

OUT[®] FOR SAFE SCHOOLS

LGBTQ+ History Lesson

Inquiry Question: The FAIR Act: What are students' rights to LGBT representation in the classroom?

Standards: 12.2; 12.2.5; 12.3.2; 12.7.6; 12.8.3



Inquiry Question:

The FAIR Act: What are students' rights to LGBT representation in the classroom?

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Content Standards

12.2 - Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured.

12.2.5 - Describe the reciprocity between rights and obligations; that is, why enjoyment of one's rights entails respect for the rights of others.

12.3.2 - Explain how civil society makes it possible for people, individually or in association with others, to bring their influence to bear on government in ways other than voting and elections.

12.7.6 - Compare the processes of law making at each of the three levels of government, including the role of lobbying and the media.

12.8.3 - Explain how public officials use the media to communicate with the citizenry and to shape public opinion.

CCSS Standards:**Reading, Grades 11-12**

- CCSS 12.1 Initiate and participate effectively in a range of collaborative discussions (one-on-one), in groups, and teacher-led) with diverse partners on grades 11-12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.
- CCSS RI 12.2- Determine two or more central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to provide a complex analysis; provide an objective summary of the text.
- CCSS SL 12.3 Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric, assessing the stance, premises, links among ideas, word choice, points of emphasis, and tone used.

Writing, Grades 11-12

- W.1 – Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

Overview of Lesson

The FAIR Education Act (Fair, Accurate, Inclusive, and Respectful Education Act) was passed in 2011 in California State Legislature. It advocates for the inclusive representation of LGBTQ and disability communities in California History and Social Science Curriculums. In this lesson, students will participate in pre-reading activities, close-read the SB 48 text and build community amongst peers in the classroom. By the end of the lesson, students will have examined the opinions of those in opposition of the bill and those in support of the bill, including the LGBTQ youth voices who advocated for themselves in the senate hearings (using the framework of Critical Media Literacy by Jeff Share). By highlighting youth agency, this lesson aims to both

celebrate the people involved in passing this groundbreaking bill and to provide students with the language necessary to communicate what their rights are.

Sources

- Author Quote
- Legislative Bill Text – SB48
- Educational Video
- Video of California Senate Judiciary Hearings
- Prezi – Online Presentation

Procedures

1. Introduce Do Now: Fire Write (write for 5 minutes without stopping)

“There’s this idea that monsters don’t have reflections in a mirror. And what I’ve always thought isn’t that monsters don’t have reflections in a mirror. It’s that if you want to make a human being into a monster, deny them, at the cultural level, any reflection of themselves. And growing up, I felt like a monster in some ways. I didn’t see myself reflected at all. I was like, ‘Yo, is something wrong with me? That the whole society seems to think that people like me don’t exist?’ And part of what inspired me, was this deep desire that before I died, I would make a couple of mirrors. That I would make some mirrors so that kids like me might see themselves reflected back and might not feel so monstrous for it.” - Junot Diaz

Think-Pair-Share:

Option 1: This quote reminds me of...

Option 2: Share thoughts from Fire Write

2. Community Building Activity:

Pass out 4-5 post-its to everyone. Instruct students to brainstorm various identities that they have and write them on the post-it’s. Give example if needed.

Instruct students to place post-its on the appropriate poster (try not to reveal these prematurely) around the room, labeled:

- Hobby/interest
- Race/ethnicity
- Faith/spirituality
- Sexuality, gender identity
- Job/responsibility
- Disability
- Relation to others
- Socioeconomic
- Language

Play music and instruct students to do a **gallery walk** looking at all the identities posted around the room. When the music stops, find a partner and share about one of your post-its nearby. Repeat this 3-4 times as time permits.



3. Response group:

Instruct students to listen to the statement and move to a spot in the room correlating to “strongly agree, agree, disagree, or strongly disagree.”

- My K-12 schooling represents identities that are important to me.
- My K-12 schooling helps me be proud to be me.
- My K-12 schooling includes LGBTQ stories.
- It’s important to me that I am represented in history classes.

If time permits, use GSA’s Prezi about the Fair Act to introduce it.

4. Pre-Reading/Preview Strategy:

Split students into groups of three by handing out an image, a vocab word, or a definition to each student. Give students 5 minutes to find their group and read the definition to each other. Instruct students to create a short skit illustrating the vocab word.

Possible words:

- state bill (SB)
- senator
- vetoed
- legal right
- judiciary
- discriminatory bias
- sexual orientation
- gender identity

5. Response group - Write-around close-read:

Pass out a poster with excerpts of the SB 48 legal text. Model for students to circle words or phrases and annotate nearby:

- This is interesting but what if/about...
- This is the most important part because...
- A question I have about this is...

Have students pass the posters to the next group. They will be responding to the previous group’s by adding:

- I agree because...
- I disagree because...

6. Instruct students to write a 1-2 sentence summary of their excerpt to report back to the class.

7. Show video entitled [How SB 48 Will Impact Your Children](https://www.youtube.com/watch?v=EJx1tpqe5W8). Retrieved from <https://www.youtube.com/watch?v=EJx1tpqe5W8>.



Choose 1-3 questions from the Critical Media Literacy framework (Share 2016). Have students discuss the question with the elbow partner, referencing the video. Use a poster and markers to record answers to the questions from student volunteers.

8. Show video excerpt of youth voices advocating for LGBTQ history in education during the 2011 Senate Judiciary hearing:

[Senate judiciary committee part 1 & 2](#) 1:27 part 1, beginning of part 2

Use CML questions to frame discussion with partner. Record answers on another poster.

Assessment

Option 1: Create a meme illustrating your educational rights in relation to the FAIR Act.

Option 2: Use a rubric template ([Sample](#)) for students to create a rubric assessing whether a lesson is complying with the FAIR act or not. Sample can be retrieved from <https://images.template.net/wp-content/uploads/2015/10/16232820/Blank-Simple-Rubric-Template-Word-Doc.jpg>.

Bibliography

Legislative Bill Text- California Senate Bill No. 48. FAIR Act Text. 2011. Retrieved from http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201120120SB48

Online Resources

Faireducationact.com/about-fair. See [About the Fair Act](#) and [What is Fair Education? Prezi by GSA](#)

[Senate judiciary committee part 1 & 2](#) 1:27 part 1, beginning of part 2. Retrieved from <https://www.senate.ca.gov/media-archive?title=&startdate=04%2F05%2F2011&enddate=04%2F05%2F2011>

Teaching Resources

[Critical Media Literacy Framework by Jeff Share](#) retrieved from https://www.researchgate.net/publication/309850454_Critical_Media_Literacy_framework_updated_Nov_5_2016





Source A: California Senate Bill No. 48. FAIR Act Text. 2011.

Senate Bill No. 48

CHAPTER 81

An act to amend Sections 51204.5, 51500, 51501, 60040, and 60044 of the Education Code, relating to instruction.

[Approved by Governor July 13, 2011. Filed with Secretary of State July 14, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

SB 48, Leno. Pupil instruction: prohibition of discriminatory content.

Existing law requires instruction in social sciences to include a study of the role and contributions of both men and women and specified categories of persons to the development of California and the United States.

This bill would update references to certain categories of persons and additionally would require instruction in social sciences to include a study of the role and contributions of lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other cultural groups, to the development of California and the United States.

Existing law prohibits instruction or school sponsored activities that promote a discriminatory bias because of race, sex, color, creed, handicap, national origin, or ancestry. Existing law prohibits the State Board of Education and the governing board of any school district from adopting textbooks or other instructional materials that contain any matter that reflects adversely upon persons because of their race, sex, color, creed, handicap, national origin, or ancestry.

This bill would revise the list of characteristics included in these provisions by referring to race or ethnicity, gender, religion, disability, nationality, and sexual orientation, or other characteristic listed as specified.

Existing law prohibits a governing board of a school district from adopting instructional materials that contain any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex, handicap, or occupation, or that contain any sectarian or denominational doctrine or propaganda contrary to law.

This bill would revise the list of characteristics included in this provision to include race or ethnicity, gender, religion, disability, nationality, sexual orientation, and occupation, or other characteristic listed as specified.

Existing law requires that when adopting instructional materials for use in the schools, governing boards of school districts shall include materials that accurately portray the role and contributions of culturally and racially diverse groups including Native Americans, African Americans, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups to the total development of California and the United States.

This bill would revise the list of culturally and racially diverse groups to also include Pacific Islanders, lesbian, gay, bisexual, and transgender Americans, and persons with disabilities.

Existing law provides that there shall be no discrimination on the basis of specified characteristics in any operation of alternative schools or charter schools.

This bill would state the intent of the Legislature that alternative and charter schools take notice of the provisions of this bill in light of provisions of existing law that prohibit discrimination in any aspect of their operation.

This bill also would make other technical, nonsubstantive changes.

DIGEST KEY

Vote: MAJORITY Appropriation: NO Fiscal Committee: NO Local Program: NO



BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 51204.5 of the Education Code is amended to read:

51204.5.

Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

SEC. 2.

Section 51500 of the Education Code is amended to read:

51500.

A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, gender, religion, disability, nationality, sexual orientation, or because of a characteristic listed in Section 220.

SEC. 3.

Section 51501 of the Education Code is amended to read:

51501.

The state board and any governing board shall not adopt any textbooks or other instructional materials for use in the public schools that contain any matter reflecting adversely upon persons on the basis of race or ethnicity, gender, religion, disability, nationality, sexual orientation, or because of a characteristic listed in Section 220.

SEC. 4.

Section 60040 of the Education Code is amended to read:

60040.

When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.

(b) The role and contributions of Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the total development of California and the United States.

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

SEC. 5.

Section 60044 of the Education Code is amended to read:

60044.

A governing board shall not adopt any instructional materials for use in the schools that, in its determination, contain:

(a) Any matter reflecting adversely upon persons on the basis of race or ethnicity, gender, religion, disability, nationality, sexual orientation, occupation, or because of a characteristic listed in Section 220.

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

SEC. 6.

It is the intent of the Legislature that alternative and charter schools take notice of the provisions of this act in light of Section 235 of the Education Code, which prohibits discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or other specified characteristics in any aspect of the operation of alternative and charter schools.

Critical Media Literacy Framework

Critical Media Literacy involves...	Conceptual Understandings	Questions
<p>1 recognizing the <i>construction of media messages</i> as a social process, rather than accepting texts as neutral or transparent conveyors of information.</p>	<p>Social Constructivism All information is co-constructed by individuals and/or groups of people who make choices within social contexts.</p>	<p>WHO are all the possible people who made choices that helped create this text?</p>
<p>2 analyzing languages, genres, codes, and conventions of all texts and mediums of communication (digital, visual, audio, print-based, etc.)</p>	<p>Languages / Semiotics Each medium has its own language with specific grammar and semantics.</p>	<p>HOW was this text constructed and delivered/accessed?</p>
<p>3 exploring the roles audiences play in actively <i>negotiating</i> meanings and how audiences contribute to positioning themselves in the meaning-making process.</p>	<p>Audience / Positionality Individuals and groups understand media messages similarly and/or differently depending on multiple contextual factors.</p>	<p>HOW could this text be understood differently?</p>
<p>4 examining the process of <i>representation</i>, to uncover and engage issues of bias, point of view, ideology, omission, aesthetics, power, privilege, and pleasure in the content of the text and the influence of the medium.</p>	<p>Politics of Representation Media messages and the medium through which they travel always have a bias and support and/or challenge dominant hierarchies of power, privilege, and pleasure.</p>	<p>WHAT values, points of view, and ideologies are represented or missing from this text or influenced by the medium?</p>
<p>5 studying the <i>institutions and systems</i> that motivate and structure media locally and globally, many of which are corporate businesses whose primary goal is maximizing profit.</p>	<p>Production / Institutions All media texts have a purpose (often commercial or governmental) that is shaped by the creators and/or systems within which they operate.</p>	<p>WHY was this text created and/or shared?</p>
<p>6 questioning media about racism, classism, sexism, sustainability and other issues of social and environmental justice because information and communication have impact and influence, yet many effects are long-range and difficult to prove. Since media do not operate in isolation from the world around them, some people and groups benefit more than others from media messages.</p>	<p>Social & Environmental Justice Media culture is a terrain of struggle that perpetuates or challenges positive and/or negative ideas about people, groups, and issues; it is never neutral.</p>	<p>WHOM does this text advantage and/or disadvantage?</p>

This collaborative framework was inspired by many people and updated November 5, 2016 by Jeff Share, Steven Funk, and Douglas Keilner