

CALIFORNIA STATE UNIVERSITY, NORTHRIDGE

SOCIAL STUDIES TEACHERS' PERCEPTIONS OF USING THE FAIR  
EDUCATION ACT AND CURRICULUM TO CREATE SAFE SPACES FOR LGBT  
STUDENTS

A Dissertation submitted in partial fulfillment of the requirements

For the Doctor of Education Degree in Educational Leadership

by

Richard Craig Underhill

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The Dissertation of Richard Craig Underhill is approved:

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Dr. Joyce Burstein

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Date

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Dr. Judy Chiasson

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Date

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Dr. Gregory Knotts, Chair

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Date

California State University, Northridge

## DEDICATION

I dedicate this work to the people who have supported me through this process, especially Roger Gonzalez. I also thank and acknowledge the members of my committee: Dr. Gregory Knotts, Dr. Joyce Burstein, and Dr. Judy Chiasson.

In addition, I thank the professors at CSUN, who provided me with an excellent foundation of academic scholarship.

Although she is no longer with me, my scholarly endeavors are always undertaken with my mother, Doris Underhill Gilbert, in mind. She inspired me to learn from a young age, and instilled in me the highest level of self-esteem and work ethic.

Lastly, I hope this work can help students. I wish the LGBT students of California the best, and hope that their access to a safe environment in which to learn continues to expand.

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## ABSTRACT

### SOCIAL STUDIES' TEACHERS PERCEPTIONS OF THE FAIR EDUCATION ACT AND USING CURRICULUM TO CREATE SAFE SPACES FOR LGBT STUDENTS

by

Richard Craig Underhill

Doctor of Education Degree

in Educational Leadership

The FAIR Education Act mandates that social studies teachers in California include LGBT-inclusive curriculum in their courses, in addition to prohibiting anti-LGBT materials from being used. This study investigated the perceptions of social studies teachers at three high schools from within the same district of the FAIR Education Act. Its findings show that educational leaders and policy makers must inform teachers about the FAIR Education Act and their roles in implementing it. Leaders must also take an active role in monitoring and implementing the law and its tenets. Furthermore, they must ensure that educators understand why LGBT-inclusive curriculum should be taught. Lastly, educators must have access to high-quality curriculum and resources in order to properly implement the law. The study examines the problems that LGBT students face, and looks into how the use of LGBT-inclusive curriculum can help make schools safer for this group of students.

## **CHAPTER 1: Statement of the Problem**

In 2011, California legislators passed, and Governor Jerry Brown signed, laws that hold the potential for making meaningful steps to create a more friendly and informed climate and culture for LGBT (lesbian, gay, bisexual, and transgender) students. These laws have the potential to lead to a safer learning environment with less bullying and fewer risks to the LGBT population. The first, and most controversial, of these laws is the FAIR (Fair, Accurate, Inclusive, and Respectful) Education Act of 2011 (SB-48). The purpose of this law is to require that “California schools to integrate factual, age-appropriate lessons about the history, current events and social movements of people with disabilities, people of color and LGBT people into existing social studies courses” (Equality California, 2011). The reason for doing this is that studies have shown that there is a link between including LGBT people and their accomplishments in curriculum in school and a reduction in the rates of bullying and harassment (California Safe Schools Coalition, 2006; GLSEN, 2012). Since only 22% of students surveyed in California in 2011 claimed to have access to LGBT-inclusive curriculum, the tenets of the FAIR Education Act appear necessary in order to help create safer schools for these students (GLSEN, 2012). This law mandates social studies teachers across California to include curriculum that may lead to a safer culture and climate for the LGBT students in their classrooms and school. This study explored how teachers perceive their roles in implementing the FAIR Education Act, and how they view the possibility of using curriculum in their classroom in terms of improving school climate and culture for their LGBT populations. Teachers’ perceptions, and how they carry out the role they see for

themselves, are vital to the success of this, or any, policy or law. The way that teachers view their role in implementing the law will likely lead to its success or failure (Evans, 1993).

The FAIR Education Act presents educational leaders in California a unique opportunity to mandate that social studies teachers use LGBT-inclusive curriculum in their lessons. However merely passing this law will do nothing to help the LGBT student population, or further the knowledge of all students, if teachers do not carry out their role in implementing this policy. Researchers like Evans (1993), and studies of failed attempts to enact potentially helpful laws (Terry, 2010), show us that the perceptions of teachers play a paramount role in the success and failure of any policy change. Teachers must view the content of the reform as something that will benefit students, and be willing to make the changes required to implement the change (Evans, 1993), otherwise the FAIR Education Act may have the same fate as other laws, such as South Carolina's Safe School Climate Act of 2006 (Terry, 2010). They must also perceive their schools and leaders as able to adapt to the new ideas (Evans, 1993). Lastly, they must believe that they are prepared to make the change through proper professional development and training (Evans, 1993). The way that teachers, who are on the front lines of delivering curriculum, see their role in the changes required to implement the FAIR Education Act will likely set the stage for its success or failure.

The FAIR Education Act has had a long history, founded in the harassment and victimization of students. Bullying has long been an issue for students in American schools; however, bullying has fairly recently entered the consciousness of the American

public. The news media has featured numerous stories about students who have either been murdered or killed themselves, at least partially as a result of harassment they have faced while attending schools across the country based on their real or perceived sexual orientation. The father of one of these youth, Jamey Rodemeyer, passionately stated, only days after his son killed himself after being repeatedly bullied at school, “We need to get a better system in our school district, in our school systems, to get rid of these bullies” (Harmon, 2011). In another case, the now-famous 2006 murder of eighth grade student Lawrence King at E.O. Green Middle School in Oxnard, California, jurors concluded that adults at the school let down both the victim, who was targeted because he was gay, and the perpetrator (20/20, 2011).

The rise in the number of high-profile incidents, combined with the perception that something must be done to make schools safer for all students, has led the United States Department of Education to send a letter to thousands of school districts and colleges “urging the nation’s educators to ensure that they are complying with their responsibilities to prevent harassment, as laid out in federal laws” (Dillon, 2010, p. A12). The letter, signed by Russlyn H. Ali, Assistant Secretary for Civil Rights, stated, “I am writing to remind you that some student misconduct that falls under a school’s anti-bullying policy also may trigger responsibilities under one or more of the federal anti-discrimination laws” (Dillon, 2010, p. A12). One way to meet these responsibilities is by consciousness raising through curriculum, something lawmakers in California have sought to do by writing and passing the FAIR Education Act. Addressing school violence and harassment through schools’ curriculum has been found to lead students to perceive

their schools as safer for LGBT students, especially when the school also has a Gay-Straight Alliance (Toomey, McGuire, & Russell, 2012). Without the buy-in of teachers, however, these curricular changes will not be successful (Evans, 1993). This is the reason this study was necessary.

### **Problem Statement**

Teachers' perceptions of the tenets of the FAIR Education Act will determine how they see their role in using curriculum and other strategies in helping to create safer spaces for LGBT students (Evans, 1993). Since teachers have a significant role in adopting and delivering the curriculum in their schools and districts, examining their views of their roles in implementing the FAIR Education Act will help determine the success of the law. For this reason, this study uses a conceptual framework taken from Robert Evans' article "The Human Face of Reform" (1993) to examine how teachers' roles in the implementation of the law might affect the law's ability to create safer spaces for students. Terry (2010) shows us, through his study of a law in South Carolina that intended to help LGBT students, that even laws with noble intentions will not make any difference to students if teachers are ill-informed about the laws, and do not clearly understand the intention of the policy or how they should act to implement them. Legislators write laws and pass them; however, do teachers know what the tenets of laws like the FAIR Education Act contain, and what they need to do to make the changes required that will hopefully make positive changes on school campuses?

Why should educational leaders, teachers, and the general public care about how teachers view the FAIR Education Act? Why does its success matter to the public at

large? Recent studies, such as the Gay, Lesbian, and Straight Educational Network's (GLSEN) The 2009 National School Climate Survey and its follow-up the 2011 National School Climate Survey suggest that schools need to do more to create these safer spaces for the LGBT population, as they show that as many as nine out of ten LGBT students have experienced some form of harassment at a school site in the past year (GLSEN, 2010). This number dropped somewhat to eight in ten in the 2011 study (GLSEN, 2012). Furthermore, the 2009 study found that almost two-thirds of the LGBT students who took part in the study felt unsafe at their school because of their sexual orientation (GLSEN, 2010). Despite laws and other efforts to curb harassment at schools, the number of incidents of bullying remains very high (GLSEN, 2010; GLSEN, 2012). For example, 81.9% of LGBT students were verbally harassed, 38.3% physically, and 18.3% were physically assaulted due to their sexual orientation (GLSEN, 2012). A Human Rights Watch study interviewed 140 LGBT youth between the ages of 12 and 21 and found that students suffered from continuous and serious victimization that stemmed from homophobia and included acts from taunting to damaging their property to attacking them physically (Human Rights Watch, 2001). LGBT students also suffer academically, as victims of harassment have lower GPAs than their peers, and do not attend school as regularly (GLSEN, 2010). Since approximately five to six percent of the more than 45 million school children fall into the category of LGBT students, this study estimates that around two million of America's students are potential victims and the study concludes that more must be done to protect them (Human Rights Watch, 2001).

These facts, especially combined with the rising number of suicides by LGBT students and students perceived to be gay or lesbian by their peers, together with the high-profile acts of violence committed against LGBT students in school, have caused lawmakers, both in Washington and in state capitals such as Sacramento, to attempt to create new legislation to combat the effects of bullying against all students, and LGBT students in particular. The federal government already has laws in place that mandate that states need to provide a safe, harassment-free school environment (Swearer et al., 2008), for example Title IX of the Education Amendments of 1972 (Knotts, 2009). This law mandates that schools that receive federal funds are legally required to address sexual discrimination and sexual harassment; this law was cited by Assistant Secretary Ali in her letter to schools and school districts that she composed and sent after the suicide of LGBT student Tyler Clementi (Dillon, 2010), which reminded educators of the legal responsibilities to protect students. Several other states have recently passed laws that specifically target the safety of LGBT students in school and/or attempt to broaden the education of all students to foster a better understanding of LGBT people and their issues.

California lawmakers have already passed several laws that, along with the federal statutes, should protect LGBT students. Although these laws are designed to help students, they require changes in schools that will not occur if several factors do not exist. If teachers and other school personnel do not know about the laws or do not implement them properly, they will not achieve their purpose (Evans, 1993). The study under investigation here explored teachers' perceptions of their roles in using LGBT-inclusive curriculum as required in California law, the FAIR Education Act (Official California

Legislative Information, 2012); the goal of this study was to discover how teachers perceive the law itself and their role in its implementation, and if they believe that schools can create safer spaces for students in general, and LGBT students in particular, through the use of curriculum and other methods. This study also examined the implementation of the law to discover how effective the law was in practice, in addition to in theory.

The history of California laws intended to help LGBT students illustrates Evans' (1993) thesis that well-intentioned lawmakers and educators can create policies, but if they are not properly understood and implemented, they will not make a difference in the lives of students; teachers' perceptions of their roles matter to the success of a law. The path to writing and passing the FAIR Education Act began with the passage of AB-537, The Student Safety and Violence Prevention Act of 2000. It "offers opportunities to move schools beyond changing mere practices in enforcing harassment policies toward a larger transformative change in undoing our understanding of gender and sexuality" (Knotts, 2009). The Student Safety and Violence Prevention Act of 2000 wrote into the California Education Code (Section 220) that students may not be discriminated against for any factor listed in Sect. 422.6 of the Penal Code, although Knotts (2009) noted that the terms "gender identity" and "sexual orientation" were not in the law itself, only in the penal code section to which the law referred. The law merely added the phrase "or any bias that is contained in the prohibition of hate crimes set forth in subdivision (a) of Section 422.6 of the penal code" (Official California Legislative Information, 2011). The recommendations for implementation of this law included how

to train educators, how to collect data, how to comply with the law, and how to introduce curriculum in order to reinforce the tenets of the law (California Department of Education, 2001). Although the law did not require introduction of curriculum about LGBT individuals or issues, the California Department of Education (2001) suggested that referencing LGBT accomplishments would assist educators in the implementation of laws that deal with discrimination and harassment.

Because of the failure to create a “systematic implementation” and the “arbitrary manner” in which schools regarded The Student Safety and Violence Prevention Act of 2000. (Knotts, 2009), California legislators wrote and passed AB-394, the Safe Place to Learn Act, in 2008. The law’s goal was to help improve student safety in schools by addressing student victimization (Official California Legislative Information, 2012). This new law mandated that schools take steps to implement The Student Safety and Violence Prevention Act of 2000, including offering trainings to school personnel about how to create and guarantee a safe learning environment for all students, a process to document incidents of harassment and to handle complaints, and a method to display anti-discrimination policies (Official California Legislative Information, 2012). The law, however, did not provide any definite suggestions or blueprints for creating safe schools (Knotts, 2009). Knotts (2009) concluded in his study that the state needs to have a system in place that makes schools accountable for the implementation of these laws, if they are to achieve the extent of their goals to make schools safer for LGBT students. For this reason, teachers’ perceptions of their role in implementing laws needs to be examined.

California legislators passed SB-777, the Student Civil Rights Act, in 2007 and Governor Schwarzenegger signed the bill into law in 2008. The goal of this law is to further ensure that the Safe Place to Learn Act, in 2008 is implemented so that students do not have to face harassment and discrimination in California schools. This law further defined terms like “sexual orientation” and sought to fix some of the loopholes in The Student Safety and Violence Prevention Act of 2000, and the Safe Place to Learn Act of 2008. Legislators and the governor recognized the need for this law, as students continued to be discriminated against and suffer both personally and academically due to this harassment (Equality California, 2011).

In 2011, California legislators passed Seth’s Law (AB-9), which requires schools to implement laws already passed and ensure that parents and students understand their rights. The law mandates that school districts include several LGBT subgroups, such as actual or perceived sexual orientation, gender and gender identity in their non-discrimination policies. In addition, it requires schools to investigate complaints of harassment and discrimination “expeditiously so that investigation and resolution can be reached quickly” (Equality California, 2011). Furthermore, the Superintendent of Public Instruction needs to post on the Department of Education Website a list of resources that students (and the families of students) who have been the victims of discrimination, harassment, bullying or intimidation could access (Equality California, 2011).

Although laws that have attempted to establish a culture and climate of safety on campuses attack the problem of the victimization of students from the perspective of setting guidelines for student behavior, research has found that classroom curriculum can

also be an effective tool in providing safer environments for students (O'Shaughnessey, et al., 2004). Curriculum that includes LGBT issues and examines norms in society plus the availability of resources and information about LGBT issues on school campuses work as strategies to promote safer school climates and cultures (Toomey, et al., 2012).

Furthermore, the GLSEN's "The 2011 National School Climate Survey" that access to LGBT-related curriculum was a factor in the decline of both anti-LGBT language and the victimization of LGBT students (GLSEN, 2012). The FAIR Education Act requires schools to introduce the accomplishments and contributions of LGBT individuals and the community into social studies curriculum, while mandating that anti-LGBT curriculum may not be adopted as of January 1, 2012 (Official California Legislative Information, 2011). Since this law recently took effect, this study looked at teachers' perceptions of the tenets of the FAIR Education Act in order to determine how they see their role in using this curriculum, and in the implementation of the law. Since teachers often drive the curriculum in their schools and districts, and since they deliver the curriculum, examining their views of their roles in implementing the FAIR Education Act will help determine the success of the law.

### **Purpose**

The question, however, remains to what extent can a state or federal law change the culture and climate of a school or school district? Can writing, passing, and implementing a law create a safer school environment for LGBT students? Can these laws help the two-thirds of LGBT students who feel unsafe in their schools (GLSEN, 2010) and provide a culture and climate of safety so that LGBT students are not the

victims of pervasive and intense harassment (Human Rights Watch, 2001)? What factors must be present to implement and enforce laws that protect LGBT students and hold schools accountable for the results?

This study examined teachers' perceptions of their role in creating a safe space for LGBT students in their classrooms, and highlighted what, if anything, they have done in a de-facto way to implement the FAIR Education Act. It considered how teachers view what they do in the classroom, and in the school as a whole, to promote a culture and climate that allows LGBT students to feel more comfortable and empowered. It asked how teachers already implement and/or plan to implement LGBT-inclusive curriculum by introducing the accomplishments of LGBT individuals and organizations. Furthermore, the study discovered teachers' opinions about how this LGBT-inclusive curriculum must best be introduced in order to accomplish the spirit of the law, which is to cause a change in the culture and climate of a school site to achieve a safer campus (Equality California, 2010).

This research begins to shed light on how educators can be prepared to implement curriculum that is meant to contribute to protecting LGBT students and reduce the incidences of bullying in public high schools (Equality California, 2010). It is evident that passing laws alone does not in itself affect school change (Evans, 1993; Knotts, 2009; Terry, 2010), and that the implementation of these laws is key to their effectiveness (Evans, 1993). I examined the perceptions of social studies teachers and their role in the implementation of the law (FAIR Education Act), as well as their perceptions of how curriculum can affect the problem of safety for LGBT students.

## **Conceptual Framework**

This study used as its conceptual framework Robert Evans' five key elements for affecting school change as highlighted in his article "The Human Face of Reform" (1993). Evans (1993) begins his work by arguing that school change cannot be brought about by legislating it or creating policy; school change can only happen when educators actually implement the changes. According to Evans' ideas (1993), lawmakers can pass law after law but even the best-intended legal policy will not have any effect if the people responsible for making that change do not act on it. Just because both California state and federal laws have been passed does not mean that they will affect change, unless educators put these laws into practice in their schools and classrooms. In addition, there may exist a difference in the letter of the law and the spirit in which teachers view it. This is why this study asked social studies teachers, for whom the FAIR Education Act mandates curricular changes, how they perceive their role in this change process. Evans (1993) argues that people, especially in organizations, hesitate when it comes to change, even when we agree with the ideas behind the change. Fear can counter the hope that change initiatives bring (Evans, 1993).

Most important for this study, Evans (1993) suggests five requirements that must be in place to effectively implement change. If laws like the FAIR Education Act are to be effective in creating and encouraging safe spaces for LGBT students, teachers need to understand their roles in these factors and be a part of them in the change process. The groundwork is the content of the reform, which would be the laws themselves and the tenets of them. In addition, Evans (1993) cites the faculty's willingness and capacity for

change, the strength of the school as an organization, the support and training they receive, and the leadership of the school, as necessary elements for successful implementation.

This study used Evans' (1993) five requirements as a foundation by which teachers' perceptions of their role in creating change was examined. It is possible that some teachers have already implemented curriculum that highlights the accomplishments of LGBT students in a de-facto way, far before requirements from policies and laws mandated them to do so. Teachers' attitudes about laws and policies, according to Evans (1993), will be the key factor in whether the laws prove to be effective, or whether they simply stay written in law books until some tragic event causes them to come out.

### **Research Questions**

Because the FAIR Education Act requires LGBT-inclusive curriculum to be taught in social studies classrooms (Official California Legislative Information, 2012), I used social studies teachers as participants in this study. In order to discover how the social studies teachers perceive their roles and actions involving LGBT students, I addressed the following research questions.

1. How do social studies teachers perceive the content of the newly-enacted law, the FAIR Education Act, and its potential to create or change the school's climate and culture for LGBT students? (Key Element 1: The Content of Reform, Evans, 1993)
2. How do social studies teachers see their roles in creating a safe space for LGBT students and in enacting the curricular changes brought about by

- the FAIR Education Act? (Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)
3. How do social studies teachers view their school's level of support for LGBT students/concerns and what do they think their colleagues and administration do to help LGBT students learn and feel safe? (Key Element 3: The Strength of the School as an Organization, Evans, 1993)
  4. What tools and/or training do social studies teachers need to enact the FAIR Education Act? (Key Element 4: Support and Training, Evans, 1993)
  5. What do school leaders and administration need to do to implement the FAIR Education Act at the site level? (Key Element 5: Leadership, Evans, 1993)

### **Research Approach**

In this phenomenological study, I explored the lived experiences of the social studies teachers whom the FAIR Education Act affects. I collected data at a particular moment in time that was based on the experiences of teachers and their perceptions of school safety for LGBT students, especially focusing on the FAIR Education Act. I ascertained the participants' experiences with this law and the tenets of the law as they enacted them. Phenomenology assumes that one can only truly understand a phenomenon through the experiences of people who have lived through or experienced it (Schram, 2006). I also searched for the meaning of these experiences through interviews and dialogues with participants.

This phenomenological case study included data taken from a qualitative paradigm including interviews from a group of high school social studies teachers who are affected by courses where LGBT issues and the contributions of individuals and groups from the LGBT community are taught, as per the FAIR Education Act. Teachers were interviewed about how their experiences with LGBT students (and students perceived to be LGBT) and/or bullying have influenced students and led to a school climate and culture where LGBT students feel safer. In addition, teachers related their experiences with the implementation of California state laws and explain how they believe the LGBT curriculum must be implemented in order for it to be successful. Lastly, the school personnel related their perceptions of their roles in ensuring a safe campus for LGBT students.

Since the FAIR Education Act did not begin implementation until 2012, I studied participants at school sites that may not yet be in compliance with laws; however they may already be doing the things the laws require in a de-facto manner. These sites may or may not already be including important pieces of the law, such as including LGBT accomplishments in social studies curriculum, in its school culture. As a result, I investigated the possible impacts that this law might have upon the safety of LGBT students at these schools, and the teachers' perceptions of how this may affect students' views on the LGBT community as a result of the use of curriculum in the classroom.

Although this study was mainly a qualitative study based on in-depth, rich interviews about how laws and the ideas within them affect LGBT students, I also used a survey to reach a broader number of teachers. This survey is a part of the triangulation of

the data and was used to ensure that the teachers whom I interviewed represented the entire view of the Social Studies Department at each of the school sites studied. The survey was designed to measure quantitatively the information I ascertained from the qualitative interviews.

### **Setting**

I gained access to two school sites which are comprehensive, suburban high schools in southern California. In addition to the two comprehensive high schools, I interviewed teachers at a technology magnet school in the same school district. I used a snowball or chain selection process, as I attempted to find the participants through the campus directory, the administration, and the Social Studies Department chair, who directed me to the social science teachers who were best able to answer my interview questions because of the subjects they teach (Kuzel, 1992 and Patton, 1990 as cited in Miles & Huberman, 1994). In addition, I found participants who fall into the typical case category, as I wanted to discover the realities of social studies teachers who represent the majority of the campus (Kuzel, 1992 and Patton, 1990 as cited in Miles & Huberman, 1994). I also used criterion sampling, as I included participants and cases that met the criteria of my study, as I interviewed social studies teachers because they are the educators whom the FAIR Education Act affects as of January, 2012 (Official California Legislative Information, 2011).

### **Limitations and Delimitations**

Although a qualitative study is not meant to be able to be generalized, I believe this study has discovered some findings that can be used to better implement laws that

exist to create a climate and culture at schools that lead to a safer place for LGBT students to learn. I also discovered some strategies teachers use when implementing curriculum in their classrooms to create a safer space for LGBT students and create a climate and culture that is friendly to these students. Even by finding ideas that work toward implementing these laws, the FAIR Education Act requires LGBT-inclusive curriculum, but does not set that curriculum; therefore, the curricular choices that a successful school makes cannot be mandated upon another school (Official California Legislative Information, 2011). The problem of inconsistency can even exist within a school site, as some teachers choose to skip components of curriculum and chapters or sections of textbooks; others de-emphasize content within the curriculum. As a result, the same course with the same materials can be very different; therefore, what has worked for the teachers in this study may not be applicable to other settings.

The study could also have limitations resulting from the method and sample size. Since phenomenological data is collected in a particular moment in time (Bryant, 2004), teachers' perceptions and attitudes can change over time. This might be especially true given that the law I studied is new. If another researcher were to conduct this study at a different time, he or she would also face this limitation, as attitudes and perceptions constantly evolve and develop.

### **The Researcher**

I have educated students for twenty-four years, twenty-two of them in a public school setting, and I see one of my chief roles as an educator to be an advocate for all students, including those in the LGBT community. I am also a member of the LGBT

community myself, which provides me with the perspectives of both educator and LGBT student. In addition, I have an M.A. in Educational Administration and have served in many administrative capacities throughout my career, which allows me to view issues from an administrative perspective. I also have a significant amount of experience as a researcher, as I also have an M.A. in German Language and Literature; through my undergraduate and two graduate degrees I have conducted and read a considerable amount of scholarly work. Because I am in the LGBT community and an educator, I recognize the risk that these factors might have to bias this study; however, I advocate for the safety of all students, and was not involved in writing or passing the law I am studying. I hoped to discover if this law can help cause a positive change in school climate and culture, and have been forthright in my conclusions.

### **Remainder of the Dissertation**

This introduction is followed by the literature review, which highlights the role teachers play in enacting laws addressing the problem of school safety for LGBT youth. It also provides information about the laws and efforts that have been attempted to create schools where LGBT youth do not face harassment and bullying. Chapter three examines the methodology used in this study, detailing the use of phenomenology, the qualitative tools, and the survey instrument. The fourth chapter highlights the findings of the research, including an analysis of the research questions based on the data discovered in the research. Finally, chapter five presents conclusions and recommendations based on those findings.

## **CHAPTER 2: Review of the Literature**

The harassment and victimization of the lesbian, gay, bisexual, and transgendered (LGBT) population in schools, in spite of being a problem for generations, has finally entered the consciousness of the American public. Studies like GLSEN's 2011 National School Climate Survey (2012) and School Climate in California: 2011 State Snapshot (2013) show that LGBT students continue to suffer from harassment and victimization. These studies also find that the use of LGBT-inclusive curriculum can help reduce these incidents, and help LGBT students feel more connected to school (GLSEN, 2012). This is why it is important to discover teachers' perceptions of laws, like California's FAIR Education Act, that add the teaching of LGBT-inclusive curriculum to the California Education Code, and prohibit anti-LGBT materials from being used (Official California Legislative Information, 2012).

Especially since the murder of young Lawrence King at E.O. Green Middle School in Oxnard, California on February 12, 2008, the importance of this issue has grown, as administrators, teachers, and students try to prevent further crimes of this nature. Lawrence King was shot to death after declaring his homosexuality and being targeted and bullied for this, among other factors (Bakalis & Carlson, 2008). The reasons for crimes like this one involve mostly hatred toward homosexuals and misunderstandings about gays and lesbians (Setoodeh, Murr, & Ordenez, 2008). In addition, the news has featured many stories about LGBT youth who have committed suicide partially as a result of being bullied in school or elsewhere. In response to the increase of bullying events and as a result of a yearlong review of federal and case laws

covering sexual, racial, and other kinds of harassment, the United States Department of Education sent a letter to thousands of school districts and colleges “urging the nation’s educators to ensure that they are complying with their responsibilities to prevent harassment, as laid out in federal laws” (Dillon, 2010, p. A12). This letter, released right after the suicide of gay student Tyler Clementi, whose intimate relations with a member of the same sex were streamed on the internet, clarified the legal responsibilities of public schools and colleges/universities. Furthermore, the letter, signed by Russlyn H. Ali, Assistant Secretary for Civil Rights, stated, “I am writing to remind you that some student misconduct that falls under a school’s anti-bullying policy also may trigger responsibilities under one or more of the federal anti-discrimination laws” (Dillon, 2010, p. A12).

These incidents have also been highlighted in popular television shows, such as *Glee*, which ran a multi-week plot line dealing with the bullying of a gay student at the high school where the series is set. Because of the media attention, teachers and other school officials realize that they have an important role in recognizing and preventing bullying against all groups of students and staff, including LGBT groups. Research also concludes that a reduction in anti-LGBT bullying will result in fewer health risks for these students and must be a priority of educators (Russell et al., 2011). Russell et al. (2011) determined that “school bullying is a public health problem” (p. 227).

Some states, such as California, have reacted to the increased number of suicides and the increased public awareness of the problem of bullying against LGBT students (and students perceived to be LGBT by their peers) by passing laws to help prevent

harassment. In 2011, California passed two such laws, the FAIR (Fair, Accurate, Inclusive, and Respectful) Education Act of 2011 (SB-48), and Seth's Law (AB-9). These laws are designed to build upon existing laws, such as the California Student Safety & Violence Prevention Act of 2000 (AB-537), Safe Place to Learn Act (AB-394), and the Student Civil Rights Act (SB-777). This study investigated how teachers perceive the use of curriculum and the law The FAIR Education Act and its possible effects on the problem of bullying and harassment in the LGBT school population. It also examined how social studies teachers at three California high schools see their role in preventing anti-LGBT bullying in schools through the use of curriculum to improve classroom culture and climate, creating safer spaces for LGBT students. These teachers related how they already use or plan to use curriculum about the accomplishments of LGBT individuals and organizations, and how this curriculum must best be introduced in order to accomplish the goal of the law, which is to cause a change in the culture and climate of a school site to achieve a safer campus (Equality California, 2010). Teachers also explained their experiences with the implementation of the law, and pointed out their concerns about how the law has been, and will be, enacted. To a smaller extent, the study also examined how educators perceive the effectiveness of current California and federal laws in general on school safety for LGBT students and how they see their role in ensuring a safe environment for these students, especially in light of current state laws in California.

Estimates about the number of LGBT students in the United States vary, but a general consensus among researchers puts their numbers between five and six percent

(Swearer, Turner, Givens, & Pollack, 2008). Human Rights Watch, in their 2001 study, estimated that nearly two million children of school-age were grappling with issues associated with their sexual orientation. Researchers such as Fisher, et al. (2008) conclude that, “It is very likely, however, that there will be students in every secondary school classroom who identify as LGBT even if they do not do so openly” (p. 79). In addition to students who are actually non-heterosexual, students are also bullied because of their perceived non-heterosexual sexual orientation. Rivers, Duncan, and Besag (2007) found that over 1.6 million students in the United States’ public school system were bullied because of their actual or perceived sexual orientation. There is no reliable data about staff members in this situation.

### **Conceptual Framework**

This study examined teachers’ perceptions of their role in providing a safe environment for LGBT students in their classes and at their schools. It focused on the implementation of the newly-enacted California state law the FAIR Education Act, which requires social studies teachers to include the contributions of LGBT individuals into the curriculum for the courses they teach (Official California Legislative Information, 2011). The schools must also ensure that no anti-LGBT curriculum is adopted or used (Official California Legislative Information, 2011). Making these changes will require a change in school policy and in behavior, as well as school culture.

In order to examine the effectiveness of this change through the teachers’ perceptions, this study used Robert Evans’ Five Dimensions of Change from his article *The Human Face of Reform* (1993). Evans (1993) argues that when schools restructure

or change, the effectiveness of this change does not rest in the change initiative itself, but rather in the people who are called upon to make the change. For this reason, these Five Dimensions (Evans, 1993) provide this study with the ideal lens through which to examine how social studies teachers will enact the changes required under the FAIR Education Act that should lead to a culture and climate that is more LGBT-friendly in classrooms and school campuses (Equality California, 2011). Evans (1993) insists that in spite of the most noble attempts by lawmakers and educational policy makers, true change “must be accomplished teacher by teacher, school by school” (p. 19). Evans (1993) argues that even when the change initiative benefits people, and the change agents realize those benefits, people are extremely skeptical about change; people in organizations frequently want the changes to be carried out by others, not by themselves.

Bolman and Deal (1991) also point out that change can inspire people and raise expectations for improvements; however change also causes insecurity and fear among those who are affected. In addition, Biegel (2010) maintains that the “educational system in general is particularly resistant to change” (p. 109). Biegel (2010) states that even minor changes can make a big difference. Implementing the FAIR Education Act and changing a school’s culture and climate so that LGBT students are safe is not a minor change, as the dynamics involved are extremely complicated (Biegel, 2010). Because of these circumstances, this study accepted that creating safe spaces for LGBT students and implementing laws to help in this process challenges many educators.

Evans’ (1993) first Dimension of Change is the content of the reform. Evans’ cites a study by Beckhard and Harris (1987, as cited in Evans, 1993) that concludes that if

members of a staff are going to be willing to take the risks involved in order to make a change (like implementing a controversial law), they need to see the benefits of doing so and find making the change something that is achievable. In addition, Evans (1993) argues that the teachers must trust the people who are initiating the change; most teachers do not trust lawmakers and others who create policy (Evans, 1993). Teachers often see new proposals as a recycled version of a prior proposal or idea that did not work; therefore, they hold a prejudiced view of the change initiative from the unveiling of it (Evans, 1993). It is, however, important for educators to realize that some change initiatives, such as laws like the California Student Safety & Violence Prevention Act of 2000 (AB-537) and the FAIR Education Act, carry serious implications for educators; courts are becoming less tolerant of school leaders and staff members who are indifferent to the safety of LGBT students (Biegel, 2010). Is this fact enough to motivate teachers and school leaders? This study included questions to social studies teachers about their views of the requirements of change called for in the FAIR Education Act and explored their perceptions of their roles in making these changes. This discovered whether the teachers believe the requirements of the law beneficial for creating safe spaces for LGBT students and whether they believe that their roles as social studies teachers allows them to achieve these changes.

Evans' (1993) second Dimension of Change is the willingness and capacity of the staff to make the changes. Are the teachers ready and willing to make the changes involved with the FAIR Education Act, even if they stand solidly behind the tenets of the law? Evans (1993) argues that if the staff is not energetically behind a reform initiative,

it will not succeed. He also maintains that the further into the profession that a teacher is, the less likely they are to want to make changes (Evans, 1993); therefore, this study's participants are at different stages of their careers. Are the more-experienced teachers less likely to want to enact the tenets of the FAIR Education Act?

Evans' (1993) third Dimension for Change is the strength of the school setting. Evans (1993) points out that schools and school leaders continually suffer from the demands and stresses of the job of education and that this makes them less likely to innovate. Faculties, however, that can unite behind a common goal and exist in a culture where risk-taking and innovation are rewarded, implement changes more often and more effectively (Evans, 1993). This study explored to what extent the school setting impacts creating safe spaces for LGBT students, including implementing the FAIR Education Act.

One of the key factors in the level of success a school has in creating a climate and culture for innovation is the support that the staff receives when they are called upon to make these changes (Evans, 1993); therefore, Evans (1993) cites support and training as his fourth Dimension for Change. Evans (1993) insists that it is not just the presence of staff development that is important, as most teachers regard their professional development as poor in quality; rather, it is the quality of the training that leads to the ability to enact a change. Of course, the trainings themselves are useless if there is no support for the ideas that one learns during the trainings (Evans, 1993). In addition, continuous professional development is necessary to implement policies that lead to a safer and more-positive environment (Knotts & Braun, 2009). Because Governor Jerry Brown has already declared that there will not likely by funds to purchase textbooks that

will reflect the contributions of LGBT community members as required in the FAIR Education Act (Equality California, 2011), this study sought to discover what teachers need in terms of training but also materials and other forms of support in order to implement the law.

Leadership, according to Evans (1993), is the fifth Dimension for Change and may be the most crucial. Evans (1993), however, tells us that it is not enough for leaders to reach into their bag of tricks and pull out a leadership style that will fit the reform. If change is to happen, school leaders must be authentic and lead reforms through their values and actions (Evans, 1993). These leaders must demonstrate values that are “consistent, coherent and reflected in their daily behavior [to be] credible and inspire trust” (Evans, 1993, p. 21). If staff members are to follow leaders into the unknown of a new change initiative, they must believe not only in the initiative, but in the leader who wants them to implement it (Evans, 1993). These leaders must show that they are focused and have a clear vision for implementing the goals of the reform and that they inspire participation from the staff in enacting change (Evans, 1993). In the case of LGBT issues, school change often requires especially effective leadership. Even though school change involving LGBT individuals is particularly difficult, it can be accomplished through collaborating between faculty and school leaders. This is especially true when the school has a strong, effective leadership (Biegel, 2010). This study examined the teachers’ perceptions of their roles in enacting change and how their leaderships affects these ideas.

Evans (1993) concludes his study by reminding educators that there is no fail-safe method for enacting reforms. Schools lack extrinsic motivators like financial incentives; as a result, school staffs are called upon to find motivation in intrinsic ways (Evans, 1993). The use of Evans' (1993) Five Dimensions for Change allowed this study to examine teacher perceptions of their roles in creating safe spaces for LGBT students, especially in light of the FAIR Education Act. If the changes required in the tenets of the law, and the general circumstances necessary to create a culture and climate that is safe for LGBT students, are to occur, the situation for educators and for the school site must be as ideal as possible. It is important, however, to note that change in laws does not translate to change in schools (Biegel, 2010). Other researchers, like Terry (2010), also maintain that simply passing laws does not guarantee that anything will change, this study attempted to find the criteria that teachers perceive must be met in order for the requirements for safe school climates for LGBT students to be established.

### **The Current State of the LGBT Community in Schools**

Lesbian, gay, bisexual, and transgendered students struggle in American schools, as studies have shown that “climates of U.S. middle and high schools are generally unsupportive and unsafe for these youth” (Kosciw, Greytak, & Diaz, 2009). Some of the effects of this include higher rates of absenteeism as a result of not feeling comfortable or safe in school, higher rates of discipline problems and lower rates of engagement in school activities and academic success (Kosciw, Greytak, & Diaz, 2009). Recent studies, such as the Gay, Lesbian, and Straight Educational Network's (GLSEN) The 2009 National School Climate Survey show that fully nine out of ten LGBT students have

experienced some form of harassment at a school site in the past year (GLSEN, 2010). GLSEN's 2011 survey about California schools also found that almost nine out of ten students regularly heard homophobic remarks at school (GLSEN, 2013). Russell et al. (2011) discovered that 90% of students heard the word "gay" used in a negative way; GLSEN (2013) reported that almost all California students heard "gay" used negatively. Furthermore, one-quarter of California students reported hearing anti-LGBT comments from staff members at schools, 14% regularly (GLSEN, 2013).

In addition, almost two-thirds of the LGBT students who took part in the 2009 GLSEN study reported feeling unsafe at their school because of their sexual orientation (GLSEN, 2010); that number dropped slightly (63.5%) in GLSEN's 2011 study (GLSEN, 2012). In addition, almost one-third of students in both studies also reported to have ditched school during the past month on at least one day due to their fears about their safety at their school site (GLSEN, 2010; GLSEN, 2012)). This impacts not just these students, but all students, as it costs California schools at least \$39.9 million dollars a year because students do not attend school for fear of being harassed (Russell, et al., 2009). Despite the reduction in the frequency of students hearing homophobic remarks during the past ten years, the incidences of other forms of bullying and harassment have remained at their same levels; for example, the numbers of assaults have not changed (GLSEN, 2010). These numbers, however, are still very high: 84.6% of LGBT students who participated in this study reported being harassed verbally, 40.1% physically, and 18.8% physically assaulted due to their sexual orientation (GLSEN, 2010). Over seventy-two percent of these students told of being called "faggot" or "dyke" or hearing

these comments frequently or often at their school site (GLSEN, 2010). This study also found alarming academic ramifications for the students who were victims of harassment, as these students had grade point averages of 2.7 versus students who were not harassed having grade point averages of 3.1 (GLSEN, 2010). The 2011 study found a similar achievement gap between LGBT students who were frequent victims of harassment versus those who felt harassed less often (GLSEN, 2012). The California Safe Schools Coalition also found that LGBT students who feel safer at school have better grades (Clark & Russell, 2009). Furthermore, LGBT students who feel safer at school are more likely to attend college when they graduate (Clark & Russell, 2009).

GLSEN's findings echoed those of The Human Rights Watch study from 1999-2000 interviewed 140 LGBT youth between the ages of 12 and 21 and found continuous and serious homophobic harassment that included teasing, damaging property, shunning students in a social setting, and abusing students in a physical nature (Human Rights Watch, 2001). The study went on to conclude that LGBT students are almost three times more likely to have been assaulted or involved in a fight than their heterosexual peers in school (Human Rights Watch, 2001). Pilkinton and D'Augelli (1995) also found that 30% of males and 35% of females had been physically hurt by a classmate in school. Russell et al. (2011) found that 44% of LGBT students had suffered physical harassment in school. In addition, LGBT students also suffer from higher rates of substance abuse and attempted suicide related to the bullying they receive in schools (Kosciw, Greytak, & Diaz, 2009).

To complicate matters for LGBT students in their reporting of bullying to school officials, a new study by Yale University shows a possible explanation in the under-reporting of bullying incidents to administrators. This study found that gay teens receive harsher punishments at school than straight teens (Van Tine, 2010). "Our analysis found that, consistently, gay and bisexual youth were at a greater risk of being punished by school and criminal-justice authorities than their straight peers who exhibited the same behaviors," said study leader Kathryn Himmelstein (Van Tine, 2010, p. 1). This mixed-method study found that "non-heterosexual youth were 1.25 times more likely to be punished than their heterosexual peers who engaged in the same misbehavior" (Van Tine, 2010, p. 1). Researchers, such as Stephen T. Russell, professor and director of the Frances McClelland Institute for Children, Youth, and Families at the University of Arizona regard this new study as ground breaking (Van Tine, 2010). Study leader Himmelstein adds that school officials "may be less likely to consider mitigating factors, such as self-defense, for a non-heterosexual adolescent than for a heterosexual peer" (Van Tine, 2010, p. 1).

Some states have reacted to the evidence of bullying against LGBT youth by passing legislature to assist them. AB 537, California's Student Safety and Violence Protection Act of 2000, "protects children in schools from harassment based on actual or perceived gender identity and sexual orientation" (Knotts, 2009). Further advances in legal protections to protect LGBT students in schools, such as California law the Safe Place to Learn Act, in 2008, the Safe Place to Learn Act of 2008, still may not be enough, as "the law offered no concrete ways to create a safe environment in schools" (Knotts,

2009. p. 601). the FAIR Education Act follows in the history of these laws by attempting to create safer spaces for LGBT students by exposing them to curriculum about LGBT individuals and issues (Equality California, 2009).

### **Laws and Their Effects of Change in School Culture, Climate, and Safety**

Terry (2010) conducted a study that concluded that the simple passage of laws by states, including the publicity that is associated with the process does not change the culture of schools or the behavior of students. He found that without effective implementation of the laws, the laws have little effect; this is why studying teachers' perceptions of policies their roles in implementing them is so important (Evans, 1993). Terry (2010) found that even though the law he studied (South Carolina's Safe School Climate Act of 2006) provided for the opportunity for stakeholders to participate in the creation of the policies at the school sites that the law requires to be created, many respondents had not been involved in this due to ineffective implementation. Terry (2010) therefore came to the conclusion that just writing and passing anti-bullying laws does not affect a change in school culture, climate, and safety. As a matter of fact, he determined that the effort in South Carolina to curb bullying through the passage of the Safe School Climate Act concluded with results that were wither not sufficient or entirely not effective (Terry, 2011).

Evans (1993) tells us that teachers are extremely skeptical about initiatives handed down to them from policymakers and that real change in schools only occurs when teachers back the reforms and implement them. In addition, if the staff is not consulted and included in creating an anti-bullying policy, it will not buy into it and

enforce it (Rigby, 2010). Biegel (2010) also found that victories in the legal sphere do not always mean those victories transfer onto a school site and create change; the recently-reported initial success of the settlement of the lawsuit brought about by the Southern Poverty Law Center and the National Center for Lesbian Rights against the Anoka-Hennepin School District, however, serves as an example of legal judgments that may yield positive results (Horner, 2013). In spite of this one example, implementing a law like the FAIR Education Act may only happen if teachers at school sites buy into the content of the law and desire to implement the tenets of the law (Evans, 1993); therefore, it is important to discover the perceptions of their roles in implementing the FAIR Education Act and its tenets if the spirit and the letter of the law are to affect change and provide safer spaces for LGBT students.

Mark Leno, author of the FAIR Education Act, hopes that the new law will be “changing the environment on school campuses” (Broverman, 2011, p. 2). Leno believes that by teaching students that kids who are “different” come from a community that has faced discrimination and fought hard for its civil rights, the students’ view of humanity will broaden and “that’s what education should be about” (Broverman, 2011, p. 2).

The FAIR Education Act adds to Section 51204.5 of the California Education Code, which already mandates that the contributions of groups be included when teaching the history of California and the United States (Official California Legislative Information, 2012). The groups added include European Americans, persons with disabilities, and lesbian, gay, bisexual, and transgender Americans (Official California

Legislative Information, 2012). In addition, the law adds “sexual orientation” to the list of groups that cannot be negatively portrayed in textbooks or other instructional materials under Section 51501 of the California Education Code (McDonald, 2011). Lastly, it amends the California Education Code Section 60040 to add the new protected groups to the list of people who must be included in instructional materials in order to correctly reflect the diverse nature of our society (McDonald, 2011). Sponsoring groups, like Equality California, also point of the law’s potential effect of improved student safety through the inclusion of this curriculum (Equality California, 2010). Since students and staff had already been afforded legal protections under the law, the FAIR Education Act did not need to add them to this section of the California Education Code.

What the FAIR Education Act does not do is mandate to school districts or to teachers how they will deliver instruction related to the accomplishments of LGBT individuals, at what grade level(s) they will cover this curriculum or which materials they will use (McDonald, 2011). The law also does not change the standards for history-social science within the California state framework, as the framework already provides for this kind of curriculum (McDonald, 2011).

Parents and teachers are both provided protections to examine and select instructional materials for their schools, as stated in California Education Code sections 51100-51002 and 60002. They still have these rights regarding new material selected and used to adhere to the FAIR Education Act (McDonald, 2011; Official California Legislative Information, 2012).

Some stakeholders strongly object to the FAIR Education Act, in spite of some of the protections built into the law. Several repeal efforts have already failed, including the CLASS (Children Learning Accurate Social Science) Act initiative ([classact2012.com](http://classact2012.com)). This attempt to put a citizens' initiative on the California ballot in order to repeal the FAIR Education Act failed; however, its supporters gathered nearly 500,000 signatures with the help of the conservative Pacific Justice Institute (Sankin, 2012). The controversy surrounding the FAIR Education Act stems from objections to students being exposed to the "radical agenda" ([classact2012.com](http://classact2012.com)) of politicians. Furthermore some claim that the FAIR Education Act will not help students being bullied, but will only cause limited class time to be spent "to promote the political agenda of a few" ([classact2012.com](http://classact2012.com)). The CLASS Act initiative was the third attempt to have the FAIR Education Act overturned, all of which have been unsuccessful; however The Pacific Justice Institute has vowed to keep fighting for the repeal of the FAIR Education Act (Sankin, 2012).

### **The Teaching of the Accomplishments of LGBT Individuals and Its Possible Effects on School Climate, Culture, and Safety**

The main feature of the FAIR Education Act is that by amending the California education code "to require schools to integrate factual information about social movements, current events and history of people with disabilities and LGBT people into existing social studies lessons" (Equality California, 2011), it allows all students to be exposed to an accurate portrayal of the LGBT community. In addition, the FAIR

Education Act prevents the California State Board of Education from adopting or using any instructional materials that are discriminatory in nature; they must also remove discriminatory materials (Equality California, 2011; Official California Legislative Information, 2012). Burstein and Knotts (2011) argue that including information into the curriculum about socially marginalized groups might allow students to arrive at an increased appreciation of these people, which they state is important in light of the diversity in our world. By not allowing students to be exposed to the accomplishments of LGBT individuals, however, educators such as Jefferson Fietek maintain that it “sends a message to LGBT kids that there is something shameful about who they are and that they are not valid people in history” (as cited in Eckholm, 2011, p. 1).

School districts, such as the Anoka-Hennepin School District in Minnesota, that had or have policies preventing the discussion of homosexuality in schools, have created “an air of shame,” thus allowing homosexuality and the history of gay people to be seen as unpleasant subjects, according to psychologist and counselor Colleen Cashen (as cited in Eckholm, 2011, p. 1). Cashen sees school policies that prevent homosexuality from being discussed to create a “toxic environment for the students” (as cited in Eckholm, 2011, p. 1). In addition, even the so-called passive bystanders have been shown to lack empathy for kids who are harassed; students who chose to intervene on behalf of students being bullied did so because they were concerned about those being harassed (Swearer & Cody, 2007). This dynamic results in some concluding that teaching tolerance and empathy for others results in both bullies and passive bystanders being transformed (Massari, 2011); therefore, learning about LGBT individuals may result in fewer

incidents of bullying and more active interventions by other students when bullying occurs.

Homophobia among students, even at the university level, has been shown to affect their empathy with gay and lesbian students who are victims of suicide (Molloy & McLaren, 2004). This phenomenon presents more risk for gay and lesbian youth committing suicide (Molloy & McLaren, 2004). Rigby and Johnson's (2006) research on children who act as bystanders during bullying shows that students are more likely to help students "for whom they feel some compassion or sympathy" (p. 427); therefore, efforts to curb homophobia and educate all children about the positive aspects of the LGBT community will possibly increase the level of safety for these students in school. Furthermore, Rigby and Johnson (2006) maintain that students are more likely to help others in distress when it is socially desirable to do so. Decreasing homophobia could make it more socially desirable to help LGBT classmates.

Rigby (2010) demands that any plan to reduce bullying at a school must include a way to change students' attitudes about those being victimized. Biegel (2010) also concludes that strategies for improving school climate should also be taught to the students themselves. Rigby (2010) calls for lessons on bullying in the classroom that address students' prejudices about groups being bullied. He maintains that in order for a bullying program within schools to be effective, curriculum issues must be addressed. Although he primarily calls for education about bullying in general (Rigby, 2010), he stresses that children must be taught to relate to each other, something that the FAIR Education Act attempts to do by teaching all children about the accomplishments of

LGBT individuals. Laura Valdez (2011), the Interim Executive Director of the Gay-Straight Alliance Network argues that “bullies are children too---they are acting out messages they learn from everyone around them.” She continues by stating that the solution to ending bullying is not to punish the bullies, thus also taking away their educational opportunities, but rather to “end society’s prejudice” (Valdez, 2011, p. 1). Her solution to bullying against LGBT students includes schools where there is a culture of “safety, inclusion and respect for all students” (Valdez, 2011, p. 1).

When educators attempt to include discussions and interventions regarding homosexuality in classes, the results are mixed. Some research concludes that attempts to combat anti-gay feelings from students by using the classroom have netted mixed results (Swank, et al., 2008). Swank and his fellow researchers’ examination of university students’ attitudes toward homosexuality led them to find that simply taking a semester-long course on gay and lesbian issues did not always yield results showing that students’ sexual prejudices were lessened. Swank therefore concluded that integrating LGBT issues into curriculum does not produce universally positive results in reducing prejudice (Swank, et al., 2008).

Their study did, however, show that exposure to issues relating to sexual diversity affected the number of students who believed homosexuality was “unnatural,” as that figure dropped from 52% to 18% after having taken a class on sexual diversity (Swank, et al., 2008). A lack of consistency among other studies lets Swank and his fellow researchers to conclude that the prior knowledge that students bring into courses where issues of sexuality are discussed affect how they digest the material in the course, as

some will not be able to justify their prior world views with the information they encounter and then will discount it (Swank, et al., 2008). Other findings show, however, that learning about LGBT individuals and issues in school can make students feel safer and more accepted, including less abuse from other students due to the mannerisms and speech patterns of the LGBT students (Russell, et al., 2006).

Research shows that the more exposure a student has to gay people, the less likely he is to be homophobic (Swank, et al., 2008). In addition, learning about LGBT issues in school curriculum makes students feel safer (Russell, et al., 2006), and leads to less victimization based on sexual orientation (GLSEN, 2012). This fact would support teaching about LGBT individuals, as students would be exposed to them, even if they are not actually meeting them in person. Swank, et al. (2008) also asserts that hearing positive comments from family members and peers about gay people also leads to less homophobia. Both of these factors can be increased by exposure to LGBT individuals through a curriculum, as experiencing a curriculum including LGBT content led to a result where these students were 18 points higher when asked if they would feel at ease talking to a homosexual person at a party (Swank et al., 2008). Feelings of unease did not disappear after such courses, but lessened (Swank et al., 2008). The Swank, et al. (2008) study concludes by suggesting that schools should promote campuses that are more positive toward gays.

Kosciw, Greytak, and Diaz (2009) assert that the negative influences students receive from their community affect the way LGBT students are treated in schools. They attribute this partly to a lack of diversity in some communities, and thus a lack of

exposure to LGBT individuals and issues. Burstein and Knotts (2011) argue that social studies is a complicated subject, as it involves the study of people, who are complicated. It is more than just learning dates and wars. In addition, if we are to be culturally relevant in teaching social studies, teachers must address “where there are missing voices,” which can allow students to walk in the footsteps of others (Burstein & Knotts, 2011, p. 79). Furthermore, they conclude that since many factors shape culture, if we are to have a multicultural education, we must include these factors. Sexuality is one of these and must be a part of social studies, if these classes are to truly be about the study of human beings (Burstein & Knotts, 2011). One would wonder if exposure to the accomplishments of LGBT individuals in schools might help alleviate that void that the lack of exposure in students’ personal lives have created. Mark Leno, author of the FAIR Education Act, cites surveys that show that where students are already learning about LGBT and other communities’ issues, bullying and harassment have declined (Broverman, 2011).

Not all experts agree that laws like the FAIR Education Act should mandate teachers to include LGBT content into the curriculum. Biegel (2010) states that a key benefit of including LGBT content into the curriculum is improved self-esteem. School climate can also benefit (Biegel, 2010; Russell, et al., 2006). The inclusion of people in the curriculum who are the targets of school victimization, such as LGBT community members, can help teachers help students to deal with and communicate about these people (Biegel, 2010). Biegel (2010) believes that the inclusion of LGBT content should

not be mandated, but supported and encouraged; however, he acknowledges that including it would create better education for everyone.

Biegel's (2010) main argument against mandating this education is that many teachers are uncomfortable with teaching it. He suggests that the implementation of this curriculum is best done slowly, in a step-by-step fashion (Biegel, 2010). He also insists that professional development must accompany inclusion of LGBT curriculum so that teachers can collaborate and obtain strategies for how to teach it (Biegel, 2010). Knotts and Braun (2009) insist that educators must be open to discussing non-mainstream people, including sexual minority groups; however, they themselves must be educated about them. They acknowledge that teachers must be able to be comfortable talking about people in terms of their sexuality or other factors in order to adequately deliver this kind of instruction (Knotts & Braun, 2009). Biegel (2010) admits that simply discussing LGBT people would accomplish a lot towards improving school climate, including current events. He goes on to declare that California state standards for eleventh-grade U.S. History (11.10.4, 11.11.7, 11.7.5, 11.8.8) already provide educators with many opportunities to introduce LGBT content (Biegel, 2010). This situation would suggest that in order to adequately implement the tenets of the FAIR Education Act, several of Evans' (1993) Five Dimensions must be in place, including staff buy-in and staff willingness and capacity to make the changes.

### **Teacher Perceptions of Teaching The Oppressed**

Teachers face challenges when they attempt to deal with oppressed groups of students such as LGBT students. One of these challenges involves their level of authority

teachers believe they can exercise in the classroom. School administrators regarding teachers as professionals, and allowing them to be autonomous aided in the subject of DiCamillo and Price's (2010) case study being effective in building community and delivering lessons that brought about "transformative perspectives on history" (p 80). Another challenge is how teachers see their role in the classroom. This perception of their role in the process of educating students about the oppressed begins with the way they see the role of the school itself (Kumashiro, 2002). Kevin Kumashiro (2002) found that some of his students who were becoming teachers did not believe that school are the correct forum for social change, others were afraid that focusing on social justice in schools will take focus off of academics. Some of the teachers went as far as to say that teachers should focus on academics and not try to intervene on behalf of students facing oppression (Kumashiro, 2002); however, others agree that teachers should use curriculum to combat oppression, most specifically by teaching about non-majority people in society (Kumashiro, 2002). In addition, Joseph and Efron (1993) found that one half of teachers they interviewed believed they had a responsibility to challenge students to examine the dominant values of their communities, although they feared offending people in their classrooms or professional lives.

One difficulty that Kumashiro (2002) identified in his research was the students' own issues with these oppressed groups, whom Kumashiro calls "The Other" (2002, p. 3). Sonia Nieto (2004) asserts that teachers can sometimes regard the identity of their students as a negative feature in the classroom culture, especially because so many teachers do not know much about their students' identities. Kumashiro's (2002)

education students wanted to learn about social justice, but only if they did not have to confront their own issues surrounding oppression (Kumashiro, 2002). Although Kumashiro (2002) maintains that people must go out of their comfort zones and examine themselves as well as others in order to enact social change, he found his education students wanted “normalcy” and it was difficult for them to deal with their own comfort levels. Many of the attitudes that teachers believe about the identities of the students precede their interaction with these students, which can affect how they view their students (Nieto, 2004). Joseph and Efron (1993) also found that although the teachers in their study hoped that students would exhibit certain values such as kindness toward each other and truthfulness in their interactions, these teachers did not challenge their students to examine issues of social justice and oppression. This certainly would factor in to teachers enacting the FAIR Education Act, which would require many teachers to tackle concepts surrounding “The Other” (Kumashiro, 2002, p. 3), about which they might not feel comfortable or want to handle.

### **Using Curriculum to Study the Oppressed**

Although some teachers seem to be skeptical of using the school setting to attempt to address oppression in society (Kumashiro, 2002), some of the teachers in Kumashiro’s study (2002) agreed that teachers should use curriculum to combat oppression, most specifically by teaching about non-majority people in society. Kumashiro (2002) states that when students do not know about oppressed groups, they further oppress these groups; the same is true when students only have partial knowledge of these groups, especially when society is defined as normal and not normal. Students also learn about

these groups through bias and stereotypes (Kumashiro, 2002). In school, students do not learn enough about the experiences of these groups, and therefore cannot understand their struggles; because these groups are invisible from history lessons, students do not appreciate their experiences. The students also do not have facts that combat the stereotypical information they learn at school or at home (Kumashiro, 2002).

One of the chief problems with what students learn in schools, however, is the curriculum itself. Curriculum often is a root cause of continued oppression, as only the most powerful in society and their views are represented; however, the idea of simply “adding on” some information about different groups does not solve the problem (Kumashiro, 2002, p. 55). Identities of oppressed groups are diverse and complicated, so just giving an example or two does not help students understand these groups (Kumashiro, 2002). Burstein and Knotts (2011) agree with Kumashiro in the belief that social studies curriculum omits important experiences of underrepresented groups and thus skews students’ understanding of events; however, students must not just learn about events, but also be challenged to apply that knowledge so that they can question what these events tell us about these groups and society as a whole.

Kumashiro (2002) points out that merely introducing curriculum about minority groups or groups that are oppressed does not necessarily solve any problems in society. This is important to consider if schools are to achieve a fair, accurate, inclusive, and respectful (FAIR) portrayal of the LGBT community. In order to affect change, Kumashiro (2002) maintains that curriculum should not just include more knowledge, but “disruptive knowledge” that changes misinformation that students already have (p. 42).

Goodman and Lesnick (2004) also argue that curriculum about oppressed groups should not just be a one-day lesson, but should be incorporated throughout the year's lessons. Although learning about one figure in LGBT history might be helpful, Kumashiro (2002) insists that students must not equate the experiences of one person in a group with the whole group; rather that students need to develop empathy for others, and this is vital to antioppressive education. Since oppression is very complex and hard to understand, as there are many layers involved and no one's experience is simple, students must also understand how privilege affects society. They must recognize and understand how groups are oppressed (Kumashiro, 2002).

However, Kumashiro (2002) insists that merely being aware of oppression does not necessarily lead to social change; even when students learn about the plight of others, it does not mean that they will choose to change the way they act. As a result, pedagogy should try to get students to move beyond simply understanding the situations of the oppressed and try to have them relate this information to their own situations (Kumashiro, 2002). Kumashiro (2002) maintains that teaching curriculum might help students understand the importance of recognizing oppressed groups, but it does little to change the norm. In order to create a change, students also need to learn about how people resist changes in society (Kumashiro, 2002). Teachers must, therefore, let their students grapple with their own feelings about other groups and changes in society (Kumashiro, 2002).

## **Challenges for Teachers Teaching About Oppressed Groups**

Kumashiro maintains that we must go out of our comfort zones and examine ourselves as well as others if we are to enact social change. He argues that his own education students, who will become teachers, want “normalcy” and it is difficult for them to deal with their own comfort levels with terms and concepts they do not understand, for example the word “queer” (2002, pp. 4-6). Kumashiro’s (2002) own experience with the term “queer” in teaching future educators brings up the difficulties in teaching and preparing lessons on topics dealing with oppression, as teachers cannot assume to know their students and cannot anticipate all reactions to being confronted with issues that have emotional reactions. Because current and future teachers often support a current status quo, Kumashiro (2002) insists that “More must be done to disseminate... research to classroom teachers and future educators who traditionally respond to calls for antioppressive education with resistance, defensiveness, and fear” (p. 7). Knotts (2012) supports this claim, by arguing that “pre-service teachers want to implement a consciousness raising, socially just curriculum that addresses sexuality, they just don’t know how (p. 52).”

Teachers must, therefore, confront their own prejudices and take action to educate themselves about them, as oppression can also occur when educators internalize prejudices about non-mainstream groups and act on them (Kumashiro, 2002). Kumashiro (2002) argues that “Educators have a responsibility to make schools into places that are for, and that attempt to teach, all their students. To fail to work against the various forms of oppression is to be complicit with them” (p. 37).

Even the best-intentioned teachers can, however, face dilemmas when trying to educate their students about non-mainstream and non-privileged groups, including ethical challenges (Kumashiro, 2002). First and foremost, teachers need to understand and recognize their own moral code as it applies to their lessons and classrooms (Joseph & Efron, 1993). Although teachers do not always feel comfortable forcing their values on their students, they often do so, especially by role modeling (Joseph & Efron, 1993). Moreover, teachers can feel frustrated and ineffective when they realize that students might not choose to transfer their new knowledge to action (Kumashiro, 2002). Kumashiro (2002) poses the question that teachers sometimes raise when asking their students to confront society and deal with issues of oppression: “Is it ethical to intentionally and constantly lead a student into a crisis (meaning examining their views about societal injustices)?” (p. 69). Furthermore, does asking them to challenge their own views in a classroom setting lead to invading their privacy? (Kumashiro, 2002). Teachers must examine their perceptions about these issues when tackling this kind of education. Furthermore, the individual morality of teachers influences choices they make in the classroom (Joseph & Efron, 1993). This can be seen in role-modeling behavior and also in the way they view students, parents and administrators (Joseph & Efron, 1993).

In addition, DiCamillo and Price’s (2010) case study highlighted the difficulties that even the best teachers have in using transformative curriculum when class sizes are large. Teachers cannot address the needs of each student when there are many student

whom they must reach. Issues like tardiness and absences also interfered with students' ability to internalize transformative cultural material (DiCamillo & Price, 2010).

### **The Role Teachers' Authority in the Classroom Plays in Antioppressive Education**

Pace and Hemmings (2007) found that teachers' classroom authority is not a given; it derives from the nature of teachers' interactions with their students. Teachers' classroom authority is also a process that changes due to these interactions; differing values between teachers and students can challenge the authority of teachers (Pace & Hemmings, 2007). The issues addressed in the FAIR Education Act can play a role in the classroom relationships between teachers and students, as social and cultural forces, such as issues relating to oppression and cultural dominance, greatly impact classroom relationships and student performance (Pace & Hemmings, 2007). Research involving classroom settings and interactions is important, as the emphasis on standardized testing has complicated teachers' relationships with their students, including teachers' abilities to influence the themes and lessons they use and their own ideological bent (Pace & Hemmings, 2007). Will teachers' desires to fully implement the FAIR Education Act be compromised by a need to address material found on standardized tests?

### **The Effectiveness of Program Implementation**

When states pass laws that are meant to help students, they must also be successfully implemented in order to have any effect on the school culture and climate, thus creating safer schools. South Carolina passed a law similar to California laws The Student Safety and Violence Prevention Act of 2000, the Student Civil Rights Act of 2007, and the Safe Place to Learn Act of 2008 called The Safe School Climate Act (Terry,

2010). This law was meant to ensure that students would not endure bullying and was slated to take effect on January 1, 2007 (Terry, 2010); however, the law has failed to make a change in the culture of schools in South Carolina, mainly due to the part of the law that requires school districts to create policies that addressed harassment and bullying. Terry (2010) determined that this was due to several factors, including the lack of effective staff development and ongoing training about these new policies. Biegel and Kuehl (2010) also state that staff development must be a key component in introducing new policies, an idea also supported by Evans (1993). Only by doing this can a change take place (Terry, 2010). One of the main findings of his study was that “Laws to control bullying are no more effective than the implementation measures mandated to make them work” (Terry, 2010, p. 99), something that would apply to the implementation of any policy (Evans, 1993).

Terry (2010) based his findings on a survey that stated that 75% of participants believed that bullying and harassment were still problems, even after the passage of the law; some educators in his survey believed the problem was even worse, as students were more afraid to tell authority figures about the bullying. Participants in his study believed that the law did not help more because of several factors, including lack of publicity about the law and lack of an effective implementation strategy (Terry, 2010). Terry (2010) postulates that parents and students may have to take legal action against schools and districts in order for them to fully take notice of the law.

Terry (2010) concludes after his study that school staff must be involved in creating policies and programs that affect the school’s culture and climate, an idea also

supported by Biegel and Kuehl (2010); in the case of bullying, the school's staff must write and enforce policies that do not tolerate bullying and coddle bullies. The school's personnel must be actively involved in creating policies that focus on the the longterm and stress a strategy to bring in all stakeholders. These stakeholders must make a commitment to enact change (Terry, 2010). Rigby (2010) also stresses the need for anti-bullying programs to include meaningful involvement by teachers and leaders in order to ensure effective implementation of the program.

Rigby (2010) maintains that anti-bullying programs need to be thoroughly evaluated by people who have no vested interest in the program itself, something that he claims happens rarely. Neutral evaluators without bias need to undertake the examination of the programs if accurate information about their effectiveness is to emerge (Rigby, 2010). In addition, Terry (2010) stresses the need to provide staff development on an ongoing basis and to include in it programs that emphasize prevention and awareness.

King, et al. (1987) add that it is vital that when programs are evaluated to see if they are working, the evaluator measure “attitudes and achievement [*italics in original*] of program participants” (p. 9). They argue that only focusing on outcomes limits the effectiveness of the evaluation, as it is vital not only to know if a program worked, but why and how it worked (King, et al., 1987). It is for this reason that this study examined not just if the FAIR Education Act and this use of curriculum that is designed to help LGBT students “works” to create a safer climate, but also how and why this works or do not works.

In addition, King, et al. (1987) provide a rationale for using a qualitative study to examine laws like the FAIR Education Act. They state that qualitative approaches are best to evaluate programs when there is not a prescribed way to implement the plan, as is the case with the FAIR Education Act which allows each school district (and school) to decide how to enact the law. Furthermore, they maintain that qualitative studies are best when there exists a great deal of variety in plan from site to site, which will likely be the case with this law.

King, et al. (1987) also provide an excellent framework by which a program, like the one in this study, should be evaluated. They recommend three steps. The first phase is to “demonstrate program accountability” (p. 114). Will there be any accountability in the FAIR Education Act, or will it have the same problems as the Safe Climate Act in South Carolina, where there were few consequences for schools not following the law (Terry, 2010)? The second step is to “describe the program and to perhaps comment about how well it matches what was intended” (p. 114). Thirdly, they recommend exploring the “relationships between the program characteristics and outcomes or relationships among different aspects of the program’s implementation” (p. 114). In other words, do the hypotheses on which the lawmakers based their laws, i.e. that these laws would make schools safer for LGBT students, match the outcomes when the laws are enacted and implemented?

### **Challenges to Anti-Harassment Programs and Laws in School Settings**

Addressing staff development or other educational issues, such as anti-bullying programs, aimed at LGBT students is complicated at many school sites, as staff and

school stakeholders often resist them, and even “constitute and perpetuate discrimination towards gays and lesbians” (Robinson & Ferfolja, 2001, p.122). Although research shows that these programs and school personnel play an important role in combating anti-gay bullying, many educators feel uncomfortable with issues involving sexual minority students. Swearer, Turner, Givens, and Pollack suggest that this is because these topics are “social taboos... and the discomfort in talking about sex in general, and homosexuality in particular” (2008, p. 82). Lisa Leff (2011) states that even though religious conservatives, such as Mormons and Roman Catholics who backed anti-gay-marriage Proposition 8 in California, have not yet joined forces to try to repeal newly-passed the FAIR Education Act, their effort to do so would need to be taken seriously. She concludes that laws that deal with gay rights and school children are especially appealing to large conservative donors; therefore an effort to repeal the FAIR Education Act could not be ignored (Leff, 2011). In fact, on November 17, 2011, conservative groups refused to attempt to collect enough signatures to strip LGBT individuals from the FAIR Education Act (contributions of Asian Pacific Islanders and persons with disabilities would be left in the law). If this campaign to gather over 500,000 signatures is successful (the previous one fell just short), voters would decide whether to strike LGBT people from the new law in November, 2012 (Broverman, November 17, 2011).

Groups that are against the tenets of laws like the FAIR Education Act point to several reasons for their opposition. Their primary justification for rejecting these laws is that they claim that sexual orientation is irrelevant in history classes (Biegel, 2010, classact2012). Materials, however, are full of information about heterosexual spouses

and children. By simply mentioning that families headed by LGBT people exist, many students in the classroom would feel more accepted and comfortable (Biegel & Kuehl, 2010). Furthermore, the civil rights' movement includes LGBT people, and current events center around LGBT issues (Biegel, 2010). Burstein and Knotts (2011) also argue that social science is the study of human beings, and since LGBT community members are human beings, course content should reflect their issues.

The second reason these groups give, according to Biegel (2010) is that this material is inappropriate for youngsters. Biegel (2010) point out, however, that students see LGBT people all the time and hear the word "gay" frequently. Teaching them about the LGBT community does not indoctrinate students into believing homosexual relationships are the norm; rather it does what a public school curriculum should do and addresses what is happening in society. The FAIR Education Act does not require any mention of sexual acts and leaves content up to the individual schools, stating that all curriculum should be age-appropriate (Official California Legislative Information, 2011).

A third reason that some groups oppose legislation like the FAIR Education Act is that it will lead to sexual experimentation (Biegel, 2010). Some believe that students learning about LGBT issues will encourage them to try homosexuality; however, Biegel (2010) points out that this is analogous to the idea that teaching about war will result in students playing with dangerous weapons.

In addition, efforts to deal with anti-gay bullying are often met with strong resistance from the political right wing, especially the fundamentalist Christian members. Organizations like Focus on the Family and the Family Research Council have organized

intensive campaigns to prevent programs that tackle anti-gay bullying from being implemented. Tony Perkins, President of the Washington, D.C.-based Family Research Council, wrote a column in the Washington Post in which he claims that “homosexual activist groups like GLSEN (the Gay, Lesbian, and Straight Education Network) are exploiting these tragedies to push their agenda of demanding not only tolerance of homosexual individuals, but active affirmation of homosexual conduct and their efforts to redefine the family” (Perkins, 2010, p. 1). His organization, and others like them argue “within the homosexual population, (such) mental health problems are higher among those who come out of the closet at an earlier age. Yet GLSEN's approach is to encourage teens to "come out" when younger and younger--thus likely exacerbating the very problem they claim they want to solve” (Perkins, 2010, p. 1). Although they offer no evidence of their claims, their point of view attempts to influence millions of Americans, as they publish voter guides and lobby politicians both locally and nationally (rightwingwatch.org, 2010).

Focus on the Family is another group whose resources are spent on preventing programs dealing with anti-gay bullying from reaching the public schools. This group, through its Education Analyst, Candi Cushman, has argued that studies like GLSEN’s (2010) should not be considered because the group lacks an objective viewpoint; therefore, the findings that nine out of 10 LGBT teens have been the victims of bullying should be discounted. Furthermore, she explains that anti-gay bullying programs “...can be read as a reliable road map of homosexual advocacy groups’ political plans for the nation’s public schools” (Bumpas, 2010, p. 1). Cushman, among others, maintain

that ...”an effective policy should be designed to address the widespread nature of the problem (bullying). It should not be a policy that mirrors, or is designed to appease, a narrow political agenda,” and that “bullying can and should be addressed without politicizing taxpayer-funded classrooms and introducing controversial, sexual topics to children against their parents’ will” (Cushman, 2010, p. 1).

In the Anoka-Hennepin School District in Minnesota the conflict of how homosexuality should be discussed, or whether it should be discussed at all, gained national attention. This school district is an example of how conservative Christian values regarding homosexuality clash with the realities of bullying and its effects (Eckholm, 2011). This small suburban school district was confronted with eight students who had committed suicide, at least four of whom were known to have grappled with issues surrounding their sexual orientation (Eckholm, 2011). In spite of these tragic events, school officials remained committed to a policy that refused to allow homosexuality to be described as normal. Although the district had an anti-bullying policy, many personnel did not intercede against anti-gay bullies due to the confusing nature of the district’s “neutrality” policy on homosexuality (Erdely, 2012). The district “neutrality” policy reflected the view of its large conservative Christian community and, thus disallowed homosexuality or homosexuals to be portrayed in any positive light (Eckholm, 2011, p. 1). The district’s policy, adopted in 2009, placed a “gag order” on the teaching of anything related to (implied: non-heterosexual) sexual orientation (Eckholm, 2011, p. 1) and stated that “teaching about sexual orientation is not part of the district-adopted curriculum” (Eckholm, 2011, p. 1) . Problems that LGBT students face in

school, however, must be discussed in an open and respectful way if they are going to be able to be solved (Biegel & Kuehl, 2010). The epidemic level of anti-gay harassment in the district even prompted the federal Department of Education to launch a civil rights investigation resulting from complaints from stakeholders (Eckholm, 2011). In addition, the Southern Poverty Law Center and the National Center for Lesbian Rights filed suits against the district on behalf of five students, charging that the district's policy actually promotes bullying against LGBT students (Erdely, 2012). The district blamed everyone, including both pro- and anti-gay groups, but itself (Erdely, 2012).

The lawsuit resulted in a settlement announced at the beginning of March, 2012, which includes several steps designed to tackle the problem of anti-LGBT bullying (Harmon, 2012). These include developing a plan to be implemented in high schools and middle schools aimed at preventing sexual harassment committed by students, increased efforts to train stakeholders on sexual harassment at the school sites, creating better record-keeping of complaints of investigations of harassment, hiring experts to review the district's policies on sexual harassment, and conducting regular evaluations of the progress these efforts have made (Harmon, 2012). One of the attorneys representing the plaintiffs believes that this will force the school district to stop enforcing policies based on ideology and pushed by politics (Harmon, 2012). In addition, an official from the Justice Department believes this plan to be a model for other school districts to use in order to stop anti-gay bullying (Harmon, 2012).

Since the settlement of the lawsuit, students in the district report a better environment with fewer threats and taunts (Horner, 2013). In the one year since the

lawsuit was settled, district leaders and the school board have acted to provide support to LGBT students that have resulted in improvements for them (Horner, 2013). These efforts are being overseen by the United States Department of Justice and require the district to collect statistics about anti-LGBT bullying, which they had not done before (Horner, 2013). This district, like school districts in California that now must implement the FAIR Education Act, recognizes the challenges of implementing laws and policies in terms of them making real differences in the lives of students; district personnel, however, remain optimistic (Horner, 2013).

### **The Definition of Bullying and Harassment**

Although the problem of bullying has received so much attention, students and school personnel often struggle with the definition of bullying. The California Department of Education (CDE) states that “bullying behaviors in schools are recognized as dangerous and harmful acts that victimize the targeted victim and bystanders” (California Department of Education, 2003, p. 4). The CDE also provides a comprehensive list of categories of behaviors it believes to qualify as bullying, which include: physical, verbal, psychological, and sexual (Papas, 2011). The CDE also points out that these behaviors can happen in person or via the internet or other forms of technology, which is defined as cyberbullying (Papas, 2011). Papas asserts that our culture has defined bullying as an expected part of the growing up process; however, she maintains that it should not be viewed that way and that everyone has a responsibility to prevent bullying (Papas, 2011).

Several studies suggest that “bullying may be interpreted differently by pupils” (Menesini, Fonzi, & Smith as cited in Maunder, Harrop & Tattersall, 2010, p. 263). Maunder, Harrop, and Tattersall conclude that “how bullying is understood by members of the school community is important because differences in definitions could result in an inconsistent approach and affect the success of intervention work” (2010, p. 263). Their study examined the “perceptions of bullying of pupils held by pupils, teachers, and school support staff in English secondary schools” by using identical questionnaires with each group and reported that “indirect bullying behaviors were less likely to be defined as bullying and were regarded as less serious than direct bullying behaviors” (2010, p. 263). Direct behaviors included face-to-face actions “such as hitting, threatening and calling names.” Indirect behaviors include things like spreading rumors, or harassment through emails or texts (Jerome and Segal as cited in Maunder, et al., 2010, p. 265). Researchers such as C.M. J. Arora have found that teachers and students tend to associate bullying with only physical behaviors and do not regard the above-mentioned indirect behaviors as bullying (1996). As a result of their own research and the research of others, Maunder, Harrop, and Tattersall concluded that “indirect behaviors in particular need more attention to ensure that they are included in definitions of bullying, and taken seriously” (2010, p. 264).

Although some researchers have found general trends in the definition of what constitutes bullying, most agree there is no single definition of bullying in the literature (Arora, 1996). Maunder, Harrop, and Tattersall claim that “there are common features in definitions used, such as the intention to cause distress to another pupil” (2010, p. 264);

however, many agree that bullying tends to be at the hands of one or more students, happens frequently and over a period of time, and that the perpetrator is in a position of power over the victim (Borg, 1999).

Cranham and Carroll (2003) studied four types of high school students who are involved in bullying: the victim, the bully, the peer mediator (students who were trained to mediate other students) and the “passive bystanders” who witness bullying (p. 113). Their purpose was to examine whether these high school students could “ethically justify bullying behaviour in a school context” (p.113). Besides the main goal, the researchers wanted to see how the other students involved in bullying reacted to the events and to try to explain why certain types of students react differently to bullying behavior. Many differences exist between the way the four groups of students (bullies, “passive bystanders” (p. 113), victims, and peer mediators) view their situation and circumstances at a high school setting. Whereas bystanders and peer mediators desire self-change for the sake of self-improvement, victims think self-change is useless and bullies think it is unneeded. Victims and bullies both have difficulties navigating the complicated world of small groups of students in high school. Bystanders and peer mediators behave ethically to avoid punishment, whereas victims see rules as black-and-white and bullies justify breaking social norms and blame their bad behavior on others. The implications of these pieces of knowledge led Cranham and Carroll to suggest that one must consider students’ notions of responsibility and ethics before designing programs to combat bullying or attempting to handle these problems in school. They also suggested examining the “passive bystander” (Cranham & Carroll, 2003, p. 113) to help him or her learn to act to

prevent bullying. Moreover, since their study found that students did not want to seek adults for assistance in stopping bullying, adults need to be aware that any attempts they make to help might not be utilized.

Whereas most administrators realize that bullying and other forms of harassment occur on their campuses, they struggle with spotting it on their own campuses (Massari, 2011). This fact, combined with underreporting of instances of bullying, make it difficult to prevent harassment (Massari, 2011). Some internet sites dedicated to assisting educators and parents with the prevention of bullying, such as [bullyinginschools.com](http://bullyinginschools.com) (2010), have general guidelines to assist adults and children in the recognition of bullying events. This website highlights the type of incidents that can be classified as bullying and include: verbal; physical; indirect; social alienation; intimidation; and cyberbullying. The site recognizes verbal bullying, the calling of names or offensive remarks, as the most common; however, calls physical bullying (aggressive hitting, shoving, pushing) as the most commonly portrayed in the media ([bullyinginschools.com](http://bullyinginschools.com), 2010). Researchers Andrew Beale and Kimberly Hall warn that cyberbullying, which involves “electronic bullying, online bullying...and involves the use of e-mail, instant messaging, web sites, voting booths, and chat or bash rooms to deliberately pick on and torment others... is an important new form of bullying that must be addressed” (2007, p. 8).

The lack of a coherent, workable definition of what constitutes bullying has caused states like Texas to attempt to find “an authoritative definition” of bullying (Lucero, 2010). The Texas legislature, according to KWTX (in Lucero, 2010), considered at least seven different bills during the next session, which began in January,

2011. The state lawmakers have already passed legislation requiring schools to include student codes of conduct with language prohibiting bullying, however, there exists no concrete legal definition of what that means. Two of the seven bills would include sexual orientation as part of the reporting process for bullying; however, schools first would need to know exactly what incidents would come under the term bullying (Lucero, 2010).

### **The Effects of Unsafe School Climates and Cultures**

Evidence exists that students who are harassed because of their non-heterosexual sexual orientation, real or perceived, suffer more than students who are victimized for other reasons. Swearer, Turner, Givens, and Pollack (2008) found in their quantitative study that factors like the climate of the school combined with symptoms like depression and anxiety impacted bullying and its effects. In addition, the bullying of male students who were perceived to be gay caused these boys to report a more negative attitude towards school climate combined with a higher level of anxiety and depression. In fact, students perceived to be LGBT can suffer just as much from harassment as students in the LGBT community (Biegel, 2010). Moreover, “boys who were bullied for reasons other than being called gay endorsed more positive perceptions of school climate, lower anxiety, lower depression, and a more internal locus of control” (Swearer et al, 2008, p. 169). In addition, “boys who were bullied because others call them gay reported greater group exclusion, name-calling, being made fun of, being ignored, having bad things written about them, having mean things said about them behind their backs, having bad things done to them, and being attacked” (2008, p. 170). When they compared these results to boys who were bullied for reasons other than being called gay they discovered

these boys “reported less verbal and physical bullying” (2008, p. 170). Other studies, such as Nishina, Juvonven, and Witkow (as cited in Swearer, et al., 2008), have supported findings that negative psychosocial consequences can result from being bullied as a result of being associated with a sexual minority group. Russell et al. (2011) concluded that there is strong evidence that anti-LGBT bullying and other victimization in schools can lead to disastrous situations such as mental health problems and an increased chance for contracting HIV or other STDs. Furthermore, anti-LBGT bullying results in increased suicides or suicidal thoughts, especially among male students (Russell et al., 2011).

Furthermore, harassment in schools can affect a student’s ability to learn (Papas, 2011). Bullying can result in as many as 160,000 absences from school each day, interfering with students’ access to their education (Massari, 2011). LGBT students in particular can feel the effects of a school climate that does not support them, resulting in them either not coming to school on a consistent basis or dropping out altogether (Biegel, 2010). Other effects of being bullied can be depression and poor health (Rigby, 2003 as cited in Petrosino, Guckenburg, & DeVoe, 2010). Positive changes in school culture, however, can lead to increased achievement for LGBT students (Biegel, 2010).

Educators have a responsibility in fostering a positive climate for LGBT students, because when educators send a message of disapproval it can be adopted by other students and lead to disastrous results for LGBT students; on the other hand, when educators send positive messages that are sensitive to all students, including acceptance and respect for LGBT students, the potential increases for these students to achieve more and do better (Biegel, 2010).

## **The Role of Schools in Preventing Harassment and Victimization**

In 2006-2007 the United States Department of Education determined that 31.7 percent of students aged 12-18 were victimized at school (U.S. Department of Education, 2011). In addition, 3.7 percent were cyberbullied either at school or elsewhere (U.S. Department of Education, 2011). Many state and federal courts have ruled in the past decade that schools have legal obligation to provide a safe environment for their students. The Office of Civil Rights of the United States Department of Education has written guidelines that prohibit sexual harassment and the support of or creation of a hostile environment for students who identify as LGBT (McFarland & Dupuis, 2003, as cited in Swearer, et al., 2008). Even with these protections, however, the incidents of bullying against LGBT students is widespread, as teachers and staff do not realize the degree to which these students suffer from bullying and therefore do not intervene to prevent the acts of bullying when they occur. (Swearer, et al., 2008; and Crothers, 2007 as cited in Swearer, et al., 2008). Furthermore, Kosciw, Greytak, and Diaz (2009) found that the victimization from which LGBT students suffer is not just a result of their own individual characteristics, but also by the characteristics of their schools and communities.

In order to promote a more friendly climate for all students, and LGBT ones in particular, researchers have found several ideas that can make a difference. Swearer, Turner, Givens, and Pollack (2008) suggest developing and implementing policies that will “promote a positive school climate and environment of acceptance and safety for all students, including sexual minority students” (p. 82). Unfortunately, researchers have found that “many school climates foster norms, values, and belief systems that

communicate rejection and intolerance of some students” (Nichols, 1999, p. 505).

Nichols also claims that “schools are obligated to address the unique needs of homosexual youth” (1999, p. 505). Weiler (2004) suggests that schools educate students and staff about sexual orientation and issues surrounding gender identity, including incorporating it into the curriculum. In 2005, less than 40% of schools and school districts offered any information about sexual orientation, and only about 30% offered any staff development activities (Rienzo, Button, Sheu, & Li, 2006, as cited in Swearer, et al., 2008). Weiler (2003) emphasizes in his research how vital it is to have a school staff, including support personnel and administrators, that is committed to ensuring a safe, positive school environment for all students, including LGBT students. He suggests that school personnel be educated about discrimination and helped to comprehend the legal and social issues related to the education of LGBT students. This would include how to assist students and school staff who are victims of bullying (Weiler, 2003).

The California Department of Education (CDE) points out that bullying not only harms the targets, but also the bullies themselves (Papas, 2011). This drives the need for schools to establish a program that combats bullying and views the problem as a “community responsibility” (Papas, 2011). The CDE suggests raising awareness of bullying at a school site as the first step in solving the problem (Papas, 2011). It also pushes for a “bullying prevention committee,” representing diverse interests from the campus, whose responsibility it is to choose a prevention program (Papas, 2011). Other features of their strategy include defining bullying so that staff and students can deem these behaviors unacceptable, training the school community to respond to bullying,

counseling bullies and their victims (and their parents as well), and reviewing these programs on a regular basis (Papas, 2011). Many of these suggestions are included in California state laws, including the newly-passed AB-9.

Rigby (2010) emphasizes the school's role in preventing harassment by declaring that a school must first have a policy that includes a powerful statement against bullying. This policy must also include a declaration of the rights of stakeholders at the school and a detailed plan of how to handle bullying when it occurs and how the school plans to prevent it (Rigby, 2010). Rigby (2010) also calls for parents to be brought into the solution.

Mishna, Scarcello, Pepler, and Wiener (2005) attempted to discover teachers' attitudes and understanding of bullying and interventions to prevent it. The researchers argue that this study is necessary, as we must know what teachers think about bullies, victims, and the causes of bullying if we are to effectively handle the problem. Mishna, Scarcello, Pepler, and Wiener (2005) uncovered that the way a teacher typically responds to a bullying incident depends upon several factors, including: whom the teacher believes is responsible for the incident; how the teacher determines the severity of an incident; how the teacher's perception of the participants aligns with the teacher's expectations; how sympathetic the teacher was to the students involved; the school culture and climate; and the structures in place at the school to deal with student problems.

This study concluded that many teachers had no idea that some of their students were victims of bullying, which the researchers considered to be very important for the

school site's handling of bullying (Mishna, Scarcello, Pepler, & Wiener 2005). The study also found that because teachers did not have a concrete definition of what bullying is, they sometimes cannot recognize it when it happens; therefore, the researchers suggest that teachers receive additional training on bullying (Mishna, Scarcello, Pepler, & Wiener 2005). This factor was especially prevalent when the preconceptions teachers had about the students did not match the reality. The researchers did remind the readers of the study that teachers should not be judged too harshly for failing to recognize bullying when it occurs. The researchers considered a paramount finding in the study to be that a majority or the teachers interviewed had been victims of bullying and this impacted the way they reacted to the bullying of their students (Mishna, Scarcello, Pepler & Wiener 2005).

Because of the differences in culture and community, including the level of awareness of LGBT issues by staff members, Kosciw, Greytak, and Diaz (2009) caution against programs that use the same method for every school. They found that community factors, such as the number of college-educated individuals, influenced the number and severity of anti-gay bullying. They found this to be especially true when attempting to rid a school of anti-gay slurs like "That's so gay," as this phrase is found more often in white communities than in ones with other majority-race ones. Their study reminds its readers that the values and other influences of the community at large affect the schools, as a community's higher level of tolerance for LGBT members might also make for a school environment that is less hostile toward LGBT youth (Kosciw, Greytak, & Diaz, 2009).

The importance of the legal implications of providing a safe environment for all students, including LGBT ones, needs to be emphasized. Although there are few states (California being one of them) that have laws that specifically protect LGBT students and staff at school, several federal and state laws mandate that all students have access to a safe, harassment-free school environment (Swearer, et al., 2008). Under Title IX of the Education Amendments of 1972, if a school receives federal funds, it is legally required to address sexual discrimination, and sexual harassment (Young & Mendez, 2003, as cited in Swearer, et al., 2008). Furthermore, this law mandates that all students have equal access to all educational programs, have guidelines regarding sexual discrimination and a way for students to file complaints (Young & Mendez, 2003, as cited in Swearer, et al., 2008). Even school leaders who are not sympathetic to the needs of LGBT students must be aware of these policies and enforce them. They might also use these laws as guidelines to form their own anti-bullying policies (Swearer, et al., 2008).

In order to make such laws and policies work for the betterment of all students, including LGBT ones, school leaders should create formal procedures on how to handle incidents when they happen (Young & Mendez, 2003, as cited in Swearer, et al., 2008). The age of the students should be considered and the staff should be properly trained. GLSEN (2010) recommends that schools and school leaders implement strict rules and expectations about harassment and bullying of any kind, including verbal name-calling and threats; these zero-tolerance policies have succeeded in reducing bullying activities. Conoley (2008, as cited in Swearer, et al., 2008), recommends that teachers act as role models, even to newer teachers, and not tolerate any homophobic language, including

humor. Several researchers, including Swearer, Turner, Givens, and Pollack (2008), recommend that even school psychologists be brought into the mix to provide enforcement of rules and policies and support for a tolerant environment at school sites.

Swearer, Turner, Givens, and Pollack (2008), among many other researchers, suggest that schools encourage the formation of support groups for LGBT students. The most common kind of support group for these students is the Gay-Straight Alliance (GSA). The GSA Network defines a GSA as a club at a high- or middle-school that is run by students, bringing together students of all sexual orientations to support each other and fight discrimination against LGBTQ students (GSA Network, 2009). GSAs are also designed to include a support-staff, teacher, or administrator in the role of advisor and to fight all kinds of bullying and harassment. In addition, they can provide additional resources to help sexual-minority youth deal with other issues, such as safer sex and substance abuse issues (Swearer, et al., 2008). These clubs often meet at lunch and give students a safe haven and put on awareness-raising events, such as a Day-of-Silence or a No-Name-Calling-Week, or political forums (Stainburn, 2005). Scholars such as Kate Frankfurt (2000) and policy papers such as *Homophobic Language and Verbal Harassment in North Carolina Schools* (Phoenix, et al. 2006) recommend GSAs as a tool to fight anti-gay bullying and harassment. There were nearly 3,000 GSAs in American high schools in 2005, up from just 2 in 1990 (Stainburn, 2005). This, and other peer-support models have been found to be successful in reducing the number of bullying incidents at schools around the world. Furthermore, Biegel (2010) argues that GSAs and

other safe spaces on campus are among the most successful ways to help LGBT students, as LGBT students need to know that they have allies.

Furthermore, the Southern Poverty Law Center and National Center for Lesbian Rights' suit against the Anoka-Hennepin School District in Minnesota contends that school policies that take a "neutral" position on homosexuality prevent staff from responding in an aggressive manner when LGBT students are being bullied (Eckholm, 2011, p. 1). This, according to one teacher (who is also the leader of a GSA in the district), has led to an environment where several LGBT students have attempted or contemplated suicide.

### **Definition of Climate and Culture**

Defining school climate and culture involves the way stakeholders perceive it and requires multiple assessment tools to determine it (Center for Comprehensive School Reform and Improvement, 2009). Furthermore, a school that is safe fosters acceptance and caring (Bucher & Manning, 2005). Although it can be difficult to pinpoint an exact definition of a safe climate for LGBT students or a safe school in general, Bucher and Manning (2005) define a safe school as:

...one in which the total school climate allows students, teachers, administrators, staff and visitors to interact in a positive, nonthreatening manner that reflects the educational mission of the school while fostering positive relationships and personal growth. (p. 56)

In addition, Biegel (2010) includes the following in his definition of school climate:

culture of the school, the mood of the school, how stakeholders get along, how people respect each other's differences, the level of pride stakeholders feel, the vision of the school and the level of motivation at the school. Biegel (2010) maintains that the key to good climate is all stakeholders working together. This promotes tolerance of differences. Furthermore, educators must be proactive regarding school climate, and not wait for problems to arise before they are addressed (Biegel, 2010).

In order to create safe climates and schools for LGBT students, one must consider that changing the climate when it comes to LGBT issues is even more complicated and involves many additional challenges, as LGBT people have been historically outside the mainstream (Biegel, 2010). The inclusion of content about socially marginalized groups (one of the main tenets of the FAIR Education Act), however, might allow students to see models from these groups that they would not normally encounter. This can help students with their own identity or with understanding and appreciating others, whom they might not encounter. This is especially important given the diversity of the world in which we live (Knotts & Braun, 2009). Biegel (2010) also supports inclusion of LGBT achievements into the classroom, as school climate for LGBT students can benefit from including LGBT content into the curriculum. In addition, school climate programs should be adopted (Biegel & Kuehl, 2010).

### **Gaps, Debates, and Shortcomings in the Literature**

Since the FAIR Education Act is a new law, there has been little or no research about its effectiveness in preventing harassment and improving climate and culture. We know that the tenets of the law, including LGBT accomplishments in the curriculum,

leads to safer school climate and improved circumstances for LGBT students (Russell, et al., 2006). What we do not know is how teachers, who are on the front line of implementing this law, have to enact it. We also do not know how teachers feel about their role in doing so. Because buy-in, support, and leadership are vital in order to affect policy change (Evans, 1993), we need to know more about teachers' perceptions surrounding this law if it is to be successful and accomplish its goals. Since there are teachers who have been implementing the tenets of the law in a de facto way for years (Russell et al., 2006), we know the ideas behind this law can provide LGBT students with a safer climate and culture; we must, however, learn how to help those who need help implementing the laws, or the law will fail (Terry, 2010).

#### Conclusion and Implications for Further Study

Despite a sometimes difficult political climate, lawmakers and educators alike see the importance of addressing the needs of LGBT youth, especially when it comes to creating a safer culture and climate that is needed to prevent bullying. This study addressed teacher perceptions of the FAIR Education Act, which requires social studies teachers to teach curriculum in order to create a safer climate and culture for LGBT students on high school campuses. Although one can find much literature about the topic of bullying and victimization, often agreeing on the need and some basic components of programs, there is not a comprehensive approach to assist schools in this area. There exists a true gap in the literature when it comes to the staff actions and perceptions of their roles in implementing laws like the FAIR Education Act and in preventing anti-gay bullying and creating a safer space for LGBT students. Although faculty members are

victims of anti-gay and other forms of bullying, they are often ignored as part of the solution. Researchers agree that school personnel need to be a part of the efforts to combat anti-LGBT harassment, but often do not address the fact that school officials themselves can be victims of bullying. Although a definitive solution to these problems may not be possible, continued research and study, especially given the current number of suicides by LGBT youth, will provide educational leaders with increasingly better understanding of the situation and better tools with which to fight against it.

### **CHAPTER 3: Methodology**

The purpose of this qualitative case was to discover how teachers perceive the impact that state and federal laws and the use of curriculum that includes the LGBT community have on the safety of these students on high school campuses. This study most closely examined the FAIR Education Act, which took effect in 2012 and requires California schools to include contributions by LGBT community members and historical figures in the curriculum of study for public school students in social studies courses. It also prohibits schools from adopting curriculum or providing instruction that discriminates against members of the LGBT community. In addition, this study also investigated whether teachers believe that the use of curriculum, the main tenet of the FAIR Education Act, effectively helps the LGBT community on their campuses. In addition to being important that educators secure a learning environment for all students that allows them to achieve and feel safe, laws now require administrators and teachers to take an active role in ensuring that LGBT students are safe. Furthermore, these laws insist that school personnel must create and maintain a culture and climate of the school that provides the LGBT population with an environment in which they can learn.

The increase in awareness of the plight of LGBT students in high schools, especially as victims of bullying, makes this study significant. Nine out of ten LGBT students report being harassed at school (GLSEN, 2010); this bullying results in higher dropout rates, higher suicide rates, higher substance abuse rates and difficulty maintaining passing grades for many of these students (Cranham & Carroll, 2003; GLSEN, 2010; Swearer, Turner, Givens, & Pollack, 2008;). In addition, high profile

cases in the news, such as those of Lawrence King and Seth Walsh, have captured the attention of educators and lawmakers alike. Schools are no longer simply challenged to create a better atmosphere for LGBT students: they are required to do so by law. It is important that educators know and understand these laws and how to best implement them. This study sheds light upon the educators' perceptions of the effectiveness of laws and the tenets behind them in promoting a safe climate and culture for the LGBT population of the school.

Since I am currently a high school teacher who holds an administrative credential and performs administrative tasks on his campus and for the school district, I am directly affected by school law. I am also a member of the LGBT community who, as a student in California, experienced concerns about my safety at school and the negative climate and culture of the schools I attended., I hope this study can contribute to the scholarly body of work that assists educators in making schools safer for LGBT students. My desire is to provide a tool for educators (teachers and administrators at all levels) to use in determining what helps these students feel safer and what works to prevent bullying and other forms of harassment. I also want to examine what does not help them feel safer or lessen the risks these LGBT students will face bullying and harassment.

This study will be framed around the following research questions:

1. How do social studies teachers perceive the content of the newly-enacted law, the FAIR Education Act and its potential to create or change the

- school's climate and culture for LGBT students? (Key Element 1: The Content of Reform, Evans, 1993)
2. How do social studies teachers, see their roles in creating a safe space for LGBT students and in enacting the curricular changes brought about by the FAIR Education Act? (Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)
  3. How do social studies teachers view their school's level of support for LGBT students and what do they think their colleagues and administration do to help LGBT students learn and feel safe? (Key Element 3: The Strength of the School as an Organization, Evans, 1993)
  4. What tools and/or training do social studies teachers need to enact the FAIR Education Act and to create a safer space for LGBT students? (Key Element 4: Support and Training, Evans, 1993)
  5. What do school leaders and administration need do to help LGBT students learn and feel safe, including the implementation of the FAIR Education Act at the site level? (Key Element 5: Leadership, Evans, 1993)

### **Chapter Organization**

An overview of the research design and tradition used in this study will begin this chapter, and will be followed by a description of the setting and context of the study. Details of the research sample and data sources, including data-gathering instruments and procedures for collecting the data will then be explained. A discussion of the role of the

researcher in this study, including biases, will follow. A summary will conclude the chapter.

### **Research Design**

This study was a multiple case study, an “in-depth description and analysis of a bounded system” where data was collected from multiple sources such as interviews and observations (Merriam, 2009, p. 40). Merriam (1998) states that case studies are “an especially good design for practical problems--for questions, situations, or puzzling occurrences arising from everyday practice” (as cited in Rossman and Rallis, 2003, p. 105); since the research questions dealt with the everyday situations of LGBT students in their schools and how newly-passed laws can help them in a practical way, the case study approach is logical. Although this is a mixed methods design, this study relies mostly on qualitative methods in an attempt to search for a “detailed understanding of human experience” (Rossman & Rallis, 2003, p. 9). The information extracted from the interviews was supplemented with a survey to the entire Social Science Department at each of the three schools sites where the study was conducted. This was done in order to triangulate the data and ensure that the data obtained from the interview participants represented the beliefs of the departments as a whole. The surveys were based on a 5-point Likert scale and shed light upon and reinforced the thoughts of the nine interview participants. The case study is meant to “shed light on, offer insights about, similar cases,” thus making the approach ideal to achieve the goal of this study, which is to examine the effectiveness of state and federal laws (Rossman & Rallis, 2003, p. 105). In addition, Patton (as cited in Rossman & Rallis, 2003, p. 104) tells us that one of the chief

goals of a case study is to “extrapolate lessons learned” from the case. The participants in this case study were able to give enough information and details that allowed for analysis about the effectiveness of the FAIR Education Act and its tenets.

The bounded system refers to “a single entity, a unit around which there are boundaries” (Merriam, 2009, p. 40). In the context of this study, the bounded system includes the schools where students are already experiencing the tenets of the FAIR Education Act. The study investigated here included data taken from interviews from nine social studies teachers at three school sites within the same district, all of whom have either already implemented the FAIR Education Act to some degree or teach courses where LGBT issues and the contributions of individuals in the LGBT community are now required to be taught. Teachers were asked about their experiences with these courses and the implementation of the FAIR Education Act and its tenets, and whether they believe these experiences have influenced students and led to a school climate and culture where LGBT students feel safer. These students and the teacher participants attend the same schools, are part of the same programs and/or courses of study, and have gone through the school year together; it is this that binds them together as members of a group and qualifies them as a bounded system (Merriam, 2009). The staff members are part of this bounded system, as they work together in the school setting and enforce the same rules and should use the same curriculum (Merriam, 2009).

### **Research Tradition**

Data collection occurred at a particular moment in time that was based upon the experiences of teachers and included their perceptions of the FAIR Education Act and its

tenets, their administrators, teacher colleagues, their students, and, to a lesser extent, parents and community members. The phenomenological study here explored the lived experiences of people “from the standpoint of a concept or phenomenon” (Schram, 2006, p. 70). These experiences focused around the way that teachers view the experiences of students in the general population and the LGBT students, and the way they view the culture and climate of their school as it pertains to the schools’ LGBT students. Moreover, since the law under investigation required the intervention of teachers, I inquired into their experiences with the enforcing the tenets of the law and asked whether they believe these laws help the LGBT population. In addition, I investigated how the experiences of the educators and perceptions of their students have impacted them and the culture and climate surrounding the safety at their schools through the participants’ experiences. In order to do so, the research design included in-depth, lengthy interviews that fit the phenomenological research tradition (Schram, 2006).

Since phenomenology assumes that one can understand a phenomenon through the lived experiences of others (Schram, 2006), its framework guided this examination in reviewing the ways that the participants have perceived the effects that laws like the FAIR Education Act hope to achieve. The desired outcome of this study benefits from investigating participants’ experiences with these laws, thus matching the assumption from phenomenology that one can only truly understand a phenomenon through the experiences of people who have lived through or experienced this phenomenon (Schram, 2006). Since phenomenology seeks to find meaning through the language of the people who have lived through a certain experience, this research tradition was even more

appropriate for this study as the search for the meaning from the experiences of the participants were shared through interviews and dialogues..

The controversies surrounding this new law lent themselves to the phenomenologist research tradition. Although many constituents, both on the pro and con side of the law, claim to know what will happen when the concepts in this laws are fully enacted, phenomenology requires one to hold judgment about the effect of a phenomenon until one can examine how it has impacted the real, lived experience of the people who have encountered it (Schram, 2006). This study did just that and the study's results are not based on political or social theory, but rather by the participants of the study who have personally experienced the effects of these laws and their implementation on the climate and culture of safety for LGBT students on their campus/es. Since the conceptual framework of this study revolves around the idea that effective writing and implementation of laws at the state and federal level can impact the climate, culture, and safety of students on a high school campus if certain conditions are met, the research questions reflect my desire to examine whether the laws I studied are achieving or have achieved these goals. The lived experiences of staff (and their perceptions of their students' experiences) in the bounded system have provided me with the data needed in order to make an analysis to discover the impact of this law and its tenets. As a researcher, I looked at how the participants perceived their experiences and found a meaning behind these experiences, which is exactly aligned with the phenomenological approach (Bolton, 1979).

## **Role of the Researcher**

As an advocate for all students, including members of the LGBT community, I see my chief role in this research as a doctoral student who will examine how teachers perceive a recently-passed law and its ability to improve the climate and culture of high schools for LGBT students. The implementation of this law could have a positive effect for LGBT students and lawmakers wrote and passed them hoping that the improved culture and climate would lead to less bullying and harassment and to safer campuses (Broverman, 2011). My approach was that if the data in this study finds that the law and its tenets are not effective in improving the culture and climate of schools and do not lead to increased safety for LGBT students, either lawmakers or educators must amend the tenets of the law, or find way to effectively implement it. If problems in the implementation of the law prevent the ideas behind the law from working, suggestions from this research could help lawmakers and educators to better-implement the tenets of the laws in order to help them reach their intended goals. I intend this study to serve this role and to play a role in the advocacy for LGBT youth in our schools.

I looked at this research through the lens of a teacher who has worked for over twenty years at a high school campus and strives to make high school a safe place for all students. During my career I have seen students bullied and have heard stories about LGBT students who feel unsafe in their learning environments. Furthermore, I am the co-adviser of my school's GSA (Gay-Straight-Alliance), where I routinely hear testimony from LGBT students about the impact of an unfriendly culture and climate on their ability to learn and have a positive self-esteem. In addition, students in the club (both LGBT

and non-LGBT) use club meetings to supplement the lack of curricular material taught in their regular social studies classes; if the FAIR Education Act and its tenets can be fully and properly implemented, students will gain the knowledge they desire in their academic classes and will not need to rely on extra-curricular activities to provide them with the information they yearn.

I am also a researcher and a doctoral student, which helps me focus these efforts and apply them to the investigation of the effects of California law. In addition, I have an M.A. in Educational Administration and hope to become an administrator later in my career; I have already served on many committees at my school site and in my school district whose goals include safety and equity for students. Since the law I studied also requires administrators to take an active role in ensuring a safe campus by providing curriculum, my knowledge of the responsibilities of a school administrator gave me insight and the ability to conduct the participant interviews and analyze the data I ascertain from them. My dual role as teacher and administrator assisted me in writing an interview protocol, conducting interviews, and analyzing data.

Another role that helped me better-conduct this study is my role as a member of the LGBT community. When researching for this study and analyzing data, I was also able to view it through the lens of a high school student who was gay and did not feel safe on his campus; in addition, I knew nothing about the LGBT community, its accomplishments, or its history. Given the only information I had about the LGBT community at the time concerned the AIDS epidemic, I believe in the potential that this knowledge would have helped my self-esteem when I was in school, an idea already

supported by research (Biegel, 2010). This fact helped influence my decision to choose this research topic, as I know first-hand what an LGBT student experiences on a high school campus. I believe I have the unique ability to examine data for this study from all perspectives, as a teacher, administrator, and gay student.

### Biases

Because I am a member of the LGBT community who serves as a teacher and administrator, I recognize the inherent bias that could enter this study. Since I am also a school leader and teacher, I want schools to be safe for all students. This could be seen as a bias, as I have lobbied my school, school district, and politicians for measures to create a school culture and climate that makes all students feel safe and that reduces the incidents of bullying and harassment, not just LGBT students. I hoped this research could discover how effective laws and policies are or potentially could be. I decided that if I found that they are not effective and not effectively implemented, I would want the lawmakers who wrote and passed them to be aware of this, and the people in charge of implementing the laws to have suggestions by which they could correct their errors. Furthermore, this study could help leaders enact further laws by illustrating what was successful about the drafting and implementation of the FAIR Education Act, and what needed to be done better, or was not done at all, thus affective the potential success of the law.

### **Strategies to Mitigate Bias**

Although, as a person identifies as gay and who is a member of a school community and an advocate for all students, I would hope that The FAIR Education Act

and its tenets would have a positive effect on school culture, climate and safety; however, I am not advocating for any laws or ideas, especially for laws and ideas that do not work. I ensured that my biases were checked by using triangulated data, which will include interviews from several different teachers at three different campuses. I also employ the all-department survey to make certain that the chosen interview participants represented the general opinions and feelings of the entire group of social studies teachers at each school. Rossman and Rallis (2003) maintain that a case study should “rely on a variety of techniques” (p. 105). I attempted to sample participants who already have experience with the curriculum and programs mandated in the FAIR Education Act, but I did not screen them regarding their opinions prior to the interviews. This ensured that I did not use participants who were predisposed to supporting or rejecting the content of the law. I also administered a survey to ensure that I have at least one instrument in my data collection that measured a larger sample size in order to avoid the risk of including participants that could be construed as biased themselves (such as leaders of GSAs or teachers who, by choice, are already teaching about LGBT individuals’ accomplishments)

In addition, I had peers review my data and my analysis in order to get objective feedback from others and check for bias. I recognize that all researchers bring some bias with them as they approach their research (Glesne, 2011); however, I attempted to ensure that my biases did not influence my data collection or my analysis. In my case, one of my chief biases might have actually worked in favor of the analysis being objective, as I want to see safe campuses for all students including LGBT students. This made certain that I carefully considered the contents of my data before I reported any results.

I was also careful to consider how the faculty members reacted to me as a researcher. I presented a neutral position about how I feel about the FAIR Education Act and its tenets. By doing this, I hoped to elicit more honest responses and to avoid participants telling me what they believed I want to hear. I think that by using a comfortable, familiar location like their classroom or teachers' lounge for the interviews, it also allowed for more honest responses. I did my best to ensure and reinforce the participants throughout the interview and survey process that I want them to be honest in their responses so that they resisted changing their opinions and editing their experiences to please or placate me as the researcher.

### **Research Setting**

The setting for the data collection for this study will be three high schools in the same district in the seat of a large county in Southern California. I gained access to two school sites which are comprehensive high schools that have demographics that represent California. In addition, I interviewed teachers at a technology magnet school in the same school district.

Conventional High School (a pseudonym) was opened in 1963 to serve the growing population of this city (School Staff, 2011). The school's 2012 API of 791 made it the higher-scoring of the two comprehensive high schools in the district (education.com). During the 2011-2012 school year, the school had 2,209 students (education.com, 2012) made of up mostly the following ethnic groups: white, non-Hispanic, Hispanic, African-American, Asian-Pacific Islander. Of these ethnicities, the Latino population makes up 44% and white, non-Hispanic students make up about 47%

(education.com, 2012). Although the community in which Conventional High School is located has a segment of its population that is politically and religiously conservative, the school has an active gay-straight alliance (GSA) club and has an administration that supports its LGBT population. According to participants in this study, the administration and teaching staff has embraced the tenets of several of the California laws designed to help LGBT students and several teachers have already begun to implement the core of the FAIR Education Act by including the contributions of LGBT individuals into their lessons (leginfo.ca.gov).

The second comprehensive high school, Broad High School (a pseudonym), is the older of the two comprehensive high schools. According to participants in this study, the school has made strides in recent years to attract students through marketing and increasingly challenging and diverse programs. There were 2093 students at Broad high during the 2011-2012 school year (education.com), of whom 47% were Hispanic, 46% were non-Hispanic white students, 2% were Asian, and 2% were African-American. The school's 2012 API was 783 (education.com). Participants in this study also referred to the city's conservative-leaning population as a challenge to establishing programs for the LGBT population; however, they highly touted the school's GSA, saying it did an effective job in supporting the LGBT community and educating the campus on LGBT issues.

The third school in the study, Advanced High School (a pseudonym), is a technology magnet school that accepts students through a lottery process. It is much smaller than the two comprehensive high schools in the study and in the district, with

only 985 students (education.com). The demographic make up of the school is also very different from the two comprehensive high schools, with 63% white, non-Hispanic students, 25% Hispanic students, 7% Asian students, and 1% African-American students (education.com). The school's API in 2012 was 912 (education.com), which makes it the highest-achieving high school in the district. Participants in this study described the student body as eclectic, and insisted that students felt comfortable being unique; one teacher even touted the Harry Potter Club, and explained that some students come to school dressed in Harry Potter attire. The school's GSA, according to several participants in this study, gives students a safe space and promotes LGBT awareness on campus.

I used a snowball or chain selection process and found the participants through the administration and the Social Studies Department chair, who directed me to the social science teachers who were best able to answer my interview questions because of the subjects they teach (Kuzel, 1992 and Patton, 1990 as cited in Miles & Huberman, 1994). In addition, because I wanted to discover the perceptions of social studies teachers who represent the majority of the campus, I used participants who fall into the typical case category (Kuzel, 1992, & Patton, 1990 as cited in Miles & Huberman, 1994). I also used criterion sampling, including participants and cases that met the criteria of my study, as I interviewed social studies teachers because they are the educators whom the FAIR Education Act affects as of January, 2012 (Official California Legislative Information, 2011).

## **Site Selection**

I selected these sites through the purposeful selection strategy of snowball or chain sampling, which enabled me to find cases through people who knew people who were teaching about LGBT individuals and their contributions already (Kuzel, 1992 & Patton, 1990, as cited in Miles & Huberman, 1994). This was ideal since I was seeking a schools where the tenets of the FAIR Education Act were already in place and being practiced. These three high schools were ideal settings for this study, as they are suburban high schools with a typical profile for such schools. The schools have also experienced some problems with bullying against LGBT students in the past, so the educators whom I interviewed were able to give me a rich and “thick” description of the problem (Rossman & Rallis, 2003). Since a case study is meant to “shed light on, offer insights about, similar cases,” I needed to make sure that the school and setting I chose would also have teachers who may have responded to incidents of bullying against an LGBT student. It would also be important these participants would be able to interpret the school’s climate and culture as related to harassment on the campus (Rossman and Rallis, 2003, p. 105).

## **Access**

Because I am a staff member at Conventional High School, I had few barriers accessing the participants whom I needed to interview at any of the three high schools. I had to be mindful that some of the participants may know that I attend the GSA meetings and that I value a safe climate and culture for all students. I attempted to interview educators who were not be interested in impressing me, but rather told me their

interpretations and perceptions of the impact that curricular and other efforts to improve campus climate and culture have on their school and its students. Because I have taught at Conventional High School for over twenty years and am a known figure on the campus and in the district, I did not have a problem with participants trusting me or questioning my motives.

My experience and standing in the school district also afforded me the opportunity to gain access to both the other comprehensive high school, Broad High School, and the magnet school, Advance High School. I contacted the principals, who both gave me permission to conduct the study and to contact the Social Science Department chairs. I emailed the department chairs, who gave me names of some of the members of their department whom I should contact. I emailed these interested participants, choosing from the names given to me by the chairs so that I had a variety of teachers based on their philosophies and year at the school. I then set up appointments, and conducted the interviews.

### **Data Sources and Sample**

Given that the study focuses on the impact of the content and implementation of a California state law on the climate, culture and safety of schools, I needed to discover how the members of the school community perceive the climate and culture of their school site. Since defining school climate and culture involves the way stakeholders perceive it and requires multiple assessment tools to determine it (Center for Comprehensive School Reform and Improvement, 2009), it was necessary for me to interview and survey multiple educators. Because I am examining how this climate and

culture affects the safety of LGBT students, I needed to direct my questions and data collection specifically with those students in mind. In addition, since I want to explore the effects of a law that has recently been implemented, I sought participants who would be affected by the tenets of these laws (such as including LGBT individuals in their social science curriculum) before the lawmakers actually wrote and passed these laws. I used in-depth interviews of multiple educators at each site in order to capture “thick and rich” data (Rossman & Rollis, 1993), and a broader survey of a larger group to check to see if the interview participants' thoughts match those of the school at-large.

### **Methodology Instruments and Procedures**

This study consisted of interviews with teachers in order to examine if the tenets of the the FAIR Education Act are creating, or have the potential to create, a climate and culture that is making schools safer for LGBT students. Since the study took place at high schools that should have already implemented the basic content of these laws, the interviews and surveys provided the researcher with a variety of perspectives from a number of different people that shed light upon whether this law might make a difference for the students on the campus.

### **Participant Selection**

The teachers who were participants in the study also had to be able to assess how the introduction of curriculum and other scholarly information have impacted school safety for LGBT students. It was important that the participants in this study be able to ascertain if the core directives in laws like the FAIR Education Act have the potential to change the culture and climate on the campus, and have thus led LGBT students to feel

safer. I found schools where some teachers have tried some of these ideas in order to determine whether they have made a difference and how the perception and implementation of the law affected its success or potential success.

I selected the individual participants through a snowball or chain selection process, as I found the participants through the knowledge of people on the campus who are acquainted with the teachers and student who would be best able to answer my interview questions (Kuzel, 1992 & Patton, 1990, as cited in Miles & Huberman, 1994). In addition, I found participants who fell into the typical case category, as I wanted to discover the realities of educators who represent the majority of the campus (Kuzel, 1992 & Patton, 1990, as cited in Miles & Huberman, 1994). I also used criterion sampling, as I included participants and cases that met the criteria of my study, most importantly in terms of having the opportunity to use curriculum, as the FAIR Education Act now requires teachers and schools to do as of January, 2012 (Kuzel, 1992 & Patton, 1990, as cited in Miles & Huberman, 1994).

### **Interviews**

The main data collection instrument in this study was an interview protocol, which began with a welcome and statement of purpose and a brief description of the study. The letter reminded participants of the methods used to ensure confidentiality, followed by an opportunity for the interviewees to ask any questions of the interviewer. The interview protocol contained questions framed around the research question and probe follow-up questions. The interview protocol also included questions about the perception by faculty about bullying against LGBT students and what that would look

like. In order to discover whether the tenets of this law are helping students feel safer, we must first know how students and staff construct a safe and secure environment in their school. Since studies show that it is hard for school personnel and students to arrive at a standard definition of what bullying looks like (Arora, 1996), it was important to discover participants' views of bullying in order to evaluate whether the content of the laws studied is helping combat bullying. If wide discrepancies had existed in this definition, it might have been necessary to re-frame questions with a more-detailed, site-specific definition of bullying against LGBT youth.

Based on how participants answered certain questions, I prepared probe questions to follow up on thoughts and opinions. It was important to understand why certain views are held and to go into depth about more general questions, such as one that asks participants to describe the current environment for LGBT students. The probe questions, which are a standardized follow-up, served that purpose.

The interviews, which lasted about forty minutes provided information to determine how the newly-passed and existing laws act to protect LGBT students. Since participants often do not tell the interviewer everything that s/he desires to ascertain, especially when the subject matter is uncomfortable as the subject matter here might be, and to help triangulate the data, I conducted a survey in addition to interviews (McCail & Simmons, 1969). This extra data had the potential to fill in gaps or help solidify trends seen in the interview process. Had I believed that more information was needed to arrive at a conclusion, I would have conducted interviews with more participants, which would cover the same questions; however, this was not the case.

## **Data Collection**

I used a survey and nine interviews with social studies teachers at the three different school sites. All of the department members at each of the three schools who volunteered completed a survey; three teachers at each of the three school sites were interviewed. Department chairs offered advice regarding a diverse group of teachers at their perspective campuses, so that I would have participants who would represent different levels of experience, in order to address part of one of Evans' (1993) contentions from the conceptual framework. I also wanted to avoid interviewing only teachers who were enthusiastic advocates of the FAIR Education Act and its tenets and/or the LGBT community, so that I would have data that better represented the wide range of potential opinions that educators might have about laws like the FAIR Education Act. Although I wanted participants who would, through their position as teachers in the Social Studies Departments of each of the three schools, be able to form opinions about the law and its possible effects, I did not prescreen applicants regarding their opinions. The department chairs helped me find a diverse group of participants. In order to ensure that all opinions within each of the Social Studies Departments were represented, I surveyed the departments at each school.

Once I identified these faculty members, I contacted them and prepared the participants by describing the study. Because I wanted to discover what the teachers already knew about the FAIR Education Act and using curriculum to provide safer spaces, I did not provide the tenets of the FAIR Education Act and did not encourage, request, or require the participants to research the law's tenets. I found a space in the

school setting where we had privacy and participants could feel secure in relating their thoughts and feelings. I reminded participants that they may stop at any time and/or skip questions they do not want to answer per the consent form. I then conducted the interviews using my interview protocol, which opened with a “grand tour” question and featured follow-up or probe questions to elicit more information if needed. After the interviews were finished, I reminded the participants that they may review the transcripts of the interview and do a member check (which I defined) in order to ensure accuracy.

After the interviews, I administered a survey, which was necessary in order to gain a broader understanding of the opinions of all faculty involved in this study. I analyzed the responses to the questions I asked and looked for patterns or data that trends in a direction that allowed me to draw conclusions. I then tabulated the results of the survey, which included questions similar to those on the interview protocol. I calculated the median and mean result for each question, and also the percentage number for each value on the Likert scale (See Appendix pp. 255-260). I asked the department chairs and each school to hand out the survey at a department meeting. Teachers had the option of filling out their name on the bottom portion of the survey and separating it from the main survey to enter into a drawing for a gift card. In order to maintain confidentiality, teachers put the completed survey in one envelope and their contact information for the drawing in a different envelope. By doing this, I could not determine whose survey answers belonged to whom. Department chairs then sent both envelopes to me by district mail. E-mail surveys might compromise the anonymity of the participants; therefore I chose to use a paper one.

I began my data collection in the fall of 2012, as soon as Human Subjects approval was given. I completed my data collection in November, 2012..

### **Data Analysis Narrative**

Bloomberg and Volpe (2008) suggest that a researcher begin the process of analyzing data by creating a system to organize and manage the data that will be collected by “putting in place a plan to manage the large volume of data you collected and reducing it in a meaningful way” (p. 74). I took the data I collected through the interviews and surveys and searched for concepts that I discovered in the language of the participants, also called In Vivo codes (Creswell, 2008). I was able to identify further themes from the literature and began to search for codes. These codes helped me find patterns and themes in the data (Glesne, 2011). I also consulted the research in my literature review to assist me in this process, which Bloomberg and Volpe (2008) instruct researchers to do. Concepts from my literature review influenced the codes.

Concepts from my literature review that informed my codes included my conceptual framework, curriculum pertaining to oppressed groups, leadership, the implementation of policies, and the current state of safety for LGBT students. In addition, the codes focused on the culture and climate of the school as related to the LGBT students and the ways that the school is implementing the tenets of state laws that are intended to improve their safety. Furthermore, the staff’s perceptions of the effectiveness of the content of these laws also played a major role in the coding process. The data I collected led me to several important themes I used in my data analysis.

I transcribed my interviews verbatim, stating both what is said and how it was said. I believe this to be important in my study, as the words such as “um” and “uh” can contribute to the tone and show emotions like hesitance that could play a key role when looking at a delicate subject like controversial laws, bullying, and harassment. The tone and manner in which participants answered questions also provided data about how they really feel about issues regarding the FAIR Education Act and school safety and climate. This also revealed the participants’ comfort level with subject matter taught involving members of the LGBT community. Transcribing verbatim and including context clues about the way participants answered questions also helped eliminate the biases I identified, as every word and emotion were in the transcription without editing choices that I made. Since during transcription one must interpret and make choices, I believe the less I edited, the more pure the data would be (Davidson, 2009).

As I transcribed the interviews from the digital recordings I made onto Microsoft Word, I focused on narrowing down the above-stated general themes into specific codes. As I continued to transcribe the subsequent interviews, I made sure that the initial codes I saw in earlier interviews applied to the subsequent interviews by cross-checking the codes I used with each interview. I also included results from the surveys and applied codes to them, using the same codes I found in the interviews and adding any new ones I identified; additionally, I searched for new themes and codes from the survey information. Lastly, I re-read the interviews in order to ensure that my codes provided me with a thorough way to organize all of the data I had compiled. This process enable me to find recurring codes and themes that I could use to compare to the literature and

determine if the themes I discovered were either unexpected or different from what I had read.

As I completed this process, I made sure that my codes covered all the interviews and the surveys. In addition, I ensured that I connected my codes to the literature. I used the themes I discovered as a foundation for my data analysis section.

### **Timeline**

My goal was to begin the data collection process as soon as possible. I hoped to begin by Fall, 2012, with the interviews and survey taking place in September or October; in fact, I conducted the final interviews in early November. I began the coding process immediately after conducting the interviews and began to analyze the data in December, 2012.

## CHAPTER 4: Results and Findings

This chapter provides an analysis of the data collected during nine interviews with Social Science teachers in three school settings within the same school district. In addition to the interviews, the entire Social Science department from each school had the opportunity to complete surveys that asked the teachers about how they view the FAIR Education Act and the use of curriculum to help make high school a safer place for LGBT students. The analysis of the interviews went through the process suggested by Bloomberg and Volpe (2008), during which I organized the data collected in a systematic process by looking for themes in the data (Glesne, 2011) according to the research questions I put forth. These research questions came from my conceptual framework and included one question from each of the five essential change elements from Robert Evans' (1993) study "The Human Face of Reform." Through the process of coding interviews with each research question in mind, and considering the data from the surveys teachers answered, I was able to discover dominant themes that allowed me to suggest how the teachers perceive the FAIR Education Act and the helpfulness of curriculum in creating safer spaces for the members of the LGBT community within each school. Lastly, I connected the codes to the literature to find themes and suggest a situation that is global in nature and does not simply apply to the three schools used in this study.

The following chapter will present each research question and its linked essential change element from the conceptual framework. Narrative descriptions of teachers' responses will be connected to the answers teachers gave to the survey, which followed a Likert Scale. Teachers responded to the survey by indicating their views on a scale of 1 to 5, with the following values being assigned to each number:

5= Strongly Agree

4= Mostly Agree

3= Sometimes Agree; Sometimes Disagree

2= Mostly Disagree

1= Strongly Disagree

The combination of the interviews and the surveys illustrate how teachers perceive their roles and attitudes in enforcing the FAIR Education Act and using curriculum in their classes and schools in order to provide a safer space for LGBT students.

### **Social Studies Teachers' Perceptions of the Content of the Reform: FAIR Education Act and its Potential to Change Schools' Climate and Culture for LGBT Students**

Evans (1993) insists that in order for a change to happen at a campus, such as implementing a law like the FAIR Education Act that has proven controversial (Sankin, 2012), staff members must view the change initiative as something that can work. In addition to mere threats of lawsuits that schools and teachers now face if they are

indifferent to the safety of the LGBT community (Biegel, 2010), teachers must view the FAIR Education Act as a law that will bring about a change that is necessary (Evans, 1993). In addition, it must be achievable (Evans, 1993). Lastly, the teachers must trust not only the tenets of the law to make a positive change, but also the lawmakers who created the policy to make the change (Evans, 1993). This section examines teachers' perceptions of the reform itself and questions whether the educators believe the law, and including the accomplishments of the LGBT community and individuals into Social Science curriculum, are ideas that merit their hard work and the possible risks involved with implementation. This section also explores potential problems that teachers see with the law, such as the possibility of tokenism, that cause them to question the effects of the reform itself, a circumstance that Evans (1993) suggests could endanger the implementation of the FAIR Education Act. Furthermore, even if the teachers believe the law to be valuable, do they think implementing it is doable?

Because of the complex nature of this first essential element, combined with the variety of responses, this section is the longest of the five. Evans (1993) argues that teachers must stand solidly behind a reform effort if it is to work; however, this is not necessarily the most important element to determining the policy's or law's success or failure. Neither the length of this section, nor its placement of this essential element as the first one, reflects Evans' (1993) or the researcher's judgment that this component is more important than the others. In chapter five, the recommendations from the researcher will reflect this. Readers should keep this in mind when reading this chapter.

## Content of the Reform: Creating and Maintaining a Classroom Environment Friendly to LGBT Students

One of the main reasons the FAIR Education Act was written and passed was to help LGBT students by using curriculum to create a safe space for them (Broverman, 2011). Since Evans' (1993) first key element for change involves teachers needing to see the benefits of the law, it is worth investigating teachers' thoughts about the friendliness of their own classrooms and campuses for the LGBT population. In examining the teachers' perceptions of the benefits of using curriculum to establish a safer school environment for LGBT students, one must first wonder if teachers view protecting the classroom and school environment for these students to be a worthwhile goal. Are teachers and are their schools already actively attempting to provide a safe space for their LGBT students?

Teachers surveyed at all three schools overwhelmingly agreed that their individual classroom environments already ensure a safe environment where LGBT students can learn. At the two comprehensive High Schools in the study, Broad High School and Conventional High School, all or nearly all of the Social Studies teachers either strongly or mostly agreed that their classrooms provided a safe space for their LGBT students (Conventional High School: 89% and Broad High School: 100%); 100% of Advance High School's teachers also believed that their individual classrooms are safe for their LGBT students. In addition, a majority of the teachers surveyed at all three schools believed their campus to be safe for their LGBT population (Conventional High School:

66%; Broad High School: 89%; Advance High School: 100% either strongly agreed or mostly agreed).

When teachers responded to these questions in the interview format, however, their narratives showed less positive assessments of their classrooms and campuses for LGBT students. Some teachers claimed that they did not see bullying, but suspect it is a problem; however, they struggle with finding it on their own campuses, something Massari (2011) also found. Ms. Christiansen (a pseudonym), a veteran teacher at comprehensive Conventional High School, stated that the environment for LGBT students is favorable in the classroom, but she doubted whether students welcomed LGBT students across the campus as a whole. When asked for specific examples, she cited anti-gay slurs as the most common form of harassment that LGBT students face on campus. At the same school site, Ms. Cerebral (a pseudonym), a teacher in mid-career, also brought up students' anti-gay comments as a concern. She believes that the day to day environment for the LGBT population is mostly welcoming, but cites an "underlying tension" among her younger male students toward LGBT students as a concern. She occasionally hears the word "fag," but believes "it's not said with hostility, but with normalcy." When asked about bullying on campus, however, Ms. Cerebral did not seem to consider the comments she hears in class to constitute bullying, "I personally have not, first hand, experienced any harassment or bullying." Not recognizing verbal harassment as bullying is something many teachers fail to do, viewing only physical confrontations as harassment (Arora, 1996); however, other teachers recognized comments and even

looks and gestures as harassment or bullying, which would not lend themselves to maintaining a safe space for the LGBT population.

Mr. Ambrose (a pseudonym), a new teacher to Advance High School, recognizes the different types of high school students involved in bullying, an important factor according to Cranham and Carroll (2003); however, he views his campus as mostly safe, and even supportive for its LGBT population. Since the campus includes clubs that have LGBT themes (such as a GSA), the school's daily announcements reflect the meetings of these organizations. Students hear this information and react without negative comments or gestures. He also cites both the faculty's and students' openness to gay and lesbian couples as a prime example of the tolerant climate on campus. He reports that same-sex couples appear throughout the campus and openly express their affection in front of the student body, mostly without incident. He does note, however, that "there's still some mean-spirited kids definitely that are buried in there that look for any reason to giggle or make any slight or remark."

On the other hand, he has definite views about what would make his classroom and the campus unsafe for its LGBT population, including derogatory comments said under a student's breath, giggling, and looks that students sometimes share when they suspect someone might be gay or know that a student is openly gay. He also recognizes the power that social media sites, such as Facebook, can have in the harassment and victimization of students in general, and LGBT students in particular.

Several other teachers interviewed from all three schools also recognize what makes their campus and classroom unfriendly for LGBT students. Mr. Brisk (a

pseudonym), a younger, well-liked teacher at Broad High School, sees little overt harassment in his classroom. He does, however, occasionally catch kids making subtle gestures, such as rolling their eyes, when more “flamboyant” students are in his classes. On the other hand, he believes most of their peers seem to accept those students, having known them for a long time and having the time to come to understand them.

Ms. Bliss (a pseudonym), a veteran teacher nearing retirement who is also at Broad High School, also paints her classroom and the campus as mostly safe for LGBT students, insisting that no one may make a comment or gesture. She maintains that LGBT students at her school seem free to come out based on the culture and climate of the school, but may still choose to stay closeted because of factors like their own family situations or cultural factors.

Ms. Apt (a pseudonym), a teacher in mid-career at Advance High School, also agrees that the campus environment for its LGBT population is good. She credits teachers and staff members at her site for insisting that every student’s rights are respected, and considers the staff at her school and the student population to be tolerant and supportive of LGBT rights. Mr. Astute (a pseudonym), a well-respected veteran teacher at Advance High School, assesses his classroom and campus as being safe for LGBT students, although admits that he does not get out of his classroom often. By being the advisor for the campus’s gay straight alliance, however, one could surmise that he has first-hand accounts of the state of the campus for its LGBT students. He attributes some of the student body’s welcomeness to its LGBT population to the nature of the school itself, as he views it as not a typical high school, rather “a place where sort of

weird kids find a home anyway. There are kids who come here wearing Harry Potter outfits all day without raising an eyebrow. It's not a traditional High School with a football team."

Ms. Apt also credits the LGBT students for the tolerant climate, contributing some of the openness on campus to the students advocating for themselves.

Just last week, these were my juniors, someone made the comment, 'What, is he your boyfriend?' to another boy as if that's a putdown and something that would threaten him but then another student in class, who is out said, 'Well, what would be the problem with that?' And so I whipped my head around to say something and another student had the confidence to say, 'Well, why is that a putdown?' Which I thought was heartwarming to see that they were going to stick up for themselves. It means much more if it's a peer than if it's me.

Other participants cited the students' own advocacy on their behalf (especially through a GSA club) as a factor in the positive environment for LGBT students on their campuses; however, some also mentioned some potentially harmful things to that environment. Although he believes his campus is mostly safe for LGBT students, the suspicion of traditionally unfriendly environments on a high school campus, such as the football team, also was cited by several teachers, such as Mr. Bookish (a pseudonym), a veteran teacher at Broad High School. He maintains that he does not tolerate any language or behavior in his classroom that either he, or his students, would deem offensive. Mr. Bookish also touts the school's GSA as being a powerful force to promote

tolerance on campus. He has even witnessed same-sex couples sharing kisses and displaying affection on campus. Again, he credits advocacy by teachers and students, mainly through the GSA, for this; however, he points out that students cannot feel safe everywhere on campus, mentioning the football team as one group that does not welcome LGBT students.

Teachers at all three schools also acknowledged their roles in helping create the safe spaces for LGBT students, both in their classrooms and on campus (Conventional High School: 66%; Broad High School: 55%; Advance High School: 83% either strongly agreed or mostly agreed). Few teachers, however, mentioned anything that they are doing specifically for the LGBT students; most teachers believe that maintaining a classroom climate of overall respect for everyone and establishing rules that prevent any student from harassing other students for any reason suffices for their LGBT population. Participants did not express a level of concern for protecting the LGBT population in particular that would display their knowledge and understanding of the increased risks for these students, something Biegel (2010) also found. For example, Ms. Constance (a pseudonym) a veteran teacher at Conventional High School insists that creating a friendly culture and climate for LGBT students:

...comes under the umbrella of good manners and that you treat everybody equally. So if it's a boy saying something rude to a girl or a boy bullying another boy, it doesn't matter... The sexual orientation has nothing to do with the bullying. That's unacceptable no matter what. So for me it's about treating

everybody, who, what, no matter what color equally in my classroom so that we can have a safe environment for the instruction.

Mr. Astute at Advance High School views his role in creating a climate and culture for LGBT students as more about maintaining a productive learning environment than students celebrating their diversity. Although he supports students who come out, he treats homosexuality among the students the same way he handles other kinds of diversity. Some teachers find it better to ignore things like sexuality when creating a classroom climate for students, such as Mr. Brisk from Broad High School. Although he will not allow students to harass any of their classmates, he sees his role in working with LGBT students to mostly ignore the students' sexual orientation.

Other teachers at Broad High School, however, believe that a more targeted approach to the safe climate for LGBT students serves these students better. Mr. Bookish gave the example of a recent school wide effort to help potentially harassed students in general, and LGBT students in a particular:

We have these signs up: We reaffirm the dignity and value of the individual and have zero tolerance for discriminatory remarks, symbols gestures or behavior. Every classroom has one. I used to have a couple, but I still have one. Next to that is a sign that says Hate Free Zone with rainbow colors. There's an interesting anecdote to go with that, a discussion among teachers, and that's in addition to the Hate Free Zone we would have placards. Someone proposed this or at least mentioned putting up these placards that say "This is a safe haven" for somebody

who may feel hassled or need a safe haven. And the retort to that, and that's not too strong a word; if we have placards, if we have signs up, the implication could be, the apprehension could be that there are other places that are not safe havens, and we don't want that so we decided against it. We do have a Hate Free Zone sign and we've made them available throughout the years.

If Evans' (1993) findings that teachers need to be solidly behind a reform for it to work apply to the FAIR Education Act, the participants in this study suggest potential success for the law given their support for its most basic idea: the need for LGBT students to be safe on campus. To a varying degree, the teachers surveyed and interviewed expressed the opinion that their campuses are already safe for this population, and showed that they play some role in making sure the culture and climate is favorable to LGBT students. Because of this, the FAIR Education Act could only enhance what is already perceived to be a safe environment.

### **Content of the Reform: Using the Classroom and Curriculum to Create Safe Spaces for Students**

Although participants' responses suggested support for the tenets of the FAIR Education Act regarding the general climate on campus and in the classroom, in order to truly support the law, teachers must view using the classroom and curriculum to help create a safer space for LGBT students; this would be crucial to supporting the law itself. This would also be necessary if teachers were to satisfy Evans' (1993) first essential

element for school change. Ms. Constance, from Conventional High School, cited the school's role in helping students accept all students, including the role of her classroom. She considers the classroom to be a place where students, especially the younger ones, encounter diversity for the first time and often begin to hear other opinions than just those of their parents. She also sees school policies that promote tolerance as something that helps her set a tone in her room.

Ms. Cerebral, who also teaches at Conventional High School, went a step further in pointing out how the classroom and its curriculum could bring about positive changes for students, an idea supported by Weiler (2003):

Well, uh, in all of my classes...I teach Geography, Sociology, and AP US History part of my, and this is a sociological term, hidden curriculum, is to teach tolerance, and my different courses lend themselves to this type of teaching and reinforcement of that value.

She goes on to describe how she points out cultural differences to explain how different people in the world view homosexuality; she gives examples, including from her own travels abroad, to show how perceptions of behaviors in different cultural and social settings can be interpreted different ways. This includes same-sex friends holding hands, linking arms, and other forms of touching.

Mr. Bookish, from Broad High School, was very emphatic about the potential for the FAIR Education Act to help LGBT students, as it would in any group whose history is covered in a Social Science classroom. This attitude supports Evans' (1993) idea that

teachers need to stand behind a law or policy if it is to be successful. He regrets that there are not a lot of historical role models for the LGBT students, and that some historical figures that were likely members of the LGBT community were not out when they were alive. He does, however, make clear that learning about people from history with whom a student can identify is “...one of the most powerful things that could happen to a student in any group...Having role models in authority positions is important and having role models, people, accomplishment of people in my group if I were a student would be important to me.”

Mr. Brisk, also from Broad High School, thinks that there is a potential for the FAIR Education Act and its tenets to help students who are LGBT, but he gives several variables that could affect the degree of that help. He does think it might be encouraging to some of these students to find out about the LGBT community, but it would “depend upon the kid.” He does, however, show some concern that discussing homosexuality “would open the door for some inappropriate comments,” as it has when his class discussions have included African Americans.

Ms. Christiansen from Conventional High School was also skeptical of certain aspects of the FAIR Education Act, including her own ethical objections to parts of it (see the following section, change element two); however, she believes the law might help LGBT students, saying it would “Probably validate them and their struggles and encourage them to go forth, and not just their sexuality, but not let their sexuality hinder them in accomplishing what they need to accomplish.” This boost to their self esteem is supported by research from Biegel (2010). However, this teacher also points out that the

non-LGBT students in her classes might react differently, even citing a possible “backlash” to learning about LGBT history. In addition, she states, “I think that for a good portion, not all, it would bother them. That it was being set apart. I think they would learn it and understand it, but it would still lead to misunderstandings and perceptions like, ‘Why are we having to do this? Why does this have anything to do with...’”

Although these opinions are not supported by studies cited by the FAIR Education Act’s author, Mark Leno, that show harassment against LGBT students declining when students learn about the community (Broverman, 2011), this teacher thinks that some non-LGBT students might not be equipped to handle the information, and that might lead to resistance. Furthermore, Biegel (2010) argues that the inclusion of LGBT history in curriculum can assist teachers better communicate about their lives. Ms. Christiansen, however, expressed her doubts that most students would embrace this, maintaining that learning about LGBT individuals in history will not lead to more understanding for the community among the majority of students.

Ms. Cerebral, also from Conventional High School, agrees with Ms. Christiansen in that the FAIR Education Act will likely help the LGBT students, but might not affect the non-LGBT students in her class.

Well I would think it [including LGBT accomplishments in curriculum] would [help LGBT students] because they’re a part of our society and like other minority groups in the past they were not treated as part of our culture because they were not part of the dominant culture...I would hope it would be positive to include that

in there. I feel as a teacher I cannot change people's beliefs, and unfortunately we have people in our country that based on religious values who have, and I'm just going to say this, and maybe this is narrow of me, pretty narrow beliefs. But I do think it's my job to expose them to new ideas with the hope that they would learn, which would translate into tolerance.

She qualifies her opinions by stating that she does not know what the curriculum that will be taught or that is currently being taught will contain; the content of the curriculum would influence the success of the law. This will be covered more extensively in change element four, Support and Training.

Other teachers disagreed and believed that LGBT students would benefit from the FAIR Education Act. Mr. Ambrose related his ideas about how teaching the history and accomplishments of groups in the past has helped those groups, and thinks that the same might happen with LGBT students and their peers. He recognizes the increased openness of the younger generation toward LGBT issues, arguing that his grandparents' generation would not have accepted lessons learned by including LGBT accomplishments in history; however, this generation might. He does qualify this by admitting that he believes there will always be ignorance and hate in the world.

Mr. Ambrose, however, also believes that discussing their issues can empower students in certain groups, including LGBT students. Based on past experiences, he thinks that including the LGBT community in Social Science curriculum could be helpful for both LGBT and non-LGBT students. He cites his experiences with other groups, such

as African-American and Jewish students, who are empowered by students' empathetic reactions to lessons during which he covers topics such as the Civil War and the Holocaust. He thinks that LGBT students might have the same experiences when students learn about their history; however, he realizes that he might have to guide his students to help them arrive at this point.

Mr. Bookish and Ms. Bliss, both from Broad High School, agree that students could be enlightened by the law and cites benefits for the LGBT and non-LGBT students. Ms. Bliss cited the notion of empathy and the importance that students get as much information about as many groups of people as they can. She thinks including more groups in curriculum makes lessons more inclusive, and that students can view these figures as role models.

Ms. Apt from the Advanced High School thinks that, if done correctly, the tenets of the FAIR Education Act, including the LGBT community and mentioning it or individual accomplishments in curriculum, "makes a huge difference" to LGBT students. Furthermore, it would make non-LGBT students "...Think, Oh wow. I didn't realize this and they're no different than anybody else. That's obviously the goal. They aren't any different and they shouldn't be treated any differently." Furthermore, her colleague Mr. Astute, not only thinks including the contributions of the LGBT community would help the LGBT students feel safer at school and increase their knowledge or historical accomplishments, but might also extend into other areas, such as personal health.

I imagine that if you were a kid wrestling with your homosexuality in High School and all of a sudden you get to see, Wow, there are people in US history who are homosexual this would go ahead and make you feel less marginalized, you could sit there and be perhaps a little more real. If approximately 10% of the population is gay, you're gonna probably have people in US history who have done noble things who are gay, right? So I think that that could help. I know that one of my students when he saw that stuff about AIDS and there are lots of students who've completely lost the idea that you can actually get sick and that it's out there and there's a whole legion of a generation who basically watched all their friends die. This is important. The Harvey Milk situation. These are important for homosexual students, so yeah I think that would be important.

He does, however, caution that this law must be correctly implemented or it might not have any positive effects. He gives the example ensuring that the historical information is truly important and not simply included for the sake of the law, balking at including LGBT contributions merely to satisfy the tenets of a law. He sees value in including the LGBT community, however, when their history fits in the framework of broader historical movements, such as the events in the 1960s.

Ms. Constance from Conventional High School believes it is important for students to learn about the accomplishments of LGBT individuals and the community, but is not sure how much it will help in creating safer spaces for them at school:

It reminds me after the Civil Rights Act in terms of African Americans needing to be pointed out, and I like to think of us all as Americans and not one thing or the other. I think it's, uh, it's important to point out contributions from other cultures to culture...to American culture. Whether that hurts or helps. I don't know. To be honest, I don't know if it hurts or helps. As an educator I think it's important to point out. If some students think that we're only pointing these people out because they're gay or lesbian. I don't know.

Since the FAIR Education Act adds LGBT contributions to the California Education Code that already includes women and African-Americans, teachers' perceptions that the LGBT community's inclusion could mirror the addition of these other groups, and that this inclusion helped those other groups, bodes well for their views of the law itself. Teachers' opinions about the content of the reform matters according to Evans (1993); therefore, this factor supports the potential success of the law.

### **Content of the Reform: The Dangers of Tokenism when Using the FAIR Education Act and Incorporating LGBT Issues into the Curriculum**

One result from the interviews that was brought up organically (it was not a question on any part of any of the interview protocol) was the teachers' support of the idea behind the FAIR Education Act, but their fear that the manner in which the law would be implemented would result in students taking away a distorted message about the historical accomplishments of LGBT individuals and the community. The need for

curriculum will be addressed under essential change element four; however, several teachers expressed the idea that without adequate materials, students will not learn LGBT history in an authentic manner. These views did not diminish teachers' support of the law itself, and did not lead teachers to question the content of the reform as held necessary by Evans (1993); however, several teachers believe this would counter the benefits of the FAIR Education Act and the benefits of learning LGBT history. Educators expressed concerns that the law would be carried out by a quick mention of the sexual orientation of a historical figure or a small, color-framed box in a textbook that would result in tokenism. Burstein and Knotts (2011) and Kumashiro (2002) believe that in a social studies curriculum students must not just learn about events, but also be challenged to apply that knowledge so that they can question what these events tell us about these groups and society as a whole.

Mr. Astute, who carefully plans his Advanced Placement [AP] United States History class and already includes the LGBT community in his curriculum, explained the need to implement this law in a way that made the accomplishments of the LGBT community and its individuals a natural part of the curriculum, rather than a forced, inauthentic lesson. Although he agrees with the tenets of the law, he insists that "...I am really against the idea that we're going to talk for 15 seconds in this one chapter about it [LGBT history]..." Furthermore, he believes that if done improperly, the benefits of the FAIR Education Act may be lost, especially on High School students. He thinks that older students are wise to tokenism and states, "You know, especially high school kids can kind of smell that kind of thing as the orthodoxy of the day." He goes on to say that

when controversial material is appropriate, such as McCarthyism in the 1950s, he supports including it in the curriculum; however, when teachers mention topics because they are required to do so, it results in inauthentic lessons. He cites Black History Month as an example, saying he would prefer to have “... Black history infused throughout [his emphasis] the curriculum without having some special month to talk about it.

Mr. Astute and Ms. Apt agree about the importance of avoiding quick lessons that can result in tokenism, and suggests the proper way to handle infusing LGBT history into the curriculum is to incorporate the material naturally into greater themes in history. Both support the idea of including the contributions of the LGBT community in their social science lessons, but stress that textbooks and individual teachers should not simply add a short mention of LGBT history into their lessons merely to satisfy the tenets of the law.

Ms. Apt goes further and warns that if not implemented properly, the desired benefits might not occur. She cautions against mentioning LGBT individuals and the community in a token fashion, as students might actually come away with the opposite message than the desired one in the FAIR Education Act: that LGBT people have done so little that they really do not matter. She also suggests the need for well-thought-out curriculum that spans many grade levels:

I think over the long term it [learning about LGBT history] makes a huge difference. If you're just doing it in that sort of token way that sometimes backfires because you're making a big deal about it. And if this person is a token, are they rare? That can work with any examples that you're using as you sort of

tip your hat to women in history and I find that the kids are like, yes we have to have this token woman mentioned. And so you have to be careful of that, I think, but if it happens over enough subjects over enough years then it does have an effect and it's not token anymore.

Ms. Bliss, who also teaches AP United States History, concurs with Mr. Astute about the dangers of tokenism, mentioning that a gay-straight alliance club might be more effective than implementing the FAIR Education Act in a tokenist fashion, stating, "I think that's better than so many things in education where it seems you artificially put them in."

The dangers of tokenism when implementing the FAIR Education Act represent one significant obstacle to teachers' perception of the content of the law. Evans (1993) warns educational reformers that when teachers do not view a policy change as valuable and/or doable, it will fail. Several participants in this study make the point that including the contributions of LGBT individuals must be done within a bigger, comprehensive framework, and cannot be in the form of a quick mention or a small paragraph in a textbook. If the facet of the law's implementation is not addressed, it could threaten the success of the law. This concept also appears in essential element four, when teachers express concerns about resources and training relating to the law.

## **Content of the Reform: Protecting Educators from Complaints**

Whereas many of the teachers interviewed believe in the content of the reform in the FAIR Education Act, they fear complaints from parents who object to integrating LGBT history and accomplishments into the Social Science curriculum. Although nearly all of these teachers believe it is right and educationally sound to teach students about the accomplishments of the LGBT community and its members, many have either avoided doing so or have done so with some trepidation, out of concern that conservative and/or anti-gay parents would object and cause them difficulties. They realize that by having the FAIR Education Act pass and this become law, that they can now use the legislation to defend themselves against parent complaints and administrators' concerns. This added benefit of the law makes these educators support it more.

Mr. Ambrose, who is new to his school and concerned about his reputation with his new colleagues and administrators, described his level of concern about using LGBT history in class as: "Well, having the backing of the state of California, the legal, just like anything I teach, I would say not at all."

Mr. Brisk, who is an experienced teacher, but also concerned about parental objections, agreed with Mr. Ambrose, stating, "Uh, yeah, cuz I mean if you're going to have a parent coming at you for that (including LGBT accomplishments in curriculum) you could cite the law, you know, that it had to be included."

Mr. Bookish mentioned the benefit of the law shielding teachers from parents' complaints, but also the additional benefit of helping convince unwilling colleagues to include LGBT history in the curriculum. He acknowledges the potential for the law to

encourage teachers to collaborate around including the contributions of the LGBT community without fear that parents will complain about the content. Mr. Astute also recognized the possibility of being protected from parents' complaints with the FAIR Education Act, but stressed that it is more important to be supported by an administrator than to simply have a law on the books.

Ms. Bliss also believes that the law might help teachers who fear parental complaints or who are hesitant for other reasons to include LGBT history into their classroom lessons; however, she insists that the best protection from complaints is simply good teaching, reminding educators and educational leaders that parents do not generally object to controversial material when teachers deliver it in an appropriate way.

Evans' (1993) assertion that teachers must support a reform effort for it to work plays a role when teachers view the FAIR Education Act as something that can benefit them by protecting them from parent complaints. When teachers want to discuss LGBT issues, they perceive the FAIR Education Act as helping them defend themselves against parents or others who may attempt to create difficulties for them as a reaction to discussing the LGBT community. The more benefits teachers see in law, the more positively they will view it, and the better the chance the law will have to succeed (Evans, 1993).

### **Content of the Reform: Benefit of Banning Anti-Gay Curriculum in Schools**

The FAIR Education Act prohibits schools and school districts from using and adopting anti-gay curriculum (Official California Legislative Information, 2012); however, in this school district teachers do not see the need for this component of the law.

Although this did not influence the opinions of any of the teachers interviewed toward the law itself, teachers in all three schools overwhelmingly claimed that they had never encountered anti-gay curriculum at their school sites. When asked to respond to the statement: “I have never seen, used, or known any of my colleagues to use any anti-gay curriculum in my school,” fully 89% of teachers at Conventional High School answered “Strongly agree.” One teacher (11%), however, answered “Strongly disagree,” which suggests that at least one of the members of the department had encountered or perhaps used anti-gay curriculum. At Broad High School, 78% of the teachers responded with a “mostly agree” or “strongly agree” to that statement. At Advance High School, 84% of the teachers either mostly or strongly agreed with the statement. In the interviews, every teacher stated that they had not seen any anti-gay curriculum, although one teacher questioned whether learning about mistreatment of LGBT individuals or the community could fall under the umbrella of “anti-gay” curriculum. The concept that one teacher termed as “hidden curriculum” could also play a role here, as some educators could use subtle forms of anti-gay material, such as overtly heterosexist curriculum, that may not be immediately noticed by students or colleagues.

Ms. Apt from Advanced High School claimed to have never encountered any anti-gay curriculum, but related her experience with a school club that illustrates not only the benefit from the FAIR Education Act of using curriculum-based information to create safe spaces, but also the tenet of the law that restricts anti-gay curriculum. She acknowledges the detrimental effects of anti-gay material on students, both LGBT and

others. This was the only statement that supported the tenet of the FAIR Education Act that mandated that curriculum must not be anti-gay.

A few years ago, especially with Prop 8 [the 2008 California ballot proposition that banned gay marriage in California], I was thinking about it. I am the adviser of a club and we have these political debates and we had this debate about Prop 8 and then the next year someone wanted to debate it and I said “Why would you wanna debate if someone gets the same rights that you have?” You know, I decided that if I were a kid and this were 1960 something and the teacher said “Let’s talk about the benefits of segregation?” I would think what was the teacher thinking? This has become much more of a civil rights issue and you have some people who think it’s not ok for people to have those rights. I did have a staff member criticize me for that and say “now students don’t feel comfortable in your class” but my reaction is SO WHAT? They shouldn’t feel comfortable saying those people do not have rights. Because if this were the civil rights era would you feel comfortable letting a student say yes black people aren’t as worthy? NO, you wouldn’t have let them say that or you shouldn’t have so I want the kids to look back and say she stood up for rights.

### **Content of the Reform: Are Gay-Straight Alliances More Effective in Achieving the Goals of the FAIR Education Act?**

Although most of the teachers surveyed and interviewed agreed with the tenets of the FAIR Education Act and believed that teaching curriculum in social studies classes

that included LGBT accomplishments and history would lead to safer spaces for LGBT students, many of them cited the schools' gay-straight-alliance (GSA) clubs as having an equal or greater effect on students as learning about curriculum. Although teachers did not suggest passing the FAIR Education Act to be unnecessary or superfluous because the GSAs exist and thrive on their campuses, several of them believed that these clubs, with their student-led advocacy and their personal contacts, to be more valuable in the long run for changing minds and creating tolerant environments on their campuses. Biegel (2010) would concur with that belief, maintaining that GSAs and other safe spaces on campus are among the most successful ways to help LGBT students, as LGBT students need to know that they have allies.

Mr. Astute, who acts as faculty adviser to Advance High School's GSA, points out the level of support that students get at the club, citing the potential for the club to serve as both a safe space and a vehicle for information about the LGBT community. Mr. Brisk also agrees that the GSA club can affect students more than the FAIR Education Act and its tenets, especially when they promote LGBT awareness by doing events such as the Day of Silence. Ms. Bliss concurs, again citing the potential for the FAIR Education Act to be implemented in a tokenist fashion that would not necessarily help students learn about the LGBT community. When asked what helps LGBT students feel safe on campus, she replied that she believes her school's GSA helps students learn about the LGBT community more than the curriculum resulting from the FAIR Education Act would. Although she does not reject the potential for the FAIR Education Act to impact

students' understanding of the LGBT community, she appreciates the student-led component of the GSAs.

Ms. Christensen, who questions some of the ethics and tenets of the FAIR Education Act (mostly for religious reasons, which will be explored in essential change element two), cites the benefits of the school's GSA and relates her own story about coming to understand a group of people whom she did not know by establishing personal contacts. She cites her own experience coming to understand the African-American community (of which she is not a part) to argue that getting to know people from a group is more effective than learning about people from that group.

#### **Content of the Reform: Are the Tenets of the FAIR Education Act Achievable?**

Evans (1993) insists that teachers need to believe that change is achievable if they are to implement it. Several of the teachers already have implemented the basic tenets of the law by bringing up the accomplishments of LGBT individuals and/or the community, and many more agree that it would benefit the LGBT and non-LGBT students to do so. This bodes well for the law and the ideas behind it, since many already include LGBT history in their curriculum it would logically follow that is it an achievable goal. There are, however, several challenges to implementing the law that teachers identified that might make some instructors concerned about how possible it is to implement it. These include lack of curriculum and resources (which will be covered under essential change element four) and lack of time to fit the material into an already-crowded list of topics to cover (which will be examined under essential change element three). In addition,

teachers are concerned about their own lack of knowledge about LGBT history (which will be investigated in essential change element four), and anti-gay parents and colleagues.

### **Content of the Reform: Teachers' Concerns About Parents and Colleagues.**

Ms. Cerebral supports the tenets of the FAIR Education Act, but questions the likelihood that the law will be embraced by fellow department members, which makes her doubt its effectiveness. Biegel (2010) shares this concern and argues against mandating this education because many teachers are uncomfortable with teaching it. When asked about challenges to implementing the law, Ms. Cerebral responded, "Teachers, starting with the teachers being opposed to it, just based on their beliefs. You know, it's sad to say that right now we have a long way to go where that will just be a normal part of our curriculum." Mr. Brisk agrees, and offers teachers' religious objections to the tenets of the law as a specific challenge to implementing the law: "Certain people. Uh, I would honestly say certain people... the next biggest issue [after finding time to fit in additional material] would be like either a person's religious beliefs coming into it or like, well that would be a challenge." In addition, he claims that "teachers' politics are naturally going to come into play." Ms. Bliss also argues that some teachers would resist implementing the law, giving as a challenge "some of them [teachers] being open to doing it." Furthermore, she does not believe that administrators can adequately hold resistant teachers accountable for implementing the law (which is explored in essential element five).

In addition, several teachers mentioned their concern that parents would make it difficult to implement the law, although several also stated (as was previously reported) that having this law would help defend them from parental complaints. Mr. Ambrose cited as his biggest concern whether it was achievable to implement the FAIR Education Act, “Religious parents and the far right that want no part of it and it doesn’t fall into their views and they go to the school board or whatever.” Ms. Christensen also thinks parents’ concern could result in a “backlash” toward the law and its tenets, and Mr. Brisk said that he foresees complaints from parents as a result of implementing the FAIR Education Act.

Many teachers, however, do not fear parent phone calls and do not believe them to be a challenge to implementing the law or make it less achievable to implement the law. Ms. Apt stated, “You’re gonna get parent phone calls about everything, so that might be a question for admin, but for example last year with the gay prom we just didn’t have any backlash or I didn’t get any calls about it.” Ms. Constance related her experience with teaching about Alexander the Great and mentioning his sexuality in terms of the culture of the time. She maintains that she does include sexuality when mentioning some historical figures, but does not discuss sex. She explains this philosophy to parents, and rarely has any problems.

Many teachers recognized that some parents and community members challenge tolerance or anti-bullying education that involves the inclusion of LGBT issues in the program or curriculum. Several teachers went as far as to suggest that if parents object to including LGBT history in the curriculum, as mandated in the FAIR Education Act, that

they should remove their children from public school and enroll them in private school. Mr. Ambrose matter-of-factly exclaimed that parent objections to the inclusion of LGBT material in education is “stupid.” Mr. Bookish was somewhat more sympathetic in his wording, but not in his message, stating that “...parents have a right to be wrong, but they don’t have to be heeded either.” He maintains that teachers should be “fighting for the right things in an ethical way where open discussion takes place.”

Ms. Bliss suggested an added benefit of including LGBT history and information about the community in schools by maintaining, “Well, I think parents are always afraid of something they don’t understand, so I think that parent education would be a good thing too. That’s why we have school.”

#### Content of the Reform: Do Teachers Trust the People Who Initiated the Change?

One additional requirement that Evans (1993) sees as important for the FAIR Education Act, or any change initiative, to be implemented is that the teachers trust not just the potential benefits from the reform and their own site and district leaders, but also the agents who actually enacted the change. In this case, it would be the lawmakers in Sacramento who wrote and passed the law. Evans (1993) argues that many educators do not trust these policymakers and therefore resist implementing the change. The teachers interviewed for this study did not offer any praise for the politicians in Sacramento; however, they shared quite a few negative opinions of the lawmakers that would seem to taint their opinion of the FAIR Education Act as well. Ms. Christensen pointed out that the law was written by “a gay man [Mark Leno] who was LGBT gay.” Although she did

not expand upon those comments, her tone indicated that she was skeptical of the law because of its author and his potential agenda.

Mr. Astute displayed disdain for policymakers in Sacramento throughout the interview, suggesting that while he supports the tenets of the FAIR Education Act and already incorporates LGBT history into his curriculum, he resents the law itself, considering it unnecessary.

Mr. Astute: I would move away from accomplishments because I don't go, Oh we have Walt Whitman and he's a great poet and he's gay because it starts to sound like [inaudible]. I would show these people in the progression of American culture.

Researcher: That's the language from the FAIR Act.

Mr. Astute: I know, leave it to a politician.

Mr. Astute continues, criticizing lawmakers and the FAIR Education Act, but not necessarily the tenets of the law. He believes, "... for me there's a huge disconnect between what people in Sacramento want or whatever and then in the classroom in terms of it organically coming out of the curriculum they can use things that are real and relevant and are really part of US history." He chastises politicians for legislating things that he believes teachers do every day, such as representing the interests of different groups. Furthermore, he expresses concern that the more segments of the population that are included in laws like the FAIR Education Act, the more additional groups will appear

and demand to be included in the law. He argues, once again, for including the accomplishments and contributions of groups of people in a natural, logical way.

Ms. Bliss supports the tenets of the law, but also does not think passing the law was needed to achieve the ideas behind the law, as those are “common sense.” She agrees with other participants who argue that the politicians in Sacramento should focus on other things and let professional teachers arrive at curricular decisions that their experience guides them toward.

She also believes that policies and legislation on bullying and harassment do not help her or the students in the classroom.

### **Content of the Reform: Conclusion**

Robert Evans (1993) argues that legislators and policymakers cannot force change at schools; a new law or policy, such as the FAIR Education Act and using curriculum to create safer environments for LGBT students, can only work if teachers implement the law or policy. Evans’ (1993) first key requirement for change deals with teachers’ perception of the change initiative itself, whether it is the policy that will bring about the change, and that the policy is necessary and achievable. This study found that although most teachers surveyed believed their campuses and classrooms are safe for their LGBT population, teachers interviewed illustrated a more detailed picture of the challenges for their LGBT students. The majority of these teachers believe that learning about the accomplishments of the LGBT community and its individuals can help both LGBT students and non-LGBT students on their campuses, citing the potential for this

information to empower the LGBT students and inform both the LGBT and the non-LGBT population. A few teachers pointed out the danger of implementing the law in a way that would result in tokenism. Furthermore, several instructors questioned whether the personal contact of getting to know members of the LGBT community would be better than learning about historical figures and movements. These educators touted their school's GSA club as an effective agent of change; however, one must go to a meeting or participate in their campus event in order to benefit from the efforts of the GSA club. The many LGBT and non-LGBT students who do not interact with the club would likely not experience the good work the club does on campus.

Most teachers believed that implementing a policy or law, such as the FAIR Education Act, that would mandate LGBT history to be taught in social science classrooms, is achievable. Several educators cited fears of parent complaints; however, others believed the law would be able to shield them from such complaints and make it easier to discuss LGBT-themed issues in their courses.

Lastly, Evans (1993) insists if teachers do not trust the agents of change, it will make implementing the change less likely. Many of the teachers questioned the wisdom of the lawmakers in Sacramento to make education policy in general, although only a few argued that this policy in particular should be criticized. Clearly the question of leadership in implementing this law is a paramount concern for those who believe in the tenets of the FAIR Education Act; this will be discussed in essential change element five.

## **The Willingness and Capacity of Staff to Make the Change**

Evans' (1993) second key element in his Dimension of Change deals with the willingness and capacity of the staff to make the changes required. Assuming that the staff believes in the tenets of the change initiative, are they energized and interested in implementing the FAIR Education Act? In addition, do any differences exist between teachers new to a school site and veteran teachers? Evans (1993) believes that veteran teachers are less likely to make the change; therefore, I included many teachers in this study who are further into their careers to see if that is the case. Few of the teachers in all three school sites are new to their schools, most having been there at least five years and many having taught at their sites for more than twenty years. For that reason, this study also includes more veteran teachers. This next section concentrates on the personal roles and thought of the teachers, rather than their opinions about the FAIR Education Act and teaching LGBT history in social science curriculum.

### **Capacity Building: Knowledge of the Tenets of the FAIR Education Act**

One could argue that if teachers are going to implement a change, especially in the energetic fashion that Evans (1993) deems necessary for its success, they must know about it. Terry (2010) also argues that simply passing a law does not guarantee implementation of it. Although legislators wrote and debated the FAIR Education Act in 2011, passing it on July 5, 2011 (Pierce, 2011), many of the educators surveyed and interviewed did not know much about the law. In fact, several of the teachers cited misinformation about the law and its tenets. At Conventional High School, only 22% of the teachers mostly or strongly agreed to the statement: "I know the tenets of the FAIR

Education Act, which went into effect on January 1, 2012.” At Advance High School none of the teachers strongly agreed with that statement, and only 17% mostly agreed. At Broad High School, 55% mostly of strongly agreed; however, during interviews none of the three teachers who participated knew exactly what the tenets and intentions of the FAIR Education Act are.

Several teachers expressed some knowledge of the law, but admitted not knowing many details, including what they as classroom teachers were actually supposed to do under the FAIR Education Act. Ms. Christiansen, from Conventional High School, admits not knowing much about the law. She knew that it was authored by “a gay man who was LGBT gay.” She blames the educational system for not informing teachers of the law and its tenets. She contends that although she read about the passing of the law, nothing has been communicated to her through educational channels. She resented that situation, and states that, “...So I’d have to find out what aspects of it I’d have to implement because we were not instructed.”

Some teachers also knew some basic things about the FAIR Education Act, but expressed misinformation about the law. Ms. Cerebral, also from Conventional High School also knows some of the ideas surrounding the law, and agrees with its tenets as she knows them; however, she also is misinformed about other aspects of it. In addition to believing the law would be better implemented in English classes (even though the law only covers social science) she did not know how often she needed to include contributions of LGBT individuals. She apologized for not knowing enough examples to cite them each month, a time frame that the law does not include.

Mr. Astute, from Advance High School, felt the need to do research on the FAIR Education Act before I interviewed him, having read about the law on Wikipedia. He and his colleague, Ms. Apt, both already include LGBT history into their curriculum, at least to a limited extent. In spite of the fact that they both agree with the basic tenets behind the FAIR Education Act, Ms. Apt also echoed Ms. Cerebral's questions about the frequency in which the law required teachers to include LGBT issues.

Mr. Ambrose, also at Advance High School and new to the campus, agreed to be a part of this study partly to learn more about the FAIR Education Act and to hear what other teachers are doing with it. He had heard of the controversy surrounding the passage and implementation of the law, but does not know specifics of it. He knew that groups had mobilized against the law, and that they feared LGBT contributions being included in textbooks; however, what he really wanted to know is what the specific content of new textbooks would be, and what resources would be available for him (this discussion following in essential element four).

Perhaps more troubling is the number of teachers who claim to know a lot about the FAIR Education Act, but, when asked about it, either do not know much about the tenets and implementation of the law or are misinformed. Although a majority of the teachers at Broad High School claim to already know the tenets of the law, during the interviews two of the teachers admitted not understanding the law and how it should be implemented. Mr. Brisk summarized the law as, "All textbooks, if this is the one I am thinking of, have to state the sexuality or include homosexuals." Mr. Bookish claimed to be informed about the act, but later admitted not knowing enough about the law because

he had not read it. He also expressed a misunderstanding about the law, thinking it did not apply to him because he only teaches Geography and not World or U.S. history. Only Ms. Bliss at this site knew her responsibilities as a classroom teacher under the law, but then added that, "...We're supposed to make sure that the kids understand their [historical figures'] label." This calls into question whether she thinks that simply telling students about the "label" of historical figures would suffice under the FAIR Education Act or whether she grasps the importance of putting the LGBT community and its members into historical context.

Clearly, even teachers who are already incorporating the accomplishments of the LGBT community and individuals into their own classrooms and own curriculum do not fully understand or have knowledge of the FAIR Education Act. Terry's (2010) study makes it clear that even when teachers support the tenets of a law, it does not guarantee its success. None of the teachers interviewed knew that it included a provision prohibiting the adoption of anti-LGBT curriculum, although teachers in this school district did not seem to believe that would ever happen here. If the FAIR Education Act is to be successfully implemented, teachers need to know what it states and what its intentions are.

### **Capacity Building: Teachers' Active Involvement in Creating a Safe Space for LGBT Students**

Although teachers do not know much about the law itself, many of them are already actively working to create safe learning environments for their LGBT

populations. Since that is a goal of the FAIR Education Act (Broverman, 2011), the fact that teachers are behind one of the hoped-for outcomes of the law, it should help the current and future implementation of it. Arora (1996) argues that there is no concrete definition of bullying. Furthermore, Maunder, Harrop, and Tattersall (2010) stress the need for stakeholders on school campuses to have consistent definitions of harassment and bullying in order to effectively counter it. What constitutes a “safe space” is therefore difficult to define. Evans’ (1993) idea that teachers need to energetically support the reform effort is, however, assisted by the fact that many of these educators already view creating safe spaces for the LGBT students as important, even if the term “safe” might be somewhat nebulous.

When asked about the safety of their classroom as a learning environment for their LGBT population, an overwhelming number of teachers at all three schools believe their classrooms are safe places for the LGBT students. Eighty-nine percent of Conventional High School’s teachers claimed that their classroom was a safe space, whereas teachers from both Broad High School and Advance High School unanimously agreed that their classrooms are safe. When asked if they are personally actively involved in making their classrooms and campuses safe, a majority of teachers at all three schools either mostly or strongly agreed that they are: Conventional High School, 66%; Broad High School, 55%; Advance High School, 83%.

Teachers gave some examples of things that they do to make their classrooms safe, such as not tolerating any comments or gestures that could be harassment or present any kind of threat. Mr. Ambrose corrects students who misuse the word “gay,” stating

that he would address the comment even if students did not intend the word to be used as an insult. Mr. Bookish echoed that policy, insisting the need that all students feel welcome in his class making it necessary to deal with any slurs against any group or person.

Some teachers, such as Ms. Cerebral, make sure their classrooms are places where students can learn, in addition to learning tolerance. She again refers to the concept of “hidden curriculum” when discussing her philosophy on including teaching the values of tolerance and inclusion, which also presenting factual information about a topic in her social studies classes.

### **Capacity Building: The Personal Ethics of Teaching LGBT History in Social Science Classrooms**

Even teachers with the best intentions can, however, face dilemmas when trying to educate their students about non-mainstream and non-privileged groups, including ethical challenges (Kumashiro, 2002). Would teachers’ own fears and ethical questions about asking students to challenge their own views about the LGBT community by learning about them come into play when implementing the FAIR Education Act? In order to successfully teach about oppressed groups, Joseph and Efron (1993) contend that teachers need to understand and recognize their own moral code as it applies to their lessons and classrooms.

Surveys showed a wide variety of responses to the statement: “I believe it is ethically right to include the LGBT community in social science lessons.” The personal

opinions of staff members at different schools regarding this issue could pose a hurdle to the FAIR Education Act's implementation from site to site, as the ethical questions involved with challenging opinions of oppressed groups might cause some teachers to resist the reform, or not implement it with enthusiasm. Since Evans (1993) again states that teachers must strongly back a reform effort if it is to be successful, this situation is of concern to the FAIR Education Act. At Conventional High School, only 44% strongly agreed with the statement, 0% mostly agreed, and 33% sometimes agreed. At Broad High School, 66% either mostly or strongly agreed; at Advance High School 100% of the teachers either mostly or strongly agreed. These discrepancies could play a role in the willingness of teachers to fully get behind and implement the law.

The interviews bore a similar result, with a wide variety of opinions expressed by the educators. Although in Kumashiro's (2010) study some of the teachers went as far as to say that educators should focus on academics and not try to intervene on behalf of students facing oppression, others agree that teachers should use curriculum to combat oppression, most specifically by teaching about non-majority people in society. Several participants in this study passionately argued that challenging their students and asking them to examine their own feelings about oppressed groups was part of their job as a social science teacher. Mr. Bookish emphatically declared, "Oh no, quite the opposite. It's unethical not to. It should be part and parcel without making a big issue of it." Ms. Bliss believes it is part of the job of being a social science teacher, stating, "I think that most of the time when we talk about history we try to identify with groups, and I don't think this would be any different." Ms. Constance agreed, insisting that teaching

students about the accomplishments of LGBT community members and/or asking students to examine their own feelings about oppressed groups is her job as a history teacher. She explains that it is necessary to do so, when examining different cultures, and how people around the world perceive them.

A few teachers, however, expressed concerns mostly based on religious ideas. Ms. Cerebral, who supports the tenets of the FAIR Education Act, worried somewhat when asked about the ethics of asking students to examine their own feelings about oppressed groups, including LGBT individuals. She does not, however, see simply teaching LGBT history as ethically challenging; however she wonders about the religious conflict some students might feel when her students discuss or read about LGBT issues. Although she struggles with having students examine their feelings toward the LGBT community in her classroom, she also strongly argued that teaching factual information about events, such as the Stonewall Riots, would not be invasive upon students' religious beliefs. She believes that it is her job to include her conservative students in the learning process, as they are part of society as a whole; however, they need to also confront LGBT issues. She hopes that doing so will "pave the path to acceptance and equality," something she referenced earlier when speaking of the "hidden curriculum."

Ms. Christiansen, however, makes a case for teachers and schools to proceed with caution when implementing the FAIR Education Act due to religious reasons:

There are HUGE [participant's emphasis] ethical issues involved with this. One of them's a religious issue, where people stand religiously, where they stand biblically. There's issues just where they stand in their home and family. It's

different, the sexuality thing, and I know there's been a comparison to the Civil Rights movement, but I don't agree with that. I just don't. I think it's a whole different movement. Like the women's movement was different than the Civil Rights Movement. I mean there's similarities, but they're not the same. There's huge ethical issues, yeah. Look, I think you can get folks to accept and love and understand, but whether they will accept...oops I said accept twice in the same sentence, but whether they are, whether they will embrace is a whole other issue. I can understand someone who is behaving in a way that I may not agree with in my own lifestyle, and I'm like OK, that's for them but can I embrace that and say that's who they are? I think that's where the breakdown comes.

Ironically, she sees the benefits of the law for the LGBT students in her class, but she personally objects to asking students to deal with LGBT curriculum in her classroom. She acknowledges that learning about the contributions of the LGBT community would likely help the LGBT students in her classroom, but would also "validate" them. She adds that the curriculum would "...encourage them to go forth, and not just their sexuality, but not let their sexuality hinder them in accomplishing what they need to accomplish."

This is partly based on her view that homosexuality is "mostly" a choice and that it is different from gender and race, which are inborn qualities. Kumashiro (2002) argues that teachers must face their own prejudices and take action to educate themselves about them, as oppression can also occur when educators internalize prejudices about non-

mainstream groups and act on them. Ms. Christiansen argues that she does what she is told as a classroom teacher, and always remains professional; however, she relates that:

Ms. Christiansen: I bristle at it [the tenets of the FAIR Education Act] because I don't think anyone's sexuality should be a determinant for their accomplishments and what they've done in society. I would say the same thing, oh let's celebrate Muslims and what they contributed or how about born-again Christians and what did they contribute or anything like that. I think I bristle a little bit at that. And, uh, race is a different issue. I see that a little bit different.

Researcher: How so?

Ms. Christiansen: Born. Identified. You can look at someone and see if they're Chinese or if they're black or Hispanic, whereas you can't necessarily if they're LGBT.

Researcher: You used the word born. You don't think that LGBT people are born that way?

Ms. Christiansen: I think some are; I think the majority are not.

The FAIR Education Act and its tenets involving using curriculum in social science classes face the challenge of convincing teachers that presenting curriculum about the LGBT community and asking students to use themes and facts presented in order to critically think about California's and America's history is in the best interest of students and society in general. Kumashiro (2002) insists that "Educators have a

responsibility to make schools into places that are for, and that attempt to teach, all their students. To fail to work against the various forms of oppression is to be complicit with them” (p. 37).

### **Capacity Building: Challenges to the Law’s Inclusion of Students from Grades K-12**

One theme that came out in the interviews involved teachers who knew or were informed about the tenets of the FAIR Education Act questioning the K-12 aspect of the law. Since the FAIR Education Act requires implementation to occur in all grades, not just high school (Official California Legislative Information, 2012), that means younger students would also learn about LGBT history; however, the FAIR Education Act does not require any mention of sexual acts and leaves content up to the individual schools, stating that all curriculum should be age-appropriate (Official California Legislative Information, 2012). Several instructors who support the tenets of the law on their high school campuses, some of whom believe strongly in the ideas behind the law and think that their high school curriculum should include mention of LGBT issues, balked at the idea that younger students would also be exposed to the information. Several educators support the law energetically and view it as achievable on their high school campuses, but do not think it should, or can, be implemented on elementary or middle school campuses. In some cases, this made them question the law in its entirety and resulted in a lower level of support for it. Biegel (2010) also found that some educators object to LGBT history included in curriculum, some of whom found that this material is inappropriate for youngsters. Biegel (2010), however, also points out, that students see LGBT people

all the time and hear the word “gay” frequently. Teaching students about the LGBT community does not indoctrinate them into believing homosexual relationships are the norm; rather it does what a public school curriculum should do and addresses what is happening in society, an idea that Kumashiro (2002) and others also support.

Mr. Astute, who already incorporates LGBT issues into his curriculum, including showing a controversial film about the AIDS epidemic that shows kissing and emotional intimacy between male lovers, thinks that parents might have a reason to object to the FAIR Education Act, “If it’s a fourth grade class and we’re talking about this and [inaudible] but in the American Experience when you’re talking about interests and topics of our history and our culture in high school, if you’re not mentioning homosexuality once in the whole class there’s probably something wrong.”

Mr. Brisk also supports the tenets of the law, but not for younger students. He mentions his own children, becoming almost defensive about his objection to their curriculum including LGBT history. Since his children attend elementary and middle school, he believes they are too young to be introduced to LGBT issues, maintaining that these concepts are suitable for students beginning in high school. Furthermore, he reported that he believed parents of his children’s friends would agree. His colleague, Ms. Bliss, also strongly supports the law at high school. She also believes that some middle school students should learn about LGBT history; however, she draws the line at using this curriculum with young students, thinking that they are too young to grapple with the struggles of oppressed people in society.

Some participants, however, agree with the K-12 component of the law. Mr. Ambrose, a former middle school teacher who is now at the Advance High School, agrees with the K-12 component of the law, stating that even second graders know about LGBT people already and should learn factual information about the community in schools. He points out that we reference heterosexuality in lower grades, so why not homosexuality? He colorfully illustrated his opinion, stating: students learn that "...this general boozed it up and was in a camp with ladies of the night, right? That's all good, but you can't say his lover happened to be a man and you'll destroy that child for life. Ridiculous."

### **Capacity Building: Difference Between Teachers New to the School and Veteran Teachers**

Although Robert Evans (1993) contends that younger teachers are usually more likely to support a change initiative, and that older teachers can be resistant to change, this study did not find that to be true. As a matter of fact, that teacher who was brand new to his school (Mr. Ambrose) expressed some concerns about lawyers, parent complaints, and being unfamiliar with the protocol on his campus. Although he strongly supports the FAIR Education Act and its tenets, he questions how to implement it at his site. The other two veteran teachers at the same school site (Ms. Apt and Mr. Astute) already use LGBT history in their courses, at least to some extent. Ms. Apt mentioned that the department works together in "teams" to develop and execute curriculum; therefore, the veteran teachers might actually help the newer teacher implement this change initiative, instead of the other way around.

### **Capacity Building: Conclusion**

Evans (1993) second key element in his Dimension of Change insists that if a staff is to implement a change initiative, they must not only believe in the initiative itself (key element one), but also in their own capacity to implement the change. In addition, they must enthusiastically want to see the change occur. Lastly, he warns that veteran teachers might resist the change, leaving it to the younger teachers to lead the way. This study found that many teachers support the tenets of the law and are already involved in actively attempting to create a safe classroom and/or campus environment for their LGBT population. Furthermore, many teachers are already energetically using LGBT history in their classes, and have done so on their own, without the assistance of the FAIR Education Act or any other law. This bodes well for the further development and implementation of the law.

On the other hand, one major obstacle to teachers' capacity to implement the change is lack of knowledge about the law itself. If teachers are to use the FAIR Education Act and its tenets in their classrooms, they have to know about the law and understand its intentions and goals. For most of the teachers who completed surveys and interviews, this is not yet the case. In addition, educators must confront their own prejudices and come to terms with their ethical questions about the law (Kumashiro, 2012), if the law is to be successfully implemented. Perhaps if the state, counties, and school districts informed teachers about the FAIR Education Act and its tenets and goals,

this could be achieved. The topic of training will be covered under key element four, Support and Training.

### **The Strength of the School Setting**

The success or failure of a change initiative can rest upon the dynamics of the school where the change initiative should happen. Evans (1993) contends that the demands and stress that one faces as an educator can impede a change initiative from implementation. In addition, the environment and conditions under which one attempts a change matter; when educators feel support for enacting change, they are more likely to change (Evans, 1993). The positive culture and climate for LGBT students that already exists might suggest that the implementation of the FAIR Education Act will be easier on a school campus. For this reason, the existing support for the LGBT community on school sites might indicate the level of support teachers feel for including LGBT issues in their curriculum.

#### The Strength of the School as an Organization: The Existing Level of Support for the LGBT Community on the School Campus

The level of support the LGBT students and staff currently enjoy on the campus may be an indicator of the openness and willingness the staff and the leaders at the school site may have to implementing the FAIR Education Act and its tenets. Many teachers indicated that, although conditions are not ideal for the LGBT students, the people in charge support them and insist on their safety. Since one of the objectives of the FAIR

Education Act is to make campuses safer for LGBT students (Broverman, 2011), school sites that have already taken measures to ensure their safety would appear to have the buy-in necessary to implement the FAIR Education Act, especially if the staff has been involved in setting the policies in place in the classroom or on campus (Rigby, 2010).

Ms. Constance at Conventional High School tells the story of her son, who is a straight ally and recently spent time on the campus after having graduated from the school many years prior. After noticing out students at the school, he was astonished and reminded Ms. Constance about how much the climate and culture has changed for the better for LGBT students in the eight years since he attended the school. Ms. Constance and her son agree “that there’s been a huge change for the positive.”

All three teachers at Advance High School consider their campuses “tolerant,” “accepting,” and “pretty good.” Teachers at Broad High School express the same opinions. One of the main reasons for this is the GSA on campus, which enjoys support from the administrators and the teachers at all three campuses. Furthermore, Mr. Bookish states that at his school “There’s an overt, explicit policy among the organs of the school, the newspaper and the yearbook, to be all-inclusive.”

In addition to the climate and culture, teachers at all three schools describe a tough, no-tolerance policy at their schools against bullying any students, including LGBT students. When Ms. Christiansen described the policy at her school if anyone is bullied, gave careful details of the process, demonstrating her knowledge of protocol. Her colleague, Ms. Cerebral, also described what she would personally do if she

witnessed harassment against LGBT students or perceived LGBT students using details that showed she is familiar with her school's policies.

Mr. Astute maintains that any victimization of students who are perceived to be LGBT or LGBT will be handled by the school's leaders. He also hints at the existence of recent discussions on campus involving harassment, showing that administrators are aware of and dealing with problems of this nature.

Some teachers, however, say that although there is little harassment on their campus, the school and its leaders have not done enough to educate the faculty, staff, and students about harassment and safety for LGBT and perceived-LGBT students. Ms. Apt, after touting the friendly environment at her school, criticized its leaders for not doing enough to combat bullying. She thinks that most of the efforts to create a safer campus have come from students and teachers; she believes that administrators have done little in terms of a school-wide effort to help LGBT students.

On the other hand, Mr. Bookish describes the proactive measures that his campus has taken to create a school setting that favors the rights of all students, including the LGBT ones. He portrays his campus as one that has clearly established a school setting that favors a reform like the FAIR Education Act. These efforts involve measures such as passing a zero tolerance policy for comments of a discriminatory nature and hanging or posting signs that welcome all students to each classroom.

### **The Strength of the School as an Organization: Factors Stemming from the Job that may Impede Implementation**

Evans (1993) maintains that pressures and stress associated with the job of teaching can prevent educators from embracing and implementing a new policy, law, or change initiative. A considerable number of teachers interviewed for this study mentioned the lack of materials provided to compensate for their lack of knowledge of LGBT history that would be required to implement the FAIR Education Act. Although this will be discussed in change element four, another aspect of their current jobs that causes them stress and could affect their implementation of the FAIR Education Act is their already-full curriculum.

Several teachers questioned where they would fit in lessons or information about the LGBT community, when they already cannot cover the information they need to teach without the additional information. One teacher asked if it will be specifically included in the state standards for social science, suggesting that he feels the need to cover what is in the standards first before expanding his already-set curriculum to include topics and themes related to LGBT history. When asked specifically about challenges he faced in implementing the FAIR Education Act, Mr. Brisk discussed finding time to fit in lessons about the contributions of LGBT individuals when they already need to cover so many topics. He argues that many of his colleagues would look at adding LGBT-themed curriculum as "...just one more thing to throw in...one more thing in our schedule as far as fitting everything in."

Mr. Ambrose, who again enthusiastically supports the legislation and its tenets, cites the fact that he is new to the campus and, although open to and interested in implementing the law, shows frustration with getting through the material he already

needs to teach, saying “My head is spinning.” Furthermore, Ms. Christiansen stated, “Here I am a teacher in education and I didn’t know about it. I heard about it indirectly, but not paying attention to it, you know how we get busy.”

Ms. Bliss went so far as to say that even if administrators made an effort to hold teachers accountable for covering the material required in the FAIR Education Act, teachers might not do it. She cited the time pressures to cover already-existing material, combined with other reasons that teachers have for objecting the tenets of the FAIR Education Act. She hypothesizes that some teachers might do is defer to the GSA or other organizations that thrive on campus in order to cover LGBT history and discuss the community’s issues. She responded to a question about challenges teachers faced in implementing the FAIR Education Act by making the same case her colleague Mr. Brisk made: teachers do not have time to cover more material. However, she added even if administrators tried to hold teachers accountable, it might be difficult due to the fact that teachers can put on a show when observed.

### **The Strength of the School as an Organization: Conclusion**

Teachers at all three school sites believe that their campuses and classrooms are mostly friendly toward the LGBT community and think that the policies and enforcement of those rules support the safety of LGBT and perceived-LGBT students. Some give examples of unfriendly situations that sometimes face all students in general and the LGBT student in particular, as was reported in key elements one and two; however, the teachers believe that campus climate and culture mostly allows LGBT students to learn.

Although several hope that the administration will do more, one even claiming that efforts to protect LGBT students has been a “bottom-up” effort rather than an administration-led situation, many believe that their school setting will allow the changes that the FAIR Education Act requires.

Evans (1993) warns of the dangers of pressures teachers face from the high paced and intensive nature of their jobs, and potential that these stresses have on killing or slowing down the implementation of change efforts at schools. Indeed, several teachers expressed concerns about the amount of material they must already cover in order to finish textbooks and prepare students for high-stakes testing. At least one school site in this study, this year’s high-stakes testing has been moved to an even earlier date, and social studies teachers at that site exhibit serious concerns about being able to cover the material students need to be successful on those exams. Because of this, some teachers show concern that adding in more information in the form of needing to cover the accomplishments of LGBT individuals and the community will simply be too much to do given these circumstances. This might prevent educators from implementing the law, or implementing it in a meaningful way; teachers’ previously expressed concerns about tokenism or a tiny blurb in a textbook may become reality. This would extinguish the hope of the FAIR Education Act that the law would provide students with a more fair and accurate representation of the LGBT community.

## **Tools and Training Social Studies Teachers Need to Implement the FAIR Education Act and Its Tenets**

Because the level of support a staff receives when asked to make changes impacts the success of the reform effort (Evans, 1993), it is important to examine the support and training that teachers have received and need in order to fully implement the FAIR Education Act and create safe spaces for LGBT students through the use of curriculum. In addition to the existence of staff development and training, Evans(1993) insists that this professional development must be high quality and helpful or the change effort may fail. Terry (2010) determined that the failure of The Safe School Climate Act in South Carolina was due to several factors, including the lack of effective staff development and ongoing training about these new policies. Biegel and Kuehl (2010) also state that staff development must be a key component in introducing new policies. Only by doing this can a change take place (Terry, 2010). Knotts and Braun (2009) conclude that the training must also be continuous if policies like the FAIR Education Act will lead to a safer and more-positive environment for the LGBT population. Because California Governor Jerry Brown has already made clear that there will not be textbooks available to teachers and students that reflect the tenets of the FAIR Education Act, it becomes even more important to discover what support and training teachers need now to implement the law. Because of this, Evans' (1993) key essential element in his Dimension of Change for schools is support and training. In order to protect the promised anonymity of teachers in this potentially sensitive part of the chapter, I have not included their identities in this section.

## **Support and Training: Teachers' Knowledge of LGBT History and Accomplishments**

In order to implement the FAIR Education Act and give students a fair, accurate, and inclusive representation of the accomplishments of the LGBT community and its members, educators need to know what those accomplishments are. If teachers do not know what to teach, they cannot teach it. As one teacher put it, "I am a product of the system before me." Since many of the teachers who participated in the study expressly stated that they had never learned about LGBT history themselves, and given the lack of textbooks that include the information, can they properly implement the FAIR Education Act and its tenets without further training?

When asked to respond to the statement "I know a lot about the accomplishments of the LGBT community and LGBT history," most of the teachers surveyed admitted not knowing very much. In fact, only 22% of teachers at Conventional and Broad High Schools strongly or mostly agreed with the statement, and at Conventional High School a third of the teachers strongly or mostly disagreed. At the Advance High School, 50% mostly agreed but none strongly agreed. During the interviews, many teachers apologized for not knowing more, and said that their lack of knowledge would become problematic now that the law states that they need to give a fair and accurate representation of the LGBT community and its history.

Burstein and Knotts (2011) warn that social studies is a complex subject and should be more than just learning about wars and memorizing dates. An example of these results also came forth in interviews in the following statement:

I don't have that knowledge [about what LGBT history should belong in the curriculum]. And I'll even go [prior courses taught] I taught that curriculum forever. I don't have any specific lesson or information that would say this person's gay, like a Harvey Milk sort of thing. There is none of that in my curriculum that I know of. It's still wars and generals and impacting and here we go and this person made this decision and move on, so.

One instructor highlights several historical figures who were LGBT, but admits not knowing many of them, and therefore not being able to include them in her curriculum as identified as LGBT. Although she talks about homosexuality in Greek times, she does not know much about modern LGBT history. She states, "there may be people in history who were gay and lesbian and I don't know, and so I don't point that out. Alice Toklas, I mean there certainly are some people, but there may be others that we're not aware of. So it would be important to point out. I think it's important to point out the contributions of all."

A few of the teachers interviewed cited Harvey Milk and the Stonewall Riots as appropriate examples of accomplishments of the LGBT community and its individuals. One teacher also mentioned the controversy about the possibility that Abraham Lincoln

might have been gay. Another teacher, who covers an admirable amount of modern LGBT history in his courses, does not seem to think that LGBT individuals existed before modern times. Although one could argue that he is mostly correct in his following statement, would students benefit by an examination of LGBT individuals throughout history, including asking why we do not know the role of the LGBT community during the American Revolution or World War I?

What was the role of homosexuals in the American Revolution? Not much, not much. Or in 1915, what were the notable achievements of the gay rights movement in 1915, there wasn't one. What I have done is where it comes organically, like with Walt Whitman. I spend a fair amount of time talking about the fact that this is where this guy was coming from, this is his expression artistically and in his own life he was homosexual. And with Alan Ginsburg, when I talk about the Beats and here was a guy in 1952 Eisenhower American who was not going to fit anywhere else but in Greenwich Village with other outlaws in gay bars, right? So I do talk about those things but I've never made a point to go ahead and highlight the achievements of gay Americans except in so far as prominent especially in the arts they were there. So I never walked away from it, but I never went out of my way to highlight it either, OK except when we get to the 1960s and the Stonewall riots and in the 1970s we talk about Harvey Milk in the 1970s...

Several teachers could not think of any examples of LGBT individuals or movements that would apply to their courses. Although these teachers were either mid-career or veteran teachers, they could not name a single topic or individual that would fit into their course's curriculum. A few teachers also erred in facts and details regarding the LGBT community and its history.

Both Wheatly (2006) and Duck (1998) argue that the lack of information encourages people to create their own information, which is often not accurate; this alternate information can even exist as gossip or rumors. This lack of knowledge of LGBT history could also result in some dangerous misinformation, such as one given by a social studies teacher who struggled to name any historical figure who belonged or belongs to the LGBT community. After thinking for at least thirty seconds, this teacher came up with a heterosexual sports figure who died of AIDS through a blood transfusion (Official Website of Arthur Ashe, retrieved January 2, 2013), possibly lumping him into the LGBT community because of his HIV status.

One other teacher also mentioned AIDS as an ideal topic to use while implementing the FAIR Education Act, which, if not combined with other LGBT history would not provide students with a fair and accurate representation of the accomplishments of the LGBT community and its individuals. In addition, a few teachers mentioned including the LGBT community when discussing the Holocaust. Although one could argue that this is important and students should learn about the role of LGBT individuals and the community (especially gay men) during this time period, is it harmful to only relate history to the LGBT community when it involves victimization?

Are these situations simply reinforcing ideas that can cause harm to both LGBT and non-LGBT students? These issues will be further examined in chapter five.

Another potential problem students face if educators are not knowledgeable about LGBT history is satisfying the tenets of the FAIR Education Act by mentioning a fact about the LGBT community or a community member and then moving on without fully developing the ideas behind them. One teacher, mentioning his own education about the Holocaust, said that “when I was in school everyone used to say there were the Jews who were killed and sometimes they’d go and gypsies and homosexuals and then they’d move on really quick.” A different instructor, who strained to cite any examples of LGBT history that he could use in his classes, explained what has happened in previous lessons when LGBT-themed topics have been discussed: “I can only think of how it might come up or may have come up in terms of relationships and societal mores and norms. And it has come up on occasion, but the mention was really brief.”

### **Support and Training: Existing Resources for Teachers Implementing the FAIR Education Act and its Tenets**

Teachers insist that their own lack of knowledge must be supplemented by curriculum and other resources if they are to implement the FAIR Education Act and its tenets. Most claim to have no idea of any existing resources for them. Because current textbooks do not reflect the passage of the FAIR Education Act and the inclusion of LGBT-themed history, teachers must find other sources of information if they are to comply with the FAIR Education Act. Because of the previously mentioned stresses that

teachers already face, many feel that they do not have time to do extensive research and develop their own curriculum. Furthermore, they are unaware of good sources of information, such as the GSA Network, which supplies teachers with lesson plans and other resources for their classrooms. One teacher said, “If there are some [any resources available], I have not used them, gotten them out, downloaded them.” Another instructor at the same site, however, said about his level of awareness of resources for teachers regarding the FAIR Education Act and curriculum involving LGBT history, “I am not. Nobody’s ever told me anything about it and I’ve searched.”

When asked whether their school’s Social Studies Department already includes curriculum that covers the LGBT community, not one teacher at the two comprehensive high schools stated that they mostly or strongly agreed. At Advance High School, two teachers (33%) mostly agreed. Even worse, when asked to respond to the statement “My department has resources available for me to use if I want to include contributions of the LGBT community in curriculum,” none of the teachers at Conventional High School or the Advance High School mostly or strongly agreed, and only one teacher (11%) at Broad High School agreed. The lack of textbooks combined with the dearth of district- and/or site-level resources for teachers suggests that educators will have difficulty implementing the FAIR Education Act and using curriculum to create safer spaces for LGBT students, especially given their lack of knowledge on the subject and their already stress-filled jobs.

## **Support and Training: What Teachers Believe They Need to Implement The FAIR Education Act and its Tenets**

As previously mentioned, many teachers do not know much about the explicit tenets of the FAIR Education Act itself. Some teachers, mostly due to their impacted schedules and time commitments, would like training about the law. One teacher explained, “Well, I feel bad saying this because I am capable of getting information on my own, but I would like to have information provided for me. What is the Act? What does it stipulate?” An instructor at a different school site gave several options for informing himself on the law, including simply looking up the law himself. He would hope, however, that the school or the Social Studies Department would provide the information about the law. He also would appreciate the opportunity to discuss it with department members.

Since teachers do not believe they have the resources needed to effectively implement the FAIR Education Act or to use fair and accurate curriculum to create safer spaces for LGBT students, it is logical that many of the teachers interviewed would like to see curriculum developed that would assist them in their teaching of LGBT history. One teacher requested this, saying, “...for the classes I teach I would like to know background information for some of the history and classes I teach, the historical figures I teach about, if any of them were part of that community and their experiences so I sort of, yes, I would like information.”

At another site, one teacher emphatically stressed the need for curriculum if she would be able to effectively implement the FAIR Education Act and its tenets. She

questioned her ability to enact change without resources, claiming, “You have to have curriculum. You can’t just say, OK, accept LGBT students. OK, how am I supposed to do that?” She continued by chastising the curricular situation, exclaiming, “I don’t know if there’s any curriculum I’ve seen that has it in there. This law came into effect in 2012 and I’ll be really honest I haven’t seen any...there’s not even resources to say here’s where you go to get the curriculum. There’s none of that.” She also rejected the idea of searching websites for information, saying she could search the internet, “but not where I could go that was actually curriculum based, no, that would fit into what I’m teaching.”

One potential source of information that many teachers gave was in fact the internet, in particular search engines. One teacher described his strategy of finding information about the LGBT community as, “I would say Google it.” Another said, “I would think a Google search or something.” Several other instructors mentioned the same source; however, one specifically said she would consult “LGBT websites” for information, although she could not name one. Pulling quick bits of information from the internet, however, could exacerbate the problem of token mentions of accomplishments of the LGBT community, as several of the teachers feared.

In addition, teachers would like more professional development about the LGBT community, its history, and issues surrounding it, such as bullying and victimization. Massari’s (2011) findings support this, claiming that teachers often have difficulties recognizing bullying and victimization, even when it happens on their own campuses. In addition, Weiler (2003) insists that schools need to teach their staffs about the LGBT community and its issues, including using curriculum to help the LGBT population,

something that participants in this study also want. Several teachers claimed that they would use more examples of LGBT individuals and their contributions if they knew about them. Several more instructors asked for authentic materials, such as case studies about LGBT individuals and the community, which would provide their students valuable lessons from the point of view of members of the community. Another teacher, who believed that learning about the LGBT community could best be accomplished by talking to members of the community itself, was very specific about this, saying he needed:

Definitely some training. And some training by LBGT [sic] type people. Not from someone who says I'm a spokesperson for this community, but I would like to hear from someone who is a part of that community and you can do this and this and this to help me. Because how better do you learn? If I'm gonna learn how to shoot free throws, I don't want to learn from some dude who's watched it on his couch. I wanna learn from someone who has been there and been in the game and here's what you're gonna feel and here's some real world examples.

Biegel (2009) insists that teachers must be trained before the inclusion of LGBT curriculum, and must be able to collaborate around it, an idea that at least one participant thought would be helpful. This educator hoped for some training and information so that the staff could learn specific information and develop some of their own curriculum that would fit the needs of their site. At this school the teachers work in teams and could use the information to develop their own units and curriculum, if nothing will be coming

from the state. Again, this individual stressed the need to avoid a token, short lesson and make the material part of larger themes in historical units.

A few other teachers looked to the school's leadership, the curriculum office at the district, or even the superintendent to both provide information about the law itself or to provide resources for the classroom. Teachers stated that they have received nothing from the site or district leadership thus far. One teacher, however, was skeptical of relying on the administration for information, stating, "Well they don't do very well with the other curriculum, so I don't know how this would be any different."

### **Support and Training: Conclusion**

Evans (1993) insists that to effectively make a change, teachers need not just training and resources, but effective training and good resources, an idea supported by Knotts and Braun (2009). Teachers surveyed and interviewed expressed clear concern about the lack of both. Even the most enthusiastic teachers about the FAIR Education Act itself and its tenets displayed frustration with a go-it-alone feeling they have based on the lack of training and curricular resources. A few teachers who already use LGBT history in their classes have found information and created units on their own; however the K-12 nature of the law is intended to develop the fair and accurate representation of the LGBT community over time, not just in isolated settings. Furthermore, the lack of knowledge of the teachers about the new curriculum they are now required to deliver combined with the lack of knowledge of where to obtain that information can possibly create some damaging misinformation or lead to the teacher-feared tokenism. Lack of

leadership from school sites, the school district, and the state further compounds the level of frustration and feeling of despair among many teachers.

### **Leadership and its Impact on the Implementation of the FAIR Education Act and its Tenets**

Although Evans (1993) deems leadership as an important, and perhaps the most important, dynamic in enacting a change initiative, it is clear from the surveys and interviews that there has been little leadership on any level so far in implementing the FAIR Education Act. When a law has been passed and on the books for nearly a year and most of the teachers surveyed and interviewed barely know its tenets, or even worse view the law as something it is not, leaders have clearly not done their job.

Evans (1993) maintains that if staff members are to follow leaders into the unknown of a new change initiative, they must believe not only in the initiative, but in the leader who wants them to implement it. He states that these leaders must show that they are focused and have a clear vision for implementing the goals of the reform and that they inspire participation from the staff in enacting change. Since LGBT issues can be sensitive, this kind of change in schools usually needs especially effective leadership; however, it can be accomplished through collaborating between faculty and school leaders. This is especially true when the school has a strong, effective leadership (Biegel, 2010). How do the participants' leadership affect the ideas surrounding the FAIR Education Act and using curriculum to create safer spaces for LGBT students?

## **Leadership: The Problem of Lack of Leadership**

Teachers interviewed and surveyed related few examples of leadership on implementing the FAIR Education Act and its tenets at the department level, school site level, district level, and state level. Margaret Wheatly (2006) maintains that “information is absolutely essential for the emergence of new order” (p. 95); participants in this study lacked information vital to implementing the FAIR Education Act. Teachers call upon the leadership to provide the training necessary to implement the law, as expressed by Mr. Brisk. He simply asks that the school’s leadership guide him in implementing the law. Mr. Ambrose agrees, requesting more specific help from the school’s leaders. Note that in Mr. Ambrose’s request for help from the administration, he also displays a lack of knowledge of the FAIR Education Act itself, which both Wheatley (2006) and Duck (1998) caution might occur when leaders do not provide information necessary for teachers to act:

Well, I would like to think there’d be more than just a crash course at a faculty meeting like here’s our 15 minute power point, see if you can intertwine it. As a social studies teacher, I mean this is something that’s across the board but it might fall more on English and the history classes, but I would like to think they’d provide a sense of training for some new curriculum and here are the state laws you know and here are the gray areas you’re going to be treading into and how far you can stray one way or another.

As previously stated, many teachers blamed their leaders and looked to them to provide the facts and ideas needed to comply with the law. One department chair, who supports the law, has not heard much about it; she defends the department's lack of resources, and faults the school's leadership: "To be fair that hasn't come up and it should be, as an agenda item [at faculty or leadership team meetings]." As department chair, this teacher blasted the school's and district's leaders for not providing information about the FAIR Education act, reacting angrily to a question about whether any department chairs at the school have received information about the law from the school's administration. She believes the school's and district's leadership should have introduced this law and its tenets, as well as other newly-passed laws, to department chairs and to the staff at structured forums, such as meeting; however, both tiers of leaders fail to do this, leaving teachers and department leaders to discover these laws on their own. At a different school site, another instructor made the same suggestion. She also chastised the site and district leadership for not helping them to set agendas for department meetings when an important new law or policy comes into effect. She claims that her department has been asked to comply with laws that involve potential lawsuits, but not with laws that involve classroom content, like the FAIR Education Act.

Several other teachers at a different school sites echoed the lack of communication, suggesting that the lack of communication might affect the effectiveness of the implementation of the law. Some suggested that the districts' and site administrators' avoidance of the law make them question their leaders' support of the law itself, including their comfort level with discussing LGBT-related issues in classrooms.

The teachers also wondered if the dearth of information from the administrators may indicate a concern of alienating political groups in the school community.

If Wheatley's (2006) concept is correct that "power in organizations is the capacity generated by relationships," (p. 39) the school leaders are giving up their power in this case by allowing lack of communication and secrecy to make their teachers question their dedication to and motives surrounding the FAIR Education Act. At one school, teachers want some guidance from the administration, but then prefer them to allow the teachers to work as a team to complete to implementation process. If this collaboration is part of the school's and department's culture, it will work; however, they still need to know the tenets of the law and hope the leaders will help.

### **Leadership: School Leaders' Roles in Monitoring the Implementation of the Law**

Kouzes and Posner (2007) would support that team approach to enacting the FAIR Education Act, suggesting that a leader foster accountability and structure it so that people can work collaboratively. Many of the participants in this study, however, question the ability and capacity of their schools' leaders to monitor or enforce the law, even as they ask them to do that very thing. The framework provided by King, et al. (1987) by which a program, like the one in this study, should be evaluated includes as step one: to "demonstrate program accountability" (p. 114). Will there be any accountability in the implementation of the FAIR Education Act, or will it have the same problems as the Safe Climate Act in South Carolina, where there were few consequences for schools not following the law (Terry, 2010)?

One teacher said the main role of their school leaders should be, “trying to enforce it [the FAIR Education Act].” At the same site, an educator asked the administration to monitor social science teachers to be required to submit some kind of document showing their plans to enact the tenets of the law. She did not suggest daily lesson plans, but rather a more general curricular plan detailing how the teachers and the department as a whole would include the contributions of the LGBT community in their classrooms. Another teacher at the same school site, however, questioned the leaders’ will to enforce the law, as they do not follow through with the implementation of other programs and ideas.

The lack of faith in the school leaders’ willingness and ability to monitor teachers’ implementation of the FAIR Education Act, or any other curricular issue, is echoed by a veteran teacher at a different site, as she stated that even when the administrators attempt to monitor curriculum, teachers “can do a dog and pony show when they’re going to be observed so.” She goes on to make the same claim that teachers at the other two sites made about administrators not following through on the implementation of any plan or idea. She wonders why the FAIR Education Act would be different.

### **Leadership: State-Level Leadership**

As already mentioned in essential element one, if teachers are skeptical of their school administration’s ability to provide leadership on this issue and do not put much faith in the school district either (one teacher stated, “You know, I do my very best to pretend the district thing is not even there.”), educators are even more leery of the

leadership from Sacramento. Wheatley (2006) declares trust to be a key component in the change process, and concludes that trust can affect an entire system, an idea supported by Kouzes and Posner (2007); since the original change agent with the writing and passing of the FAIR Education Act was politicians in the state's capital, the teachers' lack of trust and faith in these individuals could affect the effectiveness of the law and its tenets. Furthermore, Kouzes and Posner's "First Law of Leadership" is: "If you don't believe the messenger, you won't believe the message" (Kouzes & Posner, 2007, p. 38). Moreover, Boyd, et. al (2008) maintain that the lack of trust among constituents "is viewed as one of the main handicaps in successful education reform and effective governance" (p. 117). Comments from participants such as "leave it to a politician" when criticizing aspects of the FAIR Education Act clearly demonstrate the dangers in this trust relationship between legislators and educators.

One teacher stated, "there's a problem when the California government gets together by committee and says what they're going to put in the textbook." A different participant insisted that "the people up in Sacramento take up these kinds of issues, which to me seem pretty common sense issues, and they make them like law instead of dealing with bigger issues in education."

Another teacher questioned not only the leaders in Sacramento themselves, but the way the law was passed and enacted. Although she admits that she did not follow the law through the legislature, she believes that constituents did not have the time or opportunity to respond to or amend the act. Kotter (1998) tells us that "Change involves numerous phases that together usually take a long time. Skipping steps creates only an illusion of

speed and never produces a satisfying result” (p.1). This teacher believes that steps were skipped and this reform has simply been thrust onto stakeholders. This could endanger its successful implementation, especially considering efforts to recall the FAIR Education Act. She believes that lawmakers snuck the FAIR Education Act through the legislature, and thinks they did this purposely so that parents and teachers would not be able to complain or express their concerns. Furthermore, she suggested that this makes the law less legitimate than had the lawmakers argued the law in a more public forum.

### **Leadership: Teachers and Students as Leaders**

Kouzes and Posner (2007) have found that significant achievement does not happen without the support of many and that collaboration is critical in achieving and sustaining high performance. If participants in this study do not fully trust their leaders to implement the FAIR Education Act or its tenets, several cited efforts by either teachers or students to lead on both curricular and safety issues for the schools’ LGBT communities. One teacher considers a good approach for improving campus climate for LGBT that students be involved, “Allowing the students to do it and not having it be top-down.” Another teacher believes that students and teachers, rather than administrators, have been the main agents in creating a safe space on the campus; therefore they could also be the motor behind other policy implementation on campus.

The Gay Straight Alliance clubs, which in previous sections have been reported to help with the tenets of the FAIR Education Act, are frequently bottom-up organizations, starting with leadership from students and faculty. On one campus

students initiated the Gay-Straight Alliance, proposing the idea and finding an advisor. The members of this GSA initiated the following campus-wide effort that teachers believed to effectively create a positive climate for the LGBT students, such as the Day of Silence and other events that bring LGBT issues to the general population and educate the campus as a whole. One teacher at that school site did give credit the school's administration for working together with students and teachers to promote the GSA and keep it strong, although the same person insisted that the efforts by the students make more of a difference towards creating positive change for the LGBT community on campus than do those from school leaders.

### **Leadership: Conclusion**

Evans' (1993) assertion that leadership is perhaps the most important factor in the successful implementation of new policies and change initiatives means that leaders need to embrace, promote, and support teachers in the enacting of laws like the FAIR Education Act. Teacher participants in this study gave few examples of any guidance or support from their leaders at the school site or in the district office. Furthermore, several teachers rejected the idea that the policymakers in Sacramento effectively legislate and lead in issues regarding education. If researchers such as Wheatley (2006) and Kouzes and Posner (2007) are correct about trust being a central quality in the success of leaders, will this lack of trust affect the success of the FAIR Education Act and the idea that the use of curriculum can assist in making schools safer for their LGBT populations?

## **Conclusion**

The conceptual framework used for this study, Robert Evans' (1993) five Dimensions of Change from his study "The Human Face of Reform," provides a lens by which to view the perceptions of teachers when considering the FAIR Education Act and using curriculum to create safe spaces for LGBT (and perceived LGBT) students. Evans gives five essential elements that must be in place in order for a change to be successfully implemented in a school setting. The participants in this study were interviewed and surveyed about each of the five requirements in Evans' study based on research questions that were created to discover teachers' ideas about the FAIR Education Act and its tenets.

The first of these questions is: How do social studies teachers perceive the content of the newly enacted law, the FAIR Education Act, and its potential to create or change the school's climate and culture for LGBT students? The majority of the participants believe their classrooms and campuses are mostly safe spaces for their LGBT populations, although several admitted not being informed enough to back up those perceptions. While teachers generally support the idea that students should learn about LGBT history, not all of them understood the potentially positive effects that using curriculum can have on the culture and climate in a school. Several cautioned, however, that if the FAIR Education Act is not properly implemented, tokenism could result. In addition, some teachers thought that students could better learn about the LGBT community and its accomplishments through their school's GSA. Furthermore, while most thought that the FAIR Education Act can be implemented, some feared objections

from parents and/or the community; these fears were lessened for some by the thought that the new law could protect them from these potential complaints.

The second research question is: How do social studies teachers, see their roles in creating a safe space for LGBT students and in enacting the curricular changes brought about by the FAIR Education Act? Although teachers largely support the tenets of the FAIR Education Act and using curriculum about LGBT history to create a safe space, teachers did not know much about the law itself, including its goals. Participants also did not understand the need to confront their own prejudices and come to terms with their ethical questions about the law if the law is to be successfully implemented, something Kumashiro (2012) also found. Teachers must know about the FAIR Education Act, including the reasons to implement it, if it is to be successful.

The third research question is: How do social studies teachers view their school's level of support for LGBT students and what do they think their colleagues and administration do to help LGBT students learn and feel safe? Teachers at all three school sites believe that their campuses and classrooms are mostly friendly toward the LGBT community and think that the policies and enforcement of those rules support the safety of LGBT and perceived-LGBT students. Some, however, do not understand that the LGBT community's needs are different from those of the general population, i.e. the concept of treating all students the same. Many participants think that their school setting will allow the changes that the FAIR Education Act requires, although several hope that the leadership at the school will do more to allow this to occur.

Evans' (1993) idea that the possibility that the pressures teachers face from the stressful nature of their job could slowing down the implementation of change efforts at schools presented itself in this study. Several educators expressed concerns about adding in more information needed to cover the accomplishments of LGBT individuals and the community would not be achievable, especially given high-stakes testing. This might prevent educators from implementing the law, or implementing it in a meaningful way, and even lead to the tokenism many teachers fear.

Research question four asks: What tools and/or training do social studies teachers need to enact the FAIR Education Act and to create a safer space for LGBT students? Teachers surveyed and interviewed, even ones who enthusiastically support the FAIR Education Act and its tenets, expressed clear concern about the lack of both effective training and good resources. The lack of curriculum leaves teachers to create curriculum themselves, in spite of many of their admitted less-than comprehensive knowledge of LGBT history. Furthermore, the lack of knowledge of the teachers about the new curriculum they are now required to deliver combined with the lack of knowledge of where to obtain that information can possibly create some damaging misinformation or lead to the teacher-feared tokenism. Lack of leadership from school sites, the school district, and the state further compounds the level of frustration and feeling of despair among many teachers.

The last research question ponders: What do school leaders and administration need do to help LGBT students learn and feel safe, including the implementation of the FAIR Education Act at the site level? Although Evans' (1993) asserts that leadership is

perhaps the most important factor in the successful implementation of new policies and change initiatives, participants in this study gave few examples of any guidance or support from their leaders at the school site or in the district office. Furthermore, several teachers rejected the idea that the policymakers in Sacramento effectively legislate and lead in issues regarding education.

The data collected in and presented in this chapter illustrate the potential for educators to embrace and use curriculum to help create safer spaces for the LGBT students, but also show the hurdles that the reform needs to clear in order to be successful. The fact that many educators do not know about the law or its tenets, and do not fully understand the reasons for implementing the law pose a major problem for the act. Furthermore, the lack of resources and training creates not only a frustrating situation for the educators involved, but also a potentially dangerous scenario that could lead the to the spread of incomplete or misinformation and tokenism. This could result in the exact opposite happening for the LGBT community: instead of encouraging them and giving them a fair and accurate representation of their history, it could discourage them. Lastly, school and district leaders must embrace and promote the FAIR Education Act if it is to be properly implemented. These ideas will be explored further in chapter five.

## **CHAPTER 5: Discussion and Conclusions**

### **Introduction and Summary of the Study**

This study examined social studies teachers' perceptions of the California state law the FAIR Education Act, which mandates these teachers to include contributions and accomplishments of the LGBT community and its members in the curriculum of K-12 classrooms in the state. Adding the LGBT community to the California Education Code, along with other groups that have been traditionally oppressed, may lead not just to better informed students, but also to safer campuses. It is for this reason that educators, parents, and citizens should care about this law, and how it affects students. Since researchers such as Evans (1993) tell us that teachers' perceptions of policies and laws influence their implementation and success, it was important to discover how teachers perceive the FAIR Education Act. The results presented in chapter four, along with the recommendations in this chapter, will allow educational leaders to gain an insight into how to better implement this, and other laws. Furthermore, this study also shed light on some things teachers believe need to be in place to make their schools safer for their students.

LGBT students, and students who are perceived to be LGBT by their peers, suffer a high rate of bullying and harassment (GSLEN, 2010). The increased awareness of the plight of students who are LGBT or thought to be by their classmates, which has included numerous high profile suicides, has inspired educators and lawmakers to look for solutions and remedies to help students in this group. Educators and citizen leaders recognize the need to make these solutions to help these students meaningfully, and not

just ineffective platitudes that appear to address these issues, but not actually solve any problems. Lawmakers in Sacramento have seen one potential solution to be the creation of new legislation to assist these students. The federal government already has laws in place that mandate that states need to provide a safe, harassment-free school environment (Swearer et al., 2008), for example Title IX of the Education Amendments of 1972 (Knotts, 2009). In addition, policymakers in several states have recently passed laws that specifically target the safety of LGBT students in school by attempting to foster a better understanding of LGBT people and their issues.

California lawmakers have already passed several laws that, along with the federal statutes, should protect LGBT students. Although these laws are designed to help students, they require changes in schools that will not occur if several factors do not exist. This study examined teachers' perceptions of their roles in using curriculum to create a safe learning environment for LGBT students as required in California law, the FAIR Education Act (Official California Legislative Information, 2012). Evans' (1993) research informs us of a way that teachers view their role in implementing policies properly, for without the support of educators the laws will not help the students. If leaders are committed to help this population, they must do more than just discuss the issue and pass laws and create policies that do not make actual changes in schools and classrooms (Evans, 2003; Knotts, 2009). This study's goal was to discover teachers' ideas about what needs to be done to better-protect LGBT students through the use of curriculum and other methods.

Along with examining teachers' perceptions of their role in creating a safe space for LGBT students in their classrooms, this study discovered what, if anything, teachers have done or are doing in a de-facto way to implement the FAIR Education Act. It asked how teachers view what they do in the classroom, and in the school as a whole, to promote a culture and climate that allows LGBT students to learn. Teachers shared what they do or plan to do to implement curriculum featuring the accomplishments of LGBT individuals and organizations. Teachers also expressed their opinions about how this curriculum can best accomplish the purpose of the law, which is to cause a change in the culture and climate of a school site to achieve a safer campus (Broverman, 2011).

The goal of this study was to discover social studies teachers' perceptions of the FAIR Education Act, and using curriculum about the LGBT community that could possibly lead to safer campuses for LGBT students in particular, but all students in general. This study examined how teachers view their role in implementing the law, and what they believe they need in order to do so, if anything. An outcome of conducting this study resulted in the opportunity to inform educators, lawmakers, and other stakeholders about how using social studies curriculum can possibly protect LGBT students and reduce harassment against them in public high schools. In addition, educational leaders can use this study to apply to the implementation of any new policy, since the implementation of any new policy or law plays such an important role in their effectiveness (Evans, 1993). This study examined the relationship between teachers' perceptions of the possible effects the FAIR Education Act and the use of curriculum can have on the learning of all students, especially those perceived to be or in the LGBT

community. For this reason, I chose to include a longer section in chapter four about the first key element of change from Evans' (1993) work. I believe, as does Evans (1993), that if teachers do not recognize the problems associated with the FAIR Education Act, they will not commit to implementing the reform. This research illustrated the complexities of teachers' views on putting into practice an idea that most of them support.

### **Conceptual Framework and Research Questions**

Robert Evans' five key elements for affecting school change from his article "The Human Face of Reform" (1993) became the conceptual framework for this research. Evans (1993) insists that school change cannot be legislated; only educators implement and affect change. Evans (1993) argues that even the best-intentioned lawmakers cannot create change if the teachers involved do not enforce and implement the law. Educators must not only inform themselves about the law, but there must be a consensus about the letter of the law and the spirit in which teachers view it. This is why this study asked social studies teachers, for whom the FAIR Education Act mandates curricular changes, how they perceive their role in this change process.

Evans' (1993) five requirements that must be in place to effectively implement change became the framework for the research questions considered in this study. The groundwork is the content of the reform, which would be the laws themselves and the tenets of them. In addition, Evans (1993) cites the faculty's willingness and capacity for change, the strength of the school as an organization, the support and training, and the leadership. The research questions were:

1. How do social studies teachers perceive the content of the newly-enacted law, the FAIR Education Act and its potential to create or change the school's climate and culture for LGBT students? (Key Element 1: The Content of Reform, Evans, 1993)
2. How do social studies teachers, see their roles in creating a safe space for LGBT students and in enacting the curricular changes brought about by the FAIR Education Act? (Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)
3. How do social studies teachers view their school's level of support for LGBT students and what do they think their colleagues and administration do to help LGBT students learn and feel safe? (Key Element 3: The Strength of the School as an Organization, Evans, 1993)
4. What tools and/or training do social studies teachers need to enact the FAIR Education Act? (Key Element 4: Support and Training, Evans, 1993)
5. What do school leaders and administration need to do to implement the FAIR Education Act at the site level? (Key Element 5: Leadership, Evans, 1993)

### **Methodology**

This phenomenological study explored the lived experiences of the social studies teachers whom the FAIR Education Act affects. This methodology best suited the research since I collected data at a particular point in time that was based on the

experiences of teachers and their perceptions of school safety for LGBT students, especially focusing on the FAIR Education Act, participants' experiences with this law, and the de-facto tenets of the law as it is enacted. Because phenomenology hypothesizes that one can only truly understand a phenomenon through the experiences of people who have lived through or experienced it (Schram, 2006), this case study explored the meaning of these experiences by gathering information from current social science teachers at three different school sites within one school district. Although I collected data primarily by using a qualitative approach featuring in-depth, rich interviews about how laws and the ideas within them affect LGBT students, I also used a survey of the teachers in the Social Studies Departments in all three schools to ensure that the interviews represented an accurate portrayal of each department's members. This survey was intended to triangulate the data by reaching the entire department. The survey was designed to measure quantitatively the information I ascertained from the qualitative interviews.

Because the FAIR Education Act first went into effect in January, 2012, I studied participants at school sites that may not yet be in compliance with laws; however they may already be doing the things the laws require in a de-facto manner. Some of the teachers are already using some curriculum that satisfied the tenets of the law by including LGBT accomplishments in social studies curriculum.

**Recommendation Number One: The Need to Inform Educators about the FAIR  
Education Act and its Tenets**

Educational leaders must inservice social studies teachers about the FAIR Education Act and its tenets. Although many of the teachers surveyed and interviewed seemed responsive to the tenets of the FAIR Education Act, and embraced the idea that creating a safe space for LGBT students is important and can be aided by using curriculum, many of the teachers had either not heard of the law or did not understand what it contained. Because they were unfamiliar with the law, its requirements, and its purpose, they neither saw the FAIR Education Act as beneficial or achievable. At Advance High School, fully 66% of teachers surveyed either mostly or strongly disagreed about knowing the tenets of the FAIR Education Act. 78% of teachers surveyed at Conventional High School either mostly or strongly disagreed when they were asked whether they knew the tenets of the FAIR Education Act; however, teachers at Broad High School believed they knew the law better, with only 22% mostly disagreeing with that statement. However, several of the teachers at Broad High School admitted while being interviewed that they really did not know much about the law, or at least not exactly how they were supposed to implement it as a social studies teacher.

According to Evans' (1993) research, which is supported by Terry's (2010) examination of a South Carolina law, teachers must enthusiastically support a policy change if it is to become successful. If teachers do not know about this law, they cannot support it. Furthermore, even if teachers know the tenets of the law, but do not understand why the law is important, it is also likely to fail (Evans, 1993). Based on the

study under investigation here, both of these issues present challenges for the success of the FAIR Education Act. Besides not knowing the tenets of the law, many teachers do not fully understand the unique challenges and obstacles that the LGBT community of students faces. These challenges, which were outlined in the literature review, include bullying and harassment (GLSEN, 2010, Human Rights Watch, 2001, among others), mental health problems (Russell et. al, 2011), physical health issues (Rigby, 2003 as cited in Petrosino, Guckenburg, & DeVoe, 2010), poor attendance (Biegel, 2010), and lower achievement as a result of consequences from the effects of harassment (Biegel, 2010). Since several teachers believe that LGBT students should be treated like all other students, they display a potential lack of understanding of these specific issues. These teachers do not realize the specific challenges that LGBT and perceived-LGBT students face; therefore, they also do not fully embrace and understand the FAIR Education Act and its tenets, especially the spirit of the law. This must change if the law is to live up to its potential, and if educators are going to be completely prepared to address the needs of the LGBT community in their schools.

As part of the my general recommendation to inform teachers about the FAIR Education Act, I specifically recommend that educational leaders and policymakers use testimonials and storytelling in order to both tell teachers about the law, and to let them know why legislators believed it is needed. Kouzes and Posner suggest using storytelling to highlight successes, motivate, and encourage (2007). This could also remedy any hard feelings educational leaders and policymakers might find in the staff for being excluded from the original creative process, as could be the case when legislators create and pass a

law like the FAIR Education Act. In order for educators to tell stories about the law, its potential to help students, and the reasons why the law is needed, these educators must understand the current circumstances of LGBT and perceived-LGBT students in our schools. Nicholas Pace (2007) also found that teachers and other school personnel must become more aware about and confront the difficulties and experiences of lesbian and gay students in their schools. Some teachers in this study agreed with the ideas Pace (2007) put forth, and even asked for more information about the struggles of the LGBT community from community members themselves. Educators need to begin to collect these types of testimonials and stories in order to enlighten both educators and students.

In order for the FAIR Education Act and other policies requiring or encouraging curriculum to succeed, teachers must be educated about why these policies are needed and given details about what using curriculum to create a safer space really means. Participants in this study requested more information from the state, district, school administration, and department heads. These educational leaders must put together a professional development package that informs teachers about the tenets of the law and enlightens teachers about the current state of the LGBT (or perceived LGBT) students on their campuses. They should include results of studies like GLSEN's School Climate Survey of 2011 (2012), which shows a link between LGBT-inclusive curriculum and fewer incidents of bullying due to sexual orientation. They should also highlight GLSEN's California data (2013), which illustrates the situation of the LGBT student population in that state. The more comprehensive the professional development, the more chance it has to be successful (Evans, 1993; Knotts & Braun, 2009; Terry, 2010).

Once again, several teachers suggested authentic professional development rooted in the real experiences of members of the LGBT community, such as testimonials or case studies.

### **Recommendation Number Two: The Importance of Leadership in Implementing and Enforcing the Law**

In addition to providing inservices on the law, its tenets, and the reasons to implement it, leaders must enthusiastically embrace the FAIR Education Act and promote it. Leaders must be convinced that helping the LGBT community in schools is the right thing to do, and that a better-protected LGBT student body would strengthen school safety overall. Evans (1993) views leadership as the most important element in the implementation of successful change initiatives; participants in this study claimed to have witnessed little action by their leaders to inform, implement, or enforce the law.

Although Evans (1993) deems leaderships as an important, and perhaps the most important, dynamic in enacting a change initiative, it is clear from the surveys and interviews that there has been little leadership on any level so far in implementing the FAIR Education Act. When a law has been passed and on the books for nearly a year and most of the teachers surveyed and interviewed barely know its tenets, or even worse view the law as something it is not, leaders have clearly not done their job.

Since Senge (2006) states that a shared vision is necessary for a long-term response to a problem, school leaders must embrace policies and laws like the FAIR Education Act and create a personal vision about the reform. Then they must share it,

enabling others to become a part of that vision. This shared vision must be communicated to have an effect (Kouzes & Posner, 2007). Kouzes and Posner (2007) liken a shared vision to a rudder to steer ships through bad storms and argue that top-down directives (like laws passed at the state level) that are not shared and built upon personal visions are short-lived. Without the perception that this law is important to educational leaders, teachers may continue to support the ideas behind the law, but will not fully realize the potential benefits of the FAIR Education Act.

As part of the effort leaders take to implement the FAIR Education Act, I recommend that leaders of the LGBT community solicit more student voices, and do more toward working together with educational leaders to convince the educational community that protecting LGBT students and informing all students about the LGBT community, its history, and its issues is the right thing to do. Teachers asked for more authentic information about LGBT people, and a partnership between leaders of both educators and LGBT community members would empower teachers to implementing this law and protecting LGBT students. Leaders can also share resources, like GSLEN's 2011 School Climate Survey (2012), which also includes a breakdown of student voices from California (School Climate in California: 2011 State Snapshot, 2013).

Since many participants in this study showed disdain for educational policies originating in Sacramento, it would be best for these leadership initiatives to come from leaders whom they trust. Since researchers like Kouzes and Posner (2007) insist that people will not follow leaders whom they do not find trustworthy, I suggest using local educational leaders, such as the superintendent or site principals, and local student voices

to inservice teachers about the FAIR Education Act. Because several participants showed a lack of confidence in their administrators, Social Studies Department heads would be the best people on campus to lead teachers to understand and utilize the FAIR Education Act and the use of curriculum to create safer spaces for the schools' LGBT students.

**Recommendation Number Three: Educators Must Understand Why LGBT-Related Curriculum Should be Taught in Schools**

Educational leaders must first understand, and then inform teachers and others, why it is important to include the LGBT community in curriculum. GLSEN's 2011 National School Climate Survey (2012) found that LGBT students whose schools used LGBT-inclusive curriculum suffered less victimization and felt more connect to their schools. Participants in this study mostly agreed that using curriculum about LGBT history would benefit the students who belong to the LGBT community. Many of them expressed the view that students' self-esteem could be boosted and negative feelings toward LGBT students and the LGBT community might be lessened. Some participants, however, did not think this. These teachers, like the educators in Kumashiro's (2002) study, often had not confronted their own opinions about the LGBT community. Teachers need to understand that students have learned much of what they know about groups like the LGBT community through bias and stereotypes (Kumashiro, 2002). Furthermore, students do not learn enough in schools about the experiences of groups like the LGBT community; because of this, they cannot understand the struggles of the community. Since the LGBT community is largely invisible from history lessons,

students do not appreciate their experiences, nor do they have facts that refute the stereotypical information they learn outside the classroom (Kumashiro, 2002).

Several participants did not understand how including LGBT history should be implemented and what power it could have. Gay (2009) suggests that teachers should learn about the needs and circumstances of oppressed groups as early as their teacher training programs. Since some educators in this study claimed that their lack of knowledge about LGBT issues and history resulted from their own education, beginning to introduce information about the LGBT community early in their preparation to become teachers makes sense. Nicholas Pace (2007) also suggests reexamining teacher training programs as they prepare prospective teachers to work with and educate about the LGBT community. I recommend that educational leaders in the field, whose duty it is to implement the FAIR Education Act, dialogue with universities and express the needs of teachers to learn about the unique challenges of the LGBT community. Furthermore, educational practitioners need to insist that university students in teacher training programs learn about the history of the groups of students whom they will teach.

Some teachers also expressed concern about the ethical consequences of asking students to examine their feelings about oppressed groups like the LGBT community. Kumashiro (2002), among others, recognized this problem, but insists that teachers must raise complicated, difficult issues in order to combat oppression. Tzou and Chen (2011) tell us that teachers can use their authority in class to assist students in developing their ideas; Pace and Hemmings (2007) agree that teachers have the power to influence students, but that ability is compromised by the need to focus on information on high-

stakes tests. Understanding how curriculum can help students form a more informed and fairer view of the LGBT community, and as a result help make school safer for these students, would help address these concerns.

Participants in this study also feared not being able to cover the material mandated by the state, and suggested that they or colleagues of theirs might neglect to fully implement the FAIR Education Act as result. I recommend that educational leaders, such as Social Studies Department heads and other school leaders help these educators to understand the potential benefits of using curriculum to create a safer space for students would influence or temper these worries. They can also work together with teachers to create a curricular scope and sequence that would include the LGBT community in units that already exist, such as the Civil Rights Movement. This might allow teachers to deliver curriculum mandated by the FAIR Education Act in a more organized and timely manner. Again, the importance of this lies less with the adherence to a law, and more with doing what is right for the students in our schools. Leaders must take the initiative to ensure that teachers understand their ability to make their classrooms a place where both students can learn and feel safer.

#### **Recommendation Number Four: The Need for Curriculum and Resources**

Educational leaders must provide curriculum for social studies teachers if they are to properly and fully implement the FAIR Education Act. Legislators in California have previously passed other laws to attempt to provide safety to the LGBT community (The Student Safety and Violence Prevention Act of 2000, The Safe Place to Learn Act of 2008

(SB-777); however, what makes the FAIR Education Act unique is that teachers are mandated to use curriculum in their classrooms that does not yet exist. By doing so, lawmakers have told teachers do some something for which they do not have the necessary tools. Perhaps the most important finding in this study is the nearly universal request from the participants for curricular resources so that they can implement the FAIR Education Act, and inform themselves and their students about the realities of the LGBT community.

Even the teachers who most enthusiastically support the tenet of the law, believing that using curriculum in social studies courses has the potential to positively affect both LGBT and non-LGBT students, need resources. It is also clear that the content and quality of the curriculum will determine the success of the law; research such as that of Knotts and Braun (2009) support the participants' contention that the educators do not simply need professional development and resources, but they need high quality professional development and effective curriculum. Furthermore, the results of this study show that without quality curriculum, the FAIR Education Act's main goals will not only fail to be achieved, but the law and the ideas behind it may do more harm than good.

Many of the participants in this study recognize the potential that the inclusion of LGBT history in social studies courses holds to improve the culture and climate of a campus and create a safer space for students, which is the ultimate purpose of this legislation. One teacher insisted that this would benefit both LGBT and non-LGBT students, and "make a huge difference" especially for the LGBT students. Nearly all of these same educators lamented about the fact that they must currently find this classroom

material themselves through Google searches or based on what little they know about LGBT history, the community, and contributions of individuals. They believe that there were no LGBT individuals involved in historical movements, such as the American Revolution and World War II. Even worse, some confuse the sexual orientations of historical figures, and automatically associate well-known people who die of AIDS as members of the LGBT community. Some occasionally mention a gay person or a group associated with the LGBT community, but do not have the knowledge to connect these isolated examples to the bigger scope and sequence of history. Moreover, many state that they do not have the time to either do the research required to implement the FAIR Education Act or to include any more information to their already-full agendas.

I contend that continuing to have the FAIR Education Act on the books and asking school leaders to require its implementation without first securing quality curriculum and resources, and informing teachers about where and how to access it may not only be foolish, but could be dangerous. The desired effects of the idea behind a law that requires the LGBT community to be portrayed in a fair, accurate, respectful, and inclusive manner could result in the opposite occurring. Teacher participants in this study showed great concern that this policy, if not properly implemented, could lead to tokenism. This could result in students taking away the idea that instead of LGBT individuals being valuable and meaningful, thus helping the self esteem of the LGBT students in the classrooms, they seldom achieve important things and make generally unimportant contributions. One of the teachers wondered if the students would ask themselves, “And if this person is a token, are they rare?”

Burstein and Knotts (2011) and Kumashiro (2002) both caution against the occasional, quick mention of oppressed groups in isolation. They suggest that students not only learn about historical events, but apply that information to extract meaning about what these events tell us about the members of these groups and our society in general. When teachers believe that they do not have proper resources, but need to include LGBT history by law, many of them employ an internet search as their curricular strategy. This would almost certainly result in the opposite effect that Burstein and Knotts (2011) and Kumashiro (2002) suggested. Furthermore, it would likely guarantee tokenism, with a brief mention of an LGBT figure or an LGBT-related event peppering the more authentic and well-planned curriculum that uses new information to build upon that already covered. Teachers in this study rejected this sort of artificial use of information as a substitute for real curriculum, one saying that it is best to have material “infused throughout.”

The advent of the Common Core State Standards, and the requirements for writing across the curriculum, present a chance for educators to collaborate and create curriculum that could be developed and used that would provide quality information that would incorporate the LGBT community and its members into the broad scope of history. The Common Core State Standards support a curricular approach that builds upon prior understanding in order to develop new concepts and ideas, introducing them in early grades and continuing them throughout the child’s education. This would suit topics like those in the FAIR Education Act, especially since the law covers grade levels K-12. Developing comprehensive curriculum that introduced the tenets of the law in a

methodical way, using the age-appropriate approach the lawmakers intended (Official California Legislative Information, 2012), would also help assuage the concerns several participants cited about students younger than high school age learning about LGBT-related issues. Social studies teachers and educational leaders must, however, insist that schools focus on adopting new materials for social studies courses, and not focus solely on English and mathematics.

More importantly, however, writing and making available comprehensive and well-planned curriculum and resources would help educators implement the law the way the law's author Mark Leno and the California elected officials who supported it intended the policy to work. If Leno's intention for the law is to work toward "changing the environment on school campuses" (Broverman, 2011, p. 1), the FAIR Education Act must give a fair, accurate, inclusive, and respectful portrayal of the LGBT community.

Leaving the curriculum up to Google searchers endangers that goal; since a large majority of the educator participants in this study admitted to having very little knowledge of LGBT history, one wonders what their internet searches will bear. In addition to the lack of information regarding the LGBT community, a few participants displayed misinformation about it, including not knowing the facts about laws for same-sex marriage, and misidentifying a heterosexual man who died of AIDS as a gay man.

One of the risks to the fair, accurate, and perhaps respectful portrayal of the LGBT community that came from this research was the fact that participants almost universally cited the Holocaust and the AIDS epidemic as good choices for topics to use when implementing the FAIR Education Act. While students should learn about both of

these events, if teachers choose to only use examples that result in death and elimination of civil rights that led to death, students may leave classes void of hope for their own futures. Burstein and Knotts (2011) maintain that adding information about socially marginalized groups to the curriculum may result in students finding an increased appreciation of these people; however, if these groups are always victimized will this occur? Would Biegel's (2010) assertion, which was supported by most of the teachers in this study, that learning about the LGBT community would result in higher self esteem be realized if the curriculum only included examples of victimization?

Several teachers in this study gave examples of how they already implement the FAIR Education Act in a de-facto manner. Others found the tenets of the law appealing and wanted to begin to use LGBT history in their classrooms; however, they overwhelmingly asked for curricular resources to help them overcome their own lack of knowledge about the LGBT community. Some teachers worried that their colleagues at their sites or in the profession in general would do a poor job enacting the law, giving infrequent mentions of the LGBT community just to satisfy the law; some also expressed concerns about the new textbooks simply including a small box at the end of a chapter with a brief fact to comply.

Educational leaders need to provide teachers and those in charge of curriculum in school districts and school sites with a comprehensive body of resources so that they can implement the FAIR Education Act. Organizations such as the National Association of Multicultural Education (NAME) offer links in its website ([name.org](http://name.org)) to resources and policy ideas that can assist educators when approaching the teaching of LGBT-

inclusive curriculum. The Human Rights Campaign has also sponsored a project called Welcoming Schools, which highlights resources that school personnel (teachers, librarians) can use in their classrooms and in their school sites. The website ([welcomingschools.org](http://welcomingschools.org)) gives links to bibliographies of LGBT-themed books students can read, lesson plans teachers can use, and ways school leaders can evaluate how friendly their campus is for its LGBT population. It also links its viewers to a short film about the attitude of children six to twelve years old towards lesbians and gays. This kind of material might help those teachers who have doubts about the FAIR Education Act's K-12 mandate. In addition, The Southern Poverty Law Center sponsors a website, [tolerance.org](http://tolerance.org), that provides materials and ideas for teachers who want to include LGBT-inclusive materials in their classrooms.

Although he does not reference the law itself, Gabriel Flores (2013) has also summarized research that offers ideas of things that educators can do to implement the tenets of the FAIR Education Act. He suggests using television shows with LGBT themes as a way to show students what the lives of LGBT people may look like; he points out that most of these programs do not involve sexual practices that may cause parents concern. This idea might also help alleviate some of the concerns teachers in this study expressed about teaching LGBT-inclusive lessons to students in lower grades.

I strongly recommend that educational leaders and policymakers provide teachers with needed guidance in the form of suggestions about high-quality, comprehensive curriculum, if the FAIR Education Act is to be successful. Evans (1993) insists that teachers must view policies as achievable and beneficial, but that they must also have

excellent resources and the capacity to make those changes. Other researchers, such as Day (2012), caution educators about adopting curriculum and then implementing it poorly, as this affects teachers' confidence and their abilities to effectively instruct students. Experts in curriculum development, and those who will be in charge of implementing this curriculum, hold the key to making this aspect of the law's implementation a reality and potentially affecting campus culture and climate to be more friendly for members of the LGBT community.

### **Implications for Policy and Practice**

Involving educators in the process, and providing curricular resources before passing and implementing the law, are two examples of results from this study that would help a similar (or any) law in another state be received with more enthusiasm and implemented with more success. Educational leaders and policymakers should remind themselves of this when writing and implementing any new law or policy. Although this study addresses a need for teachers and educational leaders in California to implement the tenets of a law that has been passed and needs to be followed, it also shows that the ideas behind this law can change campus climate and help a large group of students. Merely complying with a law will not likely motivate educators to implement the tenets of the FAIR Education Act; however, showing them how it will benefit their LGBT students will inspire many to act toward using curriculum in their classrooms in order to affect change.

It is clear through this research that the lack of leadership and the dearth of resources make it difficult for teachers to be in compliance with this law and its tenets. The fact that teachers do not know much about the way the FAIR Education Act needs to be implemented, nor do they fully understand the reasons why the law was written and passed in the first place, impacts the way teachers work with this law. As a result, educational leaders are not providing the curricular materials that the law requires for new curricular adoption, and that could benefit students in the schools studied. The literature, findings, and recommendations in this research can help educators and leaders realize the tenets of the law and bring their schools into compliance.

As other states consider writing and implementing laws like the FAIR Education Act, they can refer to this study to discover the best ways to introduce curriculum about oppressed groups, like the LGBT community, into their education codes. Other states can identify and potentially avoid some of the mistakes that Californians made, and are still making, when dealing with this type of policy. Educators and lawmakers frequently enact policies and then leave teachers alone in their classrooms to implement them with little or no help. This study should remind these leaders that we must not continue to repeat these mistakes, as potentially helpful and effective ideas either stay bound in a law book or, even worse, are incorrectly implemented causing harm to our students. The FAIR Education Act and its tenets can help a group of students in our schools that suffers from more and more severe forms of the problems that affect all students; however, this research should be able to demonstrate and be a model for ALL educational reforms. It should serve as an example, through its conceptual framework, on how educators should

enact any law or new policy; through its findings, this research should be a model of the few things that can work, and the many things that do not.

Perhaps most importantly, curriculum specialists can discover through this study what teachers want and need to implement the FAIR Education Act. Since Governor Brown admitted when signing this law that textbooks and other sources for curriculum in California would not be available for several years, social studies textbook authors and publishers need to continue to prepare resources that reflect the tenets of this law; hopefully, some curriculum specialists will not wait for the adoption of new textbooks in order to create and promote materials that will aid teachers in using curriculum to promote safety for the LGBT community. Furthermore, the state should make educators aware of curricular materials (such as those from the GSA Network or GLSEN) that already exist and that teachers can immediately consult. Teachers have expressed some clear opinions about what they want and need in curriculum, as well as what they do not want and do not need. People who write and adopt curriculum would be wise to consider the results of this study when considering future social studies curriculum.

Furthermore, educators can take from this study information about a variety of other topics. Since many participants in this study expressed their thoughts nearly one year after the law had already taken effect, some of the circumstances regarding its implementation could no longer be corrected. Policy makers in other states, however, could use this study to find out what teachers would have wanted and what could have made the implementation of the FAIR Education Act more successful. Again, this goes

beyond just this one law; educators should use this study as an example of some of the things they should not do when creating and rolling out new policy.

### **Recommendations for Future Research**

Once curriculum and other resources become available for teachers to use, teachers should again express their attitudes about the law and its effectiveness. Researchers, however, will need to be careful that they do not confuse the quality of the curriculum with the opinions of the tenets of the law. If the available curriculum is poor or lacking, however, it may influence teachers' judgment about the way the law affects students. Just as current participants felt frustrated by the dearth of resources they needed to fully implement the law during this study, the curriculum available later might determine educators' thoughts about the law itself.

If a key purpose of the FAIR Education Act is to represent the LGBT community in a way that is more fair, accurate, inclusive and responsible (Broverman, 2011; Official California Legislative Information, 2012), further research should explore whether this legislation delivers a representation of the LGBT community that measures up to the law's name. This study may be difficult to do, as the researcher would have to begin with a group of students in Kindergarten and follow them through multiple years of social studies instruction. Since the law should be implemented beginning with Kindergarten, research must start there; however, since most of this study's participants indicated that high school is the best place for teachers to use curriculum about LGBT history, it would also be possible to study high school students' responses to the FAIR Education Act.

Once curriculum is made available to educators, it will be easier to design a study that would measure its effect on students and their opinions about the LGBT community.

Another important study would be to trace the experiences of LGBT students as they learn about the accomplishments of LGBT individuals and the LGBT community. Does the use of curriculum in their social studies classroom provide them with a safer space to learn, as many believe? Interviews could be supplemented with a document review to see if incidents of bullying and harassment decline as the curriculum is introduced. The non-LGBT-identified students could also express their thoughts about the school's culture and climate to see how they view the law's impact on safety and their own understanding of the LGBT community and the individuals within it.

Since this research focused on California teachers' perceptions of their role in implementing the FAIR Education Act, it would be interesting to study other states' educators as other legislatures pass similar laws, if and when they do. Will other states experience the same challenges if they try to implement a law like this one? How would the existence of approved curriculum that teachers could begin using on the first day the law goes into effect change teachers' perceptions of the law and its tenets? Furthermore, since teachers in this study had already implemented some or most of the tenets of the FAIR Education Act before being required to by the state of California, teachers in states without such a law are likely already using LGBT-related curriculum in their classes. I recommend studying teachers in the forty-nine states that do not mandate introducing the accomplishments and contributions of the LGBT community, and finding out what they are doing in a de-facto way. These teachers could provide important insight for

lawmakers and educational leaders who are interested in enacting a law like the FAIR Education Act in a state other than California.

### **Concluding Statement**

This study should help education reformers and policymakers when they create and implement change actions. Researchers such as Biegel (2010) and Terry (2010) remind us that simply passing laws or creating policies does not guarantee schools will change. Although this research focused on one law in one state, it highlighted teachers' perceptions of the law and its implementation, and shed light upon why this policy is still not being adequately used in classrooms nearly a year after it became law. Educational leaders and lawmakers should be able to follow the problems the FAIR Education Act has experienced and apply it to further reforms, even large ones like the Common Core State Standards. The history of attempts by legislators in California to write and enact laws protecting the LGBT community already illustrates what can happen to laws even with the noblest intentions. Several laws, such as The Student Safety and Violence Prevention Act of 2000, have already failed because of a lack of an adequate plan to implement them at the state level together with a lack of a strategy to realize them at the site level (Knotts, 2009); educators should have learned from these mistakes, but do not appear to have done so. As a result, this study can again offer a blueprint educational leaders can use to effectively enact reforms that will benefit their schools and their students.

First and foremost, educational leaders need to make sure that they inform teachers of new laws and policies. They need to do more, however, than just tell them

that politicians or school boards have created a new policy: they must embrace the change and promote the ideas behind it. They must instruct teaching staffs about the tenets of the law and/or policies and make the outcomes achievable and real by using real-life examples, such as storytelling. Some of the participants in this study interpreted their leaders' failure to communicate about the FAIR Education Act as a message that they did not fully support the law. This is very dangerous for both a policy and a leader.

In addition, leaders need to make sure that teachers have the materials that they need in order to enact a policy or law. In this case, curriculum can contribute to school safety; however, when teachers do not have the materials necessary to incorporate LGBT history into their lessons, they lose their chance to help all students and create a school campus where everyone can learn. When no one helps teachers, and individuals are left to fend for themselves, comprehensive reform cannot effectively happen. The inconsistency of the amount of and quality of curriculum and materials found during the implementation phase of this law effectively nullifies its chance to fulfill its potential and create change for the LGBT students in the schools and in the district I studied.

LGBT students in public schools face a challenging situation. Studies such as those by GLSEN (2010) portray sometimes dire circumstances for these students, with more than 80% facing harassment at school based on their actual or perceived sexual orientation. In addition to their self-esteem and physical well-being, these students also suffer academically (GLSEN, 2010) as a result of their harassment or fear thereof. In addition, suicides by students who are LGBT or perceived to be LGBT have caught the attention of both educators and politicians, causing lawmakers to warn schools to enforce

federal laws such as Title IX that protect students from sexual harassment (Dillon, 2010). This inspired lawmakers in California to write and pass the FAIR Education Act in order to add the LGBT community to the protected class of groups in the California Education Code that must be covered in social studies classes (Official California Legislative Information, 2011). The use of curriculum has been shown to be an effective tool in creating safer spaces for students (O'Shaughnessey, et al., 2004); curriculum that includes LGBT issues and examines norms in society plus the availability of resources and information about LGBT issues on school campuses work as strategies to promote safer school climates and cultures (Toomey, et al., 2012). GLSEN's 2011 School Climate Survey (2012) also found a link between students' increased access to LGBT-inclusive curriculum and support systems (such as GSAs) and less incidents of victimizations due to sexual orientation.

California social studies teachers were mandated to implement the FAIR Education Act beginning in January, 2012. This study examined teachers' perceptions of this law and its tenets, as it investigated what teachers thought about using curriculum to create safe spaces for LGBT students. Using a conceptual framework by Robert Evans (1993) that included five criteria for successfully implementing a policy reform, this research discovered that teacher participants were not complying with the law because of several factors.

The first reason was because they did not know enough about the law, its purpose, its goals, and its requirements. This became the longest section of the findings in chapter four, as I believed the groundwork for accepting the reform and seeing the value in it was

the foundation to revealing teachers' perceptions of the law and its potential effectiveness. It was also the key element from Evans' (1993) reforms that included the most diverse set of opinions from the participants. Most of the teachers interviewed and surveyed backed the idea that including LGBT history in high school social studies courses would provide the general population with a better understanding of the LGBT community and its struggles, and that this could lead to improved self-esteem and safer conditions for the LGBT students on their campus. Although some teachers believed other actions, such as using students' experiences in the GSA club or inviting LGBT community members to speak, would be more effective, they supported the FAIR Education Act. Many saw benefits of the law that were not directly given in it, such as being able to use the law to protect them from parent complaints when they discuss LGBT-related issues. Other participants questioned state and school leaders' ability to implement effective policies, several citing their lack of knowledge about the law as proof that policymakers and school administrators could not communicate and enforce a law like the FAIR Education Act.

Furthermore, educators with the best of intentions often lacked knowledge of the circumstances behind this law, including current circumstances for the LGBT student population and information about the LGBT community and its history. In order to teach the information required by the FAIR Education Act, teachers must be able to weave information about the community and its history into social studies units. This will become especially important once the Common Core State Standards require more collaboration between departments and more writing across the curriculum. If teachers

do not know what information to include and are simply using internet searches to find a fact about or person from the LGBT community to pepper their lessons, students will likely not get a representation of the LGBT community and its history that satisfies the tenets of the FAIR Education Act. Several teachers interviewed brought up their fear that this law could lead to tokenism; one teacher even feared that students could come away thinking LGBT accomplishments are “rare” instead of a part of California, United States, and world history.

This circumstance suggests that the most important factor in the future success of the FAIR Education Act and using curriculum to educate about and create safer spaces for LGBT students is the creation of quality curricular and other classroom resources for teachers. Participants in this study nearly universally pleaded for curriculum that they could use to satisfy the FAIR Education Act and its tenets. Without this, teachers will likely neglect to include or misinform students about the accomplishments of the LGBT community. This situation, along with the lack of leadership and lack of knowledge, could lead the passage and implementation of the FAIR Education Act to result in no change for the LGBT students and the general population in California schools. Even worse, it could ultimately achieve the opposite results, with students leaving high school with a picture of the LGBT community that is neither fair, accurate, inclusive or respectful (FAIR); it would be a shame if noble efforts backfired and left the LGBT community in a worse state than they were in before.

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## APPENDICES

### Appendices

#### HUMAN TOOLKIT

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## **APPENDIX A: Letter to Committee Members**

November 3, 2011

California State University, Northridge

Standing Advisory Committee for the Protection of Human Subjects

18111 Nordhoff Street

Northridge, CA 91330

Dear Committee Members:

I am pleased to submit to you for your review the enclosed Human Subjects Protocol Approval Form and attachments for a project entitled “The Effects of Laws on School Climate, Culture and Safety for LGBT Students.”

If you have any questions or need additional information, please reach me at my cell phone number (805-405-0363), or email address ([richard.underhill.40@mycsun.edu](mailto:richard.underhill.40@mycsun.edu)).

I thank you in advance for your attention to my request and consideration of my case.

Kind regards,

Richard Underhill

Doctoral Student

Educational Leadership and Policy Studies

Michael D. Eisner College of Education

California State University, Northridge

## **APPENDIX B: Project Information Form**

### Project Information Form

Date: April 26,2012

Project Title: “Social Studies Teachers’ Perceptions of Their Roles in Using The FAIR (Fair, Accurate, Inclusive, Respectful) Education Act and Curriculum to Create Safe Spaces for LGBT Students.”

Researcher Name: Richard Underhill

All sections of the form must be completed within the field provided (do not attach a separate form with your responses). Type as much as you need, each field will expand to accommodate your answers. You must use 12 pt font. Do not leave any sections blank.

Answer all questions asked in each section. Incomplete and/or handwritten forms will be returned.

#### Section 1 Background and Purpose of the Study

The purpose of this phenomenological case study will be to discover teacher perceptions of their roles in creating safe spaces for LGBT students, examining in particular the impact that California State law the FAIR Education Act and the teaching of curriculum involving the LGBT community will provide for LGBT students.

This study will use Evans' (1993) five Dimensions of Change that are needed to implement reform as its conceptual framework to investigate the recently-passed the FAIR Education Act, or the FAIR Education Act. These factors include: the reform's content, the desire and capacity of faculty members to implement the change, the organizational strength of the school, the professional development and training staff members receive and the leadership at the school (Evans, 1993). The FAIR Education Act requires California schools to include contributions by LGBT community members and historical figures in the curriculum of study for public school students in social studies courses (Official California Legislative Information, 2012). It also prohibits schools from adopting curriculum or providing instruction that discriminates against members of the LGBT community (Official California Legislative Information, 2012). Do teachers think this law and teaching LGBT-related curriculum will help them make LGBT students safer at their high schools? This law, in addition to others like AB-537, the Safe Place to Learn Act of 2008, Seth's Law, and Title IX, requires administrators and teachers to take an active role in ensuring that LGBT students are safe. Furthermore school personnel must create and maintain a culture and climate of the school that provides the LBGT population with an environment in which they can learn.

The increase in awareness of the plight of LGBT students in high schools, especially as victims of bullying, makes this study significant. Nine out of ten LGBT students report being harassed at school (GLSEN, 2010); this bullying results in higher dropout rates, higher suicide rates, higher substance abuse rates and difficulty maintaining passing grades for many of these students (Cranham & Carroll, 2003;

GLSEN, 2010; Swearer, Turner, Givens, & Pollack, 2008). In addition, high profile cases in the news, such as those of Lawrence King and Seth Walsh, have captured the attention of educators and lawmakers alike. Schools are no longer challenged to create a better atmosphere for LGBT students, they are required to do so by law. It is important that educators know and understand laws and how to best implement them. This study will shed light upon teachers' perceptions of the effectiveness of the FAIR Education Act and their roles in the teaching of LGBT-related curriculum in promoting a safe climate and culture for the LGBT population of the school; teachers' actions towards implementing the law will be crucial to its success (Evans, 1993; Terry, 2010). As a teacher and a former high school student who is part of the LGBT community, I hope this study can contribute to the scholarly body of work that assists educators in making schools safer for LGBT students. My desire is to provide a tool for educators to use in determining what helps these students feel safer and what works to prevent bullying and other forms of harassment. I also want to examine what does not help them feel safer or lessen the risks these LGBT students will face bullying and harassment.

#### RESEARCH QUESTIONS:

This study will be framed around the following research questions:

1. How do social studies teachers perceive the content of the newly-enacted law, the FAIR Education Act and its potential to create or change the school's climate and culture for LGBT students? (Key Element 1: The Content of Reform, Evans, 1993)

2. How do social studies teachers, see their roles in creating a safe space for LGBT students and in enacting the curricular changes brought about by the FAIR Education Act? (Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)
3. How do social studies teachers view their school's level of support for LGBT students and what do they think their colleagues and administration do to help LGBT students learn and feel safe? (Key Element 3: The Strength of the School as an Organization, Evans, 1993)
4. What tools and/or training do social studies teachers need to enact the FAIR Education Act? (Key Element 4: Support and Training, Evans, 1993)
5. What do school leaders and administration need to do to implement the FAIR Education Act at the site level? (Key Element 5: Leadership, Evans, 1993)

## Section 2 Subject Information and Recruitment Procedures.

### Subjects

•This study will examine the perceptions of high school social studies teachers. I will interview three teachers at three sites. I will then administer a qualitative survey to the rest of the department at each school.

### Recruitment

- I will recruit subjects through their department chairs.
- I will simply ask the department members to volunteer to be interviewed.
- There will be no deception.

### Section 3 Research Methodology and Study Procedures.

#### Procedure

- For a step-by-step description of the research, please see the attached interview protocol.
- At each of the three school sites, three social studies teachers will be interviewed, including the department chair and two teachers. Surveys will be distributed to the entire teaching staff of each department at each school site. The survey will be voluntary; members of the social studies departments at each school will have the option to complete the survey. A cover letter will explain the study and its desired outcomes. Since I work in the district where I will conduct the research, I will also provide an envelope for the department chair at each high school (Buena High School, Foothill Technology High School, and Ventura High School) so that they can return the surveys via district mail. Survey participants will not give their names on the survey itself; however, if they choose to enter into a drawing for 5 gift cards (\$10 each), they may detach the bottom portion and fill it out, providing their name. There will be a separate envelope that the department chair will use to collect the entries for the gift card drawing. Because the surveys and the gift card entries will not be together, the anonymity and confidentiality of each

participant will be protected. This process is free and very convenient for participants.

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Interviews will take 30-60 minutes; surveys will take approx. 15 mins.

- I will not compensate subjects with money; however, I will give a small gift card to those whom I interview. I will also put the names of the people who take the survey in a hat and draw out a few for a gift card. Participants will need to complete either the interview or survey in order to receive or be eligible for a gift card.

#### Instruments

- Attach the exact data collection instruments to be used in the study. If open-ended questions are asked, give examples of prompts to encourage responses. The interview protocol is attached; the survey will be based on those questions as well.

#### Section 4 Anticipated Risks and Minimization of Risks

This study involves no more than minimal risk. Participants' responses will be reported with pseudonyms. There are no known harms or discomforts associated with this study beyond those encountered in normal daily life. The possible risks and/or discomforts associated with the procedures described in this study include: revealing information about his/her attitudes towards their students' sexual orientation (but no probing questions about sexuality will be asked); expressing opinions about curriculum related to LGBT issues; and discussing opinions about the state of the school.

#### Section 5 Potential Benefits

The benefits participants may experience from the procedures described in this study involve being able to suggest improvements to conditions at the school site and perhaps influence current and forthcoming state law. In addition, this study will benefit students in schools by providing information about climate, culture and safety. Although this study will focus on LGBT students, its benefits will likely be felt by all students.

#### Section 6 Confidentiality of Research Information/Data

##### Subject Identifiable Data

- All identifiable information that will be collected about participants will be removed at the end of data collection.
- All identifiable information that will be collected will be removed and replaced with a code. A list linking the code and the participants' identifiable information will be kept separate from the research data.

- All identifiable information that will be collected about participants will be kept with the research data.

#### Data Storage

- All research data will be stored on a laptop computer that is password protected.
- All research data will be stored electronically on a secure computer with password protection.
- The audio recordings of teacher interviews will also be stored on a computer with password protection and then transcribed and erased as soon as possible or at the end of the study, whichever is sooner.

#### Data Access

Dr. Greg Knotts, the researcher's dissertation chair, will have access to participants' study records. Any information derived from this research project that personally identifies participants will not be voluntarily released or disclosed without your separate consent, except as specifically required by law. Publications and/or presentations that result from this study will not include identifiable information about any participants.

#### Data Retention

The researchers intend to keep the research data until analysis of the information is completed and then it will be destroyed.

### Section 7 Potential Outcomes of Study

- The participant interviews, surveys and a document review will show how social studies teachers perceive the tenets of the law studied are affecting the culture, climate and safety of school and working to create safe learning environments for LGBT students.
- Since all students, but LGBT students in particular, suffer from bullying and other factors that make them feel unsafe at school, this study will examine how teachers perceive the recently-passed law (The FAIR Education Act) designed to help these students to be working or their capacity to affect change.

### Section 8 Researcher Qualifications and Expertise

I am a doctoral candidate at CSUN who has taught high school for 21 years. I have also been the co-adviser of my school's GSA and have worked hard during my career to make my school a safe place.

I have two Master's Degrees, one in German from U.C.L.A. and one in Educational Leadership and Policy from C.S.U.N. Both of these experiences have included extensive research projects and have prepared me for my role in this study.

I have attached my latest C.V.

**APPENDIX C: Human Subject Protocol**

Student Researcher

HUMAN SUBJECTS PROTOCOL APPROVAL FORM

CALIFORNIA STATE UNIVERSITY, NORTHRIDGE

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1. Title of research \_\_\_\_\_

\_\_\_“Social Studies Teachers’ Perceptions of Their Roles in Using The FAIR (Fair, Accurate, Inclusive, and Respectful) Education Act and Curriculum to Create Safe Spaces for LGBT Students.”\_\_\_\_\_

\_\_\_\_\_

2. Principal Investigator \_\_\_\_\_ Richard

Underhill\_\_\_\_\_

Major or Department ELPS\_\_\_\_\_

3. Address 3698 Maple St.\_\_\_\_\_ Home phone (805)

405-0363\_\_\_\_\_

\_\_\_\_\_ Ventura CA 93003 \_\_\_\_\_ Email Address

richard.underhill.40@my.csun.edu

4. Co-Investigators: 1. \_\_\_\_\_ None \_\_\_\_\_ Student:

Faculty:

2. \_\_\_\_\_ Student: Faculty:

5. Name of Faculty Advisor Dr. Gregory Knotts

Faculty Advisor ext. F818-677-3189

6. Projected Dates of Data Collection:

Begin Subject Recruitment/Data Collection: Spring 2012 End Data

Collection: Fall 2012

7. Course prefix and number for thesis/grad. project ELPS 789

Course title Dissertation Seminar

8. Check one:  Unfunded

9. History of Protocol:  New

10. Existing Data: Will this study involve the use of existing data or specimens (Data/specimens currently existing at the time you submitted this project)? No

If Yes, attach documentation indicating the authorization to access the data if not publicly available and if accessing from an agency outside of CSUN.

11. Subjects to be recruited (Check all that apply)

f. Others (describe) Teachers at public high schools. Three social studies teachers from each of 3 high schools (Buena High School, Ventura High School, and Foothill Technology High School) in a medium-sized district (Ventura Unified School District).

—

12. Data will include (check all variables that apply): You must specify all of this information in the Project Information form. None of these.

- |                       |                           |                           |           |
|-----------------------|---------------------------|---------------------------|-----------|
| a. names of people    | h.                        | marital status            | o.        |
| other, specify: _____ |                           |                           |           |
| b.                    | email address             | i. income                 |           |
| c. street address     | j. social security number |                           |           |
| d.                    | phone numbers             | k.                        | job title |
| e. age                | l. names of employers     |                           |           |
| f. gender             | m. types of employers     |                           |           |
| g.                    | ethnicity                 | n. physical health report |           |

13. Will subjects be identified by a coding system(i.e., other than by name)? YES

14. Is compensation offered? NO

15. If yes, describe (e.g., gift cert., cash, research credit). I will not offer compensation, but I will give a gift card afterwards to the 9 interviewees and hold a drawing for gift cards for those who take the survey.

\_\_\_\_\_

16. Number of Subjects: 9 interviews; approx. 15 additional surveys of dept. members not interviewed

17. Method of recruiting (elaborate in Section 2 of Project Information Form): Contact principals and department chairs at each of the three sites; have them refer me to dept. members

18. Will there be any deception (that is, not telling subjects exactly what is being tested)?  
NO (Provide justification for deception and explain how subjects are debriefed in Section 2 of the Project Information form)

19. Potential Risk Exposure (Check all that apply): Physical Psychological Economic  
Legal Social

Other, describe: None

20. Data Collection Instruments (Check all that apply) 21. Recorded by (Check all that apply)

- a. written notes
- b. questionnaire/survey
- c. interview
- b. audio tape

22. Administered by (Check all that apply) 23. Findings used for (Check all that apply)

- b. in person (individual)
- d. thesis/  
dissertation

24. Are drugs or radioactive materials used in this study? NO

If yes, then list the drugs or radioactive materials used in Section 1 of the Project Information form and provide a detailed description of each, with justification for its use.

25. Are any medical devices or other equipment to be used in this study? NO

If yes, describe in detail the medical devices or equipment to be used in Section 2 of the Project Information Form.

26. Did you attach a copy of any questionnaire(s), survey instrument(s) and/or interview schedule(s) referred to in this protocol?

YES

27. Is a letter of permission for subject recruitment attached (if recruiting from an agency outside of CSUN)?

NO

28. SIGNATURES: Refer to page 1, General Instructions–letter D, before signing.

\_\_\_\_\_

Signature of Faculty Advisor

Date

Student Investigator's Signature      Date

(specify grad. or undergrad.)

**FOR SACPHS AND RESEARCH OFFICE USE ONLY**

Noted, exempt

Approved, Minimal Risk

Approved, Greater than Minimal Risk

Approved, Expedited Review

---

Chair, SACPHS

Date

date received

Expedited Reviewer(s):

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## **APPENDIX D: Consent to Act as a Human Research Subject**

California State University, Northridge

### CONSENT TO ACT AS A HUMAN RESEARCH SUBJECT

“Social Studies Teachers’ Perceptions of Their Roles in Using The FAIR (Fair, Accurate, Inclusive, Respectful) Education Act and Curriculum to Create Safe Spaces for LGBT (Lesbian, gay, bisexual, transgender) Students.”

You are being asked to participate in a research study. Participation in this study is completely voluntary. Please read the information below and ask questions about anything that you do not understand before deciding if you want to participate. A researcher listed below will be available to answer your questions.

#### RESEARCH TEAM

Researcher:

Richard Underhill

California State University, Northridge: Education Leadership and Policy Studies

(805) 405-0363

Faculty Advisor: Dr. Gregory Knotts

California State University, Northridge, Assistant Professor

Education Leadership and Policy Studies

18111 Nordhoff St.

Northridge, CA 91330

#### PURPOSE OF STUDY

The purpose of this phenomenological case study will be to discover teacher perceptions of their roles in creating safe spaces for LGBT (Lesbian, gay, bisexual, transgender) students, examining in particular the impact that the California State law the FAIR Education Act and the teaching of curriculum involving the LGBT community will provide for LGBT students.

#### SUBJECTS

##### Inclusion Requirements

You are eligible to participate in this study if you teach social science in a California public school. This study will use social studies teachers from Buena High School, Foothill Technology High School, and Ventura High School, all three from the Ventura Unified School District.

### Exclusion Requirements

You are not eligible to participate in this study if you do not teach social science in a California public school.

### Time Commitment

This study will involve approximately 30-60 minutes of your time.

### PROCEDURES

The following procedures will occur: Teachers will be identified and asked to participate in the study. Teachers will then either complete a survey about their attitudes and perceptions of school climate, culture, and safety or be interviewed by the researcher for a period of time that will be approximately 30-60 minutes.

**RISKS AND DISCOMFORTS** This study involves no more than minimal risk. There are no known harms or discomforts associated with this study beyond those encountered in normal daily life. The possible risks and/or discomforts associated with the procedures

described in this study include: expressing opinions about curriculum or school personnel; and discussing opinions about the state of the school.

## BENEFITS

### Subject Benefits

The possible benefits you may experience from the procedures described in this study involve being able to suggest improvements to conditions at the school site and perhaps influence current and forthcoming state law.

### Benefits to Others or Society

This study may benefit students in California schools by providing information about climate, culture and safety. Although this study will focus on LGBT students, its benefits may be felt by all students.

## ALTERNATIVES TO PARTICIPATION

The only alternative to participation in this study is not to participate.

## COMPENSATION, COSTS AND REIMBURSEMENT

### Compensation for Participation

You will not be paid for your participation in this research study. Participants who complete an interview will receive a gift card. Participants who identify themselves and complete the survey will be entered into a drawing for a gift card.

#### Costs

There is no cost to you for participating in this study.

#### WITHDRAWAL OR TERMINATION FROM THE STUDY AND CONSEQUENCES

You are free to withdraw from this study at any time. If you decide to withdraw from this study you should notify the research team immediately. The research team may also end your participation in this study if you miss scheduled visits. You may also choose to withdraw from this study at any time and for any reason.

#### CONFIDENTIALITY

##### Subject Identifiable Data

- All identifiable information that will be collected about you will be removed at the end of data collection.
- All identifiable information that will be collected about you will be removed and replaced with a code. A list linking the code and your identifiable information will be kept separate from the research data.
- All identifiable information that will be collected about you will be kept with the research data.

- Since names will not be used in the research, participants' comments about the state of their school and their opinions about the FAIR Education Act, the LGBT community, or any other opinion they give will not be connected to the participant. In addition, the interviewer will not divulge any content of the interview to any other person or organization.

#### Data Storage

- All research data will be stored on a laptop computer that is password protected.
- All research data will be stored electronically on a secure computer with password protection.
- The audio recordings of student interviews will also be stored in on a computer with password protection and then transcribed and erased as soon as possible or at the end of the study, whichever is sooner.

#### Data Access

The researcher and faculty advisor named on the first page of this form will have access to your records. Any information derived from this research project that personally identifies you will not be voluntarily released or disclosed without your separate consent, except as specifically required by law. Publications and/or presentations that result from this study will not include identifiable information about you.

#### Data Retention

The researchers intend to keep the research data until analysis of the information is completed and then it will be destroyed.

#### IF YOU HAVE QUESTIONS

If you have any comments, concerns, or questions regarding the conduct of this research please contact the research team listed on the first page of this form.

If you are unable to reach a member of the research team listed on the first page of the form and have general questions, or you have concerns or complaints about the research study, research team, or questions about your rights as a research subject, please contact Research and Sponsored Projects, 18111 Nordhoff Street, California State University, Northridge, Northridge, CA 91330-8232, or phone 818-677-2901.

#### VOLUNTARY PARTICIPATION STATEMENT

You should not sign this form unless you have read it and been given a copy of it to keep. Participation in this study is voluntary. You may refuse to answer any question or discontinue your involvement at any time without penalty or loss of benefits to which you might otherwise be entitled. Your decision will not affect your future relationship with California State University, Northridge. Your signature below indicates that you have read the information in this consent form and have had a chance to ask any questions that you have about the study.

I agree to participate in the study.

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Subject Signature

---

Date

---

Printed Name of Subject

---

Researcher Signature

---

Date

---

Printed Name of Research

## **APPENDIX E: Survey Cover Letter and Survey**

To: Social Studies Teachers

From: Richard Underhill

RE: Participation in Survey for the study “Social Studies Teachers’ Perceptions of The FAIR Education Act and the Use of Curriculum to Create Safe Spaces for LGBT Students.”

Thank you for participating in the anonymous survey Social Studies Teachers’ Perceptions of the FAIR Education Act and the Use of Curriculum to Create Safe Spaces for LGBT Students. I hope that my research will help students and teachers in our schools. The purpose of this study will be to discover teacher perceptions of their roles in creating safe spaces for LGBT (Lesbian, gay, bisexual, transgender) students, examining in particular the impact that California State law the FAIR Education Act and the teaching of curriculum involving the LGBT community will provide for LGBT students.

When you fill out the survey, please cut or tear the bottom portion off and put the top part in the envelope marked FAIR EDUCATION ACT SURVEYS/UNDERHILL. If you would like to be considered for the drawing for the \$10 gift cards, please take the bottom

portion and fill it out. Then put it in the envelope marked FAIR EDUCATION ACT GIFT CARD DRAWING/UNDERHILL. Your department chair will have both envelopes. I will notify the winners after I receive the forms from the three schools I am surveying.

This survey is completely anonymous, as your survey and your name are not connected. You will not be able to be identified; therefore, you need not fear any of your opinions will be made public and tied to you. In addition, all research data will be stored on a laptop computer that is password protected.

Participation in this survey is strictly voluntary. I appreciate your time and look forward to reading your thoughts as expressed in the survey.

Sincerely,

Richard Underhill

Buena High School

Underhill93003@gmail.com

(805) 405-0363

**Teacher Survey: Social Studies Teachers' Perceptions of The FAIR Education Act  
and the Use of Curriculum to Create Safe Spaces for LGBT Students.**

Thank you for participating in the anonymous survey Social Studies Teachers' Perceptions of The FAIR Education Act and the Use of Curriculum to Create Safe Spaces for LGBT Students. I hope that my research will help students and teachers in our schools.

Please write down the following number that best matches your answer to the question.

5= Strongly Agree    4= Mostly Agree    3= Sometimes Agree; Sometimes Disagree    2= Mostly Disagree    1= Strongly Disagree

1. My classroom provides LGBT (Lesbian, Gay, Bisexual, and Transgendered) students with a safe environment where they can learn.
2. Our campus provides LGBT (Lesbian, Gay, Bisexual, and Transgendered) students with a safe environment where they can learn.
3. I am actively involved in creating a safe environment for LGBT students in my classroom and on our campus.
4. I know the tenets of the FAIR Education Act, which went into effect on January 1, 2012.
5. My department's curriculum includes contributions of the LGBT community.

6. My department has resources available for me to use if I want to include contributions of the LGBT community in curriculum.
7. Although my department does not have a coherent strategy toward inclusion of the LGBT community in curriculum, I incorporate the accomplishments of the LGBT community into my lessons in my classes.
8. I believe it is ethically right to include the LGBT community in social science lessons.
9. I know a lot about the accomplishments of the LGBT community and LGBT history.
10. Learning about the accomplishments of the LGBT community and LGBT history will help LGBT students feel safer at school.
11. Learning about the accomplishments of the LGBT community and LGBT history will help all students be more accepting of the LGBT students on campus?
12. Acceptance of LGBT students on campus could lead to a decrease in bullying and other harassment.
13. I have never seen, used, or known any of my colleagues to use any anti-gay curriculum in my school.

---

----- I will be drawing five names of survey participants for a \$10 Starbuck's gift card. If you would like to be in the drawing, please fill out the following, cut it off,

and put it in the envelope marked GIFT CARD DRAWING; this will be separate from the survey itself and it will ensure anonymity.

Best wishes,

Rich Underhill

I participated in the survey:

---

---

Name

School

## **APPENDIX F: Interview Protocol**

### The Effects of Laws on School Climate, Culture and Safety for LGBT Students

#### General Interview Guide

#### First Interview

##### I. Pre-interview Session: Introduction/Background

Welcome and introduction:

Good morning/afternoon/evening. Thank you for taking the time to talk with me today.

Before we begin the interview session, I'd like to give you the opportunity to read and sign the Consent to Participate in Research.

Purpose of the first interview:

As we discussed, this interview is part of a series of three interviews intended to collect information for a research study that examines peer-to-peer and student-faculty interaction of former foster youth, transitionally housed, and homeless students. During the first interview, we will talk about your personal and family background, precollege experiences, and attitudes about college.

#### Confidentiality:

Any information you share with us today will be used for research purposes only. I will be aggregating results from all interviews and will not be attributing comments to any particular person. You will not be identified by name, department or office, position, or any other personally identifying information in any report or document. Today's interview session will be audio-recorded. I will also be taking notes of the conversation. The audio recordings may be transcribed for analysis. The audio recorded file, transcribed file, and notes will be stored securely in a password-protected laptop of the evaluator until completion of interview analysis. Upon completion of analysis, files and notes will be destroyed. Only the researchers identified in the Consent to Participate will have access to the files and notes. The files and notes will be accessed and analyzed in strict confidentiality. Finally your name or personally identifying information will not be used in any published or public reports.

#### Informed consent:

This consent notice summarizes some information from the Consent to Participate in Research and communicates the procedures, potential risks and discomforts for subjects, potential benefits to subjects, payment to subjects for participation, participation and withdrawal, and rights of research subjects. Procedures in this interview are limited to semi-structured personal interview sessions. Because the study deals with issues that are sensitive, some interview questions may involve issues of a personal nature. You may

feel uneasy about answering some of these interview questions. You may elect not to answer any of the questions with which you feel uneasy and still remain as a participant in the study. You may not benefit personally from your participation in this study. However, findings from this study may lead to improvements in support programs for students and may contribute to our knowledge on the subject. Interview participants and/or research subjects will be paid for their participation in this interview. Your participation in this interview is voluntary. You are not obligated whatsoever to answer or respond to any question or to discuss anything that you are not inclined to answer or discuss. You can skip any question, or any part of any question, and will not face any penalty for answering, or not answering, any question in any way. You may ask that the audio recording be stopped at any time and/or may leave the interview at any time for any reason without consequences of any kind. You may withdraw consent at any time and discontinue participation without interview. You can halt your participation in the interview at any time. You are not waiving legal claims, rights, or remedies because of your participation in this interview.

Identification and contact information of principal investigator:

If you have questions regarding your rights as a research subject, the details of this study, or any other concerns please contact Richard Underhill at his mailing address:

Department of Educational Leadership and Policy Studies, California State University,

Northridge, 18111 Nordhoff Street, Northridge, CA 91330. Alternatively, you may contact Mr. Underhill via telephone at 805-405-0363 or via email at [richard.underhill.40@my.csun.edu](mailto:richard.underhill.40@my.csun.edu)

Timing:

Today's interview will last approximately 40 minutes. Are there any questions before I get started?

## II. Interview Session (Student Interview - LBGT Community Member)

### Main Questions/Probes-Follow-Ups

1. How would you describe the current environment in your classroom and on your campus for LGBT students (Key Element 1: The Content of Reform, Evans, 1993; Key Element 3: The Strength of the School as an Organization, Evans, 1993)?

PROBE if GOOD: Can you give me some examples? Are these circumstances true for both students in your classroom and on the campus? What do you think the school's plan is to continue to maintain this climate for these students (Key Element 3: The Strength of the School as an Organization, Evans, 1993)?

PROBE if BAD: What do you believe is leading to or causing these problems for the LGBT students (Key Element 1: The Content of Reform, Evans, 1993)?

2. What does harassment, victimization and bullying against LGBT students look like in general, and at your school in particular (Key Element 1: The Content of Reform, Evans, 1993)?

PROBE: How do teachers and school personnel recognize when students are victims of bullying or bullies themselves (Key Element 1: The Content of Reform, Evans, 1993)?

3. Describe the procedures at your school after a student reports an incident of anti-gay bullying. Do staff members intervene when they witness harassment or bullying (Key Element 3: The Strength of the School as an Organization, Evans, 1993; Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)?

4. What are you currently doing in your classroom to create a culture and climate of safety for LGBT students and reduce bullying against LGBT students (Key Element 1: The Content of Reform, Evans, 1993; Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)

PROBE: How effective do you feel these steps are in reducing the instances of bullying (Key Element 1: The Content of Reform, Evans, 1993; Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)?

5. How would you describe the efforts at your school create a safe space for LGBT students and/or to help LGBT students who are being bullied (Key Element 3: The Strength of the School as an Organization, Evans, 1993)?

6. What do you know about the recently-enacted law the FAIR Education Act? How do you perceive your role in implementing and enforcing it (Key Element 1: The Content of Reform, Evans, 1993; Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993) ?

PROBE: Explain the tenets of the law if the teacher does not know what it is or has misinformation about it.

7. Describe the way your school includes members of the LGBT community in curriculum. How do you think this affect LGBT students? How do you think this affects non-LGBT students' perceptions of the LGBT community (Key Element 1: The Content of Reform, Evans, 1993; Key Element 3: The Strength of the School as an Organization, Evans, 1993)?

8. Are you currently using any materials about LGBT individuals or the community in your classes? What specifically are you covering? (Key Element 1: The Content of Reform, Evans, 1993)
  
9. What, if any, support or training do you need in order to better-implement the FAIR Education Act and/or including the history and accomplishments of the LGBT community in your classroom (Key Element 4: Support and Training, Evans, 1993)?
  
10. Do you see any ethical issues involved with teaching students about the accomplishments of LGBT community members and/or asking students to examine their own feelings about oppressed groups? If so, what are they and how would you deal with them? (Key Element 1: The Content of Reform, Evans, 1993)
  
11. What do you see as the biggest challenges to implementing the FAIR Education Act on your campus? (Key Element 1: The Content of Reform, Evans, 1993; Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993; Key Element 3: The Strength of the School as an Organization, Evans, 1993)
  
12. How does the introduction of the accomplishments of LGBT individuals affect the level of respect students receive from their peers (Key Element 1: The Content of Reform, Evans, 1993)?

13. Have you ever been presented with any anti-gay curriculum or materials in your school (Key Element 1: The Content of Reform, Evans, 1993)?

PROBE: If so, describe the way you reacted. Did you or any colleagues whom you know take any action? Did any students or parents take action? (IF YES) What was done (Key Element 1: The Content of Reform, Evans, 1993)?

14. How do state laws and district policies help guide you in handling bullying issues in general, and bullying against LGBT students in particular? (NOTE: The above questions cover contents of state laws. I would be interested to know if the teachers know that there are additional state laws like AB-09.) (Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993; Key Element 5: Leadership, Evans, 1993)

15. How do state laws and district policies help guide you in handling bullying issues in general, and bullying against LGBT students in particular? (NOTE: The above questions cover contents of state laws. I would be interested to know if the teachers know that there are additional state laws like AB-09.) (Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993; Key Element 5: Leadership, Evans, 1993)

16. What role does or should the school's administration play in helping LGBT students learn and feel safer? What role should the administration play in helping teachers implement laws like the FAIR Education Act (Key Element 5: Leadership, Evans, 1993)?

17. Are you aware of any state resources for LGBT students, or students in general, who are victims of bullying (Key Element 1: The Content of Reform, Evans, 1993; Key Element 4: Support and Training, Evans, 1993; Key Element 5: Leadership, Evans, 1993)?

PROBE: IF YES: Can you explain what these resources are and how to access them?

PROBE: IF NO: Tell me where you would go to find out what resources the state can offer you.

18. Some parents and community members object to tolerance or anti-bullying education that involves the inclusion of LGBT issues in the program. How do you feel about this (Key Element 1: The Content of Reform, Evans, 1993; Key Element 2: The Faculty's Capacity and Willingness for Change, Evans, 1993)?

19. What else would assist the school and its leadership to better help students in general and LGBT students in particular who are being harassed or victimized (Key

Element 4: Support and Training, Evans, 1993; Key Element 5: Leadership, Evans, 1993)?

#### Closing Questions

I would like give you a final opportunity to help us examine these issues. Before I end today, is there anything that I missed? Do you have anything else to add at this time? Have you said everything that you wanted to say but didn't get a chance to say? Have you shared everything that is significant about these interactions with me? If there's anything else that you recall after our interview session, I invite you to share it by contacting me.

## APPENDIX G: Tables of Data Collected

Table 1

*Interview Participants: Conventional High School*

Name	Brief Description
Ms. Constance	Veteran teacher; serves on school leadership team; outspoken and influential on campus.
Ms. Christiansen	Experienced teacher; politically and socially conservative; has been department chair in the past.
Ms. Cerebral	Popular teacher; has been department chair.

Table 2

*Interview Participants: Advanced High School*

Name (pseudonym)	Brief description
Ms. Apt	Experienced teacher; has been department chair
Mr. Ambrose	New to school; popular teacher
Mr. Astute	Experienced teacher; adviser to school's GSA

Table 3

*Interview Participants: Broad High School*

Name (pseudonym)	Brief description
Mr. Brisk	Younger teacher; a part of the school's leadership team
Mr. Bookish	Experienced teacher; heterosexual, but outspokenly pro-LGBT rights
Ms. Bliss	Veteran teacher; highly respected and known district-wide

Table 4

*Results of Survey Administered to Social Studies Teachers at the Three School Sites: Safe Space*

Question	Conventional HS	Broad HS	Advance HS
My classroom provides a safe space for LGBT students	89%	100%	100%
My campus is safe for LGBT students	66%	89%	100%

Table 5

*Results of Survey Administered to Social Studies Teachers at the Three School Sites:*

*Involvement in Safe Spaces*

Question	Conventional HS	Broad HS	Advance HS
I am actively involved in creating a safe environment for LGBT students in my classroom and on our campus.	66%	55%	83%

Table 6

*Results of Survey Administered to Social Studies Teachers at the Three School Sites: Anti-Gay Curriculum*

Question	Conventional HS	Broad HS	Advance HS
I have never seen, used, or known any of my colleagues to use any anti-gay curriculum at my school.	89%	78%	84%

Table 7

*Results of Survey Administered to Social Studies Teachers at the Three School Sites: Knowledge of the Tenets of the FAIR Education Act*

Question	Conventional HS	Broad HS	Advance HS
I know the tenets of the FAIR Education Act, which went into effect on January 1, 2012	22%	55%	17%

Table 8

*Results of Survey Administered to Social Studies Teachers at the Three School Sites:*

*Ethics of Teaching LGBT-Inclusive Curriculum*

Question	Conventional HS	Broad HS	Advance HS
I believe it is ethically right to include the LGBT community in social science lessons.	44%	66%	100%

Table 9

*Results of Survey Administered to Social Studies Teachers at the Three School Sites:*

*Knowledge of LGBT History*

Question	Conventional HS	Broad HS	Advance HS
I know a lot about the accomplishments of the LGBT community and LGBT history.	22%	22%	50%

Table 10

*Results of Survey Administered to Social Studies Teachers at the Three School Sites:*

*Available Resources*

Question	Conventional HS	Broad HS	Advance HS
My department has resources available to me to use if I want to include contributions of the LGBT community in curriculum.	0%	11%	0%