



In response to the U.S. Department of Education notice: *Negotiated Rulemaking Committee; Public Hearings* (Notice) published in the Federal Register July 30, 2018, the leadership of the following American Counseling Association (ACA) divisions including Counselors for Social Justice (CSJ), the Association for Gay, Bisexual, Lesbian, Transgender Issues in Counseling (ALGBTIC), and the Association for Multicultural Counseling and Development (AMCD) make this statement and call to action.

We call to action a plan to protect all individuals at risk of discrimination because of their affectional/sexual orientation and/or gender identity by opposing any legislation that allows higher education institutions to exclude religious-affiliated college and university counseling programs from including the Lesbian, Gay, Bisexual, Trans, Queer, and Intersex (LGBTQI+) community in cultural diversity coursework. Any such move allows for erasure, exclusion and discrimination that is prohibited under ACA ethics guidelines.

The *ACA Code of Ethics* (2014) identifies “honoring diversity and embracing a multicultural approach in support of the worth, dignity, potential, and uniqueness of people within their social and cultural contexts” as a core professional value. As such, sexual, affectional, intersex, transgender and gender expansive populations are a necessary component of cultural diversity for counselor preparation.

As a profession we cannot support legislation that openly discriminates against diverse populations and goes against the *ACA Code of Ethics* (2014). The following ethical codes are cited for context:

### **C.5. Nondiscrimination**

Counselors do not condone or engage in discrimination.... based on age, culture, disability, ethnicity, race, religion/spirituality, gender, gender identity, sexual orientation, marital status/partnership status, language preference, socioeconomic status, immigration status, or any basis proscribed by law.

### **A.4.b. Personal Values**

Counselors are aware of—and avoid imposing— their own values, attitudes, beliefs, and behaviors. Counselors respect the diversity of clients, trainees, and research participants and seek training in areas in which they are at risk of imposing their values onto clients,

especially when the counselor's values are inconsistent with the client's goals or are discriminatory in nature.

The *ACA Advocacy Competencies* (2003) advise action with and on behalf of clients, students, and communities at both micro and macro levels. We suggest the following action ideas:

1. Send a letter to the Department of Education addressing the potential discriminatory practices of Disaffirming Religious Institutions and opposing "Negotiated Rulemaking Committee; Public Hearings" (Notice).
2. Share this document via social media.
3. Work with mental health professionals, schools, and other community members and encourage them to write leadership using the form letter.
4. Work in conjunction with ALGBTIC and other organizations to provide support to faculty members impacted by this legislation.