



What Happened to Nex Benedict Was Tragic. Why Did It Occur and What Can We Do Next?



On February 7th, an indigenous 16-year-old named Nex Benedict was assaulted by three classmates in a girls bathroom at Owasso High School near Tulsa, Oklahoma. Nex was required by Oklahoma law to use the girls' restroom, even though he was gender nonconforming, using he/him and they/them pronouns. He told police that the girls attacked him after he poured water on them because they had been mocking him about his laugh and the way he dressed. He said the girls pulled him to the ground and beat him.

The next day, Nex was dead.

A month later, the cause of death is still unknown, and misinformation abounds.

But the death has drawn widespread attention and protests from activists. Nex's family and friends have said he was the target of ongoing harassment related to his gender nonconformity. Activists have blamed an anti-LGBTQ environment they say was encouraged by Oklahoma State Superintendent of Public Instruction Ryan Walter and other politicians in the state. The U.S. Department of Education is currently investigating whether Owasso Public Schools had "failed to appropriately respond to alleged harassment of students" in violation of federal law, including Title IX.

In the Q&A below, three experts on LGBTQ issues in K-12 education offer insights into the tragedy, its broader significance, and where we go from here:

- [Elizabeth J. Meyer](#) is an NEPC Fellow and professor in the School of Education at the University of Colorado Boulder.
- [Bethy Leonardi](#) is an NEPC Fellow, an associate professor at the School of Education in the University of Colorado Boulder, and codirector and cofounder of A Queer Endeavor, which works with K-12 school districts and schools to “create safer, more humanizing spaces in which LGBTQ+ youth, families, and staff can thrive.”
- [Harper Benjamin Keenan](#) is Robert Quartermain Professor of Gender and Sexuality at the University of British Columbia’s Vancouver Campus.

The three scholars are co-authors of the 2022 NEPC brief, *Transgender Students and Policy in K-12 Public Schools: Acknowledging Historical Harms and Taking Steps Toward a Promising Future*.

1. With the acknowledgement that investigations are ongoing, what are your reactions to the death of Nex Benedict?

Keenan: Nex’s death is profoundly tragic. As we mourn this devastating loss, it’s crucial that we hold together Nex’s Indigeneity as well as their nonbinary identity. Nex’s mother is an enrolled citizen of the Choctaw Nation. Oklahoma, which has the largest Native American population of any state in the U.S., has a long and disturbing history of failing Native Americans whose genders do not fit within a Eurocentric binary. Punishing children who did not fit within European ideas about who a boy or girl should be was a central feature of the residential schools built to separate Native American children from their families in Oklahoma and across the United States. I am disgusted to witness the continuing legacy of this educational history today.

Leonardi: My reaction, of course, is sadness, as well as anger. Is it no wonder that things like this happen, especially given the political context in Oklahoma and the multiple laws—both proposed and passed—to take away the humanity (and associated rights) of trans people and trans students in particular. When people’s humanity is up for debate via laws and policies, there is a reverberating effect in the sense that the toxic discourse surrounding legislation gets into the public consciousness. The actions of Nex’s classmates, in my opinion, are a result of that discourse.

Meyer: This was an unnecessary tragedy that resulted from failures at multiple levels. The anti-LGBT policy and cultural context in Oklahoma is just one of those failures that allowed so many people at the school to ignore and tacitly condone the ongoing bullying and mistreatment of Nex and thousands of other LGBTQ kids in Oklahoma schools.

2. Based on what we know so far, what should school officials have done differently—particularly in the months preceding their death?

Leonardi: It's hard to answer questions like this, and people like me, Liz, Harper, and colleagues whose work focuses on minoritized communities are used to them, but I appreciate the way this one is framed, more proactive than reactive. We are in a dangerous time. The ways that LGBTQ+ and trans people in particular are being targeted, the ways that critical race theory and ideas therein are being positioned as threats to public education—these create the context for hatred and bigotry to be normalized in schools. And so, while we will likely never stop bullying, we can push ourselves and our students to question and challenge the ways that schools create and perpetuate oppression. And so what could have been done differently is more ecological in my view. And we need to really grapple with the enormous task that is in front of us—kids' lives and joy and brilliance are on the line. All kids.

Meyer: So many things. But first and foremost, they should have had a more clear and proactive approach to education against bullying and harassment to have prevented this bathroom violence from occurring. This would have included schoolwide education initiatives for students and teachers that include bystander intervention as well as recognizing and reporting various forms of bullying and harassment. These programs also need to clearly and explicitly address biased forms of verbal and physical violence based on gender, race, sexual orientation, and disability—just to name a few.

3. More generally, what are some ways that schools can help create safe and welcoming environments for students with nonconforming gender identities?

Leonardi: Supporting educators and administrators to first understand the “issues” at play here. The dominant narratives around gender, gender theory, and gender identity are misguided and just plain wrong. In this case, I'm thinking about Oklahoma State Superintendent Ryan Walters and his dangerous thinking around trans and nonbinary students; his bold and ignorant statements challenge what's real and what's true for these students and put students at risk. Second, educators need to be supported to enact practices that move toward creating safe and welcoming environments. This is more difficult than people tend to think. And, given the toxic cultures that students live and learn in and that teachers teach in, this support is critical.

Meyer: Schools need to work intentionally to teach in ways that help students critically examine historically ingrained biases against LGBTQ people. In order to do this, teachers need to be able to teach literature and histories by and about historically marginalized communities to challenge stereotypes and prejudice that lead to violence. In addition to curricular inclusion, clear policies that prohibit all forms of bullying and harassment are helpful. However, the most important thing is to create a culture of inclusion and intervention. Research indicates that teachers are more likely to intervene (and thus students report feeling safer at school) when they report that their colleagues and administrators ALSO are likely to interrupt homophobic and transphobic harassment. School leaders need to explicitly communicate expectations for this in their schools and model and support clear and consistent responses and interventions.

4. How are educators' efforts to ensure the safety of students with non-conforming gender identities complicated by political environments such as Oklahoma's where there is open hostility to LGBTQ+ youth? Acknowledging those threats and obstacles, what can educators do create a safer and more welcoming school climate for LGBTQ+ students in such a hostile political environment?

Leonardi: I think I get to this in [my responses to] other questions, but one thing that I want to bring up is that it seems like we are playing defense, always. What we need to do (and this speaks to the next question as well) is hold our school districts accountable to honor the identities of all of our students. One job of public schools is to recognize and honor the identities of students and families who are part of the LGBTQ+ community. We can acknowledge that the beliefs of some families, educators, and in this case the superintendent (!!) might challenge that ideal, but in the end, the identities of our communities trump the beliefs of some of its members.

Meyer: The current political climate towards LGBTQ youth in schools is hostile in many states due to the spread of “don't say gay” and “divisive concepts” laws. When educators are actively silenced from teaching about LGBTQ people and the histories of minoritized groups, we shouldn't be surprised when violence against these people occurs. Educators can try and show their support for LGBTQ youth in quiet and consistent ways by posting pride flags, having posters of LGBTQ role models in the classroom, stopping negative jokes and name-calling every time they hear it, and asking their colleagues to do the same. They can try and display supportive buttons or stickers and use gender-inclusive language when talking about families, relationships, and identities. We know that LGBTQ students who have supportive adults at school report more positive outcomes and experiences at school.

5. What about non-educators? What should the rest of us be doing, given that there are many children like Nex throughout Oklahoma and the rest of the U.S. who each day are facing similarly hostile and dangerous environments in their schools?

Meyer: We are all implicated in creating the cultures in our communities. Every adult, child, parent, citizen, or community member can help shape what happens in your local school district and state laws. Consider attending school board meetings to ask about bullying and harassment policies and if they include explicit protections for LGBTQ youth or what the school board is doing to support efforts to ensure safe schools. You can contact the Title IX coordinator at your local district and ask about what education and prevention efforts they have done this year to support LGBTQ students. Reach out to your local chapter of P-FLAG or GLSEN or local LGBTQ youth support agency to be informed about lobbying days and other local efforts to create safer schools and propose laws that require curricula to include LGBTQ people and history.

NEPC Resources on LGBTQ Issues

This newsletter is made possible in part by support provided by the Great Lakes Center for Education Research and Practice: <http://www.greatlakescenter.org>

The National Education Policy Center (NEPC), a university research center housed at the University of Colorado Boulder School of Education, sponsors research, produces policy briefs, and publishes expert third-party reviews of think tank reports. NEPC publications are written in accessible language and are intended for a broad audience that includes academic experts, policymakers, the media, and the general public. Our mission is to provide high-quality information in support of democratic deliberation about education policy. We are guided by the belief that the democratic governance of public education is strengthened when policies are based on sound evidence and support a multiracial society that is inclusive, kind, and just. Visit us at: <http://nepc.colorado.edu>