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They Didn't Just Ban the Flag, They Banned the Body: Neutrality Policy, Intersectional Critique and Legal Contestation in California Schools

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**They Didn't Just Ban the Flag, They Banned the Body:
Neutrality Policy, Intersectional Critique and Legal Contestation in California
Schools**

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Abstract

This study examines a legal challenge brought by two Chicana ethnic studies educators against their California school district following the implementation of Board Policy 6144, a political neutrality policy governing “controversial issues.” Drawing on testimonios, we examine how the policy traveled into a local district, how administrators weaponized its vague language and how its enforcement disproportionately targeted LGBTQ+-inclusive classroom practices while leaving other political and religious expressions undisturbed. We argue that neutrality has nothing to do with pedagogical principles and more to do with whose knowledge and identities belong in a public school and whose presence needs to be managed. The case also underscores the importance of collective bargaining and statutory labor protections, which provide educators with formal avenues for recourse and accountability when administrative overreach occurs. By tracing how neutrality policies travel, acquire legitimacy and become selectively enforced, this study shows how growing attacks on LGBTQ+ inclusion and educator autonomy take shape through everyday administrative discretion.

Keywords: *Political neutrality; policy mobility; administrative discretion; teacher speech; LGBTQ+ inclusion*

Introduction

On January 29, 2025, President Trump signed Executive Order 14190, "Ending Radical Indoctrination in K–12 Schooling," directing federal agencies to eliminate funding for schools engaging in education characterized as "gender ideology" or "discriminatory equity ideology" and reinstating the 1776 Commission to promote a patriotic version of American history. However, this was not the beginning. Far before federal policy caught up, local school boards across the country had been doing this work quietly, adopting vague neutrality policies through professional networks, enforcing them through administrative discretion and using the language of balance and parental rights to suppress LGBTQ+ visibility and equity-oriented teaching without ever having to say so explicitly (López & Aguilera, 2024). In fact, what happened in Sintenel Pines Unified in 2022 was not a response to federal pressure. It represents the local groundwork the Trump administration is now capitalizing on, where authoritarianism and the language of neutrality and parental rights had already been established as sufficient cover for suppressing LGBTQ+ visibility and inclusive teaching, and where educators had already developed the resistance strategies the current political moment demands at scale.

This study examines a legal challenge brought by two Chicana ethnic studies educators (Mikaela and Karla) against their California school district following the implementation of Board Policy 6144 ("Controversial Issues"), a model policy language circulated by the California School Boards Association (CSBA) and adopted without union negotiation or public deliberation. BP 6144 was enforced almost exclusively against LGBTQ+-inclusive classroom practices such as the display of Pride flags, GSA activities and affirming language, while politically and religiously coded symbols favored by the institutional majority went undisturbed. When enforcement violated the Educational Employment Relations Act (EERA), which protects California teachers' rights to engage in concerted activities and requires districts to negotiate over working conditions, the educators pursued a formal legal grievance and won.

Drawing on testimonios (Pérez Huber, 2009), we trace how model policy language traveled into a local district, how administrators interpreted and enacted its provisions, and how those interpretations constrained LGBTQ+ visibility, disrupted educator solidarity and compelled educators to navigate the personal and professional costs of contesting institutional directives. The case reveals how neutrality policies gain legitimacy through professional networks devoid of evidence, and become powerful through local, administrative enactment. It

also highlights the complexities of institutional power, such as how administrators of color enforced these governance practices, demonstrating that representation alone does not dismantle the racialized and heteronormative systems through which schools define professionalism and belonging.

About this Study

This case was first identified as part of a broader study with Central Valley educators navigating political neutrality policies across two districts (López & Aguilera, 2024). That study showed how neutrality fuels ideological asymmetry, selective silence and self-censorship. The present study extends those findings through sustained testimonio with Mikaela and Karla, tracing their case through its full legal resolution. Where the broader study establishes neutrality as a mechanism across a sample of educators, this paper asks two more specific questions: *how does neutrality discipline speech and whose bodies is it built to regulate; and what becomes legally possible when that regulation is formally contested, and what does the fight cost educators who refuse to comply.*

Both studies emerged from relationships. Mikaela is an openly queer Chicana ethnic studies teacher whose classroom, pedagogy and presence were the primary targets of BP 6144's enforcement. Karla is a Chicana ally and ethnic studies teacher from the local community whose knowledge of the district's politics shape her understanding of the conflict and whose ways of knowing endured professional consequences for her solidarity. Both illuminate the embodied, lived realities of how neutrality policies regulate queer bodies and the relationships and coalitions that sustain them. As women of color who navigated institutional hostility together while untouched peers did not, Mikaela and Karla bring distinct but deeply related perspectives related to anti-LGBTQ+ contexts.

Drawing on Cindy Cruz's (2001) theorization of epistemologies of the brown body (Cruz, 2001), BP 6144 can be understood as doing more than regulating a symbol; it regulates a body whose presence challenges dominant institutional norms while making visible what official discourse conceals and what institutions try to silence. Mikaela's queer Chicana body, her visibility, her decolonized pedagogy and her solidarity with LGBTQ+ students exceeded what the institution had determined to be professionally appropriate. The surveillance of her Pride flag was inseparable from the surveillance of her presence. Karla, a Chicana ally rooted in the

Sintanel Pines community with firsthand knowledge of its politics and internal networks, endured her own form of institutional hostility not because of her sexual orientation but because of who she publicly stood with and refused to abandon.

Patricia is a former professor of Mikaela and Karla who has maintained close ongoing relationships with both as they navigate institutional politics, professional challenges and this legal conflict. Her role is that of an ally-scholar and activist educator who did not discover this case, but rather, accompanied it. Her position resembles what Cruz (2011) calls faithful witnessing, when the researcher's commitment to aligning herself with communities targeted by institutional power rather than observing them from a distance. Faithful witnessing is not neutral, it goes against the grain of institutional power by insisting that the people whose bodies and knowledge have been rendered illegible are the experts on what was done to them and why. These are the stances this paper takes in its use of testimonios as both a method and political act (Pérez Huber, 2009; Delgado Bernal et al., 2012).

All three authors reviewed the manuscript and participated in decisions about representation, framing and the public stakes of telling this story. Methodologically, all three engaged in an iterative process of collaborative reflection, transcript review, timeline reconstruction and relational meaning-making. Data sources included approximately five hours of in-depth semi-structured testimonios with Mikaela and Karla across multiple sessions, follow-up conversations, alongside analysis of district policy documents, school board records, public statements, union grievance materials, legal decisions and relevant media coverage. Analysis attended to how Mikaela and Karla structured their accounts over time from the sequencing of events, the naming of institutional actors and the emotional to the professional labor of making sense of harm and resistance (Riessman, 2008). Patricia brought research-based frameworks and literature to testimony that Mikaela and Karla had already been theorizing in their own terms, and this paper reflects that ongoing dialogue.

Background and Context

Local District Landscape and Board Policy 6144

Board Policy 6144, titled “Controversial Issues,” is model policy language developed and circulated by the CSBA, an independent nonprofit association representing nearly every school district and county office of education in California. The policy directs that instruction

concerning controversial topics be presented in a balanced manner without promoting any particular point of view and specifies that teachers may not advocate their personal opinion when leading class discussions on issues that may be controversial. It grants administrators broad discretionary authority to exercise “professional judgment” in determining whether a particular issue is suitable for study or discussion. Neutrality is the central claim in BP 6144, but the policy's broad discretionary language makes it impossible to specify what counts as a controversial issue, whose discomfort constitutes a legitimate basis for administrative action, or how the demand for balance applies when one “side” of an issue is the recognition of a student's or educator's humanity.

Understanding how BP 6144 arrived in Sintonel Pines requires understanding how policies travel. Critical policy scholars argue that policies function simultaneously as formal texts and as discourses, carrying rules and assumptions about professionalism, appropriate pedagogy and legitimate knowledge (Flores & Rosa, 2015; Ball et al., 2012; Levinson et al., 2009). Intermediary organizations like the CSBA actively circulate model policy language that local actors adopt to fit their institutional and political contexts, at times devoid of any community deliberations about their purpose or consequences (Peck & Theodore, 2015; Temenos & McCann, 2013). Template policies gain legitimacy through professional circulation, allowing school boards to adopt them as best practices without local discussions or demonstrated educational need (Diem et al., 2019).

Rather than emerging from local concern or community input, BP 6144 has been adopted by numerous school districts across California.¹ At Sintonel Pines Unified, it passed through two board readings in less than a month with no open discussion, no public testimony and no union consultation. The first time most educators encountered the policy was during a staff meeting where their principal presented a slide showing a range of flags such as the Pride flag, the Confederate flag, the Black Lives Matter flag and a Satanic flag, and instructed staff to remove such displays from their classrooms. Karla noted that the slide was presented in school colors, as if it were a routine district announcement. To her, that framing was itself a strategy to normalize a politically charged policy by packaging it in the visual language of ordinary school

¹ CSBA's BP 6144 (“Controversial Issues”) has been adopted by numerous California school districts, including Campbell Union High, Clovis Unified, Irvine Unified, San Dieguito Union High, Santa Barbara Unified, Sanger Unified, and Visalia Unified.

business before educators had a chance to process what they were being asked to do. This was later confirmed and is consistent with what Duarte and Fernández (2025) document about how neutrality policies are mobilized specifically to delegitimize DEI, ethnic studies and LGBTQ++ inclusion by casting their presence as inherently controversial, even in the absence of explicit bans. The policy does not need to name its targets. The institutional baseline is already set up to do that work.

The Local Context: Sentinel Pines Unified

Sintenel Pines Unified School District² is a mid-size public school district in California's Central Valley, enrolling approximately 13,250 students across 20 schools. The student body is 69.7% Hispanic or Latino, 14.2% Asian or Asian/Pacific Islander, 10.4% white and 1.2% Black; nearly half of students are working class (CDE, 2025). Administrative leadership at the time of this case was also largely Latina/o, including district and campus leadership and multiple school board members. This demographic context is analytically essential and BP 6144 cannot be understood as a situation where an Anglo majority imposes its beliefs on a minoritized community. Instead, it shows how whiteness functions as institutional property (Harris, 1993) embedded in long-standing Christian, heteronormative and politically conservative norms that shape decisions throughout an organization regardless of who occupies leadership (Cruz (2001; 2019).

Sintenel Pines is also a community with a distinctive institutional culture. As Mikaela and Karla describe it, the district has long been characterized by close personal and professional networks, a community where people are often hired through existing relationships, where administrators and teachers maintain multi-generational connections, and where institutional loyalty operates as a powerful albeit problematic norm. This culture of interconnectedness is not politically neutral. It creates an environment where challenging institutional decisions carry significant professional and personal risk, and where informal social pressures to conform operate alongside formal enforcement.

² To protect participant confidentiality and maintain the focus on policy enactment rather than the individual district, we use the pseudonym *Sentinel Pines Unified School District* throughout the manuscript. References to legal proceedings and related documents have been anonymized where necessary to avoid identifying participants.

The Conflict: From Pride Week to Legal Contestation

The conflict began when Valley Vista Middle School's (VVMS) Gender-Sexuality Alliance (GSA) organized a Pride Week and administrators informed students and advisors it could not proceed because the high school had not organized a similar celebration. Administrators provided no written policy or formal guidance. As the case unfolded, this became part of a recurring pattern where decisions affecting LGBTQ+ inclusion were communicated informally, lacked clear policy grounding and were justified through shifting explanations.

When BP 6144 was announced in fall 2022, the conflict entered its second phase. The district's public claim was that it was not banning anything, only directing that classroom displays be "curriculum-related." That was contradicted on the ground where teachers were called to meetings, advised verbally to remove their Pride flags and told that a custodian would remove them if they did not. Those directives were never put in writing. In December 2022, students, teachers and parents spoke at a heated board meeting against the policy and a local city councilmember publicly called it "a targeted ban" that was "deeply troubling." While Pride flags were removed or pressured out of classrooms, Blue Lives Matter flags, Bible quotes and conservative imagery remained without any administrative comment.

When a policy like BP 6144 lands in a school, educators do not navigate it in a vacuum. They navigate it inside a legal and professional structure that has already determined how much room they have to push back, and that structure has historically given administrators considerable authority over what teachers can say and do in their classrooms. Three Supreme Court decisions have been especially consequential in shaping that landscape: *Pickering v. Board of Education* (1968), *Hazelwood School District v. Kuhlmeier* (1988) and most significantly *Garcetti v. Ceballos* (2006).

Pickering established a balancing test protecting teacher speech on matters of public concern, while *Hazelwood* expanded administrative authority over school-sponsored expression. *Garcetti* further narrowed those protections by holding that speech made pursuant to an employee's official duties receives no First Amendment protection. Because courts have generally declined to recognize a broad academic freedom exception for P–12 educators, administrators retain substantial discretion to determine what constitutes appropriate classroom expression (see also Eckes, 2010; Zirkel, 2017). In this case, constitutional law offered Mikaela and Karla no remedy. What did offer remedy was the Educational Employment

Relations Act (EERA), a statutory labor framework that requires districts to negotiate with unions over working conditions and to produce documentation when formally requested.

When the union investigated the district's implementation, it found the policy had been adopted without the collective bargaining process required under EERA. The district also failed to produce documentation of the parent complaints it alleged as the primary justification for its actions. These failures became the basis for a formal grievance and ultimately a legal case the district lost. The district was required to post a notice in staff workrooms stating it had violated EERA, would cease and desist from applying BP 6144 to prohibit protected concerted activities and had failed to provide information requested by the teacher's association. However, even after the legal victory, the chilling effect (Peeples, 2025) persisted, as Mikaela reflected: *“people are still afraid of putting up their flags because of potential retaliation.”*

The National and Federal Landscape

The Sintenel Pines case unfolded during a period of intensifying national targeting of LGBTQ+ inclusion in public schools, where the language of parental rights, age-appropriateness and classroom neutrality became the dominant rhetorical vehicle for rolling back LGBTQ+ visibility (McCarthy, 2024; Sánchez Loza, 2023). Florida's Parental Rights in Education Act restricted classroom discussion of sexual orientation and gender identity before expanding those restrictions across the P-12 continuum. Similar legislation spread across Republican-governed states. California arguably maintains some of the nation's strongest statutory protections for LGBTQ+ students and educators, yet the implementation of BP 6144 demonstrates how exclusionary governance can emerge where explicit anti-LGBTQ+ legislation is absent, requiring only policy instruments vague enough to cover administrative discretion, professional enough to circulate through legitimate channels, and neutral-sounding enough to resist easy characterization as discriminatory (Anderson, 2023; Sánchez Loza, 2023). Scholars describe these attacks as part of a broader shift toward educational authoritarianism and democratic backsliding that uses language of neutrality, parental rights and age-appropriateness positions equity-oriented teaching as ideological advocacy (Apple, De Lima & Gandin, 2025; Duarte & Fernández, 2025; Giroux, 2023; Diem & Welton, 2021).

The federal turn has since made explicit what Sintenel Pines was already doing. Executive Order 14190 is now threatening to remove federal funding from schools promoting

“gender ideology” and “discriminatory equity ideology,” including DEI frameworks incorporating discussions of systemic racism. As the American Historical Association and Organization of American Historians stated jointly, the order “grossly mischaracterizes history education” to justify “sweeping and unprecedented federal interventions in public education” (AHA & OAH, 2025). For ethnic studies teachers like Mikaela and Karla, these definitions place scrutiny on teaching about slavery, segregation, voter suppression and other historical realities that continue to shape their students’ minoritized experiences. These federal moves also converge with California’s failure to appropriate the approximately \$276 million needed to implement its ethnic studies graduation requirement, rendering it an unfunded mandate (Blume, 2025; Jones, 2025). As Karla described, the field is “*basically on life support and falling on the shoulders of overworked teachers*,” which makes visible the double bind she and Mikaela are negotiating where their curriculum is mandated but unfunded at the state level and federally targeted as ideologically dangerous and criminal.

Findings

Analysis of Mikaela and Karla’s testimonios reveal three interconnected themes that show how BP 6144 shaped what educators could say, display and stand for in their classrooms.

Identical Practice, Different Body, Different Response

During Karla’s time as a middle school teacher at VVMS, she co-advised the GSA since 2015. Under her advisorship, the club was celebrated institutionally and used for award nominations, invited to present at professional development and touted as evidence of the school’s commitment to inclusivity. The same administration that later moved to shut down Pride Week had championed the GSA when it served the district’s reputational interests. This blatant display of tokenism epitomizes how districts strategically utilize LGBTQ+ visibility to project an image of tolerance while simultaneously policing which expressions are institutionally useful and which require regulation (Blanco-Fernández, & Iñigo, 2026), revealing Sintelén Pines’ bad faith from the start.

In nearly a decade of GSA advising, Karla had never once faced institutional pushback until 2022 when Pride Week was co-organized with Mikaela. The policing intensified when Mikaela became the sole advisor after Karla transferred from VVMS to Sentinel High. The same club, the same activities, but a different body at its helm and a completely different institutional

response. Karla remembers questioning: “*Why are they trying to police her so much? Because they never did that to me.*” Both observed that what changed was the shift from Karla—a Chicana ally whose gender identity did not pose an immediate threat to the institution, to Mikaela, an openly queer Chicana whose presence exceeded what the institution's performed inclusivity could digest.

Despite BP 6144's framing as a general prohibition on contentious classroom displays, its enforcement converged almost exclusively on Pride flags. A school counselor maintained a Blue Lives Matter flag in her office without administrative intervention. Teachers displayed Bible quotes and Fellowship of Christian Athletes posters without consequence. Yet when Mikaela kept her Pride flag displayed, she received a phone call requesting a formal meeting to discuss “classroom neutrality.” White colleagues told her directly: “*Yeah, I have my pride flag up...Dr. Hernández (pseudonym) was in there, and she saw my flag, and she didn't say anything to me.*”

Karla began recalling other instances of unequal treatment towards Mikaela. As far back as 2015, she created a “get-to-know-you” sheet asking students to share their preferred pronouns. This community building exercise was quickly adopted by the entire social science department without any questioning. When Mikaela began using it, she received complaints. Karla put it plainly: “*it was never about the sheet, it was about the person using the sheet.*” This marked what Cruz (2001) names as the epistemology of the brown body made institutional through identical practice, different body, different response. The institution could not name what it was regulating, so it regulated through proximity by way of “complaints” directed at Mikaela whose identity and pedagogy were already marked as excessive before BP 6144 gave the institution language for why. Through this lens, neutrality policies do not need to name their targets explicitly because institutional norms do that work. Districts adopting CSBA model language are not necessarily adopting an explicitly anti-LGBTQ+ position; rather, they are adopting an ideological framework that shapes which LGBTQ+ expressions are tolerable and which require administrative policing. These perspectives travel invisibly because it is already the water in which educational surveillance swims.

LGBTQ+ Expressions and Institutional Belonging

Once Mikaela became the sole GSA advisor, the policing intensified, revealing that what was being regulated was not simply queerness alone, but the presence of queer people and

expressions that challenged institutional norms. Mikaela's testimonio brought her back to an early teaching experience when middle school students called her an “LGBTQ+ b*ch...who probably had a d*ck in her pants.” These comments were met with administrative inaction regardless of frequency and proof. Administrators who declined to intervene when Mikaela was targeted by students moved swiftly to intervene when she displayed a Pride flag. What the policy constructed as requiring administrative attention was organized around the discomfort of those who objected to LGBTQ+ visibility rather than the safety of an educator targeted by bigotry. For Mikaela and Karla, this was not seen or felt as a failure of neutral governance. It is the policy working as designed. Research by Catherine Lugg (2003, 2016) acknowledges these sentiments, showing how LGBTQ+ educators have long navigated assimilationist imperatives through institutional expectations that tell them to render aspects of their identities professionally invisible to avoid conflict. Administrators dressed these judgments in the language of professionalism, but what they were really regulating was LGBTQ+ visibility and belonging.

Since Mikaela was one of very few Chicana teachers at her middle school site, her account draws explicit connections between her intersecting identities as a queer woman of color and the targeting she experienced. The teachers whose flags went unremarked and were undoubtedly allies, are also Anglo. Moreover, the administrator (Dr. Hernández) who called Mikaela in about her Pride flag was the same person who had ignored the student harassment that she had previously reported. Mikaela registered both the initial identification she felt sharing, “*this is a Latina! She has her doctorate! She’s my vice principal,*” and the anguish that followed: “*hearing and seeing everything play out the way it was, it was just so disappointing.*”

Cruz and Aguilar-Hernández (2020) argue that institutions regulate brown bodies by disciplining those who challenge institutional expectations *and* those who refuse to police others on the institution's behalf. Dr. Hernández's conduct makes this visible in the starkest possible terms. She stood silent when students harassed Mikaela but had no hesitation scheduling a meeting to address the Pride flag on her wall. The institution did not ask Dr. Hernández to protect Mikaela, it asked her to manage her. When the institution demanded Mikaela and Karla choose between professional belonging and solidarity, and both refused, that refusal began exposing something neither racism nor homophobia alone can account for, which is that the board members who codified BP 6144 and the administrators who enforced it

against Mikaela, Karla and their students were themselves Latina and Latino. The people sent to do the institution's regulatory work looked like the people they were sent to regulate.

When Dr. Hernández arrived as vice principal, Mikaela and Karla both shared how they were genuinely excited that a Latina with a doctorate who had taught at the same campus might advocate for the department. As Karla recalled: “We were looking forward to having somebody who maybe knew their stuff, for one, and who could advocate for us as a department.” All hope collapsed when Dr. Hernández became the enforcer of BP 6144 against Mikaela. Hernández's professional achievement positioned her as particularly useful to the institution's need to enforce its norms with a stamp of legitimacy, while targeting a queer Chicana whose presence the institution had already determined to be excessive. Both testimonios acknowledged how disorienting it felt that the people enforcing a policy designed to erase queer students and educators of Color were themselves people of color. These dynamics show how power does not require ideological alignment between the institution and its enforcers, only subjects whose institutional positioning lends the district a veneer of legitimacy, insulating it from accusations of racial or cultural bias.

Karla shared another recent experience when she was trying to navigate board approval for an ethnic studies course she developed. Her awareness of the positioning of ethnic studies led her to recruit an Anglo male colleague to present her authored work, knowing he would be received differently. Karla's calculation of who's “more palatable in this scenario” reveals the everyday negotiations Chicana educators undertake as they work for justice from within institutions and how the same knowledge presented by a different body produces a different institutional response (Urrieta, 2010). This is not accommodation or defeat, but rather the strategic work of activists who understand exactly how the institution functions as they serve the interests of minoritized students.

Administrative Discretion and the Absence of Evidence

From the earliest moments of conflict, administrative decision-making was uncertain, informal and void of documentation. Mikaela recalled that when colleagues sought written confirmation of directives, their union representative advised them to request it in writing. According to Mikaela, “the admin team didn't want to do that; they didn't want to create a paper trail.” When the union formally requested documentation of the parent complaints the district

identified as the basis for its actions, the district refused to provide evidence and even during legal proceedings, the district ultimately failed to substantiate these claims. As Mikaela reflected: *"They refused, so I was just like, okay. What does that tell us? It was probably you guys who made this up."*

After leaving VVMS in 2022, Karla shared how this new wave of policing was carrying over into Sentinel High. During her first year at the campus, she received a Sunday evening email containing only a meeting time with the principal and no explanation of the meeting's purpose. The administrative assistant reassured her it was "just a conversation" and she did not need union representation, but Karla brought representation anyway. After contacting colleagues, she learned that multiple teachers also received similar meeting requests and had been told representation was unnecessary. She reflected, sharing: *"I don't know how the conversation would have gone if I didn't have representation."* The refusal to provide written directives and the attempt to discourage representation reflect what Spade (2015) describes as the administrative production of vulnerability where institutions exercise regulatory power through procedures that appear neutral while limiting avenues for accountability. BP 6144, and political neutrality policies in general, contribute to this uncertainty.

Both Mikaela and Karla described BP 6144 as so broad that *"anything can happen depending on who interpreted it."* At Sentinel High, some administrators initially chose not to enforce the policy. At the middle school (VVMS), enforcement was, in Mikaela's words, "hammer down." The same policy produced dramatically different outcomes depending on administrators implementing it. Karla described how her principal at Sentinel High, Mr. Cortes, a Latino colleague with whom she had a positive relationship, strongly encouraged her to simply follow the policy even though no clear written directive was ever provided. His decision to enforce a verbal directive strained their relationship, and the distance between them persists. Cruz (2001) calls this the cost of institutional conscription, when the institution's demand for conformity runs in two directions—toward those who refuse to comply and toward those expected to make sure others do. This is the web that Dr. Hernández and Mr. Cortes were caught inside.

The grievance process ultimately exposed the contradictions within the district's enforcement practices. The hearing required the district to explain its decisions and respond to questions about its evidence and procedures. Union representation transformed what had been

a series of private administrative decisions into a public process where those decisions could be challenged. She described the district attorney's approach as focused extensively on the contents of her classroom, including posters, stickers and visual displays, while the experiences of educators navigating harassment and hostility received comparatively little to no attention.

The Emotional Costs of Resistance

The grievance concluded with a ruling in favor of Mikaela and Karla. Beyond requiring the district to cease its unlawful enforcement practices, the decision also required the district to publicly post a notice clarifying educators' rights under California law. The notice stated, in part:

The State of California supports teachers' freedom to display the rainbow flag. California law requires educators to promote justice, equity, and human dignity and obligates public schools to prevent discrimination while supporting LGBTQ+ students (Cease-and-desist notice, January 14, 2025).

The notice fundamentally reframed the dispute. Rather than treating Pride flags as inherently controversial, it affirmed that California law recognizes LGBTQ+ inclusion as part of educators' broader responsibility to provide equitable learning environments. The district's loss therefore reflected more than a procedural violation under EERA; it exposed how administrative interpretations of neutrality had exceeded what California law actually permits.

When asked what districts are really asking educators to remain silent about, Mikaela's response was direct: *"Silent about the injustices and the realities that people continue to face in the United States...so other people do not feel discomfort. They don't have to face themselves in the mirror."* For Mikaela, political neutrality protects existing power structures by privileging the comfort of those who benefit from the status quo, while placing the burden of exclusion on those whose histories and identities challenge dominant norms.

Both Mikaela and Karla described how contesting the policy produced ongoing emotional labor, professional uncertainty and a heightened awareness of being watched (also see López & Aguilera, 2024). Mikaela also described experiencing informal surveillance where even routine professional decisions became subject to heightened scrutiny, sharing: *"I did feel like I was being surveilled when I'm literally just doing my job."* She recalled being questioned about seemingly minor matters, accumulating into *"little things, constantly. Almost every week."* Rather

than requiring explicit punishment, governance operated through uncertainty and the internalization of institutional expectations (Spade, 2015). Mikaela chose to stay, pursue the grievance and publicly document her experience, enacting what Muñoz (1999) and Urrieta (2010) both describe as forms of disidentification, working within institutional structures while refusing to fully assimilate to the terms those structures impose. Her decision to stay also demonstrates how educators can contest the terms of neutrality while continuing to build relationships, claim professional belonging and make alternative educational possibilities visible.

Karla experienced a similar process of uncertainty and isolation during her first year at Sentinel High before developing strong relationships with colleagues. At one point she considered removing her small Pride flag to protect herself emotionally and professionally, but ultimately chose not to. District leadership visited her classroom regularly, and the visibility was always unsettling: *"That would always scare me, knowing that district leadership was coming around. But I stood my ground, I didn't take anything down, ever."* What sustained her was affirmation from students. *"Even if it's just one kid who says that they felt safe...it kind of reignites that flame."* Those student testimonies later became part of the evidence presented during legal proceedings, transforming students' everyday experiences into a counter-narrative against the district's framing of LGBTQ+-inclusive practices as controversial.

Mikaela and Karla clearly understood their actions as extending beyond their individual classrooms. Students noticed which teachers removed LGBTQ+ symbols and which maintained them. Karla observed: *"The kids clocked that quick...If they don't see the people, the adults in their life standing up for what's right, how are they gonna do it?"* The legal outcome also transformed the conditions under which they teach, as Karla shared: *"I have an even bigger Pride flag now. I teach the curriculum that I want to teach, the way that I want to teach it."* The significance of the struggle was more than a legal victory, it was the message communicated to students about whose lives and identities deserve affirmation by the people closest to them in schools.

Discussion and Implications

This study demonstrates that political neutrality functions less as an educational principle and more as a mode of governance and policing. Rather than removing politics from schools, BP 6144 reorganized which identities, histories and pedagogical practices required institutional justification while maintaining dominant perspectives as professionally appropriate.

Through the testimonios of Mikaela and Karla, we show how neutrality operated through administrative discretion and daily organizational routines that framed LGBTQ+ inclusion as controversial while preserving the appearance of procedural fairness. Perhaps most striking are the sub-oppressor dynamics (Freire, 1970), evident in how Latina and Latino administrators enforced BP 6144's dominant norms and institutional power *downward* against two Chicana educators. Sentinel Pines support for BP 6144 generated enough institutional pressure that even administrators of color who privately disagreed were willing to comply. Freire's concept reminds us that even individuals who experience marginalization with a larger system can nonetheless participate in reproducing that system's power over others (also see Leonardo, 2009). Here, the administrators' racial/ethnic proximity to Mikaela and Karla did not prevent them from enforcing institutional norms; it became part of how those norms are carried out.

Mikaela and Karla's testimonios add to a growing body of literature that exposes neutrality for what it is, which is the preservation of power over whose knowledge and identities belong in a public school and whose bodies and presence needs to be suppressed. Their narratives further complicate comfortable assumptions that racial/ethnic representation, in and of itself, transforms institutional power let alone disrupt heteronormative or exclusionary institutional practices. Institutions do not need true believers, they need people positioned to enforce and consequences severe enough to ensure they do. In this vein, what Mikaela and Karla experienced was not a failure of individual conscience, it was an institution making dissent too costly to act on, and using familiar faces to make that look like fairness.

From a critical policy perspective, the case also demonstrates that governance extends well beyond formal policy texts. BP 6144 entered Sentinel Pines through established professional networks carrying assumptions about professionalism, controversy and appropriate classroom practice before local educators or communities deliberated its implications. The policy's influence stemmed from the broad discretion it afforded administrators to define what counted as neutral, appropriate or controversial. Educators then have to interpret these expectations within political climates where administrative support, or its visible absence, shapes whether teachers feel authorized to engage contested topics (Journell, 2022). Rather than requiring explicit prohibitions, Mikaela and Karla's experiences echo how these policies encourage self-censorship and increase administrative oversight of race, gender and sexuality

(Geller, 2020; Sánchez Loza, 2023; López & Aguilera, 2024). They also remind us that neutrality is never about balance, it's about belonging and who gets to decide.

Finally, this study points to the importance of labor protections as a response to administrative overreach and protections that are increasingly under threat. The Trump administration has moved aggressively to weaken collective bargaining across the federal workforce, issuing executive orders that exempt dozens of agencies from federal labor-management statutes, directing agencies to terminate collective bargaining agreements and defending these actions in court under expansive claims of national security (Superville, 2025). For educators, union representation, grievance procedures and the right to collective documentation are becoming harder to access and easier for institutions to sidestep. That gap is the difference between accountability and impunity.

Conclusion

The Sentinel Pines case illustrates that contemporary attacks on LGBTQ+ inclusion and educator autonomy are an artifact of both formal policy and the everyday administrative practices of public schools. Administrative appeals to neutrality, professionalism and controversy shape whose identities, histories and pedagogies schools recognize as legitimate. By tracing how BP 6144 traveled into a local district and was enacted through administrative discretion, this study shows how neutrality operates as a mode of governance that regulates educator speech, LGBTQ+ inclusion and belonging, and professional practice. At the same time, this case underscores that governance is never uncontested. Mikaela and Karla challenged institutional expectations that LGBTQ+ inclusion should yield to neutrality, showing the capacity of collective action, union representation and legal protections to hold districts accountable.

As neutrality policies continue to spread alongside broader restrictions on the teaching of race, gender and sexuality, understanding how these policies travel, how they are enacted and how educators collectively respond remains essential. The political and institutional resources devoted to policing LGBTQ+ inclusion, ethnic studies and educator speech remind us that these forms of teaching and belonging hold power precisely because they disrupt dominant narratives and institutional exclusion. Their regulation is therefore not incidental; it is

part of a broader struggle over whose knowledge, identities, and visions of public education are permitted to shape educational spaces.

By tracing how seemingly ordinary appeals to neutrality become tools of administrative control, this study exposes how educational authoritarianism gains ground through formal restrictions and everyday practices that normalize surveillance, constrain dissent, and redistribute the risks of speaking and teaching against dominant norms. Educators' resistance matters within this landscape because it too exposes these systems of oppression and creates openings for collective accountability and alternative visions for public education.

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References

- Apple, M. W., De Lima, I. G., & Gandin, L. A. (Eds.). (2025). *Education and the Politics of Interruption: Does the Right Always Win?*. Taylor & Francis.
- American Historical Association, & Organization of American Historians. (2025, February 18). AHA–OAH statement on Executive Order “Ending Radical Indoctrination in K–12 Schooling.” *Perspectives on History*.
- López, P.D. & Aguilera, E. (2024). *Teachers' resistance to the bigotry of political 'neutrality' policies*. Presentation at the 2024 Annual Meeting of the American Educational Research Association, Philadelphia, PA.
- Ball, S. J., Maguire, M., & Braun, A. (2012). *How Schools Do Policy: Policy Enactments in Secondary Schools*. Routledge.
- Blanco-Fernández, V., & Iñigo, A. (2026). From “Pinkwashing” to “Forced Inclusion”: Adolescents’ discourses on LGBTIQ+ representation. *Sexuality & Culture*, 30, 651–677.
- Blume, H. (2025, May 13). How a funding pause and renewed controversies could tank California’s ethnic studies mandate. *Los Angeles Times*.
- California Department of Education. (2025). DataQuest: Enrollment by ethnicity for Sentinel Unified School District, 2024–25. <https://dq.cde.ca.gov/dataquest/>
- Cease-and-desist notice. (2025, January 14). Public legal document associated with an administrative grievance. Identifying information withheld to preserve participant confidentiality.
- Cruz, C. (2001). Toward an epistemology of a brown body. *International Journal of Qualitative Studies in Education*, 14(5), 657–669.
- Cruz, C. (2011). LGBTQ+ street youth talk back: A meditation on resistance and witnessing. *International Journal of Qualitative Studies in Education*, 24(5), 547–558.
- Cruz, C. (2019). Reading *This Bridge Called My Back* for pedagogies of coalition, remediation, and a razor’s edge. *International Journal of Qualitative Studies in Education*, 32(2), 136–150.
- Cruz, C., & Aguilar-Hernández, J. M. (2020). Grounding emerging scholarship on queer/trans* Chicana/o/x and Latina/o/x pedagogies. *Association of Mexican American Educators Journal*, 14(2), 5–22.
- Diem, S., Frankenberg, E., & Cleary, C. (2015). Factors that influence school board policy making: The political context of student diversity in urban-suburban districts. *Educational Administration Quarterly*, 51(5), 712–752.
- Diem, S., Young, M. D., Welton, A. D., Mansfield, K. C., & Lee, P. L. (2014). The intellectual landscape of critical policy analysis. *International Journal of Qualitative Studies in Education*, 27(9), 1068–1090.
- Duarte, B. J., & Fernández, É. (2025). *Exposing the color-evasive/tolerance framing tactics of educational actors amidst anti-CRT/LGBTQ++ rhetoric and policy*. *Educational Administration Quarterly*, 61(4), 586–625. <https://doi.org/10.1177/0013161X251327407>
- Executive Order No. 14214, Ending Radical Indoctrination in K–12 Schooling, 90 Fed. Reg. 8791 (2025).
- Flores, N., & Rosa, J. (2015). Undoing appropriateness: Raciolinguistic ideologies and language diversity in education. *Harvard Educational Review*, 85(2), 149–171.
- Garcetti v. Ceballos, 547 U.S. 410 (2006).
- Geller, R. C. (2020). Teacher political disclosure in contentious times: A “responsibility to speak up” or “fair and balanced”? *Theory & Research in Social Education*, 48(2), 182–210.

- Gillborn, D. (2014). Racism as policy: A critical race analysis of education reforms in the United States and England. *The Educational Forum*, 78(1), 26–41.
- Harris, C. I. (1993). Whiteness as property. *Harvard Law Review*, 106(8), 1707–1791.
- Hazel, M. (2025). *The madness behind the method: What's really beneath anti-Critical Race Theory legislation*. *Educational Policy*, 39(7), 1357–1391.
- Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
- Jones, C. (2025, September 18). Ethnic studies was supposed to start in California schools. What happened? *CalMatters*.
- Journell, W. (2022). Classroom controversy in the midst of political polarization: The essential role of school administrators. *NASSP Bulletin*, 106(2), 133–153.
- Leonardo, Z. (2009). *Race, whiteness, and education*. Routledge.
- Levinson, B. A. U., Sutton, M., & Winstead, T. (2009). Education policy as a practice of power: Theoretical tools, ethnographic methods, democratic options. *Educational Policy*, 23(6), 767–795.
- Lugg, C. A. (2003). Sissies, faggots, lezzies, and dykes: Gender, sexual orientation, and a new politics of education? *Educational Administration Quarterly*, 39(1), 95–134.
- Lugg, C. A. (2016). *U.S. public schools and the politics of queer erasure*. Palgrave Macmillan.
- McCarthy, L. (2024). Wake Up: How Application of Garcetti to Public Educator Speech Harms Educators and Students Through the Lens of Florida's Individual Freedom Act. *John's L. Rev.*, 98, 1365.
- Muñoz, J. E. (1999). *Disidentifications: Queers of color and the performance of politics*. University of Minnesota Press.
- Peck, J., & Theodore, N. (2015). *Fast policy: Experimental statecraft at the thresholds of neoliberalism*. University of Minnesota Press.
- Peeples, J. (2025, May 9). To protect and defend: Fighting back against attacks on our students. *California Educator*, California Teachers Association. <https://www.cta.org/educator/posts/to-protect-and-defend-fighting-back-against-attacks-on-our-students>
- Pickering v. Board of Education, 391 U.S. 563 (1968).
- Riessman, C. K. (2008). *Narrative methods for the human sciences*. Sage.
- Salinas, C., Jr., & Lozano, A. (2019). Mapping and recontextualizing the evolution of the term Latinx: An environmental scanning in higher education. *Journal of Latinos and Education*, 18(4), 302–315. <https://doi.org/10.1080/15348431.2017.1390464>
- Spade, D. (2015). *Normal life: Administrative violence, critical trans politics, and the limits of law* (Rev. ed.). Duke University Press.
- Superville, D. (2025, March 28). *Trump signs executive order to end collective bargaining at agencies involved with national security*. Associated Press. Retrieved from: <https://apnews.com/article/trump-unions-collective-bargaining-end-national-security-deabc796751dc038a8500774fe174a99>
- Temenos, C., & McCann, E. (2013). Geographies of policy mobilities. *Geography Compass*, 7(5), 344–357.
- Trump, D. J. (2025, January 29). Ending radical indoctrination in K–12 schooling (Executive Order No. 14190). Federal Register.
- Urrieta, L., Jr. (2009). *Working from within: Chicana and Chicano activist educators in whitestream schools*. University of Arizona Press.
- Walker, J. L. (1969). The diffusion of innovations among the American states. *American Political Science Review*, 63(3), 880–899.

- Welton, A. D., Diem, S., & Lent, S. D. (2023). Let's Face It, the Racial Politics Are Always There: A Critical Race Approach to Policy Implementation in the Wake of Anti-CRT Rhetoric. *Education Policy Analysis Archives*, 31(109), n109.
- Young, M. D., & Diem, S. (2017). *Critical Approaches to Education Policy Analysis: Moving Beyond Tradition*. Springer.