



## Why NEA Members Support the Equality Act

The 3 million members of the National Education Association teach, nurture, and support 50 million students in thousands of communities. NEA members strive to ensure that all students have everything they need to learn, grow, and reach their potential. This happens only when LGBTQ students believe they are accepted and respected, regardless of their sexual orientation or gender identity. The same acceptance and respect must hold true for LGBTQ educators who support them.

We support the Equality Act (S. 393) because:

- It explicitly provides consistent non-discrimination protections based on sexual orientation and gender identity through amending federal laws, such as the Civil Rights Act of 1964; and
- It expands discrimination protections to cover federally funded programs and public accommodations.
- It gives LGBTQ educators a greater sense of security in their schools, enabling them to be a resource to LGBTQ students—who are bullied and harassed more often than other students.
- Most states lack non-discrimination policies that include sexual orientation and gender identity. This patchwork of laws makes LGBTQ citizens vulnerable to discrimination and sends the message that they are second-class citizens. The Equality Act is crucial in changing this status quo.

We offer these testimonies from NEA members in connection with [our letter](#) (submitted on March 15) for the Committee on the Judiciary’s hearing, “The Equality Act: LGBTQ Rights are Human Rights.”

### **Anna B., Washington**

I am a queer-identified trans woman and middle school educator, who came out and outwardly transitioned a little over four years ago. I made the public transition upon my return to school in the fall. As you can imagine, students were curious, and when they brought up questions, I addressed them. I was careful, of course, to protect personal and professional boundaries, while at the same time educating students on what it means for me to be transgender.

In December, I was pulled aside by my principal and was asked if I was teaching my students about being gay or lesbian. I was told that students were talking about these topics at lunch and recess, and I was told that these discussions were so concerning to other educators that they brought it to the administrator’s attention. I would later find out that I was the only teacher who was questioned by the principal, despite these students having other teachers throughout the day.

It was assumed that because I was transgender, I must be talking about sexuality in class and taboo sexual identities on top of it all. I was told to “be careful.” I was deeply troubled by the conversation, and when I was able to compose myself, I later went to my administrator to share my feelings. I was blown off and told “not to worry about it.” I continue to work in the same district and school where this

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occurred, but unfortunately the damage is lasting and has deeply impacted my relationship to my job. I have and continue to encounter microaggressions from the faculty as well.

This is an experience that only a few of my colleagues knew about until recently. Since then, I have told my story more openly, to educators both inside and outside of my building and district. I have received numerous words of support, encouragement, and frustration over why this happened and how it has remained unchecked and how I have been left unsupported by leadership. Part of me is fearful of speaking out for fear of retribution, but I will speak my truth.

My experience in the workplace was unexpected but not unique. While progress has been made, people across the LGBTQ+ spectrum continue to experience similar acts of discrimination in the workplace that impact their safety, physical and mental well-being, and potentially their careers. I support the Equality Act because it would offer consistent and explicit non-discrimination protections for LGBTQ+ persons in the workplace, housing, education, and elsewhere not only on the basis of sexual orientation, but also gender identity.

### **Clinton McCracken, Florida**

I lived in a constant state of fear as a young boy, afraid that someone would find out I was gay. I grew up in a very conservative, religious, Midwestern family and I have many memories of my father preaching about how all homosexuals would burn for eternity. The attraction I had for other boys was considered a sin. And while other children my age were holding hands and learning to navigate relationships and teen love, I believed I would be going to hell for something I had no control of. I had never told anyone how I felt, and I held that secret halfway through college. The best I could do was hide that shame with every ounce of energy I had.

Despite holding this part of me secret, I was still a target because I acted and sounded “gay.” I was called a faggot nearly every day in my high school hallways. Many teachers heard this and did nothing about it. During my freshman year, one teacher even participated in name calling. I later learned that this teacher went on to become a principal.

I was beat up at a high school party and called a faggot over and over while being kicked in the face and stomach. After reporting this to the police, I was told to drop the allegation because the man who beat me said I instigated it. I was too embarrassed to tell my parents what I was called during the beating or how many classmates stood around in a circle watching it.

When I went to college, I was elated to escape my hometown and start a new life without being afraid every day, but unfortunately, I endured more of the same. When I tried to join a fraternity, I was declined membership because they thought I was gay. I then began receiving phone calls in the night from another fraternity house asking if I would be their boyfriend. I received threatening notes left on my books and the word “faggot” was written on art projects for class. I was afraid to walk to my dorm room after dark for fear of being assaulted. I could not take the discrimination anymore and transferred to another school during my third year.

At this new school, I was able to confront my secret and begin a process of acceptance. Within a few months I was attending an LGBT student club and the following year became the leader of that group. I helped create several educational programs in an attempt to open people's eyes and hearts to who we

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are as people. Although I felt supported by wonderful friends at this new school, my journey was upended when I received a death threat saying someone was going to “blow your head off with a shotgun.” But fortunately for me, I was finally in a place where I received support and I was surrounded with people who affirmed my dignity and worth as a human.

Coming out in many ways removed most of the threats I felt since being a young boy. I started to take away the power others held over me by beginning that journey of acceptance. Despite this, the constant threat of discrimination is still there; LGBTQ+ people experience a life where they are forced to edit themselves in fear of how they will be perceived. Because we don’t have legal protections in many places in this country, people who are intent on harming us are empowered to continue their assaults. A few years after I became a teacher, I showed up to school and found that nearly every window on the ground floor had photocopied paper taped to it saying that I was gay and that parents should “beware.” The Equality Act establishes my humanity and would send a powerful message to people who would consider discriminating against me. Although it wouldn’t change many extreme religious repudiations, it would wrap a blanket of protection around young children and also frightened adults who are feeling alone, traumatized, and vulnerable. Sometimes the biggest lesson we can teach our youth is what we, as adults, value. Do we value diversity, love, and inclusion or do we value hatred, bigotry, and discrimination?

### **Emily Osterling, Ohio**

I was an educator in southwest Ohio for over 19 years, and I am a proud member of the LGBTQ+ community. I have spent the last several years advocating for LGBTQ+ students and educators as the Chair of the National Education Association LGBTQ+ Caucus. This is an organization whose purpose is to: protect the rights and interests of LGBTQ+ educators and their allies, promote recognition of the needs and constitutional rights of LGBTQ+ students, and advance the understanding and acceptance of LGBTQ+ people in all areas of society.

In this role, I was approached by a school board member about a parent within my district who had a transgender son. The school board member had one request: Please go and hear her story. After listening to this parent share her family’s journey and express concerns about the way the district was choosing to accommodate her son’s transition, it was clear there was a need. The district lacked policies that explicitly protected transgender students. While there was blanket nondiscrimination language, the district failed to outline protections and safeguards for bathroom and locker usage, field trips, athletics, staff training, and more.

We began to organize around the need for district policy that would clearly outline expectations to students, staff, and community members. We organized within the community, conversing with school board members, staff, students, parents, and members of the community. In December 2017, a new policy was brought forward and voted on by the school board. Unfortunately, the school board voted 3 to 2 not to implement policy, leaving students and staff devastated and with no explicit direction. Students felt unprotected and staff members lacked the tools and knowledge necessary to fully accommodate transgender students.

As a member of the staff, I felt that it was imperative that we receive adequate training in order to ensure that our transgender students felt safe and respected. I spoke out at several school board meetings asking for training, but my message fell on deaf ears. Instead of providing districtwide training, the administration began to look for ways to shut the conversation down. In May 2018, I was asked to

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voluntarily resign or face termination proceedings. My career was on the line and I chose to fight back. In September 2018, I filed a federal lawsuit against my school district on the basis of wrongful termination, retaliation, and violation of first amendment rights. And in order to avoid additional negative publicity the school district settled in January 2019. While I never went to court, the damage was done.

I am a tenured teacher who has lost my job simply for speaking out. But more importantly, the most vulnerable students are still without the protections that they desperately need. I felt as though I was not only targeted as a lesbian teacher, but, more importantly, for advocating for the LGBTQ+ students in my school district. We need the Equality Act because it will provide nationwide nondiscrimination language inclusive of all individuals.

Sexual orientation and gender identity or expression should not define an individual, and more importantly it should not be used against an individual. People should not live in fear of being their authentic selves. They shouldn't be forced to hide who they are or who they may love for fear of losing their job.

The Equality Act forces employers to treat all individuals equally. Most Americans support protections against discrimination; the Equality Act provides equity. It allows individuals to be evaluated on merit versus their sexual orientation or gender identity. As someone who has experienced society's homophobia and transphobia, I urge you to pass the Equality Act.

**Submitted by:**

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