

Foundations of LGBTQ+ Justice

Who are we?

- Linda
- Matt
- Salina
- Natasha
- Grat
- Michelle
- Ellen



Land Acknowledgement

Every community owes its existence and vitality to generations from around the world who contributed their hopes, dreams, and energy to making the history that led to this moment. Some were brought here against their will, some were drawn to leave their distant homes in hope of a better life, and some have lived on this land for more generations than can be counted. Truth and acknowledgment are critical to building mutual respect and connection across all barriers of heritage and difference. We begin this effort to acknowledge what has been buried by honoring the truth. We are standing on the ancestral lands of Indigenous People. We pay respects to their elders past and present. Please take a moment to consider the many legacies of violence, displacement, migration, and settlement that bring us together here today.

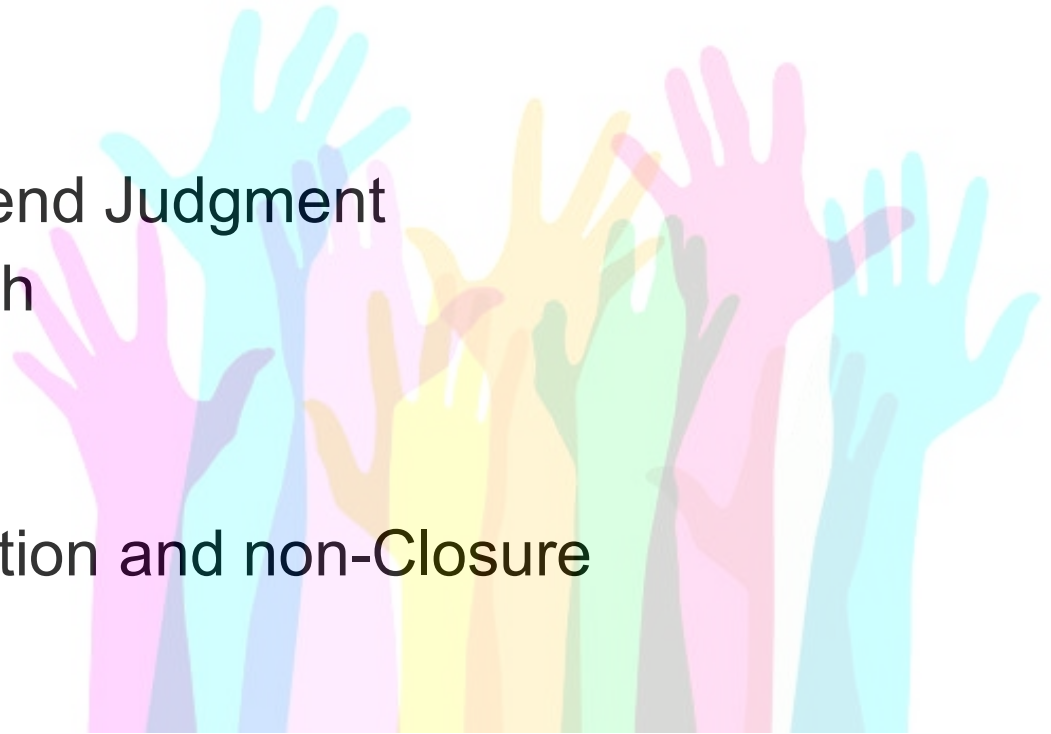
90 Minute Dash

- ❖ Starting the conversation outside the umbrella
- ❖ Issues
- ❖ Framework for Determining Actions
- ❖ A Little Law Talk
- ❖ Lessons Learned and Actions to Apply



Community Agreements

- Awareness and Self-Knowledge
- Listen for Understanding
- Be Gracious
- Stay Engaged
- Be Open and Suspend Judgment
- Say “I”- tell your truth
- Seek Discomfort
- Reach for Empathy
- Expect non- Resolution and non-Closure



Why we are here!

- LGBTQ+ youth are more than four times as likely to attempt suicide than their peers
- A majority of LGBTQ+ people say that they or an LGBTQ+ friend or family member have been threatened or non-sexually harassed (57 percent), been sexually harassed (51 percent), or experienced violence (51 percent) because of their sexuality or gender identity. [2]
- NEA RA Support and Part of NEA Mission and Vision Pg 5

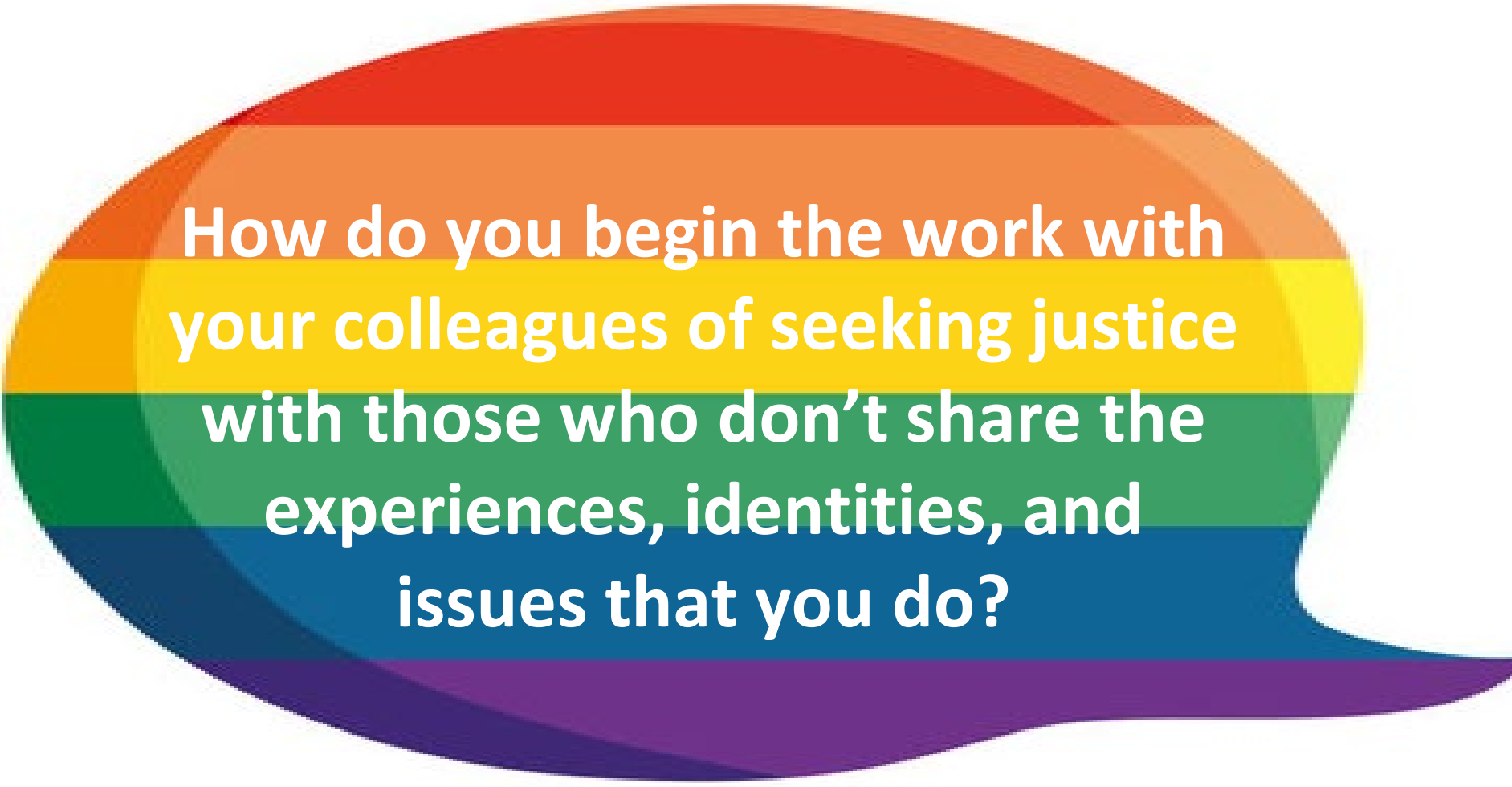
[1] Human Rights Campaign Foundation. (2017, July). Mental health and the LGBTQ community. https://suicidepreventionlifeline.org/wp-content/uploads/2017/07/LGBTQ_MentalHealth_OnePager.pdf

[2] National Public Radio, the Robert Wood Johnson Foundation, & The Harvard T.H. Chan School of Public Health. (2017, November). Discrimination in America: Experiences and views of LGBTQ Americans. Retrieved June 24, 2020 from <https://www.rwjf.org/en/library/research/2017/10/discrimination-in-america--experiences-and-views.html>

The Words of Our Members

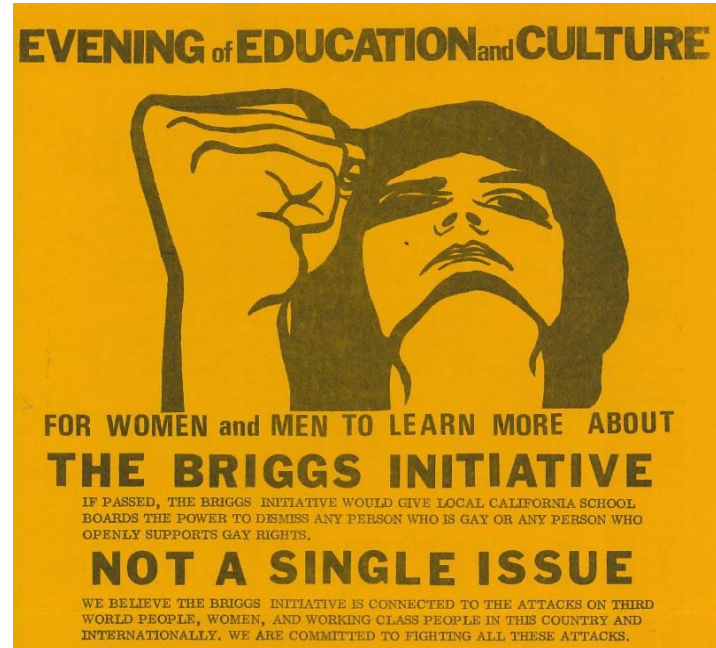
“Know that even if you do not personally know of any LGBTQ+ staff person in your district, they are there. Be an ally even if you do not know them. Speak up when you hear, see, or perceive bias and/or discrimination. Advocate for inclusive policies for both students and staff.”

Building Beyond the Umbrella



How do you begin the work with your colleagues of seeking justice with those who don't share the experiences, identities, and issues that you do?

Building Beyond the Umbrella



Solidarity
sol / i / dar / i / ty
Noun

1. Unity or agreement of feeling or action especially among individuals with a common interest, mutual support; mutual support within a group.

TRUE OR FALSE

In my state, an employee can be fired for being transgender.

TRUE OR FALSE

In my state, an employee can be fired for marching in a pride parade—and a parent complains about it.

FALSE!



There are federal laws that protect LGBTQ+ workers from workplace discrimination in ALL states (yes, even yours).



A LANDMARK RULING

Bostock v. Clayton County



Prior to June 15, 2020

It was **legal** to fire an employee for being gay, bisexual or transgender, *in more than half of the 50 states.*

June 15, 2020

The Supreme Court rules it is **illegal** to discriminate against or fire an employee based on their sexual orientation or gender identity.



Employment Discrimination is Illegal

Title VII of the 1964 Civil Rights Act prohibits employment discrimination based on race, color, religion, sex and national origin. **Bostock interprets “sex” to include gender identity and sexual orientation.**



Discrimination in Educational Programs is Illegal

Title IX of the Education Amendments Act of 1972 states:
"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."



LAYERED PROTECTIONS

Title VII
Employment
Protections
Redefined
under the
Bostock
case

Our
responsibility
to provide
service,
advocacy
support and
help to those
directly and
indirectly
affected

Title IX
Program
Protections
that are now
stronger due
to recent
amendments



SERVICE vs. ADVOCACY

Our
responsibility
to provide
service,
advocacy
support and
help to those
directly and
indirectly
affected

GUIDING QUESTIONS:

- What positions are protected by my contract?
- Is this a student issue or an educator issue?
- Is my District enjoined from applying new Title IX regs?
- What School Policies/Current Language is in place? What changes need to happen?

Remember: Title IX Regs are a CEILING, not a FLOOR.

Review the Laws in Your State

1. Go to www.lgbtmap.org and Click Equality Maps or use the QR Code
2. Select “Choose a State” in the drop down menu.
3. Select a state and review the data.

How might this data impact members who are transitioning or transgender in your selected state?





- At least for now, ALL LGBTQ+ workers are protected under Bostock - BUT Bostock is limited to Employment
- Title IX has applications to the protection of LGBTQ+ workers in public funded educational programs.

PROBLEM vs. ISSUE

- **Campaigns** start with issues that workers have value-based solidarity around.
- An ***issue*** is a slice of a workplace *problem*.
- Often a ***problem*** can have different *issues* depending on the perspective of the people we are working with.
- It is **KEY** to get enough input on what the *issues* are that make up the *problem* so that YOU do not drive the solution.
- Investigating the issue is necessary but not sufficient – we also need to identify workers' **SHARED** values – **WHY** is this an issue? **WHY** do you want to fix this?

PROBLEM

vs.

ISSUE



Values that build a relatable “why”

Deserve safe and reliable transportation

Access to quality parts

EXAMPLE- Problem and Issue

PROBLEM -Our school is hostile to LGBTQ+ staff and students

- **Issue** – There are no gender inclusive bathrooms and/or transgender students are forced to use the wrong restroom

Values – Equity, Safety, Personal Choice, Student Choice

- **Issue** – Our healthcare and leave benefits do not cover non-“traditional” family structures or are not fully accessible to people with same-gender partners.

Values – Equitable Access, Fair Pay, Family

- **Issue** – Our administration forces us to “out” trans and queer students to their families.

Values- Professional Judgement, Safety, Student Choice

Issues Lead to Collective Action



- It is widely felt
- It is deeply felt
- It is winnable
- It builds the union and builds leaders
- It has a connection to students and the public



Problems are disabling.

Issues build solidarity.

We don't choose the issues, the people who want the change choose the issue AND work to build a bigger base.

What are all the issues that LGBTQ+ people face in their work and union lives?



What are the issues?

Padlet Activity

Go to the [Padlet Link](#)

3 FULL Minutes, list one issue that LGBTQ members face in their work or union life.

Put one issue per post.

Feel free to post more than one.

5 Minutes – in breakout groups, sort the issues into categories – name the categories, and write those names in the chat



What are the issues?

What did you see
that was
common?

What was new to
you?



SCENARIO: Supporting a Trans Educator

You are a Leader in a medium-sized conservative school district. A member reaches out to you and asks for your help. They explain to you that they are a returning employee who is transgender and began transitioning over the summer break. They are nervous about coming back in the fall and are asking for your help in navigating their return.

- What additional information would you need? How would you go about finding that information? What resources would you use or seek out?
- What would be your first steps?
- Knowing what we know now about transitioning and gender, what would you avoid doing?

**In break out groups discuss the questions.
One person from each group will report out on the questions.**

- What additional information would you need? How would you go about finding that information? What resources would you use or seek out?
- What would be your first steps?
- Knowing what we know now about transitioning and gender, what would you avoid doing?

Turning Your Issue into Action



Racial and Social Justice in Education Action Plan

Issue <i>A clear, brief statement of what you want to address?</i> 1		Integration <i>How does this plan support Association, district and school goals?</i> 2	
Current Reality <i>What opportunities exist now?</i> <i>What challenges exist?</i> 3	Desired Reality <i>What do you want to achieve?</i> 4	Actions <i>What steps will it take to get from CURRENT to DESIRED reality?</i> 5	Indicators <i>How will you measure change?</i> 6

Adapted from: William A. Lofquist, The Technology of Prevention Workbook. Printed with Permission. Permission to photocopy is granted for non-commercial purposes if this credit is retained.

Turning Your Issue into Action

Resources

Human, physical, and financial resources needed to carry out the action steps outlined in #5.

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Objection Analysis

Reasons that might be raised as objections to your plan.

A. Key people you can count on for support.

B. Key people you would like to have involved but are unsure of.

8

Objection Analysis

Reasons that might be raised as objections to your plan.

9

Basis for Support

Reasons people will support your plan.

10

Sustaining Plan

Action steps necessary to promote the plan (sustainability).

11

Timeline

Plot the starting and ending dates of your action plan and key dates and events for the accomplishments of specific tasks in between

12



What did you learn about today that:

- You're going to immediately tell your union bestie?
- You're going to use in the near future as part of your union work?
- You're going to work to learn more about?



Share your ideas and thoughts in the chat

Thank you!

