

Part 3

School Education: Policies, Innovations, Practices & Entrepreneurship

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Dealing with a Nightmare Situation – Teachers in English Schools and Trans/gender Distressed/gender Dysphoria Students

Abstract

This paper discusses the responses of schools and teachers in England and some other developed countries to Trans children, that is, those who feel that their assigned sex at birth was not correct. These children may be defined as Trans, that is wanting to change their assigned sex, or in other ways, such as having gender distress or dysphoria, or not being cisnormative which is, accepting one's sex assigned at birth. Recent years have seen a steady increase in the numbers of school children concerned about their birth assigned sex, presenting numerous problems. These include areas such as toilet facilities, changing rooms, sports studied, clothing, names and the use of pronouns and how to allot sleeping accommodation on a school journey. Parents in many cases are very concerned over schools' reactions, which have included schools agreeing to allow social transitioning without informing parents, ignoring the safeguarding instructions to schools, that parents must be informed of physical or mental health issues a child discloses. In addition, parents and schools can be at odds, with how schools should respond. In England, teachers have been waiting for guidance from the DfE on this matter since 2018, but this was not produced for schools until the end of 2023 for consultation, leaving schools to make individual decisions on actions. Comparisons are made with how schools in other developed countries have responded to this challenge and a small group of teachers in England, were asked to express their personal views on this subject and how it had affected their role in school.

Keywords: schools, teachers, gender dysphoria/distress, Trans, cisnormative safeguarding, social transitioning

Introduction

A recent report by Policy Exchange Unit on Trans issues in schools in England (Moore, 2023) caused alarm and consternation amongst Members of Parliament, parents and teachers. Criticised as ‘right-wing’ and possibly presenting a danger to children, who will be punished or rejected by their parents, if they ‘come out’ as Trans and schools inform their parents. Hansford (2023) claims that four out of ten secondary schools accept student self-identification, in this area of personal gender beliefs. The main question here is what are the responsibilities of teachers in this area, where the need to support and help students who are having problems of any kind, clashes with government safeguarding instructions, that parents must be informed if their children have ongoing mental or physical concerns? Brill and Pepper (2022) suggest that there are three main periods when people acknowledge their gender diversity: childhood, preteen/early adolescence, and late adolescence or adulthood. A US study, for example, found that the mean age for when participants became aware of being trans or gender diverse was 5.4 years (Beemyn & Rankin, 2011).

Moss and Parry (2023), responsible for LGBT BBC News, raise questions as to why the promise of government to produce guidance documents for schools in 2018 on the issues raised by transgender pupils, was not swiftly honoured. A further promise was made for this support from the DfE to be published in the summer term of 2023, but nothing appeared, apart from a draft document put out for comment, to those with understanding of present laws. In a difficult and divisive situation, this was not of much help to individual teachers. These authors speculated on the slow progress on this guidance, possibly being influenced they believe, by the highly controversial nature of its content, including teachers accepting or rejecting the social transitioning of pupils to another sex, via name, pronouns used and clothing changes. As a result of this lack of guidance by the DfE, some schools decided to make their own decisions, but many teachers are very afraid to speak out about such a controversial issue, as parents have been known to sue individual teachers, or schools for attempting to advise a child on this contentious area. It is impossible to win, one teacher reported to a BBC News survey, as to how schools were responding to this issue and in some cases has resulted in the dismissal of teachers from their jobs (Moss & Parry, 2022). The aim therefore of this paper, is to examine the latest reports and issues raised by this challenging area, examine how schools in England and in other developed countries are dealing with this challenge and the consequences of these reactions. A small study of individual teachers’ reactions in England is also included.

Horton (2023) raised the question of how the culture and reaction in schools can seriously and negatively affect the lives of Trans students. Cisnormativity appears to be present in many schools, where the attitude held is one of expecting children to conform and accept without question, their birth assigned sex. This the author claims, can be extremely damaging to children, affecting their social life in school and this rigid response can cause distress and social injustice including bullying, which adversely affects learning. From his research, it appears that in many schools cisnormativity is seen as normal, conformation from all students is expected without question. He feels this is unjust and can make schools dangerous places for Trans children, resulting in trauma and poor attendance. Schools, teachers and leaders, he believes, should make far greater efforts to support and protect Trans students. In addition, the author points to the lack of previous research in the UK on primary aged children who socially transition or desire

to do so. The Children’s Commissioner, interviewed by the Telegraph newspaper (Clarence-Smith & Lough, 2023), expressed extreme concern over lack of guidance for schools, which had left teachers in an impossible situation.

In addition, recent events in England (in December 2023) have demonstrated the possible danger to Trans children from their peers. Two teenagers one male one female, were convicted of the plotting and execution of the murder of a girl, who had been born as male and transitioned. The communication between the two accused, displayed hatred and disgust and a determination to kill this person by a variety of means, which finally resulted in stabbing, after poisoning had failed. This is an extreme case and highly distressing to all who had heard or read about it, mainly for the hatred felt by these two young people towards someone who was perceived as ‘not normal’ (Barlow, 2023).

Reactions of teacher unions

In the situation of a lack of clear action from the DfE in England (Scotland and Wales had issued guidance to their teaching staff), the position remained confusing, with some clearly marked ‘sides’ to the argument. The BBC attempted to survey schools for reactions on this issue, but had difficulty persuading any teachers/heads to respond openly and be named. Unions have noted that teachers are extremely worried about saying or doing the ‘wrong thing’ and causing ructions with parents, or in attempting to help, damaging the child in some way. Unions reported numerous queries on this issue on how teachers should respond, but with little guidance from the DfE, it was difficult for Unions to give clear, measured advice, on how to act. Schools therefore began to make their own decisions, venturing into this area alone. This led to situations where schools either refused to change their activities like sports offered, or the provision of mixed/unisex toilets, or changing rooms for Trans pupils, or conversely offered a great deal of support, for example, unisex facilities, or special Trans facilities. This, might upset and offend parents who feel supporting a child with gender dysphoria is their role not a school’s (Weale, 2023). Or, such actions could enrage parents who feel such unisex facilities for teenagers are wrong. The idea of boys who believe they are females, wanting to use girl’s changing rooms is, for many parents totally unacceptable. Weale (2023) points out some schools allow this, whilst some of their parents, who judge the whole idea of transitioning, to be against their religion and nature, are highly negative. Conflict therefore is rife between schools’ reactions to children who declare misgivings about their birth sex. In some cases, there have been concerns that some schools are telling children that it is possible they were born into the wrong bodies, thereby making pupils in some cases question their own sexual identity. These issues, such as changing a child’s name, or the pronouns used in class is welcomed in some schools, but considered wrong in others, unless parents request it (Moss & Parry, 2023) as cisnormativity, is how the schools’ function. However, some schools have it appears contravened their safeguarding duties, which insist that for any child with issues such as gender dysphoria, parents must be consulted. Some schools say this could put the children a serious risk of abuse or even, so called treatment in some groups in society.

Our research reveals there to be a safeguarding blind spot when it comes to the issue of sex and gender. Safeguarding principles are being routinely disregarded in many secondary schools, which are neglecting their safeguarding responsibilities and principles in favour of a set of contested beliefs, in ways that risk jeopardising child wellbeing and safety. (Moore, 2023, p. 10)

Schools' reactions

Weale (2023) says that the issues became intensely polarised and not all schools are informing parents of students' requests, which is directly opposed to their safeguarding duties. In some accepting schools, counselling services are offered, which many doctors believe is outside the knowledge and understanding of teachers, who are not medical professionals. In some cases, schools have reacted against the wishes of parents, encouraging social transitioning and even celebrating it in school, without any parental involvement (Weale, 2023). This has resulted in a breakdown of communication between schools, parents and the student. Such students need referral to NHS gender services. However, these have been heavily criticised of late as inadequate, in helping gender questioning children (Cass, 2022). The Cass Review of services offered by NHS Gender Identity Service (GIDS) Clinics to gender questioning children, strongly criticised the approaches used, questioning the too early provision of puberty blockers to prevent natural changes to children's bodies, basically saying that too much was being offered too early, to confused and unsure young people. However, other doctors strongly disagreed with the Cass Report findings. Some doctors, insisting that there is no clear medical guidance on how to respond to children's concerns about gender. Lees (2022) had raised questions about this issue in education, especially the mostly affirmative approach to Trans children's self-diagnosis, resulting in schools and teachers on the whole, supporting their wishes. This author, discussing the negative judgement of the NHS GIDS provision of affirming reactions as it was set to change, to treatment in eight clinics around the country, linked to mental health services, points out that there had been a realisation, that children with gender dysphoria were often challenged by other issues such as autism, depression and reactions to food and their bodies.

Some schools are refusing to accept Trans students in future to preserve their single sex status. The Girls' Day School Trust is opposed to a positive approach to gender identity change, Parry (2022) on BBC News raised the question of Nottingham Girls High School, one of the Trust's 25 non state schools. The school had refused to accept Trans children into the school, to protect its single sex status. Only girls whose biological sex at birth was determined as female, will be accepted in future. However, this attitude was strongly criticised by the local MP saying that the status of the school as regards sex was protected by the Equality Act. In addition, a group called 'Bayswater' strongly disagrees that schools and teachers should support a child wishing to transition socially. The group has over 600 members and campaigns strongly to stop schools from allowing, without medical guidance, these actions to occur. The group offers information, support, resources and advice on the use of puberty blocking medication, which may be offered to their child by an NHS clinic and on how to respond to a child claiming gender dysphoria (Bayswater Support Group, 2023).

The Guidance appears

ITV NEWS (19.12.2023) gave a short account of the directives of the non-statutory guidance, gathered from a variety of sources. It is not law, but under safeguarding regulations schools will be expected to conform.

- Schools will have to inform parents if students ask for the opportunity to transition in school, with minor exceptions to this directive if a child would be put at

significant risk by exposure. Parents generally must be consulted at all stages unless this could endanger the child.

- Single sex spaces must be retained and transitioned children not allowed to use other sexes' spaces, toilets, changing rooms etc. unless it causes them to be distressed. Mixed sports forbidden at least for older pupils where safety could be an issue. (Some schools therefore may have to remove unisex toilet facilities.)
- There would be no general expectation that schools would accept requests to socially transition, or individual teachers be forced to allow change of names, pronouns used, if they have a 'good faith' reason etc. This point was underlined by the Minister for Women and Equalities, but at present it is unclear what the reasons to refuse to allow social transitioning actually are! However, requests from primary children to transition must be treated with extra caution; generally refused.
- Schools will also be told they have no obligation to provide gender-neutral facilities such as toilets and changing rooms, for Trans students, while single sex schools will be told that they do not need to accommodate transgender pupils.

Education Unions have to some extent welcomed the arrival of the guidance, but note its non-statutory nature; that it is still in draft form and out for general consultation for nine weeks. This looks little better than the status quo, where schools are reacting in many ways, concerned about parent reaction and the need to make Trans children feel valued and safe in school. This draft appears to continue the do-it-yourself schools' culture, including the teacher's right to decide whether to acknowledge transitioning individually, rather than following a whole school directive. This is in many ways impossible for all concerned, seems unclear and likely to raise objections about its inconsistency. It appears to have been written by people who lack real knowledge about what working in schools entails and the need for continuity and agreement between all staff, as to how to react to requests for transition. Surely it is better for the whole school to have one policy? It is also clear that there is not all-round agreement over this approach in the government. One group have asked that social transitioning should not be allowed for any student under eighteen years of age and worries that there are too many loopholes in the guidance for Trans activists to exploit. This, after the UK government had blocked the request of the Scottish government to allow sex change operations at sixteen. Plus, the Cass Report (Cass, 2022) concerns over too early use of puberty blocking drugs by NHS clinics.

Further consultations are occurring, but at present it appears that in most areas schools and individual teachers have to abide by the Guidance unless the child would be distressed, which appears regularly, presenting only confusion and uncertainty in many areas, as a Trans child told to continue accepting cisnormativity, will undoubtedly be distressed. Unions have expressed frustration at the publication's timing which was a few days before schools finished the term, plus the problem with many questions remained unanswered.

Reactions to the Trans debate in other developed countries

Bartholomaeus et al. (2017) surveyed South Australian primary and pre-service teachers on Trans children in schools. Results showed, that women were more likely to accept Trans students, positively and were more relaxed than male teachers, when

working with them. Good training programmes exist to help staff to support Trans children, but staff wanted that training to be intensified and more support material being made available on this subject area, in primary schools. Numbers of children identifying as Trans, was increasing rapidly and if not correctly approached, could lead to violence and bullying. Research showed that creating a positive and supportive school culture for these children is essential and policies in schools need to support teachers in their efforts to help the Trans children. It was noted that open discussion of gender dysphoria needs to occur with staff, students and parents and that provision of mixed sex facilities and clothing changes needs to be openly discussed, with all parties. Without this, students can be intimidated and excluded. However, parents may negatively react to a child's Trans disclosure, causing dispute and stress for all. In Australia an organisation, Safe Schools Coalition, supports a wide variety of schools in the south of the country on inclusion for LGBT and gender diverse students, However, research on this area has come under attack from right wing groups, politicians and lobby groups (Bartholomaeus et al., 2017). Conversely, parents, particularly mothers in the area of Sydney seem to be more accepting of gender diversity, than is the general rule in the country (Ferfolja & Ullman, 2018). Their understanding of sexuality in all its forms, was accepting and sympathetic.

A study in the USA where States make decisions on reactions in schools to gender diverse issues, demonstrated wide differences between individual States' reactions. In parts of the USA, schools outed the gender dysphoria students to their parents without students' permission. The State of Vermont (Reed, 2023) has introduced new regulations. Formally, many States had barred Trans individuals from sporting activities, refused to provide mixed sex facilities, or to allow books about gender distress, to be present in school libraries. A new policy for Trans students' treatment, in Vermont Schools has been passed, stating clearly the rights of Trans children and all schools must adhere to it. However, other States strongly disagree with this approach, so reactions across the whole country are very diverse. Recently, the removal of books from school libraries across the country, differing in individual States, has raised anger, parental concern and even physical attacks on school officials (Youngs, 2023). The books included sexual content or themes, gender identity and race. This banning of books has risen massively of late, especially after Covid, when many parents in the USA, found out what their children were learning about and strongly protested and a group, Pen America has been formed to fight for freedom of expression for authors there.

In Canada, a study in secondary schools in British Columbia (Frohard-Dourlent, 2016) raised the issue of how teachers respond in discussions with and about Trans children, in secondary schools there. The approaches used by teachers this author describes, include verbal bullying responses, presenting themselves as open minded and emphasising their difficulties with outside, higher powers in school or beyond. All this influenced their personal responses to Trans children. The author suggests that the respondents play down their own influences in school when discussing these issues and that they have more powers over school cultures than they appear to accept. This she believes, negatively affects cultural change, other provinces are also changing their policies, as many Trans children, come out to their teachers, not their parents. Some have now insisted if a child discloses to a teacher, then the parents must be informed (Bai, 2023). This has been very controversial, as some experts believe that it could put some students in danger at home.

Teachers' opinions

Individual teachers in a wide variety of schools in several areas of England, academies, community schools, secondary and primary were asked, as a random sample if they would be willing to answer some questions relating to reactions to Trans children in their school. Despite confidentiality being assured with the use of nick names or numbers only, almost half of the teachers asked, declined to take part, saying that the issue was too controversial and their school leadership would not consent to their involvement, or themselves were concerned about possible reactions, if it became known they had participated in this research. These reactions echoed responses, to the BBC when they were attempting to ask schools to comment on the lack of government guidance on this issue. The respondents who took part were, one male primary classroom assistant, two female teachers in single sex secondary schools, a female Year Head in an academy and a male Head of a Physical Education Department in an academy. All were experienced teachers, not newly qualified. The questions related to their schools' reactions to the Trans issue, guidance of staff and actions undertaken in school, personal opinions as to what the individuals thought should be the response and their personal experiences of Trans children. As there were two single sex schools involved those respondents were asked if that had led to additional problems for the school if students wanted to transition in school. These interviews were conducted prior to the release of the Guidance Document release late December 2023.

Responses about the guidance they had received from their schools varied widely. The classroom assistant (CA) who works with seven-to-eight-year-olds, has not heard the issue mentioned in school. He was however, aware of difficulties occurring in other schools and the lack of guidance from the DfE. Plus, also conscious of the problems of dealing with certain religious groups in England on sexuality issues, which for some parents was a taboo subject. There had been a backlash previously from parents on the introduction of the new RSE curriculum, though it adhered to government policy and the Headteacher was anxious not to raise another controversy. CA had not read any of the national reports, but was aware of the non-appearance of guidance from the DfE saying, 'It makes life very difficult for everyone' particularly as some students 'use abusive language about LGBT people, obviously learned at home'. He worried about saying the wrong thing about anything related to sex or gender, as so many parents seemed to be very sensitive about these areas. He had not experienced any Trans issues related to his class, but as he said 'aware of the existence of 'girlish' boys and 'boyish' girls in that group. This could be a phase he believed and said 'the male female divide is not a clear line it differs between people'. If he was approached by a child re Trans issues, he would immediately contact his teacher and the Head for help.

The two teachers Subject Heads (SH) working in single sex girls' schools shared their concerns over the lack of clear guidance on how to react if a girl claimed that, to her belief, she was male. There was no male part of the schools and no special provisions for Trans students. The reaction of both schools had been to defend their single sex status, whilst offering their sympathy and understanding, but not allowing social transformation during school time in areas such as uniforms, names or pronouns used. The females in question had, in both schools, been advised to consider transferring to a mixed sex school in the area, or to a boys' only school. However, this latter raised questions as to whether the local single sex boys' schools were willing to accept a Trans student, with all the

associated problems re safety, changing facilities and the reactions of parents to mention only a few.

The Year Head (YH) female said that there had been an increase in students with gender concerns and the wish to socially transition. The school had done its best to support these individuals and contacted parents. The school was mixed with no unisex facilities and the Head had expressed concerns that some of these students were 'following the trend to be concerned about their gender'. Some of the staff were very against allowing gender changes in school, causing some problems between colleagues. However, as soon as the Guidance was issued the Head set out clear proposals as to how the school should deal with the issues. 'The Designated Safeguarding Lead (DSL) will have the relevant training and discussions with the Leadership team and all staff. They will also have support from the MAT Safeguarding Lead. Individual teachers merely log a safeguarding concern and then refer to the DSL who actions the response'. This is a clear design for action with individual teachers it appears, taken out of the decision-making process on how to react. The Leadership team in this school will, after consultation with staff and further information from the DfE, decide the whole school's reaction.

The male Head of PE (HPE) in an academy explained what problems and challenges he and his staff had faced recently. The school was mixed sex, but a growing number of students, or their parents had requested social transition. In a PE department where normally boys and girls change in different rooms supervised by a teacher of the same sex, follow sports activities generally aligned to their sex, agreeing to these requests was not possible. That is, girls and boys may follow different areas of the PE curriculum for example, dance for girls, gymnastics for both but, where they both play similar games, say football or rugby (more girls are playing these games in single sex teams), no mixed sex games are allowed, even for Trans students. This is deemed dangerous, as boys are often far heavier and stronger than girls who can be injured from heavy physical contact with boys. In addition, it is difficult to balance staffing and the curriculum as more girls wish to play games previously offered only to males and most boys do not want, even if Trans, to take part in dance or netball. The HPE received requests from both boys and girls, to use changing rooms aligned to the other sex, as there is no special provision for Trans students. The school has no finances to provide this facility and is against unisex toilet facilities. The HPE explained when using collective nouns in groups which contain Trans students, they often object if words, girls or boys are used. So, he uses words such as Teams none sex defining. He had also had complaints from parents, that their Trans child is being discriminated against because of the refusal to allow them to use other sex changing rooms etc. This request had produced extreme anxiety from parents of non-trans students. This juggling and need to accommodate all students' needs, he said was 'exhausting and worrying' for his staff and himself. So far, little had been done to change provision as the School Head wanted to wait for the government guidance so long promised. This HPE said was 'a nightmare for all concerned'.

After the official Guidance release, all the respondents said their schools were planning discussing the matter and considering how to respond, particularly in allowing individual teachers their right to choose the acceptance or not of students' transitioning. This was they all felt a difficult course to follow, as it could cause dissent amongst staff and distress for the Trans students, if individual staff were allowed to make personal

decisions on this issue. However, consultations were still taking place at national level, so schools' responses were cautious, as changes were expected.

Conclusion

The findings from the research in English schools, clearly demonstrates the difficult situation that schools, their leaders and teachers face in their daily work. The lack of clear guidance, as to how schools should respond, so long promised by the DfE, led to highly disparate responses in schools when deciding how to provide for the needs of Trans students, plus those cisnormative students who make up the larger part of the school community. The widely differing responses in relation to mixed sex provision, special provision for Trans students and the decision to out or even celebrate transitioning, varies widely between schools. NHS provision to support those with gender dysphoria, it appears, has proved to be inadequate. However, this confusion is not only to be noted in English schools, but it appears is echoed in other developed countries, where individual States as in the USA, Canada and Australia, disagree on how to respond to the needs of Trans students. This international picture presents misperceptions and uncertainty, apparently to continue in England after the DfE published its guidance document, leaving many unanswered questions, possibly making even more difficulties for the Trans child and those in authority in schools. Developing countries may have an even more difficult task.

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