Equality: the general position of minorities and of women is often an indicator of the political and social environment in a country. In this section we try to sketch his briefly. Most of this paragraph will be based on the EI barometer, which has a section gender equality. But do an internet check to what extend this information is still correct.

Attitudes about sexual diversity: this paragraph gives an indication of general attitudes towards LGBTI and DESPOGI in recent years. Such numbers are in this 2017 edition mostly found on the Wiki page "LGBT rights in ..", in global comparisons of attitudes like RIWI and in other research reports that give a general impression of the attitudes and behavior of the population in the country. In a next edition, we strive to make the comparison more comparable across countries. Please do not elaborate too much about non-education issues like marriage equality. This may dominate Wiki pages, but it is only relevant for our analysis when statistics about attitudes on marriage equality give an indication of the general attitude of the population. But statistics about social distance ("I don't want a homosexual as neighbor") may be more revealing in the context of this analysis.

General information about DESPOGI in education: In this section we can put information on more specific aspects on education, that provides context but does not double with information under the following checkpoints. This could for example be recent developments of (DESPOGI related) policy in education.

The checkpoints

The detailed information about the assessment is divided in three sections: access, the curriculum and teachers. We strive to name all the checkpoints and give quotes relevant to each checkpoint. If there

is enough data, the structure of the text with each checkpoint would be:

1. Statistical and then soft data on the situation

2. Legal measures

3. Implementation activities by the government and other levels

4. If not obvious, an explanation of the assessment on the 5-point scale

Quotes may be relevant for different checkpoints. An example: it may be that you find a quote like this in a report: "68% of teachers think that coming out at school is provocative and unnecessary, so it is not surprising that 93% of the students do not come out at school". This sentence contains relevant information for both checkpoint 2 (freedom of expression) and 11 (supportive teachers). To avoid duplication, we would reproduce these findings as follows
Checkpoint 2: "Researcher X found that 93% of the students do not come out at school (Researcher, X, 2016, p. 5)
Checkpoint 11 "Researcher X found that 68% of teachers think that coming out at school is provocative and unnecessary" (Researcher, X, 2016, p. 5)

It is very important to date every quote: "in 2017, XX said/found.. " etc. Research and quotes can go, out-of-date and without mentioning the year, we will lose track of the possible datedness of data.

The GALE Report bases itself mainly on two sources: the GALE database - which is a collection of publications over the last 15 years - and internet searches.
There are some standard information sources that we always checked for the 2017/2018 editions:
In Council of Europe countries, we check the country studies of the Danish Institute for human rights (reference: COWI, 2010 Country-legal/sociological: http://www.coe.int/en/web/commissioner/thematic-work/lgbti-country-studies. Because these are 7-8 years old, you always need to check if the data is still up-to-date. If there are more recent data, offer these (or/and put the COWI data in a historical context.
The ILGA-Europe rainbow country files may contain educational information: https://rainbow-europe.org/.
BZgA and IPPF produce a series of country reports on sex education (at this time only offline preliminary versions available). Regrettably these hardly contain attention to sexual diversity but they do give a context for how sex education is organized.
In a range of countries, there may be interesting polls in the UNICEF Youth E-Report polls: http://uk.ureport.in/ (go to bottom of page for other countries).
In South East Africa, sources can be found on: http://www.uhai-eashri.org/ENG/resources/.
On the Rutgers website there are some best practices and strategies to mainstream sexual and gender diversity into programs and services were explored and evaluated in Indonesia, Kenya, Malawi and Tanzania. (https://www.rutgers.international/what-we-do/sexual-and-gender-diversity).

Section 4: Detailed information on checkpoints

How to score the checkpoints

Scoring possibilities are:

0 points (forbidden): there is an explicit prohibition or denial pertaining to this checkpoint. If same-sex relations are criminalized, and sexual diversity is taboo in a society and the State is actively promoting this, this would lead to an assessment as forbidden. Censorship laws are also a reason to score a checkpoint as forbidden. A checkpoint is also scored forbidden when there is no explicit law, but school staff and politicians make public statements denying this right for DESPOGI without being challenged. For example, it is rare to find explicit legislation barring DESPOGI students from access to schools, but there are numerous countries were schools, teachers and politicians make public statements about DESPOGI not belonging in any public institution, including schools and there may be examples of students being chased from school or refused internships.

1 point (discouraged): there is no legal prohibition against this right, but the attitude of the population, including fellow students and teachers is strongly negative and discouraging. The government is explicitly (by making statements) or implicitly (by condoning breaches of rights) in league with the negative forces in society.

2 points: (no policy): the environment and the government is not officially discouraging, neither supportive. There are mostly generic policies, but not specific DESPOGI policies. In their behavior, the government and education system behave ambiguously; at one time being discouraging, marginalizing and ignorant, and another time half-heartedly being supportive but taking back their support at signs of resistance.

3 points: (encouraged): the environment and the government leans towards support of the DESPOGI students and teachers, but does not really take the lead in, or responsibility for this. This often results in nice policy documents and progressive statements, but with no or inadequate implementation of the policies and leaving much of the implementation to LGBTI community organizations, which have limited possibilities to develop high-quality programs or a large-scale dissemination. Funding for LGBTI organizations to deliver services to the LGBTI population fall under "encouraged" and not under "supportive", because no matter how good these services are or how rich the funding is, it remains a stopgap for lack of sensitivity and professionalism in regular institutions.

4. points: (supportive): there is evidence that the government takes the lead. Proof may be in the form, of positive statements, establishing sound laws and implementation policies, and attempting to

implement effective strategies by actively engaging with all levels of the education sector.

The scoring of each checkpoint is always a judgment call. We try to make the assessment as transparent as we can by listing the evidence. We try to rely as much as possible on the multi-perspective opinions of local stakeholders: activists, education experts and government officials. But when such opinions are in clear conflict with the evidence, GALE assessors may overrule local opinions. This can happen when local respondents are overly proud, loyal or critical of their own work or of other stakeholder's work. For example, they may rate government policy consistently supportive because they receive funding, or they may rate policy quite negative based on recent negative incidents despite considerable evidence of supportive government strategy and statistic evidence of social improvement. We try to make as clear as possible what the scoring in the matrix is based on. When this is clear, just some statistics may be enough to illustrate the assessment When it is not so clear an explanation of the judgment call may be necessary to be fully transparent.

In some denying countries, information is completely unavailable. To save space, we may not offer detailed evidence per checkpoint but just give a short general impression in one paragraph per heading.

In the following texts, we give more suggestions on how to score each checkpoint, based on our practical experiences. With "LEGAL" we mean the legal and policy aspects of the checkpoint. With "SOCIAL" we refer to statistics and quotes about school practice.

Access to schools

1. Access to schools:

LEGAL: there is rarely any legal measure against access for DESPOGI to schools; in most developed countries basic primary and secondary education are mandatory. According to the Right to Education, primary education should be free, and in many countries also secondary and even further education is free. In addition, many States have an Equality Act or an article in the Constitution which forbids discrimination in the education sector. If this is without exceptions, it may mean that religious schools cannot refuse a student that comes out as LGBTI. There may be a law which regulates the protection of interns.

SOCIAL: it may be that DESPOGI students have been refused access to the school building because of their gender nonconforming dress, behavior, or they may have been denied an internship. Such "denied access" should be distinguished from "drop-out" which is checkpoint 4. If we find examples of "denied access" and there is no government or school authority action to prevent such incidents, we will score this checkpoint "discouraged". When there are no examples and no government measures, we will score this checkpoint "no policy". In many States with compulsory and free education, there will

be no examples of "denied access". If it is clear that the government takes the mandatory schooling seriously by having a strategy to get students to go to school, than we can suppose this will also work for DESPOGI students and score it "supportive". But when there are signs that the government does not really care and girls and minorities like disabled and Roma students are not actively supported or forced to go to school, than this environment creates an expectation that "discreditable" students like DESPOGI may also suffer despite there not being clear signals. When the social reality is that schools try to prevent "denied access" incidents, will score this "encouraged". When we see that the government is actively putting mechanisms in place to make sure these incidents will not happen, will score this checkpoint "supportive".

2. Freedom of self expression:

LEGAL: this checkpoint is scored "forbidden" when there are legal measures to forbid coming-out or positive information about sexual diversity, like prohibitions of LGBT Prides. It is scored "discouraged" when there are laws which do not explicitly forbid self expression about sexual diversity but put it at risk, for example formerly in Vietnam where homosexuality was legally deemed "anti-social" or in Poland where same-sec activity is not illegal but legally considered a perversion of morals and family values. If there are laws or policies protecting and encouraging different views and lifestyles, this would be a legal argument to score encouraging or supportive. Legal measures securing trans people can get changed diplomas and certificates, and that their registration in school reflects their preferred gender are also indications for a "supportive" assessment.

Focus with this checkpoint on individual opinions, identity and coming-out (in schools). Freedom of opinion in the media is encompassed by checkpoint 6.

SOCIAL: this checkpoint is also scored "forbidden" when the formal social context (for example shown by threatening expressions by the government) makes it practically impossible to be positive about sexual diversity. It is scored "discouraged" when the more informal social context (schools, teachers, fellow students) is derogative.

The most challenging aspect of this checkpoint is when we have statistics that show many young people not come-out in schools. Not coming-out is usually a complex decision that may be influence by own insecurity, by a choice not to label yourself, by open or more concealed phobia or heteronormativity in the environment and by assessing the risk that coming-out in school will 'leak' tot other environments like parents, work or digital media. If the tendency is that the government and schools say that coming-out is a personal choice but they do not actively support that choice in any way, we would score this "no policy". If the tendency is that the government in schools are openly declaring that it should be possible to come out in school, we would categorize this as "encouraged". We would only categorize this checkpoint as "supportive" (despite low statistics on coming-out) when there are clear school policies of schools to actively support school safety and coming-out and statistics showing that fellow-students and teachers are largely supporting coming-out.

3. Protection against bullying:

LEGAL: we would score this checkpoint only a "supportive" when a state has an explicit anti-bullying policy, *including* explicit mention of sexual orientation and gender identity *and* accompanying implementation measures. In countries where there is a generic anti-bullying policy and authorities state openly that DESPOGI students are included, we would categorize this as "encouraging". Anti-bullying measures that are generic and do not mention SOGI-related bullying will be categorized as "no policy"; based on experiences and research we assume that generic anti-bullying policy has little or no impact on SOGI related bullying (see the article of Peter Dankmeijer on why: https://www.gale.info/en/news/gale/171001-gale-proposes-adapted-definition-of-bullying). A lack of protection laws against DESPOGI discrimination can be an argument to score this checkpoint as "discouraged".

SOCIAL: in a range of countries there will be statistics which show there is considerable violence and other negative behavior towards DESPOGI students. According to the international PISA study on well-being of students (2015), the international averages for bullying in schools are 8.9% frequently bullied students and 18.7% for all bullied students. We know that minorities and LGBT students typically suffer 2 to 5 times as much bulling as the average student. So if we have no specific statistics about SOGI-related bullying, we can assume the rate will be higher than the PISA average. We can also use the PISA results for a country to assess the generic level of violence that is common in schools. This will often correlate with intolerant laws and other research showing intolerant attitudes and behavior.

If we have more statistics, and we can for example compare PISA statistics with specific statistics on SOGI-related bullying, it is important to show the context of the level of negative behavior. To be able to judge whether we should deem this to be discouraging, no policy, encouraging or supportive depends on the indications we can find as to whether the schools or the school authorities are actively dealing with bullying. If we cannot find indications for this, we may score on the presumption that high levels of bullying (in general and specifically for DESPOGI) are an indication that schools are not actively combating bullying in an inclusive way.

In Europe, some statistics are available from the EU LGBT Survey (FRA, 2014) about if LGBT people feel discriminated in school and if they would feel more comfortable if there were school measures. Information on bullying statistics, homophobic bullying and government policy usually requires a somewhat more extended internet search on keywords like "bullying in..." and "homophobic bullying in...". We can mention these, but especially "the need for school measures" by LGB on one hand and by T on the other hand, do not seem to be very helpful in our analysis: typically almost everyone will ask for measures for anything if you ask this in surveys.

4. Policy against DESPOGI drop-out:

LEGAL: some states have active policies against student drop-out. These policies are rarely explicitly inclusive of DESPOGI students. This should be mentioned as a signal to the readers that there

actually is a lack of policy here. Our judgment whether to score the legal/policy context of drop-out encouraged or supportive depends on an assessment of how well the anti-drop-out policy is implemented. In countries where there is no drop-out policy and where teachers don't care about drop-out of DESPOGI, we score this as "discouraged".

SOCIAL: School systems where DESPOGI students are actively kicked out, are scored as considered as "forbidden". School systems where a lot of DESPOGI students are dropping-out because of the negative environment and bullying, should be scored "discouraged". Schools systems where there is not a considerable drop-out of DESPOGI students but a few and the authorities don't really care, are scored as "no policy". Schools systems with a good drop-out policy which is implemented in a generic way without discrimination, can be scored "encouraged". Schools systems with explicit attention for sexual diversity and drop-out and related implementation, should be scored "supportive".

5. Equal academic performance:

LEGAL: there are usually no legal measures in this area, so we score this checkpoint mainly on social indications. But in some countries, there are policy measures and projects to make sure girls and social minorities are supported to reach equal academic performance. Such policies may be indicative for a "diversity" mindset which could be the basis of integrate attention for DESPOGI.

SOCIAL: in some countries there are statistics which show a difference between the academic performance of heterosexual versus LGBTI students and cisgender students versus trans students and students with an intersex condition. In the GALE right to education survey for LGBTI activists, we have included some questions about their own judgment of whether they were disadvantaged in this area. Beyond the statistics, our assessment of this checkpoint the should be based on the existence of government or school policies, or their potential willingness to support explicit attention to this.

An appropriate curriculum

6. Availability of public information:

Strictly taken, the availability of public information by the general media is not only a school issue, but it does provide a crucial context for teaching materials. In addition, many schools use media messages as teaching resources.

LEGAL: the legal aspects of this are shown in the existence of censorship laws in their active implementation (on the negative side) and on the existence of free democratic and transparent media (on the positive side). In many countries there is a law on media and media themselves may have specific statutes or guidelines for integer reporting. Our assessment is partly based on the existence of such laws, in guidelines, and partly on their (legal) implementation.

SOCIAL: the social aspects of this are based on whether there actually is information available in the form of books, brochures, the Internet or mass media, and whether this information is public or mainly provided by LGBTI organizations. Censorship is labeled "forbidden". We do want to not link into the discourse of traditional values States about so-called "anti-homosexual propaganda laws" and consistently label such laws what they are: *censorship laws*. Negative press comments without government intervention or legal address we label "discouraged". A systematic media taboo without legal framework is also labeled as "discouraged". Neutral or ambiguous reporting is labeled as "no policy". A mostly positive reporting is labeled "encouraged", and when the majority of the media supports LGBTI rights without question, this would be considered "supportive".

Sources for this checkpoint can be found in the EI barometer and on https://www.article19.org/resources, but the practice of reporting can also be found on Wikipedia "LGBT rights in..." and by searching posts in local media in the local language.

7. Curricula about DESPOGI inclusive diversity:

This checkpoint is about the content of textbooks and curricula.

LEGAL: most countries have some kind of guidelines for what should be educated. This could be a law, a guideline, or in countries with a centralized education system it could be detailed guidelines, or a complete curriculum. Such guidelines could focus on life skills, human rights, tolerance, peace education, citizenship education, sex education or specific education about sexual diversity.

SOCIAL: in many countries, the real content of education is not concretely set by the government, but offered by commercial educational publishers of textbooks. Also, in ideological NGOs may publish their own resources and curricula. To determine how to score a country on this level, we try to find data which show to what extent textbooks follow government guidelines and if they are supportive for DESPOGI. It there is no or hardly attention in regular textbooks, we also take into account what NGOs are offering and whether this is supported by the government: to what extent are these "additional resources" accredited or financed by the government and to what extent they are disseminated and used in schools. A high-quality specific LGBTI curriculum resource developed by an LGBTI organization, but with little dissemination and no financing or accreditation by the government will - despite our positive opinion about the effort and the quality - not be rated very high in the context of these country reports: our focus here is on government involvement, wide dissemination and actual use by schools.

Sexual education is a business of its own. Generally, sex education experts make a difference between "biological sex education" (technical information about the body and pregnancy), "reproductive health education" (mostly technical information about family planning and Sexually Transmitted Infections/STI's) and "comprehensive sexual education" (CSE, which supposedly

encompasses also emotions and social context, ideally from the perspective of young people themselves).

BZgA and IPPF made preliminary factsheets on sexual education. CSE is contested. Although UNESCO, IPPF (International Planned Parenthood Federation) and the German national health center BZgA have developed guidelines for CSE and a range of countries pretend to offer CSE, in practice CSE is often less than comprehensive and certainly in regards to sexual diversity. This means for us it is necessary to do an extra search on sex education. Very short information can be found on https://en.wikipedia.org/wiki/Sex_education, but more can be found by an internet search on "sexual education in...", in some UNESCO and (for Europe) BZgA and EU parliament publications. It may be difficult to find out if CSE programs include SOGIE and even more difficult to assess if the resources are heteronormative or really inclusive. For this last type of assessment we have to rely on local research on this.

8. Curricula about DESPOGI inclusive sexuality:

Resources for LGBTI students are materials and online information that offer specific support for DESPOGI youth needs. This can be referral information to support services, coming-out stories, question-and-answer files and sex education that is more specific than can be offered in schools. Personal support by counselors is not included in this checkpoint, but in the next.

LEGAL: the legal context of resources is about laws or policies that forbid, inhibit the publication of such resources, or make them better available by financing or dissemination by the government. Government monitoring and censoring on internet can be a reason to score this discouraging.

SOCIAL: the social context of the checkpoint is about the real dissemination and availability of the resources and the access DESPOGI students have to it. Strong internet filters can be a reason to score this discouraging.

9. Specific information for DESPOGI

In many countries, schools have a formal counseling system and in some countries, school counselors are accredited psychologists or social workers. In other countries the counseling role is part of the teacher job; in those cases we try to assess whether this is the case and if the job description of teachers is LGBTI inclusive. This checkpoint is about the availability of the service; the actual competence of teachers to support DESPOGI students will be assessed under checkpoint 13.

LEGAL: the legal question is whether countries and schools have a formal support system and whether it is explicitly inclusive for sexual diversity issues.

SOCIAL: the social question is the staff of support systems whether are actually supporting DESPOGI students. Whether teacher-counselors do this bad or good and are trained in it, is checkpoint 13. If

only LGBTI organizations offer counseling services, this will usually be scored "no policy", or "encouraging" if the government is fully funding such support.

10. Peer-learning opportunities:

Peer learning means that DESPOGI students can learn informal life skills from fellow students, usually students who are in the same situation, so they can function as role-models. In the case of DESPOGI/LGBTI students, peer-learning is usually provided in two ways: access to common informal school activities like proms and parties, and different forms of support groups. Support groups could be LGBTI youth groups outside school, or inside schools like Gay/Straight Alliances (GSA's).

LEGAL: the legal context of peer learning is whether peer learning is allowed or not, and when it is allowed, under which conditions (for example mandatory parent permission to participate would be scored discouraging, while State funding for the formation of GSA's would be considered "encouraged" and explicit State promotion or pride in GSA's would be scored "supportive").

SOCIAL: the social context of peer learning opportunities will be assessed by the actual availability of such opportunities. In checking this, we should have special attention for opportunities where legally underage youth can meet informally and safely and the number of young DESPOGI people that can access such spaces.

Good teachers

Assessing whether teacher are good enough is usually a challenge. The teacher profession is not regulated in a sound way like the profession of psychologists or medical staff. Among teachers there is often a belief that you are "born" a teacher or not and there is often a resistance to regulation of or quality standard setting in the profession. In addition, there is not much research on teacher quality. This is an often neglected aspect in research on SOGI-phobia in schools.

11. Supportive staff:

"Supportive staff" focuses on the *attitude* of educational staff, especially teachers, but also counselors, janitors, administrative personnel and school bus drivers. The difference between checkpoint 12, 13 and 14 is that 12 and 13 are about the *skills* rather than attitude, and 14 is about provisions by the school management to make the school environment safe for everybody including the DESPOGI.

LEGAL: the legal dimension is whether there are provisions in the law or guidelines that promote the school staff to be supportive. You can look for formal government guidelines or school policies to hire diverse staff or to require them to be open to all students, and to legal proceedings against staff or schools who have not been supportive.

SOCIAL: look for statistics or quotes on how students in general or DESPOGI/LGBTI students feel supported by staff. Les reliable is research in which teachers assess their own attitude, they tend to claim to be (much) more supportive than students would assess them. Don't take self-assessment statements / percentages of teachers on face-value.

12. Staff competent to teach:

With "competence of teachers" we refer to knowledge, trained attitudes and skills of teachers to *pedagogically* (how the teacher interacts with students and the social and intellectual environment the teacher seeks to establish) and *didactically* (planning lessons and curricula) engage with students about sexual diversity in the context of teaching.

LEGAL: the legal dimension of this checkpoint is whether teacher training institutions train teachers in initial education (basic teacher training), and through follow-up training to deal with diversity in general and specifically with DESPOGI issues. This can be assessed by looking at the guidelines for teacher training institutions, their curricula, or government supported teacher training policies. Often, such requirements are integrated in wider issues and we need to assess whether such wider trainings are really inclusive. Try to check whether trainings are actually taking place, for how many teachers, and to what extent DESPOGI/LGBTI students experience that teachers are actually skilled in sexual diversity aspects during classroom assignments and discussions.

SOCIAL: In the absence of reliable legal information or documentation about institutional policies, statistics on the opinion of LGBTI students are often the best source of information for this checkpoint. Statistics from both staff and students can offer indications, as well as numbers of staff trained and the content and length of the training program. Do not take the "availability" of a training on face-value. Some trainers consider a 2-hour lecture with a PowerPoint speech on the Yogyakarta Principles a "good" training, while other professionals may have spend years in developing a series of balanced trainings for different subgroups of teachers. It may be difficult to find out whether a training is of low or high quality. When you cannot really assess the quality of a training, the most neutral and consistent way to assess the impact is to look at the duration (the longer, the more effective) and whether the training provides for *transfer* (follow-up activities and support after the training).

13. Staff competent to support:

With competence to support we refer to the ability of teachers to assess whether a DESPOGI student needs support, whether the support is "light" coming-out support, or "problematic" because the student needs professional psychological help. It also encompasses one-on-one counseling sessions and possible referral to services outside of school, and the monitoring of the students well-being after being referred.

LEGAL: the legal dimension of this checkpoint is whether there are policies to secure that staff is

adequately trained to support.

SOCIAL: the social aspect is whether staff actually supports DESPOGI students. Statistics from both staff and students can offer indications, as well as numbers of staff trained and the content and length of the training program.

14. Supportive school environment:

This checkpoint is about management provisions to make the school environment safe for everybody including the DESPOGI. A supportive school environment is always a team effort. A key issue here is therefore who is responsible for organizing this team effort in the educational system of the country. This can be a local school authority, a school board, or the school principal. The content of this checkpoint is about the policies of the responsible authorities to assure the school is safe for everyone, including the DESPOGI students.

LEGAL: the legal dimension is about national, local and school policies. The key question is whether such policies are clear, give a positive direction and whether their implementation is monitored and secured. Proof can be provided in the form of government guidelines for school managers and documentation about policy implementation strategies through all levels.

SOCIAL: the social dimension of this checkpoint is about whether the policies actually result in safer schools and to what extent. Statistics here may focus on whether students *are* or *feel* safe at school (note: "are safe" and "feel safe" are different things; "feel safe" does not necessarily mean that they actually are safe, it may just mean that there is some visibility of LGBTI issues in the school. This means, visibility of LGBTI issues is important, but at the reality should also be reflected by less bullying (checkpoint 3).

15. Employment protection for staff:

Employment protection is formally not part of the right to education, but it is added to the GALE Checklist because a lack of LGBTI teacher protection is a clear signal to students that the school is not safe.

LEGAL: when the country has a non-discrimination law, this is usually already mentioned in the earlier paragraph about the legal context. Here we can go into more detail if it is relevant. Note here especially that some non-discrimination laws may have exemptions for religious institutions and especially for religious schools. It may also be that countries do have a non-discrimination law, but do not (adequately) implement it, in general or specifically for DESPOGI staff. Proof of this can be found in jurisprudence.

SOCIAL: despite non-discrimination laws, in some countries teachers are not expected to be open

about their sexual orientation or gender identity. When there is specific non-discrimination law, but in practice DESPOGI teachers are liable to be fired (mostly with other arguments), this would be scored as "discouraged". When in practice DESPOGI staff are being fired, but they can get redress through legal procedures, we would rate this as "encouraged". When the impression is that DESPOGI staff are not fired and there are only incidental problems, we would rate this as "supportive". In countries where there is non-discrimination legislation, but general negative attitudes and no jurisprudence at all, we have to assume that the taboo is so great that teacher cannot make use of the law, which would count as "no policy" or "discouraged" depending on how negative the attitudes are.

Section 5: Recommendations

In this section, we offer a number of recommendations. We try to limit this to five and ten recommendations. GALE proposes recommendations and checks where possible with local respondents.

If there are local recommendations in research reports, policy documents, human rights visits, UPR reports or in shadow reports, we prefer to present these as priority recommendations. We do this by referencing them to the original documentation.

GALE made a set of "standard" recommendations for States in denying, ambiguous and supportive situations. These "standard" suggested recommendations are based on the analysis GALE made in "How LGBTIQ activists can develop a high impact education strategy: the GALE Committee Guide" and are aimed on stimulating strategic steps forwards rather than just focusing on specific interventions.

Suggested for denying countries

1. Decriminalize same-sex relations
2. Withdraw laws that hinder adequate implementation of the right to education for DEPOGI students, specifically (reference to laws)
3. Support LGBTI grass roots organizations and safe/spaces/support for DESPOGI students
4. Support LGBTI grass roots NGOs in the creation of an educational committee and participate as observer
5. Ratify the Convention against Discrimination in Education
6. Include DESPOGI in the monitoring reports on the Convention against Discrimination in Education and SDG 4 (education)

Suggested for ambiguous countries

1. Protect DESPOGI teachers against employment discrimination
2. Combat social prejudice against DESPOGI or support initiatives in this area

3. Secure that schools have a safe school climate which includes DESPOGI students
4. Include DESPOGI students in your implementation of the right to education monitoring
5. Support peer education, Gay/Straight Alliances and other grass roots interventions
6. Develop training en offer educational resources about sexual diversity for interested teachers
7. Create a National Strategic Committee on Sexual Diversity in Education
8. Ratify the Convention against Discrimination in Education
9. Include DESPOGI in the monitoring reports on the Convention against Discrimination in Education and SDG 4 (education)

Suggested for supportive countries

1. Create a National Strategic Committee on Sexual Diversity in Education
2. Make attention for DESPOGI issues a priority for each department in the Ministry of Education
3. Develop DESPOGI inclusive curricula for each education sector
4. Integrate attention to pro-social policies and DESPOGI in teacher training institutes
5. Train all educational staff to be DESPOGI inclusive
6. Do research on effect of interventions and systematically improve impact
7. Monitor the progress of the government strategy
8. Ratify the Convention against Discrimination in Education
9. Include DESPOGI in the monitoring reports on the Convention against Discrimination in Education and SDG 4 (education)

Check each recommendation before publishing the draft. for example, it makes no sense to recommend signing the Convention against Discrimination in Education is the State already signed. Choose only the recommendation that may function as a lever to open up a further encompassing strategy. It is preferable to have 3 strong key recommendations than 20 detailed recommendations that everyone forgets because there are too many to have an impact. Recommendations will have more chance to be adopted when they fit into existing policies.

The recommendations are meant as a strategic guide and support for stakeholders who want to improve the situation in their country. It is therefore crucial that feedback from local stakeholders is taken serious by GALE assessors.

The recommendations can serve as suggestions for recommendations in country reviews of conventions and the UPR. They can also be used on their own as discussion points of activists with the government or with national education institutions.