

A Day of Silence, a Day of Truth, and a Lawsuit

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Abstract

This case study focuses on issues of freedom of speech and freedom of religion in public schools. It involves a rural, southern high school where a group of students participated in a Day of Silence. The school allowed the students to participate based on the principal's understanding of the students' First Amendment rights. However, the next day, the principal prohibited a student from participating in a Day of Truth. She believed that student participation in a Day of Truth could be viewed as the school's endorsement of religion and violates the doctrine of separation of church and state. The principal's decision had far reaching consequences in this religiously conservative community, including a lawsuit against the school district. This case study provides an opportunity for both practicing and aspiring school leaders to explore a number of administrative, legal, and ethical dilemmas utilizing a framework grounded in the principles of social justice, equity, and diversity. Students can reflect on and engage with both legal and social justice issues through reading and discussing this case. Hopefully, this case study will lead to a discussion of queer issues using an authentic school story.

Keywords

First Amendment, queer, queer theory, social justice, school public relations

Description of the School and the Community

Simon County High School is the only high school in a southern, rural county with a population of around 60,000 people, 18% of whom live in poverty. The local economy is dependent on agriculturally based industries. Inhabitants are engaged primarily

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in raising hogs and poultry within the county's 950 square miles. This community is predominately Christian (Baptist and Methodist), religiously conservative, and highly stable with very limited transience. Approximately 600 students attend Simon High School. A total of 60% of the student population is White, 30% is African American, and 11% is Hispanic.

Last spring, Simon County was thrust into the national limelight because of a student suspension. As this case will explain, this rural county school is grappling with issues typically perceived as exclusive to diverse, metropolitan centers. In fact, small towns and rural areas like Simon County face the same cultural and legal dilemmas that challenge the rest of America.

Background Information

This case centers around two events at Simon High School. In late April, a small group of students participated in The Day of Silence. The next day, one student participated in The Day of Truth. The following sections describe each of these events so the reader can better understand the issues of this case.

Day of Silence

According to the Gay, Lesbian, and Straight Education Network (GLSEN) website, The Day of Silence, a project of the GLSEN in collaboration with the United States Student Association, is a student-led day of action where those who support making anti-lesbian, gay, bisexual, and transgendered (LGBT) bias unacceptable in schools take a day-long vow of silence to recognize and protest the discrimination and harassment—in effect, the silencing—experienced by LGBT students and their allies. The GLSEN has a webpage with a downloadable manual dedicated to helping students organize a Day of Silence at their school (see <http://dayofsilence.org/downloads/Manual%20Draft%20Final.pdf>).

Participating students distribute cards that read,

Please understand my reasons for not speaking today. I am participating in the Day of Silence, a national youth movement protesting the silence faced by lesbian, gay, bisexual and transgender people, and their allies. My deliberate silence echoes that silence, which is caused by harassment, prejudice, and discrimination. I believe that ending the silence is the first step toward fighting these injustices. Think about the voices you are not hearing today.

In the guidelines available from the GLSEN webpage, students are advised to do this before school, after school, or at recess. They are also advised to follow school protocol regarding T-shirts and distribution policies so that they express their first amendment rights, without violating school policies.

The GLSEN makes the case for the Day of Silence, by citing their statistics that four out of five LGBT students report verbal, sexual, or physical harassment at school and more than 30% report missing at least a day of school in the past month out of fear for their personal safety (National School Climate Survey, 2005).

One goal of the Day of Silence is to make anti-LGBT bullying, harassment, and name-calling unacceptable in America's schools. The GLSEN seeks to do this by changing school policy. For example, GLSEN advocates for schools to add sexual orientation and gender identity/expression in the school's nondiscrimination or anti-harassment policy and calls for training teachers to respond effectively to anti-LGBT bullying, harassment, and name-calling.

The Day of Truth

The Day of Truth was established by the Alliance Defense Fund (ADF) to counter the Day of Silence and "the promotion of the homosexual agenda and express an opposing viewpoint from a Christian perspective" (ADF, 2008).¹

The ADF makes the case for The Day of Truth by referencing First Amendment rights. According to the ADF webpage,

We are simply exercising our constitutionally guaranteed right to freely and publicly express our religious viewpoints. We are trying to counter organized efforts to legitimize and promote the homosexual agenda in the public schools. We are participating in the Day of Truth not only to exercise our right to free speech, but also out of our love and compassion for those who are struggling with their sexual identity and to provide them with hope through the love of Jesus Christ. . . .The First Amendment of the United States Constitution, however, guarantees *all* groups the right to express their views. We are merely taking advantage of that right, just as groups such as the Gay, Lesbian, Straight Education Network (GLSEN) do. Free speech applies to *everyone*, not just selected groups, and individuals. No individual who supports a free and democratic society would advocate the censorship of viewpoints. (ADF, 2008, italics in the original)

The Day of Truth is typically scheduled after the Day of Silence. Participating students are encouraged to wear T-shirts and pass out cards with the following message:

"I'm speaking the Truth to break the silence.
 True tolerance means that people with differing—even opposing—viewpoints
 can freely exchange ideas and respectfully listen to each other.
 It's time for an honest conversation about homosexuality.
 There's freedom to change if you want to.
 Let's talk."

The ADF has a webpage with a downloadable manual dedicated to helping students organize a Day of Truth at their school (see <http://www.dayoftruth.org/docs/dayoftruthmanual.pdf>).

The Incident

In early April, a group of students approached the school's administration and requested permission to participate in a Day of Silence. The students met with the principal, Ms. Howard, and explained that they were members of the GLSEN, a national organization that seeks to address anti-LGBT name-calling, bullying, and harassment. They explained that GLSEN argues that these behaviors have a negative impact on all students—LGBT and heterosexual.

Ms. Howard was unfamiliar with the event and asked the students for more information. The students provided her with handouts and referred her to the GLSEN webpage for more information. After reading the materials, the principal met with the students for a second time. During the meeting, the students explained what they would do on the Day of Silence. They said that during noninstructional time (before and after school, in between classes, and during lunch), they would have available on tables and distribute to anyone who asked for one "speaking cards" which say,

Please understand my reasons for not speaking today. I am participating in the Day of Silence, a national youth movement protesting the silence faced by lesbian, gay, bisexual and transgender people, and their allies. My deliberate silence echoes that silence, which is caused by harassment, prejudice, and discrimination. I believe that ending the silence is the first step toward fighting these injustices. Think about the voices you are not hearing today.

Ms. Howard agreed to allow the students to participate in the Day of Silence, as long as their activities did not disrupt the school or academic instruction.

A few weeks later, in late April, a group of students at Simon High School participated in the Day of Silence. The students distributed their "speaking cards" by placing them on tables strategically located throughout the school. The day passed with very little interruption.

The next day, Blake Atoms, a ninth-grade student, came to school wearing a T-shirt that read "Day of Truth." As soon as he entered the school building, he began passing out Day of Truth cards. About 10 min before school was to start, Ms. Howard received a call from Mr. Jackson, one of the ninth-grade English teachers, who said that Blake was causing a disruption in the hall. The teacher urged Ms. Howard to "do something" about Blake before classes began. Ms. Howard found Blake in the hall outside of Mr. Jackson's class, and she told him he had to remove his shirt because it was potentially disruptive. Furthermore, she told him he could not distribute his Day of Truth cards because he was not allowed to distribute religious materials in school.

Blake refused to remove his shirt, choosing instead to turn it inside out. Later that day he was found wearing his shirt right side out and distributing “Day of Truth” cards to students. Teachers reported seeing Blake forcing his cards into the hands of students who had participated in the Day of Silence the previous day. Blake was heard yelling his message in the halls during the transition period in between classes.

A student went to the office and complained to Ms. Howard that Blake was “making her very uncomfortable.” Ms. Howard called Blake to her office. She asked him about his behavior and then gave him 5 days of in-school suspension for insubordination—specifically for distributing The Day of Truth fliers after she told him not to.

Ms. Howard then called the district superintendent and informed him about what had taken place. In a newspaper report a few days later, the superintendent, Dr. Joe Browne, said he supported the principal’s decision because “The handouts, which presented a Christian viewpoint on homosexuality, caused a disturbance in the school and prompted some students, teachers, and a parent to complain.”

The Lawyers Get Involved

The ADF, a Christian legal group, asserted that Blake was wrongfully punished for expressing his religious beliefs. Claiming that “much touted tolerance that we hear about often doesn’t seem to extend to people of faith,” the ADF filed a federal civil rights lawsuit against the county’s board of education, the superintendent, and the high school principal on the student’s behalf, alleging that his First and Fourteenth Amendment rights were violated.

The ADF claimed the school system violated Blake’s freedom of speech by not allowing him to wear a Day of Truth shirt and to pass out the leaflets during non-instructional time. Lead ADF attorney, Andy Jones, commented to the local press that

Apparently, religion is not allowed in Simon County schools unless the belief system in question supports the homosexual agenda . . . Public schools are open to the public, and that includes Christian families, too, who pay taxes and have the right to send their children to public schools without facing viewpoint discrimination.

A federal judge issued a preliminary injunction prohibiting the Simon County Board of Education and Simon High School officials from enforcing two policies used to prohibit a student from distributing “Day of Truth” message cards to other students. The court’s ruling prohibited the school district, while the case moved forward, from censoring a student flyer because it contains religious content.

In the News

While they awaited their day in court, the attorneys with the ADF took their case to the court of public opinion. They were quoted in the local newspaper as saying,

Christian students are entitled to the same First Amendment rights as other students. No student should be suspended for exercising those rights. It's clearly unconstitutional when students participating in the Day of Silence, which supports the homosexual agenda, observe their event by distributing flyers and so forth, but a student with an opposite perspective is prevented from communicating it during noninstructional time. That, in our opinion, is unconstitutional.

Andy Jones, the lead ADF attorney, said it is unfair that the school system allowed students to participate in the Day of Silence but did not let Blake express his Christian views. He commented, "School officials shouldn't be treating religious students any differently than they treat other students and that's exactly what is happening here."

The local newspaper rallied behind the suspended student and reported that Blake belonged to the Bible Club, the National Honor Society, and Who's Who of American High School students, and that Blake's religious beliefs "compel him to share his faith and to address relevant subjects from a Biblical point of view with other students."

Nevertheless, the Simon County school system stood behind their decision to suspend Blake. The superintendent explained to the newspaper that the student eventually was allowed to wear the shirt but told not to hand out the fliers. "The only thing the T-shirt said was 'Day of Truth,' and we felt that was not forcing his religion on others. The handouts, however, did present religious views."

After defending the actions of Ms. Howard, the superintendent became the target of taunts on local talk radio, and his home address and home telephone number were posted on an Internet blog (just as Ms. Howard's had been previously). He reported receiving numerous threats from anonymous callers, emailers, and bloggers. On an afternoon in early May, as he read through his email inbox, the superintendent is left wondering how things got to this point. He tries to develop a plan to deal with the impending lawsuit and the openly hostile public opinion.

Teaching Notes

This case study could be used in graduate-level courses on school law, school public relations, and/or social justice and diversity. Although the case mainly focuses on legal issues, it could be used to discuss issues of queer identity, sexual orientation, queer theory, and how these issues impact the work of schools and educational leaders. In a law class, for example, issues of free speech and religious expression can be discussed using a queer case—thus expanding student exposure to issues of social justice and ethics beyond the mainstream. In a public relations class, students could formulate a plan to address the public's negative perception of the school. Finally, in a social justice or diversity course, the case study could be used to discuss queer issues utilizing a framework grounded in principles of social justice and equity.

Why More Queer is Needed

According to the 2003 National Student Climate Survey (Kosciw, 2004), there is widespread victimization of nonheterosexual students in U.S. high schools. A total of 80% of the LGBT students surveyed experience some form of verbal, sexual, or physical harassment at school (Kosciw, 2004). In nearly 75% of these harassment incidents, neither a teacher nor an administrator intervened—leaving the students feeling unsafe in their school. Recent research (Evans, 2000; Kosciw, 2004; LeCompte, 2000; Schneider & Owens, 2000) suggests that creating safe schools for nonheterosexual students improves their academic performance, their relationships with faculty, and their general attitude toward school.

As educators, we need to better understand the daily lives of LGBT students. This understanding should aid in the development of safer schools for nonheterosexual youth and consequently safer schools for *all* youth.

Queering Our View

In the past, the term *queer* was used as negative slang for homosexual. In recent years, “queer theory” has emerged and given new meaning to the term. In the early 1990s, influenced heavily by the field of gender studies and the work of deconstructionists like Jacques Derrida and Michel Foucault, queer theory emerged as a separate field. According to Mary Klages (1997),

Queer theory follows feminist theory and gay/lesbian studies in rejecting the idea that sexuality is an essentialist category, something determined by biology or judged by eternal standards of morality and truth. For queer theorists, sexuality is a complex array of social codes and forces, forms of individual activity and institutional power, which interact to shape the ideas of what is normative and what is deviant at any particular moment. (para. 17)

Judith Butler (1990) posits that the traditional view was that sex (male, female) causes gender (masculine, feminine), which then causes desire (toward the other gender). However, Butler argues that there are no links that gender and desire are flexible. In other words, rather than being a fixed attribute in a person, gender is a fluid variable that shifts and changes in different contexts and at different times (Theory.org.uk, 2008). This idea, of identity as free-floating, is one of the key ideas in queer theory (Theory.org.uk, 2008).

Queer theory (Doll, 1998; Morris, 1998, 2000; Pinar, 1998a, 2000; Quinlivan & Town, 1999; Steinberg, 2000; Talburt, 2000) is a branch of critical theory that examines, explores, and critiques historical or current issues through various lenses and from multiple angles, uncovering ignored or hidden voices. Queer theorists sift through events and illuminate the injustices and inequities from a LGBT perspective.

Mainstream America normalizes heterosexuality or heteronormativity. The domination of heteronormativity polarizes sexual categories, defining heterosexuality as good, normal, and natural, whereas its binary, homosexuality, is deviant, unnatural, and perverse (Eaton, 2005). Queer theory questions the assumptions, practices, and restrictions of heteronormativity. It also stands against the violence and ignorance of heterosexism and homophobia (Morris, 2000).

The norms of American society assume all people are heterosexual. Homosexuality is pathology juxtaposed to the norm of heterosexuality with no room for diversity between the two extremes. “uses the term ‘queer’ to denote a deviation from and even a rejection of the normative sexuality (i.e., heterosexuality), ‘proper’ genders (i.e., a particular type of masculinity for men, femininity for women), and natural(ized) sexes (i.e., male and female)” (p. 492). To be queer allows one the freedom to move along the continuum of sexuality or at least not feel pigeonholed into any one category (Eaton, 2005).

Pinar (1998), Doll (1998), Morris (1998), Rodriguez (1998), and others approach queer theory, queer, and “queering” from multiple standpoints. Pinar contends that

queer has become the chosen term for many who have come to be dissatisfied with what they perceive to be the assimilationist politics associated with the terms *gay* and *lesbian* . . . queer pedagogy displaces and decenters; queer curriculum is noncanonical. (italics in original, p. 3)

Doll (1998) speaks to this decentering by transforming the noun, *queer*, into the verb, *queering*. Not only do queer people live their sexual lives differently than those self-defined as heterosexuals, but they also view every aspect of their world through a different lens. They “queer the gaze of their perception” (p. 293). Queered perceptions shift the paradigms, the images of everyday, commonsense life. It makes the familiar strange; it makes the familiar queer (Doll, 1998; Eaton, 2005).

Rodriguez (1998) proclaims the need for a new language or new meanings applied to existing words. Indeed, reclaiming of the word *queer* by those with nonheterosexual lifestyles rewrites “our sexual vocabularies . . . [thus] turning them inside out, giving them a new face” (p. 178). Another perspective of queer theory comes from Morris (1998) who asserts, “It is by queering texts (used in its broadest sense, beyond the written word) that curricularists may begin to tear down the walls of the sex = gender paradigm” (p. 279 as cited in Eaton, 2005).

Queer theory expands the definitions of sexuality and broadens gender roles and definitions of femininity and masculinity. Queer theory seeks to permeate the boundaries of sexual identity so that individuals are free to explore and define themselves (or not) in ways that best suit them (Eaton, 2005). Steinberg (2000) explains that queerness is an integral part of one’s identity, one’s ideology, and one’s political perspective.

High School, Sexual Orientation, and School Leadership

One issue this case study addresses is an area that has been traditionally ignored in education—the acknowledgment of lesbian, gay, bisexual, transgender and queer youth as a significant population found within our schools. Because sexuality is not as visible as race, gender, or physical disability, many of these youth are overlooked, isolated, and alienated (Eaton, 2005). As a result, many of these youth are at risk for dropping out (Kosciw & Cullen, 2002; Uribe, 1994).

Of 10 LGBT students, 8 report verbal, sexual, or physical harassment at school (Kosciw & Cullen, 2002), and more than 90% report hearing homophobic remarks such as “faggot,” “butch,” or “dyke” frequently or often. Sadly, 75% of these students report that faculty or staff rarely or never intervened when such remarks were made in their presence (Eaton, 2005). This lack of intervention has negative consequences. Kosciw and Cullen (2002) found that approximately 33% of the LGBT students surveyed skipped one or more classes a month because they felt unsafe (less than 6% of non-LGBT students skip class this often). Worse still, about 40% of gay and bisexual students have attempted suicide as compared with about 10% of their heterosexual peers (Kosciw, 2004).

Eaton (2005) notes that some states have policies to protect LGBT students. Currently, eight states and the District of Columbia have legal policies and/or laws protecting LGBT high school students from discrimination (Eaton, 2005; Kosciw, 2004; Kosciw & Cullen, 2002). The GLSEN and other gay activist organizations continue to lobby nationwide for state and federal legislation that includes sexual orientation and gender expression as legally protected classes (Eaton, 2005). However, even with legislation changes, acts of violence against nonheterosexual students continue. Educational leaders are therefore challenged to make their schools safe (physically and emotionally) for all students.

Discussion Questions and Points to Consider

1. The Interstate School Leader Licensure (ISLLC) standards serve as the foundation for the preparation and practice of educational administrators in 41 states. The ISLLC standards (see resource section below) have become a national model of leadership standards and serve as common language of leadership expectations across differences in state policies. Read and discuss each of the six standards (focusing on standards 2, 3, 4, and 5). Using the ISLLC standards as a guide, evaluate the actions of Ms. Howard and superintendent Browne.
2. In what ways do the ISLLC standards challenge school leaders to make schools “queer friendly?”

- In this case, the school district was sued presumably because it restricted student speech/expression. Who do you think prevailed in this case (Blake and the ADF or the school district)? Why? Review the glossary of terms (see resource section below) and consider the following questions to help you formulate an answer:
 - In what ways did student participation in the Day of Silence and the Day of Truth differ?
 - The superintendent claimed in a newspaper interview that the Day of Truth flyers or cards were not allowed because they “present religious views.” Can schools legally ban materials because they present religious views? Explain your answer.
 - For differing positions please see <http://www.freedomforum.org/publications/first/findingcommonground/B06.TeachersGuide.pdf>, or for an explanation from the Americans United for the Separation of Church and State, on the legal issues around the distribution of religious flyers, see <http://www.au.org/take-action/report-a-violation/>
 - The Supreme Court has ruled that religious speech is protected by the First Amendment and may not be singled out for discrimination. In *Tinker v. Des Moines Independent Community School District* (1969), the court stated, “Students do not abandon their constitutional rights to free speech when they enter public school. . . . It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” Given the ruling in *Tinker v. Des Moines*, was the principal justified in suspending Blake from school? Why or Why not?
4. The newspaper headlines and radio and television sound bites painted a picture of a school that embraced “a gay sex club” but banned a Christian message. Given the geographical and cultural context of this school district, what proactive actions or steps could have been taken to try to prevent the media backlash? What steps should/could be taken to reunite and heal this community? How might the school system (specifically the superintendent and the principal) respond to community and media-generated attention to this case? How can the superintendent and principal heal some of the divisions this case created among students and within the larger community? Develop an action plan. Consider using Tschannen-Moran’s (2004) framework of trust building to guide your answer.
 5. The GLSEN was not an officially sanctioned club at the school. Currently, the school has the following clubs listed on its webpage: Future Farmers of America; Media Club; Band; History Club; Science Club; Fellowship of Christian Athletes; Student Government Association; Family, Career, and Community Leaders of America; and Bible Club. If asked, would the school

administration have to allow the GLSEN to meet at the school? Explain your answer.

6. How might the use of a social justice or queer framework be used to acknowledge and protect the rights of nonheterosexual students? As a school leader, what steps could you take to make your school a more welcoming community?

Resources

ISLLC Standards

Standard 1. A school administrator is an educational leader who promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.

Standard 2. A school administrator is an educational leader who promotes the success of all students by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.

Standard 3. A school administrator is an educational leader who promotes the success of all students by ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment.

Standard 4. A school administrator is an educational leader who promotes the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.

Standard 5. A school administrator is an educational leader who promotes the success of all students by acting with integrity, fairness, and in an ethical manner.

Standard 6. A school administrator is an educational leader who promotes the success of all students by understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.

Glossary of Terms

Closed Forum—a forum where schools have the greatest discretion to restrict speech. Schools may disallow all student groups or set neutral policies as to which groups are allowed but cannot regulate or discriminate based on viewpoint.

Equal Access Act—a U.S. federal law passed in 1984 to combat discrimination against student religious groups in public secondary schools. Later, this law was extended to elementary schools. The Act provides that if a school receives federal aid and has a “limited open forum” (it has at least one student-led *noncurriculum* club that meets outside of class time), it must allow additional such clubs to be organized and must give them equal access to meeting spaces and school publications. Exceptions can be made for groups that “materially and substantially interfere with

the orderly conduct of educational activities within the school,” and a school can technically “opt out” of the act by prohibiting all noncurriculum clubs.

Limited Open Forum—defined in the Equal Access Act as existing “whenever [a] school grants an offering to or opportunity for one or more noncurriculum related student groups [or clubs] to meet on school premises during non-instructional time.”

Limited Public Forum—a forum that is reserved for certain groups or the discussion of certain topics but not limited in a way that discriminates against speech based on viewpoint. The limitations must be reasonable in light of the forum’s purpose (*Good News Club v. Milford*, 2001).

Noncurriculum-Related Student Group—“best interpreted broadly to mean any student group that does not directly relate to the body of courses offered by the school” (*Pope by Pope v. East Brunswick Board of Education*, 1993).

Noninstructional Time—“time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.” Equal Access Act.

Sponsorship—“includes the act of promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting.” Equal Access Act.

Other Resources

Day of Silence Manual: <http://dayofsilence.org/downloads/Manual%20Draft%20Final.pdf>

Day of Truth Manual: <http://www.dayoftruth.org/docs/dayoftruthmanual.pdf>

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Note

1. The Day of Truth is now sponsored by Focus on the Family. The name has also been changed to “Day of Dialogue.”

References

- Alliance Defense Fund. (2008). Retrieved from <http://www.dayofdialogue.com/2011/01/11/7-day-of-dialogue-guiding-principles/>
- Butler, J. (1990). *Gender trouble: Feminism and the subversion of identity*. New York, NY: Routledge.
- Doll, M. A. (1998). Queering the gaze. In W. Pinar (Ed.), *Queer theory in education* (pp. 287-298). Mahwah, NJ: Lawrence Erlbaum.

- Eaton, L. E. (2005). *Constructing rainbow classrooms: Non-heterosexual students' journey toward safer schools*. Doctoral dissertation. North Carolina State University, Raleigh, NC.
- Evans, N. (2000). Creating a positive learning environment for gay, lesbian, and bisexual students. *New Directions for Teaching and Learning*, 82, 81-87.
- Good News Club v. Milford, 533 U.S. 98, 106-07 (2001)
- Klages, M. (1997). *Queer theory*. Retrieved from <http://www.colorado.edu/English/courses/ENGL2012Klages/queertheory.html>
- Kosciw, J. G. (2004). The 2003 national school climate survey: The school-related experiences of our nation's lesbian, gay, bisexual, and transgender youth. New York, NY: Gay, Lesbian, and Straight Education Network.
- Kosciw, J. G., & Cullen, M. K. (2002). *The GLSEN 2001 national school climate survey: The school-related experiences of our nation's lesbian, gay, bisexual, and transgender youth*. New York, NY: Gay, Lesbian, and Straight Education Network.
- LeCompte, M. (2000). Standing for just and right decisions: The long, slow path to school safety. *Education and Urban Society*, 32, 413-429.
- Morris, M. (1998). Unresting the curriculum: Queer projects, queer imaginings. In W. Pinar (Ed.), *Queer theory in education* (pp. 275-287). Mahwah, NJ: Lawrence Erlbaum.
- Morris, M. (2000). Dante's left foot kicks queer theory into gear. In S. T. S. Steinberg (Ed.), *Thinking queer: Sexuality, culture and education* (pp. 15-32). New York, NY: Peter Lang.
- National School Climate Survey. (2005). Retrieved from <http://www.dayofsilence.org/content/news.html>
- Pinar, W. (1998a). *Queer theory in education*. Mahwah, NJ: Lawrence Erlbaum.
- Pinar, W. (1998b). Understanding curriculum as gender text: Notes on reproduction, resistance, and male-male relations. In W. Pinar (Ed.), *Queer theory in education* (pp. 221-244). Mahwah, NJ: Lawrence Erlbaum.
- Pinar, W. (2000). Foreword. In S. Talburt & S. Steinberg (Eds.), *Thinking queer: Sexuality, culture, and education* (pp. ix-xvii). New York, NY: Peter Lang.
- Pope by Pope v. East Brunswick Board of Education, 12 F.3d 1244, 1251 (3d Cir. 1993).
- Quinlivan, K., & Town, S. (1999). Queer pedagogy, educational practice and lesbian and gay youth. *Qualitative Studies in Education*, 12, 509-524.
- Rodriguez, N. (1998). (Queer) youth as political and pedagogical. In W. Pinar (Ed.), *Queer theory in education* (pp. 173-186). Mahwah, NJ: Lawrence Erlbaum.
- Schneider, M., & Owens, R. (2000). Concerns for lesbian, gay, and bisexual kids: The benefits of all children. *Education and Urban Society*, 32, 349-367.
- Steinberg, S. (2000). From the closet to the corral: Neo-stereotyping in In & Out. In S. Talburt & S. Steinberg (Eds.), *Thinking queer: Sexuality, culture, and education* (pp. 153-160). New York, NY: Peter Lang.
- Talburt, S. (2000). Identity politics, institutional response, and cultural negotiation: Meanings of a gay and lesbian office on campus. In S. Talburt & S. Steinberg (Eds.), *Thinking queer: Sexuality, culture, and education* (pp. 61-84). New York, NY: Peter Lang.
- Theory.org.uk. (2008). *Judith Butler*. Retrieved from <http://www.theory.org.uk/ctr-butl.htm>
- Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969)
- Tschannen-Moran, M. (2004). *Trust matters*. San Francisco, CA: Jossey-Bass.

Uribe, V. (1994). The silent minority: Rethinking our commitment to gay and lesbian youth. *Theory Into Practice*, 33, 167-172.

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