



**North American Drama Therapy Association Cultural Humility, Equity, & Diversity Position Statement and Call to Action:**

**Statement for Protections for LGBTQQIAP2S+ Communities**

**Our Position**

Access to mental health services is a basic human right for all and a pressing social justice issue of our time. The North American Drama Therapy Association stands in support of LGBTQQIAP2S+ (Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Asexual, Pansexual Two Spirit,) communities.

As mental health practitioners we are aware of the negative impacts of discrimination on mental health. There is copious research to show that the cumulative effects of homophobia and transphobia place LGBTQQIAP2S+ people at higher risk for severe mental health conditions, including trauma, PTSD and complex PTSD, depression, and suicide.

The ongoing COVID-19 pandemic has exacerbated social tensions within communities, limiting spaces for individuals with marginalized identities to find full expression and reclaim their human agency. We argue for holistic, participatory, inclusive, and emancipatory mental health approaches that integrate rights, multiple social dimensions, and diverse sources of knowledge and lived experiences, while promoting equity for all.

Homophobic and transphobic laws and policies are traumatic, and threaten LGBTQQIAP2S+ individual's health, livelihood, access to services, and sense of belonging, security, and agency.

**The NADTA upholds the importance of professional ethics, including cultural competency, education, and advocacy related to individuals and identities pushed to the margins. The NADTA supports the advocacy efforts of organizations fighting to protect the rights of LGBTQQIAP2S+ individuals.**

**What follows are some recent examples of the ongoing struggle for LGBTQQIAP2S+ rights, and how those rights have both been threatened and protected throughout North America.**

### **Social Workers Rally to Protect LGBTQQIAP2S+ Rights in Texas**

On October 12, 2020, in a joint meeting with the Texas Behavioral Health Executive Council, the Texas State Board of Social Work Examiners voted unanimously to change a section of the Texas Administrative Code of Conduct and Professional Standards of Practice (Title 22, Part 34, Chapter 781, Subchapter B, RULE §781.201), which establishes under which circumstances a social worker may refuse to provide services. The proposed change would have removed language that prohibited social workers from turning away clients solely on the basis of disability, sexual orientation, or gender identity. This would have severely negatively impacted LGBT2SIQ+ individual's access to critical mental health services, especially in the midst of a global pandemic. Due to push back from lawmakers and advocates, the Texas Behavioral Health Executive Council reversed the vote on October 27, 2020, restoring these vital protections. This proves the efficacy of direct action and advocacy by mental health professionals!

Yet, this action must be recognized as part of a larger pattern and history regarding the fight for LGBTQQIAP2S+ rights within Texas, and that fight is far from over. Over thirty anti-trans bills were proposed at the 2021 Texas Legislative session, and while none were ultimately passed, living in a constant state of hypervigilance against attack negatively impacts the mental health of the LGBTQQIAP2S+ community in Texas (and much of the Southern US). There is high cause for concern when a political office is able to dictate changes to the code of conduct for mental health professionals, and this ruling creates a dangerous precedent for mental health professions across the board in Texas, as well as other conservative states. We must remain vigilant, and willing to advocate for the lives and rights of the LGBTQQIAP2S+ communities.

## **Supreme Court Defends Transgender Rights**

On December 7, 2020, the Supreme Court declined to take up an appeal from parents in Oregon who want to prevent transgender students from using the locker rooms and bathrooms corresponding to their gender identity, rather than their sex assigned at birth. A lower court refused to block the policy and the 9th U.S. Circuit Court of Appeals affirmed that ruling, writing that the school district did not violate students' constitutional rights or a law that protects people from discrimination based on sex in education.

## **Equality Act**

The Equality Act would amend existing civil rights law—including the Civil Rights Act of 1964, the Fair Housing Act, the Equal Credit Opportunity Act, the Jury Selection and Services Act, and several laws regarding employment with the federal government—to explicitly include sexual orientation and gender identity as protected characteristics. The legislation also amends the Civil Rights Act of 1964 to prohibit discrimination in public spaces and services and federally funded programs on the basis of sex. Additionally, the Equality Act would update the public spaces and services covered in current law to include retail stores, services such as banks and legal services, and transportation services. These important updates would strengthen existing protections for everyone.

The Equality Act was passed in the House by a bipartisan vote of 236-173 on May 17, 2019. It was passed again in the House in 2021 with bipartisan support, and is currently awaiting action in the Senate. To show support of the Equality Act, US citizens can call or write their state Senators, and concerned individuals may add their name as a community co-sponsor on the [Human Rights Campaign website](#), or sign up for training to facilitate a grassroots support campaign in their area.

## **Recent Anti-Trans Legislation**

According to the ACLU, in 2021 more than half of US states introduced anti-trans legislation, especially bills targeting the rights of transgender youth. **The HRC has noted that 2021 has seen the highest number of anti-trans bills introduced in US history,** surpassing 2020's record of 79 within the first few months of the new year. A

comprehensive guide can be found in the links at the bottom of this position statement, however a few recent examples will be outlined here.

Many of these bills are related to participation by trans youth in sports teams. The trend began when Idaho Governor Brad Little signed the “Fairness in Women’s Sports Act” in March 2020, which would require verification of an athlete’s “internal and external reproductive anatomy” before allowing participation in sports, if their gender is disputed. The law has been challenged with a Title IX lawsuit and temporarily blocked by a federal injunction, but a conservative Christian organization is appealing that decision.

On December 10, 2020 Hawaii Rep. Tulsi Gabbard similarly introduced the “Protect Women’s Sports Acts,” which aims to limit the protections extended under Title IX of the Education Amendments to “biological sex as determined at birth by a physician.” Transgender and other gender-nonconforming athletes would no longer be protected from discrimination in education programs or activities that receive federal funding and transgender women would be disallowed from such programs entirely.

On June 1, 2021, Florida Governor Ron DeSantis signed SB 1028 creating the “Fairness in Women’s Sports Act” which specifies that an athletic team or sport that is designated for females, women, or girls may not be open to students of the male sex, based on the student’s biological sex listed on the student’s official birth certificate at the time of birth. The bill applies the requirements to interscholastic, intercollegiate, intramural, or club athletic teams or sports that are sponsored by a public secondary school, high school, public college, or university institution.

Other bills are targeting gender affirming healthcare, threatening the rights of trans people to medically transition, and the rights of trans youth to access interventions like puberty-blockers. On March 29, 2021, Arkansas passed HB1570, the first ever bill passed in the United States to outlaw any gender-affirming medical treatment for persons under eighteen years of age. The Arkansas Legislature overturned the Governor’s veto, and what is now called Act 626 became law on April 6, 2021.

## **Canadian Human Rights Act & October 2020 Reintroduction of Bill Banning Conversion Therapy**

The Canadian Human Rights Act, introduced in 1977 and amended in 2016, added to include “gender identity or expression,” as noted in our prior position statement on the 50th anniversary of the Stonewall Inn Riots.

In October of 2020 [Bill C-6: An Act to Amend the Criminal Code \(conversion therapy\)](#) was put forth to criminalize LGBTQ+ conversion therapy, with an earlier March 2020 attempt in the House of Commons abandoned due to the ongoing COVID-19 pandemic. It would include five amended clauses in Canada's Criminal Code. As of December 11, 2020, a [report](#) was presented to the House of Commons but no official vote has taken place as of yet.

### **President Biden's First 100 Days**

With Biden in office, protections and equality of LGBTQQIAP2S+ Americans has become a commitment from the White House. Biden has started to prove his promises of increasing LGBTQQIAP2S+ legislation and protections with plans to continue doing so in the coming months. The Biden presidency is currently in the process of reversing Trump-era policies that attempted to limit protection of transgender people in health care. With the revising of this bill, federally funded health providers will not be able to legally discriminate against patients based on their gender identity or sexual orientation. Along with this, President Biden has already taken substantial steps within his first 100 days to increase LGBTQQIAP2S+ inclusion and legislation such as:

- **January 20, 2021 - Executive Order Implementing the Bostock Decision:** Executive order prohibiting discrimination in housing, health care, education, and credit.
- **February 4, 2021 - Memorandum on Protecting Rights of LGBTQQIAP2S+ People Abroad:** Aimed at protecting the rights of LGBTQQIAP2S+ people worldwide
- **February 9, 2021 - Press Secretary Psaki Affirms Trans Rights are Human Rights**
- **March 24, 2021 - Dr. Rachel Levine Confirmed as Assistant Secretary for Health at the Department of Health & Human Services:** The first openly transgender official confirmed by the Senate.
- **March 31, 2021 - President Biden Issues Transgender Day of Visibility Message**

- **April 5, 2021 - Department of Justice Issues Memo on Title IX Protecting LGBTQQIAP2S+ Students:** Ensures that complaints of LGBTQQIAP2S+ discrimination in federally funded schools will be investigated by the Department of Education.

### Calls to Action

- Call your local or state/province representatives to make a statement in support of the necessity of LGBTQQIAP2S+ protections, OR in opposition to anti-LGBTQQIAP2S+ legislation in your area
- Donate to local LGBTQQIAP2S+ organizations in your state, or to national or international organizations protecting LGBTQQIAP2S+ rights
- Share educational materials from this post with family and friends and/or social media

### News Articles on Legislation in this Statement

- [Texas lawmakers want to add more LGBTQ safeguards after U.S. Supreme Court guarantees workplace protections](#)
- [Pro-LGBTQ bills look dead in the Texas House, but advocates say they've still made progress this year](#)
- [Texas agency reverses rule allowing discrimination by social workers](#)
- [Supreme Court rejects appeal to limit transgender students](#)
- [Rep. Tulsi Gabbard sponsors anti-transgender bill after claiming to be pro-LGBTQ](#)
- [Governor Ron DeSantis Signs Fairness in Women's Sports Act](#)
- [Canada reintroduces bill banning LGBTQ conversion therapy](#)
- [JUST - Bill C-6, An Act to amend the Criminal Code \(conversion therapy\)](#)
- [Why banning trans girls from sports is a problem. Arkansas, Idaho, Mississippi, South Dakota and Tennessee have already done that.](#)
- [Federal judge says Idaho cannot ban transgender athletes from women's sports teams](#)
- [Act 626 of 2021](#)
- [The Equality Act](#)

## **Stay Informed about Ongoing Legislation**

- [Anti-transgender legislation in 2021: A record-breaking year](#)
- [Unprecedented Onslaught of State Legislation Targeting Transgender Americans](#)
- [Every Anti-Trans Bill US Lawmakers Introduced This Year](#)
- [BREAKING: 2021 Becomes Record Year For Anti-Transgender Legislation](#)
- [Biden Administration Takes Action to Protect Transgender Rights](#)
- [Legislation Affecting LGBT Rights Across the Country](#)
- [Federal Legislation - HRC](#)
- [Legislative Tracker - Freedom for All Americans](#)
- [A Timeline of the Biden Administration's Efforts To Support LGBTQ Equality in the First 100 Days](#)

## Past NADTA Position Statements

- [Orlando and LGBT2SIQ Communities: Condolences & Outrage Vigil Conference Call Sunday June 19, 2016 Please scroll down for the Spanish version of the Message](#)
- [Opposition to Homophobic & Transphobic Laws](#)
- [LGBTQQIAP2S Stonewall 50th Anniversary Position Statement The North American Drama Therapy Association wishes to commemorate, re](#)
- [NADTA's Opposition to American Government Administration's Rescinding of the Federal Guidance to Title IX](#)

## Resources about Trauma and Suicide in LGBTQ+ Communities

- [Trauma And Posttraumatic Stress Disorder In Lesbian, Gay, Bisexual, Transgendered And Queer Individuals](#)
- [Trauma in the LGBTQ Community: What Practitioners Should Know in the Wake of Orlando Shooting](#)
- [Pervasive Trauma Exposure Among US Sexual Orientation Minority Adults and Risk of Posttraumatic Stress Disorder](#)
- [LGBTQ Youth](#)
- [Preventing Suicide: Facts About Suicide](#)
- [Suicide and Violence Prevention](#)

**Ratified by the NADTA Board of Directors on June 27, 2021**