

UC Riverside

UCR Honors Capstones 2022-2023

Title

Rebellion: Examining The Future Of Queer Youth In K-12 Education

Permalink

<https://escholarship.org/uc/item/238699wg>

Author

Laurence, Cora

Publication Date

2023-06-16

REBELLION: EXAMINING THE FUTURE OF QUEER YOUTH IN K-12 EDUCATION

By

Cora Laurence

A Capstone Project Submitted for Graduation with University Honors

May 11th, 2023

University Honors
University of California, Riverside

APPROVED

Dr. Judith Rodenbeck
Department of Media and Cultural Studies

Dr. Richard Cardullo, Howards H Hays Jr. Chair
University Honors

ABSTRACT

The recent signing of Florida House Bill 1557 into law brought public education to the forefront of the American political consciousness. Colloquially referred to as the “Don’t Say Gay” bill, HB 1557 has garnered national attention for its openly anti-LGBT policies; one of these policies prohibits discussion of sexual orientation and gender identity in grades kindergarten through third grade, and another requires schools to open a formal complaint system that requires school faculty to report on students who might be transgender or gender non-conforming. In response, various LGBT advocates and organizations claimed that the bill was unconstitutional, given that federal regulations like Title IX expressly prohibit discrimination on the basis of one’s gender identity or sexual orientation. Despite the backlash surrounding the bill, the federal government has said very little on the topic of HB 1557 save for a small statement condemning the bill, and has made no move to remove HB 1557 from Florida legislation. The lack of response from the federal government poses a social dilemma; who exactly is the government for? Is the government supposed to represent the will of the majority, or protect the rights of minorities? When the government chooses silence in the face of discrimination, what protections are there to prevent laws like HB 1557 from becoming national? Through the lens of HB 1557, this project is meant to examine the intricate relationship between the federal government and minority groups, as well as examine the very real consequences that can occur when political entities are allowed to sway public education curriculum.

ACKNOWLEDGEMENTS

I would like to give my deepest thanks to Professor Judith Rodenbeck, who has been such an incredible asset and patient soul throughout the entire capstone process. Your guidance was the key that allowed me to complete this project, and for that I could not be more grateful.

I would also like to thank Dr. Stephen James, who is both a kind soul and an incredible professor. Thank you for encouraging me to succeed even when I did not believe in myself, and for being so supportive every single day.

A deep thank you to the University Honors team at UC Riverside for providing the platform for us to share our thoughts and ideas with the world. This project is one that I am immensely proud of, and showed me that I am indeed capable of taking on a project of this magnitude.

I would not be where I am today without the unconditional love and support from my family. To my father, thank you for always working so hard to give me the opportunity to follow my dreams. To my mother, thank you for being my biggest support system and cheerleader. To my sisters Kaley and Kiera, thank you both for always being there for me. To my sweet girl Lulu and all of my other dear pets, thank you for brightening my life every single day. I love all you more than words can say.

I could never forget the contributions of all of my friends. Thank you all so much for providing levity and support during this arduous process. I would not have completed this project without you.

A deep thanks to you, dear reader. I appreciate you taking the time to read my thoughts upon a subject I hold near to my heart, and I hope you find it informative.

TABLE OF CONTENTS

Abstract	1
Acknowledgements	2
Introduction	4
The Implications of Florida House Bill 1557	4
Analysis	6
The Effects of Anti-LGBT Policies	6
Federal Protections	8
<i>Title IX</i>	8
<i>Title VII</i>	9
The Role of Government in Education and Society	10
<i>The Issue of Representation</i>	10
<i>Discriminatory Silence</i>	13
<i>The Rights of Children</i>	14
Discussion	17
Proposed Solutions	17
<i>Private Schools</i>	17
<i>LGBT Schools</i>	18
Personal Interlude	19
References	22

INTRODUCTION

The Implications of Florida’s House Bill 1557

Signed into Florida state law in the spring of 2022, House Bill 1557 garnered national attention due to the precedent it set for state rights within the American public education system. Colloquially referred to as the “Don’t Say Gay” bill, it was immediately challenged as unconstitutional by LGBT advocates and organizations across the nation because of the ramifications it could have upon queer youth and families. Under HB 1557, Florida schools would be prohibited from teaching certain age groups about sexual orientation or gender identity, with the bill itself stating that “...Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in kindergarten through grade three or in a manner that is not age-appropriate or developmentally appropriate for students in accordance with state standard.” (Florida Senate, 2022) One of the aspects of the bill that has been repeatedly pointed out is how vague the language is; what exactly constitutes “age-appropriate” education on sexual orientation or gender identity? Would students with LGBT parents be unable to talk about their families? Would LGBT teachers have to hide their partners? The bill provides no guidelines for what would be considered inappropriate for students in this age group, which means that every topic related to queerness¹ could be potential grounds for punishment. The bill does not stop at kindergarten through third grade either; the bill expressly prohibits “...classroom discussion about sexual orientation or gender identity in certain grade levels or in a specified manner...” (Florida Senate, 2022) Notably, the bill does not specify which grade levels are prohibited from discussions on sexual orientation and gender identity, the vagueness once again creating grounds for every grade level within the public education system to be unable to discuss

¹ Note that I use the term “queer” interchangeably with LGBT throughout this work. While I am aware that the term is one that has been weaponized against the LGBT community in the past, I am using the word here as an act of reclamation in honor of my own “queerness.”

these matters. This means that even high school seniors, some of whom are eighteen years old and as such are legal adults, are prohibited from discussing basic factors of one's identity, those being sexual orientation and gender identity.

In a similarly vague fashion, HB 1557 directly targets students who are transgender or gender-nonconforming. Unlike the clause on LGBT topics in younger grade levels, this clause does not call out gender identity explicitly; instead, the bill mandates that schools "...adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health well-being." (Florida Senate, 2022) While the intentionally obscure wording makes legal justification for labeling this clause as anti-trans difficult, the LGBT advocacy group known as The Trevor Project has condemned this clause in particular, stating that it appears to "... undermine LGBTQ support in schools and include vague parental notification requirements which could effectively 'out' LGBTQ-identifying students to their parents without their consent." (Weaver, 2022) Outing students can be incredibly risky; LGBT youth suffer some of the highest rates of home instability and familial abuse, and this bill has the potential to cause more children to fall prey to those situations. (Youth, 2023) According to the Trevor Project's 2023 U.S. National Survey on the Mental Health of LGBT Young People, fewer than 40% of LGBTQ young people found their home to be LGBTQ-affirming. (The Trevor Project, 2023) If HB 1557 is allowed to continue on, Florida could become an epicenter for violence against LGBT children both in the home and at school.

ANALYSIS

The Effects of Anti-LGBT Policies

The damage that one act can do to entire communities can be downright devastating. This is evident in the reports provided by The Trevor Project in their 2023 U.S. National Survey on the Mental Health of LGBT Young People, which is a massive survey intended to record and analyze the current collective state of LGBT mental health. This year, The Trevor Project added a new section to their survey regarding feelings and concerns on the increasing amount of anti-LGBT legislation. The results are disheartening; of the twenty-eight thousand LGBT youth that were surveyed, nearly 1 in 3 LGBTQ young people said their mental health was poor most of the time or always due to anti-LGBTQ policies and legislation. In addition, nearly 2 in 3 LGBTQ young people said that hearing about potential state or local laws banning people from discussing LGBTQ people at school made their mental health a lot worse. (The Trevor Project, 2022) Bills like HB 1557 have already taken their toll on the mental health of LGBT youth across the nation, even if not every state has anti-LGBT legislation. These statistics show just how damaging these policies can be not just on a state level, but a national one. Laws such as these contribute to the active alienation and bullying of LGBT students that is already fairly commonplace in school settings.

While HB 1557 is currently confined to public education settings, the effects of this bill can be seen outside of these institutions. Following the implementation of HB 1557 into Florida law, the UCLA School of Law Williams Institute conducted a survey study that is meant to accurately reflect the feelings and concerns of LGBT parents regarding the new bill. Headed by author Abbie E. Goldberg, this study gathered the responses of one hundred and thirteen LGBT

parents on questions pertaining to HB 1557. According to the survey, an overwhelming eighty-eight percent of the one hundred and thirteen LGBT parents surveyed reported concern about HB 1557. In addition, fifty-six percent of the participants have considered moving out of Florida at some point, with seventeen percent having taken steps to do so already. A solid percentage of the participants have also expressed fear of harassment from neighbors and the community at large; about twenty-five percent of the participants said they feared harassment by neighbors, and twenty one percent stating that they have become less out in their communities. It is also notable that parents with school age children had the highest amount of concerns, with eleven percent considering switching their children to private schooling. (Goldberg, 2023) This study goes to show that students are not the only victims of HB 1557; the bill has very real ramifications that extend beyond schools. The education system is often a microcosm of the society that surrounds it; as anti-LGBT sentiments continue to fester within school, so too do anti-LGBT sentiments outside of it. HB 1557 doesn't just jeopardize the possibility of LGBT parent volunteers or exclude them from family events; it actively contributes to the harassment of LGBT adults everywhere by contributing to the making of the LGBT community into a social taboo.

Florida educators are also suffering the effects of this bill, despite a large majority not being queer themselves. One of the clauses of HB 1557 mandates that Florida schools are now required to create a complaint procedure through which parents may raise concerns about compliance with the law. Part of the new "Parents Must Know" policy, parents can report school faculty who do not comply with HB 1557 policy to the Florida Department of Education, which can lead to an inspection and a possible lawsuit at the expense of the school that employs said

faculty. If a school is found guilty of noncompliance, the punishment can vary from a deduction in funding to a legal lawsuit based on the severity of the infraction. With the threat of financial ruin or legal trouble now hanging over Florida schools like Damocles' sword, said schools have been taking it upon themselves to enforce HB 1557. If school faculty fail to comply, they can face severe repercussions, including discipline or termination. Even those with tenure are at risk; schools may still attempt to portray violations of the bill as “gross insubordination” or “willful neglect of duty” that would provide cause for discipline or dismissal. (National Education Association, 2022) To protect against this, educators have turned to federal policies like Titles IX and VII of the Educational Amendments to protect themselves from legal trouble and job terminations.

Federal Protections

Title IX

One of the major legal protections against HB 1557, Title IX of the Education Amendments of 1972 is intended to protect all individuals, regardless of sexual orientation or gender identity, from sex discrimination in education settings. This policy extends to all academic institutions, including, as mentioned in the policy, any “...academic, extracurricular research, occupational training, or other education program or activity operated by a recipient, which receives ...federal financial assistance.” (Health and Human Services, 2022) While initially intended for cisgender women's rights to collegiate sports associations, this policy has expanded to include LGBT individuals as well, ensuring protections from harassment in institutions where federal funding is received. This means that public schools, including the ones in Florida, directly benefit from government stipulations, and thus fall under the jurisdiction of

Title IX. This federal policy has served as the framework upon which legal rebuttals against HB 1557 have been built due to its strict policies on discrimination. According to the policy, “... no recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations...” (U.S. Department of Education, 2021) In the past year, defense firms and LGBT advocacy groups like the National Center for Lesbian Rights have filed Title IX violation claims against HB 1557, though with little to no success. This is not the fault of the firms or the advocacy groups; interestingly, the cases seem to always be presided over by a known conservative judge. (Leonard, 2022) However, despite Title IX losing ground in legal court, educators, especially queer ones, should keep Title IX in mind. Given that HB 1557 has set a blanket ban on LGBT discussion in the classroom, this puts LGBT educators in a position where they would have to completely hide their LGBT identity so as not to lose their job. Since LGBT educators have to hide their sexuality, and their straight coworkers likely do not, this has viability as a discriminatory policy and thus can be put to trial under Title IX.

Title VII

Otherwise referred to as the Civil Rights Act of 1964, Title VII prohibits discrimination by employers on the basis of color, race, religion, sexual orientation, and other identifying factors. This is another major protection for queer educators because it protects from discrimination based on sexual orientation, gender identity, and all other attributes related to the LGBT community. Interestingly, this policy has a clause on what it calls “neutral policy”, wherein it states that it is “... unlawful to use policies or practices that seem neutral but have the effect of discriminating against people because of their race, color, religion, sex (including

pregnancy and related conditions, sexual orientation, and gender identity), or national origin.” (Clarke, 2023) This could be grounds for a potential case against HB 1557 if the bill itself was found to be guilty of neutral language, which it certainly might, given that there are no guidelines provided for what constitutes discussions of sexual orientation or gender identity in a way that is “state compliant”. A queer educator could argue that because there are no written guidelines for what constitutes inappropriate discussion of sexual orientation or gender identity, they cannot be found guilty for any charges of noncompliance held against them under HB 1557. While less commonly employed in the legal battle against HB 1557, Title VII can be a valuable asset to educators in danger of losing their jobs.

The Role of Government in both Education and Society

The Issue of Representation

Education is not the only institution called into question when cases like HB 1557 are brought to light; the very government itself becomes a topic of debate. One of the most prominent questions that arises during debates such as these is what exactly the purpose of the American government is. More specifically, is the government meant to represent the will of the majority, or protect the rights of minorities? To answer this question, one can look to two notable instances of landmark social justice works: *Brown v. Board of Education* and Title IX.

The 1972 *Brown v. Board of Education of Topeka, Kansas* case makes the case that the government can favor the minority over the majority; it was a landmark case that directly called segregation policies unconstitutional during a time where segregation was the status quo in many states. One of the first major milestones of the Civil Rights Movement, this ruling overturned the

“separate but equal” clause that was decided in the 1896 *Plessy v. Ferguson* case, allowing for the desegregation of American public schools. The ruling of this case was directly inspired by the fourteenth amendment, which, in basic terms, ascertains that an individual born within America is considered an American citizen by birthright, and that no state can make a law that denies any American citizen their due rights. This ruling caused massive shockwaves throughout America; during a period entrenched in the belief that Black and white people should remain separate, a unanimous vote deciding that segregation was illegal was jarring for the white part of the American population. The fact that this was federal made it all the more significant, as it was now mandated that every state had to do away with segregationist policies and begin integrating Black folks into a first class citizen role in society. The decision to establish this case as federal law was highly effective; if the decision to allow Black kids to attend all-white public schools was left to the states, it is possible that many states, particularly those in the Deep South, would not have enforced nor respected this decision. *Brown v. Board of Education* is pivotal to the power of the federal government over the states because it demonstrates that the government can intercede on the behalf of minority groups.

When looking at the history of American politics, one might come to the conclusion that, on paper, America is a progressive nation. As mentioned previously, cases like *Brown versus Board of Education* and policies like Title IX resulted in safer conditions and protections for minorities within education and beyond. However, these achievements are often vehemently opposed, and face significant backlash long after they are made into law. Title IX, for example, was staunchly opposed by legislators, collegiate sports leaders, and conservatives alike when it was written into law. While Title IX has expanded to include LGBT rights, its primary focus was

on women; more specifically, affording the right for women to compete in school sport leagues, among other things. The opposition claimed that the introduction of women's sports would be detrimental to men's sports leagues, and they would have to cut less commercially popular sport leagues, like wrestling. They also argued that legal legislation was not the way to promote gender equality, and that Title IX was merely a vehicle for feminists to advance their agenda. While these arguments might sound unconvincing today, they were very effective in maintaining the longevity of the opposition against Title IX. In fact, the opposition continues to this very day; since 1975, there have been twenty court challenges to Title IX in an attempt to whittle down greater gender equality in all fields of education. (Winslow, 2023) In the case of Brown versus Board of Education, the most obvious resistance came from the Deep South states and the segregationists within them. The decision to write Brown versus Board of Education into law came at the beginning of the American Civil Rights Movement, meaning that a lot of the country was still operating on the "separate, but equal" ideology. Thus, large swathes of the country's population fought back to maintain the status quo and keep Black children out of white schools. In addition, many took issue with the Supreme Court having the authority to essentially write a new law, which they felt overstepped constitutional boundaries. (National Archives, 2021) Like Title IX, numerous attempts to get rid of Brown versus Board of Education have occurred, and, despite the grueling effort it took to win the case, over two hundred school desegregation cases remain open on federal court dockets. (Legal Defense Fund, 2022) Despite repeated backlash against both of these cases, the federal government has stood firm in its decision to uphold them both. Furthermore, the federal government has the power to enforce these decisions; Title IX is enforced quite heavily throughout each of the fifty states, and while segregated schools do exist, there have been actions taken to take down these schools wherever they are found. Given all this,

the federal government has the power to enforce protective policies when it needs to, which begs the question: why has the government been silent regarding HB 1557?

Discriminatory Silence

When considering the above question, a quick look through recent American history actually answers it quite succinctly; the government has a history of silencing the LGBT community. The AIDS epidemic of the 1980's is a prime example of this; while thousands of gay men were dying as a result of the vicious disease, the Regan administration forbade the incumbent Surgeon General from speaking about AIDS to the public. (Clifford, 2023) The position of Surgeon General is an important one because they act as a leading voice on health and wellness; if the Surgeon General was allowed to speak of AIDS and warn the general public of how it is transmitted and who is at risk, there is a high possibility that many lives could have been saved. Outraged at the silence, members of the LGBT community launched the aptly named "SILENCE = DEATH" campaign to protest the government's lack of a response. (Finkelstein, 2019) Another example of discriminatory silence exhibited by the federal government is the 1993 "Don't Ask, Don't Tell" military policy. Signed into law by the Clinton administration, this policy prohibited recruiters from inquiring on a potential candidate's sexual orientation, and prohibits queer soldiers from coming out while serving. While this was certainly a step up from queer people straight up being banned like they were for decades previously, it was still discriminatory because it forced members of the LGBT community to hide their sexuality, while their straight counterparts could discuss their own sexuality without fear of repercussions. It set the precedent that queerness was something that should be ignored and forgotten about, something that should only remain behind closed doors. In this way, it feels eerily similar to what

the Florida government is currently trying to enforce; when looking at it this way, it becomes abundantly clear why the federal government has not tried to stop HB 1557 from being enforced in Florida schools.

The Rights of Children

Matters of public policy have become increasingly entangled with the concept of America's youth. The welfare of children has become something of a political weapon; the ultimate fail-safe for tugging heartstrings. In an increasingly passionate political landscape, where nearly every public policy is seemingly debated by two political extremes on opposite ends of the spectrum, appealing to one's sense of morality and compassion is often the quickest and most effective method of political persuasion. As public education becomes increasingly political, so too are the children who attend it. While one can speculate, it is not entirely clear why children have become the forefront of political debate; perhaps it is because children are the future of the country, or perhaps it truly is passion for the youth that motivates political leaders to focus the increasingly bright spotlight upon them. Regardless of the reason, the increasing politicization of children can only be detrimental. Or at the very least, the result of laws passed using this rhetoric can be. HB 1557 is a prime example of a law that shifts children to the forefront of political discussion. In addition to being an educational act, which naturally involves children, HB 1557 expressly prohibits discussion of gender or sexuality in kindergarten through third grade settings unless it is deemed educationally appropriate. However, there is no guideline for what can be considered educationally appropriate, which puts any discussion of these topics at risk of being deemed inappropriate. This clause functions under the guise of student protections; it's no secret that the LGBT community is stereotyped as sexual because being part

of it is inherently linked to sex through matters like sexual orientation, which is an integral aspect of the LGBT identity. The state of Florida is essentially using this stereotype as grounds to “protect” kids from sexual topics. This stereotype, as evidenced by its use in a bill meant to diminish LGBT discussion in schools, is incredibly harmful, and falls in line with the current prevailing anti-LGBT rhetoric that queer people are groomers and pedophiles. This rhetoric has only grown in scale since HB 1557 was passed; since then, extremist politicians and their allies engineered an unprecedented and dangerous anti-LGBTQ+ misinformation campaign that saw discriminatory and inflammatory “grooming” content surge by over 400% across social media platforms. (Human Rights Campaign, 2022) While this sort of rhetoric is undoubtedly harmful to adults within these communities, the ramifications this could have on queer children could be even more dangerous. Having descriptors like “groomer” and “pedophile” attached to your identity can be incredibly damaging to one’s mental wellbeing, especially if such labels are used against them. This could have a dangerous impact on how children see themselves and their families, and thus ultimately may be detrimental to their self esteem and mental health.

Children are one of the most marginalized groups in American society. When examining what rights children have that are exclusively their own, the results are depressingly few. They exist in a quasi-state of legal identity, where the federal government considers them a human being and property simultaneously. By law, children defer to adults; more specifically, they typically legally defer to their parents or guardians. With this in mind, what happens in the case that a child must be protected from said parent/guardian? In Florida, that question has become one with a very simple answer- the parent must know, regardless of the child’s wishes. One of the clauses of HB 1557 states that, in terms directly pulled from the bill itself, that schools must

“... adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being... The procedures must reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children...” (Florida Senate, 2022) Students have absolutely no control over their own privacy now that Florida law has made it so that parents have access to their child’s school life and records at any given time. This might seem like a non-issue at first; after all, shouldn’t parents be involved in their children’s lives? While the answer should be yes, the staggeringly high amount of instances of children being beaten or kicked out of their homes for being LBGT make a strong case for students being able to have privacy from their parents. According to the Trevor Project, one of the world’s leading LGBT resources, twenty-eight percent of queer youth have reported experiencing homelessness or housing instability at some point in their lives, and fourteen percent of LGBTQ youth reported that they had slept away from parents or caregivers because they were kicked out or abandoned, with forty percent of that fourteen percent reporting that they were kicked out or abandoned due to their LGBTQ identity. (Weaver, 2022) The sad truth of the matter is that sometimes parents do not have their child’s best interests at heart. In cases like these, shouldn’t children be allowed to have a space away from their parents for safety? Under HB 1557, the answer is no, as school faculty are now required by law to report students who they identify as being trans or genderqueer. There is a high probability that these reports might end up outing children who are either not yet ready to come out or cannot due to safety, making Florida a dangerous state for queer youth.

DISCUSSION

Proposed Solutions

Private Schools

The arrival of HB 1557 into Florida state law has many questioning the validity and safety of Florida's public education system. As a result, many have turned to the possibility of enrolling their children in private schools, since HB 1557 is only effective for schools that receive federal funding, which are almost entirely public schools. For many queer parents or parents of queer children, having the option to enroll their child in a space that is free from the effects of HB 1557 is one that is quite welcome. However, this option is far from feasible for many families. For one, private schools typically cost a lot of money to attend. According to the Education Data Initiative, a Florida household can expect to pay an average of ten thousand dollars annually for private schooling. (Hanson, 2023) Compared to the little-to-no cost of public education, private education can be a massive expenditure. It feels even more massive when put into perspective; as of May 2023, the current minimum wage in Florida is eleven dollars per hour. If one were to work a full-time, forty hour minimum wage job, that person would make roughly twenty-two thousand, eight hundred and eighty dollars annually. (Minimum Wage, 2022) This means that private school tuition for one child is nearly *half* of a minimum wage worker's annual salary. Exorbitant prices result in a class divide between queer students and families; only the rich and middle class families will be able to send their kids to a school that does not suffer the effects of HB 1557, while children from lower income households will be forced to endure those effects.

LGBT-Centric Schools

Established in 1985 by the Hetrick-Martin Institute, formerly known as the Institute for the Protection of Lesbian and Gay Youth, Harvey Milk High School became the first high school with a focus on LGBT youth. Working in close collaboration with the New York City Department of Education, Harvey Milk High was created in an attempt to "... [address] at-risk LGBT youth in the city affected by homophobia, physical abuse, homelessness, chronic truancy and school drop out, and involvement in sex work. (Ashkinazy, 2010) The school is still operating to this very day, and currently serves approximately seventy students from grades nine through twelve. While the school is certainly small in scale and population, the impact it made nationally when it debuted reached national recognition, and even today it remains the most prolific of LGBT schools. While schools like Harvey Milk are truly incredible and a veritable safe haven for queer youth, they are not feasible solutions to the rise of anti-LBGT school policies. The first reason for this is that there are very few LGBT-centric schools to begin with; they are not commonplace like a private or public school. Most of the current LGBT schools are quite small and could not handle influxes of students. The second is that due to policies in states like Florida existing in places where federal funding is received (public schools), it is likely that a new LGBT school in one of these states would not be federally funded. It would likely be based on a tuition system similar to that of a private school, which would also likely not work because private schools are generally expensive and result in class divides. The third is that these schools often become targets for discrimination. Harvey Milk High has the benefit of being located in New York City, one of the most liberal cities in the world, and thus does not suffer very much discrimination at the hands of the New York City education or the general public. In stark contrast, if a school like this were to open in Florida, chances are that school would be a

prime target for harassment. Therefore, LGBT schools are sadly not a solution to the problem of anti-LGBT legislation.

Personal Interlude

The day Florida House Bill 1557 was signed into law was a defining moment in my life. Before this bill passed I had never heard of such blatant examples of anti-LGBT legislation before, and as such the announcement that this bill had passed legal trial and would go into effect that summer really shook me. I had been involved with the LGBT community for about eight years at that point, and while I did actively follow queer politics previous to HB 1557, I did not actively follow and lobby against a case like I did this one. I consumed as much media on the topic as I could; I followed statements from every official that was affiliated with the bill, I watched debates rage on live television, and I teared up as I watched thousands of Florida students gather in cafeterias and gymnasiums to protest HB 1557 (which I will link [here](#) for those interested!). The Florida students, in particular, spoke to me deeply. The way that these children, whose average age couldn't be more than sixteen years old, went out and exercised their right to protest stuck with me. In that moment, I recognized that what these students were doing was the best chance we have against preventing anti-LGBT propaganda from taking root in our schools and communities. We have to fight back.

I cannot pretend that this project was made out of a desire for objectivity. I am both queer and a future educator, and rulings like HB 1557 make me incredibly worried for not just myself, but others like me. This is not just a problem specific to Florida; other states have started to turn against the LGBT, with the biggest backlashes against trans people specifically. The idea that

America is a progressive nation for LGBT rights is patently false, and this has become a lot more evident with all these regressive policies currently taking place. Trying to solve the problem by merely switching schools or moving out of unsafe states is not the solution; protesting and legal action is. This is not to diminish those who do choose to move out of state or change schools, however. I recognize that I am privileged to have been born and raised in California, one of the safest places in the country for the LGBT community, and that others in oppressive states do not have the luxury of being able to live mostly discrimination free. I am also a firm believer in doing what you can to protect the ones you love, and I actively encourage those who are currently trying to escape Florida so that you and your family can be yourself without repercussion. At the same time, however, running from anti-LGBT legislation will not stop it from occurring in other states, and eventually we may not have any more safe spaces.

Members of the LGBT community should not be excluded from education just because those in power do not agree with our lifestyle; we have the right to existence and representation too, just like anyone else. To preserve our rights, we must use our resources to work together to fight back against the influx of anti-LGBT rhetoric that has begun to permeate our society. One way to do that is by supporting LGBT movements that are currently going on today. An example is the “Drag Isn’t Dangerous” campaign, which is supported by notable LGBT advocacy organizations such as GLAAD, GLSEN, and Black Queer Town Hall. This campaign was held by some of the most notable LGBT figures and LGBT-championed celebrities. According to acclaimed Broadway star and drag queen Jinkx Monsoon, who helped organize the event, the recent telethon event raised over 500,000 dollars towards various LGBT charities. (Drag Isn’t

Dangerous, 2023) Donating to projects like these and actively being involved in fighting back against anti-LGBT legislation is a great first step towards a safer world for queer individuals.

I also believe teachers have a huge role to play in how the political climate surrounding the LGBT community will look in the future. To my fellow educators, if you are in a position to speak on LGBT topics without losing your job, please do. If we can do our part to simply acknowledge that LGBT adults and children exist and are allowed to do so freely, perhaps we can lay the groundwork so that future generations do not have to fight the same battles we are fighting today. There is no need for an entire lesson on the subject; the little things are often what matter most, such as mentioning that it is okay and normal for some kids to have two moms or two dads when talking about family structures. I firmly believe that teachers truly can change the world, and I can't wait to start teaching so I can help out one day at a time.

REFERENCES

Ashkinazy, Steve. "Harvey Milk High School." *NYC LGBT Historic Sites Project*, 2010,

www.nyclgbtsites.org/site/harvey-milk-high-school/.

Berg-Brousseau, Henry. "New Report: Anti-LGBTQ+ Grooming Narrative Surged More than 400% on Social Media Following Florida's 'don't Say Gay or Trans' Law, as Social Platforms Enabled Extremist Politicians and Their Allies to Peddle Inflammatory,

Discriminatory Rhetoric." *Human Rights Campaign*, 2022,

www.hrc.org/press-releases/new-report-anti-lgbtq-grooming-narrative-surged-more-than-400-on-social-media-following-floridas-dont-say-gay-or-trans-law-as-social-platforms-enabled-extremist-politicians-and-their-allies-to-peddle-inflammatory-discriminatory-rhetoric.

Clarke, Kristin. "Laws We Enforce." *The United States Department of Justice*, 13 Apr.

2023, www.justice.gov/crt/laws-we-enforce.

Finkelstein, Avram. "Silence = Death: How an Iconic Protest Poster Came Into Being."

Literary Hub, 8 Apr. 2019,

www.lithub.com/silence-death-how-an-iconic-protest-poster-came-into-being/.

Goldberg, Abbie. "Impact of HB 1557 (Florida's Don't Say Gay Bill) on LGBTQ+ Parents in Florida." *Williams Institute*, 24 Jan. 2023,

www.williamsinstitute.law.ucla.edu/publications/impact-dont-say-gay-parents/.

Hanson, Melanie. "Average Cost of Private School [2023]: Tuition by Education Level."

Education Data Initiative, 1 Apr. 2023,

www.educationdata.org/average-cost-of-private-school.

LDF. “What Was Brown v. Board of Education?” *Legal Defense Fund*, 13 May 2022,
www.naacpldf.org/case-issue/landmark-brown-v-board-education/.

Leonard, Arthur. “U.S. District Court Tosses Constitutional & Title - ProQuest.” *ProQuest*,
2022,
www.proquest.com/docview/2735927607?pq-origsite=gscholar&fromopenview=true.

Minimum Wage. “Florida Minimum Wage for 2022, 2023.” *Federal and State Minimum
Wage Rates for 2023, 2022*, www.minimum-wage.org/florida.

Multi. “Press | Drag Isn’t Dangerous.” *Drag Isn’t Dangerous*, 7 May 2023,
www.dragisntdangerous.com/press/.

National Archives. “Brown v. Board of Education (1954).” *National Archives and Records
Administration*, 2021,
[www.archives.gov/milestone-documents/brown-v-board-of-education#:~:text=In%20this%
20milestone%20decision%2C%20the,Ferguson%20case](http://www.archives.gov/milestone-documents/brown-v-board-of-education#:~:text=In%20this%20milestone%20decision%2C%20the,Ferguson%20case).

Office for Civil Rights. “Title IX Education Amendments.” *HHS.Gov*, 20 Oct. 2022,
[www.hhs.gov/civil-rights/for-individuals/sex-discrimination/title-ix-education-amendments
/index.html](http://www.hhs.gov/civil-rights/for-individuals/sex-discrimination/title-ix-education-amendments/index.html).

Office for Civil Rights. “Title IX and Sex Discrimination.” *U.S. Department of Education*,
20 Aug. 2021, www.ed.gov/about/offices/list/ocr/docs/tix_dis.html.

Rosky, Clifford. “Don’t Say Gay: The Government’s Silence and the Equal Protection
Clause.” *SSRN*, 12 Apr. 2023,

www.deliverypdf.ssrn.com/delivery.php?ID=720026113081002109126021121089097102019014069017088036022087102118021098072070029100025100029023038019107080117105110025030086042047011052015004024065010001031067029035087041088123002023108119120115006123076087022029007003073107112000093029070029080026&EXT=pdf&INDEX=TRUE.

“The Florida Senate.” *House Bill 1557 (2022) - The Florida Senate*, 2022, <https://www.flsenate.gov/Session/Bill/2022/1557>.

TTP. “2023 U.S. National Survey on the Mental Health of LGBTQ Young People.” *The Trevor Project*, 2023, www.thetrevorproject.org/survey-2023/.

Weaver, Josh. “The Trevor Project Condemns Florida ‘Don’t Say Gay’ Bill Targeting LGBTQ Students.” *The Trevor Project*, 20 Jan. 2022, www.thetrevorproject.org/blog/the-trevor-project-condemns-florida-dont-say-gay-bill-targeting-lgbtq-students/.

Winslow, Barbara. “The Gilder Lehrman Institute of American History.” *The Impact of Title IX | Gilder Lehrman Institute of American History*, 2023, www.gilderlehrman.org/history-resources/essays/impact-title-ix.

Youth. “Child Welfare.” *Child Welfare | Youth.Gov*, 2023, www.youth.gov/youth-topics/lgbtq-youth/child-welfare.