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## Gender and Sexual Orientation in the Family: Implications for the Child Welfare System

Megan Fulcher, Ph.D.\*

The American family has traditionally been defined as consisting of a married mother and father raising their biological children together. Years ago this definition also came to include a model for the division of paid and unpaid labor segregated by gender. Under this model, called the “breadwinner/caregiver” model, fathers are primarily responsible for providing for the family financially while mothers are responsible for the nurturance and care of children and the home.<sup>1</sup> This is necessarily a heteronormative family model, suggesting that parents’ genders and sexual orientations impact children’s development such that single parents, lesbian or gay parents or parents with nontraditional family roles will have children who are less well adjusted. However, very few American families now fulfill this definition of family,<sup>2</sup> and science indicates no benefits of this family type for children<sup>3</sup> or their parents.<sup>4</sup> However, it is often perceived in culture, politics and courtroom as the ideal.<sup>5</sup> This ideal still permeates the

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1. See Shawn L. Christiansen & Ron Palkovitz, *Why the “Good Provider” Role Still Matters: Providing as a Form of Paternal Involvement*, 22 J. OF FAMILY ISSUES 84, 88 (2001) (discussing how fathers have been traditionally casted into a “breadwinner” role and pushed away from adopting a more nurturing role).

2. See U.S. DEP’T OF LABOR, BUREAU OF LABOR STATISTICS, EMPLOYMENT CHARACTERISTICS OF FAMILIES SUMMARY (2013), available at <http://www.bls.gov/news.release/famee.nr0.htm> (showing that in 2013, the share of married couples with children where both parents worked was 59.1 percent).

3. See generally Charlotte J. Patterson, *Sexual Orientation, Family Formation, and Parenthood*, in HANDBOOK OF PSYCHOLOGY AND SEXUAL ORIENTATION 223–36 (C.J. Patterson & A.R. D’Augelli eds., 2013).

4. See generally Daniele Vignoli et al., *Family Constellations and Life Satisfaction in Europe*, 117 SOC. INDICATORS RESEARCH, 967–86 (2014).

5. See generally Charlotte J. Patterson, *Children of Lesbian and Gay Parents: Psychology, Law, and Policy*, 1 PSYCHOLOGY OF SEXUAL ORIENTATION AND GENDER DIVERSITY 27–34 (2013); see also KIM PARKER & WENDY WANG, PEW RESEARCH CTR., MODERN PARENTHOOD ROLES OF MOMS AND DADS CONVERGE AS THEY BALANCE WORK AND

backbone of many heterosexual marriages:<sup>6</sup> even when women work outside the home, the money they bring in is seen as supplemental<sup>7</sup> and they still devote a disproportionate amount of time and emotional resources to the care of children and home.<sup>8</sup>

The breadwinner/caregiver ideal is a powerful organizing model that often promotes criticism and critique of families that do not conform to its parameters. The backbone of the ideal is heterosexual romance and marriage. Lesbian and gay parents who cannot construct family roles tied to gender have found more flexible and equitable ways to divide labor.<sup>9</sup> However, though twenty years of science supports their parenting model as effective and supportive as those of heterosexual parents, they still face discrimination in public settings.<sup>10</sup> Likewise, parents of children who are not heterosexual or who do not adhere to gender roles are criticized as not preparing children for adult roles defined strictly as breadwinner or caregiver according to their gender. This paper will review the evidence that suggests the breadwinner/caregiver model fails most families and that men and women are equally capable of parenting children regardless of their sexual orientation. Additionally this paper will review how children develop gender roles and how the gender diversity of parents and children impact development. Specifically, we will look at the implications of the breadwinner/caregiver ideal for the child welfare system.

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FAMILY 14 (2013), available at [http://www.pewsocialtrends.org/files/2013/03/FINAL\\_modern\\_parenthood\\_03-2013.pdf](http://www.pewsocialtrends.org/files/2013/03/FINAL_modern_parenthood_03-2013.pdf) (finding data that reveals only 16 percent of adults full time is ideal for a child).

6. See generally Clelia A. Mannino & Francine M. Deutsch, *Changing the Division of Household Labor: A Negotiated Process Between Partners*, 56 SEX ROLES, 309 (2007); see also Sondra E. Solomon et al., *Money, Housework, Sex, and Conflict*, 52 SEX ROLES 561 (2005).

7. See generally Roth Gaunt, *The Role of Value Priorities in Paternal and Maternal Involvement in Child Care*, 67 J. OF MARRIAGE & FAMILY 643 (2005).

8. See generally VERONICA JARIS TICHENOR, EARNING MORE AND GETTING LESS: WHY SUCCESSFUL WIVES CAN'T BUY EQUALITY (2005) (explaining that even when a wife earns more than her husband, the husband retains breadwinner status and the wife continues to do a disproportionate amount of the household chores).

9. See Megan Fulcher et al., *Individual Differences in Gender Development: Associations with Parental Sexual Orientation, Attitudes, and Division of Labor*, 58 SEX ROLES 330, 341 (2008) ("Lesbian couples with children are likely to divide household labor, childcare, and paid employment more evenly than do heterosexual couples.").

10. See generally Charlotte J. Patterson, *Children of Lesbian and Gay Parents: Psychology, Law, and Policy*, 1 PSYCHOLOGY OF SEXUAL ORIENTATION & GENDER DIVERSITY 27 (2013).

*Gender and Parenting*

Under the breadwinner/caregiver model and in most heterosexual marriages women do the bulk of childcare tasks. Even couples who had planned on dividing labor equitably before children resort to a gendered division of labor at the birth of a first child.<sup>11</sup> According to the social-cognitive theory of gender development people build efficacy for tasks through practice, under direct tuition, and by modeling important others.<sup>12</sup> When people hold efficacy for tasks, they spend more time in such tasks, enjoy the tasks more and are more persistent when working on the task. It follows then, that women will hold more efficacy for childcare tasks and report more childcare competence than will men even before becoming parents themselves. Even young children report women to be more competent caregivers.<sup>13</sup> Mothers' work outside the home is perceived by the family as important to her self-esteem or identity but not as providing for the family. College students report fathers' primary role as one of breadwinner.<sup>14</sup> Thus, women and men develop different efficacies and perceptions of their roles in the family before becoming parents and their behaviors within the family are subsequently tied to their gender.

These family roles expand into gender attributes and stereotypes such that providing is seen as masculine while nurturing is seen as feminine.<sup>15</sup> Because masculinity is more culturally valued, women's

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11. See H. Wesley Perkins & Debra K. DeMeis, *Gender and Family Effects on the "Second-Shift" Domestic Activity of College-Educated Young Adults*, 10 GENDER & SOCIETY 78, 79 (1996) (stating that the birth of the first child is a very important transition for couples and at that point, women begin taking on more of the domestic chores).

12. See Kay Bussey & Albert Bandura, *Social Cognitive Theory of Gender Development and Differentiation*, 106 PSYCHOLOGICAL REVIEW 676, 691 (1999) (explaining that the social cognitive theory states that gender development is promoted by three major modes: modeling, enactive experience, and direct tuition).

13. See generally Stefanie M. Sinno & Melanie Killen, *Moms at Work and Dads at Home: Children's Evaluations of Parental Roles*, 13 APPLIED DEVELOPMENTAL SCI. 16 (2009).

14. See generally Jessica Troilo, *The Drinker and the Nurturer: College Students' Perceptions of Men and Fathers*, J. OF APPLIED SOC. PSYCHOLOGY 1089 (2013).

15. See Andrea Doucet, *Gender Roles and Fathering*, in HANDBOOK OF FATHER INVOLVEMENT: MULTIDISCIPLINARY PERSPECTIVES 297, 306 (Natasha J. Cabrera & Catherine S. Tamis-LeMonda eds., 2d ed. 2013) (stating that there is a strong link between work, or "breadwinning", and masculinity).

masculine behaviors are more accepted than men's feminine behaviors. Hence, men report being more committed to the breadwinner/caregiver ideal than do women.<sup>16</sup> Thus, when new parents face decisions about balancing work and family roles, men face very little conflict: their work is their family role.<sup>17</sup> On the other hand, women are often conflicted between their work roles and their caregiving roles.<sup>18</sup> Women receive encouragement to focus on education and career advancement before having children and are also expected to be primary caregivers when children are born. In order to cope with this conflict, women are more likely to plan for and hold more flexible or part-time jobs to allow for child-care tasks.<sup>19</sup> These jobs tend to be less prestigious and to pay less, thereby perpetuating the roles defined by the breadwinner/caregiver model.<sup>20</sup>

Beginning at the birth of a first child women take more time off work to care for the newborn than do men. This extra time may establish within the couple the mother as primary caregiver and the expert on childcare. In their position as secondary caregivers fathers are perceived as helpers who complete childcare tasks as needed and requested by mothers.<sup>21</sup> Recent research suggests that some fathers spend more time interacting with children than did fathers in the past, however almost all this additional time is accounted for by play

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16. See Linda Stone & Nancy P. McKee, *Gendered Futures: Student Visions of Career and Family on a College Campus*, 31 *ANTHROPOLOGY & EDUC. Q.* 67, 72–74 (2000).

17. See generally William M. Liu, *The Social Class-Related Experiences of Men: Integrating Theory and Practice*, 33 *PROF'L PSYCHOLOGY: RESEARCH AND PRACTICE* 355 (2002).

18. See generally Richard G. Netemeyer et al., *Development and Validation of Work-Family Conflict and Family-Work Conflict Scales*, 81 *J. OF APPLIED PSYCHOLOGY* 400 (1996).

19. See Gretchen Webber & Christine Williams, *Mothers in "Good" and "Bad" Part-Time Jobs: Different Problems, Same Results*, 22 *GENDER & SOC'Y* 752, 755 (2008) ("Part-time work is a popular solution to this work-family conflict.").

20. See Margaret Whittock et al., *'The Tender Trap': Gender, Part-Time Nursing and the Effects of 'Family-Friendly' Policies on Career Advancement*, 24 *SOCIOLOGY OF HEALTH & ILLNESS* 305, 317 (2002) (stating that in the field of nursing—a largely female-dominated profession—women still receive less prestigious jobs).

21. See Glenda Wall & Stephanie Arnold, *How Involved is Involved Fathering? An Exploration of the Contemporary Culture of Fatherhood*, 21 *GENDER & SOC'Y* 508, 512 (2007) (positing that while perceptions of co-parenting have changed, women still do the bulk of physical child-rearing while men are merely helpers).

activities.<sup>22</sup> Mothers are still responsible for almost all of children's physical care.<sup>23</sup> This management/ helper arrangement may also serve to stunt men's growth in feelings of efficacy for childcare tasks. When mothers are cast as managers it is difficult for fathers to construct a caregiving role themselves; this may entrench both mothers' roles as caregiver and fathers' masculinity.<sup>24</sup>

When fathers are given the same access and opportunity to participate fully in the transition to parenthood they can move from helper to co-parent. In this co-parenting role fathers show the same nurturing behaviors as mothers.<sup>25</sup> Men who do engage in childcare tasks build efficacy for childcare and are capable caregivers. Fathers build competence in childcare tasks as they spend more time with children, particularly if they are exposed to models of such behavior.<sup>26</sup> Fathers' interactions with toddlers are of the same interactional quality as mothers, particularly when mothers are not present.<sup>27</sup> When mothers are absent, married fathers are more engaged and engaging with children suggesting that their secondary role when mothers are present is simply culturally constructed.<sup>28</sup> This suggests that nurturing skills are learned, not innate or gendered.

Fathers more regular involvement in physical care and not just play has been shown to have several benefits to children's well-being

22. See generally PETER B. GRAY & KERMYT G. ANDERSON, *FATHERHOOD: EVOLUTION AND HUMAN PATERNAL BEHAVIOR* (2010).

23. See Lyn Craig, *Does Father Care Mean Father Share? A Comparison of How Mothers and Fathers in Intact Families Spend Time with Children*, 20 *GENDER & SOC'Y* 259, 262 (2006) ("Studies have found that women spend a greater proportion of their total care time in physical care activities than men do.").

24. See Karen Meteyer & Maureen Perry-Jenkins, *Father Involvement Among Working-Class, Dual-Earner Couples*, 8 *FATHERING* 379, 397 (2010) (positing that mothers' actions and behaviors can limit fathers' involvement in child rearing).

25. See Erin M. Rehel, *When Dad Stays Home Too: Paternity Leave, Gender, and Parenting*, 28 *GEN. & SOC'Y* 110, 110 (2014).

26. See Joyce Magill-Evans et al., *Effects of Parenting Education on First-Time Fathers' Skills in Interactions with Their Infants*, 5 *FATHERING* 42, 42 (2007) (finding that fathers who received parental training were more skilled in fostering cognitive growth than those who had not).

27. See generally Julia Scarano de Mendonça et al., *Mother-Child and Father-Child Interactional Synchrony in Dyadic and Triadic Interactions*, 64 *SEX ROLES* 132 (2011) (explaining the results of a Canadian study which found fathers interact with toddlers the same way that mothers do when the fathers are alone with the toddler).

28. See generally Meteyer & Perry-Jenkins, *supra* note 24.

and adjustment.<sup>29</sup> Fathers are more likely to spend time caring for sons than for daughters.<sup>30</sup> Fathers are more in tune with the interactional signals of sons than of daughters<sup>31</sup> and sons seem to benefit more from father involvement.<sup>32</sup> Fathers increased involvement in parenting is associated with more psychological health in men as well as for children.<sup>33</sup>

Early studies indicated that fathers engaged in the types of interactions with infants that build important attachment relationships, however they did not spend enough time with the infants to become a primary caregiver.<sup>34</sup> When fathers are primary caregivers they resemble traditional mothers and establish secure attachments. It is interesting to examine the behaviors of single or primary caregiving fathers because they do not play a secondary role. Most literature on fathering focuses simply on fathers' involvement<sup>35</sup> and what characteristics of the father, mother, children, and culture predict involvement.<sup>36</sup> However the literature on single fathers often reports on specific parenting behaviors, making them comparable to mothers. Single fathers report feeling competent and satisfied with their role as caregiver. Although fathers vary more as a group they do not differ from mothers on the important parenting variables: acceptance, intrusiveness, and harshness.

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29. See generally Jacinta Bronte-Tinkew et al., *Involvement Among Resident Fathers and Links to Infant Cognitive Outcomes*, 29 J. OF FAMILY ISSUES 1211 (2008).

30. See generally Elizabeth Manlove & Lynne Vernon-Feagans, *Caring for Infant Daughters and Sons in Dual-Earner Households: Maternal Reports of Father Involvement in Weekday Time and Tasks*, 11 INFANT & CHILD DEV. 305 (2002).

31. See generally Ruth Feldman, *Infant-Mother and Infant-Father Synchrony: The Coregulation of Positive Arousal*, 16 DIRECTIONS IN PSYCHOL. SCI. 340 (2003).

32. See generally Bronte-Tinkew et al., *supra* note 29.

33. See Holly S. Schindler, *The Importance of Parenting and Financial Contributions in Promoting Fathers' Psychological Health*, 72 JOURNAL OF MARRIAGE AND FAMILY 318, 320 (2010) (“[W]hen men are involved in fatherwork, not only do children reap rewards, but fathers may also experience joy and psychological benefits.”).

34. See generally Ross D. Parker, *Family Interaction in the Newborn Period: Some Findings, Some Observations, and Some Unresolved Issues*, in PROCEEDINGS OF THE INTERNATIONAL SOCIETY OF BEHAVIORAL DEVELOPMENT (K. Riegel & J. Meacham eds., 1974), available at <http://files.eric.ed.gov/fulltext/ED093455.pdf>.

35. See generally Christine McWayne et al., *Father Involvement During Early Childhood and Its Association with Children's Early Learning: A Meta-Analysis*, 24 EARLY EDUC. AND DEV. 898 (2013).

36. See generally Eirini Flouri, *Non-Resident Fathers' Relationships with Their Secondary School Age Children: Determinants and Children's Mental Health Outcomes*, 29 JOURNAL OF ADOLESCENCE 525 (2006).

Further, children's adjustment is similarly affected by these variables when present in fathers or mothers.<sup>37</sup> There is virtually no difference in child outcomes when children (sons and daughters) live with single mothers than when they live with single fathers in problem behavior, self-esteem or relationship quality.<sup>38</sup>

Single mothers and single fathers are more similar to one another than are married mothers and fathers. In many parenting behaviors, there are very few differences between single mothers and fathers.<sup>39</sup> Fathers are capable of forming and maintaining attachment relationships with children and these relationships are as beneficial to children as are mother-child attachment relationships.<sup>40</sup> Fathers are capable of parenting in an authoritative manner and children benefit when they do. Some studies suggest that men, particularly married men, are more likely to show authoritarian parenting styles. However when divorced fathers are authoritative children are less likely to be negatively impacted by the negative impacts of divorce or changes in mothers' in parenting styles.<sup>41</sup> One parenting behavior that married fathers show more than mothers is rough and tumble play. When fathers become primary caregivers, they rough and tumble play with children half as much as secondary caregiving fathers. It appears that primary caregiving parents, regardless of their gender behave in ways that promote child adjustment and well-being.

Although the breadwinner/caregiver model defines mothering and fathering by different parenting behaviors, these different roles are prescribed social roles that men and women are equally capable of

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37. See generally Kari Adamsons & Cheryl Buehler, *Mothering Versus Fathering Versus Parenting: Measurement Equivalence in Parenting Measures*, 7 PARENTING: SCI. AND PRACTICE 271 (2007).

38. See D.B. Downey et al., *Sex of Parent and Child Well-Being in Single-Parent Households*, 60 J. MARRIAGE AND FAM. 878, 878 (1998) (stating that the result of research has shown that there is little evidence that offspring are more well-off when being cared for by a single mother than a single father).

39. See Mikaela J. Dufur et al., *Sex Differences in Parenting Behaviors in Single-Mother and Single-Father Households*, 72 J. MARRIAGE AND FAM. 1092, 1092 (2010) ("[A]lthough there are small differences in the parenting behaviors of single mothers and single fathers, differences are sensitive to demographic disparities and do not translate to academic deficits for children in either family type.").

40. See generally Ruth Feldman, Esther Bamberger & Yaniv Kanat-Maymon, *Parent-Specific Reciprocity From Infancy to Adolescence Shapes Children's Social Competence and Dialogical Skills*, 15 ATTACHMENT & HUM. DEV. 407 (2013).

41. Jennifer K. Karre & Nina S. Mounts, *Nonresident Fathers' Parenting Style and the Adjustment of Late-Adolescent Boys*, 33 J. FAM. ISSUES 1642, 1655 (2012).

fulfilling. When parents are released from these roles they show parenting behaviors that are similar and untied to gender. Mothers and fathers parent differently, not because of their gender, but because of their roles.<sup>42</sup> Children benefit greatly from good parenting which can be accomplished by men and women.

### *Sexual Orientation and Parenting*

The breadwinner/caregiver family model assumes the heterosexuality of parents. The earliest research on non-heterosexual parents suggested that as lesbian and gay couples became parents, they were able to construct family models different from the breadwinner/caregiver model.<sup>43</sup> It then became a scientific and legal question as to whether these different family models had an important impact on child development. The evidence is clear: children of lesbian and gay parents do not differ in psychological adjustment or wellbeing from children of heterosexual parents. The skills and processes involved in good parenting do not depend on parents' gender or sexual orientation. The research investigating the efficacy of gay and lesbian parents has been published in rigorous, peer-reviewed journals and has been conducted by respected researchers.<sup>44</sup> Overwhelming evidence supports the idea that parenting competence is not associated with parental sexual orientation.<sup>45</sup>

However, a child's adjustment is impacted by their parents' behaviors in several ways. Parental warmth and monitoring,<sup>46</sup> the formation of

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42. BRENDA GEIGER, FATHERS AS PRIMARY CAREGIVERS 101 (1996) (stating that parenting differences are not a result of gender but a result of roles cultures expect men and women to play).

43. Charlotte J. Patterson, *Families of the Lesbian Baby Boom: Parents' Division of Labor and Children's Adjustment*, 31 DEVELOPMENTAL PSYCHOL., 115, 115 (1995), available at <http://people.virginia.edu/~cjp/articles/p95a.pdf> (stating that lesbian couples, unlike heterosexual couples, tend to divide household labor equally).

44. See Michael E. Lamb, *Mothers, Fathers, Families, and Circumstances*, 16 APPLIED DEVELOPMENTAL SCI. 98, 104 (2012).

45. See generally, HANDBOOK OF PSYCHOLOGY AND SEXUAL ORIENTATION 223 (C.J. Patterson & A.R. D'Augelli eds., 2013); see also Judith Stacey & Timothy J. Biblarz, (*How*) *Does the Sexual Orientation of Parents Matter?*, 66 AM. SOC. REV. 159 (2001); see also F. Tasker, *Lesbian Mothers, Gay Fathers, and Their Children: A Review*, 26 DEVELOPMENTAL AND BEHAV. PEDIATRICS 224 (2005).

46. Diana Baumrind, *Current Patterns of Parental Authority*, 4 DEVELOPMENTAL PSYCHOL., 1 (1971).

attachment,<sup>47</sup> and parents' financial and emotional resources are each associated with children's behavioral outcomes and adjustment.<sup>48</sup> The same processes that predict success in heterosexual parents also predict success in gay and lesbian parents.<sup>49</sup> Neither gender nor sexual orientation of parents is associated with differences in these parental behaviors.<sup>50</sup> Researchers have investigated lesbian and gay parented families in many forms, including: custody after heterosexual marriage and divorce, birth to a gay or lesbian couple using reproductive technology, adoption into gay or lesbian parented families, and gay and lesbian adults serving as foster parents.<sup>51</sup> In each of these family types, the same family processes that predict positive adjustment in the children of heterosexual parents also predict parenting success for gay and lesbian parents. Furthermore, the parenting processes employed by heterosexual, gay, and lesbian parents differ very little from one another.<sup>52</sup>

Research has found that when parents are warm, consistent, and monitor children's behavior, their children do well. Parents differ in warmth toward children, the discipline they use, how much they communicate with children, and the developmental appropriateness of the behavior they expect of their children.<sup>53</sup> Parents who are warm and communicative, make developmentally appropriate demands, and enforce

47. See generally ROBERT KAREN, BECOMING ATTACHED: FIRST RELATIONSHIPS AND HOW THEY SHAPE OUR CAPACITY TO LOVE (1998) [hereinafter BECOMING ATTACHED].

48. See generally SEBASTIAN LIPINA & JORGE COLOMBO, POVERTY AND BRAIN DEVELOPMENT DURING CHILDHOOD: AN APPROACH FROM COGNITIVE PSYCHOLOGY AND NEUROSCIENCE (2009); see also Arnold J. Sameroff, *Environmental Risk Factors in Infancy*, 102 PEDIATRICS 1287 (1998).

49. See generally Michael E. Lamb, *Mothers, Fathers, Families, and Circumstances*, 16 APPLIED DEVELOPMENTAL SCI. 98 (2012).

50. Timothy J. Biblarz & Judith Stacey, *(How) Does the Gender of Parents Matter?*, 72 J. MARRIAGE & FAM. 3 (2010), available at <http://www.squareonemd.com/pdf/Does%20the%20Gender%20of%20Parents%20Matter%202010.pdf> (explaining the results of a study that finds that the gender of parents does not affect the development of children).

51. See generally Nanette Gartrell & Henny Bos, *US National Longitudinal Lesbian Family Study: Psychological adjustment of 17-Year-Old Adolescents*, 126 PEDIATRICS 28 (July 7, 2010), available at <http://pediatrics.aappublications.org/content/early/2010/06/07/peds.2009-3153.full.pdf+html>; see also ABBIE E. GOLDBERG, LESBIAN AND GAY PARENTS AND THEIR CHILDREN: RESEARCH ON THE FAMILY LIFE CYCLE (2009); see also Charlotte J. Patterson, *Sexual Orientation and Family Life: A Decade Review*, 62 J. MARRIAGE & FAM. 1052 (2010).

52. Lamb, *supra* note 49.

53. Baumrind, *supra* note 46, at 51.

rules with expressed consequences are known as authoritative parents.<sup>54</sup> Under these circumstances children learn important communication and relationship skills as well as self-discipline. Research has consistently indicated that authoritative parenting is associated with more positive adjustment in children. Interviews, surveys, and observational research indicate that lesbian and gay parents show similar levels of warmth and communication with children across development.<sup>55</sup> The most recent research indicates that gay and lesbian parents may employ harsh punishment less often than do heterosexual parents.<sup>56</sup> Harsh punishments have consistently been associated with children's poor adjustment.<sup>57</sup>

Attachment is an enduring connection between people that produces a desire for contact as well as feelings of distress during separation. Children form attachment relationships with parents and other important adults. Adults form attachment relationships with their children and with romantic partners. In parenting, attachment relationships are secure when a parent shows sensitivity and synchronicity with an infant and their play is both emotionally and cognitively stimulating. It is within the context of the early attachment relationships that children create a model of social relationships. This model forms an infant's generalized expectations about the social world. They use the skills they develop in these first relationships to create and maintain other relationships.<sup>58</sup> Most research assessing parent and child attachment relationship as a function of parental sexual orientation has looked specifically at adoptive parents. In these families, there is no difference between gay, lesbian, and heterosexual parents and their ability to form secure relationships with children.<sup>59</sup> In

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54. Baumrind, *supra* note 46.

55. See generally Rachel H. Farr, Stephen L. Forssell & Charlotte J. Patterson, *Parenting and Child Development in Adoptive Families: Does Parental Sexual Orientation Matter?*, 14 APPLIED DEVELOPMENTAL SCI. 164 (2010), available at <http://people.virginia.edu/~cjp/articles/ffp10b.pdf>; see also Machteld Hoeve et al., *Maternal and Paternal Parenting Styles: Unique and Combined Links to Adolescent and Early Adult Delinquency*, 34 J. ADOLESCENCE 813 (2011).

56. See generally Susan Golombok & Fiona Tasker, *Do Parents Influence the Sexual Orientation of Their Children? Findings From a Longitudinal Study of Lesbian Families*, 32 DEVELOPMENTAL PSYCHOL. 3 (1996).

57. Elizabeth T. Gershoff, *Longitudinal Link Between Spanking and Children's Externalizing Behaviors in a National Sample of White, Black, Hispanic, and Asian American Families*, 83 CHILD DEV. 838, 838 (2012) (stating research has shown that there is a link between spanking and behavioral problems in children).

58. See generally BECOMING ATTACHED, *supra* note 47.

59. See generally Stephen Erich et al., *Early and Late Stage Adolescence: Adopted*

other family forms, gay and lesbian parents report having close relationships with their children similar to those of heterosexual parents. Adolescent and young adult children of gay and lesbian parents report secure, close and loving relationships with their parents, similar to those reported by their peers reared by heterosexual parents.<sup>60</sup> In their relationships with one another, parents serve as models of social and attachment behaviors for their children. Lesbian and gay parents report rates similar to heterosexual parents of secure attachment to their partner. Lesbian, gay, and heterosexual parents report similar levels of satisfaction in their relationships with their partners.<sup>61</sup> Studies suggest that gay and lesbian parents may display a less hierarchical relationship model than do heterosexual parents in part because they are not restrained by the breadwinner/caregiver family model.<sup>62</sup>

When parents have more financial and emotional resources to draw on, children are better adjusted. A vast number of studies over 50 years have indicated that financial security buffers children against many risks for negative adjustment. More financial resources can have a direct impact on children (safer neighborhoods, better schools, stimulating toys and activities) or an indirect impact (less stressed parents, more time with parents). Indeed, parents who are less stressed are able to parent positively and have more well-adjusted children (Committee on Integrating the Science of Early Childhood Development, 2000, Sameroff, 1998). Income levels of parents vary similarly in gay, lesbian, and heterosexual parented households. Parents in each type of household report similar support from their partners.<sup>63</sup> Early fears about gay and lesbian households included that

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*Adolescents' Attachment to Their Heterosexual and Lesbian/Gay Parents*, 12 ADOPTION Q. 152 (2009).

60. See Abbie E. Goldberg, April M. Moyer & Lori A. Kinkler, *Lesbian, Gay, and Heterosexual Adoptive Parents' Perceptions of Parental Bonding During Early Parenthood*, 2 COUPLE & FAM. PSYCHOL.: RESEARCH AND PRAC. 146, 152 (2013), available at <http://wordpress.clarku.edu/agoldberg/files/2012/03/Goldberg-Moyer-Kinkler-2013-CFPRP.pdf> (stating research findings that showed homosexual and heterosexual parents alike reported a strong and stable bond with their adoptive child).

61. See generally Letita Anne Peplau & Adam W. Fingerhut, *The Close Relationships of Lesbians and Gay Men*, 58 ANN. REV. PSYCHOL. 405 (2007).

62. See Megan Fulcher et al., *Individual Differences in Gender Development: Associations with Parental Sexual Orientation, Attitudes, and Division of Labor*, 58 SEX ROLES 330, 331 (2007), available at <http://people.virginia.edu/~cjp/articles/fsp08.pdf>.

63. See generally H.M.W. Bos et al., *Experience of Parenthood, Couple Relationship, Social Support, and Child-Rearing Goals in Planned Lesbian Mother Families*, 45 J. OF CHILD PSYCH. OF PSYCHIATRY 755 (2004).

the family would be isolated from extended families or other sources of social support for parents and children.<sup>64</sup> Evidence indicates that this fear was unfounded; children of lesbian and gay families are as likely to be in contact with grandparents as other children.<sup>65</sup> Parents in each family type are successful at providing other adult role models for their children.<sup>66</sup>

Outside of psychological adjustment, there are several other specific areas of children's development of interest to scientists and legal scholars including cognitive development and peer relationships. Cognitive development in children measured by standardized intelligence tests, school achievement tests, and grade retention is similar in children of gay, lesbian, and heterosexual parents.<sup>67</sup> Gay and lesbian parents are also reported to be as involved in children's school as are heterosexual parents. Gay and lesbian parents are in as close contact with children's teachers as are heterosexual parents.<sup>68</sup> Parents' involvement with school and contact with teachers are powerful predictors of school success.

Several studies of adolescent and adult children of gay and lesbian parents indicate that these children are as likely to report or remember forming close friendships and enduring typical levels of teasing as do children of heterosexual parents. Parents, teachers, peers, and children report no peer stigmatization as a result of parental sexual orientation. These children are reported to have similar friendships, activities with friends, and popularity as those reared by heterosexual parents.<sup>69</sup>

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64. See Megan Fulcher et al., *Contact With Grandparents Among Children Conceived Via Donor Insemination by Lesbian and Heterosexual Mothers*, 2 PARENTING: SCI. & PRAC. 61, 63 (2002), available at [https://www.thespermbankofca.org/sites/default/files/2002\\_Fulcher etal.pdf](https://www.thespermbankofca.org/sites/default/files/2002_Fulcher%20etal.pdf).

65. See *id.* at 67.

66. See *id.*

67. See Daniel Potter, *Same-Sex Parent Families and Children's Academic Achievement*, 74 J. MARRIAGE & FAM. 556, 564-67 (2012); Michael J. Rosenfeld, *Nontraditional Families and Childhood Progress Through School*, 47 DEMOGRAPHY 755, 755 (2010), available at [http://web.stanford.edu/~mrosenfe/Rosenfeld\\_Nontraditional\\_Families\\_Demography.pdf](http://web.stanford.edu/~mrosenfe/Rosenfeld_Nontraditional_Families_Demography.pdf).

68. See generally Alicia L. Fedewa & Teresa P. Clark, *Parent Practices and Home-School Partnerships: A Differential Effect for Children with Same-Sex Coupled Parents?* 5 J. GLBT FAM. STUD. 312 (2009); Jennifer L. Wainright et al., *Psychosocial Adjustment, School Outcomes, and Romantic Relationships of Adolescents With Same-Sex Parents*, 75 CHILD DEV. 1886, 1892-93 (2004), available at <http://people.virginia.edu/~cjp/articles/wrp04.pdf>.

69. See Nanette Gartrell & Henny Bos, *U.S. National Longitudinal Lesbian Family Study: Psychological Adjustment of 17-Year-Old Adolescents*, 126 PEDIATRICS 28, 33

At different ages, well-adjusted children accomplish different developmental tasks and thus require different parenting skills. In infancy, a primary accomplishment for children is to form attachment relationships with caregivers. Research indicates that lesbian, gay and heterosexual parents have similar attachment patterns with children.<sup>70</sup> An important accomplishment of preschoolers is to learn to regulate their emotions and to cope with frustrating situations.<sup>71</sup> Again, there is no difference in emotional regulation and adjustment based on parental sexual orientation.<sup>72</sup> In adolescence, a key accomplishment is to create close and rewarding relationships with peers. Adolescents reared by gay and lesbian parents are as capable of creating these important friendships, as are children of heterosexual parents.<sup>73</sup> Across developmental stages, different skills are demanded of parents. None of these skills are different for gay, lesbian, and heterosexual parents.

Gay and lesbian couples have demonstrated that healthy, capable and successful children can be reared without adhering to the breadwinner/caregiver model. Being released from this model allows parents to more equitably divide paid and unpaid labor such that each can glean satisfaction from being and nurturer and provider. A reconstruction of the heterosexual family model would make the work women do, both paid and unpaid, carry more value and allow men to become important emotional caretakers of their children.

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(2010), available at <http://pediatrics.aappublications.org/content/126/1/28.full.pdf+html>; see also Jennifer L. Wainright & Charlotte J. Patterson, *Delinquency, Victimization, and Substance Abuse Among Adolescents With Female Same-Sex Parents*, 20 J. FAM. PSYCHOL. 526, 528 (2006), available at <http://people.virginia.edu/~cjp/articles/wp06.pdf>; see also Jennifer L. Wainright & Charlotte J. Patterson, *Peer Relations Among Adolescents With Female Same-Sex Parents*, 44 DEV. PSYCHOL. 117, 121 (2008), available at <http://people.virginia.edu/~cjp/articles/wp08.pdf>.

70. Abbie E. Goldberg et al., *Lesbian, Gay, and Heterosexual Adoptive Parents' Perceptions of Parental Bonding During Early Parenthood*, 2 Couple & Fam. Psychol.: Res. & Prac. 146, 146 (2013), available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Goldberg-Moyer-Kinkler-Jul-2013-CFPRP.pdf>.

71. Susanne A. Denham et al., *Preschool Emotional Competence: Pathway to Social Competence?*, 74 CHILD DEV. 238, 238 (2003).

72. See generally Megan Fulcher et al., *Lesbian Mothers and Their Children: Findings from the Contemporary Family Studies* (A. Omoto & H. Kurtzman eds., 2002).

73. Jennifer L. Wainright et al., *Psychological Adjustment, School Outcomes, and Romantic Relationships of Adolescents with Same-Sex Parents*, 75 CHILD DEV. 1886, 1892–1893 (2004).

It is thus important that policy- and decision- makers who deal with children and family issues understand that the breadwinner/caregiver family model is neither ideal nor preferred. In order to be well-adjusted, children do not require a mother and father. Instead, they need parents who respond warmly and consistently, who are reliable emotional bases, and who are supportive and supported. Parenting is not the prerogative of one gender or family type, it a skill learned and built with practice and support of models. To deny or punish families that do not reflect the breadwinner/caregiver model is to deny children the opportunity to be reared by loving and capable parents. Many states argue that their primary interest in maintaining marriage as a heterosexual institution is the children conceived and raised in these families.<sup>74</sup> To deny marriage to gay and lesbian couples is to misunderstand the science of parenting.

#### *Children's Gender Role Development and Sexuality*

The breadwinner/caregiver model not only prescribes parents' roles in the family and workplace, it also limits children's behaviors, preferences, and attitudes. In a culture that relies on strict gender roles to organize the family and workplace, children work hard to understand and behave in ways appropriate to their gender.<sup>75</sup> Children learn to label their own and others' genders by their third year. Interestingly, toddlers in homes where gender is a particularly salient organizing tool learn to label significantly earlier than those in more egalitarian homes.<sup>76</sup> Once children learn to label themselves, gender becomes a part of their identity and they begin to seek information about how they should behave.<sup>77</sup> Because they do not understand the biological underpinnings of gender, preschoolers hold strict

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74. See generally Charlotte J. Patterson, Megan Fulcher & Jennifer Wainright, *Children of Lesbian and Gay Parents: Psychology, Law, and Policy*, in CHILDREN, SOCIAL SCIENCE, AND THE LAW (Bette L. Bottoms et al. eds., 2000), available at <http://people.virginia.edu/~cjp/articles/pfw02.pdf>.

75. See Carol Lynn Martin & Diane Ruble, *Children's Search for Gender Cues: Cognitive Perspectives on Gender Development*, 13 CURRENT DIRECTIONS IN PSYCHOL. SCI. 67, 68 (2004).

76. See generally Beverly I. Fagot et al., *Gender Labeling, Gender Stereotyping, and Parenting Behaviors*, 28 DEV. PSYCHOL. 225 (1992).

77. Lynn S. Liben & Rebecca S. Bigler, *The Developmental Course of Gender Differentiation: Conceptualizing, Measuring, and Evaluating Constructs and Pathways*, 67 MONOGRAPHS OF THE SOC'Y FOR RES. IN CHILD DEV vii–viii (2002).

rules about gendered behavior and show very little flexibility.<sup>78</sup> As they move into school age, adherence to gender roles relax, but patterns of preferences and behaviors remain a foundation of self-concept. There is a return to strict gender roles in adolescence at the advent of romantic relationships.<sup>79</sup> Masculinity and femininity become important attractors in heterosexual relationships (Felmlee, Hilton, & Orzechowicz, 2012). Many adolescents enter adulthood with gender roles, behaviors, and preferences in line with the breadwinner/caregiver family model they envision for their own future families.

Parents play an important part in their children's gender role development both as teachers and models. From infancy, and perhaps before birth, parents treat their sons and daughters differently.<sup>80</sup> Newborn boys are perceived to be more alert, more coordinated, and bigger than are newborn daughters by parents.<sup>81</sup> Parents play more physically<sup>82</sup> and also attend to sons more than to daughters and talk to and cuddle daughter more than sons.<sup>83</sup> These differences in experiences extend into toddlerhood; daughters are kept close to parents,<sup>84</sup> particularly mothers. Girls are given dolls and domestic toys that encourage the development of social and language skills. Conversely, sons are encouraged to play more independently and are given toys that encourage large motor skill and

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78. Sandra L. Bem, *Genital Knowledge and Gender Constancy in Preschool Children*, 60 *CHILD DEV.* 649, 660 (1989) (citing some research that suggests preschoolers can categorize toys, appearances, and activities as either male or female).

79. Heather A. Priess, Sara M. Lindberg & Janet S. Hyde, *Adolescent Gender-Role Identity and Mental Health: Gender Intensification Revisited*, 80 *CHILD DEV.* 1531–44 (2009).

80. See Emily W. Kane, *"I Wanted a Soul Mate": Gendered Anticipation and Frameworks of Accountability in Parents' Preferences for Sons and Daughters*, 32 *SYMBOLIC INTERACTION* 372, 374 (2009); see also Joanne Sweeney & Marilyn R. Bradbard, *Mothers' and Fathers' Changing Perceptions of Their Male and Female Infants over the Course of Pregnancy*, 149 *J. OF GENETIC PSYCHOL.* 393 (1988).

81. See generally Gordon Teichner, Elinor W. Ames & Patricia Kerig, *The Relation of Infant Crying and the Sex of the Infant to Parents' Perceptions of the Infant and Themselves*, 34 *PSYCHOL.: A J. OF HUM. BEHAV.* 59 (1997).

82. See generally Lindsey, E. W. & Mize, *Contextual differences in parent-child play: Implications for children's gender role development*, 44 *SEX ROLES* 155 (2000).

83. See generally Campbell Leaper et al., *Moderators of Gender Effects on Parents' Talk to Their Children: A Meta-Analysis*, 34 *DEV. PSYCHOL.* 3 (1998).

84. Lisbeth B. Lindahl & Mikael Heimann, *Social Proximity in Swedish Mother-Daughter and Mother-Son Interactions in Infancy*, 20 *J. OF REPRODUCTIVE AND INFANT PSYCHOL.* 37, 37 (2002) (discussing research results showing mothers maintained closer social proximity to daughters than sons).

spatial relation skills.<sup>85</sup> Children take these skills to preschool and form different types of friendships. Girls use the social and language skills built at home to make intense, intimate friendships that revolve around talking while boys form larger groups of friends that revolve around activities they enjoy doing as group.<sup>86</sup> Parents encourage boys and girls to develop different skills which prepare them for different futures, either as breadwinner or caregiver.

Parents also hold different expectations for older children. Boys are perceived as smarter in math and sciences while girls are perceived as hard-working and well-behaved students.<sup>87</sup> Parents encourage boys' to participate in extracurricular activities that are usually narrowly focused on athletics or science and math.<sup>88</sup> Sons and daughters are given different household chores; boys are given more masculine chores (taking out trash, mowing the lawn, car washing) while girls as expected to do more kitchen and childcare chores.<sup>89</sup> These chore responsibilities increase boys' and girls' efficacies for tasks in different household domains. In adolescence, parents again begin to police children's gender roles and to reign in girls' and encourage boys' independence.

Fathers are particularly concerned with their children's gender role development and report more concern about sons' adherence to gender roles than daughters. Fathers typically have more traditional gender role

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85. See generally Campbell Leaper & Jean B. Gleason, *The Relationship of Play Activity and Gender to Parent and Child Sex-Typed Communication*, 19 INT'L J. OF BEHAV. DEV. 689 (1996).

86. See generally Lynne Zarbatany & Patricia McDougall, *Gender-Differentiated Experience in the Peer Culture: Links to Intimacy in Preadolescence*, 9 SOC. DEV. 62 (2000).

87. See generally Ruchi T. Bhanot & Jasna Jovanovic, *The Links Between Parental Behaviors and Boys' and Girls' Science Achievement Beliefs*, 13 APPLIED DEV. SCI. 42 (2009).

88. See generally Allan Wigfield et al., *Sex Differences in Motivation, Self-concept, Career Aspiration, and Career Choice: Implications for Cognitive Development*, in BIOLOGY, SOCIOLOGY, AND BEHAVIOR: THE DEVELOPMENT OF SEX DIFFERENCES IN COGNITION (Ann V. McGilguddy-De Lisi & R. De Lisi eds., 2002); see also BIOLOGY, SOCIETY, AND BEHAVIOR: THE DEVELOPMENT OF SEX DIFFERENCES IN COGNITION (ADVANCES IN APPLIED DEVELOPMENTAL PSYCHOLOGY) 93-124 (Ann McGilguddy-De Lisi & R. De Lisi eds., 2002).

89. See Ann Crouter et al., *Household Chores: Under What Conditions do Mothers Lean on Daughters*, 2001 NEW DIRECTIONS FOR CHILD & ADOLESCENT DEV. 23-41; see also FAMILY OBLIGATION AND ASSISTANCE DURING ADOLESCENCE: CONTEXTUAL VARIATIONS AND DEVELOPMENTAL IMPLICATIONS: NEW DIRECTIONS FOR CHILD AND ADOLESCENT DEVELOPMENT 23-41 (Andrew J. Fuligni ed., 2001).

attitudes and encourage more traditional play than do mothers.<sup>90</sup> Fathers will engage in masculine play with daughters and sons but will only engage in feminine play with daughters.<sup>91</sup> Fathers also give direct information to sons about gendered attitudes and behaviors.<sup>92</sup> When presented with feminine toys, sons report knowing that these are toys with which their fathers would not like them to play.<sup>93</sup> Parents' differentiated play with sons and daughters directly impacts girls' and boys' play with peers.<sup>94</sup> These different interactions with peers give boys and girls practice and efficacy building experiences to further differentiate the set of skills and competencies they bring to adulthood.<sup>95</sup>

Children also use their parents as models for gendered behaviors. Therefore, families who adhere more to the breadwinner/caregiver model have children whose current behaviors and vision of their future selves are also more traditional.<sup>96</sup> Conversely, daughters whose mothers contribute to family finances are more likely to think about future careers and to envision a future that includes working. Sons whose mothers work have visions of the future that include increased child care responsibilities.<sup>97</sup> When mothers view their family role as financial provider their daughters reported less traditional gender role attitudes than did daughters of mothers who considered themselves primary caregivers.<sup>98</sup> Thus heterosexual parents who break from the breadwinner/caregiver ideal have children who are also able to envision a future with family roles unrestricted by gender.<sup>99</sup>

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90. See generally Judith H. Langlois & A. Chris Downs, *Mothers, Fathers, and Peers as Socialization Agents of Sex-Typed Play Behaviors in Young Children*, 15 CHILD DEV. 1237 (1980).

91. See *id.*

92. See HANDBOOK OF GIRL'S AND WOMEN'S PSYCHOLOGICAL HEALTH: GENDER AND WELL-BEING ACROSS THE LIFE SPAN 262–71 (Judith Worell & Carol D. Goodheart eds., 2006).

93. See generally Tarja Raag & Christine L. Rackliff, *Preschoolers' Awareness of Social Expectations of Gender: Relationships to Toy Preferences*, 38 SEX ROLES 685 (1998).

94. See Lindsey, *supra* note 82.

95. See *id.*

96. See Fulcher, *supra* note 9, at 339.

97. See Heidi R. Riggio & Stephan J. Desrochers, *Maternal Employment: Relations With Young Adults' Work and Family Expectations and Self-Efficacy*, 49 AM. BEHAVIORAL SCIENTIST 1328, 1341–42 (2006).

98. See H. Helms-Erikson et al., *Do Women's Provider-Role Attitudes Moderate the Links Between Work and Family?*, 14 J. OF FAM. PSYCHOL. 658, 668 (2000).

99. See generally Francine M. Deutsch, *Equally Shared Parenting*, 10 CURRENT

Children conform to gender stereotypes in varying degrees. Some variation in gendered behaviors is not directly associated with well-being for boys or girls. Masculine girls and feminine boys can be as happy, academically and socially successful as gendered children. The less typical boys and girls are to their own gender the more likely their well-being will be impacted.<sup>100</sup> It is parents', peers' and teachers' interactions to gender nonconforming children that impacts their well-being, not the nonconformity itself and these interactions are often quite negative. Parents often become concerned about children's gender atypical behavior, particularly their sons.<sup>101</sup> Tomboys, girls who show positive masculine behaviors, are often rated positively by parents, teachers and peers, particularly before adolescence.<sup>102</sup> Positive ratings are more likely to occur when girls show both masculine and feminine interests, rather than masculine interests alone. This probably reflects a devaluing of feminine attributes. Children understand fathers' preference for masculine behaviors from an early age. In a classic study,<sup>103</sup> Alice Baumgartner asked school age children what would happen if they were to become a child of the other gender. Boys were likely to see this event as negative and expressed concern. Some girls, however, thought their becoming male might improve family life. One girl said, "If I were a boy, my daddy might have loved me more."<sup>104</sup> Parents, however, do encourage more gendered behavior at the advent of adolescence when femininity and heterosexuality converge for girls.<sup>105</sup> Gentle boys are not rated highly for competence or likability. Parents, particularly fathers are most concerned when boys express interest

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DIRECTIONS IN PSYCHOL. SCI. 25, 27 (2001); *see also* Barry S. Hewlett, *Culture, History, and Sex: Anthropological Contributions to Conceptualizing Father Involvement*, 29 MARRIAGE & FAM. REV. 59 (2000).

100. *See* G. Rieger & R. C. Savin-Williams, *Gender Nonconformity, Sexual Orientation and Psychological Well-Being*, 41 ARCHIVES OF SEXUAL BEHAV. 611, 612 (2012).

101. *See* E. W. Kane, "No Way My Boys are Going to be Like That!": *Parents' Responses to Children's Gender Nonconformity*, 20 GENDER & SOC'Y 149, 149 (2006) (stating research results that suggest parents welcome nonconformity from their daughters but not their sons); *see also* E. G. Menville & C. Tuerk, *A Support Group for Parents of Gender-Nonconforming Boys*, 41 J. OF AM. ACAD. OF CHILD AND ADOLESCENT PSYCHIATRY 1010 (2002).

102. Kane, *supra* note 101.

103. Alice Baumgartner-Papageorgiou, "My Daddy Might Have Loved Me": *Students' Perceptions of Differences Between Being Male and Being Female* (1983) (unpublished paper) (on file with Institute for Equality in Education).

104. C.R. BEAL, *BOYS AND GIRLS: THE DEVELOPMENT OF GENDER ROLES* 107 (1994).

105. *See* Kane, *supra* note 101, at 158.

in feminine clothes, make-up, dance or fashion dolls, with some fathers actively taking their sons away from such materials.<sup>106</sup>

When acceptance of the nonconforming child increases, so does well-being, suggesting that children suffer not from gender dysphoria but from rejection.<sup>107</sup> It is the ill-fitting gender role and people's reactions to their gender nonconformity that causes children's distress. Adults believe that gender nonconformity in childhood is associated with adjustment problems and non-heterosexual sexual orientation in adulthood<sup>108</sup> particularly for boys. Women are generally more accepting of children's non-conforming behaviors than are men.<sup>109</sup> Fathers often consciously try to mold sons' behaviors to meet a masculine ideal.<sup>110</sup> Because masculinity is tied to the provider role parents may believe that a less masculine son may be incapable of performing his provider role, leaving him isolated and without family.

Fathers have a strong preference for their children to be heterosexual. This is particularly true for sons.<sup>111</sup> In fact, fathers feel responsible for their sons' heterosexuality. Fathers report their sons' heterosexuality to be a reflection of both their own masculinity and their success as a parent.<sup>112</sup> They feel less responsible for daughters' heterosexuality. In fact, fathers report feeling that a teenaged lesbian identity is not authentic.<sup>113</sup> Fathers view daughters' sexuality as passive and imperiled, and see themselves as daughters' protectors.<sup>114</sup> When fathers who hold a heteronormative family model feel that their children's sexuality is their responsibility, they are likely to push children into more gendered behaviors and roles.

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106. See Kane, *supra* note 101, at 160; see also Langlois, *supra* note 90, at 1246.

107. See Tara E. Smith & Campbell Leaper, *Self-Perceived Gender Typicality and the Peer Context During Adolescence*, 16 J. OF RES. ON ADOLESCENCE 91, 102 (2006).

108. See Rachel N. Thomas & Judith E. Owen Blakemore, *Adults' Attitudes about Gender Nonconformity in Childhood*, 42 ARCHIVES OF SEXUAL BEHAV. 39, 39 (2013).

109. See Judith E. Owen Blakemore & Craig A. Hill, *The Child Gender Socialization Scale: A Measure to Compare Traditional and Feminist Parents*, 58 SEX ROLES 192, 193 (2008).

110. Kane, *supra* note 101, at 166.

111. Kane, *supra* note 101, at 163.

112. Nicholas Solebello & Sinikka Elliott, "We Want Them to Be as Heterosexual as Possible": Fathers Talk About Their Teen Children's Sexuality, 25 GENDER & SOC'Y 293, 300-06 (2011).

113. *Id.* at 308, 310.

114. *Id.* at 306-10.

Although most parents assume their children are heterosexual, they work hard to shape children's gender and sexual identities.<sup>115</sup> Parents report that gender nonconformity serves as a flag about children's future sexual orientation. This association begins in preschool for boys and not until adolescence for girls.<sup>116</sup> Mothers are more likely to question preschool boys' heterosexuality than daughters.<sup>117</sup> Mothers use children's crushes or pretend heterosexual relationships as evidence of heterosexuality and gender non-conformity (not same-sex crushes) as signs of non-heterosexuality.<sup>118</sup> Parents often report concern when children have an opportunity to learn about non-heterosexual identities. They may complain that children are too young to learn about sexuality.<sup>119</sup> However, children's heterosexual play (house, Barbies, chase & kiss) is of no concern to parents.<sup>120</sup> Parents and teachers also support cultural activities with heterosexual underpinnings such as school dances.<sup>121</sup>

Very little research has been dedicated to the development of heterosexuality,<sup>122</sup> and it is often treated as just the natural growth in sexual identity.<sup>123</sup> Parents' behaviors probably do very little to mold or predict children's future sexual orientation but do teach children about the normative nature of heterosexuality.<sup>124</sup> Although mothers spend very little time talking to children about sex and sexual relationships they do spend time talking about marriage and heterosexual romance.<sup>125</sup> Mothers present

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115. See Karin A. Martin, *Normalizing Heterosexuality: Mothers' Assumptions, Talk, and Strategies with Young Children*, 74 AM. SOC. REV. 190, 196–201 (2009).

116. Kane, *supra* note 101, at 158.

117. Martin, *supra* note 115, at 196.

118. *Id.* at 197.

119. See generally JENNIFER BRYAN, FROM THE DRESS-UP CORNER TO THE SENIOR PROM: NAVIGATING GENDER AND SEXUALITY DIVERSITY IN PREK-12 SCHOOLS (Rowman & Littlefield Education 2012).

120. See generally BARRIE THORNE, GENDER PLAY: GIRLS AND BOYS IN SCHOOL (Rutgers Univ. Press 1993).

121. See generally BRYAN, *supra*, note 119.

122. Janet Shibley Hyde & Sara R. Jaffee, *Becoming a Heterosexual Adult: The Experiences of Young Women*, 56 J. SOC. ISSUES, 283, 283–84 (2000).

123. Nancy J. Chodorow, *Heterosexuality as a Compromise Formation: Reflections on the Psychoanalytic Theory of Sexual Development*, 15(3) PSYCHOANALYSIS AND CONTEMP. THOUGHT 267 (1992).

124. Martin, *supra*, note 115, at 192–93.

125. *Id.* at 190–207.

love and marriage to preschool daughters as being like Disney movies.<sup>126</sup> Martin<sup>127</sup> found that 33% of mothers of preschoolers are parenting in a way they believe will prevent non-heterosexuality, in part by encouraging gendered play and activities. Men report more homophobic attitudes than do women.<sup>128</sup> Fathers see themselves as responsible for their sons' future sexual orientation and are especially invested in helping them be more masculine.<sup>129</sup> Fathers present scripts to daughters in which they are passive sexually and need to protect themselves and be protected from boys.<sup>130</sup> The presentation of the heterosexual script, the heteronormative family model and the invisibility on non-heterosexual identities fails to include children who are gender non-conforming or non-heterosexual. These children are left alone to construct an identity for themselves without the help of trusted adults.

It would be interesting then to see how lesbian and gay parents present sexuality to their children. However, very little research exists.<sup>131</sup> Evidence suggests that lesbian mothers work to provide children with accurate information about their body, and reproduction and to increase tolerance in their children for non-heterosexual identities.<sup>132</sup> It is clear that most children raised by lesbian and gay parents identify as heterosexual as adults<sup>133</sup> but as adolescents they may be more open to having a non-heterosexual relationship than are adolescents reared by heterosexual parents.<sup>134</sup>

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126. *Id.*

127. *Id.*

128. See Jeni Loftus, *America's Liberalization in Attitudes Toward Homosexuality, 1973 to 1998*, 66 AM. SOC. REV. 762, 772 (2001) (citing research which states over the course of a twenty-five year span, men saw homosexuality as more immoral than women).

129. See Nicholas Solebello & Sinikka Elliott, "We Want Them to be as Heterosexual as Possible": *Fathers Talk About Their Teen Children's Sexuality*, 25 GENDER & SOC'Y 293, 294 (2011) (stating how there is a lack of research on how parents, particularly fathers, think about their children's sexuality).

130. See *id.* at 293.

131. See Rachael Cohen & Katherine A. Kovalanka, *Sexual Socialization in Lesbian-Parent Families: An Exploratory Analysis*, 81 AM. J. ORTHOPSYCHIATRY 293 (2011).

132. See Jacqui Gabb, *Sexuality Education: How Children of Lesbian Mothers "Learn" About Sexuality*, 4 SEX EDUC. 19, 24 (2004).

133. See Jennifer L. Wainright et al., *Psychosocial Adjustment, School Outcomes, and Romantic Relationships of Adolescents With Same-Sex Parents*, 75 CHILD DEV. 1886, 1887 (2004) ("Offspring of lesbian mothers were also no more likely to report same-sex sexual attraction or gay, lesbian, or bisexual identity than were those from heterosexual families).

134. See Susan Golombok & Fiona Tasker, *Do Parents Influence the Sexual Orientation of Their Children? Findings From a Longitudinal Study of Lesbian Families*, 32

There has been more research into the gender role development of children of lesbian and gay parents. Early concerns about children of lesbian and gay parents included that they would not be able to display typical gender roles without a parent of each gender. In childhood, the toy and activity preferences of sons and daughters of gay and lesbian parents do not differ from those of the sons and daughters of heterosexual parents. Children of lesbian parents are more likely to be tolerant of others' nontraditional behaviors but do not show any gendered behavior differences compared to children of heterosexual parents. Even this difference in tolerance disappears when parents' gendered attitudes are considered.<sup>135</sup> Parents with less traditional gender role attitudes and behaviors have children less restrained by gender stereotypes, regardless of parental sexual orientation.

Gender non-conforming and non-heterosexual children often struggle to gain acceptance and support from parents, schools, and peers.<sup>136</sup> This struggle is associated with decreased levels of well-being and psychological adjustment.<sup>137</sup> This struggle can be traced back to the breadwinner/caregiver family model idealized in society. Parents make gender a salient part of family life in how they organize their paid and unpaid labor, show gendered parenting behaviors, interact differently with sons and daughters, encourage gendered behaviors and police non-conformity in children. As such children may begin to create a worldview with no other model for adult family life. Children need to feel accepted and important in order to learn and develop. If they perceive their core identity to be counter to that desired by their parents communication and warmth, which is essential to positive parenting, will be impossible.

There are many gender nonconforming and non-heterosexual children in the child welfare system. They may make up a disproportionately large percentage of children in state care. They may leave home or be rejected by

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DEV. PSYCHOL. 3, 7 (1996) (citing a study which reported children of homosexual parents have an increased tendency to consider a same-sex relationship, but not necessarily same-sex attraction).

135. Megan Fulcher, Erin L. Sutfin & Charlotte J. Patterson, *Individual Differences in Gender Development: Associations with Parental Sexual Orientation, Attitudes, and Division of Labor*, 58 SEX ROLES 330, 330 (2008).

136. *See generally* JENNIFER BRYAN, FROM THE DRESS-UP CORNER TO THE SENIOR PROM: NAVIGATING GENDER AND SEXUALITY DIVERSITY IN PREK-12 SCHOOLS (2012).

137. *See generally* AMERICAN PSYCHIATRIC ASSOCIATION, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (5th ed. 2013).

their family because of their gender or sexual identity.<sup>138</sup> To promote the psychological health as well as academic and social success, children need to be placed in homes where expectations, parental behaviors and opportunities are not tied gender or sexual orientation.

Using the breadwinner/caregiver family model as a template when deciding who would make a good parent has proven to be flawed. Evidence indicates that men and women can make excellent parents regardless of gender or sexual orientation. Lesbian and gay parents have shown that happy and healthy children can thrive in a variety of family constellations. Under the breadwinner/caregiver model children are trained from their earliest days to prepare for family roles that may stifle or isolate them. This heteronormative model is used to keep children within the strict boundaries of gender and heterosexuality. It only succeeds in creating risky and unhealthy stress for gender nonconforming and non-heterosexual children. When deciding where children should be raised, courts should pay little attention to who is in the family and increase attention to how family members interact with one another.

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138. LAMBDA LEGAL DEFENSE & EDUCATION FUND, YOUTH IN THE MARGINS: A REPORT ON THE UNMET NEEDS OF LESBIAN, GAY, BISEXUAL, AND TRANSGENDER ADOLESCENTS IN FOSTER CARE 11 (2001), *available at* <http://www.lambdalegal.org/publications/youth-in-the-margins>.