Great intentions but less implementation

A Review of the Implementation of the Right to Education for DESPOGI/LGBTIQ+ in the Netherlands in 2024

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1. Summary

Overview

This report contains a policy assessment on how the Netherlands implements the Right to Education for students who are Disadvantaged because of their Expression of Sexual Preference Or Gendered Identity (DESPOGI) in 2023-2024.

GALE (the Global Alliance for LGBT Education) developed an assessment method which scores the Implementation of the Right to Education for DESPOGI of States on fifteen checkpoints. The total score is expressed as a percentage and indicates a position on a scale. This scale is divided in three phases States can be in: denying, ambiguous and supportive. This division helps stakeholders to develop a strategy to move from one phase to another.

Each review is also scored on two aspects of reliability: the level of being evidence-based and the level of interpersonal agreement on the analysis. This review scores the highest level of being evidence-based due to the availability of much and large scale research, which often includes a reliable comparison between cisgender heterosexual students and LGBT students. However, this review scores low on interpersonal agreement, because the government and the most important LGBTI organizations refused to comment on the analysis or debate it. We can only hope that this review will still lead to a critical debate on the future of inclusion of DESPOGI in the education sector.

In 2017, GALE scored the Dutch policy as 95%, which falls in the supportive range. In 2024, we rate the Netherlands as 73%, which still falls in the supportive range but in the lower part of it. The ambiguous range starts at 63%.

This substantial reduction is mainly due to the review showing little progress on policy *implementation* on the school level and on the lack of *impact* of the policy on the social level, in combination with an unwillingness and partly a lack of ability (due to decentralization and deregulation) to ensure effective implementation specifically for DESPOGI students (and teachers).

The main reason for this lower score is that the neoliberal government policy states wonderful intentions but leave the implementation to schools and their supporting educational institutions. The expectation is that own responsibility and competition will automatically lead to higher quality and inclusion. Research shows that this neoliberal expectation does not work out this way and that the social reality remains stagnant. At the same time, it is not helpful that the national LGBT organization mainly focuses on promoting it's own LGBT peer-based interventions (like GSAs and LGBT peer-education) and on urging the Inspectorate of Education to increase its control of schools (which is currently an unrealistic demand), rather than on an evidence-based mainstreaming strategy for the education sector.

A survey among high school students in the Netherlands confirmed the ambiguous policies of Dutch schools towards DESPOGI, which probably reflects the laissez-faire national policy.

GALE Right to Education Matrix

Right to Education Assessment Matrix	Forbidden	Discouraged	No policy	Encouraged	Supported	No data
Access to school						
(1) Does the state secure that DESPOGI students have full access to schools?					x	
(2) Does the state secure DESPOGI students have freedom of self-expression in school?				x		
(3) Does the state secure that DESPOGI students are protected against bullying and harassment?			x			
(4) Does the state secure that DESPOGI students have an equal or lower level of drop-out?			x			
(5) Does the state secure that DESPOGI students have an equal level of academic performance?			x			
A relevant curriculum						
(6) Does the state secure that offering public information about sexual and gender diversity supported?				x		
(7) Does the state secure attention to sexual and gender diversity in regular school books?				x		
(8) Does the state secure that sexual and gender diversity is supported in sexual education?				x		
(9) Does the state secure that specific information about sexual and gender diversity is available in libraries? (9)				x		
(10) Does the state secure that DESPOGI students have informal peer-learning opportunities?					x	
Good teachers						
(11) Does the state secure that teachers and other staff have a positive attitude towards sexual and gender diversity?				x		
(12) Does the state secure that school staff have adequate competences to teach about sexual and gender diversity?				x		
(13) Does the state secure that school staff have adequate competences to support DESPOGI students?				x		
(14) Does the state secure that schools provide an environment that is supportive for sexual and gender diversity?				x		
(15) Does the state provide employment protection for DESPOGI staff?				x		

Rationale of the assessments

Access to school	
(1) Access to schools	SUPPORTED - Although the related legislation is generic, the government and the Inspectorate act very supportive against schools why try to get rid of DESPOGI students, although sometimes this needs to be pushed by publicity and critical parliamentary questions.
(2) Freedom of self-expression	ENCOURAGED - Identity development and expression is legally encouraged in a generic way. Coming-out of LGBTIQ+ students is supported by government supported days like Coming-out of LGBTIQ+ students is stimulated by the government by their support for days like Coming-out Day and Purple Friday. However, a safe environment to come out in school is considered a responsibility of the school management and the government is not willing to set criteria related to the outcome of such responsibility. This results in only 43% of students daring to come out to fellow students and even less to teachers. The freedom of expression of DESPOGI is therefore encouraged but not secured, nor implemented well.
(3) Protection against bullying	NO POLICY - Although there is ongoing debate and an increasing number of measures to combat bullying, all measures remain generic, despite continues signals from research that LGBT students are disproportionally victimized. Verbal intentions to combat DESPOGI bullying are given, but the only specific measure is limited to funding the main LGBT organization for stimulating Gender & Sexuality Alliances. There are several signals that GSAs may not be effective interventions against bullying, and that they may even lead to an increase in negative behavior of students. The stubborn refusal of the government and of supportive institutions to give specific attention to DESPOGI-bullying comes down to "no specific policy". In addition, reviews of antibullying research and measures show that even generic antibullying policies are not very effective due to decentralization and the neoliberal view that schools will take responsibility themselves. In addition, political discussions around safety in school tend to be side-tracked by marginal signals about perceived Islamophobia, to the detriment of dealing with real LGBT challenges.
(4) Prevention of drop-out	NO POLICY - Truancy and early school-leaving of DESPOGI students is not monitored, nor are there any specific measures on it.
(5) Equal level of academic performance	NO POLICY - The academic level of DESPOGI students is not monitored, nor are there any specific measures on it.
A relevant curriculum	
(6) Public information	ENCOURAGED - The freedom of expression is well guarded in legislation, even up to the point that hate speech that does not threaten specific people or openly discriminates groups is allowed. In practice, the media are indeed giving adequate and varied information. There are also government-funded websites specifically catering for DESPOGI youth. But it remains a question whether the rather positive messages actually reach young people. Therefore we have to rate this checkpoint as "encouraged" to rather than "supported".
(7) Attention in regular school resources	ENCOURAGED - The government included "respect of sexuality and sexual diversity" in the core objectives, but the implementation in regular school resources and in teaching remains too limited to reach the goal of "respect". Despite good intentions, the government refuses to take further action and shifts the responsibility to educational publishers, the LGBT-organization and to teachers. The result is very limited and ineffective attention to sexual and gender diversity in school books. In the VET sector, elaborate attempts were made to integrate sexual and gender diversity in vocational courses, but VET managers were more interested in free theatre shows which allowed teachers to shift the debate to LGBT actors. The Ministry responded by giving up on mainstreaming efforts. All of these experiences show more ambiguity than true support. Therefore we rate the implementation of this right as encouraging rather than as supportive.
(8) Attention in sexual education	ENCOURAGED - After a period of neglect (2010-2019), the government has initiated considerable new efforts to support integration of sexual education in schools. Because these programs are mainly focused on preventing unintentional pregnancies and sexual violence, the attention for sexual and gender diversity only "piggy-backs" on the broader development of Comprehensive Sexual Education. Schools remain hesitant to include sexual and gender diversity in their sexual education and teachers, peer-educators and resource developers may still show heteronormative bias in their teaching and materials. A good sign is that initial teacher training institutions now explicitly recognize (on paper at least) the importance of not only providing LGBT representation when teaching, but also to combat heteronormativity.
(9) Specific information	ENCOURAGED - The government does not have policy on this and there is no formal monitoring, but there are plenty of government-funded websites with supportive information and there are signs that libraries are offering DESPOGI supportive books. This is why we rate this rate as "encouraged" rather than as "no policy".
(10) Informal peer-learning opportunities	SUPPORTED - The government funds COC Netherlands and others for initiatives to support informal peer meeting (like Jong & Out and GSAs). Research shows such interventions increase the well-being and sense of belonging of DESPOGI youth. A majority of high schools supports the existence of GSA-clubs at school and celebrate "Purple Friday", the key GSA-action day. Because of this, we rate this right as supported. However, we have a critical note. LGBT-peer-education by local LGBT-organizations is widespread, but uncoordinated and some of the sessions may be ineffective or even increase heteronormativity when LGBT-peer-educators are not sufficiently trained in group processes and in the mechanisms of heteronormativity and which education methods are effective. The LGBT-movement does not seem to be welcoming research into this.

Good teachers	
(11) Supportive staff attitudes	ENCOURAGED -The government verbally acknowledges that teachers should have positive attitudes towards sexual and gender diversity, but there are no measures on this. Therefore, we think that the policy on this right is not completely absent but rather ambiguous, with most of the responsibility shifted to teacher training institutions and to the Foundation for School Safety (which offers occasional on-demand trainings).
(12) Competences to teach	ENCOURAGED - There is no substantial policy on how to teach on sexual and gender diversity. The government verbally encourages it but leaves implementation to initial teacher training institutions, the Foundation for School Safety and schools themselves. The Foundation for School Safety offers incidental teacher trainings on homophobia and transphobia, but these do not focus on how to decrease heteronormativity. There is no discussion about or research on what type of teacher training is most effective. We rate this right as "encouraged" because there are clearly attempts to improve the situation, but not as "supported" because the strategy is not coherent or evidence-based.
(13) Competences to support	ENCOURAGED - There is broad willingness to help victims of homophobia and transphobia in schools, but little expertise. Training for confidential counselors and student counselors in schools are only occasionally offered and the related expertise is only available through a few specialized experts. Apart from the website http://www.iedereenisanders.nl/, there is little support and no policy on this right. This is why we rate this right as "encouraged" but not as "supportive".
(14) Supportive school environment	ENCOURAGED - In government communications, the government encourages schools to provide a safe and welcoming environment for DESPOGI students. But at the same time, the government and national Associations of School Boards are strongly opposed to adopting guidelines or criteria for schools to provide (or any criteria at all for that matter) for such a school climate. Despite two decades of research and experiments with stimulating and coaching schools to provide a safe and welcoming school climate for DESPOGI students, this area remains challenging. A combination of an attractive trigger, various types interventions and ongoing professional support (like in the local project "School's Out") has been proven to be most effective. But such projects are costly and both national and local consultancy projects are often opposed by local LGBT organizations who may see such projects as competition when they are managed by other organizations. This is why we rate this right as "encouraged" rather than as "supported".
(15) Protection for DESPOGI staff	SUPPORTED - The protection of DESPOGI school staff is legally well-secured and the Netherlands Institute of Human Rights issues supportive judgements. There are few schools attempting to eject or discriminate DESPOGI staff, although orthodox religious schools attempt to formulate their school policy in such a way that it becomes unattractive for out LGBTIQ+ staff to apply for a position. However, bullying of LGBT teachers still occurs, by both students and fellow-staff. Although LGBT teachers are bullied 4 times as much as their cisgender heterosexual colleagues, this seems to escape the attention of policy makers. This is why we lowered the score on this right from "supported" to (actually) "encouraged".

2. Introduction

GALE monitors the implementation of the Right to Education for DESPOGI-students with the GALE Right to Education Checklist. This checklist was originally developed in 2012 based on an analysis of internationally accepted standards for the Right to Education (Dankmeijer, 2012). The GALE Checklist has 15 checkpoints, divided into three pillars: access to schools, a relevant curriculum and good teachers.

An assessment method was developed which divides the development of State policies in three phases: denying, ambiguous and supportive (Dankmeijer, 2014c). GALE also developed a guide which gave more insight in how education systems, governments and LGBTIQ+ organizations progress though those phases and how they can use the analysis to plan next strategic steps (Dankmeijer, 2017).

In the first review of the policies of European States in 2017, the scoring method was based on a literature review per country and subjective assessments by LGBTIQ+ activists, government officials and educational experts. It appeared that activists, officials and experts could disagree to various degrees on assessments on specific checkpoints. Such disagreement could occur between sectors (activists, officials or field experts) but also among assessors with similar positions. For example, some sectoral differences were that mainstream (cisgender heterosexual) experts often were not really aware of what was happening in schools relating to sexual and gender diversity, and often did not know about specific research on this target group. In contrast, LGBTIQ+ activists were usually aware of the general legislation relating to sexual and gender diversity and some also of research on LGBTIQ+ discrimination, but activists were often unaware of the general mechanisms of the education system and ways to systematically improve the system. Their expertise was usually limited to how to advocate for legal change and on their own methods to support LGBTIQ+ students (like peer-education and creating safe meeting spaces). Their assessments and recommendations often focused on suggestions to better fund their own organizations. Government officials generally were not very critical of their policy strategy and mostly eager to defend it rather than to improve it. Within sectors, there were several differences in opinion due to lack of information and related to what extent stakeholders were involved or committed to specific types of analysis or desired action.

In an attempt to get a more evidence-based bottom-up perspective and as an answer to the question of many LGBT organizations in several countries for a simple research tool, GALE developed a short survey that could be filled in by (high school) students and which allowed the answers on questions to be directly translated into assessments of the rights listed in the GALE Checklist. This review of the Netherlands is the first time this survey (and a similar version for experts as comparison) was used. Therefore, this report is also an experiment with comparing different sources of information: research, experts and students.

DESPOGI

In this review, we use the acronym "DESPOGI" (Disadvantaged because of their Expression of Sexual Preference Or Gendered Identity, see https://www.gale.info/en/right-to-education/despogi). This acronym was created by the international Supervisory Council of GALE in 2014 to better cater for young people who are discriminated on the basis of their (perceived) non-conforming sexual orientation or gendered identity, but not (or not yet) labelling themselves as LGBTIQ+ (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer and other non cis-heteronormative labels). "DESPOGI" also takes into account that in many parts of the world, self-identification and "coming-out" are not seen as the optimal strategy for emancipation of sexual orientation and gender identity.

When we use another acronym in this report – for example when quoting research – we do this to reflect the source. Forn example, the Dutch government currently mostly uses the acronym "LGBT", while others sometimes use "LGBTIQ+".

Reliability and consistency

GALE gives an indication of the reliability of each review according to this matrix:

Reliability	Interpersonal perspectives
5: very reliable (*comparison* random samples)	5: three perspectives (LGBTI-experts, government education officials, experts from the education field)
4: quite reliable (*random samples*)	4: two perspectives of two types of experts
3: fairly reliable (*convenience samples*)	3: one perspective of one type of experts
2: expert inferred assessment (*data from comparable situations; expert quotes*)	2: average of a series of non-expert opinions
1: personal inferred assessment *(data based on general attitudes* in the population; non-expert quotes)	1. one non-expert respondent

The reliability of this assessment is scored as 5 stars on reliability of data (there is a lot of reliable and comparative research) and as 3 stars on consistency in different perspectives (the mutual agreement of surveyed students and reviewing experts was limited). This assessment is based on an extensive literature review and the responses of 262 high school students and 2 experts on the GALE-Checklist.

The number of experts participating in 2023 was far less than in 2017. The national LGBT organization COC Netherlands did not respond to any requests to deliver information, support for the review or comment on the draft text. The government (Ministry of Education, Directorate of Emancipation) formally refused to participate, even though in 2017 it co-organized a national GALE expert meeting on the draft review of that year. Most educational experts did not respond to requests to participate. This broad refusal to take part in the review or comment on the draft may be due to the position of the author. In 2017, the author and his (Dutch) organization Edu-Diverse were leading in a broad national coalition for LGBTIQ+ emancipation in the education sector (the Education Alliance for Sexual

Diversity), which was supported by the government. However, in 2018, the LGBT organization COC Netherlands advocated for the national funding for LGBTI-emancipation in education to be channeled through the COC only and for Edu-Diverse and the Education Alliance for Sexual Diversity to be defunded. This caused the demise of Edu-Diverse and the Education Alliance for Sexual Diversity and a switch from LGBTIQ+-mainstreaming policy towards funding for Gender & Sexuality Alliances (student clubs in high schools) and LGBT-peer education only. Criticism on this switch by the author resulted in an almost complete exclusion of his participation in the Dutch political arena.

It is obvious that this history and previous involvement of the author in Dutch policy – and the lack of participation of other perspectives – may cause partiality in the development of this review. The author is also very aware that the current Dutch stakeholders in education policy focused on LGBTIQ+ may be seriously committed to the current Dutch policy because they are to a great extent dependent on it for their status and funding. Therefore, the author attempted to be as careful as possible in developing this review.

As always, GALE reviews are open to comments and criticism. They are not meant as final judgments but as evidence-based starting points for discussion, for finding a common ground even when perspectives may differ, and as a starting point for further enhancement of national policies.

A lower score

In the first country review of the Netherlands in 2017, GALE scored the Netherlands 95% supportive (with 11 items supportive, 3 items encouraged, and 1 item unknown). The Netherlands are considered to have entered the "supportive" (or mainstreaming) phase in 2001, when the government adopted an active LGBT education policy for the first time.

In 2024, GALE scores the Netherlands with 73% (with 2 items supportive, 10 items encouraged and 3 items no policy). The current focus on LGBT GSAs, on LGBT peer education and the lack of willingness to follow up on research signals is more typical of the ambiguous phase than the supportive phase. However, the Netherlands is still in the supporting phase in percentage terms.

3. Legal context

Legislation

In the Netherlands, sodomy was decriminalized with the adoption of Napoleonic law in 1811. The Equal Treatment Act (1994) forbade discrimination on sexual orientation and gender identity in employment, education, housing, healthcare, cultural affairs and social services. In 2001, civil marriage was opened for same-sex couples and adoption by same-sex couples was allowed. In 2008, homosexual orientation was added to the Penal Code as an aggravating factor (ILGA, 2017).

In 2012, the national core objectives for primary and secondary education were adapted to include "respect for sexuality and sexual diversity" (Koninklijk Besluit 470, 2012). In 2019, the qualification framework for Vocational Education and Training (VET) was edited to include the same objective (Koninklijk Besluit 163, 2019).

In 2015, after a number of teen suicides which were the result of bullying, an antibullying law (Rijksoverheid, 2015) was adopted. The law made it mandatory to have a Social Safety Plan (to prevent bullying and to promote safety), to have a school safety coordinator and to do regular monitoring. However, the law did not contain a reference to sexual or gender diversity. Schools can choose their own monitor instruments and plan, so it is not mandatory to measure DESPOGI-related bullying or to include it in the Social Safety Plan. In 2023, the antibullying law was extended with obligation to also include teachers/staff in the research on safety, but again DESPOGI-specific bullying was not mentioned (Dijkgraaf, 2023).

International conventions

Convention against Discrimination in Education: not signed | signed | **ratified** | succession (1966)

Convention on Technical and Vocational Education: **not signed** | signed | ratified | succession

International Covenant on Economic, Social and Cultural Rights: not signed | signed | **ratified** | succession (1978)

Convention on the Elimination of Discrimination Against Women: not signed | signed | **ratified** | succession (1991)

Convention on the Rights of the Child: not signed | signed | **ratified** | succession (1995)

Submission 10th consultation for the Convention against Discrimination in Education (2020): **yes**, including references to discrimination on SOGIESC: **unknown, cannot be found**

Submission 7th consultation (2021) for the 1974 Recommendation for international understanding and human rights education: **no,** including references to discrimination on SOGIESC: **no**

4. Background

The Netherlands is a progressive country with an adequate legal system to protect the rights of DESPOGI. The last few years, the Netherlands lag a bit behind on the ILGA indexes on legislative protection. This concerns mainly trans and intersex rights.

The school system

The Dutch school system is decentralized and schools have become increasingly autonomous, with only general central guidelines and limited control by the Inspectorate of Education. The decentralization has been implemented with the neoliberal view that leaving schools free to develop and implement their own policy will increase their empowerment and quality. However, in the last two decades this perspective has proven not to work like expected. The general quality of education (like math and language skills) is declining and in the last few years the high level of safety in schools also seems to be under pressure. The *lack* of safety for *DESPOGI students* is constant throughout the last 30 years.

School staff often lacks time and interest to seriously implement diversity policy. Due to budget cuts on teacher training institutions since 1980 and lack of long-term planning, there is now a structural shortage of school staff and teachers are overburdened with teaching and administrative tasks.

LGBTIQ+ education policy

The government supports COC Netherlands and the Foundation for School Safety a the main organizations to support DESPOGI students and stimulate mainstreaming in the education sector. However, these subsidies are limited to promoting Gender & Sexuality Alliances (GSAs) and LGBT peer-education (by the COC and its branches) and the information portal Gendi.nl and ad hoc teacher training (by the Foundation for School Safety). GSAs are high school student clubs of LGBTIQ+ youth and their allies. LGBT peer-education consists of 1 or 2 hours panel sessions by LGBT volunteers, who usually tell their coming-out story, answer questions of students and sometimes a discussion on discrimination and heteronormativity.

COC Netherlands opposed the mainstreaming strategy which was implemented from 2007-2017 by a national Education Alliance for Sexual Diversity. This strategy focused on integration of attention for sexual and gender diversity in national policy mechanisms and on organizing local school stimulation and consultancy projects. The Alliance had to be disbanded when the government stopped its funding in favor of funding COC Netherlands.

In the past few years (2019-2024) the government initiated a national program which aimed to minimize teen pregnancies. A large part of this program focused on broader Comprehensive Sexual Education in schools, in which Municipal Health Services stimulated and coached schools when they wanted. This support included training on sexual and gender diversity. In addition, there is a development that a few Municipal Health Services set up local "School's out" projects, in which schools are approached and supported over multiple years by professional advisors to integrate

attention to LGBTIQ+ safety. This is the only intervention that have proven to be more or less effective on the school level.

Relative tolerance

The Dutch population is one of the most tolerant populations in the world. It appears negative behavior towards sexual diversity is least serious in primary education, but more serious in secondary education, in part due to adolescent insecurities (Bucx & Van der Sman, 2014). In Vocational Training and Education (VET), discrimination is less widespread than in high schools, but the minority which does discriminate is more fierce (Dankmeijer & Schouten, 2013; Brekelmans & Neuvel, 2016). About a quarter of the students find it difficult to see two boys kissing, compared with about 75% who have no problem with that (EduDivers, 2017; De Graaf et all, 2017, p. 45).

Attitudes are different per population group. In rural areas, orthodox Christian communities may be less tolerant. A small number of mainly orthodox reformed schools makes efforts to go around equality legislation and remove DESPOGI students (which in principle is be illegal) by looking for legal loopholes, like outing students to their parents and 'suggesting' the orthodox reformed parents relocate their students to another school (VGS, 2014; Rosenberg, 2021; NOS, 2021). In some neighborhoods in large cities attitudes may be very intolerant. This is often in communities with low income, with immigrant backgrounds and with children who in part are living in a street culture with sexist and homophobic values. Some "black" schools struggle with radicalized Islamic tendencies among students, disconnection between students with a vulnerable social background and middle class teachers, and resistance of some Islamic students towards democratic values like equality and diversity (except Islamic diversity). Although such tendencies occur in limited situations, they are food for populist agitation – which as we will see – is regularly side-tracking adequate political attention for DESPOGI-related discrimination.

Decentralized education system, limited control

Almost the entire Dutch education system is fully financed by the government, but schools are largely autonomous and are only held to general quality standards. The main legislative guidance frameworks for schools are the Quality Act and the Core Objectives.

The quality of education is independently monitored by the Inspectorate of Education. The Inspectorate of Education has been weakened severely by budget cuts and by limiting its tasks during 2010-2013. The Inspectors can now only visit schools every few years for a "marginal check" (some questions to the school management after reviewing submitted documentation). They usually only have time for one conversation with the school manager, but not with staff or students. The Inspectorate of Education can give schools a warning, but has no "hard" measures to force schools to correct specific transgressions of guidelines. It can only propose the Ministry of Education to defund a school when the overall quality of education is structurally insufficient. This happens only in extreme cases of default.

The government can direct the policy of the Inspectorate in a joint agreement on the Inspectorate's

annual work plan. In this, the government can ask the Inspectorate to report on specific issues (feedback by Ministry of Education, 2017). The government has asked the Inspectorate several times to specifically report on LGBT issues (feedback EduDivers, 2017).

"Particular" schools

Interested communities can start their own schools and ask for government funding when they have enough students and qualified teachers. Funded schools should comply with stricter guidelines than non-funded private schools. The Dutch schools can be roughly divided in public schools (with autonomous boards), and "particular (*bijzondere*) schools" based on a specific pedagogic perspective (not to be confused with "special" schools for students with learning challenges). "Particular" but not private schools include Catholic schools, Protestant and Islamic schools and schools using specific pedagogic methods (like Montessori, Dalton, Jenaplan, Steiner/Waldorf school and others) (Wikipedia, 2017). There is a small number of Orthodox Protestant (Reformed) and Islamic schools which have a tense relationship with legal requirements like equal treatment and the mandatory attention for sexual and gender diversity.

The quality of school safety policy and respect towards sexual diversity

The Program for International Student Assessment (PISA), coordinated by the Organization for Economic Co-operation and Development (OECD), ranks the education in the Netherlands as the 9th best in the world as of 2018 (OECD, 2019). However, the results for reading, mathematic, science were going down again in 2022 (they have been declining since 2012) (OECD, 2023).

In the Netherlands, it is generally agreed that not the Ministry of Education, but the schools themselves are responsible for providing a safe environment. There is some degree of disagreement between school boards and NGOs to what extent pro-social behavior and citizenship policy is adequately implemented. The VO-raad (Association of School Boards in Secondary Education) maintains that the Association feels promoting social safety in school is generally handled properly by the member schools and that the Association is role modeling this. But NGOs like Edu-Diverse (EduDivers) said the Associations of School Boards could be more pro-active by formulating criteria for good policy or by benchmarking social results.

Edu-Diverse said: "the Inspectorate of Education treats Language and Arithmetic as priority topics which are supervised with strict guidelines to secure the quality of education, but the legal obligation to maintain social safety is supervised as a secondary topic and there are no quality guidelines for how to implement this criterion" (comments Edu-Diverse, 2017). In an evaluation report, the Inspectorate indicated that the national core objective "to teach respect for sexual diversity" cannot be attained with the currently limited attention and lack of coordination by school managers and that the core objective itself does not give the Inspectorate space to act on a lack of impact of this guideline in schools (Inspection of Education, 2016). However, in response to this report, the government declared no

additional measures were needed (Minister of Education, 2016).

National DESPOGI school inclusion policies 2007-2023

In the period 2007-2017, the government had three main strategies to promote LGB-issues in schools:
(1) changing laws and regulations, asking research organizations and the Inspectorate of Education to analyze the situation in schools and negotiating with the national Associations of School Boards for more inclusive school policies,
(2) funding COC Netherlands and a cluster of Christian LGB-organizations to work on empowerment and basic awareness. The largest budget went to supporting under-age LGBT peer groups (Jong & Out), Gay-Straight Alliances (GSAs, later renamed Gender & Sexuality Alliances) and COC LGB-peer-education,
(3) funding a national Alliance for Sexual Diversity in Education to mainstream sexual diversity in schools. This Alliance consisted of teacher trade unions, school board federations and LGBT organizations, among which the expertise center on LGBTIQ+ education Edu-Diverse (EduDivers).

COC Netherlands was originally part of the Education Alliance but withdrew after one year because it considered the Alliance strategy for mainstreaming was too top-down. It wanted to focus on stimulating GSAs which it considered to be a bottom-up strategy.
The Education Alliance tried several strategies to make sexual and gender diversity an integrated part of the work of national educational institutions and associations and of schools themselves. After a 3 year focus on mainstreaming in collaboration with national educational institutions – which showed some results, but which was a long and slow process – the Alliance also initiated a series of local "My-ID" campaigns. My-ID campaign advisors directly approached schools to create a network of local and in-school "ambassadors". These My-ID ambassadors were coached to initiate mainstreaming interventions in schools. Although progress was made in several regions, there were a range of challenges to get attention for sexual and gender diversity properly implemented on the school level. One challenge was that the Alliance itself had limited staff. After one or two initial outreach meetings with schools, the stimulation and coaching should be taken over by local organizations (like Municipal Health Organizations or local LGBTIQ+ organizations). But local organization were often not willing to take over or they lacked expertise and staff. In 2015, the trade union Alliance members got frustrated with the strict financial regime of the subsidy and withdrew from the Alliance (feedback Edu-Diverse, 2017).

Over 2016-2017, the Education Alliance regrouped with The Foundation for School Safety and COC Netherlands rejoined under pressure of the government. The Alliance engaged in interactive research and dialogue with the education field to better explore factors that could facilitate cooperation of schools on integration of sexual and gender diversity. This research dialogue led to a report (Schouten & Kluit, 2017), a summarizing booklet (Stichting School en Veiligheid, COC Nederland, EduDivers, 2017) and increased dialogue with the national Associations of School Boards. At the time, the national Associations of School Boards also initiated a national school safety strategy discussion with a large coalition of organizations to follow-up implementation of the new School Safety Act. However,

LGBTIQ+ organizations were not involved in this process. Anyway, the discussion on renewed school safety planning died out without result.

The funding for the research-dialogue strategy of the Education Alliance ended in 2017 and was not prolonged. In a comment on their ending support for a mainstreaming strategy, a Ministry of Education official called the Education Alliance "a relatively small initiative" which in the view of the Ministry lost its significance when the two trade unions withdrew (feedback Edu-Diverse, 2017). Due to the loss of funding and access to the Ministry, the expertise center on LGBTIQ+ education Edu-Diverse closed down in 2020 (Dankmeijer, 2020c).

The Dutch government opened a new tender for multi-year program funding in 2017-2018. This tender was won by an LGBTI coalition of COC Netherlands, the Transgender Network Netherlands and the Netherlands Organization for (inter)Sex Diversity (NNID) and a few other thematic coalitions (not focusing on the education sector). The LGBTI coalition's attention for education focused on stimulating Jong & Out groups, Gender & Sexuality Alliances and COC LGB-peer-education.

COC Netherlands works with a so-called *inside-out* perspective, which means that it only wants to work with bottom-up initiatives. "In this perspective the initiative lies with those involved, the frontliners. They look for fellow (discriminated) peers, build their own community and decide which topics to raise" (COC Nederland, 2009/2015). Young people and high school students are supposed to empower themselves and it is expected this will eventually lead to improvement of the mainstream education system.

The Dutch School Safety Monitor 201-2022 (Lodewick et al, 2023) showed that despite the reported increase in numbers of schools with GSAs, the school safety of DESPOGI students remained much lower than that of their cisgender heterosexual peers. The LGBT safety in schools even got worse in 2021-2022. In the parliamentary discussion on the School Safety Monitor, the signaled challenges of LGBT students were acknowledged, but the only taken measure was strengthening the criteria for safety monitoring by schools (not including an obligation to research sexual and gender diversity).

5. Assessment with GALE Right to Education Checklist

In this chapter we present the findings and assessments of the 15 checkpoints of the GALE Checklist. The chapter is divided in three parts which each cover one of the three pillars of the GALE Checklist: access to schools, a relevant curriculum and good teachers.

Access to schools

1. Access to schools

Primary, secondary and in part vocational education are mandatory and the Equality Law forbids discrimination in education. In addition, since 2012 the Inclusive Education Act makes it mandatory for schools to accept all applying students or to make sure there are accepted in another school in the near environment (Wet Passend Onderwijs). This law was created to serve mainly disabled children, but it formally covers students of all backgrounds. This is in line with the UNESCO definition of inclusive education (UNESCO, 2008). Therefore it applies also to DESPOGI students (Dankmeijer, 2016).

There are no indications that DESPOGI students are formally refused to enter schools. Occasionally, students are refused for an internship because they are DESPOGI, with the argument that the internship provider would not accept it (despite this being forbidden by employment legislation). The Dutch Institute for Human Rights can and does offer legal protection of DESPOGI students in such cases, but regrettably this legal process often cost so much time that the affected students do not profit from it themselves. The DIHR verdict usually does lead educational institutions to change their future policy. However, it seems that most vocational institutions still don't have explicit policy on this.

One remaining tension is how a small cluster of orthodox Christian reformed and Islamic schools relate to the non-discrimination legislation. Over the years 2008-2016, the Association of Reformed Schools (VGS) developed several updated guidance documents about how to deal with 'homosexual' students. Each version was updated to better adapt to the Equal Treatment Act and new social and legal challenges, but at the same time VGS still tried to maintain biblical guidelines (which according to their interpretation forbids same-sex relationships). The most recent public guidance (VGS, 2014) ordered principals to engage in a conversation with parents and the student about whether their VGS school is still the right choice in case a student announces his/her intention to engage in a same-sex relationship. It also advises teachers to inform religious parents of the (perceived) sexual orientation or gender identity of a students *without* the student's consent. The apparent intention of the guidance is to convince the student to stop the relationship, or to convince the parents to relocate the students to another school. The guidance states that having a homosexual relationship is against the school's biblical principles, but does not mention that the Equal Act Law protects against discrimination based

on sexual orientation or gender identity. It would be illegal *for the school to* remove a student on these grounds, so the school needs to convince parents to do this *voluntarily*. In 2021, this led to a crisis when some of the challenged students filed a formal complaint against their school VGS-member school Gomarus. The complaints were published by the media and questions were asked in parliament. The Minister of Education called this treatment of the students unacceptable (NOS, 2021) and ordered a research by the Inspectorate of Education. Ultimately, after lengthy conversations with the Inspectorate, the school was not criminally prosecuted (Van der Aa, 2022), but it paid each affected student a financial compensation of €1500 (NRC, 2022). According to the VGS and the Inspectorate, the challenges have now been resolved, but the VGS does not publish it's new guidance documents on this topic any more since 2016, so the content of the new guidelines remains unclear.

Similar issues may play out in Muslim schools, which are even more secretive about how they deal with (non) discrimination in their schools. The Islamic Organization of School Boards (Islamitische School Besturen Organisatie, ISBO) refused to go into requests by Edu-Diverse for their policy or the related brochure they sent to her schools (feedback Edu-Diverse, 2017). It should be noted that ISBO mainly represents primary schools. Still, in 2016 the Minister of Education denied funding for a new Islamic high school in Amsterdam due to extremist Islamist comments of one of the board members, which raised doubt the school would comply with legal standards for citizenship education (Didactief, 2016). The comments did not have to do with sexual and gender diversity, but with support for the Islamic State and subsequent refusal of the school to give information about how it would implement its citizenship education (AVS, 2016).

The policy of the national LGBT organization COC Netherlands regarding sexual and gender diversity in education focuses on demanding that the Inspectorate of Education will increase its control over schools on how they implement current legislation (COC Nederland, 2023a). Regrettably, this is not a very realistic demand because the Inspectorate of Education has severely been limited in budget and tasks in the past decade and is not able to go into such details in its Inspection interviews with school managers, nor does it have adequate instruments to correct schools on specific topics. It can only call upon the Minister of Education when schools seriously and overall failed to meet academic or ethical standards.

In the GALE survey among students, the respondents were divided on whether they though this right to be implemented properly (Dankmeijer, 2024).

To summarize: although the related legislation on access to schools is generic, the government, the Human rights Institute and the Inspectorate of Education act very supportive for DESPOGI students when schools try to get rid of DESPOGI students, although sometimes the political support needs to be pushed by publicity and critical parliamentary questions.

2. Freedom of self expression

The most recent large-scale research on sexuality among Dutch young people between 12-25 years of age was published in January 2024 (data from 2023; De Graaf et al, 2023).

0,3% of the youth indicated to be intersex, 0,7% indicated to be transgender and 2,5% indicated to be otherwise gender diverse. One in nine of Dutch boys (11%) and one in four of Dutch girls (23%) did not feel only attracted to the other sex; this was an increase compared to the monitor of 2017. 1% indicated to not feel attracted to any sex. 3,7% of the boys labeled themselves gay, 1,2% of the girls called themselves lesbian, while 15% labeled themselves as bi+ (attracted to more than one gender). We should not automatically collapse sexual *attraction* with sexual *behavior*, nor with *self-labelling*. 5,6% of all boys and 5,7 of all girls did ever have a sexual experience with someone of the same sex. In total, 14-18% of all Dutch youth labels themselves as lesbian, gay or bi+ (18% includes 4% who indicates to be unsure). In a previous research from 2015 youth indicated that newer terms like queer or pansexual were not yet used very much (Kuyper, 2015); in 2023 1,5% of youth labelled themselves as pansexual and 1,3% as queer.

In the School Climate Survey, two-fifths of the LGBT youth identified as bisexual (40,8%), about one fifth of the sample identified as gay or lesbian (18% and 22% respectively) and the rest identified as pansexual, questioning, or queer (16,3%, 19,9%, and 15.0% respectively) (Pizmony-Levy, 2018). The respondents on the School Climate Survey are mainly members of COC-sponsored Jong & Out groups and Gender & Straight Alliances. This may bias the results towards newer labels.

89-94% is open about their sexual attraction to at least one person. This is a bit more difficult for boys than for girls (De Graaf et al, 2017; De Graaf et al, 2023). We see little difference between statistics about sexual attraction between 2012, 2017 and 2023.

The School Climate Survey of 2018 indicated that almost 88% of LGBT students came out to at least one person, but only 43,3% came out to all other students in school and even less (25,2%) to all staff. Only 32,3% of trans students were out about being transgender (Pizmony-Levy, 2018). In the GALE student survey only 25% of sexual and gender diverse students came out to everyone in school and an additional 12% expected that everyone in class would know about their sexual orientation or gender identity (Dankmeijer, 2023). These figures show there is still more work to be done on the right to self-expression.

Dutch policy is clear about that being open about sexual orientation and gender identity is a right and protected under the Equality Act. The incidents we reported in the part on access to schools show that students who come out and face consequences by their school management are taken serious by the government and by the Inspectorate. However, the School Safety Monitor 2021-2021 (Lodewick et al, 2023) found that many students do not dare to file complaints because this has to be done first to the school management itself, which they often don't trust. DESPOGI students trust the management even less then cisgender heterosexual students. Providing a safe environment to come out in school is

considered a responsibility of the school management and the government is not willing to set criteria related to the outcome of such responsibility.

In the GALE survey among students, the respondents were divided on whether they though this right to be implemented properly (Dankmeijer, 2024).

To summarize: identity development and expression is legally and politically encouraged but only in a generic way ("everybody should to be free to express their identity"). Coming-out of LGBTIQ+ students is stimulated by the government by their support for days like Coming-out Day and Purple Friday. However, a safe environment to come out in school is considered a responsibility of the school management and the government nor the association of school boards is willing to set criteria related to the outcome of such responsibility. This results in only 25-43% of students daring to come out to fellow students and even less to teachers. The freedom of expression of DESPOGI is therefore encouraged but not secured, nor implemented well.

3. Protection against bullying

Several researches have shown the extent of bullying in Dutch schools. The PISA research of 2018 listed the Netherlands as the second place of countries with the lowest level of bullying (12,2%) in their list of 73 researched countries and regions (PISA, 2018). In 2022 the Netherlands went to 5th place (OECD-PISA database, 2022), with 13% (OECD, 2023 Factsheet Netherlands). PISA does not report on bullying with hateful/discriminatory intentions.

The PISA percentage of frequent bullying is somewhat higher than percentages from local Dutch research. The most recent School Safety Monitor reported that there has been a relative decrease or stabilization of the level of bullying between 2016 and 2018 (to 5%), but that there has been an increase since then to 9% in secondary education. The level of bullying in primary education was higher in 2022 with 17%, which was also a significant increase since 2016 (Lodewick et al, 2023).

Earlier research showed that in 2015 LGB students were bullied four times as much as heterosexual students (16% against 4%) in secondary education (Kuyper, 2015). In a larger scale research from 2017, 25% of the LGB boys and 11% of the LGB girls indicated they were bullied (De Graaf et al, 2017, p. 41). Two in five gay boys has been called names in 2016, one in six was threatened and one in nine was kicked and hit because they were gay (ibid, p. 57).
The School Climate Survey found a prevalence of 80% of LGBT students hearing other students making homophobic derogatory remarks. 13,4% of LGBT students had been physically harassed at school because of their sexual orientation. 7,7% had been physically harassed at school because of their gender expression, and 5,2% had been physically harassed at school because of their gender. 6,4% of LGBT students were assaulted at school because of their sexual orientation and 2,7% were

assaulted at school because of their gender expression (Pizmony-Levy, 2018).

The School Safety Monitor offer the scientifically most reliable comparison of LGBT and non-LGBT bullying: in 2021-2022 13% of secondary school LGBT students were bullied compared with 4% non-LGBT students (Lodewick et all, 2023).
The Safety Monitor 2021-2022 gave clear indications something needs to be done about homophobic and transphobic bulling, as it is a consistent problem which gets worse rather than less. The report was discussed in parliament, but the discussion shifted to discrimination and monitoring in general and the debate only resulted in some decisions to make more detailed demands on the monitoring schools should do, like including teachers/staff in the mandatory research. The demands did not include criteria to include discrimination or DESPOGI-related bullying (Dijkgraaf, 2023).

Why do different researchers report different percentages of bullying? The differences in statistics are probably in part related to different ways of asking. In PISA and the School Safety Monitor, students get a long list of negative behavior, each of which they have to score on frequency of experiencing it in the previous 12 months. "Frequent bullying" is then defined as experiencing multiple forms of negative behavior more than once a month. In other research, questions could be like: "were you bullied in the last 12 months?" which is more subjective and less precise. Asking LGBT students whether they felt bullied "because of being LGBT" can also bias the results. Next to different ways of asking, the School Safety Monitor shows that the level of bullying can vary some percents each year.

Bullying is clearly related to gender, mostly expressed through derogative name-calling. In Dutch the word "homo" is often used as a slur. It has the connotation of "weak" and "coward". Another word is "mietje", which means little sodomite and has the connotation of effeminate. Students with an Islamic background may use a slurs to denigrate men who have passive anal sex, which also have the connotation of effeminate. Many cisgender heterosexual students claim such terms are not discriminatory "because they are used as a general putdown or joke and not intended to discriminate a specific person". Often teachers and principals agree with this heterosexist perspective by denying it is (sexist) hate speech (Dankmeijer & Schouten, 2013).

In letters to the parliament on school safety, the Minister of Education regularly refers to government funding of Gender & Sexuality Alliances (GSAs), which is listed by the National Youth Institute (NJI) as an effective intervention against bullying (Edelenbosch, 2109). The NJI-databank description of the GSA-intervention by COC Netherlands is mainly based on research from the USA, which shows a *correlation* between school safety and the existence of a GSA. However, this is usually not a *causal* link. It may be that safer schools are more likely to have a GSA rather than that a GSA causes the safety. Furthermore, the concrete objectives and activities of GSAs are variable and more often focused on providing a safe space rather than on advocacy for antibullying and safer school policy. This makes it challenging to measure the real effect of GSAs on bullying or on school climate

(Toomey, Diaz & Russel, 2021; Truong, Clark, Rosenbach & Kosciw, 2021). In some cases, it may even be that the visibility of GSAs in school may trigger an increase in bullying (see also the results of the SCP-research in 2014 under checkpoint 14). A recent Dutch research (Kaufman, Lessard & Watson, 2023) also pointed to such increased unsafety in schools with a GSA (although the supportive authors attributed this effect to a so-called "healthy context paradox", which expects there will be a failure of general antibullying interventions to have an inclusive impact on the most vulnerable students). COC Netherlands has been funded to stimulate and support GSAs now for almost 15 years, and it is claimed that most secondary schools actually have a GSA in place, but the frequency of bullying of LGBT students does not seem to have decreased. In the last few years LGBT-related bullying even seems to be increasing.

The generic Safety in School Act covers all students, but does not make specific references to sexual or gender diversity. State Secretary Dekker stated during the consultation on this Act that explicit measures were not necessary but that he expected schools would be "sensitive" on LGBT issues (feedback Edu-Diverse, 2016). It is unclear to what extent schools include bullying based on sexual and gender diversity in their mandatory safety plans and to which extent these policies are effective. The "model" School Safety Plan Framework offered by the Foundation for School Safety does not mention sexual or gender diversity, nor other forms of discrimination as points of attention (Stichting School en Veiligheid, 2020). Neither does the Windows of Accountability quality reporting system of the national Associations of School Boards.

In 2023, the Minister of Education initiated a new website "Your Safe School" (www.jouwveiligeschool.nl) which should help students an teachers to find help when they are bullied and to report it. However, this website does not contain any reference to sexual or gender diversity discrimination, nor how LGBTIQ+ students can overcome their distrust of the school management. In the School Climate Survey, few students said they would feel comfortable talking one-one-one with a con-rector or director / rector of the school (Pizmony-Levy, 2018). This finding was confirmed by the School Safety Monitor 2021-2022 (Lodewick et all, 2023).

In the debate about the School Safety Monitor 2021-2022, in which main message of the researchers was to highlight the continued heightened unsafety of LGBT students, several politicians raised concerns about the radicalization of Muslims (rather than to the discrimination experienced by both LGBT students and teachers in high schools and Muslim youth in primary schools). This shift of attention from LGBT priorities to a perceived Muslim threat was a repetition of earlier parliamentary debates. In 2015, the School Safety Monitor 2014 also reported the far higher level of bullying among LGBT students. The report contained a footnote that school managers reported that "radicalization" was among the least noted incidents (Sijbers et al, 2015, p. 56), but despite this, the media and politicians picked this up as an important signal – completely ignoring the real statistically significant challenges of LGBT students (ITS, 2015). The hype was followed up by a government initiated large

program with free teacher trainings on how schools could recognize and deal with radicalization (Ministry of Education, 2015). Two years later it became clear that schools were not interested at all and only 2% of them did the anti-radicalization training (NOS, 2019). This affair illustrates how populist-tainted media items and political islamophobia can shift away the attention of real challenges like homophobia and transphobia in schools.

A 2020 review of the Dutch antibullying policy showed how the general Dutch antibullying policy is weak due to decentralization and the (incorrect) neoliberal expectation that autonomous schools in a "free market" will automatically strive for an optimal school safety strategy (Dankmeijer, 2020a).

From the GALE survey among students, the impression is that a large proportion of all students think that the staff's approach to stopping negative behavior leaves much to be desired. Sexually and gender diverse students are even less satisfied with this than cisgender heterosexual students (Dankmeijer, 2024).

Summarizing, there is ongoing debate and an increasing number of measures in the Netherlands to combat bullying. However, all measures remain generic, despite continues signals from research that LGBT students are disproportionally victimized. Verbal intentions to combat DESPOGI bullying are given, but the only specific measure is limited to funding the main LGBT organization for stimulating Gender & Sexuality Alliances. There are several signals that GSAs may not be effective interventions against bullying, and that they may sometimes (due to increased visibility) even lead to an increase in negative behavior of cisgender heterosexual students. The stubborn refusal of the government and of supportive institutions to give specific attention to DESPOGI-bullying comes down to a "no specific policy" assessment on the GALE policy scale. In addition, reviews of antibullying research and measures show that even the current generic antibullying policies are not very effective due to decentralization and the neoliberal view that schools will take responsibility themselves.
In addition, political discussions around safety in school tend to be side-tracked by marginal signals about perceived Islamophobia, to the detriment of dealing with real LGBT challenges.

4. Prevention of drop-out

Students who are regularly harassed or assaulted in school may attempt to avoid these hurtful experiences by not attending school and, accordingly, may be more likely to miss school than students who do not experience such victimization.

In 2015, LGB students had over 2 times (21%) as much truancy as heterosexual classmates (9%) in the four weeks before filling in the questionnaire (Kuyper, 2015).

In 2018, the School Climate Survey reported that experiences of harassment and assault were indeed

related to missing days of school. Students were twice as likely to have missed school in the past month if they had experienced higher levels of victimization related to their sexual orientation (31,7% versus 14,6%) or gender expression (32,9% vs. 17,7%) (Pizmony-Levy, 2018).

Since the School Safety Monitor (Lodewick et al, 2023) reported an increase in LGBT bullying in 2021-2022, it is likely that truancy also increased, but there is no mainstream monitoring on LGBT truancy or drop-out. There are also no specific policies in this area.

In the GALE survey among students, 66% of cisgender heterosexual students and 52% of sexual and gender diverse students think that sexual and gender diverse students probably or definitely skip more classes. Slightly more sexual and gender diverse than cisgender heterosexual students think it depends on the individual student (Dankmeijer, 2024).

Summarizing, we score the right to prevention of drop-out as "no policy" because truancy and early school-leaving of DESPOGI students is not monitored, nor are there any specific measures on it.

5. Equal academic performance

From the GALE survey among students, the general impression that emerges is that most students think that gender and sexual preference have little impact on their school results (Dankmeijer, 2024). This result is different from the facts emerging from research in the USA were academic results of LGBT students are systematically lower than those from cisgender heterosexual students (Kosciw et al, 2013; Kosciw et al, 2015).

We found no other Dutch information on this topic related to DESPOGI students, as it is not monitored in neither activist research nor in mainstream research. This means that no policy can be made on it. We know that bullying and absenteeism can influence academic results, so this is certainly a worthwhile area of research. We therefore score this right as "no policy".

A relevant curriculum

6. Availability of public information

There is no impediment on sharing information publicly in the Netherlands. Media are at average quite supportive for DESPOGI-issues and regularly report news on discrimination and on LGBT Prides. There are regularly programs on TV about LGB issues, coming-out and trans issues. Although stereotyped images, inappropriate jokes and outright rejection by extremely right-wing and orthodox religious persons may still occur, there are not common anymore.

The well-guarded freedom of expression also has its risks. Populist politicians and right-wing religious spokesmen can abuse the freedom of opinion by stereotyping and offending population groups as long as they don't clearly call for violence and 'just' quote religious scriptures. Increasingly, far-right groups abuse their freedom to spread misinformation and lies. Until now this has not affected DESPOGI-youth very much, as immigrants and Muslims have been targeted more. But international research notes that such far-right and populist tendencies can quickly spread to LGBT and women under the guise of "traditional values", objections to "woke" (progressive) policies and accusations of "gender ideology" (criticism of heteronormative mechanisms in society) (Corrêa, 2017; Kuhar & Paternotte, 2018).

There are a number of informational websites on sexual orientation, gender identity and sexual characteristics made by NGOs with funding of the government. There are several online support sources for DESPOGI students. A major source of information is the mainstream national sexual education website for youth https://sense.info/ (maintained by Rutgers), which includes ample and good attention for sexual and gender diversity. In addition, there are some online platforms that specifically target youth who are insecure about their sexual orientation. In 2014, MOVISIE and partners developed the website "Everybody is Different" (http://www.iedereenisanders.nl/) with information, experiences, guidelines and references to support for (closeted and out) LGBT youth, and also for teachers and parents.
Another website, "Not Alone Being Different", offered an overview of all activities by and for LGBTI young people, but has closed down.
The Expreszo Foundation (under auspices of COC Netherlands) publishes the monthly LGBTIQ+ youth magazine Expreszo.
The Foundation for School Safety offers a web portal for information on sexual and gender diversity in schools (www.gendi.nl, formerly www.gayandschool.nl).

The GALE survey among youth asked students about their impressions of the kind of attention the media gives to sexual and gender diversity. Almost half of the cisgender heterosexual students do not know this, the other cisgender heterosexual students are divided about this. Only a few of the cisgender and of the sexually and gender diverse students find the media very positive. The sexually and gender diverse students are also divided among themselves. Twice as many as cisgender students find the media more or less positive, but three times as many find the media more or less negative. This gives a more negative view of the role of the media than expected (Dankmeijer, 2024).

In summary, the freedom of expression about sexual and gender diversity is well guarded in legislation, even up to the point that hate speech that does not threaten specific people or openly discriminates groups is allowed. In practice, the media are indeed giving adequate and varied information. There are also government-funded websites specifically catering for DESPOGI youth. But

it remains a question whether the rather positive messages actually reach young people. Therefore we have to rate this checkpoint as "encouraged" to rather than "supported".

7. Attention in regular school resources

In the School Climate Survey, 78,2% of LGBT students indicated they did not see positive representations of sexual and gender identity in regular school resources (Pizmony-Levy, 2018). Reviews of Dutch school resources indeed show continued limited attention (Korte et al, 2001; Dankmeijer & Bron, 2014a). Most educational (commercial) publishers say they are in principle not unwilling to integrate such attention in text school books, but that they are under heavy pressure from orthodox Christian schools not to include sexual and gender diversity nor "inclusive" sexual education in the broader sense. Orthodox schools even protest against including fairy tales in elementary school books, because they consider those heathen. Publishers go along with such pressures because the text book market works with very narrow profit margins (Dankmeijer & Bron, 2014a). Concrete recommendations to the government, the national associations of school boards and to LGBT advocacy organizations have been ignored until now.

When teachers offer education about sexual diversity they usually rely on self-made material (Redde et all, 2009).

In 2012 the core educational objectives of primary and secondary education were updated to include mandatory attention for sexuality and sexual diversity. Objective 38 for primary education states:
> "Students learn essentials about spiritual movements that play an important role in Dutch multicultural society, and they learn *to deal respectfully with sexuality and diversity* within society, *including sexual diversity.*"

Objective 43 for secondary education is similar:
> "The pupil learns about similarities, differences and changes in culture and philosophy of life in the Netherlands, learns to relate their own and other people's lifestyles to these, learns to see the significance for society of respect for each other's opinions and lifestyles, and learns to deal respectfully with sexuality and diversity within society, including sexual diversity." (Koninklijk Besluit 470, 2012).

In 2019, a similar legal guideline was adopted for Vocational Education and Training (VET):
> "The participant recognizes and acknowledges the basic values of our society such as human rights and acceptance of diversity (including ethnic, religious, sexual and gender diversity), learns to deal with value dilemmas". In the motivation annex it explains: "This involves functioning adequately in one's own home and living environment, in care situations and in school; acceptance of diversity (including ethnic, religious, sexual and gender diversity) and cultural diversity" (Koninklijk Besluit 163, 2019).

However, the implementation of these legal guidelines remains limited. As noted, in 2014, it became clear that the commercial educational publishers still offered little attention to sexual diversity in regular textbooks two years after the adoption of the new core objectives in primary and secondary schools (Dankmeijer & Bron, 2014a). Another two years later, the Inspectorate of Education concluded that the number of schools doing "something" had dramatically increased to about 80-90% (at least according to school managers), but the Inspectorate called the attention "shredded" and "without coordination". The Inspectorate recommended the government to establish more coherent school policies to better realize the core objective "respect for sexual diversity". The Inspectorate also indicated that the formulation of the core objectives was not adequate enough to secure the goal of "respect for sexual diversity" and noted that a decision to improve the impact was up to the government (Inspectie van het Onderwijs, 2016). However, the government wrote in their responding letter to the parliament it was happy with the increased attention, but that additional attention was only needed in the pedagogic-didactic area (referring to teacher performance), which is the responsibility of the school management (i.e. not the government). The government only recommended that *NGOs* include intersex issues in educational resources and restated that government funding of GSAs and the Education Alliance for Sexual Diversity would continue (Ministerie van OCW, 2016). However, the mainstreaming efforts of the Education Alliance towards educational publishers and the Associations of School Boards stopped one year later when the Ministry of Education discontinued the funding for the Alliance. The coalition of COC, TNN and NNID that got the new funding did not engage much with the education sector beyond stimulation of GSAs and the publication of two manuals on transgender inclusion (Schers & Abels, 2020; De Koning & Levah Russchen, 2022).

In the same period as the research of the Inspectorate, COC Netherlands and the LGBTIQ+ youth magazine Expreszo opened a complaint website. COC and Expreszo reported in 2016 that LGBT youth hardly noticed any attention to sexual diversity in lessons, and sometimes even reported negative and prejudiced attention (Expreszo & COC Youth Council, 2016). The COC followed this action up with the demand that the government would ask the Inspectorate of Education to intensify its inspections. But COC did not advocate to mainstream attention for sexual and gender diversity in regular school books and resources.

The implementation of the guideline for VET has not been evaluated yet. Since VET is even less regulated than primary and secondary education, and because the very diverse and multicultural student populations of VET courses are sometimes vocally strongly objecting against sexual and gender diversity, it can be expected that the implementation of the new directive is even less than in other education sectors..

A major effort to integrate sexual and gender diversity in resources made by teachers themselves took place in Vocational Education and Training (VET). Between 2013-2021 the Dutch government supported a series of four projects to integrate sexual diversity in VET courses. In the first project,

schools got a free theatre show by Theatre AanZ in return for participating in a short research (Dankmeijer, De Groot & Edelenbosch, 2014). This research showed the sometimes harsh feedback of VET students and the need for more attention for sexual and gender diversity in specific VET courses. In a follow-up project, vocational schools could volunteer to take part in the project and then receive for about €10,000 in free support: a free theater show for students (by Theater AanZ), teacher training and coaching for development of lesson materials and a spiral curriculum (by Edu-Diverse) and support for student Gay/Straight Alliances (by COC Netherlands) (Elfering, Leest & Rossen, 2016). When it turned out that VET teachers and managers were mainly interested in the free show but less in training and even less in integration of sexual and gender diversity in their mainstream curriculum, a third project was developed in which VET institutions could only get the popular free theatre shows when they made and signed their own tailored plan for mainstreaming LGBT issues. Forcing the VET managers to made such a contract turned out not to be easy and it cost a lot of time and consultancy by AanZ and Edu-Diverse. This created tension between the project partners. COC and AanZ felt that Edu-Diverse was "needlessly complicating issues" (feedback Edu-Diverse) and preferred to offer schools free peer-interventions without compelling them to take more responsibility and mainstream themselves. In 2018, COC and AanZ suggested the Ministry to eject Edu-Diverse from the partnership, to which the Ministry agreed. In a fourth project phase, Edu-Diverse was replaced by the Foundation for School Safety. The project proceeded with the same formula, except that apart from the teacher training the integration/mainstreaming activities were dropped. In an evaluation of this fourth project, the national institute for well-being MOVISIE noted that the free theatre shows and trainings were still appreciated by VET teachers, but mainly *because* they were free. The integration of attention for sexual and gender diversity was even less than in the third project (Broekroelofs & Felten, 2021). MOVISIE noted as well that the theatre show (which was updated in the fourth project phase) resulted in high emotions (empathy but also anger) and engagement among students, but also that this show contained a number of elements that might increase homophobia and transphobia rather than reduce it (Broekroelofs, Kovács & Felten, 2021). In this, the show reflected similar weaknesses as already signaled in LGBT-peer-education (Felten, 2015). More about this under checkpoint 10 (informal learning opportunities).

In the GALE student survey, a majority of cisgender heterosexual students (70%) indicate that they do not know to what extent regular school books give attention to sexual and gender diversity. 40% of sexually and gender diverse students also do not know this. If they do give an estimate, students are divided. A few think textbooks are somewhat or very negative, but almost as many think they are somewhat or very positive. 33% of sexually and gender diverse students think that the textbooks are mainly neutral. The general image arising from this is that students are ambiguous about the content of regular school resources (Dankmeijer, 2024).

Summarizing, the government included "respect of sexuality and sexual diversity" in the core objectives and took an effort to implement this by funding several projects. But the implementation in

regular school resources and in teaching remains too limited to reach the goal of "respect". Despite good intentions, the government refuses to take further action and shifts the responsibility to educational publishers, the LGBT-organization and to teachers. The result is very limited and often contain only ineffective attention to sexual and gender diversity in school books. In the VET sector, elaborate attempts were made to integrate sexual and gender diversity in vocational courses, but VET managers were more interested in free theatre shows which allowed teachers to shift the teaching responsibility to LGB actors. The Ministry responded by giving up on mainstreaming efforts. All of these experiences show more ambiguity than true support. Therefore we rate the implementation of this right as encouraging rather than as supportive for students themselves.

8. Integration in sexual education

The Netherlands have a long history of rather advanced and open sexual education. Over the years, the attention for sexual and gender diversity has increased.

The current sex education programs are rooted in initiatives taken during the AIDS-epidemic. In 1988, the Dutch government set up a task force to develop national AIDS-education. The original program was called "AIDS, you don't get it just like that" ("AIDS, het komt je niet aanwaaien", 1988) (Paulussen, 1994). This program contained mostly 'technical' and objective information for students, including a list of different sexual techniques and their risks. When the Evangelical TV network critically interviewed the Minister of Education about this, a storm of conservative criticisms led to demands that each educational religious "pillar" (Catholics and Protestants) would get funded to develop their own materials. This led to additional funding for religious school federations. But rather than resulting in a conservative setback, the entire public discussion and it's follow-up led to a massive interest of media and schools in the new sexual education materials which gave the implementation of sexual education an enormous push.

After a few years, the effect of the programs was researched. It was concluded that the dissemination of materials was very successful but that the proper implementation in schools remained challenging. The main reasons were teacher "action-shyness" and the materials being more being responsive to government goals (condom use) and (moderate) religious goals (responsible relationship choices) than to the needs of students themselves (how to get a date and how to maximize sexual pleasure). This led to a number of peer-education projects and the Dutch Family Planning Organization Rutgers developing a new national resource "Long Live Love" ("Lang leve de Liefde"). The "Long Live Love" program was updated every few years and extensively researched. Not only the effects of the program itself were researched and updated, but also the implementation strategy. In this strategy, Rutgers worked closely with local Municipal Health Services which has local advisors approaching schools to integrate a range of health issues in school policies and in the curriculum ("the Healthy School program"). After a number of years, a sexual education program for primary schools ("Relationships

and Sexuality", later renamed as "Jitters in your Tummy") was added to the high school program. The impact of this program was not as well researched because research on sexuality among primary school age children remains taboo in the Netherlands, so funding does not come available.

Originally, sexual and gender diversity was not well integrated in the sex education programs. In "AIDS, you don't get it just like that", the first page started with the title: "AIDS is not a gay disease". This was clearly meant to refute the prejudice of that period that only gay men had AIDS. But beyond this slogan there was little or no attention for sexual and gender diversity in the student material. The teacher manual there was extensive attention for the sexual development of heterosexual youth, but it just mentioned that the sexual development of LGB youth was "different", without further explanation. In response to this, representatives of the COC and the gay/lesbian groups of the public and Christian teacher unions set up a working group ("HOSVO") which organized a series of expert meetings on how sexual and gender diversity should be integrated in adequate sex education. It published a set of criteria for resource developers and teachers (Dankmeijer et al, 1991).

Gradually, attention for sexual and gender diversity became better integrated, but budget cuts of sexual education by a series of neoliberal governments started to erode the efforts in the 2010's (Schutte, Mevissen & Kok, 2014). The HOSVO working group, which over the years evolved into the expertise center on sexual and gender diversity in education Edu-Diverse ("Stichting EduDivers"), noted that attention for LGB in sex education had increased but often in a somewhat heteronormative way. In 2018, Edu-Diverse advised schools to be aware when using in "Jitters in your Tummy" of the "heteronormative tendencies" (like "it is not so bad to be homosexual") and lack of teacher guidance on how to deal with provocative remarks by students (Dankmeijer, 2018).

In 2019, a new (but still neoliberal) Dutch government started a large-scale 7-point action plan to prevent unintentional pregnancies – an initiative of the conservative coalition partner Christian Union. Despite its origin, much of the action plan was designed with the progressive perspective of *Comprehensive Sexual Education*. One of the 7 action points was focusing on collective prevention, which was detailed in the "Stimulation Program Sexual and Relationship Education in Schools" (KWINK Groep, 2019). The core of the program was to subsidize schools to initiate Comprehensive Sexual Education. In addition, schools got free support of Municipal Health Service "Healthy School Advisors" specialized in sexual education. An elaborate program was set up to train these sexual health advisors. Due to COVID-19 restrictions, most of the support was offered as digital training. Sexual and gender diversity was adequately integrated in these trainings. The program was considered a success; 13,7% of all Dutch schools took part in the program (Van Koperen, van Duin & Koning, 2023).
The evaluation research of this program asked how much attention schools had for "high risk" groups, but these were defined in terms of risk factors related to unintentional pregnancies. Sexual and gender diversity topics were not evaluated, although the report mentions that school were contacting local

COC branches (for LGBT-peer-education) and the GSA network (on how to set up a Gender & Sexuality Alliance). There were no specific lesson programs focusing on sexual and gender diversity in the list of "evidence-based resources" schools should use. "Long Live Love" and "Jitters in your Tummy" currently seem to be the main sources of information in school about sexual and gender diversity, next to LGBT-peer-educators and GSA promotion. It should be noted that LGBT-peer-educators do not offer proper sex education but mainly role-modeling LGBT experiences (more about this under checkpoint 10; informal peer-learning).

In addition to the "Healthy School program", the institutions for initial teacher training have decided to adopt sexual education in their core objectives, called the "Generic Knowledge Basis". Since 2016, sexuality, sexual diversity and heteronormativity are explicitly mentioned, but gender identity and sexual characteristics not yet (10 voor de leraar, 2017). It is unclear to what extent these topics are currently implemented by teacher trainers.

The GALE student research shows that a large proportion of cisgender heterosexual students (60%) indicates that they do not know to what extent sexual education in their school gives attention to sexual and gender diversity. The opinions of other cisgender heterosexual students tend to be divided between neutral and positive; they tend more towards neutral. The sexually and gender diverse students are somewhat more positive about sexual and gender diversity in sexuality education (but the numbers are very small) (Dankmeijer, 2024).

To summarize, after a period of neglect (2010-2019), the government initiated considerable new efforts to support integration of sexual education in schools. Because these programs are mainly focused on preventing unintentional pregnancies and sexual violence, the attention for sexual and gender diversity mainly "piggy-backs" on the broader development of *Comprehensive Sexual Education* (CSE). Schools remain hesitant to include sexual and gender diversity in their sexual education and teachers, and CSE resource developers may still show some heteronormative bias in their teaching and materials. A good sign is that initial teacher training institutions now explicitly recognize (on paper at least) the importance of not only providing LGBT representation when teaching, but also to combat heteronormativity.

9. Libraries/documentation centers

There is no research to what extent libraries have DESPOGI-related books on loan, but it is expected these are well available. The Reading Coalition and COC Netherlands maintain a dedicated website on queer books for children: https://queerboeken.nl/.

It may be that schools or public libraries use internet filters that block access to LGBT websites. In the USA, this happens often en sometimes intentionally, and ACLU started a "Don't filter me" campaign

against this already in 2011 (Lasar, 2011). It is unclear to what extent this happens in the Netherlands.

The GALE student research shows that more than half of cisgender heterosexual students (63%) do not know if the school library offers resources on sexual and gender diversity, 14% think so and 9% think not. Of the sexually and gender diverse students, almost half (47%) don't know, 20% think so and 16% don't. This gives a somewhat ambiguous impression (Dankmeijer, 2024).

To summarize, the government does not have policy on sexual and gender diversity in public and school libraries, and there is no formal monitoring. But there are plenty of government-funded websites with supportive information and there are signs that public libraries are offering DESPOGI supportive books. This is why we rate this rate as "encouraged" rather than as "no policy".

10. Informal learning opportunities

In this chapter we will first discuss the meeting opportunities for DESPOGI students and then give attention to LGBTI peer-education.

Peer meeting opportunities

Although the school generally focuses mainly on formal learning, the community at school has an important social function. A researcher called the informal learning aspect of mutual interaction of young gay and lesbian people with each other "being young together" (Sanders, 1977). This "being young together" has an important social-emotional socializing function, specifically in the field of gender and sexuality. Sanders showed how sexually and gender diverse young people had less opportunity to find a sounding board with other young people who have similar feelings and experiences.

Since Sanders' publication in 1977, many things have changed but there remain challenges. In 2015, LGB students reported double as many emotional problems as heterosexual teenagers (44% against 18%) (Kuiper, 2015). In 2017 large-scale research showed that few LGB have opportunities to talk with friends about sex and relationships, have a lower level of psychological health, and experience higher levels of internalized homophobia (De Graaf et al, 2017, p. 57). In 2021, the level of well-being of LGB teenagers had improved slightly but there remain significant differences (Huijnk & van Beusekom, 2021).

Since 2007, COC Netherlands maintains the "Jong & Out" platform (https://www.jongenout.nl/), which is a network restricted to underage (18-) teenage LGBT youth. When young people register, they have to show in their identity card with only their name and age visible. When they become older than 18, their registration in canceled. COC Netherlands also maintains the "Gender & Sexuality Alliances"

platform (https://www.gsanetwerk.nl/) which provides information on GSAs. As mentioned elsewhere in this review, there are doubts about the effectiveness of GSAs in terms of antibullying or school climate policy. However, there is strong evidence that GSAs provide a safe space and a sense of belonging (Edelenbosch, 2019). Still, the functioning of GSAs could be improved. When the National Youth Institute NJI accepted the GSA-description as "effective intervention" in its database, it noted that "at a next review, the (accreditation) committee expects that the *inside-out* approach is further developed and more central to both the rationale and the whole intervention description. A point of attention is teacher involvement: this is a prerequisite for the success of the intervention" (https://www.nji.nl/interventies/gender-sexuality-alliances-op-scholen). This last comment may be at odds with the view COC Netherlands has of their *inside-out* philosophy. The *inside-out* philosophy states that organization should only work with bottom-up initiatives, in this case with the input of LGBTI youth (COC Nederland, 2009/2015). Research-based recommendations or training which includes guidelines for LGBTIQ+ emancipation are seen by COC Netherlands as at odds with this philosophy (feedback Edu-Diverse, 2017).

In 2016, the Dutch National Youth Council researched GSAs and gave a number of suggestions on how to improve the infrastructure of GSAs to facilitate their functioning (Van der Velden, 2016). It is unclear if such recommendations have been followed up.

Throughout the country, there are also self-organized groups of young adult LGBT youth of 18-27 years old. A few of these are allied to the LGBTIQ+ youth magazine Expreszo, most are autonomous.

Local COC branches organize informal online and real life meeting Jong & Out groups, and support the founding of GSAs in schools. These interventions are financially structurally supported by the government. One of the most popular activities of GSAs is celebrating Purple Friday in December. By wearing a purple shirt or wristband, students and teachers can express their solidarity against homophobia/transphobia and support for sexual and gender diversity. According to COC Netherlands, virtually all Dutch secondary schools had a GSA in 2023. However, this claim is based on the distribution of free Purple Friday promotion materials to schools which may not be a correct indicator. The public TV network NOS reported that of the total of 650 high schools in the Netherlands, 122 responded to their 2022 survey and 118 said to take part in Purple Friday that year (Jessurun & van der Parre, 2022).

The website https://www.switchboard.nl/ used to offer an overview of LGBTIQ+ organizations. This section has recently been deleted. Switchboard still offers an overview of activities, but these must be provided by the organizers themselves. Switchboard is therefore now mainly a call center. According to the last available annual report (2016), Switchboard reached 222 young people under the age of 25 (19% of the number of contacts; Switchboard, 2017).

Many municipalities have made it a good practice to include an LGBT page on their official website, which often includes references to local organizations.

The national organization Transvisie is supported by the government to support trans people including youth and parents. The Transvisie division "Gender Child and Parents" (https://www.transvisie.nl/lotgenoten/genderkind/) organizes informal meeting groups and also offers peer education to schools. OII Nederland (http://oiinederland.nl/) offers meeting opportunities for youth with intersex variations.

The GALE research among students shows that approximately a quarter of cisgender heterosexual students (23%) and more than half (58%) of sexually and gender diverse students think that there are peer-meeting and that these are sometimes supported by teachers. The majority (63%) of cisgender heterosexual students do not know this, while 11-12% of students think it is only "allowed". A quarter (26%) of sexually and gender diverse students does not know. Our impression is then that many students do not know whether there is an opportunity for sexually and gender diverse students to "be young together". The 46% of sexually and gender diverse students saying that teachers support sexually and gender diverse students meeting suggests that there may be GSAs in the schools involved, but the other figures indicate that this is not common knowledge (Dankmeijer, 2024).

LGBT peer-education

Peer education is also a form of informal learning. In the Netherlands, peer education by lesbian and gay speakers has a long history. Around 30 local gay and lesbian peer educator groups have been active since 1971. The groups consist of lesbian, gay and bisexual volunteers (and lately also some non-binary and trans volunteers. The groups ask high schools and other organizations for youth to invite them for a panel session of 1-2 hours. In the last decade, bisexual and transgender issues have more or less (depending on the local groups) been integrated in this work. Edu-Diverse supported LGB-peer-education groups without budget between 1993 – 2012, after which COC Netherlands got funded for this and took over.

There have been several researches into the impact and effectiveness of Dutch LGBT peer-education groups. In 1994, 2011 and 2021 surveys among coordinators of LGB-peer-education groups (Dankmeijer, 1994; Schouten & Blaauw, 2011; Wittenbols, 2021) found that there were no national policies or common guidelines to secure the quality of LGB-peer-education groups. Volunteer educators indicated to feel proud of being able to tell their coming-out story, but also feel challenged by strongly religious Christian and Islamic youth, by vocal and harsh students in vocational schools and by the "sham" tolerance of higher level pre-academic students (Schouten & Blaauw, 2011). These findings were similar in the same survey research seventeen years earlier (Dankmeijer, 1994). In a repeat research in 2021, the same challenges were identified (Wittenbols, 2021) – although this research was limited because most groups temporarily were out of work due to COVID-19 restrictions.

In 2008, Empowerment/Edu-Diverse criticized the work of peer-education group for not being focused

enough (Dankmeijer, 2008). Their explicit goal was "discussability" ("bepreekbaarheid") which was based on the expectation that breaking the taboo on 'homosexuality' would be enough to create a better situation for LGBTI people. Edu-Diverse thought that just discussing the topic was a too vague objective and that it made this type of peer-education too dependent on individual visions and skills of individual educators. In a national project to support LGBT-peer-education groups in 2010-2011, Edu-Diverse suggested to peer-education groups to participate in a randomly controlled trial research in which students groups who were exposed to peer-education sessions would be compared with students who did not get peer-education sessions. The local groups rejected this out of fear that such experimental research would show a lack of effect which could damage their marketing. Instead, it was decided to do a limited direct observation research with the goal to provide educators with suggestions on how to improve their work. This research was done in 2011 by ITS (Radboud University). It found that LGBT-peer-educators had great enthusiasm, but often lacked basic group facilitation skills which limited the effectiveness of class discussions (Mooij & Fettelaar, 2012).

In the same peer-education support project it became clear that local LGB-peer-education groups were not looking for *integration* of education about sexual and gender diversity in regular curricula and classes, but mainly for a structural place of their own peer-education sessions. In part, they considered mainstreaming (teaching about sexual and gender diversity by regular teachers using regular school books) as too ambitious for their groups, but they also felt mainstreaming was a threat to their own peer-education "product". A proposal by Edu-Diverse to further promote attention to mainstreaming by LGBT peer-education groups (Schouten & Dankmeijer, 2011) was rejected by COC Netherlands.

In 2015, MOVISIE published a literature review and a guidance publication on how to work more effectively on combating LGBT discrimination with educational interventions (Felten, Emmen & Keuzenkamp, 2015: "Do the right thing"). This review showed that LGBT-peer-educators and sensitive films can increase *awareness and empathy*, but that such effects does not automatically lead to *changed attitudes or behavior*. The review also noted that a focus on discrimination and negative experiences, like many peer interventions have, can actually lead to role-modelling *negative* behavior rather than to *supportive* behavior.
The MOVISIE report criticizes the mixing of "stereotypes" and "prejudices" that LGBT peer educators often do. For example, some peer educators tell students that LGBT people are "just as normal" as cisgender heterosexuals, but in doing so they run the risk of actually increasing heteronormativity (by only supporting LGBT people who behave heteronormatively).
Finally, the MOVISIE report stressed that the often-used method of "dialogue" should have the ultimate goal of changing the norm in a more tolerant or even supportive direction, rather than just exchanging views on it ("discussability").
The "Do the right thing" report was not always received well by peer-educators. By some it was experienced as criticism on well-intended volunteer work and as a threat to their marketing and funding. It is unclear to what extent LGBT peer-education groups, film makers and theatre makers are

learning from such evidence-based guidance (feedback Edu-Diverse, 2015).

To summarize, the government funds COC Netherlands and others for initiatives to support informal peer meeting (like Jong & Out and GSAs). Research shows such interventions increase the well-being and sense of belonging of DESPOGI youth. A majority of high schools supports the existence of GSA-clubs at school and celebrate "Purple Friday", the key GSA-action day. Because of this, we rate this right as supported. However, we have a critical note. LGBT-peer-education by local LGBT-organizations is widespread, but uncoordinated and some of the sessions may be ineffective or even increase heteronormativity when LGBT peer-educators are not sufficiently trained in group processes, in the mechanisms of heteronormativity and in which education methods are effective. The Dutch LGBT movement does not seem to be welcoming research into this.

Good teachers

11. Supportive staff

In 2015, it was found that LGBT students feel less supported by teachers than heterosexual students: 76% of LGBT students feels teachers accept the way they are, while 89% of heterosexual students feels teachers accept the way they are. 46% of the LGBT students feel that teachers care about them, against 59% of the heterosexual students. 50% of the LGBT students trusts their teachers against 68% of the heterosexual students (Kuyper, 2015).
The School Safety Monitor 2021-2022 (Lodewick et al, 2023) also indicated that LGBT students trust their teachers and school managers less than their cisgender heterosexual peers and therefore have a lower intention to report bullying or discrimination. The 2023 percentages do not differ very from a research by Empowerment/Edu-Diverse from over twenty years ago (Dankmeijer, 2001), which shows we are dealing here with a consistent lack of trust and no interventions to change this situation.

Some research shows that teachers are generally supportive for "equality of" LGBT students, but may at the same time be resistant against non-heteronormative behavior (Dankmeijer, De Groot & Edelenbosch, 2014).

In their research on educational resources, Dankmeijer & Bron (2014a) spoke to teacher trainers who indicated that many aspirant teacher training students were not motivated and sometimes did not seem to have the right attitude to be able to support a diversity of students. It was suggested that maybe a pre-selection "at the gate" of teacher trainings should filter out such unmotivated students.

The GALE student research show that only 12-14% of students think that teachers are very

supportive. Of the cisgender students, 16% think teachers will be 'more or less positive', compared to 40% of sexually and gender diverse students. More than half of cisgender heterosexual students (56%) don't know. We conclude that students have a rather ambiguous image of the supportive attitude of teachers (Dankmeijer, 2024).

To summarize: the government acknowledges that teachers should have positive attitudes towards sexual and gender diversity, but there are no measures on this. Therefore, we think that the policy on this right is not completely absent but rather ambiguous, with most of the responsibility shifted to teacher training institutions and to the Foundation for School Safety (which offers occasional on-demand trainings).

12. Staff competent to teach

Research on the competence of teachers to teach about sexual and gender diversity shows that a combination of (1) a lack of awareness, (2) personal resistance, (3) lack of support in the environment, and (4) a general lack of competence to discuss "controversial" issues are reasons for teachers not to teach about sexual or gender diversity. To avoid discussing this topic themselves with students, they often prefer to only show a film, a theatre play or invite LGBT-peer-educators (Kedde et al, 2009). These challenges resemble obstacles teachers experience in teaching sexual education (Timmerman, 2009), but in the context of sexual and gender diversity they are exacerbated by (1) the fear of highly emotional or religious inspired negative responses of students, (2) not being able to handle heteronormativity of students and (3) heteronormativity on the part of teachers themselves (Dankmeijer, 2023). There are also be teachers who have very traditional vison and open or hidden negative attitudes, but we know little about them because they mostly refuse to cooperate in research on sexual and gender diversity (Kedde et al, 2009). These three (or four) exacerbating factors make teaching about sexual and gender diversity different from (hetero)sexual education; a generic sex education approach is therefore inadequate to support DESPOGI.

In 2016, the Foundation for School Safety developed a database for social safety competences in teacher training, but it did not contain references to sexuality of sexual diversity. This framework http://www.tosv.nl/ is not online anymore (last checked 2024) and it is unclear if and when it will be reviewed.

The Foundation for School Safety also developed a "Dialogue under Pressure" training on how to deal with "controversial topics" like radicalization, sexual harassment and homophobia. The program of this training is generic but courses are made specific for a theme through illustrative case-studies which are tailored to the topic. In "Dialogue under Pressure" trainings, the focus is not on the content of the topic but on "inviting students to a dialogue" and "limiting responses that cross the line". In a memo for the international UNIQUE teacher training project, GALE compared the "Dialogue under Pressure"

approach with the traditional LGBTIQ+ activist approach and the My-ID training. In short, the "Dialogue under Pressure" training focuses on pedagogic and didactic techniques, the traditional LGBTIQ+ activist approach to teacher training focuses on LGBT representation and the My-ID approach focuses on the mechanism of heteronormativity and how to handle emotions or fear and anger when people don't conform to the norm (Dankmeijer, 2020b). Currently, the "Dialogue under Pressure" training is the only one offered nationally.

In 2014, an exploration among teacher training institutions showed that such institutions hardly gave any attention to sexuality or sexual diversity, and that it is difficult to influence these autonomous institutions to do so (Stichting School en Veiligheid, 2014). Dutch teacher training is offered by autonomous higher professional education institutions (4 years) or as short pedagogic courses for university students. The government has no influence on these curricula. The Inspectorate of Schools can only check the general quality of management of higher education, but not the content of offered training – unless they get signals of illegal content.

The guidelines for teacher training curricula in higher professional education are made explicit in the so-called "Generic Knowledge Basis" documents, which are developed by the Association of Teacher Training Institutions. Sex education did not use to be a topic in the Generic Knowledge Basis, but since 2016/2017 sexuality, sexual diversity and heteronormativity are explicitly mentioned. Gender identity and sexual characteristics not yet specifically mentioned (10 voor de leraar, 2017). It is un clear to what extent these topics are currently implemented in reality by teacher trainers. It has been announced that the Generic Knowledge Basis will again be reviewed in 2024.

In 2018, the School Climate Survey indicated that LGBT students still reported high levels of bullying and low trust in teachers and schools (Pizmony-Levy, 2018). The Minister of Education answered on critical questions by the parliament that attention for sexual and gender diversity was well-anchored with the recent inclusion in the Generic Knowledge Basis and that the Foundation for School Safety would develop a Manual for Pedagogic Craftsmanship on Sexual Integrity (Tweede Kamer der Staten-Generaal, 2019). "Sexual integrity" is the term the Foundation for School Safety has coined to cover the social safety aspects of sexual education and of sexuality aspects in safer school policy. Online manuals with 8 suggestions for primary and secondary education teachers were published by the Foundation in 2020 and 2021 (Stichting School en Veiligheid, 2021). However, the 8 short suggestions mainly focus on rather vague and generic advice like "give space to the students", "limit responses that cross limits" and "explore your own prejudices". They do not give input on what type of heteronormative mechanisms are at work in students and teachers and how to deal with the strong emotions that often come up in discussions about sexual and gender diversity.

In the GALE student research, the majority of cisgender heterosexual students (54%) say they don't know whether teachers are competent to teach about sexual and gender diversity. Those who do have an opinion say that some teachers can do this and others cannot (27%) or that they 'probably can'

(13%). Sexually and gender diverse students are even more divided about this. More than a third (35%) think it depends on the person and 28% think 'probably' or 'definitely not'. Only 16% think they 'definitely' or 'probably' can teach about sexual and gender diversity. So our impression is that students have different views on whether teachers can teach sexual and gender diversity well, and that sexually and gender diverse students have major doubts about this (Dankmeijer, 2024).

To summarize: there is no substantial policy on how to teach on sexual and gender diversity. The government encourages it but leaves implementation to initial teacher training institutions, the Foundation for School Safety and schools themselves. The Foundation for School Safety offers incidental teacher trainings on homophobia and transphobia, but these are only pedagogic in a generic way and do not focus on how to decrease heteronormativity. There is no discussion about, or research on what type of teacher training is most effective. We rate this right as "encouraged" because there are clearly attempts to improve the situation, but not as "supported" because the strategy is not coherent or evidence-based.

13. Staff competent to support

In the Netherlands, school counseling is mainly the task of regular teachers. Some teachers are "mentors" of one or more classes, with whom they have "mentor lessons" which they are free to till in as needs indicate. There are also more specialized pupil counselors and "confidential counselors" (which are appointed to guide students and teachers through formal complaint procedures). The mentors and pupil counselors are coordinated by a Care Coordinator. The Safety in School Act also requires the school to have a Safety Coordinator, who may or may not be the same person as the Care Coordinator. In challenging cases, the school counselors can refer to the Municipal Health Services and to local Mental Health Centers. It is mandatory to report sexual intimidation to the Inspectorate of Education, which has specialized "confidential" advisors on this. The school manager decides whether to report this. An extension of this requirement to "serious bullying" is being considered. There are no regulations or procedures relating to the specifically sensitive situation of DESPOGI youth.

In 1994, the researcher Anne Kersten found that mentors and pupil counselors were often not aware of the challenges DESPOGI youth is facing or how to respond (Kersten & Sandfort, 1994). More then 20 years later, expertise Centre Edu-Diverse noted that the question how to support DESPOGI teenagers in schools was still the most asked question by teachers and mentors (feedback EduDivers, 2017).

A research in 2014 found that "My-ID ambassadors for sexual diversity" supported by the Education Alliance for Sexual Diversity were very willing to support LGBT students. In addition, they did not feel there were structural factors against supporting LGBT students or advocating for a LGBT safe school

environment. But despite this, they still did not actually do this. These "ambassadors" were mostly teachers from schools who wanted to be supported in raising the issue of sexual and gender diversity in their school. The Alliance initiated research to explore how to better support them. The researcher concluded that the ambassadors might not have had enough insight in the situation of LGBT youth, nor in how to strategically act up in school. They did not know of possible interventions and they were not stimulated enough in concrete ways to take action (De Waal, 2014).

In the School Climate Survey, the overwhelming majority of students (98.2%) could identify at least one school staff member whom they believed was supportive of LGBT students at their school, and two thirds (65.1%) could identify ten or more supportive school staff they could talk to. Students reported that they would feel most comfortable talking with a confidential counselor (52.4%) (probably referring to pupil counselors, because there are usually only one or two formal 'confidential counselors' at school who are only called in to help with formal complaints procedures) or mentor (48.1%). Four out of ten LGBT students (41.4%) said they would be 'somewhat' or 'very' comfortable talking with a teacher and one-third (34.8%) said they would be comfortable talking with another school employee (Pizmony-Levy, 2018).

Still, the same research said few LGBT students would feel comfortable talking one-one-one with a con-rector or director / rector of the school (Pizmony-Levy, 2018). This finding was confirmed by the School Safety Monitor 2021-2022 (Lodewick et all, 2023), which found high levels of distrust of LGBT students of teachers and school management. These findings do not have to be at odds with each other. If one-third or half of the LGBT students feel comfortable to talk with one or more teachers or counselors, this implies that the other half or more doesn't. The general picture is therefore mixed: LGBT students usually can find someone to talk to but not all teacher will be open or safe for this.

There are a only few resources which offer guidelines on how school counselors can sensitively counsel DESPOGI students. The website "Everybody is Different" (http://www.iedereenisanders.nl/) only contains 10 very general tips. The more elaborate materials tha5t were available until 2020 (like Dankmeijer, 2002) have been taken offline after the liquidation of Edu-Diverse (Dankmeijer, 2020c). There are no systematic attempts to mainstream awareness and competences in this area.

In the GALE student research, students were divided on the question whether staff is competent to support sexually and gender diverse students. More than half (52%) of cisgender heterosexual students saying they don't know and 40% of sexually and gender diverse students say it depends on the person. The cisgender heterosexual students are slightly more positive about this (26% think they can or probably can) than the sexually and gender diverse students, of whom 25% think that teachers 'certainly can' or 'probably can' provide support, but 20% think they 'probably cannot' or 'certainly cannot'. be able to (Dankmeijer, 2024).

To summarize: there is broad willingness to help victims of heteronormativity in schools, but little

expertise. Training for confidential counselors and student counselors in schools is only occasionally offered and the related expertise is only available through a few specialized experts. Apart from the few tips on http://www.iedereenisanders.nl/, there is little support and no policy on this right. This is why we rate this right as "encouraged" but not as "supportive".

14. Supportive school environment

In 2015, 31% of the LGBT students stated they do not like their school so much, against 16% of heterosexual students (Kuyper, 2015). The school environment in Dutch schools can be substantially different in generic quality, but generally speaking it is not very supportive for DESPOGI students. In 2013, 32% of secondary school students did not want to sit next to a lesbian or gay classmate during lunch break, 67% was keeping a distance to lesbian or gay classmates or feels insecure about being near to them (Dankmeijer & Schouten, 2013).

Other students' willingness to intervene when hearing homophobic language may be an important indicator of school climate. However, few students (6.9%) report that their peers intervened "always" or "most of the time" when hearing homophobic remarks, and six in ten students (62.9%) said that their peers never intervened. Students who reported hearing homophobic remarks at school were asked how often teachers or other school staff intervened if they were present. Only one sixth (15.8%) reported that their school personnel intervened "most of the time" or "always" when homophobic remarks were made in their presence, and nearly half (47.1%) reported that staff never intervened when present (Pizmony-Levy, 2018).

The first efforts to stimulate schools to create a safer school environment date back to 1994. When the HOSVO published its criteria for inclusive sexual education (Dankmeijer et al, 1991), it got criticized that not only sex education but the entire school culture needed to change. The HOSVO group merged with COC Netherlands and became a National Working Group on Education ("Landelijke Werkgroep Onderwijs"). It managed to get funding for a broader school policy project. After a national consultation, it produced two booklets with guidelines on how primary and secondary schools could be LGB supportive (Van Broekhoven et al, 1994; S.L.O, 1994). The brochures were widely distributed but their impact on schools was negligible. The suggestion to proceed with more structural mainstreaming by the COC Working Group by acquiring new projects was not well received by the COC Board and in 1994 half of the members of the Working Group left the COC to found their own organization, Empowerment Lifestyles Services (which in 2007 became expertise center Edu-Diverse).

After failed attempts to work with local LGBT-peer-education groups for local outreach to schools (the groups saw this as competition for peer-education rather than as an opportunity for mainstreaming), Empowerment focused on national projects focusing on school climate. In the end of the nineties, the COC management was replaced and became more cooperative. A broad LGB-platform including COC

Netherlands and Empowerment lobbied the new "Purple Coalition" government (Platform Homo-emancipatiebeleid, 2001) and succeeded to create major shift in government support for LGB issues. State Secretary Adelmund announced a seven-point action plan to mainstream LGB attention in schools (Staatssecretaris Adelmund, 6 July 2001). This document marked the transition from an ambiguous government to an active supportive government in terms of GALE's division in forbidden-ambiguous-supportive States. One part of State Secretary Adelmund's strategy was to research which factors constitute a supportive school climate and how such a school climate could be initiated and consolidated. A massive comparative research among LGB and heterosexual teachers (De Graaf et al, 2003) showed the major influential factors. In two large-scale school consultancy projects, COC, Empowerment and the school safety unit of General Pedagogic Study Centre (which later became the Foundation for School Safety) experimented in primary and secondary schools (Kuyper, Vanwesenbeeck & Dankmeijer, 2007). A major conclusion was that specific LGBT topics needed to be integrated in existing broader school policies, like school safety and citizenship. At the time this was a new perspective, because until then the LGBT movement only focused on pushing LGBT representation and visibility, regardless of school contexts. The new perspective made clear how effective integration needed a tailored approach for each autonomous school.

In 2003, Empowerment was asked by the Inspectorate of Education to author a national brochure for schools which specified the general Inspectorate guidelines to specific DESPOGI points of attention (Inspectie van het Onderwijs, 2003). After this landmark publication, Empowerment got government funding for a national "Gay School Campaign" ("Vrolijke Scholen Campagne"). This campaign revolved around an online "Gay School Test" ("Vrolijke Scholen Test") which schools could fill in and then get tailored advice to improve school policy (Dankmeijer, 2003). The test listed the LGB-specified Inspectorate criteria and compared how schools had specific attention for LGB issues in relation to their attention for general school safety and their attention for multiculturality (another major diversity challenge in Dutch schools). The "Gay Schools Campaign" did not reach many schools because the budget was too small for large outreach. In addition, the COC management was once more replaced and once more became competitive with other LGBT organizations. With this shift in perspective, the COC tried to take over the "Gay Schools Campaign" and when this did not succeed, it started to oppose it.

In 2007 the government started to support the national Education Alliance for Sexual Diversity, which picked up the idea of the "Gay Schools Campaign" again in 2011. The campaign was renamed the "My-ID campaign". The test was reviewed and renamed the "No-ID Test"; the comparison with general safety and multiculturality was dropped and instead the schools got an advice which did not only rate the school quality on content criteria but also on how to manage a gradually implemented change. The criteria themselves also were updated under the name "Rainbow Keys". They were made more detailed with suggestions on how to implement them in practice (Dankmeijer, 2014a). The My-ID campaign focused not only on the test but also on local implementation by recruiting "My-ID

ambassadors" in and around schools. The ambassadors were supported with resources, training and an online monitoring system of their efforts (Onderwijsalliantie voor Seksuele Diversiteit, 2013; Dankmeijer, 2014b; De Waal, 2014). However, COC Netherlands perceived the My-ID campaign as competition for the 'GSA label' and advised the government against further support for the Education Alliance for Sexual Diversity. This eventually (after 10 years) caused defunding of the Alliance. The My-ID campaign had to be stopped 2017.

In the meantime, other efforts were also made to stimulate local implementation. During 2007-2008, the Education Alliance organized local "Gay School Alliances" ("Vroijke Scholen Alliantie's") between LGBT organizations, Municipal Health Services, local trade union groups, municipalities and schools (Schouten, 2009a-d). A major good practice that was stimulated in these local alliances was the local "School's Out" project by the Municipal Health Service (GGD) in Nijmegen, which has been continuously funded by the municipality since 2002 (Prinsen, Molleman, Gerrits & van Dijk, 2020). The School's Out project offers a "menu" of interventions schools can implement. According to MOVISIE and Empowerment there were three decisive factors determining the success of the School's Out method (Dankmeijer, 2005):

(1) Initially offering attractive and free theatre performances which in the adoption phase of schools helps teachers to overcome their fears of bringing up the topic.

(2) Professional emphatic support by Municipal Health Advisors.

(3) Long-term political commitment and funding by the municipality.

A series of similar local projects in Utrecht, Amsterdam, The Hague and Leiden (2003-2017) failed because one or more of these three criteria for success could not be sustained in the long term. In part, these projects also failed due to lack of support of local COC branches who perceived such mainstreaming projects as a threat to their own position. We recently see again new local efforts to replicate the Nijmegen "School's Out" formula in other cities (feedback GGD Nijmegen, 2023).

The experience of Edu-Diverse with stimulating and supporting schools to adopt LGBTIQ+ school climate change led to the development of an evidence-based method, which was published by GALE as the "GALE School Consultancy Model" (in: Dankmeijer, 2023). In a more generalized form, this model was adopted as a national guideline for planning school consultancy for sexual education by Municipal Sexual Health Advisors (Dankmeijer, 2022).

While doing all this consultancy in schools, professional school advisors realized that the factors that influence DESPOGI school climate policy that were found in the 2003 research (De Graaf et al, 2003) were not detailed enough for real evidence-based consultancy. Edu-Diverse allied with the ITS/Radboud University in 2011-2012 to do more research on this. Their efforts convinced the Ministry of Education to fund once more a large scale pilot project, in which schools who got support and had an active LGBT policy were going to be compared to a control group with schools who did not get support or had an LGBT policy.

However, the tender was granted to the SCP (another research institute) and was plagued by planning mistakes. In the first place, two NGOs (Diversion and COC Netherlands) wrote very simple implementation plans which the schools they had contact with could fill in to get the grant for participating. Schools who used these standard plans were required to then pay part of the grant to Diversion (for their peer-education in primary education) and to COC Netherlands (for their peer-education in secondary education). This was easy for these schools but it encouraged them to mainly use external peer-educators rather than take responsibility themselves and develop their own interventions.

The second planning mistake was that the time to submit school plans was extremely short. The awarding followed the principle that first submissions were awarded first. This awarding scheme secured that the schools who used the standard Diversion and COC formats were all rewarded, while schools that took more effort to write a quality plan were too late because by then the budget was depleted.

In the third place, the support for schools (by APS) was limited to a short "training" which was mainly a clarification of the criteria for the subsidy.

These planning mistakes were serious challenges for the success of the experiment, because from innovation literature we know that "ownership" and "systematic attention for broadening commitment" of the staff of organizations are keys to successful organizational culture change. The short-cuts with prescribed standard plans by a large number of participating schools made it virtually impossible to identify how schools would embark on integration of sexual and gender diversity on their own terms. Indeed, the SCP report (Bucx, Van der Sman & Jalvingh, 2014) could not clearly identify such factors. However, the report found some surprising results. In primary education, the *attitudes* of students improved towards LGBT, but negative *behavior* like name-calling did not decrease, nor did teachers intervene in such incidents (according to students). In high schools, LGBT students *felt* safer, but the reported number of negative incidents *increased*. This was worrying, because the participating high schools were mainly recruited via COC-GSAs and one might suppose that after ten years of GSA-practice, such schools would be considerable safer than others. Only in schools with *many different types of activities*, there was a significant decrease in negative behavior and name-calling towards LGBT. This seems to indicate that offering a menu of various activities (like School's Out does) is likely an effective factor.

In 2020, COC Netherlands published the GSA-Education Standard (COC Youth Council, 2020). According to COC Netherlands the standard was developed by youth of the COC Youth Council, which consists of representatives of GSAs. The GSA-Standard resembles the Rainbow Keys of the National Education Alliance of 2012 to some extent. Like the Rainbow Keys, it is offered as an online test. But unlike the Rainbow Keys, it offers a "quality label" to schools on three levels. The criteria for each level are different and more challenging on each level. The Rainbow Keys left a lot of space for schools to fill in how they would implement the criteria in a way that was tailored to the context of the school, and it had attention for how to gradually create broad commitment in the school. In contrast,

the GSA-Standard consists mainly of demands for very concrete visibility and representation, like the number of gender-neutral toilets a school should have and presentation of famous LGBT persons in history. Some other demands remain vague, like that LGBT bullying should be monitored, but without indication how. The GSA-Standard does not include a perspective on "how to win over the hearts" of students or staff (Kotter, 2002), nor does it link to the criteria of the Inspectorate of Education. Still, the government wrote to the parliament that the Ministry of Education considers the GSA-Education Standard as a quality defining instrument for LGBTIQ+ inclusion in schools (Wiersma, 2022).

In the GALE student research, approximately half of the cisgender heterosexual students do not know if and to what extent school staff is able to create a supportive school environment, while the majority of sexually and gender diverse students do have an opinion about this. But the actual opinions are divided. There are few students who say that teachers cannot do this (8% cisgender heterosexual students and 14% sexually and gender diverse students), but sexually and gender diverse students have a less positive impression about this: 37% (compared to 13% of the cisgender heterosexual students) think that it depends on the teacher. Of the students who rate their teacher team well on this point, there are slightly more sexually and gender diverse students than cisgender heterosexual students. The overall impression is that half of sexually and gender diverse students doubt whether teachers can cooperate to create a safe and welcoming school culture for them, and half of cisgender heterosexual students do not know this (Dankmeijer, 2024)..

To summarize, in formal communications the government encourages schools to provide a safe and welcoming environment for LGBT students. But at the same time, the government and national Associations of School Boards are strongly opposed to adopting guidelines or criteria for schools to provide (or any criteria at all for that matter) for such a school climate. Despite two decades of research and experiments with stimulating and coaching schools to provide a safe and welcoming school climate for DESPOGI students, this area remains challenging. A combination of an attractive trigger, various types interventions and ongoing professional support (like in the local project "School's Out") has been proven to be most effective. But such projects are costly and both national and local consultancy projects are often opposed by local LGBT organizations who may see such projects as competition. This is why we rate this right as "encouraged" rather than as "supported".

15. Employment protection for staff

The Equal Treatment Act protects LGBTI employees against discrimination. The Dutch Institute for Human Rights actively convicts school boards when they discriminate. In the past, orthodox religious schools have repeatedly tried to circumvent the Equal Treatment Act by stipulating that LGBT teachers should explicitly subscribe to fundamentalist guidelines or at least abide by a "don't ask don't tell policy". Most of these attempts have been condemned by Dutch Institute for Human Rights. Such schools should now refrain from such guidelines or have an objective explanation why a specific

guideline (like appearance or behavior in class) would be forbidden while not contradicting equal treatment legislation.

But despite to positive legal context, the safety of DESPOGI school staff is still not optimal in real life. The School Safety Monitor reports that in 2021, 12% of LGBT staff in secondary education gets bullied compared with 3% of non-LGBT staff. In 2022, the percentage of bullied LGBT staff went up to 16% while the percentage of non-LGBT staff remained the same. The bullying incidents were mainly perpetrated by students, but also by fellow staff of their own school (Lodewick et all, 2023).

The government did not act on these findings. The Minister of Education Arie Slob only expressed his surprise that even "some school staff" were perpetrators of harassment (NOS, 2023; 16 September).

In the GALE student research, more than half of cisgender heterosexual students (64%) did not have a clue about how sexually and gender diverse teachers are protected against discrimination, and a third (33%) of sexually and gender diverse students did not know this either. Half of sexually and gender diverse students (48%) 'probably' or 'definitely' think LGBT-teachers will be protected, compared to 25% of the cisgender heterosexual students (Dankmeijer, 2024).

Summarizing, the protection of DESPOGI school staff is legally well-secured and the Netherlands Institute of Human Rights issues supportive judgements. There are few schools attempting to eject or discriminate DESPOGI staff, although orthodox religious schools attempt to formulate their school policy in such a way that it becomes unattractive for out LGBTIQ+ staff to apply for a position. However, bullying of LGBT teachers still occurs, by both students and fellow-staff. Although LGBT teachers are bullied 4 times as much as their cisgender heterosexual colleagues, this seems to escape the attention of policy makers. This is why we lowered the score on this right from (in social practice) "supported" to "encouraged".

6. Recommendations

Based on the analysis in chapters 4 and 5, we offer here 18 recommendations for concrete and feasible actions.

1. Monitoring of the situation of DESPOGI students is still lacking in many areas, which makes it difficult to assess the exact challenges. Concrete needs are:
   1.1. Make it mandatory to include questions and reporting about DESPOGI students in school safety monitors.
   1.2. Include disaggregated reporting in the national monitoring of truancy and early school-leaving.
   1.3. Include disaggregated reporting in the national monitoring of academic performance.
2. Planning of school safety is currently largely ineffective for DESPOGI students due to the neoliberal expectation that schools will provide this "sensitivity" themselves. It is now clear this expectation is not realistic.
   2.1. The School Safety Act or its implementation measures should be amended to make attention for discrimination, including DESPOGI discrimination, bullying and exclusion mandatory.
   2.2. This should also be amended in the "safety window" of the Windows of Accountability (Vensters van Verantwoording) of the PO-Raad and the VO-raad
   2.3. … and in the Digital Safety Plan Template of the Foundation for School Safety.
3. Make attention and budget for DESPOGI issues a priority for each department of the Ministry of Education (do not limit it to the unit dedicated to emancipation).
   3.1. This is a priority for primary education. The hetero norm in primary education causes exclusion, denigration, bullying, discrimination, absenteeism and lower school results among LGBT students in secondary education.
   3.2. In secondary education, LGBT students are more likely to be victims of violence and they do not trust that they can turn to school leaders for complaints. The complaint-oriented policy must therefore be supplemented with policy that systematically promotes a better school climate; also specific to DESPOGI.
   3.3. In secondary vocational education, a minority of extremist students creates a broader unsafe atmosphere. This means that vocational institutions with good intentions do not dare to put their intentions into practice and invite external educators to replace them. This avoidance then leads to an increase in incompetent professionals who cannot deal with sexual and gender diversity. VET institutions must be provided with tailor-made teaching materials for various professions and training for teachers to use them effectively themselves.
4. In cooperation with DESPOGI (not only LGBTIQ+) young people…
   4.1. explore how the self-expression of DESPOGI students can be improved and secured,
   4.2. act upon the recommendations,

4.3. aim on the long term for a gradual improvement of the current 43% to 100% of LGBTIQ+ students that is open about their sexual orientation, gender identity or sexual characteristics comes out to fellow students.

5. Open a hotline to report DESPOGI bullying and discrimination, with access for both students and school staff.

6. Create a national working group on DESPOGI-related bullying and well-being which consists at least of DESPOGI youth, DESPOGI teachers, the Associations of School Boards and the Foundation for School Safety.

    6.1. Study why the current generic antibullying policies have little impact on DESPOGI students

    6.2. Improve the Safety in School Act to include DESPOGI related bullying and possibly other discrimination related bullying.

    6.3. Make this a specific strategy; do not generalize it; prevent loosing the focus on DESPOGI.

    6.4. Come to an agreement on a joint plan to choose and implement evidence-based methods (not only GSAs but also other recommended methods by feminist/LGBT antibullying researchers. A high quality plan could be inspired by Elizabeth Meyer, 2007 and Adelman, 2016).

    6.5. Do not expect that schools will be automatically sensitive and act against DESPOGI bullying on their own accord.

7. Clarify that name-calling like "homo", "mietje", "queer" and comparable street slang terms in other languages, including sexist derogatory language are discriminatory and are punishable. Making this explicit is necessary because research evidence shows that both students and teachers consider such language as normal, jocular and harmless rather than them realizing how they contribute to a discriminatory school environment.

    7.1. Establish a guideline to insert this in School Safety Plans.

    7.2. Initiate a national campaign to raise awareness among youth, teachers and youth workers about this.

8. Stimulate and support educational publishers to develop DESPOGI inclusive curricula for each education sector.

    8.1. Set up a mechanism which allows publishers to anonymously report pressure and intimidation by ultra right-wing organizations to avoid so-called "sensitive" topics in text books.

    8.2. Provide educational publishers with examples of concrete and attractive text book texts, classroom activities and copyright-free non-stereotyped images they could use.

    8.3. If publishers fear loss of market share, fund them make both rich inclusive editions of their text books and censored versions for the small market segment of orthodox schools. Think of create ways to avoid that educational publishers are taken hostage by right-wing threats and will be forced to produce censored lesson materials for *all* students due to conservative pressures.

9. Create a task force consisting at least from Rutgers, the AIDS Fund, GGD Netherlands and the Foundation for School Safety to review the current sexual education resources, to improve the

integrated (not separate) attention for gender and sexual diversity and where necessary, to eradicate implicit and explicit heteronormativity.

9.1. Review the "Long Live Life" resources for high schools and VET.

9.2. Review "Jitters in your Belly" resources for primary schools.

9.3. Develop specific teacher trainings on how to implement these materials, which includes attention for heteronormativity and concrete classroom pedagogy and didactics.

9.4. Research the impact of such trainings: are teachers going to implement what they learned, and how?

9.5. Make these teacher trainings free and mandatory for schools who until then only invite external educators, LGBT-peer-educators or who only show a film without properly debriefing it with students.

9.6. Develop training and guidance for Municipal Health Service "Health School" advisors who are specialized in sexual education, especially on how they can help school overcome their fear of objections by conservative parents and how to advise teachers on heteronormative aspects of school culture and both aggressive and "non-interested" ("sham" tolerant) students.

10. Research if schools and libraries restrict access to LGBTIQ+ informational websites. If necessary, act against this.

11. Secure long-term support for "Jong & Out" and Gender & Sexuality Alliances and attempt to raise their impact.

11.1. Research how GSAs function and how their activities can be supported in such a way that they become more effective (both in peer-support [empowerment of LGBTIQ+ youth] and in influencing school policy [mainstreaming]).

11.2. Share such findings with GSA members, so they can get empowered to improve their GSA's impact.

11.3. Research if the recommendations of the National Youth Council for GSAs (Van der Velden, 2016) have been implemented, and if not, how this still can be done.

11.4. Research the pros and cons of the *inside-out* perspective and how peer-initiatives can best be supported. It may be helpful to invite USA experts (GLSEN) to advice on this effort.

11.5. Create a national GSA-member training center to support sharing of experiences, knowledge and transfer of these to new generations of GSA-members

12. Strengthen the quality and infrastructure of LGBT peer-education-groups.

12.1. Organize the development of quality standards for the organization of a peer-education group.

12.2. Develop a competence framework for LGBT-peer-educators for recruitment/intake and to facilitate and structure training.

12.3. Organize the development of quality standards for panel sessions.

12.4. Organize research on the short-term effect and long-term impact of LGBT peer-education panel sessions.

12.5.   Organize training using the recommendations in "Do the right thing" (Felten, Emmen & Keuzenkamp, 2015) and the results of effect-research.

12.6.   Develop a feedback mechanism to give peer-educators useful feedback on their sessions, in order to create individual and organizational learning processes.

12.7.   Support international cooperation between LGBT peer-education groups.

12.8.   Stimulate cooperation of local LGBT peer-education groups with local LGBT school consultancy projects (like School's Out) that goes beyond marketing of LGBT peer-education.

13. Discuss with teacher training institutions if it would be useful and feasible to check the motivation of aspirant teacher training students to teach and to support students, including DESPOGI students. Training unmotivated students is a waste of energy and investment and will have a negative impact on generations of students.

14. Devote a chapter in the new National Register for Teachers (lerarenregister) to social safety and make sure DESPOGI are part of this chapter.

14.1.   Monitor to what extent educational staff is trained to be DESPOGI inclusive.

14.2.   Take measures if this does not increase sufficiently.

15. Provide specific training on…

15.1.   Teaching about sexual and gender diversity and on heteronormativity.

15.2.   Support of DESPOGI students.

15.3.   Adoption and consolidation of school culture change strategies for internal coordinators and school managers.

16. Do research on effect of the trainings mentioned the previous recommendation and on classroom interventions to systematically improve their effect.

17. Include DESPOGI in the monitoring reports for international conventions and treaties:

17.1.   Convention against Discrimination in Education

17.2.   SDG 4

17.3.   1974 Recommendation on Human Rights Education

18. Plan and monitor the coordination and progress benchmarks of the government strategy on DESPOGI and the education sector.

7. Closing remark

This review was developed in the summer and autumn of 2023. The research among students will learn in the autumn and winter of 2023, and the incorporation of the results of that research and final editing was done in April 2024. This means that the results are based on Dutch the government (and its predecessors in 2023.

The elections of November 2023 were won by the PVV ("Party for Freedom", a populist right-wing party), NSC ("New Social Contract", a spin-off of the Christian Democrats focusing on reestablishing a social contract with the population after a series of scandals in which the previous neoliberal governments treated citizens harshly and insensitive) and BBB ("Farmer-Citizen Movement", a farmers-led party resisting environmental measures directed at farmers). Since the elections, PVV, NSC, BBB and VVD ("People's Party for Freedom and Democracy", the liberal party) have been negotiating a new right-wing government. This is a challenging negotiation because until the elections, PVV presented itself as a radical party which wanted to get rid of constitutional legislation and international agreements to implement its anti-immigrant and anti-Muslim program. Most of the negotiating parties don't trust each other and have different priorities. At the time of this publication it seems likely that they will succeed to set up a right-wing government. The question is how long such a cabinet can govern, given the major differences in views and interests and because the political leaders themselves remain in parliament and can conduct opposition as necessary.

However, if there will be a government with these right-wing parties, is likely to lead to a considerable turnabout of the general LGBTI policy. Only the VVD signed the COC Rainbow Ballot Accord (Regenboog Stembusakkoord; COC Nederland, 2023a and b), which is a pledge of political parties to support LGBTI policy. In the negotiations – if any – on LGBTI policy, the VVD (a traditional supporter of individual freedom including LGBTI) may likely clash with the PVV and with NSC. During the time when the leader of NSC was still part of the Christian Democratic Party he regularly expressed doubts on the right of transgender people to choose their own gender and by being against puberty inhibitors (Rozema, 2023). Formally, The NSC program declared to be "committed to full acceptance of LGBTI people at school, at work and in society" (Wesseling & Valk, 2023). But in one of the first practical tests of this, in April 2024 NSC and SGP (the orthodox reformed party) filed a motion to postpone the new legislation for enhanced rights for transgenders. The motion passed with the votes of the conservative elections winners, but the outgoing government decided to ignore it.

Depending on the developments in the coming months, this review may have to be updated to reflect new policies and realities.

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