

# OUT *Across the Nation*

## Supreme Court debates rights

by Rosanne King

The U.S. Supreme Court finally took on the controversial issue of gay rights in January, including a full-scale public debate over the constitutionality of an Oklahoma law enacted to protect schoolchildren from teachers who "profess homosexuality."

The state statute in question was passed by the Oklahoma legislature in 1978 and allows public schools to fire teachers who advocate, promote or encourage public or private gay activity in any way which might "come to the attention of schoolchildren or school employees."

Challenged by the National Gay Task Force, the law has never been applied to a teacher.

Dennis W. Arrow, University of Oklahoma law professor, argued on behalf of the Ok-

lahoma City Board of Education. According to Arrow, rights of public schoolteachers may be abridged in the interests of parents and the state in protecting student morality.

Teachers would not be punished for proposing revisions in laws that would be favorable to gay rights, Arrow maintained, but would prevent the advocating of sodomy.

The task force's attorney, Laurence Tribe of Harvard University, called the statute "chilling" and "Draconian." The broadly-worded law "tells teachers, 'you better shut up about this topic, or, if you speak about it, you better be hostile to homosexuality,'" he said.

Chief Justice Warren E. Burger asked Tribe if teachers might be treated differently since they were considered role models for their students. Tribe argued that one of the most important facets of their job as role models is to demonstrate "the value of open inquiry, of free speech."

The National Gay Task Force maintains that the morality of Oklahoma school children is adequately protected under existing laws and regulations in the state.

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