GENDER NONCONFORMING YOUTH:

Discipline Disparities, School Push-Out, and the School-to-Prison Pipeline

gsanetwork

AUTHORS:

Hilary Burdge, M.A., Research Manager, Gay-Straight Alliance Network

Zami T. Hyemingway, B.A., Researcher, Crossroads Collaborative, University of Arizona

Adela C. Licona, Ph.D., Co-Director, Crossroads Collaborative & Director and Associate Professor, Rhetoric, Composition, and the Teaching of English, University of Arizona

ACKNOWLEDGEMENTS:

This report was generously funded by a grant from the Ford Foundation and was printed with support by the Cooperative Agreement CDC-RFA-DP13-1308 from the Centers for Disease Control and Prevention. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Centers for Disease Control and Prevention. We would like to thank the faculty, staff, and students in the Crossroads Collaborative at the University of Arizona and the staff and youth of GSA Network who provided important research, input, feedback, and photos for this report. We would also like to thank Jason Killinger, Graphic Designer and Artist. Finally, a special thanks goes to the youth and adult representatives of the youth-serving organizations that participated in this study.

SUGGESTED CITATION:

Burdge, H., Hyemingway, Z. T., Licona, A. C. (2014). *Gender Nonconforming Youth: Discipline Disparities, School Push-Out, and the School-to-Prison Pipeline.* San Francisco, CA: Gay-Straight Alliance Network and Tucson, AZ: Crossroads Collaborative at the University of Arizona.

Gay-Straight Alliance Network
1550 Bryant Street, Suite 600
San Francisco, CA 94103

(415) 552-4229

www.gsanetwork.org

Rhetoric, Composition,
and the Teaching of English
University of Arizona
PO Box 210067
Tucson, AZ 85721-0067

(520) 621-7216

http://english.arizona.edu/rcte/crossroads-collaborative

Frances McClelland Institute
Norton School of Family and Consumer Sciences
McClelland Park, Suite 235
650 N. Park Avenue
Tucson, AZ 85721-0078

(520) 621-8067

www.mclellandinstitute.arizona.edu

INTRODUCTION

About the Research

The Crossroads Collaborative at the University of Arizona and Gay-Straight Alliance Network collected data for this research brief through a series of adult interviews, youth focus groups, and survey distribution beginning in early 2012. Adult interviewees were invited to participate based on their local and national work related to the school-to-prison pipeline (STPP) and their knowledge of disciplinary practices and disparities. Focus group participants were lesbian, gay, bisexual, transgender, queer, questioning (LGBTQ), and straight-allied youth. These youth participated in a survey designed to learn more about disciplinary practices within schools and the possible effects on LGBTQ youth and those perceived as LGBTQ, as well as youth of color and disabled youth. Youth surveys were accessed online as well as given out in paper form to GSA clubs in high schools, drop in centers, youth conferences, and youth camps across the country.

In our focus groups, youth self-identified across lines of race, class, ability, gender, sexuality, and region. Their stories provide important insights into school push out practices that are connected to the ongoing production of the STPP and the criminalization of youth who are LGBTQ, gender nonconforming, low-income, disabled, and/or youth of color.

Gender Nonconforming Youth

Gender nonconformity, or GNC, is a term used to describe a person's identity or expression of gender. A GNC person may express their gender through the clothes they wear, the activities they engage in, the pronouns they use, and/or their mannerisms. This expression may embrace masculinity, femininity, neither, or both. GNC is also an umbrella term used to describe various gender identities such as genderqueer, gender fluid, boi, gender neutral, and/or transgender. In general, GNC youth do not conform to stereotypical expectations of what it means to be and to look like a male or a female.

Gender Nonconforming Youth and School Climate

Findings in this study support previous research illustrating that LGBTQ youth (some of whom may also be GNC) are frequently and repeatedly harassed and bullied at school.[1] According to one participant,

> There [were] boys [at] lunch that would constantly throw rocks at me and say very rude stuff like call me 'faggot' and other rude words… That made me feel very unwelcome because I was getting hurt not just mentally but physically.[2]

However, young people in this study overwhelmingly report that GNC youth, in particular, are regular targets of bias-based harassment and bulling at school. For example, according to one participant,

> His gender expression was more female…unfortunately his way of expressing himself…may have contributed to a lot of harassment.[3]

Participants also report that school staff do not adequately protect GNC students when bullying and harassment occur. One GNC youth explains,

> I think it was just more bullying by students and, 'cause the administration didn't really care, I knew they didn't really care.[4]

Furthermore, in some cases school staff are even described as the perpetrators of harassment.

> Some of my security guards are coaches, so when they do see a more feminine male, they do kind of tease them…you can tell they make jokes…like when they see someone like that they're like 'oh he's a fairy…'[5]

Gender Nonconforming Youth and the School-to-Prison Pipeline

The school-to-prison pipeline, or STPP, refers to a set of school policies and practices that push students away from education and onto a pathway toward the juvenile detention and the prison industrial complex. School policies and practices that promote the STPP include "zero tolerance" policies, increased police presence, suspension and expulsion, and harsh and disparate disciplinary practices.

Research has demonstrated that students pushed out by such policies, practices, and disciplinary disparities are disproportionally students of color and low-income students. However, findings from this research study are consistent with other recent studies suggesting that disabled, LGBTQ, and GNC students are also facing discipline disparities and school push out.[6] **Our research shows that GNC youth in particular face persistent and frequent harassment and bias-based bullying from peers and school staff as well as relatively greater incidents of harsh school discipline, and consistent blame for their own victimization.**

FINDING ONE

Gender Nonconforming Youth Report Incidents of Harsh School Discipline and Biased Application of Policies

Participants in this study overwhelmingly report cases where GNC youth receive differential discipline and harsher punishments than other students who commit the same infraction. According to the youth interviewed, teachers interpret and treat gender nonconformity as a disruption or a challenge to authority. One student describes how a GNC girl was treated differently than other students:

> “...There’s one student in my class who’s masculine and she [came] in to class super late and it’s totally unexpected of her because she always comes in on time and...the teacher had got so mad at her and put her out of class and I was like ‘what was the purpose?’ You see all these other boys coming in late and matter of fact there was a boy who came in right after her and the teacher let him stay in the classroom.[7]”

Discipline disparities for GNC boys were also reported where a “more feminine” boy is singled out and disciplined for something that other students in the class are also doing.

> “...and the boy who acts more feminine is doing the same thing as the girls and...[the teacher] was like ‘okay you’re coming outside with me... because you are talking and I told you multiple times to stop’ and I was like, ‘really? You don’t see the girls over there?’[8]”

Similarly, one student explains how a teacher threatened to remove him from class for an extended period of time because of his gender presentation and expression:

> I put on makeup…and I have huge gestures…it's my way of expressing myself and one of the teachers…was like 'if you're going to [put on makeup] in my class then I'm going to have to put your desk outside for the rest of the year' and I was like 'oh um where did this come from?'…I mean everyone does it, but I guess I'm the only one who's not supposed to…[9]

In these cases teachers have used exclusionary discipline to single out GNC students, and in some cases remove them from the classroom for the same or similar infraction as their peers. This practice is an indication that GNC students' gender identity, expression, or presentation is perceived to be a distraction or an act of defiance worthy of punishment.

Our study indicates that exclusionary discipline can lead to school push-out.[10] Exclusionary discipline includes removal from classrooms, suspension, expulsion, and/or involuntary transfers. According to the ACLU, such disciplinary practices have increased dramatically in recent years "despite research demonstrating the increased likelihood of students subjected to exclusionary discipline to be cited for future behavioral problems, have academic difficulties, and drop out of school."[11]

FINDING TWO

Gender Nonconforming Youth Report Being Blamed for Their Own Victimization

GNC youth report frequent harassment and bullying from school staff, yet when they seek help they are often told the bullying is their own fault.

> When I would tell on a bully...[teachers and administrators] would completely just go on their side and say, 'oh it's your fault because you're just provoking them with your clothing or what you're wearing all the time'...I think I was treated differently just because I was different from other people and they didn't want to face the facts that they had a different person in their school...Like they wanted me to act like someone I wasn't going to be...they wanted me to act like a 'normal' person like no feminine clothes or any of that.[12]

Students who are bullied and do not have access to supportive services or safe interventions may find that fighting back is their only option.[13] Zero tolerance policies, which were originally intended to protect victims of bullying, instead punish the very youth they seek to protect. One participant explained how a young person was punished for protecting themselves from a bully:

> I saw two kids get in a fight once and they were both sent to the office obviously after campus police basically surrounded them and pulled them apart, well I found out they were both given the same punishment and I later heard the official story was one was bullying the other and the bullied one fought back so why would you punish the victim for fighting back?[14]

When students are told that their gender expression and presentation provokes bullying, and when students are punished for protecting themselves and/or fighting back, the message they receive is that they are the problem. According to one participant,

> There's lots of queer [girls] who are more butch and masculine in appearance where guys want to push them and bully them and stuff like that, and when they fight back then it's their fault for, you know, starting the fight...[15]

GNC youth are told that they need to conform to societal expectations and norms regarding typical male or female behavior, appearance, and expression in order to avoid bullying and harassment as well as zero tolerance type policies and other harsh disciplinary practices.

Since GNC youth are often bullied and harassed, they may be especially vulnerable to the negative impacts of zero tolerance policies. Zero tolerance policies, which often use exclusionary practices, can result in academic challenges and school push-out since youth who are removed from class are more likely to fall behind.[16] In addition, "students who face harsh discipline often feel alienated from their schools, resulting in more absenteeism."[17]

CONCLUSION

Challenges Facing Gender Nonconforming Youth Come from Multiple Directions

In addition to frequent harassment and bullying from peers, GNC youth also report:

- Lack of support or protection from teachers, administrators, and school site staff
- Accounts of harassment and bullying perpetrated by teachers, administrators, and school staff such as campus security guards
- Discipline disparities such as frequent and/or harsher punishment for the same or similar infraction in comparison to their peers
- Marginalization such as exclusionary discipline used to deny educational time
- Victim blaming where GNC youth are labeled as the ultimate problem.

These types of challenges build upon one another to create "school push-out," where many GNC youth are marginalized in school or are pushed out of the school system altogether. This exclusion presents immediate risks to GNC youths' academic success[18] and well-being and, moreover, sets them on a path towards the criminal justice system perpetuating the school-to-prison pipeline.

School Push-Out

School push-out is a term that addresses a student being marginalized in school and/or driven out of school prior to graduation. It differs from the term "drop-out" in that it acknowledges the multiple school-based conditions and forces at play in marginalizing students in the classroom and in school as well as pressuring students to leave school prematurely. Students who are pushed out of school stop going to school altogether, enroll in an alternative or disciplinary school, or enroll in a GED program.

Accordingly, it is not surprising that LGBTQ youth make up approximately 15% of the juvenile detention population but only 6% of the general population.[19] While there is no data specific to GNC youth population in juvenile detention centers, it is likely that many of the young people represented among that 15% are GNC.

Further research is needed to learn more about the specific challenges facing GNC youth, how to stop school push out and dismantle the school-to-prison pipeline, and how to support the academic success and well-being of GNC youth in schools and beyond.

SOURCES:

1. Burdge, H., Snapp, S., Laub, C., Russell, S. T., Moody, R. (2013). *Implementing Lessons that Matter: The Impact of LGBTQ-Inclusive Curriculum on Student Safety, Well-Being, and Achievement.* San Francisco, CA: Gay Straight Alliance Network and Tucson, AZ: Frances McClelland Institute for Children, Youth, and Families a the University of Arizona.

Kosciw, J. G., Greytak, E. A., Bartkiewicz, M. J., Boesen, M. J., & Palmer, N. A. (2012). *The 2011 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual and Transgender Youth in Our Nation's Schools.* New York: GLSEN.

San Francisco Unified School District LGBTQ Support Services (2011). *Keeping Our LGBTQ Youth Safe and In School: 2011 Youth Risk Behavior Survey Results.* San Francisco: Retrieved from www.healthiersf.org/LGBTQ/GetTheFacts/Health.html.

2. Focus group youth participant

3. Focus group youth participant

4. Focus group youth participant

5. Focus group youth participant

6. See Center for American Progress, *Beyond Bullying: How Hostile School Climate Perpetuates the School-to-Prison Pipeline for LGBT Youth* (2014). http://www.americanprogress.org/issues/lgbt/report/2014/02/27/84179/beyond-bullying/

7. Focus group youth participant

8. Focus group youth participant

9. Focus group youth participant

10. See also, Tuck, E. (2012). *Urban Youth and School Pushout: Gateways, Get-Aways, and the GED.* New York, NY: Routledge.

11. *Discipline in California Schools: Legal Requirements and Positive School Environments.* https://www.aclunc.org/sites/default/files/discipline_in_california.pdf

12. Focus group youth participant

13. See USA Today: *Bullied Gay Teen Expelled After Bringing Stun Gun to School.* http://content.usatoday.com/communities/ondeadline/post/2012/05/bullied-gay-teen-brings-stun-gun-to-school-faces-expulsion/1#.U8RCqY1dV39

14. Focus group youth participant

15. Focus group youth participant

16. Education Week, *Study Measures Bullying's Academic Toll* (2011). http://www.edweek.org/ew/articles/2011/08/23/02bully.h31.html

17. Advancement Project, The Alliance for Educational Justice, and Gay-Straight Alliance Network (2012). *Two Wrongs Don't Make A Right: Why Zero Tolerance is Not the Solution to Bullying.* http://www.gsanetwork.org/files/aboutus/APJ-005_D5-FINALsmall.pdf

18. See note # 16

19. Irvine, A. *"We've Had Three of Them": Addressing the Invisibility of Lesbian, Gay, Bisexual and Gender Non-Conforming Youths in the Juvenile Justice System.* Columbia Journal of Gender and Law. (19) 3, 676-677 (2010).

Gay-Straight Alliance Network (GSA Network) is a national youth leadership organization that empowers youth activists to fight homophobia and transphobia in schools by training student leaders and supporting student-led Gay-Straight Alliance clubs. GSA Network operates the GSA Network of California and the National Association of GSA Networks, which unites 39 statewide networks of GSA clubs.

The Crossroads Collaborative, a think-and-do research lab co-directed by Adela C. Licona and Stephen T. Russell, University of Arizona (UA) faculty, also includes postdoctoral research associates, graduate students, youth participants, and youth-oriented community partners. The collaborative is dedicated to advancing and engaging in action-oriented research, graduate training, public conversation, and ultimately social change in the area of youth, sexuality, health, and rights (YSHR). The Crossroads Collaborative aims to lead and engage others in an informed and productive dialogue around YSHR. We seek to shift discourses and practices and to generate and enhance discussions at the crossroads between academic disciplines, researchers and community organizations, youth, media, experiential knowledge, and public advocacy and policy.