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**California's LGBTQ+ Rights Movement: Pioneering
Towards Progress and Equality**



Transgender flag from California Legislative LGBTQ Caucus Records (2021-046), California State Archives, a division of the California Secretary of State's Office

A learning resource from the California State Archives, a division of the California Secretary of State's Office



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Description

This education guide uses the California State Archives' online exhibit, *The California Legislative LGBTQ Caucus: Working Towards Change in the Golden State*, to help students analyze the LGBTQ+ rights movement in the United States with a focus on California. Students will learn about the differences between a domestic partnership and a marriage, define important terms related to LGBTQ+ history, participate in a letter-writing group activity, and analyze the LGBTQ+ rights movement by writing a short essay. Supported by California social science and history standards, students will identify the movement's past struggle, progress, and current challenges.

Grade Levels

Grades 11-12

Time

3.5 hours

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Curriculum Standards

Historical and Social Science Content Standards (Grades 9-12)

Pg. 41: Historical Interpretation: 1. Students show the connections, causal and otherwise, between particular historical events and larger social, economic, and political trends and developments.

California History Social Science Framework (Grade 11)

Pg. 431: In what ways have issues such as education; civil rights for people of color, immigrants, and **lesbian, gay, bisexual, and transgender (LGBT) Americans**, and disabled Americans; economic policy; recognition of economic, social and cultural rights; the environment; and the status of women remained unchanged over time? In what ways have they changed?

California Common Core Standards (Grades 11-12)

Pg. 81: Key Ideas and Details: 1. Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole. 2. Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

Pg. 89: Research to Build and Present Knowledge: 9. Draw evidence from informational texts to support analysis, reflection, and research.

Learning Activities

A. Historical Timeline: LGBTQ+ Rights

Directions: Read the timeline below. Then, fill in the empty years after viewing the California State Archives' [The California Legislative LGBTQ Caucus online exhibit](#). There is a slide number next to each highlighted year (with an asterisk) so that you can find a description of the event in the exhibit. Slide 1 starts at the title page of the online exhibit.

- **1610:** The Virginia colony adopts sodomy laws and makes sexual relations between two men punishable by death. In time, sodomy laws are passed throughout the United States.
- **1889:** Hull-House, the first social settlement in the U.S, is founded in Chicago by Jane Addams along with other women. As a social settlement, it provided day care, classes, housing, and employment opportunities for women. Addams was in two separate "Boston marriages" with her long-term same-sex partners. "Boston marriage" was a term used at this time for cohabitation between two independent women without financial support from a man.
- **1918-37:** The Harlem renaissance was an intellectual and cultural revival of African American culture, particularly in the creative arts, centered in Harlem, New York City. Many gay, lesbian, and bisexual people were part of this movement.
- **1950*:** Go to slide #3 from the online exhibit to read about this important event and describe it below.
- **1952:** The Immigration and Nationality Act bans foreigners on grounds of being homosexual or being suspected of homosexuality.
- **1953:** President Eisenhower issues Executive Order 10450, which bans homosexuals from working for the federal government, stating they are a security risk. During the McCarthy era (late 1940s to 1960s), thousands of gay employees lost their jobs as they were not only considered security risks but also communist sympathizers.
- **1955*:** Go to slide #3 from the online exhibit to read about this important event and describe it below.

- **1969** (June 27-29): Riots and protests break out after New York City police raid the Stonewall Inn, a gay bar in NYC, and 13 people are arrested. This event will galvanize the gay rights movement across the United States.
- **1975**: The Civil Service Commission announced that gay people could not be barred or removed from federal employment. Earlier that year, AB 489 passes, decriminalizing sodomy in California.
- **1977***: Go to slide #4 from the online exhibit to read about this important event and describe it below.

- **1981**: The first cases of a rare lung disease, which would become known as AIDS (Acquired Immune Deficiency Syndrome) are detected among gay men in New York and California. Infections soon spread beyond that particular demographic. In 1983, the San Francisco AIDS foundation is formed. After years of silence, President Reagan finally mentioned AIDS publicly in 1985, with Congress allocating nearly \$190 million for AIDS research that year.
- **1990**: The Immigration Act of 1990 removes homosexuality as grounds of exclusion from immigration to the United States.
- **1993**: President Clinton signs the "Don't Ask Don't Tell" legislation that prohibits inquiry, discrimination or harassment of closeted gays, lesbians, and bisexuals in the U.S. military. However, individuals would be discharged if they disclose their sexual orientation while in service. This policy was repealed in 2010.
- **2002***: Go to slide #5 from the online exhibit to read about this important event and describe it below.

- **2008** (May): The California Supreme Court legalized same-sex marriages, but in November of 2008, California voters passed Proposition 8 which banned same-sex marriage. In 2010, the U.S. District Court for the Northern District of California ruled Proposition 8 unconstitutional.
- **2011***: Go to slide #8 from the online exhibit to read about this important event and describe it below.

- **2013**: The U.S. Supreme Court issued a ruling in *Hollingsworth v. Perry* that proponents of Proposition 8 did not possess legal standing to defend the

law in federal court. Same-sex marriage resumed because of the district court's 2010 decision.

- **2013:** The U.S. Supreme Court ruled in *U.S. v. Windsor* that Section 3 of the Defense of Marriage Act (DOMA), which denied federal recognition of same-sex marriages, was unconstitutional. DOMA defined marriage as being between a man and a woman. As a result, the federal government would need to recognize same-sex marriages that had been legitimized by the states.
- **2015*:** Go to slide #24 from the online exhibit to read about this important event and describe it below.

B. Domestic Partnership and Marriage

Directions: Read the section below and slides 9 to 24 from [The California Legislative LGBTQ Caucus online exhibit](#) to answer the following multiple-choice questions. See answers in the appendix.

In 1999, Assemblymember Carole Migden's Assembly Bill (AB) 26 passed and instituted California's first domestic partner registry for same-sex couples. A few years later, Migden's AB 25 (2001) significantly expanded the rights of domestic partnerships by including health care rights, employment benefits and estate planning. In 2003, Assemblymember Jackie Goldberg's AB 205, The Domestic Partners Rights and Responsibilities Act of 2003, further expanded the rights of domestic partnerships by including the ability to own property, joint obligation over debt, the ability for partners to decide medical treatment for spouses and child custody.

One of the primary differences between domestic partnership and marriage is the ability to receive federal benefits, as a domestic partnership is not recognized at the federal level. Federal benefits such as sponsoring a non-citizen partner to apply for citizenship, the ability to file federal taxes jointly and being entitled to partner's social security benefits are not available to domestic partners. Domestic partnerships are registered with the Secretary of State's office. In 2013, the Supreme Court legalized federal recognition of same-sex marriages legitimized in states. Therefore, federal benefits can only be achieved through a union of marriage.

Multiple-choice Questions

1.) Which of the following was not an important milestone towards LGBTQ+ equality?

- a.) AB 25 (2001)
- b.) Proposition 8 (2008)
- c.) AB 205 (2003)
- d.) The 2013 Supreme Court judgment legalizing federal recognition of same-sex marriages performed in states.

2.) Which of the following is a benefit of marriage but not domestic partnership?

- a.) The ability to make critical medical decisions for each other
- b.) Conservatorship, a court case where the judge appoints a responsible person (known as the conservator) to take care of another adult who cannot care for himself or herself.
- c.) Child custody, the ability to receive custody of a child upon termination of marriage or domestic partnership.

d.) Federal benefits, such as sponsoring a non-citizen partner to apply for citizenship

3.) What is Assemblymember Mountjoy referring to when he states that AB 205 is against the will of the people of California?

a.) Proposition 22 (2000) results

b.) The California State Constitution

c.) Proposition 8 (2008) results

d.) AB 1263 (2001)

4.) Where can you register for a domestic partnership?

a.) Secretary of State's Office

b.) A local county office

c.) California Superior Court

d.) Department of Motor Vehicles

C. Identifications (IDs)

Directions: Read about the topics listed below in [The California Legislative LGBTQ Caucus online exhibit](#). Then, define the terms - include the time they are from, and explain their significance.

1. Harvey Milk: Milk's biography is on slide #4 of the exhibit.
2. California Legislative LGBT Caucus: Find a summary of the Caucus between slide #5 and last slides.
3. Don't Ask Don't Tell: Find information on the slide #11.
4. Proposition 8: Find information on the slide #24.
5. Pride Month: Find information between slide #25 and slide #27.

D. Group Activity: Writing to a Local Representative

Directions: The teacher will assign students to groups of four. Each group will conduct research, outline their ideas together and write a single letter to their district's assemblymember or state senator describing an LGBTQ+ issue that needs attention and proposing steps that their state legislator could take to resolve it. Think of the issues that have remained unchanged and issues where there has been progress when you write the letter.

Group members will choose a research topic through mutual agreement and divide the research equally among each of the members. Each member will focus on one research aspect of the issue, discuss their ideas with the group, and write one paragraph of the letter, resulting in a four paragraphs letter for each group. This process will ensure equal participation in research and letter writing.

One of the suggested topics is listed below, but students can also choose an LGBTQ+ issue of their choice and conduct research.

How can LGBTQ+ curriculum in school textbooks be strengthened? The [California Department of Education website](#) includes helpful links and resources for your research. [The California Legislative LGBTQ Caucus online exhibit](#) discusses the history of LGBTQ+ curriculum legislation in California.

E. Short Essay: LGBTQ+ Rights Movement

Directions: Write a short essay (3-4 paragraphs) answering the following question. Use the historical LGBTQ+ timeline in Section A, [The California Legislative LGBTQ Caucus online exhibit](#) and [this article discussing gay rights from History.com](#) for your research and draft a response.

How did the LGBTQ+ rights movement evolve and become a significant rights-based movement?

F. Appendix

Domestic Partnership and Marriage multiple-choice answers

1. B
2. D
3. A
4. A