THE IMPLEMENTATION PUZZLE:
THE FAIR EDUCATION ACT (SB 48) IN CALIFORNIA HIGH SCHOOLS

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DISSERTATION

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THE IMPLEMENTATION PUZZLE:  
THE FAIR EDUCATION ACT (SB 48) IN CALIFORNIA HIGH SCHOOLS

A Dissertation

by

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I certify that this student has met the requirements for format contained in the University format manual, and that this dissertation is suitable for shelving in the library and credit is to be awarded for the dissertation.

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DEDICATION

Vignettes are included throughout this dissertation for two reasons. The first is to act as a reminder to this researcher and the reader of the intention and importance of policies such as The FAIR Act. The stories woven throughout this study are the stories of LGBT youth who are no longer with us because they felt unloved and unimportant in our society at large and our schools, in particular. These are the stories that inspire policy makers, such as Mark Leno, to work hard at crafting legislation that later becomes law. The second reason involves my own personal bias in choosing this topic and pursuing this degree. As an elementary teacher many years ago, my diverse school tried to implement an LGBT curriculum. A small, but vocal minority of parents protested vehemently, complete with fliers and protest signs. As a staff, we were over 20% LGBT, myself included, and we eventually backed down and did not move forward with implementation. Many years later, while I was busy with my life, I heard through the grapevine, that one of our former students had killed himself. His name was Nathan, and I remember him well. He was quirky, off-putting and different. He spent most of his day ‘assisting’ the principal because he had no friends and most of the kids teased him or ignored him. I have no way of knowing if he was LGBT; at such a young age it’s impossible to know. What is clear is that he was different; we had a chance to include a whole sector of the population that was ‘different,’ and we failed. If SB 48 had been in place, it might have given us cover for moving forward with implementation. It was during this time that I made the decision to go back into Education and pursue a leadership role. I realized if I wanted my voice to be heard, then I would have to re-enter
the field. The pursuit of this degree and the writing of this dissertation has been life changing in many ways. The most profound change has been the way in which I see the issues of my time. No longer are they issues that I can do nothing about. It is now possible to do something. Maybe it was always possible. Regardless, this dissertation and the study of the implementation of The FAIR Education Act is in some way, a small act of contrition.

For all the Ronins, Gwens, Matthews, Seths, Larrys and Nathans that are still out there trying to forge an identity, if we as educators can show them a mirror that reflects their unique beauty, then this will have been a journey well worth taking. This work is dedicated to all of you, so that your lives will have inspired us all to become better teachers, leaders, parents and humans.
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It’s always hard to know where to begin, as so many people are instrumental in supporting a work of this nature. I will begin with my friends and family, who have noticed my absence these past three years, yet have never questioned or tried to stand in my way. My sister, Lydia, who is my hero for reasons she may not even understand. My brother Matt, who was my inspiration for pursuing the field of education all those many years ago. And especially the kids Romeo and Sofia, for whom this must have all been a big question mark. Maybe one day they will better understand why we adults always seem to be so busy; why we always feel like there’s so much to do in order to do what we can to try and make a difference. And to Kasey, the best of friends who stepped up and did so many of the things I ‘for some reason’ no longer had time to do. Thanks for all the dog walking, lawn mowing, cooking, cleaning and making me laugh when you asked for the 100th time, “Aren’t you done with that thing yet?”

Cohort 6, who have been a second family to me. Each cohort is as unique and as special as the individuals who comprise it and we are no different. All of us coming from so many different backgrounds and interests, yet all on the same path for a very short three years. It has been an amazing experience getting to know each and every one of you. I love you all for what you have brought to my life. I would not have been able to do this without you. So thank you, thank you, thank you!

Of course, my committee who was, without doubt, the best one ever! Dr. Romero, there are no words that can express the depth of gratitude I feel for how you have helped me grow academically over the past few years. You have been a mentor
who is truly deserving of the word ‘trusted’ and there is no doubt that from the trusting mentorship that you have provided, my academic outcome has been improved (Romero, 2015). Thank you.

Dr. Lilly, you have provided me with friendship, encouragement, insight and so importantly, laughter. The questions you posed were global, thought provoking and so important to the direction of this work. Yes, what about the other 61% indeed? I cannot thank you enough for what you have brought to this team. If I joke with you that you have ‘missed your calling’ as a performer, I am truly joking. There could be no better place for you than right here, leading the way towards a more just educational system through your leadership, quick and facile insights and most importantly, your genuine heartfelt encouragement. For all you have meant to me these past three years and all you have done to support me, I thank you.

Dr. Borunda, your insight and courage for this topic has been inspiring. You are truly the definition of an Ally. The feedback and direction that you provided (and at awe inspiring speed!) was so appreciated. It will always be a challenge to interrupt the heteronormativity that exists in our society. Even as we don’t exactly understand it, we must still confront it where it exists. So thank you for your encouragement and support for this work. We all share the same heart, no matter the color (Borunda, 2013).

And of course, I would not be writing this without the love and support of my life partner, Sue. She was the original inspiration for traveling this academic path. Without her help and support and all those late night edits, I could never have completed this
journey. So, thank you Sue. Your love for learning and dedication to your students has inspired me to want to follow this path. Thank you for sharing this journey with me.

And lastly I would like to acknowledge my parents, who have both supported me in their own ways on this journey from childhood to adulthood and now to mega adulthood. My mother continues to inspire me with her undaunting courage in the face of a life that has not been easy. She laughs with me at the ridiculousness of it all. She has taught me what it means to be strong and loving and kind.

For my father who is no longer with us. His support for my life and my dreams was unflagging. He was a man of very few words but he showed his love through his ever present presence in our lives. He is so missed and this will be the first important event in my life that he will miss. He once told me, “You are earmarked for success.” These few simple words of acknowledgement are words that I replay over and over again when I feel like I can’t go on or write one more word. And then I do. We all need that. Someone who can just see us. So, thank you Dad. I hope you know that I continue to try and make you proud.
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K-12 curriculum inclusion, LGBT populations in K-12 systems, transitional and pre-k accessibility, critical pedagogy, action research, teaching methods and child development
Abstract

of

THE IMPLEMENTATION PUZZLE:
THE FAIR EDUCATION ACT (SB 48) IN CALIFORNIA HIGH SCHOOLS

by

Sylvia L. Escobar

Preceded by the many suicides in the LGBT youth community, along with alarming trends in assault and bullying of this population, The FAIR Education Act was passed into law in 2012. The purpose of this law was to mandate the inclusion of LGBT history into the K-12 curriculum of our public schools with the intent of creating safer school climates. This study considers the implementation of California’s curriculum inclusion law in a sampling of California high schools. With a focus on teachers as implementers the goal was to discover if teachers were implementing and if so, explore supports and barriers for teachers as well as a path forward towards fuller implementation. Using a mixed methods sequential approach, an initial survey was sent to gather data from social studies and history teachers in a sampling of high schools, to which 83 districts across Northern California responded. In-depth interviews further explored the process of implementation as it was found. Using the implementation model of James A. Banks (1990) implementation levels were assessed in both the survey and the interviews. Ernest House’s (1998) framework, borrowing from Transaction Cost Economics, was used as a means for measuring likely success of SB 48 and for looking at barriers to implementation from the teacher’s perspective. Finally, the lens of
Sociotransformative Constructivism, a nascent theory blending Multicultural Education and Critical Pedagogy, was used as a social justice lens to create a path forward towards fuller inclusion and safer schools for LGBT youth.

Results from this study add to the knowledge of not only why educational reforms often fail to create the intended change, but how we can create the necessary supports for teachers who are currently self-supporting their own implementation. A multiple regression analysis was performed which identified six independent variables that could account for 39% of the variance for the dependent variable *Currently Implementing*. Further findings point to shared characteristics of teachers implementing at all four levels, as well as primary barriers to be found in lack of time, resources and general knowledge. This study strongly suggests that while much of the responsibility for implementing this policy is within the responsibility of teachers, leadership will need to play a key role if this policy is to create the change as intended in school climates for LGBT youth.
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Chapter 1

INTRODUCTION

Randy was the third child in a family of four boys. He was an outgoing first grader with all the requisite energy of a typical boy. One day he wore a favorite pair of cowboy boots to school. While he was sitting in class he noticed the girl sitting next to him was wearing a pair of white sandals. He thought they looked pretty. She suddenly noticed his cowboy boots and they exchanged looks. They excitedly switched shoes and were so busy admiring their feet they almost didn’t notice when, without warning, the teacher came up from behind. Not only were they reprimanded for not paying attention in class, they were told that girls should not wear boys shoes and boys should definitely not wear girls shoes. The teacher in an effort to ‘nip this in the bud’ forced both six year olds to sit in the hallway wearing each other’s shoes so that the entire school could laugh and make fun of them as they passed in the hall. This happened in Oklahoma in the year 1965 (Anonymous, April 2, 2013).

Thirty nine years later Larry King, a high school freshman in Oxnard, California was murdered on school grounds by a classmate, Brandon McInerney, who claims Larry had been making sexual advances towards him. In this case, young Larry was not shy about his orientation and while he was allowed by school officials to wear heels and makeup to school, at home his mother was not supportive. His mother blames the school for allowing this behavior to go unchecked, thereby bringing on the murder. It should be noted that reports of tension between Larry and Brandon were largely ignored
by school officials who thought they were doing the right thing by allowing Larry to be himself (Acevedo, 2011).

While some students like Larry King pay the ultimate price for being themselves, most LGBT\(^1\) youth choose to hide who they are in fear of similar reactions (Kosciw et. al, 2013). This is precisely the case for a student quoted in a research report by the Gay Straight Alliance Network (2004). “You don’t feel safe if you think that you’re going to be ridiculed or even, if like, someone says like ‘oh, I’m gonna kill you because your gay’. You’re not gonna want to go to class.” (p.9)

One national study reported overall bullying rates in high school at 17% compared to 80% for Lesbian, Gay, Bisexual or Transgender (LGBT) youth (Ericson, 2001). Another study reported over 40% of LGBT youth are physically assaulted in their schools (Kosciw et al., 2013). However, being harmed by someone else is not the biggest threat to LGBT youth. According to multiple school climate reports, self-harm accounts for a larger percentage of the threat that LGBT youth face every day (Burdge, Snap, Laub, Russell, & Moody, 2013; Kosciw, Greytak, Palmer, & Boesen, 2013; O'Shaughnessy, Russell, Heck, Calhoun, & Laub, 2004). LGBT students are more than twice as likely to attempt suicide than their heterosexual peers (Hatzenbuehler, 2011). Rates of homelessness among the LGBT youth population are also markedly higher as compared to their peers (Ray, 2006). These statistics, along with other alarming trends such as higher rates of depression, drug/alcohol abuse, and absenteeism point to the

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\(^1\) While there are different acronyms that include different groups, for the purposes of this study the acronym LGBT will be used since that is the acronym used in the language of SB 48. For other acronyms commonly used refer to the section on Operational Definitions p. 22.
stark reality in which LGBT students live on a daily basis. As well, these statistics underlie a crisis in need of intervention from schools, families and communities (Kosciw et al., 2013).

As educational and community leaders become more aware of the harsh challenges that LGBT students face in our schools, some have started to look for ways to address this issue. The vast majority of school climate and safety reports recommend inclusive curriculum as an important component in fighting homophobia in order to create safer school climates for LGBT students (Burdge et al., 2013, Kosciw et al., 2013, O’Shaughnessy et al., 2004). In an effort to address the challenges facing the LGBT community, the California State Legislature passed The FAIR Education Act (SB 48) with the goal of creating safer school climates through curriculum inclusion. As one student explains:

I actually had a conversation about this with my Government teacher, and I told him about The FAIR Education Act…we were both saying that including [LGBT] curriculum into our [lessons] would help because there are so many kids who kind of give up on their dreams because they don’t know that there are people like them who made it into this profession. One of my friends wanted to become a politician, and hold government office, but then thought, ‘oh wait, I’m gay, they’re going to bash me for that and nobody’s going to elect me into office.’ (Burdge et al., p. 9)

In the words of two of the students interviewed in a previous GLSEN climate report (Kosciw et al., 2012), “My English teacher discussed LGBT issues often in class
(in a positive light) and it felt really good to know that she was open and accepting and if I had any major issues that I could go to her (p.61). “This year in my U.S. History class, my teacher used a textbook [that] actually did mention LGBT rights during the civil rights movement of the 60’s, along with Harvey Milk, Stonewall Riots, etc.- that made me happy (p.48)!”

Research shows students benefit from seeing themselves reflected in the Curriculum (Banks, 1990; Armstrong, 1999; Style, 1988). The FAIR Education Act was enacted for this purpose. What is happening with this law three years after passing? The following graph illustrates the positive effects of an inclusive curriculum (Kosciw et al., 2013, p.5).
The statistics of LGBT suicide and other self-harm are alarming. The research shows us that schools in which an inclusive curriculum is taught tend to have a safer climate for LGBT students. (Burdge et al., 2013; Kosciw et al., 2013; O'Shaughnessy et al., 2004).

The FAIR (Fair, Accurate, Inclusive, and Respectful) Education Act, also known as the LGBT History Bill or The FAIR Act, for purposes of this dissertation will be referred to interchangeable as The FAIR Act or simply SB 48. This law mandates inclusion of LGBT people in the K-12 curriculum in order to highlight the accomplishments of this population in the shaping of our state and nation. The broad
The intention of the law is to create a normalization of the LGBT population by inclusion in order to minimize stereotypes and create safer school climates for LGBT youth (Leno, 2011).

**Background**

This law amends the Education Code\(^2\) by expanding the existing list of contributors to the development of our state and nation to include lesbian, gay, bisexual and transgender Americans in the instruction of Social Sciences curriculum. The groups now listed are “both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, *lesbian, gay, bisexual, transgender Americans, persons with disabilities, and members of other ethnic and cultural groups*” (emphasis indicates addition per SB 48) (http://www.leginfo.ca.gov). The code\(^3\) is also amended to add LGBT people to the list for whom instruction cannot be portrayed in a negative or biased manner and disallows any school district to sponsor any activity that promotes bias to those same groups.

There is an additional amendment \(^4\) to prohibit any school board or governing board in the state to adopt any curriculum or textbook that reflects bias towards or reflects adversely on those same groups of people. Another change\(^5\) requires any governing board to include all of the above named groups when adopting instructional materials. It further requires that such materials portray these groups in a wide range of

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\(^2\) Ed. Code 51204.5
\(^3\) Ed. Code 51500
\(^4\) Ed Code 51501
\(^5\) Ed Code 60040
contributions including professional, vocational and executive roles in the shaping and development of our state and nation. Finally, a section was added to ensure that charter and alternative schools are required\(^6\) to abide by these guidelines (http://www.cde.ca.gov).

This study will focus on the addition of LGBT people to our state’s textbook adoption and curriculum. Although the precise language of this law specifically addresses inclusion of LGBT people in California Social Sciences, there is also language that promotes inclusion across the curriculum and across grade levels. This broad curriculum inclusion is implicit in remarks from the author, state senator Mark Leno.

Late last year I introduced the FAIR Education Act, which will ensure that instructional materials in our public schools include historical information about the LGBT movement and LGBT leaders. Studies show that the lack of information and discussion on these issues perpetuates negative stereotypes of LGBT people and leads to increased bullying of young people. (Leno, 2011)

Leno’s statement suggests that the enacted law will improve school climates for LGBT youth by minimizing the bullying, harassment and assault of LGBT youth. This intention, although not codified in the text of the bill, will be important to the integrity and purpose of this study. Although SB 48 clearly addresses inclusion in the curriculum, it also seeks to protect LGBT people from bias and unflattering portrayals in that curriculum. It accomplishes this by disallowing teachers, school boards and any

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\(^6\) Ed. Code Section 6 relating to section 235
governing board in California public schools to portray LGBT people in a biased, derogatory manner or to sponsor any school related activities that do so. The language of this law attempts to create safer school climates by redressing the anti-gay, homophobic attitudes that lead to bullying, harassment and assault (Gilbert, 2011). While the focus of this study is on teachers as implementers, the theme of curriculum intervention as the underlying purpose for this law is threaded throughout the literature and will subsequently appear throughout this dissertation.

**Statement of the Problem**

Public schools are not safe places for LGBT youth who experience an inordinate amount of harassment and bullying from their peers (Kosciw et al., 2013). An inclusive curriculum has been identified as one means by which to redress the myths and stereotypes related to this population while at the same time mirroring the lives and aspirations of LGBT students (Burdge et al., 2013; Cahill & Cianciotto, 2004; Kosciw et al., 2013; O'Shaughnessy et al., 2004). SB 48 mandates that California public schools implement an LGBT inclusive curriculum; however, little is known about whether, and to what extent teachers are implementing.

This dissertation investigates SB 48 implementation with a focus on the experience of teachers as primary implementers of SB 48 and the supports or barriers they face as they implement. Levels of implementation are explored using both qualitative methods and quantitative analysis as they relate to those teachers who are implementing. For those teachers who are not implementing, analysis of the barriers to
implementation are explored as they relate to House’s (1998) framework, based on Simon’s (1990) barriers of asset specificity, bounded rationality and opportunism. Briefly, House (1998) used Simon’s ideas to comprise a framework for assessing the likelihood that an educational policy would succeed. Bounded rationality explains how teachers are limited by their lack of knowledge and time constraints. Asset specificity is the way in which teachers hold onto familiar curriculum as a personal asset. Opportunism suggests that teachers are looking out for their own best interests with the same equivalency as the general population. According to House (1998), this idea is in direct conflict with the ‘myth’ that teachers are more altruistic than the general population. These ideas are discussed in depth in the following chapters. Correlations and predictive aspects of these barriers are explored as they supports for, levels of implementation and barriers to implementation. A better understanding of the barriers and supports for implementation will allow educational leaders and teachers themselves to move towards fuller implementation and thus, safer schools for LGBT youth.

**Nature of the Study**

This dissertation explores the implementation of SB 48. Using a mixed methods sequential research design, the initial survey and subsequent interviews will be designed to answer the following research questions:

1. Is SB 48 currently being implemented by social studies and history teachers in a sample of Northern California high schools.
2. If SB 48 is being implemented, at what level according to Banks’ (1980) 4 level
model?

a. What are the supports that allow for implementation?

3. If SB 48 is not being implemented, what are the barriers (i.e. *asset specificity*, *bounded rationality*, *opportunism* or other barriers)?

Further exploration involves assessing the levels of implementation using James A. Banks’ 4 levels of implementation model (Banks, 1990). The Multicultural Education model, from which Banks’ model was created, is one of the models used for supporting the importance of inclusive curriculum. Finally, Sociotransformative Constructivism, which combines Critical Pedagogy as a social justice lens with the Multicultural inclusion lens, is used to extend Multicultural Education theory to a more active and inclusive theoretical model. While Multicultural Education has a social justice foundation (Banks, 2008), Sociotransformative Constructivism using Critical Pedagogy brings a more active model for deconstructing current pedagogy and moving towards a pedagogy that is more praxis based (Zozakiewicz & Rodriguez, 2007). A more detailed discussion of all the frameworks and theories is included at the end of this chapter and in chapter two.

**Hypothesis**

The hypothesis for this study is that teachers in the sample population will be found to be implementing sporadically, if at all. The reasons for this will be found in the barriers of *bounded rationality*, *asset specificity*, and *opportunism* (Simon, 1991) as described in House’s (1998) framework. Using this framework, this study assesses the
likelihood of successful implementation of SB 48, and then explores the accuracy of this assessment.

Figure 2

_Hypothesis_

Method

Using a mixed methods sequential research design, the initial survey questions were created towards gaining insight into the research questions and frameworks previously stated (appendix A). Social studies and history teachers who were teaching in schools with registered GSAs (Gay Straight Alliances) were targeted. These schools were all registered with the GSAN (Gay Straight Alliance Network) registry as having active GSAs.
Results from the survey were analyzed using SPSS version 22. Descriptive statistics were used to assess levels of implementation as well as answering the research questions:

1. Are Teachers Implementing SB 48?
2. If teachers are implementing, at what level according to Banks’ (1990) model?
3. If teachers are not implementing, what are the barriers?

A multiple regression analysis was then performed on the criterion variable Currently Implementing using the six independent variables I Have LGBT People In My Life I Care About, Well Prepared, I Know 3+ LGBT Historical Figures, I Have LGBT Students Who Need SB 48, I Believe SB 48 Will Create a Safer School Climate and Self-Support Implementation.

From the initial survey respondents, those teachers who were willing to be interviewed were contacted. Using the survey information, in-depth interview questions were created in order to elicit deeper and richer information towards answering the same questions in the survey as well as any other questions emerging from the survey (Appendix C). A total of 11 teachers were interviewed for this portion of the study. These consisted of 10 in person interviews and 1 phone interview. If implementation was happening, then questions were asked to ascertain at which level using Banks’ (1998) model of implementation. If implementation was not happening, then questions were asked in order to explore the barriers. Attitudes, beliefs and knowledge of both LGBT curriculum and SB 48 were explored.
“Lean coding” methods (Creswell, 2013, p. 184) were used for the initial hand coding. Subsequently, additional closed coding was done with support from QDA Miner4 strictly as a coding and data retrieval tool. All analysis was performed by this researcher. Finally, results from both the survey and the interviews were compared and contrasted in order to assess the extent and the nature of implementation in the sample of high schools.

**Theoretical Frameworks**

A number of different theories, frameworks and models were used in order to address the likelihood of implementation, levels of implementation, attitudes, beliefs and knowledge of LGBT history and the law itself. The following theoretical frameworks and models will be discussed sequentially throughout this dissertation. First will be a discussion of Erik Erikson’s (1968) Adolescent Identity Development theory combined with Vivienne C. Cass’s (1970) model of Homosexual Identity Development. Together these two provide a powerful argument for the urgency of intervention during the high school years.

Next will be a discussion of inclusion theory combining Multicultural Education with the literature on the importance of LGBT inclusion specifically. The emerging literature specific to SB 48 will be included in this section as well. When discussing Multicultural Education, James Banks’ (1990) four level model for implementation will be used as a means by which to assess implementation levels being employed in classrooms. Because the underlying intention of SB 48 is to change the school climate
by way of inclusive curriculum, levels of implementation will be important to assess. Within the theory of Multicultural Education, a connection will be made between the justification for inclusion of ethnic minorities in the curriculum to the justification for inclusion of LGBT people in the curriculum as well.

The discussion will then move to implementation theory where the focus will be on Ernest R. House’s framework using Transaction Cost Economics (House, 1998). This Framework will be used to facilitate a deeper understanding of the challenges facing teachers as they begin the process of implementation. It will further assist in appraising the reform potential of SB 48 (House, 1998, p.78). Next will come the emerging body of literature specific to SB 48. This thin body of work will be examined for overall themes, relevance and support for this dissertation.

A discussion of Sociotransformative Constructivism will provide a final lens. This theory supports House’s (1998) framework and reaches beyond identifying challenges of implementation and assessment of SB 48 to show how teachers might be able to deconstruct their curriculum and pedagogy in order to better implement SB 48.
Sociotransformative Constructivism

“This is a framework that merges multicultural education with social constructivism. STC provides an orientation to teaching and learning that pays close attention to how issues of power, gender and equity influence not only what subject matter is covered (curriculum), but also how it is taught and to whom” (Rodriguez, 2002, p. 1019).
Erik Erikson and Vivienne Cass on Youth Identity Development

In Erikson’s (1968) seminal book *Youth and Identity Crisis*, he discusses the roles of environment and society in shaping a young person’s identity. His socio-emotional stages recognize adolescence as the period during which a person’s identity is formed. According to Erikson’s (1968) theory, a young person moves through adolescence constantly questioning, adjusting and experimenting with behaviors and roles. With proper support, acceptance and guidance, the adolescent will resolve these conflicts in a healthy manner and develop a stable identity. However, according to Erikson (1968), a young person who experiences disruptions in the identity development phase is at risk of ‘role confusion’ which can lead to an unhealthy self-image and self-harming behavior. Because of the important roles that families and society take in the shaping of a young person’s identity during adolescence, it becomes even more urgent to intervene when those roles are subverted by negative stereotypes, bias and even hatred of LGBT people (Haas et al., 2010; Hatzenbuehler, 2011). Since school communities are a reflection of the larger societal norms and biases, it becomes critically important that issues of homophobia are addressed in all institutions within society and particularly in schools (Haas et al., 2010; Zozakiewicz & Rodriguez, 2007). While it is beyond the scope of this study to discuss the larger societal issues of homophobia, it is entirely appropriate to at least bring in the school system as a means of supporting the need to combat homophobia and its damaging effect on our students (Hatzenbuehler, 2011; Remafedi, Farrow, & Deisher, 1991).
Whereas Erikson’s (1968) theory of identity development provides a basis for understanding the importance of healthy identity development, it does not consider LGBT youth. Cass’s (1970) model of homosexual identity development shows at which stage LGBT youth are likely going through when they are subjected to the bullying and teasing that are so common in high school. According to Cass’s (1979) model there are six distinct stages of awareness for gay youth as they move from complete denial into a final stage of healthy self-acceptance. Both Erikson’s (1968) theory and Cass’s (1979) model further support the need for intervention during the critical period of adolescent development and will be discussed at length in chapter two.

**Multicultural Education and the 4 Levels of Implementation**

James A. Banks and the struggle for Civil Rights in the 1960’s is often credited with the birth of Multicultural Education (Gorski, 1999; Ross, 2012). From Black Studies to Multicultural Education, this movement has a deep history of striving to include marginalized populations in the dominant culture (Banks, 1990). In an interview with Terryl Ross (2012), Banks speaks about Multicultural Education in inclusive terms as he references ‘others’ that fall under the umbrella of Multicultural Education. In fact, he argues that the term Multicultural is an umbrella term that includes many groups precisely because of the many intersections among and between these groups (Ross, 2012). His implementation model will be used to measure the degree to which SB 48 has been enacted.

Known simply as Bank’s Multicultural Model (1990), it names four distinct levels of implementing Multicultural Curriculum (Table 1). Level 1, the Contributions
Approach, and often referred to as The Heroes and Holidays approach, is characterized by the addition of specific heroes usually at specific times of the year, typically around the birthday of the person. At this level, the basic structure of the curriculum remains intact. Level 2, the Additive Approach, incorporates themes and units usually at specific times of the year. Again, at this level the basic structure of the curriculum remains intact. At level 3, the Transformation Approach, the basic structure of the curriculum begins to change as the students are encouraged to see the world from different perspectives. Level 4 is the Social Action Approach and as its’ title suggests, the structure of the curriculum is changed to not only include other perspectives, but to encourage critical analysis of current social structures and empower students to initiate changes in their environments (Banks, 1990).
Table 1

**Banks’ 4 Level Model of Multicultural Implementation**

<table>
<thead>
<tr>
<th>Level and Approach</th>
<th>1 Contributions</th>
<th>2 Additive</th>
<th>3 Transformation</th>
<th>4 Social Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td>‘Heroes and Holidays’ Addition of Ethnic Heroes using similar criteria for choosing mainstream heroes. Structure of curr. intact. Can perpetuate stereotypes.</td>
<td>Includes units/themes at specific times or during specific months. Structure of curr. remains intact.</td>
<td>Structure of curr. begins to change as perspectives of min. groups are explored. Integrated throughout year and throughout curriculum.</td>
<td>Adds to level 3 empowerment of students to act on new found perspectives to make changes in addressing social inequities.</td>
</tr>
<tr>
<td>Example</td>
<td>Harvey Milk Day Celebration and Discussion on his birthday or Gay Pride Month/Day.</td>
<td>Reading a story or watching a movie on the Life and Times of Harvey Milk and writing a paper on why he is a ‘hero.’</td>
<td>LGBT rights are explored throughout the year and throughout the curriculum when appropriate and relevant. Debating marriage equality or constitutional protections and working conditions for LGBT people in diff. states.</td>
<td>Students create a GSA on campus or develop curr. or website on SB 48 and take it to elem. schools and/or district school board for adoption.</td>
</tr>
</tbody>
</table>

Each of these levels progressively leads to a more in depth look at the structures which create oppression. The goal of level 4 is social action with the purpose of creating change in schools and the larger society. Level 4 of the Banks Model is the level at which SB 48 is likely to create the change intended by its’ authors. Chapter 2 provides a deeper discussion of each level as it relates to SB 48 as well as what full implementation might look like in a classroom setting.

**LGBT Inclusion Literature**

LGBT Inclusion Literature shares a similar history with Multicultural Inclusion Literature. Both are forged from a need to bring unheard voices to the conversation. In his essay creating the connections between Multicultural Education and LGBT Inclusion Literature, Blumenfeld (2010) states the purpose of each as “…recognizing
the roles schools can play in developing the attitudes and values necessary for a democratic society” (p.3). The emerging literature specific to LGBT inclusion is comprised primarily of four reports, one framework and several research articles and studies.

The four reports that address LGBT inclusion are the Gay Straight Alliance Network’s *Implementing Lessons That Matter* (Burdge et al., 2013), the California Safe Schools Coalition’s *Safe Place to Learn* (O'Shaughnessy et al., 2004), the Gay Lesbian Straight Education Network’s 2013 *National School Climate Survey* (Kosciw et al., 2013), and *Initiating and Sustaining Educational Change* (Meyer & Pride, 2014). Only one of the four studies was published before the passage of SB 48 and only refers to general inclusion of LGBT curriculum (O'Shaughnessy et al., 2004). Two others were published post SB 48 and have specific mention of SB 48 (Burdge et al., 2013; Kosciw et al., 2013) and one was written specifically about SB 48 (Meyer & Pride, 2014). These four studies, along with the articles specific to LGBT inclusion (Blumenfeld, 2010, Cahill & Cianciotto, 2004, Hanlon, 2009, McGarry, 2013, Vecellio, 2012) all point to impressive statistics that show the positive effect that LGBT curriculum can have on overall school climate and specifically to the feelings of overall safety experienced by LGBT youth in their schools. All four of these studies show an increase in feelings of safety among LGBT youth as well as feelings of being supported by staff in schools that have an inclusive curriculum.

All five of the articles were focused on different subjects from interventions (Blumenfeld, 2010; Cahill & Cianciotto, 2004; McGarry, 2013) to attitudes in
elementary school (Hanlon, 2009) and Banks’ model (Vecellio, 2012). They all agree that LGBT curriculum inclusion is important and that more needs to be done to make it happen.

Perhaps McGarry (2013) sums it up best in his article on LGBT curriculum inclusion where he references the work of Emily Styles (1996) and her ‘mirrors and windows’ metaphor regarding Multicultural inclusion. He reminds us that she first used these metaphors as a way of discussing how important curriculum is because it provides a mirror for seeing ourselves as depicted in that curriculum and a window into the worlds of people we might not encounter. As one student says,

I met a transgender male-to-female at my school, and she kind of started giving up on her dream of becoming herself, because she didn’t think she would be able to get the kind of job she wanted. So I took the time to research for her, and show her how many successful trans women [there] are out there, and that helped her so much. She hugged me and said, ‘I love you.’ It was really cool. (Burdge et al., 2013, p. 9)

The literature related to the inclusion of minority cultures provides that when students see themselves reflected in the curriculum and textbooks they develop identities that are more equal in status to their dominant culture peers and consequently feel more of a sense of belonging and value (Banks, 2008). SB 48 is a policy that, if implemented, can be a powerful tool to help facilitate a safer school climate for all students. The focus will now turn to Emerging Literature.
Emerging Literature on SB 48

Since SB 48 is a relatively new law, the literature is thin. In fact, the bulk of what has been written is in the four reports already included in the section on LGBT inclusion. There is an additional report worth mentioning titled *Making the Framework FAIR: California History-Social Science Framework Proposed LGBT Revisions Related to the FAIR Education Act* from Sonoma State University that attempted to bring SB 48 into the state standards (Romesburg, Rupp, & Donahue, 2014). This report will be a valuable tool for teachers and districts who are looking for a structure to guide implementation at each grade level. This report uses the ‘transformational’ approach to integrating LGBT history and issues into the curriculum. They define transformational as being more than additive because it looks at issues and history through a different lens, rather than adding in more content. This relates very closely to, if not mirrors, Banks’ (1990) transformational level 3 implementation. According to preliminary feedback from teachers, this approach is a relief as they don’t feel as if they have to add yet one more unit, but rather are asked to look at what they have already been teaching with a new lens (p.6). It also references Common Core as being in line with this transformational approach because of its’ integrative and critical thinking component. While not including Common Core standards in tandem, it does a good job of linking common themes between Common Core, existing State Standards and these recommendations. The recommended revisions from this report are now before the California State Board of Education’s Instructional Quality Commission (IQC) awaiting approval. If these revisions are approved, then the arduous work of bringing SB 48 to
districts and teachers would be tremendously reduced. Meanwhile, this report is available for teachers and district leaders to access and use as a guide towards a more standardized implementation across grade levels. It covers grades 2, 4, 5, 8 and 11. No reason was given in the text for choosing these particular grades. Perhaps these are the grades where the history and social science lessons are focused in the state standards. It’s also possible that this is a pilot program and if successful, other grade levels may be added at a later date.

The remaining few articles focus on the importance of SB 48 as a groundbreaking law. They all mention that California is ahead of the curve as related to educational policy. What is not mentioned is that implementation will be challenging. Most of the literature assumes implementation will happen, and only one (Cuomo, 2013) makes mention of the possibility that implementation might not happen.

Limited to a few studies, the literature specific to SB 48 tells us that implementation of such a law will be important to the safety of LGBT students (Adinolfi, 2011, Burdge et al., 2013, Kosciw et al., 2013, Meyer & Pride, 2014, Vecellio, 2012). Given the fact that this a relatively new law, it is not surprising that there is such a thin body of emerging literature. What is surprising is the lack of focus on the teacher as implementer and the assumption of implementation, especially in dealing with a policy of such controversy. Largely missing from all the emerging literature is any extensive discussion of the controversial nature of this policy and how the backlash might discourage or prevent implementation. With more literature surely on the horizon, it will be interesting to note how each of the issues germane to this
dissertation, teachers as implementers, implementation barriers and levels of implementation will emerge.

**Transaction Cost Economics and SB 48**

House’s (1998) seminal book Schools for Sale (1998) focused on teachers and educational policies. House (1998) proposed a useful framework borrowed from microeconomics. This framework, adapted from Transaction Cost Economics (TCE), explained why educational policies, such as SB 48, face difficulties in the implementation phase. House borrowed the theory of *bounded rationality* (Simon, 1991) and added *opportunism, and asset specificity* to explain how these barriers can prevent teachers from implementing educational policies. *Bounded rationality* speaks to limited understanding, time and information that keep teachers from implementing.

Limited experiences with and negative stereotypes of LGBT people also add to the issue of *bounded rationality* and can negatively affect the implementation process for many teachers. *Opportunism* in this context means that teachers are prone to the issues related to job preservation, negative judgment from others and self-seeking motivations when making decisions about implementation. Finally, *asset specificity* refers to the specific assets of curriculum, pedagogy or teaching style as well as other habits, developed over time (House, 1998). Using the TCE framework, the challenge of implementation becomes clear.

House (1998) focuses on teachers as implementers. His framework shows how the transactions between policy makers and teachers can have a hidden cost. This hidden cost can be the unwillingness of teachers to implement policies in which they do
not feel invested. House’s framework (1998) can also be used as a means of assessing the likelihood of success for this policy. Using this framework, a clear picture should emerge as to why teachers might not be implementing. In the classroom this can look like a teacher who claims to not have the time to include any more curriculum, when in fact, they are anxious about backlash from conservative parents or they are worried about what others will think of them or losing their job.

Another aspect of Transaction Cost Economics (TCE) is the idea of ‘teachers as satisficers’ (Simon, 1991). TCE posits that teachers make choices based on limited knowledge, time and cognition (bounded rationality), compounded by self-preservation (opportunism) and protection of teaching pedagogy/curriculum (asset specificity). These conditions lead teachers as implementers to make decisions based more on expediency or what is termed satisficing (Simon, 1991). As satisficers, teachers are making decisions that are not optimal but satisfactory. This means that even though a teacher might have some awareness of SB 48, there will likely be gaps in that knowledge, time constraints that are built into the busy day and limited understanding of what it means to construct a fully inclusive classroom. They will make satisfactory decisions and not optimal ones. This role as satisficers will be explored more fully in Chapter 2, especially as it relates to implementation of SB 48. The way forward can then be suggested using the lens of Sociotransformative Constructivism.
Sociotransformative Constructivism

Another California teenager, Seth Walsh, hanged himself in his home town after enduring years of anti-gay bullying in his school. The local police would not pursue charges against the bullies because they claimed bullying is not a crime (Alexander, 2010). Although the death of Seth was not considered a crime, the end of his life did inspire Seth’s Law, which mandates reporting of bullying incidents by teachers and follow up by administrators. It further requires schools to post their bullying protocols online and provides language specific to LGBT and perceived LGBT bullying (Meyer & Pride, 2014). This tragedy brought to light the issue of the normalization of bullying that is prevalent in many schools. This normalization is due to the desensitizing that happens when something, such as bullying, becomes so common it is often ignored (Meyer & Pride, 2014). This is an example of Social Constructivism and how it creates normalization of behaviors in school communities (Zozakiewicz & Rodriguez, 2007). Ironically, Social Constructivism is also the means by which normalization of LGBT people, issues and culture can become a reality, if included in the everyday curriculum (Vianna & Stetsenko, 2006).

Social Constructivism addresses how realities are constructed through lived experiences. For example, if a teacher does not have close relationships with people from the LGBT community, this teacher will not have concrete personal experiences by which to construct a positive view of this population. This experiential gap can lead to non-implementation of policies such as SB 48 (McPhee & Bronstein, 2002). This is very similar to Simon’s (1991) theory of bounded rationality, which suggests that lack
of experiential knowledge can lead to less than optimal decision making by teachers. Multicultural Education uses Social Constructivism as justification for why it is important to include the experiences and accomplishments of minority cultures into the curriculum. In this way students and teachers can construct a different reality. Sociotransformative Constructivism (STC) then becomes the praxis of Multicultural Education and Critical Pedagogy that encourages experiential practice with LGBT culture/curriculum in much the same way as Social Constructivism does. Critical Pedagogy suggests that dominant cultures need to be deconstructed and questioned as they relate to teaching methods and content.

STC in conjunction with bounded rationality (House, 1998) provides a framework which can examine challenges for teachers in implementing SB 48 and at the same time provide a pedagogical means by which to reinforce itself. In other words, STC suggests that teachers use each other as well as outside resources in order to provide the knowledge, understanding and curriculum (House, 1998) that is missing. STC provides a process by which to deconstruct and reconstruct curriculum. House’s framework (1998) is intended as an assessment tool to predict the viability of a policy (1998) while STC will help in a situation where a policy is already in place, as is the case with SB 48. House (1998) addresses how to assess and craft better policies and STC addresses the fact that no matter how well constructed a policy might be, teachers might not have the internal resources to implement (i.e., the experiential knowledge). In order for this to transpire, a deconstruction or exchange of particular assets must occur (House, 1998).
In contrast, when teachers have experiential schemas and prior knowledge, opposite outcomes can be expected. Positive social experiences provide teachers with positive social constructs, feelings and ideas about minority cultures which might lead to increased likelihood of implementation (Zozakiewicz & Rodriguez, 2007). This is the simple, yet powerful truth of Social Constructivism theory and Multicultural Education, the social theories from which Sociotransformative Constructivism (STC) was born (Zozakiewicz & Rodriguez, 2007). Subsequently, this nascent theory blends well with Houses’ (1998) framework. Chapter two will provide an in-depth exploration of House’s framework (1998) and Sociotransformative Constructivism as they blend to create a powerful lens for exploring implementation of SB 48.

While Social Constructivism paints the broad strokes of how and why teachers implement (Cellitti & Aldridge, 2002; McPhee & Bronstein, 2002), Multicultural Education fills in the details of why we need inclusive curriculum and what it looks like. The theoretical lens of Sociotransformative Constructivism combines both to show us how to move theory into action, or what has been termed ‘praxis’ (Cellitti & Aldridge, 2002; Zozakiewicz & Rodriguez, 2007). STC provides a way of deconstructing negative social constructs and reconstructing more positive ones as these constructions relate to the LGBT community. Therefore, Sociotransformative Constructivism becomes a means by which teachers encountering resistance both internal and external can be assisted in order to overcome these barriers. While it is beyond the scope of this study to offer specific curriculum strategies or teaching
pedagogies, it will be important to address these barriers in a manner which might leave an opening for future research in this area.

**Operational Definitions**

**Ally**- Someone who confronts heterosexism, homophobia, biphobia, transphobia, heterosexual and genderstraight privilege in themselves and others; a concern for the well-being of lesbian, gay, bisexual, trans, and intersex people; and a belief that heterosexism, homophobia, biphobia and transphobia are social justice issues (www.lgbt.ucla.edu/documents/LGTTerminology.pdf)

**Bisexual**- A person emotionally, physically, and/or sexually attracted to males/men and females/women. This attraction does not have to be equally split between genders and there may be a preference for one gender over others


**Gay**- Term used in some cultural settings to represent males who are attracted to males in a romantic, erotic and/or emotional sense. Not all men who engage in “homosexual behavior” identify as gay, and as such this label should be used with caution. Gay also refers more generally to the entire population of lesbian and gay men and has been used commonly as term to refer to both men and women who are attracted to the same sex.


**Gay Straight Alliance (GSA)** A student group or club on a middle school or high school campus whose main function is to create a safe space for Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Questioning youth and their allies. These
clubs typically have one or two teacher sponsors/leaders and usually, but not always, have the permission and sanction of the school. Some GSAs are more socially active and some are more politically active (www.gsanetwork.org).

**Heteronormativity**- The assumption, in individuals or in institutions, that everyone is heterosexual, and that heterosexuality is superior to homosexuality and bisexuality (www.lgbt.ucla.edu/documents/LGBTTerminology.pdf).

**Heterosexual-** The sexual orientation of men to women and women towards men.

**Intersex-** Someone whose sex a doctor has a difficult time categorizing as either male or female. A person whose combination of chromosomes, gonads, hormones, internal sex organs, gonads, and/or genitals differs from one of the two expected patterns (www.lgbt.ucla.edu/documents/LGBTTerminology.pdf).

**Lesbian-** Term used to describe female-identified people attracted romantically, sexually, and/or emotionally to other female-identified people. The term lesbian is derived from the name of the Greek island of Lesbos and as such is sometimes considered a Eurocentric category that does not necessarily represent the identities of African-Americans and other non-European ethnic groups. This being said, individual female-identified people from diverse ethnic groups, including African-Americans, embrace the term ‘lesbian’ as an identity label (www.lgbt.ucla.edu/documents/LGBTTerminology.pdf).

**LGBT-** Lesbian, Gay, Bisexual, Transgender. Because SB 48 and its’ language deals only with the LGBT population of the larger LGBTIQ (see below), for this dissertation
I will use the LGBT acronym instead of the more widely inclusive and more currently used LGBTIQ

**LGBTIQ or LGBTQI**- A common abbreviation for lesbian, gay, bisexual, transgender, queer and intersexed community


**Pedagogy**- The method and practice of teaching, especially as an academic subject or theoretical concept the relationship between applied linguistics and language pedagogy subject-based pedagogies (www.lgbt.ucla.edu/documents/LGBTTerminology.pdf).

**Transgender**- A person who lives as a member of a gender other than that expected based on anatomical sex. Sexual orientation varies and is not dependent on gender identity (www.lgbt.ucla.edu/documents/LGBTTerminology.pdf).

**Limitations**

The subject matter of SB 48 is controversial and discussion of the topic might be uncomfortable for some teachers. This discomfort around talking about what is perceived as a sexual issue in a school setting might cause challenges in securing honest answers. At the same time, teachers might be reticent to admit any biases or fears they might have regarding LGBT issues or people. This discomfort of subject matter combined with fear of being judged as homophobic might lead to reticence to participate in this study and/or complete honesty when answering questions.

Using a sample size of ten high schools for the interview portion does not allow for generalizing to the larger population, however the nature and intent of the
qualitative aspect of this study is not necessarily to generalize, but to explore an issue or phenomenon. The quantitative analysis will determine if any generalizing or prediction models emerge.

Because SB 48 is a mandate, there might be some reticence in answering honestly about non-implementation. The interview portion was used to triangulate the survey portion of the data as it relates to implementation levels, thereby mitigating this limitation. In order to address this limitation teachers were given information specifically reminding them that there are no consequences for non-implementation. Further, the word non-implementation was not used in any of the consent forms or on the survey itself. Instead, a leveled approach was used to allow all teachers to find a level, even if it was low. If they were not implementing at all they could answer simply ‘disagree’ or ‘strongly disagree’ to the implementation question. The supportive nature of this study was also stressed in the communications and in the interviews themselves.

In light of the relatively short life of SB 48, another limitation is that many schools have not had the time to strategize and organize implementation policies. Since there has been a moratorium placed on any consequences until two years after adoption of the new state textbooks, many schools may feel they have until 2016 and beyond if they so choose.

The assumptions made using this research design are that the respondents to the survey and interview are being honest about their intentions, feelings, thoughts and actions. No assumptions are being made regarding anyone’s personal or religious
feelings or beliefs around sexual orientation, in general, and curriculum inclusion specifically.

**Significance**

The significance of this study is to promote understanding of LGBT curriculum inclusion issues as they relate to the implementation of SB 48. With a lens focused on teachers as implementers, a fuller, more complete understanding of the barriers and supports will allow these policies to better achieve the goals for which they were intended. In this case, the intention of SB 48 is to foster acceptance and understanding of the LGBT community through curriculum inclusion. This understanding has the potential to promote a safer school climate with less bullying, harassment and assault of LGBT students. It can be inferred that if the bullying in schools is a reflection of broader societal homophobia, then any positive improvement in the school culture is likely to have an effect on the larger society, especially as these students move from adolescence into emerging adulthood and beyond. Further, this study will highlight the need for more research, discourse and inquiry into SB 48 in particular and LGBT inclusion overall. It is very possible that through a mixed methods study of a sampling of high schools, there will emerge some best practices in how to implement this particular policy. Teachers, educational leaders and policy makers might take notice in terms of how they can craft policies to foster better implementation outcomes.
Conclusion

Because of the minimal attention towards SB 48 and its’ implementation, it is impossible to know what is happening in the schools without a qualified inquiry. One indication of significant resistance to implementation was the immediate attempt to repeal the law in 2012. Although this attempt failed, there might be other attempts in the future and an overall ‘wait and see’ attitude among some district leaders might currently exist.

Another possible barrier is the lack of funds or consequences for non-implementation. However, likely to be the most difficult barrier, and the focus of this dissertation, involves the teachers who are expected to implement. With these barriers in mind, House’s framework of Transaction Cost Economics (TCE) with its emphasis on *bounded rationality, asset specificity and opportunism*, provides a means for assessing the implementation issues for teachers as well as assessing the likelihood for success of SB 48.

Further, if implementation is found, at what level will it be found according to Banks’ (1990) model? Finally, it will be in the best interests of all stakeholders to provide a means by which teachers can progress from weak or non-implementation to more robust implementation. To this end, Sociotransformative Constructivism suggests a path forward.

In Chapter 2, the theoretical frameworks and theories are explored in relation to the research questions discussed in Chapter 1. Literature relevant to the theories of Cass (1970) and Erikson (1968) are discussed in more depth as well as the literature on
Multicultural Education, Inclusion, Emerging Literature and House’s (1998) theory borrowed from Transaction Cost Economics. The framework of House (1998) will be fleshed out as it relates to barriers towards implementation. The foundation for the purpose and scope of the study is further constructed using these theories and frameworks. Finally, Sociotransformative Constructivism is explored further as it relates to implementation of SB 48.

Chapter 3 includes a detailed mapping of the mixed methods research design including research questions, methodology/approach, population, setting, role of the researcher and limitations. Interview questions are tailored towards answering the research questions outlined in this chapter and detailed in Chapter Two. Data analysis is explained in detail and methods of participant protections are explained as the study moves from hypothesis towards results and interpretation.

In Chapter 4, the results of the survey were analyzed using SPSS version 22 and results were interpreted and explained in light of the theories and frameworks used. A Multiple Regression model was used to find predictors of implementation. Correlations and descriptive statistics were used to further draw conclusions about the research questions and levels of implementation found.

The interviews were explained, explored, coded and interpreted. An open coding method (Creswell, 2013) was used first, followed by additional coding using the qualitative software QD Miner 4. Themes and patterns were highlighted and discussed in the context of the three overarching frameworks of Multicultural Education, Transaction Cost Economics and Sociotransformative Constructivism. The research
questions were all addressed. Did the rich data gathered with the survey and during the in-depth interviews support the hypothesis that sporadic or no implementation is happening in schools? The themes that emerged from this study illuminated if and how this law is being implemented giving useful information for moving towards a more complete implementation in California’s high schools.

Finally, in Chapter 5, an overview and summary is provided of the entire scope and sequence of this study. Analysis of both qualitative and quantitative data is discussed as it relates to the research questions, hypothesis and implications for further research. This study concludes with some personal reflections by this researcher regarding the process of this study and some recommendations for teachers, leaders, researchers and policy makers.
Chapter 2

REVIEW OF RELATED LITERATURE

Introduction

Ronin was twelve years old. He loved fashion. He loved to cook, sew and more than anything else he loved being a cheerleader on cheer squad. On Wednesday December 3, 2014, in Folsom, California, he took his own life. He had spent most of his young life moving from school to school as his parents tried to find a school that would embrace him for his uniqueness. Finally, in frustration they pulled him out of school and home schooled him. That didn’t stop the bullying. He still had to go to the local middle school once every two weeks. He was also trying to join a local cheer squad, and he still attended his beloved Boy Scout meetings. He was bullied for being different and when he could no longer take the teasing and taunting for doing the things he loved to do, he hanged himself (Landay & Taylor, 2014).

Could Ronin have been helped if his school had been implementing The FAIR Act? How important are teachers to this process? Is there a method of assessing educational policies that will help predict whether or not they will succeed? What is the likelihood that The FAIR Act, created with the intention of LGBT curriculum inclusion, will be able to create the change needed to create safer schools for students like Ronin? Why is it important that we include LGBT curriculum in our schools in the first place? These are the questions that were framed in Chapter 1 and will be explored in depth in Chapter 2. Chapter 1 provided an explanation of SB 48 and its intended outcome. The case for the importance of inclusion of LGBT curriculum was briefly stated and
supported with startling statistics regarding LGBT youth and their increased rates of suicide, homelessness, drug abuse and other self-harming acts (Haas et al., 2010; Remafedi et al., 1991; Russell, Ryan, Toomey, Diaz, & Sanchez, 2011). The case for the necessity of SB 48 was made using the literature on LGBT inclusive curriculum and theories of inclusion from Multicultural Education (Banks, 1990; J. A. Banks, 2008; Ross, 2012) as well as the foundational identity theories of Erickson (1968) and Cass (1990). Transaction Cost Economics (House, 1998) was also used as a tool for assessing likely implementation and for explaining barriers of bounded rationality (limited time, knowledge and resources), opportunism (looking out for one’s own interests) and asset specificity (protecting assets of curriculum and pedagogy). Sociotransformative Constructivism, being a combination of Multicultural Education and Critical Pedagogy, was then brought in to support the need for transformation in order to move teachers towards level 4 of Banks’ model of implementation.

The problem stated in Chapter 1 has three components. First, is the need for safe school environments for LGBT youth. Second, is the need for policies such as SB 48 to mandate inclusion, and finally, the need to analyze the process so that supports can be identified and provided for teachers as they implement. This study is important precisely because there is so little research on the implementation of LGBT curriculum (Blackburn & Smith, 2010; Blumenfeld, 2010; Burdge et al., 2013; Hanlon, 2009; Kosciw et al., 2013; McGarry, 2013) and even less on SB 48 (Adinolfi, 2011, Meyer & Pride, 2014, Vecellio, 2012). This study will help fill the large gap in research specific
to SB 48, and help move the educational community towards a better understanding of what is happening in our schools regarding this policy.

**Erikson/Cass on Models of Youth Identity**

To identify the urgency for curricular intervention, theoretical contributions of Erikson (1968) and Cass (1970) are very helpful. In his seminal book *Identity Youth and Crisis*, Erikson (1968) developed a theory of eight life stages wherein healthy development at each stage can predict normal healthy movement to the next stage. (Table 2). Erikson (1968) was the first to recognize identity development as a major milestone of adolescence. His psychosocial theory of development is best known for its’ ‘lifespan stages’.

Adolescence, the fifth stage, is identified by the tension between *Identity vs. Role Confusion*. It is this fifth stage of adolescent identity that most high school LGBT youth are experiencing. Erikson (1968) believed that it is the successful navigation of these tensions that ultimately lead an adolescent towards healthy role identity. According to Erikson (1968) it is during this very fragile period where children begin the arduous and sometimes dangerous process of developing either a healthy sense of identity, or severe role confusion which can then lead to low self-esteem and self-harming behavior. As stated in Erikson’s (1968) book,

> If the young person is “recognized” at a critical moment as one who arouses displeasure and discomfort, the community sometimes seems to suggest to the
young person that he change in ways that to him do not add up to anything
“identical with himself” (p.160).

Erikson is asserting here that when a community rejects or tries to change an adolescent’s budding sense of identity, then the identity cannot emerge in a healthy manner. Bullying or lack of acceptance for one’s LGBT identity could easily be interpreted as rejection.

Figure 4

*Erik Erikson’s Eight Life Stages*
To connect Erikson to SB 48 specifically, Vivienne Cass’s (1979) model of homosexual identity will be used. In the late 1970s Cass developed an identity model specific to homosexuals. Her model consisted of six stages. Those stages are as follows:

**Stage 1 Identity Confusion:**

Individuals recognize a difference in their own behavior as compared to the heterosexual norm. There is questioning at this stage as to what that different behavior actually means. The disconnect from the assumed heterosexuality begins to happen and the identity is in flux (Cass, 1979). This stage is where many adolescents in middle and high school find themselves.

**Stage 2 Identity Comparison**

In this stage there can be much vacillating between clinging to old beliefs of identity as a normal heterosexual and the insights that point towards a homosexual identity. Isolation is common in this stage as the distinctions between the emerging identity and the majority heterosexual population become more obvious (Cass, 1979).

**Stage 3 Identity Tolerance**

By this stage an individual is more comfortable with the idea of a gay or lesbian identity, yet as the title suggests there is ambivalence as the new identity is tolerated but not yet fully embraced. It is at this stage that an individual can either adopt an attitude about the emerging identity as desirable, undesirable or partly desirable. Feelings of isolation can continue to grow if there is no support from the surrounding community and family system. However, if there is supportive family, school and friends the
person can move towards a healthy acceptance of the emerging gay identity. At this stage it is critically important that a person has positive contact with other gay or lesbian people who can act as positive role models (Cass, 1979).

**Stage 4 Identity Acceptance**

This is where the interactions with others is of the utmost importance. As the identity becomes more crystalized, the images and experiences that surround the person can be very helpful if positive and damaging if negative images and painful experiences are the norm (Cass, 1979).

**Stage 5: Identity Pride**

At this stage, if the healthy relationships, role models and images are available, the person starts to show feelings of genuine pride towards the LGBT community (Cass, 1984, 1990). As a sense of belonging ensues, preoccupation with LGBT literature, history and culture takes over (Cass, 1979). Healthy anger at the oppression toward the new group identity develops at this stage and political activism is a common outlet (Cass, 1984, 1990).

**Stage 6: Identity Synthesis**

This is where the individual begins to incorporate the gay identity so that it becomes synthesized into the entire personality. Although still identified as gay or lesbian, gone is the earlier anger and sense of victimization replaced with a more tempered feeling of anger, frustration and alienation. Friendships often include both gay and heterosexual people. Self-disclosure becomes more comfortable as acceptance is more the norm (Cass, 1990).
It is likely that most middle school and high school students, fall into Erikson’s *Identity vs. Role Confusion* and are at stage one, *Identity Confusion*, of Cass’s model. According to Erikson (1968) and Cass (1990) this is a very vulnerable period when peer approval and adult role models are most important.

The question then becomes, how can the school community fulfill that role as a safe place where LGBT youth are free to develop their identities with the same opportunities for community acceptance that their heterosexual peers enjoy? One way
to do this is with curriculum inclusion as mandated by SB 48. Next will come a discussion of how Multicultural Education coupled with LGBT Inclusion Literature can lend more insight into the critical importance of implementation of this law.

**Multicultural Education and Inclusion**

**Multicultural Education**

James A. Banks, commonly referred to as the father of Multicultural Education, speaks about Multicultural Education in very inclusive terms. In an online interview with Ross (2012), Dr. Banks explained how the movement towards Multicultural Education emerged in the 1960s as a Black Cultural movement, and later evolved into Black Studies. It then further developed as other groups joined the movement, and now encompasses any ‘other’ with the need for representation and visibility. The Multicultural umbrella now includes the LGBT community (Ross, 2012). It is Banks’ (1990) model that will be used to frame and assess SB 48 in terms of what level of implementation might be found in the classrooms.

Dr. Warren J. Blumenfeld (2010) captures the essence of the juncture between Multicultural Education and the need for LGBT inclusion when he states,

With the very real differences acknowledged, I also believe that the various forms of oppression (e.g., racism, ethnocentrism, religious oppression, sexism, heterosexism, ageism, classism, ableism, and others) run parallel and at various points intersect. It is at those points of intersection where alliances and coalitions may form to combat the many spokes on the wheel of oppression; for if we somehow are able to
dismantle one of the spokes while neglecting to concentrate on those remaining, the wheel of oppression will continue to trample over the lives of many (p.11).

Both Banks (1990) and Blumenfeld (2010) remind us that any person or group who is marginalized and faces oppression for any reason by the dominant forces in our nation’s systems of government and society deserve to have their voices heard. One of those oppressive forces is the assumption of heteronormativity (Hackford-Peer, 2010). Heteronormativity is the way in which heterosexuality is assumed unless otherwise stated. This idea will emerge when further assessing barriers to implementation in the section on House’s theory (1998) based on Transaction Cost Economics (TCE). This cloak of invisibility is a foundational tenet of the need for Multicultural Education as well as LGBT inclusion.

Consequently, Multicultural Education provides a useful framework for assessing levels of implementation from the lowest level, the contributions approach, to the highest levels of social transformation at level 4. What follows is a more detailed discussion of all four levels of Banks’s (1990) model (Figure 6).
**The contributions approach.**

This is the level at which most schools implement any kind of inclusive curriculum. It is inclusive only at the lowest level and is characterized by limiting the curriculum to specific people who are chosen for their accomplishments. It is described as additive and does nothing to address any of the inequities of racism, classism, victimization or oppression. For example, a teacher might chose to talk about Harvey Milk and his contribution to the Gay Rights Movement. In this way Harvey Milk would be representing a ‘hero’, and he would be added without changing the structure of the curriculum. The more controversial issues of homophobia and oppression would be left...
out at this level. Only the positive attributes and accomplishments of these heroes would be addressed. This stage is easiest for teachers to add to the curriculum as it does not alter the curriculum in any meaningful or disruptive way.

This approach is commonly referred to as the ‘heroes and holidays’ approach. The only difference in this approach is that specific characters in history are exemplified, but only on particular days or months. It is also the easiest to implement because it can be separated from the rest of the curriculum. When the holiday or ‘Gay History Month’ is over, the focus returns to the regular heroes and holidays until next year. As Banks (1968) asserts, this approach can often result in trivialization and further promotion of stereotypes (Banks, 2009).

The additive approach.

In this approach, themes, units and concepts can be added to the curriculum without changes in its structure, perspectives or frames of reference. For example, a whole unit on Harvey Milk might be added during Gay History Month, yet the focus would be on his biography and his role in the Gay Rights Movement. It would come from the heteronormative perspective because there would be no real change in the structure of the curriculum, other than creating space for some new material. In fact, it would be possible to include a unit on Harvey Milk without mentioning his murder and the resulting White Night Riots. The Additive Approach, while still possessing some of the same shortcomings of the Contributions Approach, can be a first step towards a

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7 Harvey Milk was the first openly gay politician to serve in the state of California when he was elected to the Board of Supervisors in 1977. Eleven months later, he was assassinated along with San Francisco Mayor George Moscone by fellow Supervisor Dan White. When Dan White was convicted of manslaughter instead of first degree murder and sentenced to only seven years, the gay community in San Francisco rioted, and those riots were called the White Night Riots. (Shilts, 1982).
more radical reframing of perspectives and structure that are present in the final level, Social Action.

**The transformation approach.**

In this approach students are encouraged to view events and people in history from a completely different perspective than the normalized European viewpoint. The structure of the curriculum begins to shift. For SB 48 implementation this would mean a shift from the heteronormative view to a more inclusive view that includes LGBT perspectives. Infusion of different books, artifacts, frames of reference and perspectives are the cornerstones of this approach.

By using this approach, the goal is not to showcase exemplary members of our state and nation, but in highlighting how the United States and California have emerged as a result of the existence of these groups. As Banks (1990) aptly states, “One of the ironies of conquest is that those that are conquered often deeply influence the culture of the conquered” (Banks, 1990, p.18).

In using this approach, students might learn about the White Night Riots by watching a video and then writing a paper from the perspective of a gay man who experienced the riots firsthand. Another option would be to have a guest speaker who was present during the riots speak to the class. Additionally, a play might be written by a group of students and performed using the perspectives of Harvey Milk’s family or partner. A reenactment of Dan White’s trial could be performed. The goal of these lessons is to change the perspective for the students in order to demonstrate how truth

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8 Dan White, a former police officer and city councilman, confessed and was later convicted of the killing of Harvey Milk and San Francisco Mayor George Moscone in 1978 (Shilts, 1982)
and history often have more to do with perspective than actual ‘truth’. The connections can then be made concerning the ‘truth’ about myths and stereotypes as well as including the missing information and historical figures in history.

**Decision making and social action approach.**

At this level there is a primary and dramatic shift in perspective. This approach represents a paradigm shift because it fundamentally changes the structure and assumptions of the curriculum itself while simultaneously requiring a pedagogical shift from common teaching practice (Banks, 2009). Pedagogically, the teaching approach would be more dialogic than instructive. In other words, the teachers would allow the students to take more responsibility for their own learning, thereby creating a more equal balance of learning and teaching between students and teachers in a bi-directional exchange (Freire, 2002; Grollios, 2009). Not only are students encouraged and guided in how to change perspectives and look at an historical even or person from a changed viewpoint, but the next step towards social action is explored and in some cases action is taken.

For example, after discussing a more recent tragedy such as the young man Matthew Shepard9 by a group of homophobic young men, the teacher might elicit from the students some action that can be taken to combat homophobia in the school or community. In this way, students are not only engaged in learning about history from a different perspective, they are asked to take a further step towards confronting some of the “isms” that presently exist.

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9 Matthew Shepard was an American student at the University of Wyoming in 1998 when he was brutally tortured and left to die because of his sexual orientation. His murder and the subsequent trial focused the nation on the issue of hate crimes against the LGBT community.
This fourth level is the one at which SB 48 can achieve the change which is likely to make a difference. This fourth level is the one that will become the focus of the Sociotransformative discussion later in the chapter. The modest intention of state senator Mark Leno was to simply include people who have helped to shape our nation and state and who also happen to be members of the LGBT community. This would place SB 48 at the bottom level of Contributions or most commonly known as the ‘Heroes and Holidays’ level. This does not preclude, however, any teacher from carrying it up through the next three levels. SB 48 can make a difference if implemented at any level and how it is being implemented or at which level is one of the questions this study hopes to answer.

Under the umbrella of Multicultural Education, SB 48 can have the effect of making our schools safer places for LGBT students. In his persuasive essay on why LGBT people should be included in the Multicultural Education model, Blumenfeld (2010) opens with a quote from the National Association for Multicultural Education.

Multicultural education is a philosophical concept built on the ideals of freedom, justice, equality, equity, and human dignity as acknowledged in various documents, such as the U.S. Declaration of Independence, constitutions of South Africa and the United States and the Universal Declaration of Human Rights adopted by the United Nation. It recognized the roles schools can play in developing the attitudes and values necessary for a democratic society. (p.3)

Our schools play a vital role in shaping the attitudes and developing students’ identity. Within these schools curriculum plays a leading role. Teachers take center stage when
it comes to curriculum implementation. This dissertation is tightly focused on teachers as implementers; however, the case for the importance of inclusion of the LGBT curriculum must be addressed. Without this important piece, it will be difficult to ask teachers to do the work that implementation requires.

**LGBT Inclusion Literature and the Need for SB 48**

The reluctance of some leaders to talk about LGBT issues, as described in Johnson’s (2013) dissertation, leaves a silent space where homophobia can thrive (Kosciw et al., 2009). Below are some consequences of unsafe school climates for LGBT students:

- Lower overall GPAs
- Less likely to pursue higher education
- 3 times more likely to miss school in the past month due to safety concerns
- Lower overall levels of self-esteem (Kosciw et al., 2013).

One of the ways in which schools can be made safer is to embrace curricula and textbooks that are representative of the student body and broader social makeup (Kosciw et al., 2013; J. G. Kosciw, Greytak, & Diaz, 2009; Vecellio, 2012). This idea of inclusion is at the heart of SB 48.

Throughout the high schools in California, heterosexuality is assumed in what has been termed ‘heteronormativity’ (Hackford-Peer, 2010). Because our schools reflect the heteronormativity in our society, to be ‘other’ is to be less than and when students are not allowed to see themselves ‘mirrored’ in the curriculum, they learn that they are not as important (Burdge et al., 2013). Further, when heteronormative students rarely see into the ‘windows’ of ‘others’ lived reality, they cannot understand or empathize
and become comfortable with their position of majority and superiority (Style, 1988). In response to the passage of SB 48, Randy Thomasson, self-titled Pro Family Leader and President of the family values group Save California said,

Parents don’t want and children don’t need ‘LGBTIQ’ role models in school. This is sexual brainwashing to the extreme. It’s damaging and nonacademic to teach children a lie -- that homosexuality, bisexuality, and transsexuality are natural and healthy lifestyles, when they’re not (http://savecalifornia.com/4-5-11-california-sexual-brainwashing-bill-passes-another-hurdle.html).

The story of Leelah Alcorn highlights the nexus of school and family life and exemplifies how both might be reflections of a homophobic society. Leelah Alcorn was born Joshua Alcorn. She committed suicide on the morning of December 28, 2014. According to her suicide note, she blamed her parents’ religious convictions for her suffering. Leelah’s parents were deeply religious, and although they claimed to love their ‘son’ unconditionally, they admitted that they could not accept her choice to transition from a young man into a young woman. They were quoted as saying “God doesn’t make mistakes.” In her suicide note Leelah stated,

The only way I will rest in peace is if one day transgender people aren’t treated the way I was treated, they’re treated like humans with valid feelings and human rights. Gender needs to be taught in schools, the earlier the better…my death needs to mean something…fix society, please. (Fantz, 2014)
Focus on Families, James Dobson’s conservative family/political action group posts on their website a section titled True Tolerance. In this section there are informational sections in which they claim that the idea that schools are particularly unsafe for LGBT youth is a lie. While they don’t go so far as claiming LGBT youth should be bullied, they do say that overall bully policies against anyone should be enforced and are enough. In their view the focus should be on stopping the bully and not on a particular victim. Using their own statistics that over 30% of students are bullied for a variety of reasons, the argument is that pointing out specific groups for special protection is divisive and counterproductive (truetolerance.org). Their position does not address the fact that research has shown that LGBT youth are more than twice as likely to commit suicide than their heterosexual peers, and transgendered youth have even higher suicide rates (Haas et al., 2010; Hatzenbuehler, 2011; Remafedi et al., 1991; Russell & Joyner, 2001).

Admittedly, completed suicide is the extreme end of the self-harm spectrum. More commonly LGBT students experience harassment and assault. In a recent survey on school climate for LGBT students, more than 80% of respondents reported being verbally harassed for either being LGBT or perceived as LGBT (Kosciw et al., 2013). In the same survey one in five students reported being physically assaulted on school grounds (p.23). One reason for these assaults and bullying is the lack of understanding of the LGBT population (Blackburn & Smith, 2010). This lack of understanding of the LGBT community is often due to myths and stereotypes and socially ingrained prejudices (Kosciw et al., 2013). What follows is an examination and discussion of the
limited amount of literature specifically targeted at supporting the inclusion of LGBT curriculum and SB 48 in particular.

One of the myths of LGBT inclusive curriculum is that it is focused on sexual orientation, thereby it is focused on the act of homosexual sex itself. While there is an argument for including topics directly related to LGBT sexual issues in health classes, LGBT sexual education is not within the scope of this dissertation. This study’s focus is on inclusive curriculum of LGBT people throughout history whose orientation is an often hidden facet of their entire being. The argument that implementing SB 48 is bringing ‘sex’ into the curriculum is the favorite argument of the religious groups that tried unsuccessfully to repeal SB 48. These arguments fail to recognize the vast difference between teaching about sexual practices of any group and teaching about embracing and respecting differences among all groups.

Any argument that schools do not need to be made safe for LGBT youth are soundly put to rest with the recent research reports published by four separate groups. These four reports are The Gay Straight Alliance Network’s (GSAN) report entitled, Lessons that Matter: LGBTQ Inclusivity and School Safety, the Gay Lesbian Straight Education Network’s (GLSEN) report 2013 School Climate Report, the California Safe School’s Coalition report titled, Safe Place to Learn and a report by Meyer & Pride report entitled Initiating and Sustaining Educational Change: The FAIR Education Law and Seth’s Law (2014). The findings of these four reports support the idea that not only are schools not safe for LGBT youth, but curricular inclusion is one very effective
means of combatting the bullying, harassment and assault that is happening in our high schools.

While scholarly literature on the importance of curriculum inclusion for LGBT students is thin, (Blumenfeld, 2010, Cahill & Cianciotto, 2004, Griffin & Oullett, 2003, Hanlon, 2009, K, McGarry, 2013, Vecellio, 2012, Zozakiewicz & Rodgriguez, 2007) it is nonetheless important and will be discussed after these five reports.

**Lessons that matter: LGBTQ inclusivity and school safety.**

The Gay Straight Alliance Network (GSAN) conducted research after passage of SB 48 and, in fact, used SB 48 as an incentive for recruiting schools for the case study. They targeted four different high schools, two in Northern California and two in Southern California. One of each of the schools was in an urban setting and one in a suburban setting. They provided four different types of interventions at the four high schools. This case study of four schools used a survey with the addition of interviews of who they termed ‘Key Informants.’ For purposes of this discussion the acronym LGBTQ will be used as it is in the study. The addition of the Q represents the group identifying themselves as Queer, which is politically differentiated from Lesbian, Gay, Bisexual or Transgender as a means of not conforming to a label.

High school A was an urban four year high school with over 850 students in the San Francisco Bay Area. This diverse population included Latino/a, African Americans and Pacific Islanders making up the largest proportion of ethnic minorities. Almost 60% received a free or reduced lunch. Surprisingly, the most important demographic missing was the percentage of LGBT students in the school.
In School-A, GSAN provided professional development on school climate and LGBTQ curriculum training for the social studies teachers in 10th and 11th grades reaching approximately 95 students in the school. School climate surveys were distributed to measure pre and post curriculum inclusion outcomes.

Feedback from teachers showed that teachers need support. The common complaint was that although SB 48 did encourage more conversation about inclusive curriculum, professional development was desperately needed (p. 12). Teachers did not feel supported at the school level or at the district level. In spite of these issues, the results from the curriculum intervention was compelling. There was a drop from 18% to 5% of students who reported physical attacks on themselves or someone they know who identified as LGBTQ.

High School B was a suburban four year high school consisting of over 550 students, again located in the greater San Francisco Bay Area. With approximately 30% of students eligible for free lunch, this school is comprised primarily of Asian, Filipino/a, Latino/a and white students. Inclusive curriculum at this school was targeted at health classes impacting 170 students in grades 9-10. They also incorporated two 11th grade humanities classes, teaching history to approximately 64 additional students. It was not made clear if any of these students overlapped in classes.

At this school, there was a feeling of support at the school and district level. It was explained that there was a ‘culture’ of inclusivity that permeated the district. This helped tremendously in getting teachers on board for the implementation. Again, results were positive across the board, with the largest gain in overall feelings of safety
not only for LGBTQ youth, but for gender non-conforming students as well. Gender non-conforming students can best be described as students who may not identify as LGBTQ, but do not fit the standards of dress or composure of stereotypical male and female roles.

School C was a larger school with over 2,500 students in an urban setting in the greater San Diego area of Southern California. This diverse school was composed of over 20 different racial and ethnic groups. The majority of these groups consisted of white, Latino/a and African American students. In this school, GSAN implemented standalone lessons in French and Spanish classes over a two day period. The lessons impacted 160 students in grades 9-12.

In this school, it was noted that funds were originally set aside for purchase of LGBTQ curriculum; however, budget cuts made the purchase impossible. The biggest gain in this school, according to the post-lesson climate survey was that the perception of a lesson as being supportive of LGBT people increased from 57% to 77%. This means that the students perceived a better attitude and climate for LGBTQ people after exposure to the lessons.

School D was the one school that did not follow through with their original commitment to the study. For unknown reasons, the district pulled its’ support and the project was not able to move forward. It appears from the information that the district wanted more control of the content and ultimately claimed that they were indeed in compliance with SB 48 and needed no further interventions. Because of this lack of
cooperation at the district level, the teachers who were eager to implement did not do so. Therefore, there was no information generated about this school.

In addition to the survey and the curriculum, GSAN researchers conducted a series of what they called ‘key informant’ interviews at all school sites except for School D. These interviews were targeted at school board members, key administrators, teachers and advocates from community based organizations. The purpose of these interviews was to gain information about the challenges and strategies in implementing ethnic studies and LGBT curriculum. Twelve open ended questions were asked and the interviews were conducted over the phone for an hour and half each. The results of this study were clear.

In each of the schools that implemented and or underwent professional development, student perception of safety increased significantly. Students also reported an increase in support for LGBT students after the lessons. Harassment of LGBT students decreased and slurs were less common. Also reported was an increase in comfort level around talking to teachers about LGBT issues. Resources and access to LGBT information were perceived as being higher after implementation, and overall school climate as measured by all these factors showed overall improvement.

The findings across the schools were threefold. First was the finding that any type of inclusion had some positive effect on overall school climate for LGBT youth. Secondly, they found that curriculum that was supported by administrators and implemented across the school had the most overall positive effect. The third finding was that a stand-alone lesson that is apart and separate from the regular curriculum has
the lowest impact on student attitudes and, therefore, creates the lowest amount of change in school climate.

Lessons learned from the key informant interviews are that teachers cannot implement that with which they do not feel comfortable, due to lack of knowledge. This supports House’s (1998) theory of bounded rationality as a barrier. Bounded rationality points to the lack of time, understanding and resources. Many teachers reported that they felt unsupported by administration and did not have access to curriculum or know where to find it. Other useful findings from the interviews were that teachers expressed fear and discomfort surrounding this sensitive topic. As teachers addressed the reality of backlash from parents or non-supportive administrators, many talked about the real possibility of losing their jobs. This supports House’s (1990) idea of opportunism, which suggests teachers will protect their own personal interests. Another relational aspect to opportunism was the fear teachers expressed, of what others would think of them if they were supportive of LGBT issues. All of these findings highlight the many challenges for teachers as they struggle to implement. Many of them simply won’t implement, which further supports House’s (1990) idea of opportunism as defined in its’ simplest form of non-compliance (p.72).

**The 2013 national school climate survey.**

The findings from GLSEN’s report *The 2013 National School Climate Survey* are in line with the report from GSAN when discussing the findings related to the experiences of LGBT students in schools. This was an online national climate survey that incorporated schools in all 50 states and the District of Columbia. The sample size
for this report is 8,584 students ranging in age from 13-20. This was an online survey in all 50 states including the District of Columbia. The criteria for participation in this survey was any student who attended K-12 during the 2011-2012 school year and the results were reported in 2013. Although the survey was open to K-12, the final group of respondents fell between the ages of 13-20 with the largest percentage being in 10th and 11th grade.

This report concluded that sexual orientation or gender expression are the most common reasons for harassment or assault in high schools nationwide. According to this survey, more than 80% of self-identified LGBT students reported being harassed. Four in ten students reported being physically assaulted and more than half reported experiencing some form of electronic harassment commonly referred to as cyberbullying.

This report specifically mentions inclusive curriculum and its effects on schools throughout the nation that participated in this study. They included measures very similar to the measures used in the GSAN report. These measures included frequency of hearing biased remarks or slurs, feelings of safety, absenteeism, victimization/bullying, and comfort level in talking about issues with teachers. In all of these areas, schools that had LGBT curriculum scored better than the schools that did not. The biggest difference was in the category of victimization and bullying. Schools that had inclusive curriculums showed more than a 50% overall lower rate of bullying and harassment than the schools that did not have an inclusive curriculum (figure 1).
**Safe place to learn: California safe schools coalition report.**

Published in 2004 by the California Safe Schools Coalition in conjunction with GSAN, it does not mention SB 48 in particular, however, it does focus on LGBT curriculum inclusion. They distributed a survey called The California Healthy Kids Survey (CHKS). This survey is now required to be given every other year by all California public schools that receive specific federal education funds. This 2004 report is the latest comprehensive report based on results from the CHKS. Data analyzed for this study consisted of data from the 2001-2002 school year and included 7th, 9th and 11th grade students. Data from 237,544 students were used for this report. Asset scales based on answers to statements using ‘never, sometimes, rarely or often’ were used to determine levels of safety, attitudes and beliefs about school safety.

Major findings from this report are in line with key findings from all other reports used in this study. These major findings are as follows:

1. Harassment based on actual or perceived sexual orientation is pervasive.
2. Harassment based on actual and perceived sexual orientation has dangerous consequences.
3. School climates are unsafe for LGBT students, students perceived to be LGBT.
4. Schools can take steps to improve safety and health for all students.

The report concludes with five recommendations to makes schools safer. The fifth recommendation is for inclusive curriculum. The research in this report shows that 67% of students who have been exposed to LGBT curriculum in school state that their school is safe for LGBT youth compared to 40% who have not been exposed to LGBT
curriculum (p.22). The results from this study clearly point to the fact that LGBT inclusive curriculum can have an important impact in creating safer schools for LGBT youth. The barriers highlighted in this study are those of complacency by all stakeholders, but especially from districts. They mention California’s law\textsuperscript{10} that prohibits discrimination in schools based on sexual orientation/perceived orientation and gender as being ineffective due to inconsistent implementation and enforcement. This supports the hypothesis for this study that there will likely be inconsistent and non-existent implementation of SB 48 in the sampling of schools chosen for this dissertation.

**Initiating and sustaining educational change.**

Meyer & Pride (2014) identified supports and barriers through their study of SB 48, AB 9, and Seth’s Law\textsuperscript{11}. The study was conducted in 2014 in the San Luis Obispo school district along the central California Coast (Meyer & Pride, 2014). The portion of the study focusing on SB 48 consisted of four focus groups of teachers, principals, administrators and school counselors. These findings confirm the hypothesis for this study, primarily that teachers had little knowledge of this law, few resources for implementation and virtually no professional development available. This supports the hypothesis for the barrier of *bounded rationality* (House, 1998), which states clearly that teachers have constraints of knowledge, time and resources. Further support for the

\textsuperscript{10} California Violence Prevention Act of 2000 (AB 537); California Education Code §§ 200-220 (gsan.org).

\textsuperscript{11} Seth’s Law or AB 9 became a law in 2012 and expands the states’ Safe Place to Learn law. Its main components are that it mandates any school employee who witnesses an act of bullying must intervene and follow a protocol set by each school. It specifically names LGBT or perceived LGBT bullying in its verbiage. Schools are required to post a specific protocol for how an incidence of bullying should be handled. Named after Seth Walsh who killed himself in 2010 after years of anti-gay bullying (Alexander, 2010).
hypothesis of *opportunism* (House, 1998) lies in their findings that teachers in particular were worried about backlash from parents, colleagues, community or administrators. Although this report from the San Luis Obispo Unified School District brings to light issues similar to what this researcher expects to find, the expectation is that in depth interviews with teachers from this study will bring to light barriers and issues of implementation beyond the scope of the Meyer & Pride report.

These reports and articles report a common theme that schools are unsafe for LGBT students. The literature also points to curriculum inclusion as making a difference in the perceptions and treatment of LGBT youth. What the literature on inclusion of minority cultures tells us is that when students see themselves reflected in the curriculum and textbooks, they develop identities that are more equal in status to their dominant culture peers and, consequently, feel more of a sense of belonging and value (Banks, 2008).

The four reports (Burdge et al., 2013; Kosciw et al., 2013; Meyer & Pride, 2014; O'Shaughnessy et al., 2004) and the five articles (Blumenfeld, 2012, Cahill & Canciotto, 2004, Griffin & Oullett, 2003, McGarry, 2013, Vecellio, 2012) all focus on the importance of LGBT inclusion as far as curriculum while Vecellio (2012) tries to give a roadmap for how this might happen. Now will come a discussion of the articles related directly to LGBT inclusive curriculum.
Emerging Literature on SB 48

Because this law is relatively new, there is a limited amount of scholarly literature available specific to the implementation of SB 48. This body of literature consists of one thesis (Cuomo, 2013), two reports discussed earlier (Burdge et al., 2013; Meyer, 2014), one book (Freeman & Rupp, 2014) and two articles (Adinolfi, 2011, Vecellio, 2012). The media also closely followed the attempt at repeal, which will be discussed in the context of Cuomo’s thesis (2013). What follows will be a discussion and brief analysis of the relevant body of literature which will serve to give further context in support of this study.

SB 48 and Social Media: Constituting an Audience For and Against California’s LGBT Education Legislation

In his thesis, Cuomo (2013) focused on the social medium of YouTube in analyzing six videos that were most watched during the time frame of the attempted repeal of SB 48. This attempt at repeal happened in a 2012 initiative drive and was spearheaded by a group called Family Research Council (FRC).12 As one of the few initiative states, California laws provides the opportunity repeal a current law if enough signatures can be gathered to put the issue to a vote. Ultimately, not enough signatures were collected to repeal SB 48. During this time, in late 2012, the attempt to repeal garnered much attention as both sides battled for votes. The two groups pitted against each other were The Family Research Council and their allies and the Gay Straight

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12 The Family Research Council was created by ex-legislator from Louisiana Tony Perkins. This group claims to be a group that fights for family values, but their actions are targeted at LGBT issues throughout the nation. They use discredited research and junk science to support their claims (http://www.splcenter.org/get-informed/intelligence-files/groups/family-research-council).
Network (GSN) and their allies. Although Cuomo (2013) focused primarily on the theory of ‘creating an audience’ using the YouTube videos as a vehicle, he suggested the strong possibility that there might be issues with implementation. He pointed to the controversial nature of the law as played out in the videos highlighted in his thesis.

Cuomo (2013) selected three videos in support of SB 48 and three in support of repeal. He explained that due to the controversial nature of the law, it is very likely that there will be issues with implementation, however he does not mention teachers as being the main cause. Instead, he talks about general backlash from religious parents as the primary reason for the issues with implementation. Since the focus of Cuomo’s (2013) thesis is the argument stemming from this backlash, it is understandable that he did not look further into the issue of teachers as implementers and primary targets of that backlash, or rather, of opportunism which is the manifestation of that targeting according to House (1998).

U.S. Lesbian, Gay, Bisexual and Transgender History

The edited book *U.S. Lesbian, Gay, Bisexual, and Transgender History* (Rupp & Freeman, 2014) uses The FAIR Act as a pillar for its purpose and intent. In describing how they hope it will be used, the editors portray a changing America, where states, such as California, are in dire need of history curriculum. They further mention that other states might find a need in the near future. One essay in particular underscores both the intent of SB 48 and the barriers teachers might face in the implementation phase. In the essay titled *Questions, Not Test Answers*, Hobson and Perez (2014) support the assertion in this dissertation that the intent of this law is to define curricular
inclusion as “key to the emotional well-being and academic success of LGBT students” (p. 77). In this chapter they discuss the implementation difficulties, such as time and resources, even the most ardent supporters of SB 48 might face. Hobson & Perez further explain that teachers will need to see the need for inclusion beyond homophobia and student safety if implementation is going to happen. As teachers and leaders begin to move away from the testing paradigm of NCLB\(^{13}\) and toward the critical thinking required by the Common Core State Standards\(^{14}\), Hobson and Perez (2014) frame LGBT history as an excellent vehicle for driving critical thinking and critical analysis into the curriculum. They make the argument that the path towards LGBT inclusion lies in convincing teachers it will provide opportunities for critical thinking and analysis required by the new Common Core State Standards. Therefore, while a need still exists for inclusion, as evidenced earlier in this chapter, it’s not clear that societal issues of homophobia can be overcome without considerable time and effort. In fact, it could be argued that most teachers, if forced to go deeper into the curriculum to address critical thinking, would prefer to use familiar curriculum in which they have more time invested (asset specificity).

\(^{13}\) NCLB stands for No Child Left Behind. This was a George W. Bush era reform based on a reauthorization of the Elementary Secondary Education act. The Elementary and Secondary Education Act (ESEA) was signed into law in 1965 by President Lyndon Baines Johnson, who believed that “full educational opportunity” should be “our first national goal.” With the reauthorization in the Bush era, a strong testing component was introduced. This has forced many teacher in the past two decades to ‘teach to the test’ in their efforts to maintain federal funding for their schools and meet specific mandated benchmarks (http://www.ed.gov/esea).

\(^{14}\) Since 2010, a number of states across the nation have adopted the same standards for English and math. These standards are called the Common Core State Standards (CCSS) (http://www.cde.ca.gov/re/cc/ti/whatareccss.asp).
**Articles Relevant to SB 48**

Vecellio (2012) used Banks’ (1990) model of inclusion to show how SB 48 might be implemented across the curriculum. He started with level one and went all the way through level four, which is the social action level. He mentioned that although SB 48, because of its controversial nature, lent itself to the rather shallow level of Heroes and Holidays, the other three levels might be reached if we focused on the ‘role’ that some of these LGBT people played in the shaping of our state and country. Using this role as a jumping off point, Vecellio (2012) showcased how an attentive teacher might use this idea to discuss the deeper meanings of oppression and marginality. Although he touched upon some of the deeper ways teachers can incorporate these ideas into the curriculum, Vecellio (2012) never explored the possibility of non-implementation and what strategies might be used to navigate some of these barriers. By his own admission he did not try to argue the case for SB 48, but attempted to start a conversation about how it might look.

Admittedly, Vecellio (2012) provided examples for each level and made a case for using this particular model, which supported the use of the same model in this dissertation. For example, he used Harvey Milk as an LGBT hero in level one, but showed how the reasons for his assassination can be discussed in level three if the students were to view this tragedy from the viewpoint of Harvey Milk’s family or his partner. He brought it to level four using the same example, only asking the students to talk about oppression they can see in their own school or lives related to LGBT people and then further asked them to come up with some actions they can take to address
these issues. He used the example of forming a Gay Straight Alliance in the school to address issues of oppression and creating safe spaces. These concrete examples were very useful for this study when going into the sample schools and provided examples of what to look for in a level four implementation school.

The other articles cited, with the exception of Rodriguez & Zozakiewicz (2007), have only a mention of LGBT curriculum inclusion as one of many interventions possible to create safer schools. Rodriguez & Zozakiewicz (2007) actually used a Multicultural curriculum in a program called ‘Maxima’ to foster inclusion in one high school during an entire school year. Using the theory of Sociotransformative Constructivism, the aim was to create supports for teachers in order to encourage them to change their teaching pedagogy in order to foster inclusive lessons for ethnic minorities and gender inclusive issues. Although this curriculum was not LGBT specific, it is very instructive, as the comparisons are made between the power of multicultural inclusion and LGBT inclusion using Sociotransformative Constructivism.

Sociotransformative Constructivism is a theory that combines the ideas of inclusion put forth by Multicultural Education and the theories of Critical Pedagogy (Freire, 2002). Sociotransformative Constructivism will be explained in depth later in this chapter. Critical Pedagogy is a means by which teachers engage students in critical thinking with the goal of creating change to systems of oppression especially as they relate to dominant power structures. This gender inclusivity that this curriculum was trying to change included, for instance, ideas that certain professions are for men only or women only. While this program experienced success, it highlights the need for
large investments of time and money in order to support and follow through with the professional development aspect. This would be a good model to use when looking forward towards better implementation of SB 48, but for purposes of this dissertation’s focus, it does not pertain to LGBT inclusion specifically yet it does make a case for the importance of inclusion of ‘others’ in curriculum.

**Transaction Cost Economics and SB 48**

At first glance, a framework borrowed from microeconomics seems a strange choice for assessing education policy implementation. After all, education and economics don’t engender the same initial response. Education engenders feelings of altruism while microeconomics does not. However, upon closer inspection, the relationship becomes clear and is especially notable in this era of accountability, privatization and the businesslike approach encouraged by many in the neoliberal education movement (Au & Apple, 2004). Furthermore, when the definition of microeconomics is understood as the study of individual choices, single factors and how those choices effect a system, then it begins to look like a better fit (Harmon, Oosterbeek, & Walker, 2003). After all, if we accept the arguments of Lipsky (2010), Spillane, et.al (2002) and House (1998), that teachers have an important role in the implementation of educational polices, it would follow that the study of such individual decisions could prove very fruitful in the pursuit of answers about implementation of SB 48. It is just such an argument that House (1998) makes. In fact, it even feels somehow poetically justified

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15 The Neoliberal movement is generally seen as a movement to privatize the K-12 education system and is commonly linked with policies that promote charter school, choice vouchers and the free market system in general (Hursh, 2007).
that a framework based on economics is trying to tell a story of how the engine of our country’s economic system, the free market, won’t solve our schools’ problems. And even better, House tells us what will.

The framework House (1998) uses is adapted from a framework in microeconomics called Transaction Cost Economics (TCE). In TCE, organizations are understood through a lens of contractual costs as a motivating factor for why people make the decisions they do. House (1998) explains the idea of school reform as a contractual relationship between policy makers and teachers (p.65). According to TCE, there is a cost to the transactional contracts between each side of the contract. House (1998) argues that any reform or change has a cost to implementation, and this cost involves not only the funds necessary for the materials and training, but can also be the cost measured in human capital. This human capital cost is often ignored (p.78). His framework of reform is a means of identifying that cost and assessing the likelihood of success for a policy based on that cost. He emphasizes that this framework is one for assessment and not analysis. This not so subtle difference is important because SB 48, being a nascent policy, does not yet lend itself to full analysis, especially since textbooks will not be available until after 2015.\footnote{This ‘after 2015’ date is sometimes mentioned in literature pertaining to SB 48 as a soft date after which implementation will happen, yet, how this will happen is not clear.}

Defining TCE, House talks about the relational nature of contracts, how they are made, enforced and at what to cost to all parties involved. He names teachers, students and parents on one side and policy makers and other stakeholders as parties to such transactions. He goes on to explain the attributes of these contractual relationships
using the TCE framework of bounded rationality, opportunism and asset specificity as central to why it is so difficult for educational policy makers to create successful policies (p.79-80). What follows is an explanation of each of these aspects of TCE as well as how they frame and support this study and draw attention to the urgency of implementation.

**Bounded Rationality and SB 48**

Cognitive Scientist Henry A. Simon in his book *Models of Man* (1957) is credited with the theory of bounded rationality. Simply stated, bounded rationality is the idea that people (in this case teachers) do not always make decisions based on what is the best possible option, but rather make decisions within the box of limited cognition, insufficient information and time constraints. Because they do not operate in optimal conditions these decision are based on satisfying a short term goal rather than on making the optimal choice with even their own best interests in mind. Thus, they become what Simon called ‘satisficers,’ ‘making only satisfactory decisions rather than optimal ones (Simon, 1991). Teachers, according to House (1998), fall into this category very neatly in the reality of their day to day teaching practice. For example, a teacher who is trying to decide what to include about WWI history, might rely on a familiar curriculum that does not include all the women who dressed as men to fight for their country. She might not have the knowledge base, cognitive understanding of gender bending roles in society and she does have the time to do acquire the new knowledge. Her decision to keep the status quo curriculum is an example of ‘satisficing.’
Opportunism and SB 48

Opportunism is explained by House (1998) as the idea that teachers are no less likely than the general population to serve their own self-interest. He claims that teachers are often given undeserved credit for being particularly altruistic, when they are not. This leads to an assumption by many policy makers that teachers will always put the needs of the students, for instance, ahead of their own when making decisions about implementing policy (p.67). House believes this assumption leads to bad policy when there are no cautions taken or levers put in place for noncompliance. SB 48 is a policy with no levers or consequences. Opportunism, according to House (1998), would prevent this altruistic implementation.

This might be especially relevant for a law that mandates teachers include LGBT people in a positive light. There might be some teachers who do not personally feel an obligation to implement. As House explains it, “…in its’ most subtle form, opportunism can look like simple lack of obedience” (p.78). This common assumption of obedience without blatant opportunism can easily be seen in looking at the components of The FAIR Education Act. For example, the acronym FAIR stands for Fair, Accurate, Inclusive and Respectful. Even though there is a need for all these, as evidenced by the section on LGBT Inclusion, the means for achieving them is left out. So then, with no consequences as a lever for non-implementation and if this altruism does not exist, as Houses (1998) theory suggests, then what is the implication for the success of SB 48? That question will be addressed at the end of this section when the framework is used for assessing SB 48.
Asset Specificity, Teachers and SB 48

When talking about asset specificity, House (1998) refers to the assets of education, acquired skills and human capital in the form of contracts (p.72). These assets cannot be transferred easily and are often not considered when contracts between policy makers and teachers enter into contractual relationships. Held in high regard by the asset holder, these assets are thus protected at the cost of any benefit to students or other stakeholders when it comes to implementation of a new policy. In an asset specific situation, according to House (1998), prior relationships become very important as well. In fact, many of these prior relationships can be construed as relationships with familiar curricula.

So then, how do teachers manage to break their own constructs of bounded rationality, put their assets at risk and ignore their own opportunities? Using House’s (1998) adapted framework of TCE, he claimed if the policy is constructed with considerations to all three of these aspects, then implementation outcomes are more favorable (p.81). In other words, teachers would need to be compensated in some way for the sacrifices they are being asked to make.

Assessment of SB 48 Using TCE

Figure 7
House’s Framework Barriers

Houses’ (1998) framework based on TCE, which he adapted from Williamson’s (1985) book on economic institutions, defines policies as contracts, or agreements between one or more parties. According to House (1998), consideration must be given to the assumption of at least some measure of opportunism among teachers, bounded rationality and most definitely asset specificity. In the case of educational policy, the contract needs to be one of governance, but not just any governance. House (1998) suggests that “…one should organize transactions so as to economize on bounded rationality, while guarding against excessive opportunism and recognizing specific assets where they exist” (p82). Applying this framework to SB 48, ‘economizing on bounded rationality’ might take the shape of developing peer coaching teams in order to bring meaningful professional development into the policy itself. Since SB 48 contains...
no such professional development language, it will become the responsibility of the schools and districts to provide this. To ‘guard against excessive opportunism’ would mean consequences for non-implementation serious enough to push teachers and administrators beyond their comfort zones. Recall that SB 48 has no such consequences for non-implementation.

Finally, ‘recognizing specific assets’ should be done in the context of helping teachers notice where they can easily implement what might already be in the current curriculum. This might be as simple as adding some information on historical figures such as Leonardo Da Vinci, Michelangelo or Walt Whitman, who are all bisexual if not homosexual (U. S. lesbian, gay, bisexual, and transgender history, 2014). Recognizing specific assets might also be simply acknowledging how difficult it is to change an established curriculum and making space for the concerns of teachers around this issue curriculum change. This framework is also useful as a means of measuring the probability of success of any given policy.

Now the framework will be used to assess how likely it is that SB 48 will be successfully implemented. The first test is the test of bounded rationality (Simon, 1987). When looking at the nature of the classroom setting, it is clear that time constraints are an issue with many teachers. Limited knowledge of LGBT culture/curriculum is an assumption for now, and will be explored in chapters 4 and 5. Because the inclusion of LGBT history and culture is rare, it can be stated that the knowledge base from which teachers can draw upon is thin (U. S. lesbian, gay,
bisexual, and transgender history, 2014). Therefore, it is likely that some level of bounded rationality exists. The actual levels will be explored in-depth in chapter 4.

When looking at the issue of opportunism and The Fair Education Act, teachers have always taken their own interests and that of their students into account when making decisions. Yet, SB 48 invokes a particular type of opportunism because of the sensitive and controversial nature of the subject. Implementing curriculum which has the potential to create awkward conversations and questions from students, as well as angry resistance from parents, means there is a greater likelihood that self-protection or opportunism, will be a factor. It seems likely that many teachers would have an interest in protecting themselves personally and professionally from adopting a curriculum that is controversial in nature. Some social conservatives are still arguing that it is not beneficial to implement SB 48 at all; in fact it is harmful ("Focus on the family and sb48, "). This leads to the realization that many teachers, in looking out for their own self-interests, will not be implementing SB 48 unless somehow forced to do so. It has already been established that there are no consequences for non-implementation. In considering opportunism, there is nothing stopping teachers from continuing to protect their assets and look out for the best interests of personal comfort, job security and the consistency that comes with keeping the status quo.

But what of the teachers who are members of the LGBT population themselves, have close friends, family members or even LGBT students in their classrooms whom they want to support? This might be a situation where teachers’ self-interests would be served as well as the interests of their LGBT students. Because of the schism in
opportunism perceptions depending on individual experience, opportunism is likely to run rampant in this case, either one way or the other. Hence, it is likely that the implementation of SB 48 is happening sporadically and at vastly different levels according to Banks (1990) model of implementation.

The third aspect of this framework is of utmost importance and as such will be given extra attention. The idea of asset specificity is especially important when teachers are expected to change their pedagogy and or curriculum. In fact, if SB 48 is to be implemented at level 4 of Banks’ (1990) model, there will need to be changes to both curriculum and pedagogy. House (1998) makes a pointed effort to expound on the importance of considering asset specificity when crafting educational policies. In fact, it is just such ignorance of this specialized aspect of teaching that he blames for the majority of failures in educational policy implementation. He explains how most people wrongly believe teaching as conveying content knowledge, but it is much more than that. According to House (1998), the craft of teaching is “a tacit knowledge gained over years and as such is highly valuable and fiercely protected” (p.88). Looking at SB 48 through this lens, it seems very clear that this law is asking teachers to change not only what they teach, but in some cases, how they teach. What we are asking teachers to do is to refocus their lens on history and social science. They would need high quality professional development in order to do this. With no funding or resource guidance, SB 48 is facing a steep climb towards implementation.

What does this framework allow us to do once we have established that SB 48 does not look like a law that will experience much success? Using this framework as an
assessment tool, it appears that SB 48 will need a strong governance component if it is to see any sustained success. And even then, what we know about strong governance or top down policies is that they don’t work well over time in educational settings (Brady, Duffy, Hazelkorn, & Bucholz, 2014; Dyer, 1999; Fullan, 2011; House, 1998; Spillane, Reiser, & Reimer, 2002). There will be more discussion at the end of this chapter about what might work to support SB 48 and what we would expect to find in the schools that are implementing. The question becomes what can be done to address the sporadic or non-existent implementation that the hypothesis for this study expected to find?

**Sociotransformative Constructivism**

Sociotransformative Constructivism (STC) theorizes that learning and knowledge are actively constructed by both interacting with the environment and the social constructs within that environment, including interactions with people (Vianna & Stetsenko, 2006). STC further acknowledges the role that history, culture and institutions play in the construction of knowledge and learning (Zozakiewicz & Rodriguez, 2007). Because this study explores the process of implementation of SB 48 with particular focus on how teachers implement policy using their own knowledge constructs, the theory of Sociotransformative Constructivism provides the lens through which the process of knowledge construction and policy implementation can be merged. STC as a hybrid of Multiculturalism and Critical Pedagogy, encompasses both the importance of including LGBT curriculum in our schools and the critical lens of how to best move forward in a transformative process (Zozakiewicz & Rodriguez, 2007).
McPhee & Bronstein (2002) state that ‘Constructivism’ was born with Piaget’s (1972) early teachings on how children learn. Instead of belief in an existent reality, the ‘Constructivist’ views reality as constructed or created by each individual. The building blocks individuals use, according to Constructivists, are language and environment, including people in that environment. Although McPhee & Bronstein (2002) focused on the field of social work, this literature is also applicable to education. Social work interventions, based on Constructivism, encourage workers to enter an intervention situation “clear headed and focused with respect to his or her own biases and beliefs” (Gross, 1995, p.12). This awareness of biases and beliefs is very reminiscent of what transformational leaders in education are encouraged to explore as they enter arenas where they will have to make important and difficult decisions (Bolman & Deal, 2011).

For example, when something is not understood according to current belief systems, professionals in the helping fields of social work and education, are encouraged to ‘reframe’ the situation using a framework that might be unfamiliar and uncomfortable, but might add additional options that were not considered. The ‘reframing’ can be likened to the process of moving from ‘assimilation’ to ‘accommodation’ as described by Piaget\(^\text{17}\) (1976). This ‘reframing’ or ‘reconstruction’ is precisely what many teachers implementing SB 48 might do with their specific assets of curriculum and pedagogy.

While the field of education is rife with pedagogical theories on how to teach, there is much less written on the idea of education as a means for social change (Cellitti

\(^{17}\) Jean Piaget’s childhood cognitive developmental theory states that assimilation happens when an experience can be likened to a past experience, thereby building an experiential construct.
& Aldridge, 2002; Tarlau, 2014; Zozakiewicz & Rodriguez, 2007). As Tarlau (2014) points out “…while social movement scholars disregard education, critical pedagogues often fail to go from a ‘language of resistance’ to a theory of how people can form movements of resistance with that language” (p.1). It might be time for critical educational pedagogy to marry social change theory in order to create a true educational change movement in our public schools. It is exactly this marriage of critical deconstruction with strategies for social change within education that forms the basis for Sociotransformative Constructivism. As a policy, SB 48 is perfectly situated to be that social change policy. Sociotransformative Constructivism as a relatively new theory and branch of Social Constructivism is an attempt to bring the theoretical into the field of social action. Embraced by educators and activists as a means of creating ‘agency’ through critical analysis, it has been used widely in the field of progressive teacher education and described as:

…a framework that merges multicultural education with social constructivism. STC provides an orientation to teaching and learning that pays close attention to how issues of power, gender and equity influence not only what subject matter is covered (curriculum), but also how it is taught and to whom.” (Rodriguez & Kitchen, 2004, p. 1019).

While it is true that STC brings a transformative approach and provides a transformative lens for the goal of moving forward, if the goal is to understand how teachers are currently constructing knowledge in the classrooms of today, then a more
practical understanding of this process will be necessary. TCE embodies this practical application (House, 1998). Examining the issue of implementation via these theoretical lenses forms the foundation for assessing SB 48 and establishes the pathway for further implementation in the future.

**Conclusion**

The FAIR Education Act has the potential to act as a catalyst in creating change in the climate of California’s high schools. To the extent that it is implemented, it has the potential to change stereotypes, dispel myths and create understanding and acceptance among diverse groups of students. It can do none of this if not implemented. Unfortunately, sporadic implementation is likely to be the case in the majority of high schools in California, as hypothesized in this study.

Chapter 1 outlined the need for this study with the problem statement centering on the need for inclusive curriculum to address the challenges of unsafe schools for LGBT youth. Additional challenges are likely to be the uneven implementation generally, and implementation issues for teachers, specifically, due to *bounded rationality, asset specificity* and *opportunism* (House, 1998). Chapter 2 further explored the need for inclusive curriculum with a deeper discussion using theories borrowed from Erikson (1968) and Cass’s Model of Homosexual Identity (1979) to establish the need for support during the formative adolescent state of development. The discussion then turned to the need for Multicultural Education (Banks 1990) with support from LGBT curriculum inclusion literature and how it has impacted schools.
The thin body of emerging literature specific to SB 48 was integrated into this section and relevant findings that supported this study were discussed.

From there, the discourse moved to framing the issue of implementation using House’s (1998) modified framework of TCE. House’s (1998) framework was used to establish a basis for analyzing if implementation was likely as well as looking at barriers to implementation. It was suggested that House’s framework is a good fit for this study because it allows for the assessment of the process of implementation and is focused on teachers as implementers. It was determined, using this framework, that implementation of SB 48 would likely be sporadic and uneven, which supports the hypothesis for this dissertation.

Once the framework was established, and the likelihood of uneven implementation established, the discussion then turned to Banks’ (1990) model in order to assess the levels of implementation and to answer questions about teachers as implementers. Are teachers implementing and if so how? If they are not implementing, why not? Sociotransformative Constructivism was then brought in as a means for moving towards more robust implementation.

Chapter 3 will focus on the details of this mixed methods study with a brief statement at the end related to expected findings and the implications going forward for educational leaders, researchers, policy makers and teachers in the K-12 public/charter school system. The discussion in chapter 3 will encompass the design of this mixed methods study, sample population, role of the researcher, study limitations, protection of participants, methodology and data analysis.
Chapter 3

METHODOLOGY

Introduction

This chapter describes the mixed methods approach as it was applied to the overall design of the study. First, the design structure, the role of the researcher and research questions will be discussed. Next, the setting, population and sample will be added. Finally, the data collection, limitations, methodology instruments and analysis will serve to complete the picture of the research plan for this study. The protection of participants, though at the end of the chapter, is of the utmost importance and deserves special consideration due to the sensitive subject matter.

Research Design and Approach

The overall approach for this research design was situated in Phenomenology. Although the phenomenological approach is generally used in qualitative research for events with intense human reaction or interaction (Creswell, 2013), implementation as a phenomenon, though slowly enacted, is still fraught with intense reaction and interaction. In exploring this phenomenon, this researcher’s approach will be inclined towards post positivism, which includes the idea that outcomes, such as implementation, have verifiable causes such as bounded rationality, asset specificity or opportunism. Approaching this study with a hypothesis further positions this approach in the post positivist paradigm (Creswell, 2013).
The transformative lens of Sociotransformative Constructivism provides an additional layer which looks at the inequities of the heteronormative structures of current curriculum and teaching pedagogies in suggesting a means of moving towards fuller implementation. Therefore, this study was considered to be a phenomenological exploration of the implementation of SB 48 using multiple cases and moving in the direction of Critical Research. Critical Research has a foundation in Critical Pedagogy with the intention of questioning power structures and the status quo (Merriam, 2009, p.35).

A mixed methods sequential transformative approach was used to inquire as to the status of the implementation process of SB 48 across a purposeful sampling of high schools in Northern California. A sequential approach was used in order to utilize survey data to inform the interview process. Subsequently, the interview questions were created using data from the survey portion. Sociotransformative Constructivism drives certain aspects of the design, such as data collection methods (sequential). It also informs the style of interview (semi-structured) and looks with a transformative lens at the data when analyzing (Merriam, 2009).

Finally, this sequential design allowed for triangulation of the data from both qualitative and quantitative data sets (Merriam, 2009). The mixed methods approach was used to create stronger reliability of the data by cancelling out weaknesses inherent in a pure qualitative or quantitative design (Creswell, 2013). The nature of implementation contains both a quantitative aspect in terms of how many teachers are
implementing and at what levels, while the issues of barriers and supports are best explored using the qualitative tool of in-depth interviews.

**Role of the Researcher**

As part time faculty in the College of Education at California State University Sacramento (CSUS), this researcher had no prior knowledge of, relationship to or professional association with any of the prospective schools or teachers. As a former K-12 teacher, this researcher has long been interested in curricular issues in the K-12 educational system. Formerly a K-1 teacher and currently an adjunct professor who has K-12 pre-service and pre-school teachers in her classrooms, this researcher has a history of research and development within the California K-12 system. As such, the issues of curricular inclusion and teacher implementation have long been issues of great concern to this researcher. The issue of safe schools for LGBT students has more recently been an ongoing area of concern for this researcher and was the impetus for this study. Next will come a description of the researcher’s involvement with the data and the participants.

**Quantitative**

Emails for the teachers were collected by this researcher, with the exception of the first 50, which were collected by an assistant. Initial and follow up emails were all sent and responded to by this researcher. All survey data was collected and analyzed by this researcher. One follow up email was utilized to remind recipients of the deadline for the $100 drawing. No other contact was made for the survey portion of this study.
Qualitative

All interviews were conducted by this researcher. Beyond the actual interview, minimal contact was made with interview participants. Email contact was made only to request an interview time and follow up while scheduling interviews. Another email was sent when transcription was complete to conduct member checking of those interviews (Creswell, 2013). One email was sent to the winner of the $100 drawing. The $100 check was then mailed to the school’s GSA at the request of the participating teacher. All transcriptions and analysis of interviews was performed by this researcher.

Research Questions

The research questions for both the qualitative and quantitative sections of this study were the same. These questions were used to generate the survey instrument (Appendix A) focused on exploring if teachers across a sampling of high schools were actively implementing SB 48 and if so, at what level. Barriers and supports to implementation were explored in both the survey and the interviews. Using data from the survey, interview questions were crafted (Appendix C) to further explore the following research questions:

1. Are Teachers Implementing SB 48?

2. If teachers are implementing, at what level according to Banks (1990)?

3. If teachers are not implementing, what are the barriers, i.e. bounded rationality, opportunism, asset specificity or other barriers?
Setting Population and Sample

Quantitative

The setting for the survey portion consisted of high school campuses in Northern California that had active GSAs registered with the GSA network registry (gsanetwork.org). The purposeful sampling of this population (Merriam, 2009) was done with the assumption that teachers who were in schools with active GSAs or who were advisors for GSAs would be more willing to participate in this study.

The population the survey were the 1,844 High School History and Social Science teachers and GSA advisors within the 342 whose emails were publicly available on their school’s website. Some of the GSA advisors were also History and Social Science teachers, but this was not always the case. The sample for the survey was the 200 teachers from 83 different districts who responded to the online survey. A purposeful sampling was used to include all high schools in Northern California that had active GSAs (Gay Straight Alliances) according to the GSA registry on the Gay Straight Alliance Network registry (gsanetwork.org). This sampling was purposeful in order to assure adequate data collection. Further, a homogeneous sample of GSA advisors and history and social studies teachers were chosen for this study to assess a population who would have contact with and/or reason to address the issues of implementation of SB 48. Thirty one teachers in the sample were identified as GSA advisors. This low number represents less than 2% of the overall population for the survey. It was generally assumed that teachers who were actively involved in
sponsoring the GSA clubs or were teaching in schools that had an active GSA would be more likely to participate in this study.

**Qualitative**

For the interview portion of this study, the setting was the classrooms of teachers in the survey who agreed to be interviewed. Ten interviews took place in classrooms after school and one took place on the phone in this researcher’s home office.

The population for the interviews was the 200 survey respondents, representing an 11% response rate. From those respondents, 65 teachers agreed to be interviewed. The final sample of 11 teachers were scheduled using a method of convenience sampling (Merriam, 2009). This means that as teachers responded to follow up emails regarding scheduling times, they were scheduled as they responded until a total of 11 interviews had been scheduled after which no more interviews were scheduled. This method was chosen to expedite the interview process which allowed for fuller examination and analysis of both data sets.

**Data Collection and Instrumentation**

**Quantitative**

The quantitative data was gathered first, using an initial survey instrument created on survey monkey, encrypted version, allowing for greater security of respondent data (Appendix A). The survey included 39 statements that were later used to create 39 variables for analysis (Appendix B). The survey was divided into five main
sections named Knowledge of SB 48 and LGBT History, Inclusion and Implementation Levels, Supports for Implementation, Challenges to Implementation and Attitudes and Beliefs.

Following are the five main sections of the survey with an example from each section:

**Knowledge of the FAIR education act and LGBT history**

I can name three or more LGBT people who have impacted the history of and contributed to the shaping of California and/or our nation.

**Inclusion and Implementation Levels**

I am currently including LGBT people, issues or culture in my curriculum.

**Supports for Implementation**

My district/principal is providing me with professional development to support my implementation of SB 48.

**Challenges to Implementation**

I don’t have time to incorporate anything else into my curriculum.

**Attitudes and Beliefs**

I have LGBT people in my life I care about.

From the survey questions, 39 variables relating to levels of implementation, supports and attitudes and beliefs were created (Appendix B).

Teachers were asked to respond to the statements using a four point Likert scale ranging from Strongly Agree to Strongly Disagree. At the end of the survey was a question asking if they would be willing to participate in the interview portion of the
study. If they answered yes and provided an email, they were contacted in order of response.

The survey was sent to the 1,844 emails culled from the GSAN’s GSA registry. Information regarding the study as well as an Informed Consent Disclosure was included at the beginning of the survey. The survey itself was the first contact made with the population of teachers. The explanation of the study and consent form was embedded in the survey. In the explanation, teachers were provided the opportunity to have their schools’ GSAs entered into a $100 drawing if they responded to the survey within a two week time period from initial send date. A follow up email was sent one week later reminding recipients of the deadline for the drawing. Two hundred (200) teachers across 83 different school districts responded to the survey, representing an 11% return rate. This sample of 11 interviews culled from the 200 respondents represented 10 different school districts across Northern California.

**Qualitative**

The interview data was transcribed and analyzed by this researcher subsequent to the quantitative analysis. As previously stated, preliminary quantitative data analysis was used to create more nuanced questions for the interview portion of this study (Appendix C). These questions were focused on answering the same questions, yet at a deeper level. Questions were also focused on discovering if implementation was happening within the school and district. Levels were identified by requesting examples of how teaches were implementing in order to corroborate what had been
reported on the survey. Using both sets of data to answer the same questions added to the internal validity by cross referencing data (Boudah, 2011).

Findings of both qualitative and quantitative data were checked against each other and where they were found to be incongruent, further research was recommended and possible explanations explored. Transcripts were then sent back to respondents for member checking. Once these were approved for validity by respondents, this researcher then coded the interview data. Interviews were coded by this researcher, first using an open coding method (Creswell, 2013). The transcripts were then subsequently entered into the software program QD Miner4 for further coding and data analysis by this researcher.

Using data from the initial survey, interview questions were created and, after creating the interview questions and testing them for validity and soundness by pilot testing, this researcher conducted the teacher interviews and transcribed them with minimal use of Dragon NaturallySpeaking 13. Survey data was collected and a preliminary analysis was conducted by this researcher in order to gather information that might need further exploration during the interview phase. Following this initial analysis, a series of interview questions were created in a sequential fashion.

Ten in-depth interviews were conducted by this researcher and audio recorded using a smart phone application called Dictadroid. One interview was conducted over the phone and recorded using a smart phone application called Call Recorder. A total of 11 teachers were interviewed. The interviews were conducted by this researcher and permission to audio record the interviews was verbally granted by each participant.
Initial analysis used by this researcher involved open coding methods to identify themes and subthemes related to answering the research questions (Creswell, 2013).

Data Analysis

Quantitative

The initial data from the survey was analyzed using SPSS, version 22. The overall implementation percentages and levels of implementations and Pearson correlations were considered when developing the interview questions for the qualitative portion. From this initial analysis, research questions relating to overall implementation and levels was addressed. Although the data collection was sequential, the analysis overlapped.

Once the initial data from the survey was analyzed for purposes of developing the interview questions, it was set aside while collecting the interview data. After the collection of the interview data, the focus was returned to the survey data and a multiple regression analysis was done using the dependent variable Currently Implementing, gathered from the survey question #12 I am currently including LGBT people, issues or culture in my curriculum. The following six variables were used as independent variables in the multiple regression model. These variables, based on a four point Likert scale, are non-dichotomous.
The survey statements were created with the goal of assessing implementation levels as well as attitudes and beliefs regarding SB 48 and LGBT history and culture. Supports and barriers regarding implementation were also explored. In order to assess levels of implementation, four statements related to levels were included on the survey (Appendix A). These levels were assessed on the same 4 point Likert scale from Strongly Agree to Strongly Disagree. The highest level that any teacher *strongly agreed* or *agreed* to was assigned as the implementation level for that teacher and used for purposes of data analysis.

Pearson correlations were performed to ascertain which, if any, of the 39 variables were correlated with each level of implementation. In this way, barriers and
supports that were represented by the 39 variables were assessed to determine which
were more highly correlated with each level of implementation.

**Qualitative**

In-depth interviews were conducted with 11 teachers using Dictadroid voice
recording application on this researcher’s android phone. All interviews were
transcribed with very limited use of Dragonspeak 13 dictating software. From this
interview data a “lean coding” (Creswell, 2013, p. 184) methods was used to develop
themes and sub-themes based on research questions and frameworks. After the initial
coding process, further coding was done using QD Miner 4 software. This second
coding process allowed for further development of themes and subthemes related to the
research questions, frameworks and theories. Themes emerged regarding attitudes,
beliefs, practices and needs surrounding implementation of SB 48 and are discussed at
length in chapter four.

QD Miner4 or Qualitative Data Miner, version 4 is a powerful software program
capable of coding, analyzing and creating tables, graphs and charts in qualitative and
quantitative fashion. For this dissertation, QD Miner4 was used strictly as a coding
support. This means that the interview transcripts were uploaded individually with no
prior coding attached. From these clean transcripts, the researcher then recoded using
the software’s vast color palate. In this way QD Miner4 was used as a color coding
tool, not to analyze data. All analyzing and creating of themes and subthemes was done
by this researcher. Further it was used to gather coded material and present it in an
organized text format for use in this study or for reference while writing the qualitative analysis portion in chapter 4.

The interview included 13 semi-structured questions. This allowed for follow up questions in a more informal conversation like atmosphere. Although all questions were asked to each teacher, some were combined and the order was changed depending on the flow of the interview. Below is a sample of the interview question used for the interviews.

#2 What do you know about SB 48 and how did you learn it?

#4 Are you aware of other teachers implementing in your department? In your school? And if so, how?

#9 What are your thoughts on the importance of SB 48?

Since the underlying theory of Sociotransformative Constructivism drives this study, some questions were more open ended which allowed for a more conversational style interview.

Member checking was used to ensure validity of the interviews and pilot testing of the interview questions and initial survey was be done to ensure reliability and validity of the interview questions and survey instrument (Boudah, 2011). To support credibility and internal validity of the study, multiple sources of data were used. These multiple sources include the 11 interviews of 11 different teachers overall. These interviews were conducted at 10 different high school settings using the same instruments in the same fashion across all interviews (Merriam, 2009). Another source
of data to increase validity by triangulation are the survey data from the survey instrument (Creswell, 2013).

**Protection of Participants**

For the survey, all participants were contacted directly through email which was collected from a public website. Consent forms were included at the beginning of all surveys and given to all interviewees prior to being interviewed (Appendix D). For the interview portion, all participants were contacted primarily through email with the exception of one phone interview. Participants were then emailed a second time and sometimes a third or fourth email was necessary to schedule and re-schedule the interviews.

Participation in the survey as well as the interview was strictly voluntary with no coercion of any kind. Reminder emails were only made once to respondents after they had received the initial survey. Only those teachers who indicated an interest and requested further contact were contacted for the interviews. All names were coded to protect identification.

Interviewees were reminded that they were free to allow or resist tape-recording as well as free to exit the interview at any time. Any references to schools or location was strictly coded to disallow for identification. Geographic locations were coded as well to protect identification. It was made clear to all participants that participation was completely voluntary and access to the final research will be made available to all participants after publication.
All transcriptions and surveys will be held by the researcher’s person or in a secure locked location at all times. Data will be locked in a fire safe box when research is not being used and finished. All information and data gathered will be summarily destroyed after one year from publication.

Conclusion

Using House’s (1998) TCE framework and Banks’ (1990) model of implementation, the overriding goal of this study was to capture a picture of how and why implementation is happening in a purposeful sampling of Northern California High Schools. Further, within these individual schools, teachers were hypothesized to be implementing sporadically if at all. A mixed methods sequential approach utilized the strengths of both qualitative and quantitative data and was chosen as the design for this study. Using this design, the goal of this study was to offer fresh insight into the process of implementation in order to facilitate a more robust implementation going forward. It was the belief of this researcher that if this policy could be implemented as intended, there was the possibility that schools could become safer places for LGBT youth. In chapter four the results of this study will be presented and analyzed. Themes from the interviews will be discussed and data from the survey will be presented and analyzed in the same order as collected.
Chapter 4

ANALYSIS OF THE DATA

Introduction

The purpose of this research study was to evaluate the implementation of The FAIR Education Act (SB 48) in Northern California High Schools. SB 48 mandates that all K-12 schools in California include curriculum about LGBT people who have helped to shape our state and nation. The mixed methods design for this study explored the following research questions:

1. Are teachers in Northern California High Schools currently implementing The FAIR Education Act (SB 48)?

2. If teachers are implementing, at what level according to Banks’ 4 level model of implementation? (i.e., Level 1 Contributions Approach, Level 2 Additive Approach, Level 3 Transformation Approach and Level 4 Social Action Approach).

3. If they are not implementing, then what are the barriers to implementation? (i.e., House’s framework based on Simon’s bounded rationality including lack of time, money, knowledge, asset specificity, or opportunism).

The hypothesis for this study was that implementation of SB 48 would be found to be sporadic or non-existent in the sample of High Schools. What follows are the results and analysis from the quantitative survey followed by results and analysis of the qualitative interviews. An analysis discussing both qualitative and quantitative results completes this chapter.
Quantitative Survey Results

Method

Data

A thirty nine question survey using Survey Monkey was sent to 1,844 teachers in 342 Northern California High Schools who were either History/Social Science teachers or Gay Straight Alliance advisors. Two hundred (n=200) teachers responded to the survey, representing a return rate of 11%. SPSS version 22 was used in this data analysis.

Measures

Data drawn from this survey resulted in thirty nine variables relating to the three research questions. Questions from this survey were related to four categories named General Information, Knowledge of LGBT History and SB 48, Curriculum Inclusion Levels, and Supports/Barriers to Implementation. All questions were scaled on a four-point Likert scale from strongly agree to strongly disagree.

Analytic Method

A multiple regression model was used to explore research question #1 Are Teachers Implementing SB 48? This regression model was created using the dependent variable CIMP (Currently Implementing) and the six independent variables SS (Self-Support Implementation), SSC (I Believe SB 48 Will Create a Safer School Climate), LVLGBT (I Have LGBT People in My Life I Care About, WP (Well-Prepared), KN3+ (I Know 3+ LGBT Historical Figures) and SNI (I Have LGBT Students Who Need SB 48). These variables were chosen among the 39 because they were most closely
correlated with the dependent variable according to the initial bivariate correlation results.

In order to address overall levels of implementation related to research question #2, as well as other barriers and supports not included in the multiple regression model, Pearson correlations were used as well as descriptive statistics including percentages and frequencies.

Results

Of the two hundred respondents to the survey, 47% identified as female, 52% identified as male, 1% identified as other and two respondents did not indicate a gender (Figure 9). Ages ranged from twenty to over seventy years of age. Seven and a half percent (7.5%) of respondents indicated they were between the ages of twenty to thirty. Thirty three and a half percent (33.5%) identified themselves as between thirty one to forty while 27.5% indicated they were between the ages of forty one to fifty. Twenty two point three percent (22.3%) stated they were between fifty one and sixty and 8.1% identified as being between the ages of sixty one to seventy. Three respondents did not indicate an age (Figure 10).

The majority of teachers indicated they were History or Social Science teachers (85.3%, Table 2) and grade level was primarily High School at 98.5%. One percent (1%) declared they were Middle School teachers and .5% indicated other18 (Table 3).

---

18 The few teachers who indicated other than High School as their grade level may have been in school that spans middle and high school grades and/or a GSA advisor who taught primarily middle school as emails were obtained exclusively from high school websites.
Figure 9

Gender by Percentages

- Male: 52%
- Female: 47%
- Other: 1%
Figure 10

*Age of Teachers Surveyed*

![Bar chart showing age distribution of teachers](chart.png)

Table 2

*Frequencies, Percentages of Subjects Taught*

<table>
<thead>
<tr>
<th>Subject</th>
<th>N</th>
<th>Frequency</th>
<th>Valid Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>197</td>
<td>12</td>
<td>6.1</td>
</tr>
<tr>
<td>Math</td>
<td>197</td>
<td>3</td>
<td>1.5</td>
</tr>
<tr>
<td>History</td>
<td>197</td>
<td>168</td>
<td>85.3</td>
</tr>
<tr>
<td>Science</td>
<td>197</td>
<td>4</td>
<td>2.0</td>
</tr>
<tr>
<td>PE/Voc.</td>
<td>197</td>
<td>2</td>
<td>1.0</td>
</tr>
<tr>
<td>Other</td>
<td>197</td>
<td>8</td>
<td>4.1</td>
</tr>
</tbody>
</table>
Table 3

Frequencies, Percentages of Grade Levels Taught

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>N</th>
<th>Frequency</th>
<th>Valid Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>High School</td>
<td>199</td>
<td>196</td>
<td>98.5</td>
</tr>
<tr>
<td>Middle School</td>
<td>199</td>
<td>2</td>
<td>1.0</td>
</tr>
<tr>
<td>Other</td>
<td>199</td>
<td>1</td>
<td>5</td>
</tr>
</tbody>
</table>

Notes: Although only High Schools were targeted, some teachers responded as teaching other than High School. Reasons for this are unknown, but possibly some GSA advisors were from feeder schools attached to High Schools or teachers may have been reassigned within the district and remained on High School staff lists, yet had the same email.

Multiple Regression Analysis

To answer the research question *Are Teachers Implementing*, a multiple regression analysis was performed on the dependent variable named *CIMP (Currently Implementing)* using the 6 independent variables named *LGBTSNI (I Have LGBT Students Who Need SB 48)*, *WP (Well Prepared)*, *KN3 (I Know 3+LGBT Historical Figures)*, *SSI (Self-Support Implementation)*, *SSC (I Believe SB 48 Will Create Safer Schools)*, and *LVLGBT (I Have LGBT People In My Life I Care About)*. For this regression, values (*p < .05*) were considered significant (Field, 2005).

Assumptions of multicollinearity, linearity, homoscedasticity, normal distribution of variables and residuals were tested using the following tests. A Correlation Matrix was run on the variables to test for high degrees of multicollinearity (Table 3). Multicollinearity can skew results if it is found that any two independent variables are too highly correlated. While there was a moderate correlation between the two variables SNI (*I Have LGBT Students Who Need SB 48*), and SSC (*I Believe SB 48 Will Create a Safer School Climate*) at .66, all other variables correlated at or below
- .30. After careful consideration and research regarding higher degrees of multicollinearity (Field, 2005), a decision was made to retain both variables.

In order to test assumptions of linearity, residual scatter plots were created using all independent variables against the dependent variable. A random display of points falling within values of -2 and 2 with one outlier at 2.8 (KN3) met acceptable levels to satisfy this assumption.

In addition, to test the assumption of homoscedasticity and normal distribution of variables, a P-P plot was run as well as a histogram where residuals appear normally distributed meeting this assumption. Further, a test for correlation in residuals of predictors was done using Durbin-Watson which generated a score of 1.94 (Table 5). Scores between 1 and 2 are considered acceptable for meeting the assumption of independence (Field, 2005).

Table 4

*Correlation Coefficient Matrix-Testing for Multicollinearity*

<table>
<thead>
<tr>
<th></th>
<th>LVLGBT</th>
<th>WP</th>
<th>SNI</th>
<th>KN3</th>
<th>SSI</th>
<th>SSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>LVLGBT</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WP</td>
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<td>1.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SNI</td>
<td>.089</td>
<td>.002</td>
<td>1.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KN3</td>
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<td>-.275</td>
<td>.089</td>
<td>1.00</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>-.115</td>
<td>-.308</td>
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<td>.039</td>
<td>-.660</td>
<td>-.120</td>
<td>-.139</td>
<td>1.00</td>
</tr>
</tbody>
</table>

*LVLGBT= I Have LGBT People In My Life I Care About, WP= Well Prepared, SNI= I Have LGBT Students in my Class Who Need SB 48, KN3= I Know 3+ LGBT Historical Figures, SSI= Self Support Implementation, SSC= I Believe SB 48 Will Create a Safer School Climate*
Table 5

*Range, Means and Standard Deviation*

<table>
<thead>
<tr>
<th>Variables</th>
<th>N</th>
<th>Minimum</th>
<th>Maximum</th>
<th>Mean</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>CIMP</td>
<td>182</td>
<td>1.00</td>
<td>4.00</td>
<td>2.00</td>
<td>.794</td>
</tr>
<tr>
<td>SSI</td>
<td>182</td>
<td>1.00</td>
<td>4.00</td>
<td>2.05</td>
<td>.816</td>
</tr>
<tr>
<td>SSC</td>
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<td>1.00</td>
<td>4.00</td>
<td>1.50</td>
<td>.630</td>
</tr>
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<td>LVLGBT</td>
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<td>1.00</td>
<td>4.00</td>
<td>1.32</td>
<td>.503</td>
</tr>
<tr>
<td>WP</td>
<td>182</td>
<td>1.00</td>
<td>4.00</td>
<td>2.60</td>
<td>.844</td>
</tr>
<tr>
<td>KN3</td>
<td>182</td>
<td>1.00</td>
<td>4.00</td>
<td>1.86</td>
<td>.920</td>
</tr>
<tr>
<td>LGBTSNI</td>
<td>182</td>
<td>1.00</td>
<td>4.00</td>
<td>1.60</td>
<td>.644</td>
</tr>
</tbody>
</table>

Notes: CIMP = Currently Implementing (SB 48) SSI = Self-Support Implementation, SSC = I Believe SB 48 Will Create Safer School Climate, LVLGBT = I Have LGBT People In My Life I Care About, WP = Well Prepared, KN3 = Know 3+ LGBT Historical Figures, SNI = I Have LGBT Students Who Need SB 48

Table 6

*Overall Model Summary - Currently Implementing*

<table>
<thead>
<tr>
<th>Model 1</th>
<th>R</th>
<th>R Square</th>
<th>Adjusted R Square</th>
<th>F</th>
<th>Sig.</th>
<th>Durbin-Watson</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>.641</td>
<td>.410</td>
<td>.390</td>
<td>20.3</td>
<td>.0008 *</td>
<td>1.94</td>
</tr>
</tbody>
</table>

Note: Significance $p < .05$

Results showed the linear combination of the six variables above was significantly related to the dependent variable $F = 20.3, p = .00$. Currently Implementing $= .26$(SSI) + .26(WP) + .16(K3+) + .30(SNI) -.07(SSC) -.04(LVLGBT).

Adjusted $r^2 = .39$ indicating approximately 39% of the variance for Currently Implementing can be accounted for by the combined independent variables. These combined variables, though not strong predictors of Implementation, are significant.
Standardized coefficient beta were also considered in relationship to each variable to determine which ones were more significantly predictive of Implementation (Table 7). Within these variables, the most significant predictors of implementation were I have LGBT students who need SB 48 (standardized β = .30, p = .00), self-support (standardized β = .26, p = .00), well prepared (standardized β = .26, p = .00) and know 3+ historical figures (standardized β = .16, p = .03).

Table 7

Multiple Regression Results - Currently Implementing

<table>
<thead>
<tr>
<th>Variable</th>
<th>Unstandardized B</th>
<th>Standard Error</th>
<th>Standardized Coefficient Beta</th>
<th>T</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>SSI</td>
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<td>.071</td>
<td>.259</td>
<td>3.53</td>
<td>.001*</td>
</tr>
<tr>
<td>WP</td>
<td>.242</td>
<td>.064</td>
<td>.258</td>
<td>3.80</td>
<td>.000*</td>
</tr>
<tr>
<td>K3+</td>
<td>.139</td>
<td>.062</td>
<td>.161</td>
<td>2.26</td>
<td>.025*</td>
</tr>
<tr>
<td>SNI</td>
<td>.364</td>
<td>.110</td>
<td>.295</td>
<td>3.32</td>
<td>.001*</td>
</tr>
<tr>
<td>SSC</td>
<td>-.089</td>
<td>.119</td>
<td>-.070</td>
<td>-7.47</td>
<td>.456</td>
</tr>
<tr>
<td>LVLGBT</td>
<td>-.067</td>
<td>.107</td>
<td>-.042</td>
<td>-6.26</td>
<td>.532</td>
</tr>
</tbody>
</table>

*Significance at p < .05 Notes: SSI = Self-Support Implementation, WP = Well Prepared, K3+ = Know 3+ LGBT Historical Figures, SNI = I Have LGBT Students Who Need Implementation, SSC = I Believe SB 48 Will Create Safer School Climate, LVLGBT = I Have LGBT People In My Life I Care About.
Summary of Results of Multiple Regression Analysis

While four of the six predictors had significant predictive value as evidenced by the standardized β scores for each, two of them did not. The predictors LVLGBT (I Have LGBT People in My Life I Care About) and SSC (I Believe SB 48 Will Create a Safer School Climate) did not show predictive value in this model. It’s possible that LVLGBT, though correlated moderately with the dependent variable CIMP (Currently Implementing SB 48), $r = .285, p = .00$, did not show predictive value because of the high response rate for the variable. The LVLGBT variable had a 97.5% agree or strongly agree response, meaning that almost all respondents identified as having someone in their lives they cared about who was LGBT. After some consideration, despite this fact, it was decided to leave this variable in the model due to its’ overall contribution to the model. The other factor which did not show significant predictive value was SSC (I Believe SB 48 Will Create a Safer School Climate). This is likely due to its’ high collinearity with I Have Students Who Need SB 48, indicating that most of the variance was assigned to this first variable in the model leaving a smaller percentage of variance relegated to I Believe SB 48 Will Create a Safer School Climate. Although these two variables are highly correlated, because they have real world differences they were both left in the model. For example, it was determined that there were teachers who thought SB 48 might create a safer school climate, but were not aware of any LGBT students in their own classes.

Based on this regression analysis, it is reasonable to state that 39% of the variance for predicting implementation can be explained by these six independent
variables. This leaves a large percentage (61%) unexplained by the model. It will be interesting to note if a more refined survey questionnaire given to a larger representative sample of teachers might lead to a stronger predictive regression model.

Pearson Correlations and Implementation Levels

Levels of Implementation

Data

The same thirty nine question survey was used to explore the question of levels of implementation. Descriptive statistics and Pearson Correlations were also performed using SPSS version 22.

Method

In order to address the second research question If Teachers Are Implementing, At What Level (according to Banks’s 4 levels of implementation model), Pearson-Product Moment Correlations were run on the 4 levels of implementation addressed in the survey. The results of the correlations between levels 1-4 can be found in Tables 9, 10, 11 and 12. Since, a majority of respondents (70.3%) agreed or strongly agreed they were implementing at level 4, more attention will be given to this level. Percentages were included where they were informative in explaining implementation levels and overall explanation of survey results.
Table 8

*Range, Mean and Standard Deviation for Levels 1-4*

<table>
<thead>
<tr>
<th>Level</th>
<th>N</th>
<th>Min.</th>
<th>Max.</th>
<th>Mean</th>
<th>Standard Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>194</td>
<td>1.0</td>
<td>4.0</td>
<td>2.53</td>
<td>.82</td>
</tr>
<tr>
<td>L2</td>
<td>198</td>
<td>1.0</td>
<td>4.0</td>
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<td>.82</td>
</tr>
<tr>
<td>L3</td>
<td>196</td>
<td>1.0</td>
<td>4.0</td>
<td>2.32</td>
<td>.80</td>
</tr>
<tr>
<td>L4</td>
<td>195</td>
<td>1.0</td>
<td>4.0</td>
<td>2.20</td>
<td>.76</td>
</tr>
</tbody>
</table>

Notes: L1= level 1 implementation, L2= level 2 implementation, L3= level 3 implementation, L4= level 4 implementation

**Level 1 the contributions approach.**

Table 9

*Significant Positive Pearson Correlations for Level 1 Implementation*

<table>
<thead>
<tr>
<th>Level 1</th>
<th>N</th>
<th>r</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SK</td>
<td>193</td>
<td>.216</td>
<td>.003*</td>
</tr>
<tr>
<td>KN3</td>
<td>189</td>
<td>.252</td>
<td>.000**</td>
</tr>
<tr>
<td>WP</td>
<td>189</td>
<td>.304</td>
<td>.000**</td>
</tr>
<tr>
<td>PDS</td>
<td>192</td>
<td>.202</td>
<td>.005*</td>
</tr>
<tr>
<td>CS</td>
<td>184</td>
<td>.211</td>
<td>.004**</td>
</tr>
<tr>
<td>SS</td>
<td>189</td>
<td>.290</td>
<td>.000**</td>
</tr>
<tr>
<td>SNI</td>
<td>193</td>
<td>.171</td>
<td>.017*</td>
</tr>
<tr>
<td>SSC</td>
<td>191</td>
<td>.222</td>
<td>.002**</td>
</tr>
<tr>
<td>WTC</td>
<td>191</td>
<td>.163</td>
<td>.024*</td>
</tr>
</tbody>
</table>

Notes: 47.4% teachers indicated they were implementing at this level. Significance at *p < .05, **p < .01, SK=Strong Knowledge of SB 48, KN3=Knowledge of 3+ LGBT Historical Figures, WP=Well Prepared, PDS=Principal/District Support, CS=Colleague Support, SS=Self-Support, SNI=I Have LGBT Students Who Need SB 48, SSC=SB 48 Will Create a Safer School Climate, WTC=Willing to Coach Others
As previously discussed in chapters 1 and 2, this level represents the lowest level of implementation and was the level at which the hypothesis suggested would be the primary level of implementation for the majority of the sample. At this level teachers will add ‘heroes or holidays’ using the same criteria for selecting heroes as is common with Eurocentric hero selection. For example, without changing the structure of the curriculum (Banks, 1990), heroes are chosen based on accomplishments that push forward the agenda of the dominant culture.

The survey statement used to assess this level of implementation was “In my curriculum I mention one or two people at specific times, i.e., during Gay History Month and discuss their contributions.” From a total of 194 (n=194), 47.4% agreed or strongly agreed they were implementing at least at level 1. Teachers implementing at level one have the strongest correlations with Well Prepared (WP), Know 3+ LGBT Historical Figures (KN3+) and Self Support Implementation (SSI). It’s interesting to note that while there are strong correlations with Colleague Support and Self Support, Principal/District Support (PDS) was less significant. This is not surprising as Principal/District Support had a low percentage overall, with only 24.6% of teachers agreeing or strongly agreeing they had any support from their districts. It should also be noted that level one implementers had nine correlations, with five moderate statistically significant correlations ($p < .01$), and four small statistically significant correlations at ($p < .05$).
Level 2 the additions approach.

Table 10

*Significant Positive Pearson Correlations for Level 2 Implementation*

<table>
<thead>
<tr>
<th>Level 2</th>
<th>N</th>
<th>$r$</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SK</td>
<td>197</td>
<td>.309</td>
<td>.000**</td>
</tr>
<tr>
<td>KN3</td>
<td>192</td>
<td>.297</td>
<td>.000**</td>
</tr>
<tr>
<td>WP</td>
<td>193</td>
<td>.383</td>
<td>.000**</td>
</tr>
<tr>
<td>PDS</td>
<td>196</td>
<td>.214</td>
<td>.003**</td>
</tr>
<tr>
<td>CS</td>
<td>188</td>
<td>.350</td>
<td>.000**</td>
</tr>
<tr>
<td>SS</td>
<td>193</td>
<td>.435</td>
<td>.000**</td>
</tr>
<tr>
<td>SNI</td>
<td>197</td>
<td>.291</td>
<td>.000**</td>
</tr>
<tr>
<td>SSC</td>
<td>195</td>
<td>.292</td>
<td>.000**</td>
</tr>
<tr>
<td>PWS</td>
<td>196</td>
<td>.195</td>
<td>.006**</td>
</tr>
<tr>
<td>WTC</td>
<td>195</td>
<td>.254</td>
<td>.000**</td>
</tr>
</tbody>
</table>

Notes: 42.4% teachers indicated they were implementing at this level. Significance at * $p < .05$,
** $p < .01$, SK=Strong Knowledge of SB 48, KN3=Knowledge of 3+ LGBT Historical Figures, WP=Well Prepared, PDS=Principal/District Support, CS=Colleague Support, SS=Self-Support, SNI=I Have LGBT Students Who Need SB 48, SSC=SB 48 Will Create a Safer School Climate, PWS=Implementation is Possible With Support, WTC=Willing to Coach Others

This is the additive level where teachers will add units/themes, stories or poems but don’t change the structure of the curriculum in any way (Banks, 1990). The survey statement for level two was, “In my curriculum I incorporate units/themes into the curriculum when possible or during specific times, i.e., Gay History Month.” The survey indicated 42.4% of teachers were implementing at this level.
Level two implementers appear to have Stronger Knowledge of SB 48 (SK) than level one implementers. They are more highly correlated in Well Prepared (WP) and again, have support across the three categories of Principal District Support (PDS), Colleague Support (CS) but have the stronger correlations in Self Support (SS). Level two implementers also have stronger correlations with Willing to Coach Others (WTC), \( r(195) = .254, p = .00 \). It should be noted that all correlations in level two are positive, moderate and statistically significant at \( p < .01 \). Level two also added the correlation of PWS (I believe implementation is possible with support) at a positive, moderate and statistically significant level \( r(196) = .20, p = .006 \). This might mean that level two implementers feel support is lacking, but are struggling to implement on their own.
Table 11

**Significant Positive Pearson Correlations for Level 3 Implementation**

<table>
<thead>
<tr>
<th>Level 3</th>
<th>N</th>
<th>r</th>
<th>Sig. (2-tailed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SK</td>
<td>195</td>
<td>.341</td>
<td>.000**</td>
</tr>
<tr>
<td>KN3</td>
<td>189</td>
<td>.524</td>
<td>.000**</td>
</tr>
<tr>
<td>WP</td>
<td>191</td>
<td>.493</td>
<td>.000**</td>
</tr>
<tr>
<td>PDS</td>
<td>192</td>
<td>.194</td>
<td>.000**</td>
</tr>
<tr>
<td>CS</td>
<td>187</td>
<td>.454</td>
<td>.000**</td>
</tr>
<tr>
<td>SS</td>
<td>189</td>
<td>.571</td>
<td>.000**</td>
</tr>
<tr>
<td>SNI</td>
<td>194</td>
<td>.346</td>
<td>.000**</td>
</tr>
<tr>
<td>SSC</td>
<td>193</td>
<td>.318</td>
<td>.000**</td>
</tr>
<tr>
<td>PWS</td>
<td>194</td>
<td>.253</td>
<td>.000**</td>
</tr>
<tr>
<td>WTC</td>
<td>193</td>
<td>.318</td>
<td>.024*</td>
</tr>
<tr>
<td>CS</td>
<td>195</td>
<td>.170</td>
<td>.017*</td>
</tr>
</tbody>
</table>

Notes: 60.7% teachers indicated they were implementing at this level. Significance at *p < .05, **p < .01, SK=Strong Knowledge of SB 48, KN3=Knowledge of 3+ LGBT Historical Figures, WP=Well Prepared, PDS=Principal/District Support, CS=Colleague Support, SS=Self-Support, SNI=I Have LGBT Students Who Need SB 48, SSC=SB 48 Will Create a Safer School Climate, PWS=Implementation is Possible With Support, WTC=Willing to Coach Others, CS= I Feel My Curriculum is Sufficient

Level three is where teachers will begin to change the structure of the curriculum by encouraging students to see different perspectives and engaging in dialogic (Freire, 2002) conversations with students (Banks, 1990). The survey statement to assess this level was “In my curriculum I help students understand the different contributions and perspectives of LGBT people throughout history, throughout
the curriculum and throughout the year.” According to the survey, 60.7% of teachers were implementing at level 3.

Level three implementers increase correlational strength in every category except for PDS (Principal/District Support). This might be explained if implementers at this higher level do not feel the need for district support as they have been self-supporting successfully for a long while. CRS (I Feel My Curriculum is Sufficient) is added to this level with a positive, small yet statistically significant correlation $r(195) = .170, p = .017$. This could also be explained by the level and length of time these teachers may have been self-supporting implementation. A long period of self-support might lead to feeling very positive about your curriculum. This level has nine moderate correlations ($p < .01$) and two small correlations ($p < .05$).
Level 4 social action approach.

Table 12

*Significant Positive Pearson Correlations for Level 4 Implementation*

<table>
<thead>
<tr>
<th>Level 4</th>
<th>N</th>
<th>r</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2-tailed)</td>
</tr>
<tr>
<td>SK</td>
<td>194</td>
<td>.299</td>
<td>.000**</td>
</tr>
<tr>
<td>KN3</td>
<td>189</td>
<td>.441</td>
<td>.000**</td>
</tr>
<tr>
<td>WP</td>
<td>190</td>
<td>.373</td>
<td>.000**</td>
</tr>
<tr>
<td>PDS</td>
<td>193</td>
<td>.248</td>
<td>.001**</td>
</tr>
<tr>
<td>CS</td>
<td>185</td>
<td>.440</td>
<td>.000**</td>
</tr>
<tr>
<td>SS</td>
<td>190</td>
<td>.510</td>
<td>.000**</td>
</tr>
<tr>
<td>LVLGBT</td>
<td>195</td>
<td>.213</td>
<td>.003**</td>
</tr>
<tr>
<td>SNI</td>
<td>193</td>
<td>.365</td>
<td>.000**</td>
</tr>
<tr>
<td>SSC</td>
<td>192</td>
<td>.284</td>
<td>.000**</td>
</tr>
<tr>
<td>PWS</td>
<td>193</td>
<td>.247</td>
<td>.001**</td>
</tr>
<tr>
<td>WTC</td>
<td>192</td>
<td>.289</td>
<td>.000**</td>
</tr>
<tr>
<td>WTBC</td>
<td>194</td>
<td>.164</td>
<td>.022*</td>
</tr>
</tbody>
</table>

Notes: 70.3% teachers indicated they were implementing at this level. Significance at *p < .05, **p < .01, SK=Strong Knowledge of SB 48, KN3=Knowledge of 3+ LGBT Historical Figures, WP=Well Prepared, PDS=Principal/District Support, CS=Colleague Support, SS=Self-Support, LVLGBT=I Have LGBT People in my Life I Care About, SNI=I Have LGBT Students Who Need SB 48, SSC=SB 48 Will Create a Safer School Climate, PWS=Implementation is Possible With Support, WTC=Willing to Coach Others, WTBC=Willing to be Coached by Others

Level 4 is where teachers encourage students to understand the perspective of the minority populations they are studying, but also to engage in empowerment of the students towards social action to change their lives and communities (Banks, 1990).

The statement for level four in the survey was “In my curriculum I help students
understand the contributions of LGBT people throughout history, discuss issues from
different perspectives and encourage social action to address issues pertinent to
students’ lives and the larger community.”

Level 4 implementers at 70.3% were the majority of teachers who agreed or
strongly agreed they were implementing SB 48 in some fashion. Level 4 had 11 positive
moderate statistically significant correlations ($p < .01$) and one positive, small
statistically significant correlation ($p < .05$). This level did not include the correlation
CRS (Curriculum Sufficient) but gained the two correlations named LVLGBT (I have
LGBT people in my life I care about) $r(195) = .213$, $p = .003$ and WTBC (Willing to Be
Coached by Others) $r(194) = .164$, $p < .022$. This might indicate that teachers
implementing at the highest level had LGBT people in their lives that are directly
influencing motivation to implement. They might also be more open to co-teaching and
be willing to have others share knowledge with them. This could also indicate a more
dialogic (Freire, 2002) and Sociotransformative (Zozakiewicz & Rodriguez, 2007) style
of teaching.

All categories of correlation at this level decreased in strength from level 3, with
the exception of PDS (Principal District Support) which increased. It is unclear why
correlational strength might decrease in all areas. The one increase in PDS (Principal
District Support) might indicate that administrative support is important at this highest
level. This increase would support the idea that in order to move towards fuller
implementation, administrative support will be important. The policy implication is that
Districts need to increase support if teachers are going to implement at all levels, but especially at levels 3 and 4.

**Sociotransformative Constructivism**

Sociotransformative Constructivism points to both the intention of this policy to transform school climates for LGBT students and the method for that transformation. Schools are not safe places for many LGBT students. However, if SB 48 were implemented at level 4 and students were given the chance to see themselves reflected in the curriculum and non LGBT students were given the opportunity to experience LGBT culture and history, then normalization might replace ‘othering’ and schools might be safer. For this to happen, teachers would have to be the catalysts for the forward momentum of this law, teachers would need to share knowledge and districts would need to support that effort. For these reasons, the three variables *Willing to Coach, Willing To Be Coached* and *Principal/District Support* were used to assess the viability of this path.

More teachers appear *Willing to Coach* than are *Willing to Be Coached*, although both are high at 84.7%, N=196, for teachers who are *Willing to Coach Others* and 73.9%, N =199, for teachers who are *Willing to Be Coached*. Although there is a small discrepancy in hard numbers between these two groups, they are strongly correlated at $r(194) = .56, p < .01$. Without further research it is difficult to know why there is a discrepancy. It might be that this particular sample has a higher percentage of teachers who feel well prepared and are more inclined to think of themselves as mentors rather than mentees. It also might be that teachers as a group, working in the solitary
environment of the classroom, are less comfortable with sharing that space with colleagues. This solitary teaching style may be a barrier for future implementation. The successful implementation of SB 48 will likely require the sharing of information through co-teaching and peer mentorships.

Sociotransformative Constructivism suggests a paradigm shift that allows for the dialogic (Freire, 2002) exchange between those who are implementing at higher levels, those who are not and the students themselves. The concept of Sociotransformative classrooms is very similar to the concept brought forth by Multicultural researchers who have long advocated for classrooms that meet educational as well as psychological needs of the students (Cellitti & Aldridge, 2002). It will be left for future research to examine if this will happen with The FAIR Education Act.

**Overall Summary of Quantitative Results**

Results from the regression model clearly indicate that 39% of the variance for the dependent variable Currently Implementing can be accounted for by the four independent variables named SSI (Self-Support Implementation), WP (Well Prepared), KN3+ (I Know 3+ LGBT Historical Figures) and SNI (I Have LGBT Students Who Need SB 48). This is true across all four levels of implementation as suggested by the dependent variable I Am Currently Implementing SB 48.

What might account for the other 61% of the variance can be explored in future research. Questions better focused on the specific barriers and more open ended questions on a survey might suggest further predictive factors. Future iterations of this
study, for example, might focus on the questions not included in this study such as “What motivates you to implement?” In this way, rather than agreeing or disagreeing to a narrow statement, teachers could state specifically what motivates them to implement and conversely what keeps them from implementing further. This would be especially helpful for those not implementing at all and for those implementing at level 4.

The high percentage of teachers who agreed or strongly agreed they were implementing at level 4 was most surprising and contradicted the hypothesis that implementation would be sporadic or non-existent in the sample of high schools targeted for this study. The discrepancy between this high level and the levels found in the qualitative data gathered through interviews will be further discussed in the Qualitative Analysis section. This high level of implementation also might have been a result of the targeted population and the further self-selection process of respondents.

It should also be noted that although all levels correlated with PDS (principals/districts support implementation), the overall percentage of administrative support was very low at 12.1%. Levels of support for implementation increased through each level, except for a slight drop in percentage from level one to two. This seems to indicate that as teachers agreed to levels of implementation, they tended to agree to all levels previous to and including current level of implementation. In other words, teachers who felt they were implementing at level 4 tended to also agree or strongly agree to levels 1-3 as well.

As teachers start implementing at the Sociotransformative level 4, it is important to note that the correlational data supports the possibility that administrative support
will be key in moving implementation from level 1 to level 4 as suggested in chapters 1 and 2.

The preliminary analysis of the findings from the survey portion of this study indicates quite clearly that teachers self-report that they are implementing through all levels, with particular high rates at level 4. Those that reported they are Well Prepared to implement appear to be relying on their own research and curriculum development in order to implement. Principal and District level support appeared to be very low at 12.1% yet important to those implementing at higher levels.

Finally, teachers at level 3 and 4 appeared more likely to be Willing to Coach, Willing to Be Coached and appeared to have more district support. These three variables were used to assess the likelihood that teachers would be open to a more Sociotransformative level of collaborative teaching and would have the district support needed to collaborate. Even though district support at levels 3 and 4 was passive in the sense that there was no professional development, it remained important. Teachers were not willing to risk further levels of implementation unless they were confident that their principals and districts would not put up barriers or object to implementation. This aspect of teachers’ willingness to collaborate if they had district support will be explored further in the interview portion of the study.
Qualitative Interview Results

One of the reasons for employing a sequential model was to allow for the survey data to inform the interview questions. To that end, the discrepancies noted between levels of implementation, which were reportedly high, and the expectation of the hypothesis, which were expectedly low, were curious. In order to address this discrepancy, questions on the interview were directed at further assessing implementation levels through identifiable proof. In other words, teachers were asked to give examples of how they were implementing. Other questions were focused on discovering barriers to further implementation and supports in place which enabled implementation. Also explored were attitudes and beliefs about LGBT students, need for SB 48, and thoughts about a range of issues related to implementation of this law.

The interviews were semi-structured, allowing for follow up questions in a more conversational style of interview. Eleven in-depth interviews were conducted on a total of 11 teachers to answer the same research questions posed in Chapter 1:

1. Are Teachers Implementing SB 48?
2. If teachers are implementing, at what level according the Banks’s (1990) implementation model?
3. If teachers are not implementing, what are the barriers, specific to House’s (1998) framework?

All interviews were conducted by this researcher and all transcriptions, coding and analysis was conducted by this researcher. The following themes and sub-themes were extracted from an in-depth analysis using a “lean coding” method (Merriam, 2009)
and then a follow up series of closed coding using QD Miner4 qualitative software.

From the coding process, three overall themes emerged, each with additional sub-themes. Those themes and sub-themes are depicted in Table 13. In addition to the three sub-themes, levels of implementation were also explored in the interviews. First, the demographics of the teachers interviewed will be presented. The five levels of implementation (including level 0) will be addressed using the teachers as points of discussion for the themes and overall impressions at each level. Next, will come a breakdown of each theme and sub-theme, again including the teachers at each level to highlight those themes. Finally, some graphics and discussion summarizing what emerged during the interview portion of this dissertation will conclude this section.

**Overall Demographics of Teachers and Schools**

Eleven interviews were completed with 11 teachers. Of the 11 interviewees, 6 were female and 5 were male. Ages ranged from 31-70 with 3 teachers in the 31-40 age range, 3 teachers in the 41-50 age range, 3 teachers in the 51-60 age range and 2 teachers in the 61-70 age range (Figure 11). Years teaching ranged from 11-38 yrs. Eight teachers had been teaching 11-20 years, 1 teacher had been teaching 21-30 years and 2 teachers had been teaching 31-40 years (Figure 12).
Figure 11

Age of Teachers Interviewed

![Bar chart showing age distribution of teachers interviewed.](image)

Figure 12

Years Teaching/Gender

![Bar chart showing years teaching by gender.](image)
Table 13

*Coding Themes and Sub-Themes*

<table>
<thead>
<tr>
<th>Themes</th>
<th>Supports</th>
<th>Barriers</th>
<th>Sociotransformative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Themes</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Self</td>
<td>Bounded</td>
<td>Teacher Perception</td>
<td></td>
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<td></td>
<td>Rationality</td>
<td>of Student Safety</td>
<td></td>
</tr>
<tr>
<td>Colleague</td>
<td>Asset</td>
<td>Transgender Safety</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Specificity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal/</td>
<td>Opportunism</td>
<td>Student/Teacher Trust</td>
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<td>District Support</td>
<td>Teacher Isolation</td>
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<tr>
<td>Knowledge</td>
<td>Teacher/Student</td>
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<td>of LGBT Hist./SB 48</td>
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<tr>
<td>Personal Connection</td>
<td>Social Justice/Visibility</td>
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<td></td>
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</tr>
</tbody>
</table>

**Implementation Levels**

It is most interesting to note that over 95% of teachers who responded to the survey indicated they were implementing at level 3 or 4. When answering the question “Can you give me an example of how you are implementing?,” some of the teachers answered that they would mention if a person was gay or not only if it was relevant and when it came up organically within the regular curriculum. Others felt it was relevant to include ‘missing information’ of a person’s orientation regardless of connection to accomplishment. According to the teachers interviewed, there are currently no textbooks available to them with any LGBT inclusion. In fact, one teacher had just received the 2015 state adoption for the History and Social Sciences. We both looked through the book and found no reference whatsoever to LGBT historical figures. What
follows is a representation of each level and a discussion of which teachers were implementing at these levels. In order to assess levels of implementation for the interview portion, this researcher used the answer to the question, “Are you currently including LGBT curriculum in your classes?” If they answered yes, they were asked to give an example. At a later date, during the analysis process, using Banks’ (1990) model, a level was assigned for that teacher. If they indicated implementation at various levels, which many did, the highest level was assigned.

**Level 0 Not Implementing**

Of the twelve teachers interviewing only one, Jesse, stated he was not implementing at all. He was adamant about wanting to implement, but stated he had no resources, no knowledge of LGBT History and no district support. He stated he had no knowledge of SB 48 until he received the survey. He was also the only one who blatantly blamed the district for not doing more and accused them of being homophobic for not taking a stronger lead with implementation. He stated,

Yes, SB 48 is sitting there and…if the administration doesn't take, is not held accountable for this then, the administration is homophobic. That's what it is. They don't want to bring it out. They know it's there. They don't want to bring it out, you know they're homophobic. And if the school board knows about it and they don't want to bring it out…they're homophobic as well.

Jesse seemed ready to implement, claimed to have no resources and was quick to put the responsibility for that directly at the feet of the district and school board. He commented that,
No, no they're irresponsible. They're irresponsible members of our educational system. They're irresponsible members of our society, when they know that it's the responsibility of the school board, to the Superintendent, Associate Superintendent and all the educational leaders. They are responsible for this because they know that there are differences out there, there are people that are different and by them keeping it hush hush, they're doing a disservice.

This teacher obviously felt very strongly that teachers in the district needed support and resources. He also mentioned that, if he had resources, he would implement immediately. As a matter of fact, as the interview was ending, he asked for resources to be sent to him. He stated, “If I got my hands on a curriculum, I'd study it over the weekend and on Monday or Tuesday, my students would hear about it.” It would be very important to follow up with Jesse to see if he has been able access any resources now that he has some knowledge of the law and its’ importance. Although he appeared to be an exceptional teacher and this researcher has no reason to doubt that he would implement immediately if he had the resources, this deflecting of responsibility to the district is likely a position he has become very familiar with. He was the longest serving teacher, with 35 years in the field. In fact, this deflecting might be at the core of the opportunism that exists among low to no implementing teachers. According to House (1998) this can look like bounded rationality or lack of time and resources when in fact it is motivated by fear and discomfort. More research will need to be done with a larger population of low and non-implementers to assess this population.
Jesse, though not implementing at the time of the interview due to a reported lack of resources, is open to implementation and seems to want to be guided and coached. This ‘willing to be coached’ is one of the hallmarks of Sociotransformative Constructivism and emerged as a theme to be discussed at length later in the chapter (Zozakiewicz & Rodriguez, 2007).

All the remaining 10 teachers reported they were implementing at some level according to Banks’ (1990) model. Below are the survey questions related to each level as they were used to identify levels for teachers.

Figure 13

*Questions on Survey Related to Implementation Levels*
Level 1 The Contributions Approach (Heroes and Holidays)

Only one teacher, Matt, was found to be implementing at level 1. Although Matt admittedly was not implementing at a very high level, he became very animated when talking about how the district could put together a “steering committee with voices from all stakeholders” and support implementation at the district level. It was curious that, in his survey, he indicated he was implementing at level 4, but during the interview did not indicate implementation at any higher than a level 1. It was decided beforehand that no teachers would be confronted with any inconsistencies between their interview answers and their survey answer; however, it was the goal of this researcher to elicit information that might illuminate these discrepancies where they existed. There was no such illumination during his interview and it is left to conjecture as to why this teacher indicated he implemented at level 4 in the survey and was found by this researcher to be implementing at level 1 based on his answers to the questions. For example, when asked how he was implementing he stated that he was implementing in an ‘organic’ manner, meaning he would mention if someone was gay if it was relevant and if it came up during the discussion, but would not go out of his way to bring in this information. He also stated he did not feel comfortable with his curriculum or level of knowledge to implement further. Based on these answers he was given a level 1 implementation. It’s possible it may have been a mistaken answer on the survey such as a misinterpretation of the question or a simple error in answering. Nonetheless, this teacher was willing to get involved to move implementation forward. He indicated that he had a daughter that had just come out and that was one of the reasons he was so
interested in further implementation. He stated, “This is personal for me. My daughter…she has just come out and is very active in that community.” He indicated she would be very excited to and willing to participate in an interview in the future. Also curious is the fact that he answered four out of four of the multiple regression prediction items with a positive indication. This means he profiled like a level 4 implementer. It’s possible he was answering as he thought he should or as he saw himself in the near future. Another possibility is that he was not clear in describing how he was implementing during the interview. Matt was bounded by lack of resources (bounded rationality) and was isolated. In fact when asked if he had any idea of what other teachers at his school were doing he stated, “I have no idea.” In fact, another teacher in his department was busily implementing at level 4 and will be discussed later. He indeed, had no idea. So, while lack of resources and time can be a true indication of bounded rationality as mentioned before, it can also be an indication of opportunism. Without further exploration and research, the reason for non-implementation will not be clear. For purposes of this study, no blatant opportunism was found at levels 0-1.

**Level 2 The Additive Approach (Themes and Units at Specific Times)**

Two teachers, Tony and Mike, indicated level 2 implementation. While Mike was consistent in his interview level and his survey level, Tony was not. Tony indicated a level 4 on the survey and based on the answers to the interview questions, he was assessed to be implementing at a level 2 by this interviewer. Again, without direct questioning, it would be impossible to know why there was a discrepancy. It is interesting to note, however, that while Mike gave himself a level 2, as did this
interviewer, he was much more self-critical of his own ability to implement and seemed to want more guidance than did Tony. This need for clarification, guidance and language is evidence of *bounded rationality*. The following statement is from Mike:

I…I question the effectiveness of the way in which I teach this. And this is…perhaps the main reason why I was so intrigued by your questions and willing to do the interview is because I…I think…I hope, that there would be some guidance. Because it is something that is important and there's…I don't shy away…but, teenagers and issues of sexuality are…charged.

It’s also interesting to note that both teachers claimed not to have district support; however during the interview it became clear that Mike’s district was much more proactive than Tony’s. The difference in district support between these two implementers was stark. Tony’s district was largely ‘hands off’ and when discussing their level of involvement, Tony seemed reticent to criticize his district’s lack of support. He stated, “You know I don't want to throw the district under the bus or anything, but I can't recall a specific… any kind of specific professional development around that law.” When asked about colleague support he stated this:

So… I don't think there's any reluctance or unwillingness to teach about these issues… I think again, it goes back to having the resources. We are actually going through the project I mentioned a couple of times, Perceptions of Prejudice, which begins in April. We're going to do some the planning stages for that. Everybody's onboard and willing, so I can't complain or talk about any barriers with my colleagues.
When asked about student safety Tony said; “Teachers don't always know anything. We have only our narrow perspective, but… I believe that it is. In fact I believe that within this community it's kind of, it's kind of… It draws that population to some degree.

Mike was less convinced of student safety when he stated;

    Inherently, I would say probably not…safe. Not to say that these kids aren't brave in being out. And that they feel as if they have allies throughout the school. But I think that among teenagers, I'm sure the put downs are enormous. And the dislike of homosexuals…the threat that they pose to…you know, I think that in many ways…that will not go away. But the fact that they are out, I think…says that if they're not feeling safe…they're feeling brave and protected.

Even though Mike stated in his survey that his district did not support him, in the interview it became clear that there was support at the district level, just no direct professional development or guidance specific to implementation of SB 48. Mike’s district had passed a specific policy regarding LGBT inclusive curriculum. He recalled,

    We were rewriting the district standards. It was a long time ago. It was in… Early 2000, and we…sometime early 2000 and we um… and it was basically enhancing and providing emphasis to the state standards. And so, in the Civil Rights unit we added in things like The Gay Rights Movement, Gay Liberation Movement and we talked about Stonewall riots…

Mike indicated he had no district support and when questioned about this he claimed that even though his district was supportive of the overall idea of inclusion, they had done nothing around professional development specific to SB 48. It’s possible
that districts, like teachers who had some previous action around LGBT inclusion did nothing because they felt they were ‘already doing that’. This feeling that districts were not supportive was a common theme and will be discussed at length later in the chapter.

**Level 3 The Transformation Approach**

Three teachers, Katia, Sofia and Laura demonstrated they were implementing at level 3. Katia was the only teacher who self-identified on the survey as a level 3 implementer. The other two identified as level 4 implementers on the survey. It was clear that, although the two who indicated a level 4 on the survey were both doing projects that could lead to level 4 social action, neither had done so yet. Both teachers who indicated a level 4 but assessed at level 3 after the interview, were doing social justice projects that could easily qualify as level 4 if a social action component was added. For example, Laura talked about a project she was doing with her students:

So next week we are going to be doing a lesson on basically, looking at, kind of… we're breaking the students up into groups so um, …it'll be like minority groups, African-Americans, Latinos, Gay, Lesbian, Transgender and then, whole bunches of groups like elderly, children, women, all those kinds of things. And then students will be looking at the Constitution to read to see exactly where their rights are protected and what parts of the Constitution are going to protect them.

In order to move this to a level four, she could ask the students to write letters to their legislators asking for better protections where there are none or speak to the school
board around a constitutionally protected right that is not being protected. Board policies might be influenced in this way, or legislature.

Both Katia and Sofia scored 3 out of 4 multiple regression indicators and Laura scored 4 out of 4. This makes sense, especially if two out of three of them felt they were level 4 implementers. Katia, the only level 3 indicator on the survey, scored 3 out of 4 because she disagreed that she was well prepared. Again, this might have to do with her level of self-assessment and her feeling that she could be doing much more. It is also interesting to note that Katia is the only one who claimed to have district support on the survey out of this group. Upon further questioning, she admitted that, while her district did not have any professional development, they did send out a survey to assess the level of implementation around SB 48 in her district. She interpreted this to mean that they were at least interested enough to gather preliminary information. An overall hallmark of this group of implementers is that they are all in their 13th-17th year of teaching and they all have a fairly strong sense of what they are doing. For example, when asked what they could be doing to implement at an even higher level, Katia stated

If I could make it (SB 48) better, it would have come with something practical. I think all Ed. law is missing the practicality. It's all well and good to say you have to teach about this thing and you have to teach about that thing, but…if there isn't like a piece of paper that you could hand me at the end of the day that says, 'here's a story'…

Level three implementers, especially Katia, appear to be willing to implement at a higher level if they only had the proper resources (bounded rationality).
At this level the teacher advocacy/student trust theme started to appear. This theme, although related to personal connection goes beyond having someone in your family who might be LGBT, but extends to the relationship between the students and teachers. As Katia stated about the high percentage of LGBT students in her school; and I'm hoping that a similar thing will happen for our students here with LGBT studies. That, this school, the kids can learn about themselves. When we're 28%...28% of them identify. Right. That they should get to know their story. Yeah. That's huge.

With these two teachers, the theme of teacher advocacy/student trust started to emerge. This theme, which is discussed at length later in the chapter, emerged quite strongly in level 4.

**Level 4 The Social Action Approach**

This group had by far the most teaching experience. Jose had 32 years, Pam had 20, Maria 18 and Sadie had 14. These four teachers represented what SB 48 can do when it is implemented at this transformational level. At this level all four teachers were confident and had clarity of purpose. There was no confusion among this group about why they should be including LGBT history. The theme of social justice/visibility were well represented by this group. An example of this social justice/visibility theme is evident when Pam stated, “Yeah, we're not afraid to mention… I mean, I don't think we go out of our way to say things, but like... if we talk about Langston Hughes we're not afraid to say ‘Yeah, and he was gay.’
They all scored 4 out of 4 on the multiple regression predictors, except for Maria who indicated she was not well prepared. Again, this might be an indication of a more self-critical nature, or it might be an error. When asked about how she might be able to implement at an even higher level, she stated that she needed.

…stuff that's relevant, and a story that can be told. So really, it's just information. Obviously there's nothing in any textbooks, and it's hard to find stuff online that's reliable. So, that, I think for most teachers is…finding the information and finding the time to look for the information (*bounded rationality*).

This might explain why she feels ‘not well prepared.’ It is important to note that while she indicated she was not well prepared, she is the GSA advisor on campus and is actively engaging her history department in trying to get them to implement lessons created by the GSA themselves. This action alone qualifies as level 4 transformational curriculum inclusion. It might also be true that the more experienced teachers feel secure in their positions and more willing to risk than teachers with less experience. This is somewhat surprising as it can also be the case that teachers who have been teaching for long periods develop more entrenchment and attachment to their curriculum and habits of pedagogy (*asset specificity*).

Maria is also the only teacher among this group who felt she had strong district support. All the others felt they were on their own as far as developing curriculum. Even Jose, whose has been teaching the longest and is the most active in his district as far as advocacy, felt his district could do more. When asked about this in light of the
fact that he had indicated more than once that his district supported him, he stated, “I always feel like they could do more. But, you know I'm a realist.” There will be much more about this group in the following themes and sub-themes. Next will come a discussion of each subtheme as they relate to the teachers as well as levels. At the end of this chapter some visual graphics will be provided that will focus on what emerged from the qualitative portion of this study.

Supports

Self-Support.

All 11 teachers who took the survey agreed or strongly agreed that they self-supported their own implementation. It was not surprising to find this supported in the interviews with all teachers. As Sadie stated, “Resources, that would be something that would be helpful. I mean, we find things on our own, but I think that would be something that would be helpful.”

What was somewhat contradictory to this feeling of not being supported by the district was the feeling among many of the teachers that although they would appreciate some guidance and resources, they did not want to be told what to do and how to do it. This might be an important aspect of why teachers tend to teach in isolation. As aptly expressed by Maria, “Teachers are like cats…” So, while they all stated that their districts could do more to support their implementation, they were quick to mention that they did not want to lose autonomy. The following comment by Laura sums up how
most districts have a ‘hands off’ attitude about their teachers, which is appreciated by many of the teachers in this study.

…the positive twist on that statement (that districts did not provide support) would be it's not that they don't support, it's that they believe in a level of freedom and integrity in what we do. So they would say, “Of course you're doing this.”

This tension between wanting support and guidance and wanting to maintain autonomy may be a conundrum worth exploring in future research.

**Principal/District Support**

Even though Principal/District/Community Support was found to be lacking for all teachers, there was a distinct difference in the way in which teachers talked about their districts. For example, the two highest implementers, Maria and Jesse talked favorably about district support, even though they both admitted there was no professional development specific to SB 48 being offered. Maria, as the advisor to her school’s GSA, had district support for her advocacy within the district. She talked about how important it was for the teachers in her district to know that the district ‘had their backs.’ Asked if district support was important as she tries to push implementation at the district level she stated,

…absolutely, and that was important to a lot of the teachers before they even considered any of these lessons because there are always stories of somebody in the past who got a little backlash and then um, they need to know that…you know this is a very vocal parent community here and…we all needed to know
that there was, that we would have the support of the district. And the district made it clear, yeah.

Jose, as well, spoke favorably about what district support meant to his efforts. He was found to be very active within his district and shared that he was head of an organization in his county that works to keep LGBT students safe. His advocacy extended beyond his district into his county. About the importance of district support, he stated that they support his activities 100%. Yet, he still expressed some remorse that they could not provide an in-service day for teachers or do more around professional development.

Most interesting was the fact that both of these teachers who are implementing not only in their own classrooms, but have become advocates for the district, mentioned the fact that lawsuits are motivating districts to pay attention to SB 48. Jose stated,

About two or three years ago the courts started holding school officials personally liable. And so now, insurance companies are saying, “What? You're not protecting the students? That's your number one priority. It's like driving drunk, you can be held liable for the damage you caused. The school insurance companies are releasing themselves from liability because the school is not performing their number one responsibility.

And from Maria about this very same subject;

The story that I heard is that the district is more concerned about being sued by an LGBT organization or by parent of an LGBT child because we're not implementing the FAIR Act than they are about being sued by a church or a
religious organization or conservative organization that feels that their rights have been violated.

This idea of lawsuits, though not present enough to constitute a theme, was surprising and is worth considering in future research studies. If lawsuits become so prevalent that they force districts to implement, then they will no doubt become a strong support for implementation.

For the rest of the teachers, the district seemed to be quite distant and uninvolved in their daily teaching lives. Laura expressed what most teachers seemed to be feeling about their districts when she stated,

What about our district? I don't think there's been anything, ever been anything against it. So, we have GSA's in all the schools except Aptos. And our GSA here at Watsonville and PV are kind of some of the leader GSA's. So we've got that going on. The district has never been against us in any way or ever made it a challenge in any way.

Most principals and districts seemed to be far removed and somewhat disinterested in what was going on in the classroom. Many teachers interpreted this as academic freedom. Most teachers, with the exception of Jesse who felt his district was homophobic, expressed satisfaction that their districts would not stop them from implementing if they chose to do so. This passive support is what most teachers experienced as district support.

It appears that if implementation is going to happen on a large scale, then districts will need to increase levels of active support, especially professional
development and curriculum. And if lawsuits are going to start encouraging interest, as Maria and Jose have suggested, then the laissez faire approach of districts will have to shift. At the same time, it’s likely that many teachers will not be comfortable with too much direction from their districts. As stated previously, this tension will likely become more pronounced as implementation at the district level increases, if indeed it does.

**Knowledge of LGBT History/SB 48**

The two themes of Knowledge of LGBT History and Knowledge of SB 48 were closely related and as such will be discussed together. Ten of the eleven teachers interviewed claimed to have some knowledge of SB 48 and LGBT history prior to the survey, although it’s important to note that none of them were informed by their districts. The teachers implementing at the higher levels 3 and 4 had the highest awareness coupled with the higher levels of LGBT history knowledge. In fact, Jose, one of the highest implementers had outside contacts who were LGBT history experts and whom he often invited into his classroom to offer high quality lessons. When asked how he was implementing he stated,

> So, it's a variety of ways… whenever I can bring it in. Talking about the LGBT soldiers in the different wars. Women that dressed up as men in order to serve their country. We talk about Lincoln and some of the papers that have been written about him and his sexuality.

When asked how he acquired his curriculum he further elaborated;
Pretty much, I have…I've put together an in servicing from a Will Grant out of SR, who teaches an AP class on LGBT history. And he came down and did an in-service for our teachers down here. So, a lot of that I've picked up from his courses, and I use it in my classes.

He went on to lament that although he put together this in-service for teachers in his district, it was not mandated by the district and so only a small percentage of teachers in his district benefited from his efforts. It’s very likely that without a district mandate to attend, workshops like these are benefiting teacher who were already implementing. Yet, this is one example of how high knowledge and one teacher going above and beyond his own classroom can push implementation forward.

Maria, Sadie and Pam also had high levels of awareness of SB 48 and LGBT history. Maria was offering extra credit in her class if students went to see the film The Imitation Game\(^{19}\) and wrote a report on it. When asked what she knew about SB 48, she didn’t hesitate and was able to recite the law itself;

So it's been…so what I know about it is that it changed existing law, it's changed the language of existing law, anti-discrimination law to include, really actually curriculum law I guess, to include the disabled and the LGBT community within the history curriculum. It's a mandate for all history teachers, K-12.

Maria explained she had been developing lessons for years as a middle school teacher, but did not feel comfortable moving forward because of the conservative community at the middle school. She said she was pleasantly surprised when she started teaching at

\(^{19}\) This is a film loosely based on a novel about Alan Turing, the cryptanalyst who helped the U.S. break the Enigma code during WWII and was later persecuted for his homosexuality (biography.com)
her current high school at how open they were to LGBT issues. She then started developing more lessons and even volunteered to sponsor the GSA at her school.

Level 3 implementers, Laura, Katia and Sofia also had some knowledge of SB 48 and LGBT history, yet at a lower level. In fact, all three of these teachers when asked if they were implementing stated that they had always been implementing and so didn’t necessarily feel the need to ‘implement’ anything. The knowledge of the law was less complete at this level. Hesitation in answering and some confusion about the law itself was common to all three teachers at this level. What Katia said when asked about the law was very common among this group;

What I know about it is that it requires… Maybe it's that we include the story of LGBT individuals in the teaching of, whatever it is that we are teaching… History, English etc. and that we represent that. And beyond that I don’t know much about anything specific what exactly I'm supposed to be teaching about it or…

When the knowledge of SB 48 was compared to Knowledge of LGBT History, it became clear that these two are fairly closely related. When asked what she knew about SB 48, Laura stated;

I didn't really know about SB 48. I just have always taught that way. So, I got your survey and I thought “what's SB 48?” And then um… a colleague of mine was in the room and he was like “oh that's that new law… the one where we have to include LGBT curriculum.” And I was like “Oh. We already do that.”
So I think I didn't know about it because we're already doing it. So when it passed I was like, I don't have to worry about that because we're already doing it. This idea that 'we're already doing that', though laudable, might create an atmosphere of complacency about implementing at higher levels and reaching the Sociotransformative level 4.

I Have LGBT People in My Life I Care About

This theme appeared to be just under the surface for most of these teachers. They all answered on the survey that they had someone of the LGBT community that they personally cared about. However, it is important to note that only two of them mentioned someone specific during the interview. Even though this was thought to be important at the beginning of this study and was included as a separate question on the survey, it was not included in the interview, since 97.5% of the entire 200 survey respondents indicated they had someone LGBT in their lives they cared about. This high rate of positive response is likely due to the self-selection process and population targeted. It is also possible it is a reflection of the larger societal acceptance of the LGBT community. The safer they feel, the more they come out and the more they come out, the more people become normalized to this population and realize someone close to them is LGBT. It is noteworthy that two teachers mentioned family members. Laura mentioned she had a son who was gay and described in detail how difficult it was for him. She stated,

I mean he was put in the trashcan every day. His lunch was stolen every day. He was trashcanned. He had stuff stolen from him. And at that point as a freshman
he wasn't even overtly gay but he was getting harassed from seventh grade on a daily basis about whether or not he was gay.

Matt also mentioned that the issue of implementing SB 48 “was personal for him” because his daughter had just come out to him. Even though he was implementing at level 1, he indicated he was very interested and motivated to do more. Pam, also a level 4 implementer, related a touching story about a transgendered young woman who reached out to her on Facebook. She stated,

…she graduated and everything and then through Facebook she reached out to me, but for a long time I didn't know it was her because she's transgendered. And so she reached out to me with a kind of…a gender neutral name. But it's that piece of it. Like, for her…whatever her identity…path was…and to finding her true self…where were the people? How might it have changed her path and eased her way, if there had been a more supportive environment around her?

This personal connection has become more and more relevant to the advocacy of teachers as more LGBT people come out and more LGBT students come out earlier and earlier in their young lives. This idea of visibility and advocacy and social justice will be explored more in the section on Sociotransformative Constructivism.
Figure 14

Implementation Supports
Barsriers

The barriers that emerged as themes during the interviews were largely contained within the framework of House (1998) and fall under the categories of lack of resources (content knowledge), lack of time, lack of money and lack of cognition (experience with and comfort level of LGBT communities). Although all of these can be considered resources, they were singled out because they emerged separately and as such are being discussed separately.

Bounded Rationality

Lack of resources.

Lack of resources was mentioned by every teacher in answer to the question, “What would help you implement at a higher level?.” Pam, a level 4 implementer, stated,

Well, I think I'd need to have more resources. I was actually thinking about this one when we scheduled, I was thinking, you know what would be really helpful to me is to have resources that help me weave…you know, to weave a recognition, throughout time of people of this community into what we study and also to…have time at the end of the year, frankly…

And from Jesse who was not implementing at all;

To be honest with you, I do not know of any gay or lesbian leaders that have made a significant change in our society or in our world. That doesn't come out in the literature, especially in the books. So I'm ignorant about it, students are ignorant about it.... Because we never, we don't hear about this except for
Harvey milk over here in San Francisco. I know that he was gay. That he became a Board of Supervisors, but that's about it. I don't know anybody else.

According to House (1998) and his framework, *bounded rationality* as a barrier, would manifest as lack of knowledge (both content and pedagogical skills), lack of time and lack of resources. This deficit would force teachers into becoming ‘satisficers’ (Simon, 1991), meaning they would make decisions that were only satisfactory. While it could be argued that we are all bounded in some ways, the important distinction for teachers is that they are expected to make educated, informed decisions, especially around pedagogical and content matters. Without proper time and a strong knowledge base, teachers become more like technicians and less like the professional educators we expect them to be. Many teachers stated that if the curriculum were handed to them and guidance given on how to teach it, they would be able to implement at a higher level. Yet, these same teachers often commented that teachers, as a group, are reluctant to take direct instruction around curriculum implementation from the district (*asset specificity*). Further research might shed some light on this conundrum facing policy makers, leadership and teachers themselves. How much of the responsibility for implementing should be shouldered by teachers? This question will be explored further in chapter 5.

**Lack of time.**

The word ‘time’ was mentioned at least once in every interview and it was directly related to the lack of time to implement. While only 29% of 200 respondents from the initial survey claimed to have no time to implement, 83% from the interviews mentioned ‘no time’ as a reason for why they themselves and/or other teachers might
not be implementing. One of the main reasons teachers are feeling a lack of time right now, according to this sample of teachers, is because of the new Common Core State Standards. Common Core was mentioned in 8 out of the 11 interviews and always in the context of why they did not have the time to implement further. As Tony commented, “It’s hard to compete with people’s attention for Common Core.” To capture this overall feeling of lack of time, Jose talks about the teachers he deals with on a daily basis as he tried to implement at the district level;

They don’t feel like they have any time, they want someone to give them a curriculum and show them how to use it. They don’t want to invest the time…teachers feel overworked and stressed out and they’re teaching to the test…then there’s Common Core.

Also commenting on the lack of time was Pam when she stated, “It always comes down to time…the things that are getting attention, like the focus on assessment, assessment, assessment…” The multiple comments, similar in many ways to this one, clearly indicated teachers feel the constraint of time as a very real impediment to implementation of SB 48, even as many of them are finding some time to implement despite the barriers.

**Lack of money.**

While lack of money certainly falls under the constraints of resources in *bounded rationality*, it was not supported by the interviews or the surveys. Either teachers don’t have a good working knowledge of district budgetary matters or they don’t believe districts are limited in their funds. Not one teacher gave lack of money as
a reason for non-implementation on their surveys or in their interviews. They all seemed to believe that if districts wanted to implement, they could and should find the money to do so.

**Confusion and awkwardness.**

Bounded Rationality as defined by House (1998) speaks not only to the lack of resources and time experienced by all teachers, but also encompasses the deficit of experiential knowledge referred to as ‘lack of cognition’ by House (1998). This lack of cognition seemed to be manifested as confusion about when to include LGBT references and why to include them. Another manifestation of this ‘lack of cognition’ was the overall awkwardness in talking about LGBT issues and curriculum. Both of these aspects can be attributed to limited exposure to both populations of LGBT people and experience with LGBT curriculum. When one culture is limited and oppressed, all cultures suffer (Blumenfeld, 2010). The common attitude among level 1 and 2 implementers about whether or not to include if an historical figure was gay seemed to be, ‘when in doubt, leave it out.’ This confusion and awkwardness was evident in the interview itself, manifested in long pauses, interruptions in thought and trailing off of sentences as well as body language and a genuine sense of confusion and discomfort. Teachers need guidance in this area. For example, the awkwardness confusion of is evident in this statement by Mike;

…in my class today, we taught…we're in the Great Depression and we're talking about economic theory. And we talk about…John Maynard Keynes and his theory of economics. John Maynard Keynes was gay. I don't think it had
anything to do with his economic theory. But the fact that he was gay…does that really matter? I didn't mention it…I need help in dealing with those weights…do you follow me?

Maria, a level four implementer, talks about her perception of the struggles other teaches are having around finding the right language;

They don't know who they would be teaching about. And I think there's also a concern that it's going to be this…it's going to distract from the story of history or be unrelated to the story that they're trying to tell in history. For example, one of the teachers was telling me, “Oh, I talk about Jane Adams, we talk about the 'whole house', we talk about immigrant's rights and we talk about assimilation and oh, and she was gay?” Well, and so who cares? That's not part of her story. With Alan Turing, for example, it's very much a part of his story, so that makes sense. But there's been a, lot of conversation among the history teachers, how do you…when is it relevant to talk about and when is it irrelevant? And um, when is it natural and when is it unnatural? And when does it seem forced? Or when does it almost seems discriminatory because you didn't mention whether anyone else was married or had kids so why would you mention that they were gay?

The last sentence, though she was paraphrasing what she had heard from other teachers, sounds very much like the idea of ‘reverse racism’ propagated by those who feel giving minority groups equal rights is tantamount to giving them ‘special rights.’ (Blumenfeld, 2010) This distinction seemed to separate those who were struggling to implement at levels 1 and 2 and those who were clear and purposeful in their inclusion of missing
information at levels 3 and 4. Most of the teachers at levels 1 and 2 wanted some
guidance around issues of when to include and why to include a person’s sexual
orientation or transgender status. Again, Mike stated, “Why are we talking about issues
of sexuality?”

Those teachers who were implementing at levels 3 and 4 seemed to be using a
social justice lens, and were more apt to include a person’s gay status more often and
found relevance in inclusion for inclusion’s sake. As Pam stated, “What are the
obstacles? And so…you know, I think that all of those pieces are important. Like, ’oh,
gosh…look what was left out’ you know’, really? Okay.” For these teachers the
decision of what to include and when to include was an easy one. They felt more of a
sense of duty to include the ‘missing information.’

Asset Specificity

This aspect of House’s (1998) framework speaks to the ways in which teachers
build curriculum and develop habits of teaching that they do not give up readily. In the
overall survey only 38% of teachers felt their curriculum was sufficient. This was
surprising, however it might be due to the targeted population and the fact that they
were already implementing and therefore believed that what they were doing was fine.
More likely it is due to the fact that the question was worded such that teachers may
have interpreted it as meaning they had ‘good’ curriculums, when it was meant to
indicate they felt ‘protective’ of their curriculums. It might also be due to the self-
selection in targeting teachers who were more open to changing their curriculums in
order to implement SB 48. In future iterations of this study, the wording for this
question will need to be changed so that it captures those teachers who are protective of their curriculums and unwilling to change or alter them.

During the interview, it was easier to assess this aspect of House’s (1998) framework. Because most teachers giving interviews were implementing, they seemed relatively open to adding to and/or amending their curriculum to implement SB 48 further. There was one theme that emerged that could possibly be attributed to *asset specificity*. It was the belief among a few teachers that they did not necessarily need to change their curriculum in order to implement because they were ‘already doing that.’ It appeared that since they, as a group, felt they were ‘ahead of the curve’ on this matter it seemed to be a closed issue or a ‘done deal’: This might preclude any additional curriculum or altering pedagogy in any way. Below are a few of the comments to illustrate this point. These comments were in response to ‘Are you currently implementing in your classroom?’

Mike stated, “And I think that we've been doing this for a long time. It didn't change what we do.” Maria said, “Well, I wouldn't say I'm implementing, because I've never not implemented.” And finally Sadie mentioned, “It's just we've done that anyway and for us it just sort of fits into what we've done anyway.”

Tony, implementing at level 2, was the only teacher who mentioned that he thought teachers (though he didn’t include himself) might easily fall back on their tried and true curriculum. He said, “I think teachers often fall back on what materials are available.”
It will also be important to access a broader population where asset specificity might emerge as a stronger barrier to implementation. As to this population, it can be said that in 4 cases where teachers were already implementing, they are not inclined to question what they do or how they are doing it. This might be an issue in cases where implementation could be increased with more updated curriculum and alternate teaching pedagogies, such as Sociotransformative Constructivism with the mentor model.

Another aspect of asset specificity that emerged as a separate theme is teacher isolation. Since attachment to pedagogy, or habits of teaching, is a form of asset specificity, the fact that teachers are so protective of their ‘autonomy’ could be considered a symptom of asset specificity. For purposes of this study isolation will be discussed as a separate theme at the end of this section.

Opportunism

This aspect of House’s (1998) framework involves the idea that teachers are not as altruistic as they are commonly thought to be. This means that teachers will look out for their own interests as often as anyone in the general population. Even though opportunism can include dishonesty and guile in the form of self-preservation, in its’ most benign form it can manifest as simple lack of obedience (House, 1998, p.79). Although a ‘lack of obedience’ was not as prevalent in this high implementing population of teachers, it will be left to future research to access larger populations of teachers, where opportunism in the form of ‘lack of obedience’ might be more prevalent.
As for this population, *opportunism* emerged as the confusion and awkwardness of the topic used as a reason for not implementing further. Also included in this category would be lack of cooperation because there are no consequences for not implementing. As stated by Pam regarding SB 48 and its’ lack of consequences, “And that Educational Policy by itself…if it’s not…if there isn’t some other accountability piece? Just pretty much is easy to ignore.” Additionally, Sofia stated that teachers would not respond well to being told what to do and therefore might simply not implement at all. However, this was not the case with these teachers. Although they spoke about non-compliance as a form of passive aggressive opportunism, they themselves were all implementing at some level, with the exception of Jesse. Jesse’s reason for not implementing was ignorance of the law and content knowledge.

Therefore, the aspect of opportunism most prevalent for this group was not fear of backlash or of losing their jobs, but general discomfort with the topic. This could be interpreted as *opportunism* since they are seeking a stasis of comfort level in not bringing up LGBT issues or incorporating more curriculum in their classrooms. As well, as expressed by Maria, there was reticence among even the highest implementers about taking bigger risks within the school community.

More obvious evidence of *opportunism* can be found at the district level. This is the issue of lawsuits mentioned earlier. As districts seek to protect themselves, teachers as well are likely to follow suit to protect themselves. Even though this would be moving teachers in the direction of implementation, it is motivated by *opportunism.*

This is what Jose had to say about this topic:
…and no one wants to be held liable, I don't know if you know about the change in how the law is applied….about two or three years ago the courts started holding school officials personally liable. And so now, insurance companies are saying, “What? You're not protecting the students? That's your number one priority.” It's like driving drunk, you can be held liable for the damage you caused. The school insurance companies are releasing themselves from liability because the school is not performing their number one responsibility. You the Superintendent, you Mr. Principal and you Mr. Teacher are now personally liable for that.

This is a good example of where opportunism will likely emerge in the near future concerning this law. Jose expressed some disappointment that it might take the threat of lawsuits to get districts and teachers to pay attention. Maria also mentioned the issue of lawsuits;

Ironically, this is what I was gonna say before…when it came to our district support, um…the story that I heard is that the district is more concerned about being sued by an LGBT organization or by parent of an LGBT child because we're not implementing the FAIR Act than they are about being sued by a church or a religious organization or conservative organization that feels that their rights have been violated. So, there's a lot of money out there and it's all about lawsuits and whoever has more money on the table it seems like.
Maria was much less disappointed in her district’s motivation for implementing. She expressed nonchalance about this aspect of opportunism the districts might be taking to protect their assets from lawsuits from LGBT families and allies.

**Teacher Isolation.**

Teacher Isolation emerged as a barrier theme across almost all interviews. When asked how they could help their colleagues implement or how their colleagues could help them, all 11 teachers stated that they didn’t collaborate with the entire grade level. Most of them had very little idea what any of their colleagues were doing, even in the same department. This was especially clear in the case of Sadie, who was a level 4 implementer. She was a teacher at the same school and worked within the same department as Matt, who was a level 1 implementer, yet they had no idea about each other or what the other was doing. To her credit, when asked what she could do to help her colleagues, Sadie admitted she could/should have conversations with her colleagues and encourage implementation. To be fair, her large suburban school is divided up into what they call ‘dens’ and Matt is in another building far away from Sadie’s ‘den.’ It was very surprising, nonetheless, that they were completely unaware of each other.

The following comment is very typical of all teachers when asked how they could help colleagues or how colleagues could help them. Mike stated, “But beyond, you know, I think, there’s like twenty three in our department, I couldn't tell you. I couldn't tell you if it comes into Economics, I couldn't tell you what happens in the 300 Hall, in those classrooms.”

Maria made the comment, “We’re completely walled off from each other.”
When Pam was asked what the other two history teachers in her department were doing, she said “I don’t know what he does…and I don’t know what she does.” Asked if any other teachers were implementing, Sadie said,

I don't know that the other teacher teams actually look at the FAIR Act the way we do in our class. Because a little bit of freedom and flexibility in how we implement…but the context and nature of the project is the same. So the research on the different various Civil Rights groups and things like that.

Exception to this isolation would be Maria who is the GSA advisor and Jose, who is the district liaison for SB 48 and other policies. As experienced mentors, they supported not only teachers within their own schools, but in Jose’s case within the district and countywide. When asked about the extent of his work as director of the Safe Schools Committee, he said this;

So, this is our task we try to get into the districts to see if things are being taught, which is almost never…SB 71, which is almost never taught, or The FAIR Act…in some isolated places like us or, SM or OK, I think is drafting something. And so also, there was a big need by our district in SC city schools to protect Trans. students. I helped write the policy, which includes: locker room stuff, bathrooms, trips, sports and how that looks. And I have three Trans. specialists helping me work with the district in feeling comfortable talking to parents and staff

Jose was not only implementing in his own classes, he was very active in mentoring and collaborating within his district and others who needed his expertise.
During the interviews, no one, other than Maria and Jose, mentioned any meaningful colleague collaboration. A good indication of the overall feeling of isolation as far as colleague support at the school level was expressed by Maria when she said, “We don't do a lot of grade level stuff. I wish we did, but um… I think… Hm… I think, sharing lessons… I think… honestly, this year feels like the first year anyone's done anything.” This theme of isolation will play a large role if there is a move towards a more Sociotransformative Constructivist pedagogy. This will mean a large paradigm shift for teachers who are very used to being independent, autonomous and isolated.

Figure 15

*Implementation Barriers*
Sociotransformative Constructivism

For this section the concepts of and student/teacher advocacy were separated from student/teacher trust because it was clear to this researcher that in order to have advocacy, the trust had to happen first. In this way the outcomes of trust are exhibited through the behavior of advocacy (Romero, 2015). This advocacy built on trust will be the foundation for moving forward with implementing at the sociotransformative level 4. There also appears to be a strong connection between teacher perception of student safety and level of implementation, with the higher implementers perceiving their school’s as being safer. All of these can be seen through the lens of social justice and visibility. In fact, all these factors work simultaneously in creating normalization of the LGBT populations and normalization of a population can lead to safer schools (Kosciw et al., 2013).

Teacher/Student Trust.

This theme emerged as a convergence of the sub-themes Teacher Advocacy, Social Justice/Visibility and Normalization. Although these themes will be discussed separately, they are connected and work in tandem to create the sociotransformative platform for higher level implementation.

There seemed to be a strong connection between those teachers who had students who they had a personal connections with, whose welfare they were concerned about and the level of risk they were willing to take in order to implement this curriculum. Conversely, the idea of visibility and normalization was connected to teacher advocacy and student trust because in order to become visible, a level of trust
between students and teachers was necessary in order to take risks. For example, Maria was the only teacher who was also a GSA advisor. She described her relationship with the GSA as a symbiotic one, wherein the level of risk was shared and dependent on that level of trust. She described a conversation she had with the GSA as she was trying to convince them to become more visible. First she mentioned the fact that she was not sure why they didn’t feel safe enough to be more visible at school;

I wonder why, for example, our GSA hasn’t done more. They seem hesitant to venture beyond their very well defined allies, you know, people like me or other teachers on campus. They’re very good at relating to teachers, but when it comes to relating to their peers, you know…why don't we make pins like “I'm An Ally” or why don't we have a fundraiser you know? And they're very hesitant to venture beyond that and so…that means that there is still a mood, a feeling that there's something awkward or uncomfortable.

The above quote is a good example of how developing the relationship of trust between LGBT students is important for building the courage that can be used as a springboard for moving out into the heteronormative sphere, thereby creating a more normalized climate. Another quote from this same teacher highlights how she appears to be placing a larger portion of the responsibility for moving out of this ‘safety zone’ of allies onto the students themselves;

…what SB 48 does, is it mandates it as part of the conversation and the more that it's part of the conversation, the less awkward it's gonna be. And this is what I keep telling the GSA members, “You guys are never gonna feel more
than a second class citizen if you continue to treat yourselves like a second class citizen. People will respect you when you command respect.” And that's what SB 48 is asking us as teachers…to be that role model and to say that this is just another one of the many communities that we, uh, that we talk about.

Indeed, that is what SB 48 is asking teachers to do. It’s mandating that they do it. As adults and role models, teachers will need to step forward and take the larger share of the responsibility for creating safe schools.

Another level 4 implementer, Pam, described her close relationship with a transgendered student who transitioned after leaving her class and later reached out to her on Facebook;

…yeah, reflected, supported…their families reflected, supported. Yeah, I think it's huge. I have…when I first started teaching, I taught Middle School and years after…and I had this student as an eighth grader. She and I just like… we just went head to head all the time and we finally…you know at the end of her eighth grade year we had actually gone through something that allowed us to be pretty close and get to know each other and for me to reach out to her and for her to let me reach out to her…but then she went to high school and she went to UW, she graduated and everything and then through Facebook she reached out to me, but for a long time I didn't know it was her because she’s transitioned…

Pam went on to discuss how she often thought about that student and how it might have been different for that student and made her life easier if the school climate had been more supportive. Those are the kinds of connections that emerged as the basis of this
theme of teacher advocacy built on a relationship of mutual trust. It seemed to be this basis of mutual trust that emboldened these level 4 implementers to take the risks inherent in being visible allies. As more teachers become allies, student trust in their teachers will build. And as more students become brave and courageous about coming out earlier in their schools, trust ‘becomes the operating mechanism’ (Romero, 2015), through which the behavior of advocacy from both teachers and students can manifest. Although it was clear that the teachers expect the students to take risks, it needs to start with a change in behavior of the teachers themselves. This risk taking will have to be shared. More about the responsibility of teachers to educate themselves and implement will be brought forward in chapter 5.

**Advocacy**

As stated previously, STC is a social justice lens because it blends Multicultural Education with the social justice leaning of Critical Pedagogy. Critical Pedagogy seeks to explore dominant structures and challenge those structures so that all voices can be heard. For this section, supports that reach above and beyond what most teachers are doing will be explored. Advocacy, Social Justice and Visibility themes are all discussed here because, although they are all supports, they go further than supporting just one classroom with one teacher. If SB 48 is going to be sustainable, it will likely need level 4 implementers to lead the way as well as student advocates and principal/district support. STC involves level four implementers and shifting normative teaching pedagogies to facilitate knowledge sharing. The interview question #8 “How
could your colleagues help you and/or you help them?” was used to assess teacher advocacy as well as personal stories and overall impressions of teacher mentors.

Teacher advocacy.

This theme emerged as a support beyond mere implementation. There were a few teachers, the ones implementing at level 4, who went above and beyond their own classrooms in an effort to help other teachers within their schools and districts. Both Maria and Jose were such advocates. Maria, as the GSA advisor, was active at her district level and helped to bring other GSAs together in order to develop lesson plans specific to SB 48. She was also active in trying to get the GSA to become more visible within the school as she states here;

and I don't know how much…you know, I think…what SB 48 does, is it mandates it as part of the conversation and the more that it's part of the conversation, the less awkward it's gonna be. And this is what I keep telling the GSA members.

This comment speaks to the shared responsibility of advocacy between teachers and students. Jose as well was extremely active in his district and in other smaller districts who asked for his help:

So we're meeting next week to look at the report and decide what we want to do. One teacher wants to write a grant backed by the DOE\textsuperscript{20}. And then shop it out once it's successful. Our plan is to hit the two big districts and then the smaller districts…there are five or six smaller districts in the county…to work on them.

\textsuperscript{20} DOE stands for the Department of Education
to put stuff in place with each of the laws that's supported by the DOE. That's what I do. I work with the big district, get things working and then I go into the smaller ...districts or I'll wait for an event to happen and then they'll call and say, “help us, help us”…and we can say “we're already doing this and it's up and running.” And then I can show them how to do it.

They both revealed that they had strong district support, albeit passive support. It’s possible that there was more to their personal stories that might reveal more of a connection to these LGBT students, for example, how strong the trust levels are between teachers and students, however, none was discovered during the interviews. One thing to note is that these two advocates are both teachers with long careers. Jose had 32 years teaching and Maria had 18. Future research might explore this link between long term teachers and advocacy. It is also important to note that all level 3 and 4 teachers employed a social justice lens when looking at implementing. Sadie, with 14 years teaching, stated quite eloquently,

We...and I also think 11th grade because we focus on American History and American Literature that (inaudible)…we actually…I think look at a great deal of what we do through the lens of the minority perspective or the sort of unheard perspective…the unsung heroes perspective. We make a conscious effort to look through those lenses as we look at American History and the way we teach it in 11th grade.

This social justice approach appeared to be true for all teachers who were concerned about creating a sense of visibility for the LGBT community. No teachers
who were teaching at level 3 or 4, were confused about the importance or relevance of including the LGBT identity in their curriculum. They all seemed to agree that it was worth mentioning if a historical figure was LGBT even if this seemed to have little or no connection with the accomplishment or narrative they were studying. In this way, they were creating visibility for the LGBT community within their classrooms. This is what Pam said about visibility and normalization;

and so…on a personal level I think knowing that their teachers are supportive of this. …supportive of the community and recognize it. I think that's really important, cause I think a lot of times it's not like…ethnicity…(being gay) where it's something that can be hidden and it can be hidden for a long long time…or it can be your family…so the recognition and respect I think is really important for kids.

These level 4 teachers will be the ones who need to share their knowledge, as Jose and Maria have done, in order to support those teachers who do not have the knowledge base or comfort level to implement at higher levels. In the absence of district support, the responsibility for sustained implementation will fall on these level 3 and 4 teachers. In addition to teacher advocacy as a means for further implementation, students will also have a role to play.

**GSA/student advocacy.**

This theme emerged during the interviews, in particular with those teachers who had direct contact with the school’s GSA. While it is true that this population was targeted specifically because they had registered GSAs, those GSAs were found to be at
varying degrees of activity. For instance, Jesse informed me that his school’s GSA was no longer active. He was also the only teacher interviewed who was not implementing at all. In contrast, Maria’s GSA was extremely active in creating lesson plans with her help in order to encourage the school and district to implement. She commented during the interview that she really felt it was going to be up to the students to move implementation forward, yet she feared they did not feel safe in moving beyond their safety zone of allies as discussed previously. The question that needs to be asked is “Whose responsibility is it to create safer schools?” As previously stated, Maria believes it is a shared responsibility. However, as adults and caretakers, teachers will need to take a leading role as opposed to leading from behind, or from the side. And yet, GSA’s and individual students of all orientations will need to become more visible and active as well. There can be no visibility without both teachers and students acting together in creating the normalization that is necessary for safer schools.

There were many instances of GSA/Student advocacy. Katia talked about how the student body at her school voted to adopt the rainbow as their official school colors and flag. Her school is 28% identified LGBT. Even though the rainbow represents the different colors of each department, the students are well aware of the historical significance of the rainbow for the LGBT community.21

Moving forward with implementation it will be important to consider the involvement, or lack thereof, of the schools LGBT population and allies in order to move implementation in the right direction. The teachers who had close relationships to

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21 The rainbow flag has historically been a symbol for the LGBT movement (http://pflagdetroit.org/story_of_the_rainbow_flag.htm)
the GSAs in their schools seemed to be moving in tandem with the students as far as risking visibility within the larger school community. In this way, the advocacy of teachers appears to be tightly bound to the advocacy of the students in a bidirectional relationship that will be important to explore in future research. Both students and teachers appear to be very motivated by, and dependent on, the building of relationships based on mutual respect and trust. This idea of trusting mentorships will need to be further explored in order to discover the salient factors that might be supported, or at least better understood, in order to move towards safer schools for LGBT youth.

**Teacher Perceptions of Student Safety**

This theme focused on whether or not teachers felt their school was a safe place for LGBT students. What was surprising about this theme is that many teachers would talk about how diverse, open and accepting their campuses were and then when asked if they thought their campus was a safe place for LGBT students, would answer ‘no’. When asked to elaborate it became clear that even though they might not see incidences happening in front of them, they were aware that issues of safety, especially around Transgendered students, were still an issue. Pam had this to say about student safety and social media;

So, not to say there isn't any bullying or harassment. I mean, there are kids that use foul language to each other…for everything. So that being said, that happens. But then, I don't think that there's any like…I think most of their issues are on Facebook to be honest…with social media.
This was a concern for her since it is still not clear how schools are going to be held responsible for what happens off campus.

Also clear was that teachers understand that just because they aren’t seeing it does not mean it doesn’t exist. For instance, Mike stated, “And now, I would say the percentage of Gay teachers is, you know...so large. You know, boys holding hands, girls making out in the halls.” But when questioned if he thought his school was a safe place for LGBT students he said,

Inherently, I would say probably not...safe. Not to say that these kids aren't brave in being out. And that they feel as if they have allies throughout the school. But I think that among teenagers, I'm sure the put downs are enormous. And the dislike of homosexuals...the threat that they pose to...you know, I think that in many ways...that will not go away. But the fact that they are out, I think...says that if they're not feeling safe, they’re feeling brave and protected.

In terms of what he knew and didn’t know about his students, he stated, “I could write a book about what I don’t know.”

The one aspect of student safety that emerged strongly was the idea of Transgender safety. Teachers felt that Transgendered students did not enjoy the same acceptance that the LGB students enjoyed. Five different teachers mentioned the fact that Transgendered students were still not safe on campus. Pam’s sentiment when asked if she thought their campus was a safe place for LGBT students was, “I'm not sure that I know of any school that I think is safe for Transgendered kids.” Five of the 12 teachers echoed this sentiment. The belief around this issue was that these
Transgendered, or ‘gender bending’ students as they are sometimes called, are where LGBT students were ten or fifteen years ago. It was clear that teachers are genuinely concerned for the safety of this student population. Mike stated,

and again…that…that's a…same category, but a very different issue, than Gay…Rights, but it is…it's just…there are Transgender kids and the issue of bathrooms has come up, and P.E. and names…in terms of what you call a student…not making the mistakes, with proper pro-nouns, is just…we're being educated by the kids on…that.

Clearly this issue is going to be one that teachers and schools will be dealing with in the near future and many are grappling with it currently around AB 1266, the law that mandates a student’s right to use the bathroom or locker room of their chosen gender. As Jose stated;

I get called on a regular basis…by staff, students and parents. This year I've had three instances of protecting Trans. kids. So, that's a whole other topic. I have to say that’s the most challenging for schools …they don't know what to say. They want help in figuring out how to support these ‘out’ Trans. students, what to say to them and how to be supportive to the student and family.

This issue of how to support an ‘out’ Transgender student, especially if the family is not supportive, has become a troubling issue for many districts. In fact, it was just such an issue that Larry King’s school district was trying to deal with when he was murdered as described in Chapter 1. The discussion will now turn to the themes of normalization/visibility, which is the intended purpose of The FAIR Education Act.
Normalization/Visibility

This theme captures the intent of SB 48. It is the normalization of the LGBT population that author Mark Leno had in mind when he wrote this law (Leno, 2011). Although the word was not used explicitly by any teachers in the interviews, it was implied in the many comments teachers made about the intent of the law. When asked what she thought were the benefits of SB 48 and where she hoped to see it in five years, Katia poignantly stated,

You know, really like saying “This is not a wrong thing and we see you.” And then I think as it gets implemented more…I mean schools move so slowly, all the time. Everything takes forever. So… I think over time, as it gets implemented, the kids will actually get to see themselves, or see role models, or see people who reflect their experience from day to day…in their education.

And I think that's invaluable. It sets up bars of achievement. Like this is what people who are like me can do, and I am a part of our story and our history.

This important theme summarizes not only the intent of The FAIR Education Act, but of this entire study. The goal of both is to move schools towards normalization of the LGBT experience by creating visibility. This might be accomplished through the Sociotransformative Constructivist paradigm of teachers and students building experiences with and through each other through trusting relationships. This emphasizes and connects to the idea of student/teacher trust. There were 48 coding statements relevant to this theme of Normalization/Visibility. Many of them were similar in speaking of how students need to see themselves mirrored in the curriculum.
in order to feel valued and visible. Sadie, as a level 4 implementer, brought the language of The FAIR Act into the classroom and had the students read it. Her students who chose to focus on LGBT rights during their Civil Rights Project created web pages and brought those to the lower grades. In this way they were not only involved in learning about LGBT Civil Rights, they became teachers themselves. What follows is a brief description of how her students have normalized this topic through her assignments in class. Speaking about a popular LGBT figure, Sadie states,

I'm like who is this Harry Hay? And so I would research it and he was the first advocate for Gay Rights in San Francisco, I think it was San Francisco…but he would wear dresses and he was…I think transgender, or just cross dressing or whatever, but the kids would just present like normal… “Here's this guy and this is what he believed in, this is what he fought for.” And the rest of the kids were like, “Okay. Let me write that down, wait how do you spell it?”

She went on to say,

I think that there's a level of tolerance here….that is, pretty known. I think the individual struggle for those students, I'm sure is very hard, but I think we've had students who are openly gay…everyone knows about it, they don't shy away from sharing it and it's never been something that I personally have witnessed or heard any kind of problems with.

More teachers like Sadie will need to collaborate and share what they are doing with other teachers. More teachers will need to move forward and create safe spaces in their
classrooms and schools by building trusting relationship with all their students. In this way, visibility and normalization will naturally follow, creating safer schools for all.

Figure 16

*Sociotransformative Constructivism Supports*

**Summary of Qualitative Findings**

The teachers who were interviewed were found to be implementing at all levels 0-4. The lowest implementers at levels 0-2 needed more resources and guidance about what to implement, how to implement and language to implement. At these lower levels there seemed to be much confusion about the relevance of implementing.

Teachers implementing at higher levels 3 and 4 were much clearer about why they were implementing and how to implement. They were all self-supporting, creating
most of the lessons themselves or finding them online. These teachers used a social
justice lens and were much less concerned about the appropriateness of inclusion.
Stronger knowledge of LGBT history and the law itself were also hallmarks of the level
3 and 4 implementers. These teachers were also more likely to be advocates, have
strong relationships with their LGBT students and have some level of district support.

All of the teachers expressed a need for more curricular resources, professional
development and support from their districts. Districts were passive in their support,
meaning they allowed teachers to implement and might even use them as experts, but
did not provide any professional development, curriculum or guidance around SB 48.
In this way, the hypothesis that Districts would not be supportive, was found to be true.
Varying levels of implementation was also found to be true as well as the understanding
among all teachers that SB 48 was a law with no levers for implementation and no
consequences for non-implementation. Because of this, many teachers were not
implementing at a higher level because they were bounded by time constraints,
especially around the focus on the new Common Core State Standards. Therefore,
*bounded rationality* was found to be prevalent with all teachers. *Asset specificity,* or the
desire to hold onto curriculum and pedagogy was found only in the ways that teachers
isolate from each other. This isolation is a paradigm of teaching that will be difficult to
change, yet may be necessary to change if teachers are going to share knowledge
through a more Sociotransformative teaching model.

*Opportunism* was found in the ways that teachers want to maintain their comfort
levels and resist taking risks with implementation of controversial curriculum. If future
research were to explore the barriers of ‘no time’ and ‘no resources’, this barrier of 
opportunism might be found underneath the surface. More decidedly, opportunism, or 
the desire to self-protect, could be implied at the district level as lawsuits against 
districts for non-implementation force them to take action. This is a development that 
will need to be watched, especially as teachers become aware of these lawsuits and 
consequently decide to start implementing as a preventative measure.

Not surprisingly, teacher’s perceptions of school safety for LGBT students is 
connected to levels of implementation. The lower level implementers did not feel their 
schools were safe places, whereas the higher implementers did feel their schools were 
safe for LGB students. Most alarmingly, not one teacher felt their schools were safe 
places for transgendered students.

Finally, the themes of student/teacher trust, teacher perception of student safety 
and social justice/visibility were discussed as three supporting pillars of 
Sociotransformative Constructivism in action. When teachers and students build 
trusting relationships, then they feel more empowered to take risks that can lead to more 
visibility and normalization of the population. This normalization then creates more 
space for risk taking as it feeds upon itself in a looping mechanism that leads to more 
visibility and safer school climates for LGBT students

**Summary of Qualitative/Quantitative Findings**

The following table is a representation of data taken from both the quantitative 
section and the qualitative interview section. It includes how teachers leveled
themselves on the survey and compares that to how they were leveled by this researcher after the interview. It also shows how many teachers, especially the level 3 and level 4 implementers, also agreed to the independent variables from the multiple regression analysis. Also included is the evidence of little to no district support that was reported by teachers in both the survey and the interview.

Table 14

*Interview/Survey Data*

<table>
<thead>
<tr>
<th>Interviewees</th>
<th>Imp. Level Survey</th>
<th>Imp. Level Interview</th>
<th>Mult. Reg. Predictors</th>
<th>Principal District Support Survey</th>
<th>Principal District Support Interview</th>
</tr>
</thead>
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<tr>
<td>Maria</td>
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<td>Y</td>
</tr>
<tr>
<td>Jose</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Pam</td>
<td>4</td>
<td>4</td>
<td>3</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
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<td>N</td>
</tr>
<tr>
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<tr>
<td>Laura</td>
<td>4</td>
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<td>4</td>
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<td>N</td>
</tr>
<tr>
<td>Katia</td>
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<td>Y</td>
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<tr>
<td>Jesse</td>
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<td>0</td>
<td>3</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>

Notes: This graph represents levels of implementation and District Support that were self-reported in the survey and as reported by teachers and interpreted by researcher according to Banks’ model from interview data. The Mult. Reg. Indicators shows how many of the four strong predictors (Self Support Implementation, I Believe SB 48 Will Create a Safer School Climate, I Have LGBT Students Who Need SB 48, and Well Prepared) are present.

It was interesting to note the levels of implementation from the survey portion for all interviewees. While most of the teachers given level 4 status during the
interviews also indicated level 4 on the survey, some of the lower level implementers showed discrepancies between their survey level and their interview level. This suggests confusion at the lower levels as to how to assess their own implementation as well as some possible opportunism in terms of self-perception, public perception or confusion with the survey questions. It’s also important to note that while there were some teachers at the high levels who indicated principal/district support, it was discovered during the interviews to be passive support. Passive support can be understood as districts allowing teachers to implement at higher levels and encouraging that implementation by using these teachers as liaisons and district experts when problems arose in specific schools, however there was no active support such as professional development, funds or curriculum support. Finally, in looking at the multiple regression predictor variables it is clear that they are present in all the level 4 implementers with the exception of Pam and Sofia who both indicated on the survey they were not Well Prepared, only Somewhat Prepared.

This could indicated that although they were implementing at the highest level, they personally felt they could be doing more and did not have sufficient support or curriculum. When asked what she could to implement at an even higher level, Pam answered,

Well, I think I'd need to have more resources. I was actually thinking about this one when we scheduled, I was thinking, you know what would be really helpful to me is to have resources that help me weave…you know, to weave a
recognition, throughout time of people of this community into what we study
and also to...have time at the end of the year, frankly.

Pam’s answer was common, even among the highest implementers, indicating bounded rationality (lack of time, resources, knowledge) was present at all levels.

In reviewing the findings from both the qualitative and quantitative results, it seems clear that some implementation is happening in the sample of high schools chosen for this study. While it was surprising to find that many teachers were already implementing according to both the survey (78%) and the interviews (92%), even more surprising was the level of confusion and awkwardness expressed by many teachers as it relates to what to include and how to approach implementation. This is very well expressed by Maria while she was talking about the confusion of other teachers she has tried to mentor:

…and I think there's also a concern that it's going to be this...it's going to distract from the story of history or be unrelated to the story that they're trying to tell in history. For example, one of the teachers was telling me, 'Oh, I talk about Jane Adams, we talk about the 'whole' house, we talk about immigrants’ rights and we talk about assimilation and oh, ‘and she was gay’. Well, and so who cares? That's not part of her story. With Alan Turing, for example, it's very much a part of his story, so that makes sense. But there's been a lot of conversation among the history teachers...how do you...when is it relevant to talk about and when is it irrelevant? And um, when is it natural and when is it unnatural? And when does it seem forced? Or when does it almost seems
discriminatory because you didn't mention whether anyone else was married or had kids so why would you mention that they were gay?

Although there was some confusion around how to implement and what to include, the teachers who were implementing at levels 3 and 4 seemed much more confident and clear about what they were doing. For example, Katia, a level 3 implementer talked quite openly about the LGBT population in her school;

...you know, really like saying, “This is not a wrong thing and we see you.”

And then I think as it gets implemented more...I mean schools move so slowly, all the time. Everything takes forever. So... I think over time, as it gets implemented, the kids will actually get to see themselves, or see role models, or see people who reflect their experience from day to day...in their education.

And I think that's invaluable. It sets up bars of achievement. Like this is what people who are like me can do, and I am a part of our story and our history.

She was one teacher who was not confused about how to implement or why it was important. What was keeping her from implementing at a level four was time and resources (bounded rationality). Katia is a good example of a teacher who could easily become a level 4 implementer with some district support.

These qualitative results supported the quantitative results, especially as related to the multiple regression model (Table 14). The regression model identified six significant predictors of implementation, which were Well Prepared, Know 3+ LGBT Historical Figures, I Have LGBT Students Who Need SB 48, Self Support Implementation, I Have LGBT People in my Life I Care About and I Believe SB 48 Will
Create a Safer School Climate. All of the teachers who were implementing, with the exception of Jesse the non-implementer, agreed or strongly agreed with all these predictors on the initial survey. What the interviews clarified was that although many teachers are implementing, the ones who are implementing at levels 1 and 2 of Banks’ (1990) model appear to need much more guidance and support in order to feel comfortable about what to include and why. This ambivalence is evident in Mike’s statement;

and so…if we're reading a Langston Hughes poem…and it's a beautiful poem and it speaks to the experience of African Americans and it connects to the Harlem Renaissance and to music…how much weight do I place on the fact that…'Oh, and by the way, he was gay?’ I tend not to know.

An additional finding about an implementation barrier for all teachers is the way in which they teach in isolation. Even though there are teachers who have strong knowledge of LGBT history and are willing to share this knowledge, there were only two instances uncovered in the interviews in which teachers were actually mentoring other teachers. The others, who had knowledge to share or who were in desperate need of knowledge, tended to teach in a solitary fashion. The following quote is very typical of what teachers shared as far as collaboration. Katia stated, “Yeah, I think it feels like there would be a lot of support for it (SB 48) here. For the most part we teach independently.” And Mike stated it clearly when asked if he knew any other teachers who were implementing he said, “I…I…I can’t…we are all walled off from each other.”
What was also made clear during the interviews, that was not clear in the survey, was that although very few teachers had principal/district support, the highest implementers/advocates did have higher levels of passive support. This passive support meant that districts allowed highly motivated teachers to mentor other teachers, called on them for any LGBT district issues and generally used them as experts and liaisons, without providing sanctioned professional development. Further research will be needed to explore this relationship. In other words, are strong teacher advocates demanding support from districts, or are districts supporting those teachers whom they feel can further their interests? Pam, one of the level 4 implementers, talked about what she thought it might take to get higher levels of implementation;

Well, I think that they would need the school board to be more aware of it. They would need…they might need...(long pause)…and that would probably need to come from a variety of stakeholders…to provide resources, to organize people to create resources. And that could be done through community members who went to school board meetings and spoke.

Without any district support it will be very difficult for many of these teachers to reach higher levels of implementation. This would support House’s (1998) theory of barriers as related to bounded rationality (lack of knowledge, time and resources).

Support for the hypothesis was found, not necessarily in overall non-implementation, but in the reasons for low implementation. These reasons other than those stated above, can also be found in opportunism as expressed in the discomfort level and awkwardness of teachers in talking about sexual orientation. Moreover,
support for asset specificity was found in the way in which teachers felt like they were ‘already doing it’ and, therefore, didn’t need any additional support.

In sum, teachers were found to be implementing, but at slightly lower levels than they indicated per the survey, yet at higher levels than expected by the hypothesis. This higher than expected level might be accounted for in the self-selection of participants as well as the targeted population. It will be for future research and larger and more generalized samples to decide how implementation is happening in overall populations.

Other findings related to themes of Advocacy from teachers and GSAs found that those teachers who were advocates in their schools and districts were experienced teachers with strong confidence in what they were doing and why they were doing it. They had less awkwardness and hesitation overall than their counterparts who were implementing at lower levels. These high implementers also appeared to have a strong sense of social justice as far as the visibility of the LGBT population. Maria stated,

So I think they need to recognize that, Oh, this wasn’t just…it’s not like we’re just now in the 21st century and we have people who are gay, lesbian, transgender, etc. we have people who are gay, lesbian, transgender, etc. But that they've always been there…they've just been invisible in the past. And going in to the future understanding what it took to get to this point.

Teachers at this level also had strong relationships with their students that were built on mutual trust and seemed to have genuine concern for their students. Katia, a level 3 implementer said this when asked why SB 48 was important to her students;
Who you are and what your identity is and all of that kind of stuff…and then if you have and identity that isn't in sync with the mainstream that…and that's really hard. And then to have that never mentioned or never see anybody that represents you? I think would be even harder and make it feel like it's not …wrong or people don't care. And so I think that just the fact that it should be taught and it's been out there saying like This is to be included, we need to acknowledge all of this. I think it does something to…legitimize, I guess. I don't know if that's exactly the right way of putting it, but…right, that they should get to know their story.

These advocates also appeared to be in a bidirectional relationship in helping the GSAs on campus self-advocate, while at the same time appearing to need some support from the GSAs as well. In other words, they were willing to move beyond their own comfort zones, but only as far as the GSA students were willing to move beyond their own comfort zones. In effect, doing a small side step, together, towards higher visibility as safety allowed. The following graphic represents overall findings of both qualitative and quantitative findings as related to Banks (1990) model depicted in a leveled reversed pyramid.
Figure 17

*Leveled Support and Barriers*

**Supports, Barriers and Perceptions of Safety**
Conclusion

In addressing overall implementation and the hypothesis for this study, it appears teachers are implementing at varying levels, as hypothesized. Implementation was present in all but a very small percentage of survey respondents (23%) and all but one interviewee (Jesse). Even though high instances of non-implementation was not proven in his sample, the absence of district support was proven to be true. It will be up to future research to discover if this remains true for larger, more diverse populations of teachers. As well, it remains true that there are no incentives/funding for implementation or consequences for non-implementation. Without levers, this policy is not likely to succeed long term. Further proof of the tenuousness of this policy can be found in how it fares according to House’s (1998) assessment framework. When looking at the issues of opportunism, bounded rationality and asset specificity, it seems clear that this policy does not take these issues into consideration and therefore is not likely to succeed unless interventions are put in place to counteract these deficiencies.

Finally, it was clear that teachers at level 3 and especially 4, have a strong bond with students evidenced in the behavior of advocacy as built through trust (Romero, 2015). Although these teachers largely feel that schools are safe places for LGB students, they recognize that much work still needs to be done in order to address the safety concerns of Transgendered students.

In chapter 4 the results of both the quantitative survey and the qualitative interviews were reviewed, discussed and compared. Both of these sets of data validated each other in the areas of levels of implementation, with a few exceptions noted, and
barriers and supports, again with a few noted exceptions. The Pearson correlations and the descriptive statistics portrayed a clear picture of the varying levels of implementation that were happening in these classrooms and pointed to the barriers of lack of knowledge, time and district support. The supports with moderate correlations across all levels were Self-Support, Well Prepared, Know 3+Historical Figures, I Have LGBT People in My Life I Care About, I Have LGBT Students Who Need SB 48, and I Believe SB 48 Will Create Safer Schools. The multiple regression analysis further showed all of these same variables were significant predictors for 39% of the variance for Currently Implementing, adjusted \( r^2 = .39\).

Clearly teachers across all levels have similar barriers and supports. What separates the level 1 implementers from the level 4 implementers is the district support, albeit passive, and the intrinsic motivation for advocacy based on close relationships with students and the resulting feeling of responsibility to implement. Next, will come a discussion of the results as they relate to further recommendations for all stakeholders. Implications for policy, practice and leadership will be discussed and finally some closing thoughts and reflections from this researcher.
Chapter 5

SUMMARY AND CONCLUSIONS

Overview of the Study

The FAIR Education Act (SB 48) was passed into law in 2012. This law mandates the inclusion of LGBT history into the California public school curriculum. The goal for The FAIR Act was to increase LGBT student safety through normalization of the LGBT population using curriculum inclusion.

The objective of this dissertation was to determine if teachers were implementing SB 48 in a sampling of high schools. Because the intention of this law is to normalize the LGBT population through inclusion, full inclusion requires a higher level of implementation so as not to simply recreate stereotypes and perpetuate myths (Banks, 2008). In order to assess how SB 48 was being implemented it was important to gauge implementation levels. To that end, James Banks’, the founder of Multicultural Education developed a useful model (1990) and this four level model was used in this study to assess implementation levels. The following research questions were used to explore implementation levels in a sampling of high schools:

1. Is SB 48 being implemented?
   a. If implementation is happening, at what level according to Banks’s (1990) model?

2. If SB 48 is not being implemented, or at a low level, what are the barriers according to House’s framework (1998), i.e., bounded rationality (lack of knowledge, time, resources), asset specificity (holding onto pedagogy
and curriculum) and opportunism (looking out for one’s own interests).

The hypothesis for this dissertation was that implementation would be sporadic or non-existent, districts would not be supportive and teachers would be facing barriers related to House’s (1998) framework, resulting in low or no implementation.

The foundation for this study was built upon the theories of Multicultural Education to support inclusion, which includes Banks’ model (1990) for assessing levels, House’s (1998) Framework for assessing likelihood of success and suggesting likely barriers, and finally, Sociotransformative Constructivism (STC). STC is a combined theory of Multicultural Education and Critical Pedagogy and questions the power structures as they exist and suggests a different paradigm for creating a more socially equitable curriculum by including historically absent voices. STC was used as clarifying prism to show the image of the way forward towards level 4 implementation. It was suggested that level 4 was the level at which SB 48 would be able to create the intended outcomes of normalization and school safety. Using the mixed methods sequential design, a survey followed by in-depth interviews was used to assess SB 48 implementation.

**Summary and Interpretation of Findings**

**Quantitative**

Surprisingly, over 95% of teachers who responded to the survey claimed to be implementing at some level, with more than 70% claiming to be implementing at level 4. From the initial survey data a regression analysis was performed, where it was determined that six independent variables (Figure 18) accounted for 39% of the
variance for the dependent variable *Currently Implementing*. As for the remainder of the variance, Pearson correlations and descriptive statistics suggested that passive support from principals and districts were present in the highest level 3 and 4 implementers. Passive support can be described as principals and districts allowing teachers to implement without standing in their way and in some cases using them as district liaisons and experts for LGBT district issues.

**Qualitative**

While many teachers were implementing, those that were implementing at the highest levels of 3 and 4 according to Banks’s level (1990) were those teachers who had been implementing already, had strong knowledge of LGBT history, strong knowledge of SB 48 and also had some level of district support. These level 3 and 4 implementers were also found to be implementing from a social justice lens, with clarity of purpose and a strong connection to LGBT family or students.

Lower implementing teachers at levels 0-2, were much more conflicted about when to implement and why it was necessary. They appeared to need more guidance about relevance of curriculum. These teachers were more hesitant to mention if an historical figure was gay unless it was directly related to an accomplishment. There remained much confusion within these lower implementers over what was expected, what they should include and justifications for and the relevance of inclusion. The relationship of these teachers with LGBT students was a little more tenuous, although they all expressed concern about LGBT students. They all expressed concern about the safety of Transgendered students with a majority expressing doubt about the safety of
Transgendered students. With the exception of Transgendered students, the perception of the safety of LGBT students was closely related to level of implementation. This means that those teachers implementing at lower levels had less confidence in the safety of their schools for LGBT students. Conversely, almost all the level 3 and 4 implementers felt their schools were relatively safe for LGB students.

Figure 18

*Multiple Regression Model Variables*

Both the survey and interviews revealed no districts were found to be offering curriculum or professional development. Also worth noting is that those teachers implementing at level 4 were more *Willing to Coach* other teachers. This speaks to the

Note: * = significance at $p < .05$
possibility of restructuring the paradigm of solitary teaching in order to create a more collaborate model. This willingness might be explained by the higher motivation and teacher advocacy role these level 4 implementers exhibited.

Teachers at all levels of implementation and in both data sets reported needing more curriculum and more time (bounded rationality). They all had in common their belief that SB 48 was important. The interviews suggested that teachers who were not implementing at all, or implementing at level 1, had large deficits of knowledge of LGBT history, no district support and limited knowledge of SB 48. These findings supports House’s (1998) theory of bounded rationality.

Importantly, level 3 and 4 implementers claimed to be bound by time limits as well as curriculum resource limits, however, due to close relationships with their students built on trust, they seemed more willing to take risks in implementing. Level 3 and especially level 4 teachers were advocates for their LGBT students. They had some colleague support, however colleague support overall was found to be lacking as teachers tend to prefer teaching in isolation.

The Sociotransformative aspect of this study was very prominent in the qualitative interview data. There was a close relationship that seemed to exist between the areas of teacher advocacy, defined as those teachers who were willing to take risks to implement. These teachers appeared to have stronger relationships with their LGBT students. It was suggested by this researcher that the responsibility of taking risks to become more visible is shared by both LGBT students and their mentors, however teachers should be leading the way. This sharing of responsibility showed itself in the
ways in which the level 3 and 4 teachers spoke about their concern for students, especially their transgendered students. This student/teacher trust emerged as the glue that held together the foundation for visibility and normalization that SB 48 is intended to create.

Overall, both sets of data suggested that teachers are implementing, yet the barriers that keep them from implementing at higher levels are the same barriers that are likely to keep a less motivated population of teachers from implementing at all. Since this sample of teachers included only one non-implanter, the nature of non-implanters, though suggested by this study, will have to be explored in future studies that can access this population. This sample of teachers seemed to be overall highly motivated to implement and open to suggestions and curriculum support. However, levels 3 and level 4 teachers were much more open to a change in pedagogy. As stated before, a change in pedagogy will likely be necessary to move teachers from teaching in isolated siloes to sharing knowledge in a more collaborative model.

The hypothesis for this study was only partially supported by the findings. It was hypothesized that because of barriers related to House’s (1998) framework, and lack of district support teachers would not be implementing SB 48. It was found that principals and districts were not providing active support in the form of professional development. While some teachers in the survey indicated they were being supported by their districts, the interviews revealed this support to be passive and not active. As well, implementation was sporadic across all levels, with the majority implementing at levels 3 and 4. All teachers indicated they experienced barriers related to lack of
resources, time and curriculum (*bounded rationality*). This high level of implementation could easily be explained by the targeted population. It will be left to future researchers to access populations of teachers who are not so eager to respond to a survey or agree to be interviewed about this law. It’s quite possible that more conservative areas of California will be found to have much lower rates of implementation. For this sample, high levels of implementation were found across both the survey data and the interview data.

According to the interview data, teachers tended to fall into three distinct groups of implementers: the very few who admittedly were not implementing at all, the majority who were implementing sporadically, and only when they felt it was relevant to the narrative or accomplishment of the individual; and the remaining few teachers who felt it was a social justice issue of visibility. For the latter group of teachers, some of whom had district support, the relevance of bringing in the sexual orientation, had more to do with visibility and filling in ‘missing information’. This cadre of teachers were also the ones who were more likely to be willing to ‘coach others,’ or ‘be coached’ by others in the Sociotransformative Constructivism framework question.

This shows that the responsibility for moving implementation forward will fall primarily to these level 3, and especially level 4, implementers. These teachers are equipped with the content knowledge, the knowledge of the law and the emotional connection through their trusting relationships that allows for the necessary courage to create visibility and normalization. These are also the teachers that had the (Freud)strongest relationships with their LGBT students, in one case working directly
with the school’s GSA as an advisor. This implies that building relationships with LGBT students will be important, not only for creating safe classroom environments, but for building the mutual trust needed to foster advocacy and increased visibility for both teachers and students.

The results from the qualitative interviews were corroborated by the multiple regressions model as well as the Pearson correlations from the quantitative section. Both showed that teachers who were implementing were more likely to be Self-Supporting their own implementation, more likely to Have LGBT Students Who Needed SB 48, Knew More Than 3+ LGBT Historical Figures, Had LGBT People In Their Lives They Cared About, Felt SB 48 Would Create Safer Schools, and as a result, felt Well Prepared.

The non-implementers and low implementers, categorized at levels 0, 1 and 2, were shown by multiple regression, Pearson Correlation statistics and interview data to be in need of resources and guidance, Concerned About Negative Backlash if they went too far and were somewhat uncomfortable and awkward with the topic.

It should be noted that only one non-implementer agreed to an interview. Jesse, the lone non-implementer, was desperate for resources so he could implement. In fact he stated, “If I got my hands on a curriculum. I’d study it over the weekend and on Mon. or Tues. my students would hear about it.” He seemed extraordinary to this researcher. It is likely that most non-implementers are not as eager and willing as he was. This group of non-implementers was not well represented on the survey or the interviews. Because of the lack of data on this population it is impossible to corroborate
data or know anything more about this group. There would need to be larger samples within more varied groups in order to capture the non-implementers. The implication for this population of low implementers is that they will need to be paired with more knowledgeable teachers in a collaborative model. Again, this will require leadership to provide time, space and funds.

**Recommendations for Practice, Policy and Leadership**

Recommendations fall into five distinct categories and will be discussed in order: teacher training programs, policymakers, researchers, principal/district leadership and teachers as implementers. While each is a distinct category, all work together symbiotically to inform and support each other. All stakeholders have a responsibility for creating safer schools for LGBT students.

**Teacher Training Programs**

Interestingly, only one teacher interviewed mentioned teacher training as important to implementation of SB 48. It’s possible this sample of middle to late career teachers were so far removed from their own teacher training that it did not occur to them. It’s also true that there were no questions on the initial survey or interview protocol related to teacher training.

If LGBT inclusion issues were included in the multicultural studies or diversity training portion that most teacher training programs include, then it might create more of a comfort level for beginning teachers. It might interrupt the process of heteronormativity that pervades our teacher training programs. As well, it has the
potential to allow for discussion and exposure to issues of identity development that are important for adults working with adolescents. At the very least, teachers need to understand the unique development of this at risk student population.

Going one step further, it would be revolutionary and Sociotransformative if a ‘personal work’ component was added as an elective in teacher training programs. This ‘personal work’ could mirror the self-analysis undertaken by many psychotherapists and others in the field of counseling and psychology (Malikiosi-Loizos, 2013). An elective course could be offered for those teachers who understand what Freud (1953-1974)) so eloquently stated as the need for an analysis of oneself for the training of psychotherapists, “…with which the preparation for his future activity begins” (p.246). This might help in uncovering hidden biases cloaked as bounded rationality, such as claims of ‘no time’ and ‘no resources’. Including some personal work might also ease the resistance to implementation of SB 48 by allowing teachers to confront these biases before they are allowed to work so closely with students who are in the fragile stages of Identity vs. Role Confusion (Erikson, 1968) and Identity Confusion (Cass, 1979).

If universities and other teacher training programs were to take this important step to include the LGBT population in their diversity programs, then the implementation of SB 48 might be more evenly distributed among classrooms regardless of level of support at the district level. This inclusion could be very important for the sustainability of a policy such as SB 48. It’s also likely that teacher training programs, especially at the university level, will wait and see if this law is sustainable before stepping in to formalize it within their curriculum. Change is slow to
come, especially at the University level. Unfortunately, it is this ‘wait and see’ attitude that might contribute to the failure of this policy.

**Curriculum development.**

Along with inclusion of LGBT populations within the teacher training programs, these programs should be helping to develop LGBT curriculum. If teachers are presented with LGBT curriculum lessons, especially at level 4 (Banks, 1998), they will have a model of what a level 4 implementation lesson plan should look like. These programs might also help develop resources that could be given to beginning teachers. In much the same way pre-service teachers are required to develop multi-cultural lesson plans, they should be required to develop LGBT lesson plans. This could be a very effective means in engaging beginning teachers in the implementation of SB 48. Of course, this would require transformational leadership within Teacher Education programs.

**Policymakers**

Recommendations for policy makers, while short and pointed, are admittedly a bit idealistic. Policymakers should pay attention to House’s (19980) framework in terms of creating policy that pays more attention to the issues of *bounded rationality*, *asset specificity* and *opportunism* when creating educational policies. House suggested that if Policymakers understood what they are asking of teachers and included some incentives, then teachers would be more cooperative in terms of giving up their assets of curriculum and pedagogy.
Opportunity speaks to the ways in which teachers, like the general population, will look out for their own interests. One of the ways that policymakers can account for the opportunism inherent in teachers is to consider giving them input. Teachers’ voices need to be included. As long as policy makers continue to create polices without including input from teachers, they will encounter barriers to implementation. It will remain challenging, yet still important, for policymakers to create policies that include teachers’ voices, have incentives and consequences while allowing for some autonomy for different pedagogical styles. For teachers, the levers should favor incentives when possible and consequences if necessary. Districts should offer release time from classes and opportunities to earn stipends and/or release time for research with the requirement that information be shared with colleagues.

What cannot be allowed is the pedagogical ‘style’ that refuses to include LGBT voices and historical visibility. This is why laws must continue to be passed and enforced. As long as public schools belong to the public, then the benefit of the whole public must be considered, yet in contracting with teachers through education policy, policymakers should considerations of all of House’s boundaries.

Many teachers expressed the belief that one of the main barriers to implementing SB 48 was lack of consequences for non-implementation. It should be noted that they also mentioned the fact that teachers do not like to be told what to do. However, policies with no levers for accountability remain low on the list for teachers burdened with policies for which they are accountable. If policies, such as SB 48, are going to be more than symbolic, consequences and/or incentives need to be included.
The consequences need to be focus on leadership. Superintendents of school districts and principals need to be given time frames with specific targets for professional development and implementation. Districts should be given the opportunity to create their own curricula specific to their own needs, however if they do not meet guidelines within specific timeframes, then allies and groups should come in and provide the professional resources for them. Outside groups who specialize in LGBT curriculum and issues should be brought in. Many teachers simply don’t have the language or experience to know how to approach these topics. If policymakers understood that teachers have bounded rationality and are restricted by lack of time, skills, knowledge and understanding then they would consider creating policies that are more realistic and tailored towards what teachers are likely to do, not what they want them to do.

**Recommendations for Further Study**

Future researchers will need to access a larger population of teachers for a more representative sample. The sample for this study was possibly biased and skewed towards teachers favorable to implementation. Future research will need to develop a creative methodological strategy to reach those teachers who did not answer this survey, including those teachers who would be pre-disposed to non-implementation for religious or moral reasons. Future researchers will need to find ways to analyze and address these teachers’ particular issues. For example, surveys tailored to a more antagonistic point of view would likely garner a more robust response from these teachers.
Another recommendation for researchers is to involve student voices. More than one teacher interviewed was surprised that students’ voices were not involved in this research. Students’ voices need to be heard; researchers need to find a way to bring out those voices.

Future research should focus on Universities and other teacher training programs to assess how they might contribute to implementation training. Perhaps there are some models that might be used to encourage other training programs to move towards a more inclusive teacher training program. For example, a longitudinal study could be done on the effects on student safety of including LGBT in teacher training programs.

Likewise, researchers need access to teachers and teachers need to have access to researchers. Practice based research and research based practice should be the norm and not the exception. This can begin by bringing in teachers’ voices through surveys, focus groups and interviews and then acting on their concerns and their ideas. The chasm that currently exists between research, policy and practice will need to be closed with cooperation and cohesion of purpose. In this way, policies based on research will have the input of teachers, as well as students, from inception to implementation. When students and teachers become more visible within the research paradigm, their interests will be better served.

Finally, researchers need to ask the hard questions of those in power at the district and even state levels. Future studies need to be done that involve principals, districts and county educational leaders to heighten their awareness of policies such as SB 48, and to question their commitment to making schools safer for LGBT students.
Without the support from those who hold political and financial power, a policy such as SB 48 does not seem likely to succeed.

**District Leadership**

It was quite clear that there is a vacuum at the district level as far as implementation of this policy. Districts are largely absent in the work of implementation and seem to be either waiting for further instructions, or, as two teachers suggested, waiting for further impetus in the form of a lawsuit. There was evidence that suggested those districts that were actively encouraging and supporting implementation had teachers who were implementing at the highest levels. One teacher stated that her district was very supportive and that she knew many teachers who absolutely would not do anything unless they knew the district had their backs. It would greatly help the implementation of this law if districts were to spend money and time on professional development for teachers in their districts. Outside professionals who are well-versed and comfortable with these topics seem to be the best option, especially around issues of Transgender students and issues of bathrooms, pronouns and locker rooms. Districts would be wise to follow the lead of some progressive districts that have used the services of groups, such as Gender Spectrum\(^{22}\), to give guidance and professional development around these sensitive issues.

Districts should develop steering committees of teachers/leaders who can develop curriculum and mentor others in implementation practices.

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\(^{22}\)“Gender Spectrum is a group that provides education, training and support to help create a gender sensitive and inclusive environment for children of all ages.” (genderspectrum.org)
School district leadership will need to take notice of level 4 teachers, and gather those resources. Principals need to push forward the important work of addressing the needs of the LGBT student populations in our state’s schools. They now have the cover of a law under which to make difficult, and in some cases, unpopular decisions. Leaders will need to step up and lead. Whether they are motivated by lawsuits, teacher advocates, bad publicity, revelations of conscience or all of the above, they need to take notice and act. The results from this study clearly and pointedly show that lack of professional development is endemic across all levels of implementers. Lack of leadership in implementation of this law is inexcusable and leaders need to be made accountable by teachers, students, parents and researchers asking them some hard questions about their commitment to implementation of this law.

Curriculum development is another area where districts should take the leadership role. Multiple teachers expressed their desire to create curriculum with other teachers around SB 48. Level 3 and 4 implementers suggested that if other teachers are going to be expected to implement, then curriculum development at the district and county level will be important. This is where districts leaders can support teachers with professional development and training. If districts would gather the resources of the level 3 and 4 implementers in their own districts and provide some structured professional development, the course of this policy implementation could be changed. Without this paradigm shift, it is not likely that this policy will see sustained success. Therefore, it is imperative that leaders take responsibility for providing professional development.
Teachers as Implementers

For teachers to proceed with implementation, with or without district support, a Sociotransformative approach will be required. Teachers will need to gather resources and share them as cohorts and district groups. As one excited teacher stated, “We will need to have buy in from all stakeholders.” Teachers cannot wait for districts to offer professional development or curriculum before they begin the work of implementation. Those teachers who have been implementing for years will need to make the effort to share their knowledge and expertise. Teachers, in other words, will need to be willing to ‘be coached’ and ‘to coach.’ This is not always an easy task for a group of individuals who are used to autonomy, yet it will be necessary if The FAIR Education Act is to see sustained success at any level. This section is relatively short because teachers have been included in almost every other section as an important element in the success of this law. Without the cooperation and advocacy of teachers, none of these other stakeholders will be able to have success with this policy. Teachers are the key to the success of SB 48 and the arbiters of whether or not it achieves its’ goal of safer school climates for LGBT students. Yet, they can only achieve the higher levels with the assistance of other stakeholders, such as district leaders. Therefore, this final recommendation is merely a reiteration of what has already been said throughout this dissertation. Teachers must step up and do the work of implementing this law so that LGBT students can feel safe in their own schools. If districts will not provide professional development, they teachers will need to develop curriculum themselves. There are currently many high quality resources available online for the taking. If
districts and leaders will not take the risks necessary to implement this law, then teachers must take those risks in order to create the safe schools and classrooms that LGBT students need. Below is a graphic of the implications for policy, practice and leadership.

Figure 19

*Implications for Practice, Policy and Leadership*
Limitations

The limitations for this study are focused on the possible skewing of the results due to self-selection of the teachers themselves. This group of teachers was targeted to increase likelihood of participation, and in so doing the teachers who answered the survey were already interesting in implementing at some level. The interview subjects further self-selected when they agreed to an in person interview. Therefore, the majority of the population were teachers who were already implementing and the teachers who were not implementing were not well represented in this study. This limits the ability to generalize to a larger population, yet it does give a candid picture of how this particular group of teachers are implementing.

Summary and Conclusion

Using the mixed methods sequential design, a survey followed by in-depth interviews was used to assess SB 48 implementation. Survey questions and interviews were used to assess if implementation was occurring, and if so at what levels. Supports and barriers were assessed as well. The hypothesis, that teachers would not be implementing due to barriers associated with House’s (1998) framework and lack of district support, was only partially proven to be true. While teachers were found to be implementing at higher than expected levels, district support was largely missing and House’s (1998) barriers were found to be present. However, among those that were implementing, there was a slight discrepancy between reported survey levels and levels assessed during the interview. Therefore, it can be said that while many teachers were
implementing, those that were implementing at the highest level 4, were those teachers who had been implementing already and had some type of support from their districts. Teachers implementing at lower levels tended to be in need of resources and guidance. For this group, there remained much confusion over what was expected, what they should include and justifications for and relevance of inclusion.

Finally, it was suggested that all stakeholders must take responsibility for supporting this policy, though most of that responsibility lies with leaders, but especially teachers. It is not likely that SB 48 will see sustained success unless teachers and educational leaders step up and take action to bring in professional development and shift the teaching paradigm to a more collaborative model. If leaders do not provide support, it was strongly suggested that teachers will need to implement on their own. Following are some closing thoughts on the process of this study as well as a last look towards a vision of safer school climates for LGBT students.

**Reflection**

Born Eddie Araujo on February 24, 1985, Gwen Araujo was only seventeen when she was murdered at a party minutes after it was announced that she was biologically male. The four teenagers who dragged her into the garage where they beat and strangled her, later claimed it was due to the fact that she had deceived them by pretending to be female (lgbthistorymonth.com). Two of the teenage males were sexually intimate with Gwen before discovering her biological sex. At trial, these same two teens used a ‘trans panic defense,’ which is a derivative of the ‘gay panic defense.’
This defense proposes that individuals who commit crimes of ‘passion’ are temporarily insane due to the ‘panic’ caused by the realization that someone with whom they have been intimate with or who has made a sexual advance toward them, is not the gender they purported to be. In other words, they feel they have been deceived in the worse possible way and are justified in their rage. This is a defense that has been used to lessen the sentences of people, primarily men, who have committed crimes against LGBT people, primarily men or transgendered women. Because of the lobbying efforts of Gwen’s mother, this defense has since been abolished in California courts (Chen, 2000). Although this panic defense and hate crimes against LGBT people in the general population are outside the parameters of this study, this story is useful in providing societal context for the benefits of inclusive curriculum such as The Fair Act. One of the purposes of The FAIR Act is to combat stereotypes that perpetuate ignorance and hate within our schools and thus the larger society (Leno, 2011).

Vignettes, like this one, were included throughout this dissertation to act as a reminder to this researcher and the reader of the intention and importance of policies such as The FAIR Act. The stories woven throughout this study are the stories of LGBT youth who are no longer with us because they felt unloved and unimportant in our society at large and our schools, in particular. These are the stories that inspire policy makers, such as Mark Leno, to work hard at crafting legislation that later becomes law.

In talking about responsibility the concept of ‘diffusion of responsibility’ can be used. This concept, widely used in social science, can be described simply as the
phenomenon whereby groups of individuals witnessing an incident that requires intervention feel less inclined to intervene or report because they believe ‘someone else will do something.’ Within this phenomenon, the more people that witness the incident, the more ‘diffused’ the responsibility for each individual member becomes (Guerin, 2011). For example, a fire witnessed by 100 onlookers may go unreported because each individual assumes someone else has surely reported to officials. This concept can clearly be noticed within the large population of California high school teachers as they ‘witness’ the phenomenon of LGBT students who are self-harming, attempting suicide and feeling unsafe in their schools. “Surely someone else is doing something about this”, the thinking might go. Or consider the phenomenon of looking the other way, as when strange sounds are coming from a neighbor’s house and no one reports to the police because we have all been socialized to mind our own business. This same thing is happening in our schools as LGBT students, and especially the transgender students, are harassed, assaulted and are committing self-harm in alarming numbers. This diffusion of responsibility can no longer go unrecognized. We all must pay attention and do something.

What can we do? First, we must be honest with ourselves and those around us. LGBT adults, especially teachers who work directly with the students, will need to ‘come out’ as LGBT people or allies. Beyond policy fixes like SB 48, only with increased visibility at all levels of society will our schools finally become safe places for the LGBT population. Policymakers must ‘come out’, and then create policies that have consequences and levers. Universities leaders must ‘come out’ and bring LGBT
inclusion curriculum into their programs. Researchers must ‘come out’, take a closer
look and ask the difficult questions of themselves and all stakeholders. Families must
‘come out’, and must pay attention to what their children are doing and ask the hard
questions with love and support. Leaders will have to ‘come out’, and pay attention to
the LGBT students who most need their attention and support teachers so that they can
implement policies such as SB 48. Students themselves must step forward and become
more visible. Finally, teachers must ‘come out’, and understand the responsibility that
comes with spending so much time with these students. It’s not always safe to ‘come
out’ as an LGBT person or ally. Yet, the reality is that until we do, we will remain in
the shadows. Schools and classrooms can be a sanctuary for students who don’t have
family support. No time, no resources and no support should no longer be shields of
protection for not doing the difficult work of LGBT inclusion. While it’s true that
students will need to make some courageous steps, they will not be able to do that
without the support and trusting mentorship of their teacher allies. In sum, all
stakeholders, and especially teachers, will need to ask the hard questions. They will
need to look within and confront what homophobia exists so that it is no longer a barrier
to doing the important work of implementing The FAIR Education Act. Perhaps then,
we will be able to start providing the safe school climate that all our students deserve.
Appendix A

Survey Instrument
Informed Consent Disclosure

Thank you very much for participating in this study of the implementation of The FAIR Education Act (SB 48). Please take your time and give careful consideration before answering each question. Below is some information and disclosures you need to be aware of before agreeing to take the survey. If you are uncomfortable answering a question, or are not sure, please do not answer it. Please feel free to contact Sylvia Escobar at (916) 212-6934 or email me at escobar3@csus.edu if you have any questions. You can also contact my chair Dr. Lisa Romero at lisa.romero@csus.edu

The FAIR Education Act (SB 48) is a law passed in 2012 that requires California K-12 curriculum to include the contributions of LGBT people, among others, in the shaping of our state and nation. The focus of this dissertation is on LGBT curriculum inclusion and the barriers teachers face as primary implementers.

(Survey Procedures) This survey should take no longer than 20 minutes. If you submit this completed survey within two weeks of the send date, your email will be entered into a drawing for a $100.00 donation to your school’s Gay Straight Alliance (GSA), or if your school does not have an active GSA a student club of your choice.

(Risks) No names or emails will be used for purposes other than put forth in this study. All information gathered during this survey will be kept in a password protected computer, on my person, or in a fire safe lock box in my personal residence. All information from this study, including all names, locations and emails will be destroyed by myself three years after publication. Locations will be coded to minimize any risk of identification. You should be aware that although SB 48 is a law, wide discretion has been given to schools and districts as to how to implement. The law itself includes no consequences for non implementation. Some questions on the survey are of a personal nature related to your attitudes, beliefs and knowledge of Lesbian, Gay, Bisexual, Transgender (LGBT) issues and curriculum. You are not required to answer any question and may quit the survey at any time.

(Benefits) The goal of this study is to identify supports and challenges to full implementation of this law. This information in turn may benefit teachers and school leaders in the process of implementation. The intent of this law is to create safer school climates for LGBT students through inclusion of LGBT people in the history and social science curriculum in our public schools. By participating in this study you might help teachers and schools in moving towards these goals.

(Confidentiality) Your participation in this study is completely voluntary and confidential. As stated, no names or emails or locations will be revealed during the process or in the publication of this study. Emails will be used only for purposes of initial contact, mailing the survey and any other communication deemed necessary to complete this study, such as notifying the winner of the drawing or contact for further interviews.

(Compensation) There is no compensation for completing this survey. Your email will be entered into a $100.00 (one hundred dollars) drawing two weeks after send date. A $100.00 check will be mailed to your school’s Gay Straight Alliance (GSA) adviser or directly to your school for distribution to the GSA’s treasurer. If no GSA is active, then the $100.00 will go to the ASB general fund as an anonymous donation or any school club of your choosing.

By answering yes to the first question you are acknowledging that you have read and understand this consent form.

Section I General Information

1. I have read the informed consent page and agree to take this survey.
   - ○ Yes

2. What grade level do you teach?
   - Elementary (K-5.6)
   - Middle School (6,7,8)
   - High School (9-12)
   - Other

   - ○
3. What subject do you teach?

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<td>Math</td>
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<td>History/Social Science</td>
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<td>Science</td>
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<td>Music/Drama</td>
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<td>PE/Vocational/Life Skills</td>
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<td>Other</td>
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4. What is your age?

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<td>51-60</td>
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<td>71+</td>
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5. What is your gender?

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<th>Options</th>
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<td>Female</td>
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<tr>
<td>Male</td>
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<tr>
<td>Transgender</td>
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<tr>
<td>Intersex</td>
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<tr>
<td>Other</td>
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Section II: Knowledge of The PAIR Education Act (SB 48) and LGBT Historical Figures

6. I had no knowledge of SB 48 before taking this survey.

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<tr>
<th>Opinion</th>
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<tbody>
<tr>
<td>Strongly Agree</td>
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<td>Agree</td>
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<tr>
<td>Disagree</td>
<td>☐</td>
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<tr>
<td>Strongly Disagree</td>
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7. I had some knowledge of SB 48 before taking this survey.

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<th>Opinion</th>
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<tr>
<td>Strongly Agree</td>
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<td>Agree</td>
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<td>Disagree</td>
<td>☐</td>
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<tr>
<td>Strongly Disagree</td>
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8. I had strong knowledge of SB 48 before taking this survey.

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<th>Opinion</th>
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<tr>
<td>Strongly Agree</td>
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<td>Agree</td>
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<td>Disagree</td>
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<tr>
<td>Strongly Disagree</td>
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9. I can name one or two LGBT people who have impacted the history of and contributed to the shaping of California and/or our nation.

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<tr>
<td>Strongly Agree</td>
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<td>Disagree</td>
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<tr>
<td>Strongly Disagree</td>
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10. I can name three or more LGBT people who have impacted the history of and contributed to the shaping of California and/or our nation.

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<th>Opinion</th>
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<tr>
<td>Strongly Agree</td>
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<td>Agree</td>
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<td>Disagree</td>
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<tr>
<td>Strongly Disagree</td>
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11. I cannot name any LGBT people who have impacted the history of or contributed to the shaping of California and/or our nation.

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<td>Strongly Agree</td>
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<tr>
<td>Strongly Disagree</td>
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Section III: LGBT Curriculum Inclusion

12. I am currently including LGBT people, issues or culture in my curriculum.

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<th>Opinion</th>
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<tr>
<td>Strongly Agree</td>
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<tr>
<td>Strongly Disagree</td>
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13. In my curriculum I mention one or two people at specific times, i.e. during Gay History Month and discuss their contributions in class.

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<thead>
<tr>
<th>strongly agree</th>
<th>agree</th>
<th>disagree</th>
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14. In my curriculum I incorporate units/themes into the curriculum when possible or during specific times i.e., during Gay History Month.

<table>
<thead>
<tr>
<th>strongly agree</th>
<th>agree</th>
<th>disagree</th>
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15. In my curriculum I help students understand the different contributions and perspectives of LGBT people throughout history, throughout the curriculum and throughout the year.

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<tr>
<th>strongly agree</th>
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<th>disagree</th>
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16. In my curriculum I help students understand the contributions of LGBT people throughout history, discuss issues from different perspectives and encourage social action to address issues pertinent to students’ lives and the larger community.

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<tr>
<th>strongly agree</th>
<th>agree</th>
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Section IV: Supports for Implementation

17. I am not at all prepared to implement SB 48.

<table>
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<tr>
<th>strongly agree</th>
<th>agree</th>
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18. I am somewhat prepared to implement SB 48.

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<th>strongly agree</th>
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19. I am well prepared to implement SB 48.

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<th>strongly agree</th>
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20. My district/principal is providing me with professional development to support my implementation of SB 48.

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<th>strongly agree</th>
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21. My colleagues/grade level are supporting my implementation.

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<th>strongly agree</th>
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22. I support my own implementation with personal commitment, online resources or individual effort.

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Section VI Challenges to Implementation

23. I am concerned about negative backlash from parents/community if I implement.

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<th>strongly agree</th>
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24. I don’t feel comfortable with my knowledge of LGBT history/culture to implement.

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25. I don’t have time to incorporate anything else into my curriculum.

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26. I have worked hard to develop my current curriculum and feel it is sufficient.

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27. I do not want to incorporate SB 48 into my curriculum.

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28. My school/district does not have the funds to implement SB 48.

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29. I feel implementing SB 48 is not as important as implementing other things, such as Common Core State Standards.

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<th>strongly agree</th>
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30. My personal/religious beliefs about LGBT people/culture/issues keeps me from implementing.

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Section VI Attitudes and Beliefs

31. I consider myself a religious person.

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32. I consider myself a spiritual person.

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33. I have LGBT people in my life I care about.

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<th>strongly agree</th>
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34. I believe LGBT people choose their lifestyle.

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35. I believe LGBT people are born that way.

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36. I have LGBT students in my classes and feel they need to see themselves reflected in the curriculum.

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37. I believe implementing LGBT curriculum will help create a safer school climate for LGBT students.

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38. With proper support I believe I could effectively implement LGBT curriculum into my classroom.

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<th>strongly agree</th>
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39. I would be willing to share my knowledge of LGBT history/culture with others to help them implement.

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<th>strongly agree</th>
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40. I would be open to peer coaching or co-teaching to help me with implementation.

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Closing and Further Participation

Again, thank you for participating in this research study to better understand the supports needed and barriers to implementation of The FAIR Education Act. The drawing will be held one month after all surveys have been sent out. You will be notified if you win. Please consider participating further by granting an interview.

41. If you are interested in receiving the results from this study once it is published, please include your preferred email below. If not, thank you for your time.

Please click on NEXT to consider granting an interview or to finish and submit this survey.
Further Information About Interview

The interview portion of the study is a one on one interview either in person or via Skype if you prefer. The interview will be approx. 45 minutes long and will take place in a private location of your convenience. Typically, interviews take place in your classroom after school. Interview questions are available so you can see them ahead of time, but will further explore the barriers and supports to implementation of The FAIR Education Act. Your participation would greatly help in identifying barriers and supports so that teachers will be able to better implement. If you are willing to participate, please indicate your preferred contact email below. You will be sent a consent form and a copy of the interview questions. Consent will be given verbally at the time of the interview to further protect your privacy. Your identity will remain confidential and all names and locations will be coded to further protect your privacy. If you do not wish to participate further just click on done at the bottom. Thank you for your time for this important topic.

42.

Yes, I am willing to give an interview. Below is my preferred contact email.

[Email field]
Appendix B

Code Book Survey SB 48
Code Book Survey SB 48

1- Consent Form Agreement
2- Grade Level
3- Subject Taught
4- Age
5- Gender
6- NK= No Knowledge of SB 48 before survey
7- SK= Some Knowledge of SB 48 before survey
8- STK= Strong Knowledge of SB before survey
9- KN1-2= I can name 1 or 2 LGBT people who have impacted the history…
10- KN3= I can name 3+ LGBT people who have impacted history…
11- KN0= I cannot name any LGBT people…
12- CIMP= Currently Implementing
13- L1= I am implementing at level 1 of Banks’ model
14- L2= I am implementing at level 2
15- L3= I am implementing at level 3
16- L4= I am….
17- NAP= Not at all prepared to implement SB 48
18- SP= Somewhat prepared…
19- WP= I am well prepared…
20- PDS= My principal/district is providing me with professional development
21-CS= My colleagues/grade level are supporting my implementation
22- SS = I self-support my own implementation

23- CNB = I am concerned about negative backlash if I implement

24- NKH = I don’t feel comfortable with my knowledge of LGBT history to implement

25- NT = I don’t have time to incorporate anything else into my curriculum

26- CS = I feel my curriculum is sufficient

27- DWI = I don’t want to incorporate SB 48 into my curriculum

28- NSF = My district does not have sufficient funds to implement

29- SB48VCC = I don’t feel SB 48 is as important as Common Core

30- PRB = My personal/religious beliefs keeps me from implementing

31- RP = I consider myself a religious person

32- SP = I consider myself a spiritual person

33- LVLGBT = I have LGBT people in my life I care about

34- LC = I believe LGBT is a lifestyle choice

35- BTW = I believe LGBT people are born that way

36- SNI = I have LGBT students who I believe need SB 48

37- SSC = I believe SB 48 will create a safer school climate

38- PWS = With support I believe I could implement SB 48

39- WTC = I would be willing to share my knowledge with others

40- WTBC = I would be open to peer coaching from others
Appendix C

Interview Protocol
Interview Questions/Script

Researcher:
Again, thank you so much for agreeing to this interview. I want to assure you that you may stop the interview at any time or skip any questions you are not comfortable answering. With your permission, I’d like to audio record this session for later transcription. In order to protect your confidentiality I’m going to ask you to read a disclosure consent form and then state out loud for recording purposes that you have read this disclosure and agree to be interviewed and to be audio recorded. This interview should take no more than 45-60 minutes. Do you have any questions or concerns before we start? (Address any concerns or questions) I’m going to start the recording (turn on the recording device). Here is a copy of the disclosure I mentioned (hand the disclosure). Once you have read it simply say out loud “I have read this disclosure and I understand and agree to be interviewed.” Please also state that you agree to be audio recorded and that quotes from the transcript may be used for this study. If you have any questions about the disclosure please ask. (Once the verbal agreement is recorded begin).

Researcher: For purposes of this interview I will refer to The FAIR Education Act as SB 48.

1. How many years have you been teaching?

2. What do you know about SB 48 and how did you learn it?

3. Are you including LGBT curriculum in your classes? If yes, then
   a. Can you give me an example of how you implement?
   b. If ‘no’ then what do you think is keeping you from implementing?

4. Are you aware of other teachers implementing in your department? In your school? In your district?
   a. If so, do you know how they are implementing? If they aren’t, then what are your thoughts about why they aren’t?

5. What are the barriers/supports in terms of changing/adding LGBT material to Your curriculum?

6. What is your district/principal doing to support your implementation?
a. What might they do that would help with implementation?

7. What could you do that you are not already doing to support fuller implementation in your own class?
   a. What is stopping you?

8. How could your colleagues help you and/or you help them with implementation?

9. What are your thoughts on the importance of SB 48?

10. Do you think your campus is a safe space for LGBT youth?

11. What do you see as the benefits of implementing SB 48?

12. What do you see as possible negative consequences from implementing SB 48?

13. Any closing thoughts you would like to share?

14. Where do see implementation of this law in 5 years?

Thank you for your time. I appreciate your dedication to the field of teaching and research that it takes to not only teach, but help people like myself who are trying to better understand what is happening with SB 48. If you indicated on the initial survey, I will send you a copy of the research results. I will be sending you a copy of the transcription of our interview so that you can make any corrections you feel necessary. You have my contact info if you need to get in touch with me for any reason and I have yours as well. Thanks again and I will be in touch.
(End the session by turning off the digital recorder)
Appendix D

Informed Consent Letter
Informed Consent Form

My name is Sylvia Escobar, and I am a Doctoral student in the Educational Leadership and Policy Studies Department at California State University, Sacramento. I would like to request your participation in my research study. First I want to thank you for responding to my online survey. On the survey you indicated a willingness to participate in an in-depth interview.

As you may recall, my research study focuses on the implementation of The FAIR Education Act or SB 48 which was signed into law in January of 2012. The FAIR Education Act is being implemented through curriculum inclusion at various levels at various schools. This study is looking at how it is being implemented, at what levels and what the barriers and supports towards implementation might be. I am including the interview questions for your information. There is also an option of a skype interview if that would be preferable.

(Research Procedures) Interviews will take approximately 45 min. at a location of your convenience and choosing. Location must be private. All interviews will be audio recorded and transcribed by me and sent to you for any changes you deem necessary to capture your true responses.
(Risks) Because personal experiences, beliefs and attitudes may constitute barriers to implementation, there are some questions of a more personal nature related to beliefs, attitudes and experiences. You may choose not to answer any questions or quit at any time. All information will be kept private, used for the sole purpose of this study and destroyed three years after publication. All interviewees will remain confidential. You should be aware that although SB 48 is a law that mandates implementation, the law only provides guidelines allowing wide latitude for schools and districts to implement as they see fit. Any geographic information that might be used to identify any particular schools will be coded to ensure confidentiality.

(Benefits) This goal of this study is to identify supports and challenges in the implementation of this new law. This information in turn will benefit teachers and school leaders in the process of implementing this law. The intent of SB 48 was to aid in creating safer school environments for all students by replacing myths, stereotypes and biases with fair, accurate, inclusive and respectful (FAIR) information about LGBT people in our history. By participating in this study you will be helping all stakeholders in reaching these goals.

(Confidentiality) Transcriptions from interviews and results of surveys will not be shared with anyone except the researcher and possibly the chair of this committee (Dr. Lisa Romero). All names will be changed and no identifiers will be included in the transcription or anywhere in the research study itself. All information will be used only for purposes of this study. Your participation in this study is completely voluntary and
confidential. All research material will be kept on my person or in a locked safe box in my personal residence. All material will be destroyed three years after publication.

(Compensation) No compensation is being offered for your participation

(Contact Information) If you have any questions or concerns about this research project please do not hesitate to contact myself at (916) 212-6934 escobar3@csus.edu or my chair Dr. Lisa Romero at lisa.romero@csus.edu (916) 278-2282.

After reading this disclosure you will be asked to verbally give your consent to be interviewed and for the interview to be audio recorded. Please indicate when you have finished reading and are ready to give verbal consent.

Read the following statements when you are ready (recording device will be on).

“I have read and understand the above consent form. I agree to be interviewed and to be audio recorded. I agree to allow direct quotes from the interview to be used for the sole purposes of this study.”
REFERENCES


Focus on the family and sb48. from http://aksarbent.blogspot.com/2012/01/focus-on-family-founder-dobson-telling.html


Hackford-Peer, K. (2010). In the Name of Safety: Discursive Positionings of Queer Youth. Studies in Philosophy & Education, 29(6), 541-556. doi: 10.1007/s11217-010-9197-4


