

SAFE SCHOOLS FOR SOME: A COMPARISON OF STATE LEGISLATIONS'
INFLUENCE ON SCHOOL DISTRICT ANTI-HOMOPHOBIC BULLYING POLICIES

by

JESSICA J. MADDOX

Norman Thomson

ABSTRACT

This thesis explores how State anti-homophobic bullying legislation affects Gay, Lesbian, Bisexual, Transgender, and Questioning students in secondary schools. State bullying laws guide individual school district policy development. However, not all state bullying laws are inclusive of sexual preference. The States that do have anti-homophobic bullying laws turn out similar reports of bullying as those States that do not have such legislation. Anti-bullying laws are intended to protect all students. A lack of sexual orientation inclusion or a lack of enforcement of anti-homophobic bullying laws denies GLBTQ students protection from bullying.

INDEX WORDS: Homophobia, Heterosexism, Bullying, Secondary Education, Bully
Reduction, Legislation, Anti-bullying Laws, Sexual Orientation

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JESSICA J. MADDUX

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JESSICA J. MADDUX

Major Professor: Norman Thomson

Committee: David Jackson
J. Steve Oliver

Electronic Version Approved:

Maureen Grasso
Dean of the Graduate School
The University of Georgia
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DEDICATION

I dedicate this thesis to my family and friends. Thank you for all the support you have given me over the years as I strive to reach my dreams. Thank you Amy for pulling more than your weight when I was spending hours working and loving me with all of your heart. Thank you Mom and Hulton for helping me when I asked and when I didn't. Thanks to my sister Jenna for loving me unconditionally and for all the wonderful laughs when I forgot to take a moment to laugh. I owe thanks to my Dad and Grandma for checking on me when I went long periods of time without contacting anyone. I thank all my wonderful friends who gave me endless encouragement, ultimatums, and plenty of therapy. Last, but not least, thank you Libby. I wouldn't have believed in myself without your loving support.

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CHAPTER 1

INTRODUCTION

Statement of the Problem

A public school's mission in the United States is to provide a universal education. An education that is open to all children. Schools are intended to nurture and encourage students to grow into intelligent and conscientious citizens. Some even argue that the public education system brings together different segments of society and therefore serves as a society equalizer (de Cos, 2001). Education is no longer a privilege of the wealthy, but a right to all people. Schools serve as a means for providing the smooth, coordinated efforts necessary to create a learning environment.

When schools fail to provide an appropriate learning environment, they hinder the education of their students. Not providing adequate education for all students infringes on the students' rights to equal education. Education is more than learning facts in school; it is a social and developmental experience as well. All students will encounter barriers in their education, but some students are impeded by more barriers, than others. The role of a school is to decrease as many of these obstacles as possible. One such barrier that continues to be of concern for many schools is violence. Providing a safe environment for all students has become a huge challenge for schools.

Many schools do address physical violence with a zero tolerance policy. The bullying behaviors and victimization associated with school violence certainly seems to be a concern with

all schools in the United States because most schools have some bullying policies and programs in place. The problem lies with the quality and equality of protection provided for students. Are all students truly protected by these measures for safety? Most states do not require schools to include sexual orientation within their anti-bullying policies. Most schools do not include sexual orientation in their code of conduct documents. Equal protection cannot be provided if some students remain invisible. Gay, Lesbian, Bisexual, Transgender, and Questioning (GLBTQ) students do not have equal access to education when they do not feel safe at school. Schools are not taking actions, but neither are legislators.

There is a lack of legislation providing students with sexual orientation discrimination protection within the school systems. The Title IX Education Amendments of 1972 provides protection for students from discrimination based on sex and some courts have included sexual orientation. There has also been the introduction of the Safe Schools Improvement Act and the Student Non-discrimination Act into Congress. Both acts specifically require schools to protect GLBTQ students from discrimination or risk losing federal funding (Human Rights Campaign, 2011). This indicates that there is an increase in awareness for GLBTQ bullying issues.

Legislators are only one key component in addressing homophobic bullying. Educators, school officials, parents, peers, and the community also play a part in the school environment. The purpose of the present study is to examine and understand the issues preventing school climates from fostering a safe environment for students with diverse sexual orientations.

Purpose

The research for my thesis focused on factors influencing the school climate that GLBTQ students experience. I first analyzed the factors affecting GLBTQ students within a school including: educators, administration, GLBTQ students themselves, legislation, and school

policies. I started with GLBTQ students. What were their perceptions of homophobic bullying? How were they affected by the bullying? The interaction between GLBTQ students and teachers was also addressed, since teachers are supposed to provide a safe space within the classroom for all students. Teachers may be willing to provide support for GLBTQ students, but what if they are prevented by administrators from doing so? To address this question I had to look deeper into the influence that administrators had on teachers.

After a thorough review of the literature, I focused specifically on the effect of anti-homophobic bullying policies in providing safe school environments for GLBTQ students. Research has shown that victimization due to homophobic bullying is not restricted to GLBTQ students, so the effects of this type of bullying can affect all students within the school (Espelage, Aragon, Birkett, & Koenig, 2008). Teachers, Administrators and students can be prejudiced and unwilling to support GLBTQ students but they can also be supportive. I wanted to discover the resources and support necessary for those people willing to help GLBTQ students. I also wanted to know what can be done to increase positive action by school officials and in the communities that are currently unwilling to support GLBTQ students. These policies alone cannot provide enough protection for students but I wanted to know what areas need to be addressed in order to be more supportive for GLBTQ students.

Subjectivity Statement

At the age of fifteen I began withdrawing from friends, isolating myself at home, and punishing myself on a daily basis with negative thoughts and behaviors. I overate until I threw up because eating was the only enjoyment I experienced. I did not deserve to have friends because I was gross and worthless. I needed to be punished for my sins and for my evil thoughts. I was completely invisible to my family and friends and I was aware of it. I assumed

that no one loved me because I was a horrible person. I wasn't pretty, I wasn't funny, I wasn't good at sports, I was a know-it-all and everyone hated me. I had a negative sense of self and very low self-esteem. I did not feel supported emotionally. I am a lesbian and I was afraid.

I was so afraid of admitting that I was gay that I tried very hard to remain invisible. I did not want to experience the harassment and bullying that other students experienced for having the courage to come out at school, or at home too. I did not want my teachers to stop giving me positive attention because that was some of the only positive interactions I had all day. I was never harassed or bullied for being a lesbian in school, but I saw it happen to others. I was even homophobic. I thought I was a terrible sinner who deserved to be punished for my wicked thoughts and behaviors.

How many other students in my school felt as imprisoned as I did at school? Trapped by their negative self-identity and bullying peers. I eventually graduated and moved on to college where I finally developed into a healthy and beautiful woman. During an art history class centered on gender and feminism I realized that remaining invisible to heterosexist norms was not healthy for self-esteem or self-identity development. I slowly became more interested in gay and lesbian rights. I really wanted to make a difference in the lives of someone and eventually enrolled in my Master's program for education. I wanted to help shape the children of our future. I believe that they are the place to start if you want to see change.

Throughout my studies in education, I began to see flaws in the public schools systems ability to manage bullying. What worried me the most was the lack of acknowledgement of homophobic bullying. It took many instances of suicide and violent physical abuse before the public took notice of the issue. I was also disheartened by my inability to include sexual orientation in my curriculum and effectively deal with homophobic bullying. As a science

teacher I had opportunities to include sexual orientation when discussing such topics as genetics or even scientific inquiry. Inquiry is about discovery and as Ernst Mayr- a famous evolutionary biologist stated- "absence of evidence is not evidence of absence." I decided to base my thesis on this subject because homophobic bullying remains an issue for schools and for me. I wanted to understand why more hasn't been done and what are the exact challenges preventing schools from providing the necessary safety for all students and support to those who wish to help students. It is clear that I am biased to a certain extent, but I am committed to discovering answers to my questions, and solutions that will protect all students, regardless of my feelings.

Rationale

I chose to study homophobic bullying because it continues to be an issue in public school systems. Students continue to experience violence and harassment based on their sexual preferences without adequate protection. Students deserve to be treated equally, they are all worthy of respect and have a right to equal education. I wanted to know why an adult could willingly ignore abuse of a child, especially when that adult is responsible for the well being of that child. This issue affects not only the individual but the community and the nation at a level deeper than simply kids teasing each other, it affects the type of citizens we as educators cultivate. It influences future social interactions of the bully and the victim; it influences the future we create. Variables need to be examined in order to explain why this phenomenon is occurring and why it is not being addressed.

This study specifically looks at the variables of the highest levels in the hierarchy of the school system, the legislation and policies governing schools. Researchers have shown that bullying prevention and intervention success requires all levels of social ecology, including the school, the bully/victim, and the community (Espelage & Swearer, 2003). Policies provide the

foundation for which guidelines are created and followed. Most of the literature focuses on teacher attitudes, student attitudes, and school climate. These are ultimately shaped by the community, and the legislation, within the communities. In order for schools to enforce policies, policies need to exist. The present study examined existing policies within the state of Georgia. Ideally policies from a sample across the nation would be analyzed; however, time and cost constraints prevented a national sample. To compensate for this, the GLSEN school climate statistics for the state of Georgia were compared to schools with state laws protecting GLBTQ students. The goal was to compare the school climate statistics of the states that have anti-homophobic bullying laws to a state that lacks anti-homophobic bullying laws in hopes of answering the following research questions:

- Do current anti-bullying policies and laws in Georgia protect students from homophobic and heterosexist bullying?
- Can a decrease in homophobic bullying and heterosexist bullying occur with increased anti-homophobic bullying policies initiated in the schools?

Goal

The following question could not be specifically answered as the aforementioned research questions; however, it helped to guide the study's overall direction and future recommendations.

- What underlying issues impede school climates from moving toward a safe environment for all students including those of diverse sexual orientation?

Overview

This thesis is an investigation into the effects of policies and legislation on the school climate for GLBTQ students. Policies and legislation can force schools to provide protection to

all students, if the schools are unwilling to initiate that action on their own. Student reported verbal abuse, physical abuse, and perception of safety at school were all compared to the policies enumerated by schools in the state of Georgia. Using my research, I assessed the ability of school policies and legislation in Georgia to provide adequate protection for GLBTQ students. Additionally, I examined how GLBTQ student reports of bullying and safety in Georgia compared to the student reports of bullying and safety in the 11 states that have anti-homophobic bullying policies. Finally, I evaluated how current policies can influence the future anti-homophobic policies.

CHAPTER 2

LITERATURE REVIEW

Bullying research has been around for many decades, but recent media attention has pushed bullying research to the forefront of educational research. Violence in schools has been an issue since public schools first became available. The methods for addressing discipline have changed over the years. Increasing suicides by GLBTQ students suggests that bullying may not be addressed completely and effectively in schools. What factors affect the management of homophobic bullying and more importantly how can we improve school climate for GLBTQ students?

Bullying, Harassment and Heterosexism

To gain a better understanding of how bullying, harassment, and heterosexism are interrelated, we must look at what each word means. Defining bullying has proved a challenge for many researchers, policy makers, and schools alike. There are currently a number of definitions defining bullying. All of these definitions have a similar theme, aggression (Espelage & Swearer, Research on school bullying and victimization: what have we learned and where do we go from here?, 2003). Olweus (1993, p. 9), a bullying research pioneer, defines bullying: "a person is being bullied when he or she is exposed, repeatedly over time, to negative actions on the part of one or more other students." The Georgia Department of Education's policy for prohibiting bullying, harassment and intimidation includes the Georgia General Assembly's definition of bullying:

Any willful attempt or threat to inflict injury on another person, when accompanied by an apparent present ability to do so; any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm; or any intentional written, verbal or physical act, which a reasonable person would perceive as being intended to threaten, harass or intimidate... (Georgia Department of Education, 2010, p. 4)

Bullying is therefore any behavior that may be repeated over time that involves the imbalance of power. The bully yields power over the victim. Bullying relates to harassment through the imbalance of power.

Harassment defined by the Georgia Department of Education is a gesture or act (verbal, physical, written, or electronic) that is motivated by racial, ethnic, color, religion, gender, sexual orientation, ancestry, national origin, physical attributes, socioeconomic status, physical or mental ability, disability, or any other distinguishing characteristic that takes place on school property or at school related activities. The distinction between bullying and harassment is not always clear, with some school policies in Georgia using the words interchangeably. A press release from the United States Department of Education (2010) also uses the two words interchangeably. For the purposes of this study, the two words will also be used interchangeable in order to maintain continuity between bullying policies and documents analyzed in this thesis.

The variance in bullying definitions is clear, but do students and school officials have a clear understanding of these definitions? Naylor et al (2006) showed that 33.5% of students restricted the definition of bullying to direct forms such as physical and verbal. Pupils were less likely to include seclusion or the idea of repetition in their definitions. Surprisingly 10% of the teachers in the study excluded social exclusion, intention, power imbalance, and repetition from their definitions. This fact is surprising considering the amount of bullying and harassment

training provided for professional development. There is also a significant difference in the psychological effects of bullying between boys who are bullied because they are gay versus boys who are bullied for other reasons (Swearer, Turner, Givens, & Pollack, 2008). This suggests that the perception of the type of bullying, such as homophobic or physical appearance bullying, can have more negative effects than other types of bullying. Bullying based on sexual orientation may be more harmful because it marginalizes the student more than other types of bullying. One of the driving forces behind homophobic bullying is heterosexist ideas and behaviors.

Heterosexism is the idea that homosexual behavior is immoral and homosexual people are inferior to heterosexual people. Heterosexual attitudes are traditional religious and moral beliefs and misconceptions regarding gay and lesbian people (Morrison & Morrison, 2002). Cowan et al (2005) define heterosexism as the clear and blatant expression of dislike of and negative attitudes toward homosexual people. Heterosexual attitudes are intertwined with the concept of homophobia, the fear and dread of being associated with gay and lesbian people (Eldridge & Johnson, 2011). The dominant heterosexual culture silences, or makes invisible the homosexual culture.

When GLBTQ people or students are made invisible they are denied the existence of and problems associated with being gay. GLBTQ students are denied positive role models, messages, and images which would help students develop a more positive sense of self (Woody, 2003). Heterosexual norms affect not only GLBTQ students, but can negatively impact students who do not follow strict masculine or feminine normative behaviors. The students who try to ask for help are sometimes blamed for their victimization based on how they behave, dress, or et cetera. This alludes to the idea that the victim created the situation that lead to bullying, reinforcing the idea that heterosexism is normal and the right way to be (MacGillivray, 2000;

Quinlivan & Town, 1999). Heterosexuality is also validated through: heterosexual sex mechanics and pregnancy in sex education courses, straight-territorialization via dances and proms, and exclusive heterosexuality in the media and textbooks (Walton, 2004). The theme among all heterosexual behaviors is the silencing of homosexual students and the inaction related to dealing with homophobia (Mills, 1996; Walton, 2004; O'Higgins-Norman, 2009; Bennett, 2009). As long as heteronormative ideals remain fiercely implemented among peers and school officials, GLBTQ students will continue to be marginalized in an environment of hostility.

Students

The school environment provides a context for students to develop their self-identity and acquire skills necessary to be successful citizens in society. Bullied GLBTQ students have increased: truancy rates, depression, suicide, feelings of victimization, and drug use (Vicars, 2006; Cooper, 2008; Birkett, Espelage, & Koenig, 2009). In 2007, Pearson et al also found that GLBTQ students who are not supported are more isolated, socially disengaged, leave school with lower grades, are more likely to have failed a course and gay male students have lower GPA's than their heterosexual peers. This suggests that homophobic bullying not only affects students emotionally but academically as well. With higher risks of developing any of the aforementioned behaviors, how do GLBTQ students develop a positive sense of self? Physical and verbal abuse experienced during bullying incidents increases the risk for GLBTQ students to develop feelings of self-hatred (van Wormer & McKinney, 2003). Self-hatred will not only delay self-identity development it can increase the development of negative behaviors. Cooper's (2010) research suggests that the effects of the American Psychological Association 1973 classification of homosexuality as an illness is still linked to feelings of shame for GLBTQ

people. Shameful feelings induce fear. They induce fear of being homosexual and the fear of being perceived as homosexual; also called homophobia as mentioned in the previous section.

Homophobic GLBTQ students hurt themselves by internalizing their emotions and homophobic heterosexual peers and adults hurt GLBTQ students through expressing their fear of homosexuality through bullying. When you spend 8 hours engulfed in fear, it is not surprising that GLBTQ students report feeling unsafe in schools. Students who receive support for their sexual preferences have decreased levels of stress, increased coping abilities, and increased belief that their stress is manageable (Doty, Willoughby, Lindahl, & Malik, 2010). Adults do play a part in creating a hostile environment for students and this will be discussed in later sections, but peer groups are reported as contributing the most to the hostility of school climate for GLBTQ students. Social support and peer victimization are linked more closely to developing emotional and behavioral difficulties than sexual orientations status (Williams, Connolly, Pepler, & Craig, 2005). In other words, students are more negatively impacted by a lack of support and peer victimization.

All humans need support from other humans, especially those who are vulnerable. Students in a school setting trying to figure out who they are and what they want to be are especially vulnerable. Students need support emotionally and academically. They need support from peers, adults in the school, and their families. Without this support, students are susceptible to the risk for developing the many negative health consequences, discussed previously, such as: depression, suicide, heavy drinking, and marijuana use (Needham & Austin, 2010). All schools have the potential to provide the support students need to feel safe while at school, we just need to tap into that potential.

Teachers and Administrators

Teachers and administrators are a large vehicle within the school for providing support to students. Many school goals and educational philosophy's include safety and support of students as a priority. If the school officials and leaders wish to provide a safe environment for all students, where is the gap between the idea and action? What factors impede schools from providing that safe environment for all students?

Teacher attitudes and behaviors influence and affect student behaviors and attitudes. Research in Ireland by Chambers, van Loon, & Tinckneel, 2004, showed that negative teacher attitudes toward homosexuality prevented staff and pupils from dealing with homosexuality at all. The same study reported that teachers' views and actions endorse heterosexism by allowing bullying of GLBTQ pupils. Teachers set the example in their classrooms. When a teacher does not intervene in bullying incidents or bullies the student, themselves, they implicitly endorse the same behavior from students. In 2003, in another study conducted in Ireland, 30.8% of students reported being bullied by a teacher. While the researchers suggest that some of the perceived bullying may in reality be discipline for bad behavior, they also report that teachers believe shouting and sarcasm are appropriate management tactics (James, Lawlor, Courtney, Flynn, Henry, & Murphy, 2008). This research brings up the idea that there is a lack of effective communication and understanding between students and teachers. This gap results in missed opportunities to provide support and results in ineffective classroom management.

Some teachers will bully students and some teachers will allow bullying of GLBTQ students because they are homophobic. Why aren't the rest of the teachers taking action? External influences that hinder teachers from acting on behalf of GLBTQ students include: administrators, curriculum demands, bully management training, and written school policies.

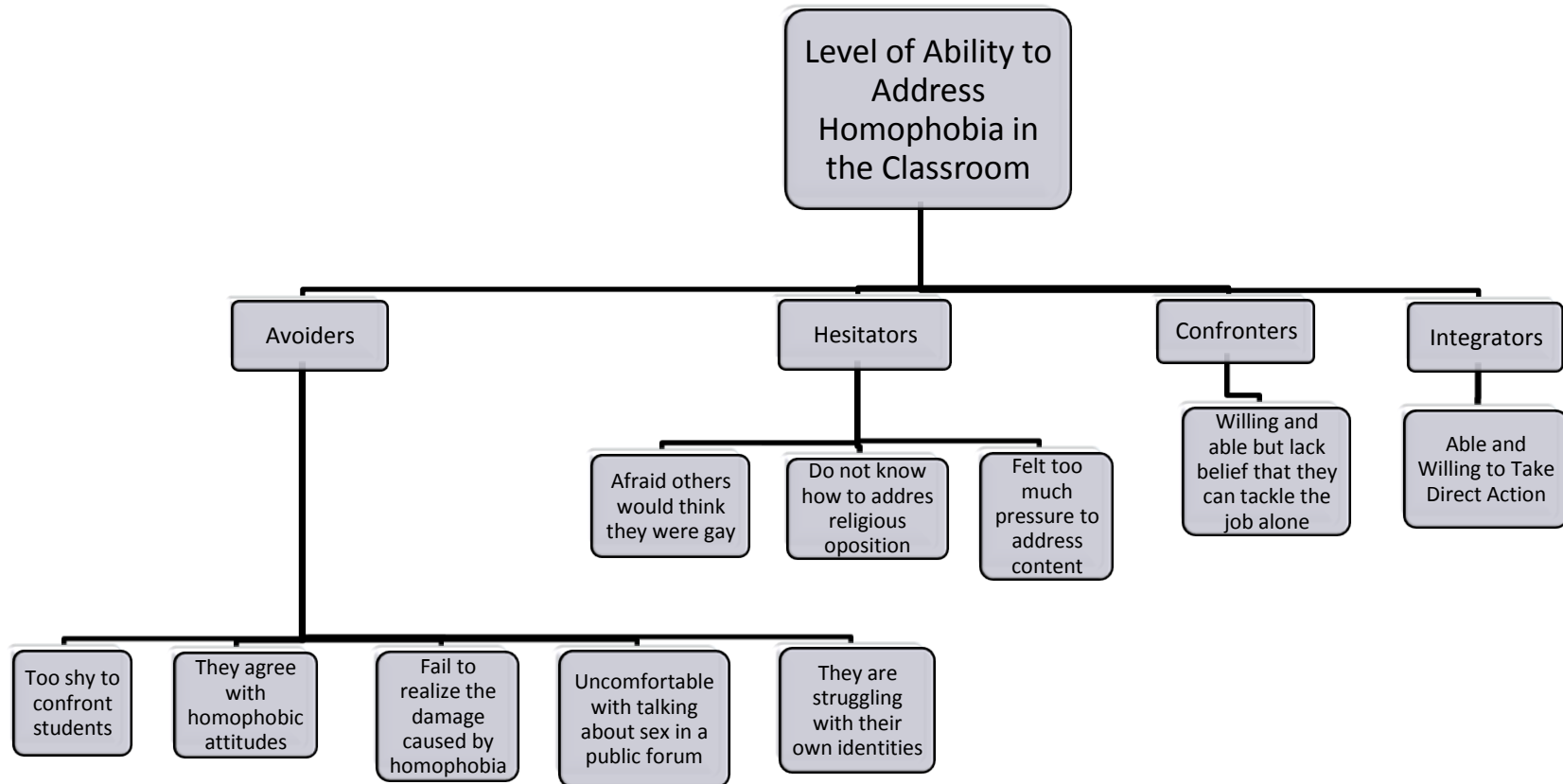
Then there are the internal influences such as personal identities of the teachers and personal experiences of teachers in schools. The most powerful influences on teachers are social: teachers' perception of administration, interpersonal relationships, and community values (Meyer, 2008).

It is reasonable for teachers to be influenced by administrators. Administrators supervise teachers and have the ability to fire them if the teachers are not working well with their institution. Many teachers felt that when they did report incidents of bullying they were not supported by administrators and had to push for action. This is linked to teachers' perceptions of administration. If the teacher believes that administration will not support them, they may not act at all. Teacher behavior was influenced by administrator messages. Administrators model the behavior they wish teachers to follow and applied policies in ways that sent "clear messages" to teachers. Community values were intertwined with school policies. These values influenced priorities of the schools. As long as the kids are doing well with sports and grades, everything is fine (James, Lawlor, Courtney, Flynn, Henry, & Murphy, 2008). Fear of reprimand and the fear of appearing incompetent to administrators are blockades for teacher action (Varjas, et al., 2007).

Teachers may not be wrong for fearing administrator perceptions of teacher ineffectiveness. According to Torff and Sessions (2005) principles consider pedagogical knowledge to be the most important skills for teachers. Classroom management was considered the most important factor in evaluating teacher effectiveness, followed by lesson implementation and rapport with students. Content knowledge was the least important factor. This is direct evidence that administrators expect teachers to control their students. Teachers who do not want to be considered ineffective will be less likely to take action outside of the classroom for fear of seeming incompetent.

Not all teachers have the ability to handle homophobic episodes in the classroom. Zack, Mannheim, and Alfano (2010) describe four groupings for student-teacher ability to respond to homophobic rhetoric. Figure 1 shows the hierarchy of these groupings and the rationale behind each type of grouping. Three of the groups of student-teachers (hesitators, confronters, and integrators) have the desire to intervene, but varying abilities to address homophobic issues in their classrooms. These reasons are listed below each type of student-teacher group. Hesitators are the largest group, which is not surprising as most of the research suggests that teachers themselves are hesitant to take action. With willing teachers, GLBTQ students have a hope for future change within the school. Once more teachers are able to address homophobia more comfortably and peaceably, school climates will be more encouraging of diverse sexual preferences.

Figure 1
Student-Teacher Ability to Respond to Homophobic Rhetoric



Interventions and Resources

Teachers willing to address homophobic bullying and attitudes have also reported the need for more training to do this. Teachers want to know what patterns to look for in order to prevent bullying and how to extinguish behaviors before they develop into something violent (Marshall & Klein, 2009). GLSEN provides resources for starting and implementing anti-homophobic bullying policies, starting Gay-Straight Alliances, and other resources to help administrators and teachers provide support to their GLBTQ students. The Gay & Lesbian Alliance Against Defamation (GLAAD) website and The Trevor Project both also provide support for GLBTQ students. The Trevor Project is a national organization created to help GLBTQ youth deal with the issues they face. All of these organizations provide kits or packets that help teachers and administrators host training sessions, incorporate homophobic issues into curriculum, and handle classroom situations involving homophobic bullying. The It Gets Better Project.com, Stop Bullying.gov, and A Thin Line.org are websites that also provide support. The resources are available to help schools tackle homophobia, but who's advocating?

Teachers and administrators need to move beyond passively accepting and fostering questions. They need to encourage students to examine issues and dispute power relations. Bullying after all is a power relation between bully and victim (Marshall & Klein, 2009). How do schools choose an intervention or anti-homophobic bullying program? Most teachers prefer a program that has been recommended by other teachers and has been shown to be successful at preventing homophobic bullying. Many school boards are influenced by the cost of implementing programs and thus choose not to take action. However, when a school board adopts a policy, schools are more likely to follow those rules. School Districts that have an anti-homophobic bullying policy are more likely to encourage schools to implement bullying

prevention programs (Cunningham, et al., 2009). A slow trickle of change could be seen from state bullying policies, to school districts, to schools if anti-bullying policies are adopted. Not only would the policies help provide safety for students, but also open the doors for other means of providing safety and support for students.

Gay Straight Alliances (GSA's) are one of these means for supporting students with a student run organization. GSA's have been linked to less victimization and suicidality in GLBTQ (Goodenow, Szalacha, & Westheimer, 2006). GSA's also strive to promote positive environment for all students and not just for GLBTQ students. Instead of focusing on labeling and reducing risks, they focus on self-image and foster a sense of belonging (Friedman-Nimz, et al., 2006). However, GSA's do sometimes increase the risk for bullying. Students who participated in the GSA at the school studied by Adams and Carson (2006) were marginalized and bullied because of their participation in the GSA. This bullying occurred whether the students were GLBTQ or just allies trying to support their peers through the GSA. Griffin, Lee, Waugh, and Beyer (2004) point out that GSA's are not equal in the role that they play in schools across the states. Some provide counseling and support, others simply safe spaces, while others are a vehicle for raising awareness or educate and increase visibility of GLBTQ issues in the schools. Part of this inequality in GSA roles is due to adult support. Without the support of school officials and state officials, GSA's may hurt students more than help. If GSA's increase bullying and not awareness, then they are merely providing bullies an easy target. This further strengthens the notion that it will take more than just providing a club or a few rules to ensure safety for all students. More than just a few adults providing support in the schools will be necessary to see a change in the school's climate. There needs to be a coordinated effort by all

adults and the community in order to protect all students. Policies need to be put into place and then followed to reach a true level of protection.

Anti-Bullying Policy and Legislation

Policies to protect GLBTQ students within schools across the nation are few and far between. This isn't surprising considering the lack of protections for GLBTQ citizens nationwide concerning discrimination, marriage, and other issues. The Human Rights Campaign provides information about all laws pertaining to GLBTQ citizens, including states that have school policies protecting GLBTQ students. Of the 50 United States, only 11 have policies protecting GLBTQ students in schools (Human Rights Campaign, 2011). The Gay Lesbian & Straight Education Network (GLSEN) collects data and documents school experiences of students nationwide regarding sexual orientation, gender identity, and gender expression. The GLSEN organization surveys GLBTQ students specifically in order to measure the school climate and other issues concerning these students. The 2009 GLSEN school climate survey shows 61.1% of students feeling unsafe at school based on their sexual orientation compared 16.4% for religion, 7.6% for race or 5.3% for a disability. Students are at least 45% more likely to feel unsafe if they are GLBTQ than for any other reason (Harris Interactive & GLSEN, 2005).

When students do not feel safe in schools, the research mentioned above shows that they are less likely to succeed. The 2009 GLSEN survey also reported higher absenteeism levels in GLBTQ students because they did not feel safe and decreased levels of academic success because they did not feel safe. Currently only a few laws have effectively protected GLBTQ students in the court systems. One of these is the Title IX of the Education Amendments of 1972. According to the U.S. Department of Education this amendment prevents discrimination

based on sex in educational and extracurricular activities. Essentially, the law prohibits actions that create sexually hostile environments.

The law does not specifically mention gay and lesbian rights and does not guarantee protection of GLBTQ students. However, some courts have declared that school officials who ignore student sexual harassment can be held liable for violating the federal civil rights of GLBTQ students (McFarland, 2001). In the 1999 Davis v. Monroe County Board of Education case the courts declared that “schools will be held responsible for student-on-student harassment that is so severe, pervasive and objectively offensive that it denies its victims the equal access to education (as quoted in McFarland, 2001 from Davis v. Monroe County Board of Education).”

As with Title IX, the Equal Access Act (EAA) can provide some protection for GLBTQ students. The law affords protection to groups that wish to meet on school grounds unless the groups prevent schools from maintaining order or from protecting the well being of schools. This law has been upheld in several courts in favor of students’ rights to meet on campus in Gay-Straight Alliances. One school in Caudillo Texas actually used the EAA against students by denying them the right to create a GSA. The school said that the GSA was endangering students by exposing students to sexual content and subjecting the group members to harassment. The courts supported the schools because of exceptions in the EAA that prevent groups from meeting if they prevent the school from maintaining order or prevent the school from protecting the well being of students. The school felt that students in the GSA were not safe because they targeted themselves for more homophobic bullying (Mercier, 2009).

It is clear that schools are not addressing gay and lesbian issues, but legislation may make them more aware of the consequences of their inaction. Most schools have a zero tolerance policy for physical bullying. Schools will address physical violence associated with homophobic

bullying but not other aspects of homophobic bullying. Addressing the physical violence does not mean they are addressing the homophobia part of the bullying. Schools claim to be safe for all, but this cannot be possible if GLBTQ students are not protected. Parents also say they would like for schools to protect all students but are against homophobic bullying education within the schools (Walton, 2004). It seems that school officials and parents alike have conflicting attitudes on protecting all students.

To measure the extent to which some schools address issues of homophobic bullying, Adams, Tasmin, and Dunstan (2004) looked at 12 school anti-bullying policies and the Personal Social Health Education Curriculum (PSHE) for sexual orientation references. Of 36 documents, only 7 mentioned sexuality and none of the PSHE documents referred to sexuality. Teacher responses to questions indicated that either they were unsure how to deal with homophobic bullying or they used the school's anti-bullying policies to deal with homophobic bullying. Referring to anti-bullying policies that do not include homophobic bullying still indicate that teachers are unsure how to deal with homophobic bullying. This study further strengthens the point that policies and procedures need to be specific and clear in order for all to understand what is expected.

Policies and laws that prevent anti-homophobic bullying and harassment can encourage staff intervention, decrease homophobic and heterosexist attitudes and behaviors, and keep schools actively promoting an inclusive environment. If school officials do have bias, policies and laws requiring schools to protect GLBTQ students can force officials to protect their GLBTQ students or risk losing federal funding. Policies and laws alone will not be able to provide all the necessary support but taken together with GSA's, training for school staff, and

increased access for students to accurate information regarding LGBTQ people, schools will move toward a more all-encompassing future for all students.

CHAPTER 3

METHODOLOGY

Much has been studied and written about the negative consequences of bullying on students. The literature focuses on ways to improve school climate for GLBTQ students and the effectiveness of these methods. Policies protecting sexually diverse students have not received much attention from researchers until recently. This study focuses on the relationships between policies and school climate specifically for GLBTQ students. Do state laws help schools create policies that provide a safer environment for GLBTQ students? To explore this question the correlational research method was employed. School climate variables were compared against state laws for significant relationships. The focus is on values that directly relate to education--providing a safe environment for all students, so that learning opportunities are maximized.

Location of Data

The primary source data comprised of school discipline and bullying policies/procedures located in school code of conduct documents, such as the student handbook. Schools were selected from a list of all high schools in the state of Georgia using the following method. A list of all the high schools in Georgia was compiled and each school assigned a random number. Schools were then sorted in numerical order based on their randomized number. The top 100 schools were selected for this study. The sample was then analyzed to make sure that at least 20% of each district was represented in the study. Only one district was not represented and so schools were chosen randomly from that district via a list and random numbers. This brought the

sample size to 103. Out of the 103 schools selected, 5 schools were dropped because they did not have policies available online. The final sample size was 98, with 98 school policies analyzed for descriptors described later in this section.

Data from the GLSEN research briefs on school climate for homosexual students were used as secondary sources. Georgia's research brief was obtained along with the research briefs for schools that have laws specifically addressing homophobic bullying.

Data Analysis

The bullying policies and discipline codes for schools in the state of Georgia were thoroughly examined and coded for the following descriptors: bullying, assault, harassment, verbal abuse, physical abuse, heterosexist, heterosexism, homophobic, gay, lesbian, bisexual, orientation, gender, gender identity, sex, and sexual. From the initial coding, two categories emerged, inclusion of sexual orientation and exclusion of sexual orientation. A second reading of the sources using the rubric in Table 1 produced four categories: inclusion of sexual orientation in the bullying or harassment sections of the code of conduct, inclusion of sexual orientation in the code of conduct but not specifically in the bullying or harassment sections, vague inclusions of sexually oriented harassment and bullying, and exclusion of all descriptors. Schools that had some inclusion of sexual orientation usually included it under sections other than bullying and code of conduct such as equal opportunities to education statements. Schools that were considered vaguely inclusive did not mention sexual orientation or same sex relationships specifically. They did mention sexual harassment as making students uncomfortable about sexual issues and thus could be vaguely inclusive of GLBTQ issues. The total tallies for each theme were summed and then the percent total was calculated using 98 total

schools. These percentages were compared to the percentages obtained from the school climate surveys performed by Harris Company for the GLSEN organization.

The GLSEN data for the states with anti-homophobic laws was then compared to the GLSEN data for Georgia using the chi square test. The chi square test allowed for comparison of each of the following categorical variables: Sexual Orientation Verbal Harassment, Sexual Orientation Physical Harassment, Sexual Orientation Physical Assault, Homophobic Remarks, Supportive Educators, Inclusive Curriculum, and Comprehensive Policy.

Limitations of the Study

The limitations of this study are as follows:

1. This study included data not collected by the researcher and thus the researcher had no control over how the data was collected.
2. The GLSEN school climate survey sample may be unrepresentative. Many students who are still in high school or living within their parents homes do not feel safe expressing sexual orientation preferences, even if the survey is taken anonymously.
3. The amount of data required for adequate analysis of bullying policies limited the sample size to secondary high schools in Georgia.
4. Coding of bullying policies for other states included in this study was not performed due to time constraints related to analyzing such a large volume of data. The analysis of bullying policies for all states in this study could have provided more insight to the meaning of state laws effect on local school district bullying policies.
5. This study may not have been a representative sample because only schools that provided bullying policies and codes of conducts online were included in this study.

Table 1

Primary Source Document Coding Rubric

Policy Category	Location of Terms	Language
Inclusive	Bullying and sexual harassment sections of school policies include the terms sexual orientation.	Policy specifically uses the term sexual orientation
Somewhat Inclusive	Bullying and sexual harassment sections of school policies do not include the term sexual orientation but the term is included in other sections such as The right to equal education sections.	Policy specifically uses the term sexual orientation
Vague Inclusion	Bullying and sexual harassment section of school policies include terms that could implicitly encompass sexual orientation.	Terms that did not explicitly include sexual orientation were used such as, sexual harassment and sexual issues.
Non-inclusive	No terms pertaining to sexual orientation or sexual harassment were included within the document.	No terms used that encompass sexual orientation or sexual harassment.

CHAPTER 4

RESULTS AND DISCUSSION

This study was designed to evaluate the protection that Georgia school bullying policies provide GLBTQ students compared to schools that have state laws to enforce sexual orientation protection bullying policies. The state of Georgia's bullying policies were examined for language that indicated sexual orientation protection and then compared these numbers to the GLSEN research describing GLBTQ student reported school climate and bullying. In order to compare the effect that state anti-homophobic bullying laws have on students, the GLSEN reports for all states with inclusive laws were compared to the state of Georgia.

Georgia Homophobic Bullying Statics and School Bullying Policies

It was hypothesized that since Georgia does not have laws requiring bullying policies to include sexual orientation, then the school districts will not have protective guidelines in their bullying policies for GLBTQ students. The results of the policy analysis are shown in Table 2. The first row of numbers shows the percentage of schools that fell into the four themes. The second row combines the percentages of schools into the initial two themes, inclusive or non-inclusive. As shown in the table, 62% of the schools in Georgia have a vague or non-inclusive bullying/harassment policy, leaving only 38% of the school policies that specifically include sexual orientation in their bullying policies.

It was also hypothesized that inclusive states will have lower reports of physical and verbal abuse by GLBTQ students than Georgia because it does not include protection for

GLBTQ students in its policies. Table 3 shows the statistics of the variables used by GLSEN to measure school climate in the states studied in this thesis. Each column represents the following variables: sexual orientation verbal harassment, sexual orientation physical harassment, sexual orientation physical assault, heard homophobic remarks, perceived supportive educators, inclusive curriculum and perceived comprehensive policy. Looking only at the Georgia GLBTQ student scores, 88% were verbally harassed based on sexual orientation. This result was expected because of the non-inclusive bullying policies found in schools across Georgia.

More than half of the schools in Georgia exclude sexual orientation in their bullying policies. Almost half of the GLBTQ students in Georgia reported either verbal or physical harassment based on sexual orientation. With such a high rate of GLBTQ students reporting that they do not feel safe at school, the hypothesis that Georgia school bullying policies are not providing adequate protection was accepted.

Since Georgia does not require school districts to include sexual orientation in their bullying and harassment policies, it is not surprising that only 4% of students felt they had inclusive school curriculums and only 12% of students felt that the bullying policies were comprehensive. It is encouraging, however, that 88% of student reported that at least one of their educators provided support to them.

Georgia vs. States with Anti-homophobic Bullying Laws

It was hypothesized that states with anti-homophobic bullying laws would have a statistically significant difference in scores on the GLSEN school climate surveys than Georgia, a state without laws protecting sexually diverse students. In other words, the states that have inclusive laws will have lower reports of verbal and physical abuse related to sexual orientation.

The states included in this study are; Arkansas, California, Colorado, Connecticut, Georgia, Illinois, Massachusetts, Minnesota, Montana, North Carolina. To test this hypothesis a Chi square test was used to compare the scores of each of these states using the variables found in Table 3.

The Chi square tests show no statistical difference in scores between Georgia and the other states in the following categories: Sexual Orientation Verbal Harassment, Sexual Orientation Physical Harassment, Sexual Orientation Physical Assault, Homophobic Remarks, and Supportive Educators. This is unexpected because it is counterintuitive to think that schools required by law to protect LGBT students from bullying/harassment would have similar scores to a school not required to do so. Looking at the percent of schools in Georgia that specifically include sexual orientation protection, 38%, one would expect a higher rate of harassment than schools who are required to have a comprehensive policy.

Chi square does show a significant difference between Georgia and the other states when it comes to an inclusive curriculum and comprehensive policy. This is not surprising considering that the state laws protecting LGBT students require teachers to educate their students about LGBT safety and rights. These laws also require schools to provide an inclusive policy. The hypothesis was rejected because significant differences in scores were not seen between Georgia and states that have anti-homophobic bullying laws.

Discussion

The overall result of the comparison between Georgia bullying policies and the GLSEN school climate surveys for Georgia show a lack of protection afforded to GLBTQ students. A similar finding was noticed when Georgia school climate surveys were compared to school climate surveys for states with anti-homophobic bullying laws. Consistent scores on the school

climate survey were seen across the nation with a mean of 85% of students' nationwide experiencing verbal harassment based on sexual orientation. Looking again at Table 2, Georgia has a higher score than average but it is still within one standard deviation from the mean. Arkansas and Connecticut have higher scores than Georgia on verbal harassment based on sexual orientation, suggesting that laws may not be enforced regularly. Figure 2 gives a visual of the similarities between the reported school climate surveys between Georgia and the other states. The bars represent the variables used in the GLSEN reports to measure school climate: Sexual orientation verbal harassment, sexual orientation physical harassment, sexual orientation physical assault, homophobic remarks heard, supportive educators, inclusive curriculum, and comprehensive policy.

The inclusion of sexual orientation in curriculum has been a controversial issue. Strenuous standards overwhelm teachers with factually packed curriculums and little time to prepare for other topics. As a science teacher, I found myself struggling to include sexual orientation into my lessons. For other teachers and specifically science teachers, there are ways to incorporate sexual orientation without creating lessons specifically on the issue alone. In Biology courses for example, teachers could address the likelihood that sexual orientation has a biological basis. Variance in genetic make-up is related to the biological basis of sexual orientation and is a simple way of including sexual orientation without straying from the standardized topics required of public schools.

Table 2

Georgia School Bullying Policy Data

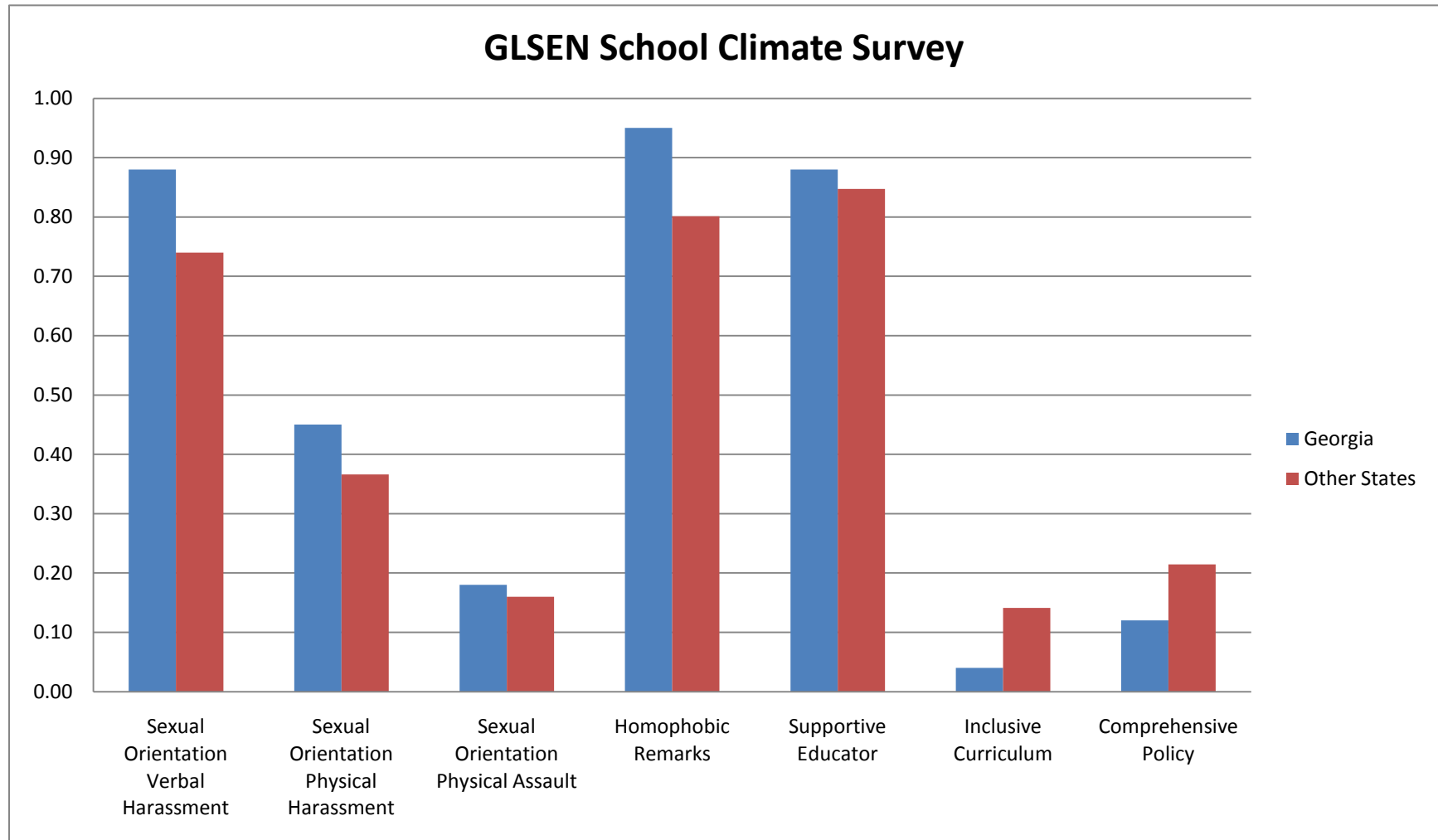
Includes Sexual Orientation	Somewhat Inclusive of Sexual Orientation	Vague inclusion of Sexual Orientation	Non-Inclusive of Sexual Orientation
26%	12%	56%	6%
Inclusive		Non-Inclusive	
38%		62%	

Table 3

GLSEN School Climate Survey Data

	Sexual Orientation Verbal Harassment Percentage	Sexual Orientation Physical Harassment Percentage	Sexual Orientation Physical Assault Percentage	Homophobic Remarks Heard Percentage	Supportive Educator Percentage	Inclusive Curriculum Percentage	Comprehensive Policy Percentage
Georgia	0.88	0.45	0.18	0.95	0.88	0.04	0.12
Arkansas	0.90	0.54	0.25	0.93	0.88	0.05	0.12
California	0.80	0.35	0.16	0.88	0.96	0.18	0.22
Colorado	0.87	0.52	0.30	0.97	0.95	0.10	0.16
Connecticut	0.90	0.38	0.18	0.88	0.99	0.16	0.29
Illinois	0.84	0.34	0.16	0.94	0.95	0.11	0.19
Massachusetts	0.80	0.26	0.14	0.87	0.98	0.25	0.40
Minnesota	0.84	0.47	0.19	0.92	0.99	0.16	0.34
New Jersey	0.85	0.34	0.14	0.90	0.98	0.19	0.23
North Carolina	0.82	0.34	0.16	0.90	0.91	0.10	0.09
Washington	0.80	0.35	0.16	0.88	0.98	0.15	0.27
Wisconsin	0.88	0.53	0.21	0.95	0.97	0.18	0.24
Mean	0.85	0.41	0.19	0.91	0.95	0.14	0.22
STD DEV	0.04	0.09	0.05	0.03	0.04	0.06	0.09

Figure 2



CHAPTER 5

CONCLUSIONS AND IMPLICATIONS

Summary

School climate survey data collected by the GLSEN organization was obtained for the purposes of comparing Georgia's school climate reported by GLBTQ students to Georgia's school bullying policies and school climate reports for state's with anti-homophobic bullying laws. The intention of this comparison was to evaluate the effectiveness of state laws in producing policies which make available adequate protection for students with diverse sexual orientation preferences.

In general a significant difference between Georgia, a state without anti-homophobic bullying laws, and states with anti-homophobic laws was not seen. However, Massachusetts had the lowest incidence of verbal and physical harassment/bullying and enacted anti-bullying laws for the longest amount of time. This seems to indicate that law alone will not be enough to create the change in attitude and behaviors that we need to foster a safe and welcoming environment for all students including those with diverse sexual preferences and diverse gender identities. However, laws can lead to a change albeit may not happen at the pace that we wish to see. School Systems seem to be like the massive liner ships that sail the world oceans; it takes many coordinated efforts to change the direction of the ship. It will take many coordinated efforts institutionally in schools before a change is seen systematically in schools.

Implications

Four main implications were made based on this research. The first implication is the need for enumerated anti-homophobic bullying policies. These policies need to be clear and outline explicit means for tackling anti-homophobic behaviors and attitudes. Once effective policies are created then training will be more effective. The second implication involves inconsistent and ineffective management of training for teachers, administrators, students, and others to handle homophobic and heterosexist harassment and bullying incidents. Research shows that teachers are reporting an increase in the occurrence of homophobic bullying incidents, but also admitting inadequate management of the bullying incidents. Schools need to be held accountable for training their staff and students. New methods for managing this training and enforcing the training need to be developed to ensure that the training is effective.

Tied to the second implication for this thesis is the third implication: the enforcement of anti-homophobic bullying policies. Prior research reflects a perception among students that teachers and administrators fail to act on homophobic bullying instances, and the GLSEN data supports this with an average 88% of students who continue to experience verbal harassment based on sexual orientation. In the case of Georgia, it is not only the enforcement of anti-homophobic bullying policies but the lack of these policies that contributes to such a high rate of homophobic verbal abuse. However, the average for the 12 states examined in this study had a mean of 85%, suggesting that even in states with policies something is impeding the enforcement of these policies.

Together training and enforcement of anti-homophobic policies are shaped by the fourth implication, funding. National, state, and local funding to provide, develop, manage, assess, and enforce anti-homophobic bullying is scarce. If funding were tied to anti-bullying policies, it is

more likely that enforcement of these policies would occur. Schools would not be willing to lose funding if they were assessed as providing inadequate protection for GLBTQ students. To help bridge the gap between policy and enforcement legal offices could work with county school districts to monitor and assess the compliance of schools enforcing district anti-homophobic bullying policies.

Conclusions

Schools should not be forced to comply with anti-bullying policies, even if it is for students who have diverse sexual orientation preferences. It should be automatic to provide protection to all. Schools are intended to provide a safe environment for all students so that an optimal learning environment is created. Realistically not all students can be protected at all times but if a specific group of students is not being protected, civil rights are also not being protected. The schools are not the only places where students will experience harassment. It is however one of the only places where clear and direct action against negative behaviors can be addressed before behaviors are ingrained. The earlier we intervene the more likely we are to have a positive result in changing a child's behavior. Protecting all students is important and thus should be a priority for schools and not a debate in the state or national senates.

As a teacher my students would verbally harass each other, even yelling out the word "fagot" as if I were not in the presence of the students. When I tried to refer the student for disciplinary action, my requests were not acknowledged. As a new employee, I did not feel as if I could stand up for my actions and this was made clear on many occasions. I did feel like I failed my students because I could not adequately protect them. Not only did I fail to protect all my students, but I did not provide a diverse curriculum inclusive of my sexually diverse students.

I was not equipped to handle such issues and I did not have the necessary support in the school to have them addressed. Including sexual orientation in curriculums will affect student attitudes or at least send the message that all students are accepted and safe. Science teachers can include sexual orientation when they discuss variance and genetics. History and Social science teachers can include sexual orientation when they discuss current issues and gay rights. English and Language Arts teachers can read books by GLBTQ authors or discuss articles and books about GLBTQ issues. There are ways for all teachers to include sexual orientation into their classrooms and it doesn't have to be a huge undertaking, it just needs to happen in some way.

Homophobic bullying and sexual orientation exclusion need to be addressed and policy is one way to initiate the change in behavior and attitude necessary for institutional changes. Along with other support systems such as GSA's and inclusive curriculum, bullying policies will not only lead to institutional changes but systemic changes.

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