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EDCI 6460 Policy Analysis UNT  
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May 9, 2011

## **Policy Concerning LGBT Student Safety and Inclusion**

Students who identify as lesbian, gay, bisexual, or transgender (LGBT) are at risk for harassment due to their sexual orientation or gender identification. Over 85% of LGBT students report such harassment (Biegel & Keuhl, 2010). Such statistics demonstrate the significance of the issue, and K-12 school policies regarding safety of LGBT students in the school climate and inclusion in the curriculum have been debated due to the strong concern for these students.

### Vocabulary Terms

- AA: African-American
- Closeted Students: students who hide their gay or lesbian identity
- LGBT: Lesbian, gay, bisexual, transgender
- Out Students: students who openly identify as gay or lesbian
- Straight: heterosexual
- SSIA: Safe Schools Improvement Act
- Queer: identify as gay or lesbian

### Descriptive Context

Prior to the 1940s, homosexuality was regarded as deviant behavior, even as a contagious disease. Schools sometimes expelled students and often fired teachers who were either suspected or found to be homosexual. These targeted students usually kept a very low profile about their homosexuality and the incident of being expelled resulting in a lack of studies about homosexual students' experiences or identities (Tierney & Dilley, 1998). During the 1950s, homosexuality was still perceived as a disease, but there was interest in treating the disease instead of viewing it as a personality disorder. The American Psychiatric Association listed homosexuality as a disease until 1973 (Dilley, 2002).

Negative effects were shown to appear in students when classroom discussion of LGBT issues and literature was limited (GLSEN, 2009). The identity formation of the LGBT student could possibly form positive roots in more extensive classroom discussion based on literature. The National Council of Teachers of English (NCTE) passed a resolution (2007) calling for inclusion of LGBT issues in the classroom and provided guidelines for training teachers on such inclusions.

### Differing Perspectives

#### **National and State Level**

Even though laws have been established in the majority of states protecting students from bullying, not all states have detailed the particular areas of discrimination. Most states have laws explicitly prohibiting bullying in public schools. Only 13 states prohibit sexual orientation discrimination against students: California, Colorado, Connecticut, District of Columbia, Illinois, Iowa, Massachusetts, Minnesota, New Jersey, New York, Vermont, Washington, and Wisconsin (Biegel & Kuehl, 2010).

Tennessee State Senator Stacey Campfield is the sponsor of SB049, which is also known as the "Don't Say Gay" bill. The bill is currently being voted on in the Senate but is not expected to have enough time to pass through the House in this current legislative session. Campfield believes school officials should be banned from discussing LGBT issues at school even in relation to anti-gay bullying and harassment. The bill is described as a neutral bill since school officials would not be allowed to discuss LGBT topics through the ninth grade (Humphrey, 2011).

The Safe Schools Improvement Act (SSIA) would amend the Elementary and Secondary Education Act to require school districts that receive federal funds to create policy addressing bullying based specifically on sexual orientation. The SSIA would also require states to report data on bullying and harassment to the Department of Education, and this report would be provided to Congress every two years. Senator Robert Casey (D-PA) and Senator Mark Kirk (R-IL) reintroduced the SSIA in the Senate on March 8, 2011; currently, the bill is being discussed in committee (S. 506--112th Congress: Safe Schools Improvement Act of 2011).

### **District Level**

Local policies within school districts across the US vary in whether or not sexual orientation is specifically listed in bullying policy observed by school administrators.

Jamie Nabozny experienced repeated antigay harassment at his public school in Ashland, Wisconsin, eventually leading to his need for surgery from being kicked excessively in the stomach. When Nabozny reported the bullying, his middle school principal told him: "If you're going to be openly gay you have to expect this kind of stuff" (Nabozny v. Podlesny, 1995). The ruling was a landmark decision and held public schools responsible for intervening in LGBT bullying in order to provide a safe school environment for all students – no matter the sexual orientation. Nabozny settled for just under \$1 million in damages with the school district (Brummel, 2010). This landmark case affects local policy because school officials and districts can now be held responsible for not stopping anti-gay bullying. In spite of this ruling, most states only have a policy that prohibits bullying based on race, sex, religion, national origin, and disability (Wolfe, 2010).

One particular local policy that has been debated is the neutrality policy. The Anoka-Hennepin School District in Minnesota is currently debating this policy. This district is Minnesota's largest district serving over 40,000 students. The district had 6 suicides throughout the 2009-10 school year, and friends and parents of the students claimed that all were experiencing anti-gay bullying and harassment. One of the suicide victims was

Justin Aaberg who was 15 years old and hanged himself in his room in July of 2010. Justin's mother, Tammy Aaberg, believes the neutrality policy encouraged anti-gay bullying against her son, and she claims to have not even been notified of some instances of anti-gay bullying of Justin of which school officials were aware. In August 2010, the district amended the policy to specifically include anti-gay bullying, but opponents of this policy contend that addressing specifics about the victim is not necessary and should not be discussed in the school setting (Crary, 2010).

In the past year, several significant changes have been made in policy at the district level in some areas across the country concerning the bullying and harassment of LGBT students. In April of 2011, the San Diego Unified School District Board of Education unanimously approved an anti-bullying, harassment and intimidation policy including specifically LGBT as a cause (Braatz, 2011). The Minneapolis School Board voted unanimously in January of 2011 to add to the district's anti-LGBT bullying policy with a resolution requiring incidents of anti-LGBT bullying to be tracked. In addition to the policy change, the district will also add LGBT health issues to the sexual health curriculum and provide a yearly training for teachers on how to deal with LGBT training (Williams, 2011).

#### The Issue in Practice

Kosciw, Gretak, and Diaz (2009) studied the demographic and ecological factors contributing to hostile school environments for LGBT students in K-12 settings and found interesting patterns among more than six thousand participants who came from all fifty states. LGBT students in areas with more college-educated adults or areas with high poverty rates were less likely to hear homophobic remarks. School-related characteristics showed significance in student-teacher ratio; students in schools with a high ratio of students to teachers were more likely to hear homophobic remarks. Males were more likely than females to be victimized with anti-gay bullying and harassment, and the bullying was not as prevalent with older students. Even though LGBT students across all regions in the US were experiencing bullying and harassment, those in rural areas were the most unsafe; LGBT students in urban schools that are typically considered dangerous environments actually had a safer environment from bullying (Kosciw et al., 2009).

The challenge of ending homophobia in the school climate and even in the realm of education is quite a daunting task. The inclusion of a diversity program in schools has been a typical suggestion for addressing LGBT issues in the curriculum. Yet, Britzman (1995) argues that such an inclusion of a program is by its very nature provoking and cannot be integrated into the school program because it deviates from normalcy. Britzman's position is that the inclusion of a program about LGBT issues provides students with a sense that homosexuality is normal and acceptable, which he deems provoking. Educators often use religious beliefs as grounds for homophobic actions, but Applebaum (2003) argues that religion cannot be used to support discrimination because teachers and school officials must comply with the values of democracy. Even though inclusion and sensitivity of LGBT issues in the schools could possibly impact bullying

and harassment, many districts across the nation still refuse to acknowledge the existence of LGBT students much less address issues specific to this population, and this refusal is many times rooted in the arguments similar to Britzman's.

### Snapshot of Research

The National Mental Health Association (NHMA) has designated LGBT students as an at-risk population, and reports their high level of risk is a result of the stress around them and “not because of their inherently gay or lesbian identity orientation” (National Mental Health Association). The high level of suicide rates as well as homelessness in this population of students could be connected to Tomsho's study (2003) showing LGBT students or those perceived to be LGBT were bullied twice as often as their counterparts. In a 2008 GLSEN study, student said they did not report bullying due to their belief that no action would be taken by school officials, and 1/3 of the students surveyed said they had reported the mistreatment with no response from the school. The lack of response from school officials is another link in the chain of harassment LGBT students experience resulting in negative self-images and stunted emotional growth, which contributes to problems with social interaction (Ryan & Futterman, 1998).

Compounded with the harassment issue can be the lack of support and resources available for students, and LGBT students “from poor and rural communities are acutely disadvantaged in obtaining resources, finding allies, and integrating into school culture” (Kim, Sheridan, & Holcomb, 2009). Resources are severely needed for adolescent students to develop appropriately in a social realm. When LGBT students reach adolescence and begin to work through natural stages of development, they are at a disadvantage compared to their heterosexual peers. Heterosexual students have fairly established roadmaps to follow for social development stages, but LGBT students do not have similar support (Pascoe, 2007).

Heteronormativity identifies the difference between homosexual and heterosexual and establishes heterosexuality as the norm. Homosexuality is then judged as an alternative against the norm. Even though heteronormativity does not explicitly label homosexuality as deviant, the practice does encourage the inference that homosexuality is in opposition to what is considered normal. Sumara, Davis, and Iftody (2006) investigated what happened in one class when students read the novel *Stitches* in an attempt to expose students to a gay character. The main character suffers abuse because he is gay, but the class discussions observed as part of the research study center on the issue of bullying. Stereotypes were actually reinforced by the reading because no focus was given to discussing the character's gay identity or homophobia. The researchers concluded that teachers need to provide opportunities for students “to analyze the diversity of personal readings within a safe and intellectually supportive context” (p. 65). Heteronormative constructions were maintained even though a gay character is included in the classroom literature because the teacher never facilitated a discussion about the character's having a gay identity.

A new paradigm for research was introduced in 2009. Researchers reviewed the past several decades of work studying the LGBT student community and realized the focus

has been on the negative aspect of victimization, but recent research is starting to examine how LGBT students are thriving and exceeding expectations. The new paradigm would look at how social contexts are shaping inequalities (Kim et al., 2009).

Once homosexuality was removed from the list of mental disorders, then a visible quest for civil rights began. With evident visibility came the development of studies focusing on identity. Some areas in the identity literature still need more research such as with LGBT students of color, although there have been some recent contributions. For instance, Abes (2009) and Renn (2010) use LGBT identity development to help develop curriculum and support student learning.

### Related Issues

LGBT students of color may experience a “tricultural” experience, which is dealing with homophobia from their own racial group, racism from LGBT students outside their race, and both types of discrimination from the outside society (Cianciotto & Cahill, 2003). Research does not clearly demonstrate the extent of this triple level of discrimination that LGBTs of color experience (Diaz & Kosciw, 2009).

In the area of research, one substantial issue is related to whom exactly the researchers should study. The problem is rooted in whether researchers should focus on out participants or closeted students. In order to use teens as participants, the researcher must gain parental approval. If a researcher does gain parental approval, then the study will only be using participants who are out and have some level of parental support in their lives. Researchers who want to examine issues concerning lack of support might not find participants who can provide data related to this topic (Mayo, 2007).

### Summary

Even though LGBT students are classified as being at-risk due to the increase in harassment, mistreatment, and discrimination, a new paradigm is being constructed in the research to study the resiliency in this population as well as the challenges. LGBT students of color could face extenuating discrimination, while LGBTs living in rural areas tend to be more deprived of resources and support. Research of LGBT students could be substantially affected by the lack of multiple perspectives from participants yielding research without a full representation of LGBT issues.

### Recommendations

Since LGBT students are at-risk for harassment, a recommendation of combining public policy with school policy would probably be the best avenue of support. In *Nabozny v. Podlesny* (1995), the ruling determined that a public school could be held accountable for not stopping antigay abuse. Since school districts and school officials can legally be held accountable for not intervening in antigay harassment, a model policy should be enacted to protect LGBT students as well as the school district. Clearly stating in policy that bullying and harassment of LGBT students will not be tolerated sends a message to

faculty members and students that the school should be safe for all student and not just the socially favored ones. The NEA, the National PTA, the American Association of School Administrators, and the National Association of Secondary School Principals all endorse the specific listing of anti-gay bullying and harassment in public school policy as a way to help provide a safe school environment for LGBT students (Wolfe, 2010). Additionally, school should provide training for staff on sensitivity and how to deal with LGBT issues as well as include age-appropriate information within the curriculum to help student respect and understand differences.

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