



LGBTQ+ Part5 Safe and Supportive Working Environments: A Right for LGBTQ+ Educators

Competency

Educators will gain deeper insight into the barriers LGBTQ+ employees face while recognizing ways to support LGBTQ+ educators right now.

Key Method

Educators will learn policies and laws related to the rights of LGBTQ+ employees, identify barriers employees of the LGBTQ+ community face, explain why the “coming out” process is difficult, and recognize policies to make a more inclusive environment.

Method Components

Understanding LGBTQ+ Terminology

LGBTQ+ Terminology

The language used to describe people who are lesbian, gay, bisexual, transgender, queer, and have other sexualities, genders, and experiences (LGBTQ+), has evolved over the years. Gender identity and sexual orientation are the first terms to understand.

- **Sexual orientation** is an inherent or immutable enduring emotional, romantic, or sexual attraction to other people. These are examples of sexual orientations :

- Lesbian
- Gay
- Bisexual/Bi+
- Asexual
- **Gender identity** is one's innermost concept of self as male, female, or a blend of both or neither. This is how individuals perceive themselves and what they call themselves. These are examples of gender identities:
 - Non-binary
 - Binary
 - Male
 - Female
 - Cisgender
 - Transgender/Trans
 - Gender-nonconforming
- **Gender expression** is the external appearance of one's gender identity. It is usually expressed through behavior, clothing, hairstyle, and, or your voice. A person's gender expression may or may not conform to the socially defined behaviors and characteristics of being male or female.
- **Educational Equity** means that "each child receives what they need to develop to their full academic and social potential." Achieving educational equity also entails working to narrow the academic achievement gaps between the highest and lowest performing students, and eliminating the racial predictability and disproportionality of which student groups occupy the highest and lowest achievement categories. Source: National Equity Project

Barriers

LGBTQ+ people in the United States face many barriers and other forms of discrimination in the workplace, in school, and from elsewhere in society. The result in the workplace, for example, can mean lost wages and employment opportunities, and unfair treatment or even harassment. Such barriers and discriminatory actions often compels many LGBTQ+ people to hide their LGBTQ+ identities out of fear.

This is a selected historical look at some of those barriers and discriminatory laws/practices LGBTQ+ people have faced in the U.S.

- Sodomy laws criminalized same-sex sexual activity in many states until the late 20th century. These laws were often used to harass and intimidate LGBTQ+ people, making it difficult for them to live authentically.
- Conversion therapy is a harmful practice that attempts to change a person's sexual orientation or gender identity. It is based on the false belief that LGBTQ+ people are broken and need to be fixed. While most medical and

mental health professionals have condemned conversion therapy, and it is still practiced, but is illegal in some states.

- Discrimination in employment, housing, and public accommodations have also been issues LGBTQ+ people have faced. Discrimination has also made it difficult to find work.
- Violence has been waged on LGBTQ+ individuals, communities, and groups.
- Lack of legal protections and representation are also common barriers. They have not always had the same legal rights as heterosexual and cisgender people. As a result, many LGBTQ+ people have faced barriers, challenges, and even prohibitions when they want to marry, adopt children, or make some medical decisions, especially for their partners or spouse.

Despite these barriers, LGBTQ+ people have made great strides in the fight for equality. The Civil Rights Act of 1964 made discrimination based on race and gender illegal, but it was not applied to gender identity and sexual orientation until 2020.

The impact of the U.S. Supreme Court’s 2020 *Bostock v. Clayton County Georgia* landmark ruling on LGBTQ+ employees

On June 15, 2020, the United State Supreme Court ruled that LGBTQ+ people were now protected under Title VII of the Civil Rights Act of 1964 at work based on sexual orientation and gender identity. As the Court put it, “An employer who fires an individual merely for being gay or transgender defies the law.” Adam (2020). Before June 15, 2020, and the *Bostock v. Clayton County* ruling, it was legal to fire an employee for being gay, bisexual, or transgender in 28 of 50 states. On March 26, 2021, the Department of Justice concluded that due to the *Bostock* ruling, Title IX of the Education Amendments Act of 1972 also prohibits sexual orientation and gender identity discrimination in educational institutions that receive federal funding. This includes public schools. Students cannot be discriminated against in schools based on their LGBTQ+ identity.

The Coming Out Process for LGBTQ+ Educators

The act and decision to “come out” can be very difficult for an LGBTQ+ person. In a school setting, the complexities can be stressful and overwhelming. In this section, we will review the employment challenges one may face when openly sharing their sexual orientation and identity with others.

The term “coming out of the closet” or “coming out” is used to describe the decision and act that some LGBTQ+ people make to openly identify as lesbian, gay, bisexual, transgender, non-binary, queer, or any of the limitless other sexualities, genders, and experiences they are. For example, they may disclose or come out to family, friends, coworkers, and or the public.

- Often out of fear, not all (46% in 2018) LGBTQ+ people decide to “come out.” LGBTQ+ educators are among those who fear resistance, discrimination,

For some LGBTQ+ people, coming out is ongoing, not a single moment or act to share their gender identity or sexual orientation. This can mean sharing and coming out at least once a week to those who don't know their identity, reported some LGBTQ+ people in a survey.

Benefits of Inclusive Policies

When schools and employers have policies that include LGBTQ+ people, it can improve employee morale, productivity, collaboration, and communication.

EDITORIAL NOTE: Since these four paragraphs address the topic of employment/employment policies, do they need to be numbered?

1. Employment policies at school set expectations – both for the school and the employee. The school's mission, vision, and values are usually outlined in the policies. Expectations for employees are usually outlined here too. Employment policies inform all staff what behaviors and practices are acceptable and unacceptable in the work environment.
2. Policies are needed to keep school leaders accountable. In addition to setting standards for others, employment policies also set the standards for how administrators should behave, respond, and more within the organization.
3. To ensure compliance with the law. There are local, state, and federal laws that schools and districts must adhere to. Employment policies help ensure schools are compliant with these laws.
4. Employee handbooks are also a resource and can provide initial guidance for how to seek support and be informed about some school policies and procedures..

Many of the challenges LGBTQ+ employees face when coming out in the workplace/school can be addressed by ensuring inclusive policies are in place and reinforced at the school, district, and state levels. While there are policies that promote inclusion, these five do the most to affirm LGBTQ+ workplace policies:

- Protections against discrimination or harassment
- Domestic partner benefits
- Paid family leave for same-sex couples and in case of adoption
- Transgender inclusive health benefits

Advocacy for LGBTQ+ People

There is a need to support LGBTQ+ educators and others in the workplace who face barriers and discrimination. Advocating for equitable policies for all employees is something that all educators can participate in. A school that protects its educators regardless of their gender, gender identity, or sexual orientation is a school that will do the same for its students.

- Advocate for LGBTQ+ policies.

- Learn about the issues and laws related to LGBTQ+ people and issues.
- Display visible symbols of support.
- Work with your local association.

Supporting Rationale and Research

American Psychology Association (2023.). *Sexual orientation and gender identity*. American Psychological Association. Retrieved February 22, 2023, from <https://www.apa.org/topics/lgbtq/sexual-orientation>

GLSEN (n.d.). *Gay, Lesbian & Straight Education Network*. Retrieved February 25, 2023. <https://www.glsen.org/>

Liptak, Adam (2020). "Civil Rights Law Protects Gay and Transgender Workers, Supreme Court Rules." *The New York Times*. www.nytimes.com/2020/06/15/us/gay-transgender-workers-supreme-court.html

Herrschaft, Daryl. "Degrees of Equality." *Hrc.Org*, 2009, www.hrc.org/resources/a-workplace-divided-understanding-the-climate-for-lgbtq-workers-nationwide

Resources

[A Workplace Divided: Understanding the Climate for LGBTQ Workers Nationwide - Human Rights Campaign](#)

[Bathroom access is a workplace health and safety issue for LGBTQ people too](#)

[Coming Out | LGBTQ+ Resource Center](#)

[Conversations on LGBTQ+ Questions](#)

[GLSN Coming Out Resource](#)

[How Coming Out as a Gay Teacher Helped My Students](#)

[How Educators Can Better Support LGBTQ Teachers of Color | Edutopia](#)

[I'm Coming Out \(As A Queer Educator Who Will No Longer Do This Work Alone\)](#)

[Landmark Ruling Protects LGBTQ+ Workers, But the Work is Far From Over | NEA](#)

[LGBTQ+ inclusion in the workplace | McKinsey](#)

[Mapping Attacks on LGBTQ Rights in U.S. State Legislatures | American Civil Liberties Union](#)

[Movement Advancement Project | Nondiscrimination Laws](#)

[LGBTQ+ Support & Protection | NEA](#)

[NEA LGBTQ+ Resources](#)

[Nondiscrimination: Legal Protection for LGBTQ Working People](#)

[Report of the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation](#)

[Resources - Human Rights Campaign](#)

[Sexual Orientation and Gender Identity/Expression Issues for Bargaining and Advocacy](#)

[Should Teachers 'Come Out'? \(Opinion\)](#)

[Strategies for Inclusion in the Workplace](#)

[Support LGBTQ+ Students And Educators | NEA](#)

Legal Acts

[Bostock v. Clayton County Georgia \(06/15/2020\)](#)

[Human Rights Campaign: Supreme Court is On Right Side of History for LGBTQ Rights](#)

[Legal Highlight: The Civil Rights Act of 1964 | U.S. Department of Labor](#)

[LGBTQ Title VII Employment Discrimination Cases at the Supreme Court - Family Equality](#)

[Supreme Court rules federal civil rights law protects LGBTQ workers - CBS News](#)

Resources for Submission of Artifacts

[Mapping Attacks on LGBTQ Rights in U.S. State Legislatures | American Civil Liberties Union](#)

[Model Transgender Employment Policy](#)

[Resources & References for LGBTQ+ Inclusive Employee and Student Policies](#)

Videos

[Why the LGBTQ Supreme Court Decision is so Historic](#)

[‘It’s About Time’: Trans Workers on What The Supreme Court Ruling Means For Them | NBC News](#)

[Gay Elementary School Teacher Comes Out To Students.](#)

[Own Your Truth | Shane Wickes | TEDxUniversityofNevada](#)

[The danger of hiding who you are | Morgana Bailey](#)

Submission Guidelines & Evaluation Criteria

To earn this micro-credential, you must receive a passing score in Parts 1 and 3 and be proficient in all components in Part 2.

Part 1. Overview Questions (Provides Context)

(200-400 words)

Please answer the following contextual questions to help our assessor understand your current situation. Please do not include any information that will make you identifiable to your reviewers.

1. What challenges have you faced as an educator in creating a safe and inclusive environment for LGBTQ+ educators in your school?
2. Have you received any training or support from your school administration on how to support LGBTQ+ faculty, and if so, what did that training entail?
3. In your experience, how have you developed a learning culture in your working environment?

Passing: Response provides specific examples from the educator’s experience to justify choosing this micro-credential.

Part 2. Work Examples/Artifacts/Evidence

To earn this micro-credential, please submit the following 4 artifacts as evidence of your learning. See the Rubric for a passing score.

Please do not include any information that will make you or your students identifiable to your reviewers.

Artifact 1: National Statistics

Look at bills that are affecting your state and then reflect on the below questions. The resource to use is [Mapping Attacks on LGBTQ Rights in U.S. State Legislatures | American Civil Liberties Union](#)

1. What is your initial reaction to these statistics?
2. What concerns you most for educators in your state and why?

Artifact 2: Policy Review

Design an action plan to change your collective bargaining agreement or school district policies to make them more inclusive of the LGBTQ+ Community.

Suggested steps are:

1. Obtain a copy of your employee handbook.
2. Consider these questions:
 - What policies currently exist in my school/district that offer protection for LGBTQ+ employees?
 - What policies are lacking or need to be improved to make my workplace a more inclusive environment?
3. Review the [Model Transgender Employment Policy](#) and [these examples](#) of inclusive LGBTQ+ policy language.
4. Answer the following questions in a document.
 - Who can I collaborate with to advocate for equitable policies for LGBTQ+ educators?
 - What actions can I take to create a safer and more inclusive school for educators who are LGBTQ+?
 - How can I interrupt negative or demeaning remarks about LGBTQ+ educators when and if I hear them?
 - How can I be an ongoing ally to support equity for all educators in my school and/or district?
 - How can my school or district measure our efforts to create a safer and more inclusive environment for BIPOC and LGBTQ+ educators?
 - What goals and values will my school and/or district publicly state in support of LGBTQ+ educators?

Artifact 3: Action Plan

Draft language to make a school/district policy or local collective bargaining agreement more inclusive of LGBTQ+ educators.

- Refer to your analysis in Artifact 2. Identify one policy in your school/district or collective bargaining agreement that you want to see changed.

- Draft new language that would make the policies more inclusive. In your submission, include the original language along with your revision.
 - [This document](#) has examples of inclusive LGBTQ+ employee and student policies.
- Create your plan for advocating for a change in the school/district policies or collective bargaining agreement. Consider:
 - Who do you need to talk to?
 - What is their level of awareness about LGBTQ+ inclusive policies?
 - What additional information should you share to help persuade them to implement your recommendations?

Artifact 4: Presentation

Create a brief presentation that can be given to your school leaders, school board, or local collective bargaining team. Remember what kind of pushback you may receive and how you would overcome that. Your presentation should include:

1. Why the policy should be changed,
2. What are the benefits of the change,
3. How the policy change will show support for the LGBTQ+ Community

Part 2. Rubric

	Proficient	Basic	Developing
Artifact 1: National Statistics	Both questions are answered clearly.	Both questions are answered, but they are vague or do not show empathy.	Only one question is answered.
Artifact 2: Policy Review	All eight questions are addressed completely and demonstrate an understanding of creating a more inclusive environment.	All eight questions are addressed but need to show an understanding of how to create a more inclusive environment.	Less than eight questions are answered.
Artifact 3: Action Plan	Revised language, along with the original, is submitted. Answers to the three questions are included.	Revised language, along with the original, is submitted, but the questions to be considered are not included.	Either the revised language or the original language needs to be included.

Artifact 4: Presentation	The presentation is clearly understood and includes all three prompts and more.	The presentation includes all three prompts and responses are clearly understood.	The presentation only includes responses to some of the three prompts.
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Part 3 Reflection

(200-400 words)
Use the word count above as a guide to writing a personal reflection about your work on this micro-credential.

For tips on writing a good reflection, review this resource:
[How Do I Write a Good Personal Reflection?](#)

Please do not include any information that will make you identifiable to your reviewers.

1. How have your actions, language, and assumptions around gender and sexual orientation evolved? What led to those changes?
2. How will you share this information with others?
3. How does learning about your own identity help you work with others?

Passing: Reflection provides evidence that this activity has positively impacted the educator, related to their learning and interactions with colleagues regarding this topic. Examples are new information gained from research and interactions with colleagues. Notable action steps stem from research and discussions with colleagues and will be integrated into the educational setting in the future.