



Dear Australian Human Rights Commission,

We are honoured to be in a position to make an evidence-based submission in response to your call to identify current and emerging threats to trans and gender diverse (TGD) human rights in Australia. We are two academics from the Centre for Educational Research, located within the School of Education at Western Sydney University. Associate Professor Jacqueline Ullman has been conducting research in this area for two decades with the aim of improving school-based wellbeing outcomes for gender and sexuality diverse (GSD) students and educators. Associate Professor Tania Ferfolja is a foundational scholar in GSD educators' welfare, having conducted research in this area since the late 1990s, and her extensive track record speaks to her dedication to supporting GSD students and their families. Ullman and Ferfolja have collectively published over 180 research manuscripts and have a track record including multiple competitive grants awarded by the Australian Research Council, the Department of Family and Community Services, the NSW Department of Education and Training, the Ian Potter Foundation, the Foundation for Young Australians, ANROWS and others.

We are using our submission to focus on projects we have personally conducted, with the acknowledgement that there is an existing and growing body of excellent Australian research in the field, which our findings complement. These projects centre on TGD students' and educators' experiences in primary and secondary school environments and offer recommendations for changes to relevant school policy, educator guidance and training (both curricular and behavioural) and classroom practices.

Ullman has conducted a series of large-scale national surveys of GSD high school students (*'Free2Be?'* – Ullman, 2015; and *'Free2Be...Yet?'* – Ullman, 2021), designed to explore the relationship between students' reported experiences of in/exclusion by educators and peers and their school-based wellbeing and academic outcomes. Her sample of 685 TGD high school students, aged 13-18, is one of the largest Australian samples of TGD high school students and included students attending schools across the three sectors: government/public (67%); Catholic (17%); and Independent (16%). To understand how TGD students were faring at school in comparison to other students, Ullman deployed measures of school-based wellbeing in her survey that are used in mainstream government schools across the state of Victoria. Comparisons showed that TGD students' sense of connectedness to school was significantly lower than reported by mainstream high schoolers (Ullman, 2022).

Multiple regression analyses revealed that TGD students' sense of their school's acceptance and support of gender and sexuality diversity was a significant predictor of their sense of connection to school, even when controlling for other demographic and wellbeing variables (Ullman, 2022). Given the predictive nature of students' sense of connection to

school on a range of academic and social outcomes (Allen et al., 2021), these results underscore the importance of an inclusive school climate for TGD students. In other words, schools that support and affirm gender and sexuality diversity support TGD students' sense of connection and belonging at school. School connection and belonging, in turn, predict school retention/truancy and further educational aspirations. These findings are in keeping with Ullman's earlier published work, where TGD students' sense of their teachers' positivity with respect to gender diversity explained more than 20% of the variance in TGD students' sense of connection and belonging at school (Ullman, 2017). For educators and other school-based adults to create a supportive school culture for TGD students, they need up-to-date professional development in the area and articulated directives for TGD inclusion across both curriculum and relevant policies.

School-based adults, including classroom teachers, school executive and administrative or support staff, can demonstrate their support of TGD students in many ways, both large and small. However, perhaps the easiest and most taken-for-granted method by which school-based adults can support TGD students is simply to ensure that their experience of school is safe and free from active discrimination. Additional analysis of the data collected in the *Free2Be...Yet?* national survey of GSD high school students (aged 13-18) focused on students' perceptions of their educators' responses to transphobic harassment in the classroom (Ullman, forthcoming, 2024). Across the cohort, over 70% of GSD students reported hearing transphobic verbal harassment at school, with 50% of the cohort reporting hearing this in the close presence of school-based adults. All participating teenagers who reported transphobic verbal harassment taking place in front of school-based adults were invited to think of a specific incident and write about it via an open-ended survey item. Of the 902 stories that were shared by students, merely 5% of these included some form of a proactive response by the school-based adult present, where they addressed the transphobic nature of the incident and/or provided some explanation as to why students should not be using this type of language. The majority of open-ended responses described school-based adults offering some sort of minimal response (29%), such as saying "language", "stop", or giving the students a "dirty look" or equivalent, or doing nothing at all (53%). Most worryingly, in just over 9% of responses, school-based adults were described as participating in the transphobic verbal harassment. Once again, these findings (Ullman, forthcoming, 2024) speak to the urgent need for school-based adults' professional development in this area, to increase their awareness of the importance of creating a positive school climate for TGD students, including how to actively address transphobic harassment and take proactive steps to reduce this.

Ferfolja and Ullman's Australian Research Council national project exploring public school parents' attitudes towards the inclusion of gender and sexuality diversity contained a data collection phase which focused on the experiences of parents of GSD students, inclusive of

parents of TGD children K-12. Findings from interview and forum analyses (Ferfolja & Ullman, 2021; Ferfolja et al., 2023) highlighted the impact of school-based adults' lack of professional development with respect to the support of TGD students. Parents of TGD students described educators who were unfamiliar with gender diversity and reluctant to acknowledge or affirm this – both at the broad conceptual level, as well as with respect to their child's gender identity – with ramifications for their child's wellbeing and desire to remain at school. Many parents specifically acknowledged the additional labour they had to engage in, providing their child's school with evidence of schools' legal requirements in order to secure basic accommodations for their child, particularly with respect to administrative recognition of their child's name, their use of toilet/changing facilities and desired elements of the school uniform. This labour extended to having to provide more basic understandings about gender diversity to school leadership and classroom teachers in efforts to protect their child's school-based wellbeing and attempt to ensure their equitable access to a safe and supportive schooling environment. Some parents spoke of having to sell the family home to move to catchment areas of more supportive schools. As with the previous works cited, results from this national project (Ferfolja & Ullman, 2021; Ferfolja et al., 2023) speak to the urgent need for professional development, policy, and resources for primary and secondary school educators to upskill them in this area and definitively communicate relevant legal requirements.

School climates that marginalise trans and gender diverse identities not only impact on the experiences of TGD students; unsurprisingly, TGD educators routinely experience transphobic workplace harassment. Ullman has investigated the experiences of TGD educators ( $n = 44$ ) working in the state of New South Wales (2020) as part of a larger mixed-methods research project conducted with the NSW Teachers Federation designed to better understand the workplace experiences of GSD educators (Ullman & Smith, 2018). Survey data highlighted TGD educators' regular experiences of verbal and psychological harassment by students and the strong correlation between their experiences of transphobic workplace harassment and their sense of general wellbeing/depression, as measured by the WHO-5 scale (Ullman, 2020). TGD educators who experienced this form of harassment also reported a lowered sense of general self-efficacy for teaching (i.e. their belief in their own capacity to conduct the work of teaching). Follow-up interviews with a small cohort of TGD teachers revealed the added injury of experiencing harassment by students, particularly without recognition of this or support from school leadership, and the impact of these experiences on these educators' confidence and desire to remain in the classroom longer term (Ullman, 2020). Findings from across the project underscore the need for both school-based and Departmental leadership to take responsibility for addressing this form of workplace discrimination, first and foremost because it is unlawful, but also in order to retain committed, trained educators.

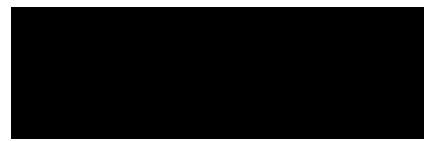


We appreciate the opportunity to share our collective research with your committee and would welcome the opportunity to speak with you further about how primary and secondary school environments which marginalise and discriminate against TGD identities violate TGD students' and educators' human rights.

Respectfully,



Associate Professor Jacqueline Ullman



Associate Professor Tania Ferfolja

**References:**

- Allen K. A., Slaten C. D., Arslan G., Roffey S., Craig H., Vella-Brodrick D. A. (2021). School belonging: The importance of student and teacher relationships. In Kern M. L., Wehmeyer M. L. (Eds.), *The Palgrave handbook of positive education* (pp. 525–550). Palgrave Macmillan. [http://dx.doi.org/10.1007/978-3-030-64537-3\\_21](http://dx.doi.org/10.1007/978-3-030-64537-3_21)
- Ferfolja, T., Ullman, J., & Hobby, L. (2023). *Gender and Sexuality Diversity in Schools (GSDS): Parental Experiences and Schooling Responses*. Centre for Educational Research, School of Education, Western Sydney University. Available here: <https://researchdirect.westernsydney.edu.au/islandora/object/uws%3A70612/datastream/PDF/download/citation.pdf>
- Ferfolja, T., & Ullman, J. (2021). Inclusive pedagogies for transgender and gender diverse children: Parents' perspectives on the limits of discourses of bullying and risk in schools. *Pedagogy, Culture and Society*, 29(5), 793-810. <https://doi.org/10.1080/14681366.2021.1912158>
- Ullman, J. (2024, forthcoming<sup>1</sup>). "The class continued like it never happened": High school teachers in/action in response to homophobic and transphobic harassment. In Ferfolja, T., Jones-Diaz, C., & Ullman, J. (Eds.), *Understanding Sociological Theory for Educational Practices* (3<sup>rd</sup> Edition). Cambridge University Press.
- Ullman, J. (2022). Trans/gender diverse students' perceptions of positive school climate and teacher concern as factors in school belonging: Results from an Australian national study. *Teachers College Record*, 124(8), 145-167. <http://dx.doi.org/10.1177/01614681221121710>
- Ullman, J. (2021). *Free2Be...Yet?: The second national study of Australian high school students who identify as gender and sexuality diverse*. Centre for Educational Research, School of Education, Western Sydney University. Available via UNESCO: <https://healtheducationresources.unesco.org/library/documents/free2be-yet-second-national-study-australian-high-school-students-who-identify>
- Ullman, J. (2020). Present, yet not welcomed: Gender diverse teachers' experiences of discrimination. *Teaching Education*, 31(1), 67-83. <http://dx.doi.org/10.1080/10476210.2019.1708315>
- Ullman, J. (2017). Teacher positivity towards gender diversity: Exploring relationships and school outcomes for transgender and gender-diverse students. *Sex Education*, 17(3), 276-289. <http://dx.doi.org/10.1080/14681811.2016.1273104>

---

<sup>1</sup> While this chapter will be in print mid-2024, should the committee wish to receive an advance copy of this, this can be arranged.



- Ullman, J. (2015). *Free2Be?: Exploring the schooling experiences of Australia's sexuality and gender diverse secondary school students*. Centre for Educational Research, School of Education, Western Sydney University. Available here:  
<https://researchdirect.westernsydney.edu.au/islandora/object/uws%3A32727/datastream/PDF/download/citation.pdf>
- Ullman, J., & Smith, M. (2018). *LGBTIQA+ Teachers' Experiences of Workplace Discrimination and Disadvantage*. Centre for Educational Research, School of Education, Western Sydney University. Available here:  
<https://researchdirect.westernsydney.edu.au/islandora/object/uws%3A46853/datastream/PDF/download/citation.pdf>