

HOSTILE HALLWAYS

Symposium directs attention to legal issues surrounding harassment of sexual minority students by Bob Roehr



Alana Flores is the plaintiff in *Flores vs. Morgan Hill*, a federal court case against her former high school for failing to protect her from anti-gay harassment. Flores, who is reprinted in her case by the National Center for Lesbian Rights, spoke at the second annual Gender, Sexuality and the Law Symposium at Georgetown University.

"For three years of my life I lived in fear," says Alana Flores in describing her high school years. "I received death threats, sadistic pornography with words like *faggot* and *dyke* used so commonly they were like *hello* and *goodbye*. 'Die, dyke, die' was scrawled on the outside of my locker. I wasn't even out then, and still I got all of this, I was gay-friendly."

Flores has the size and grace of a ballerina, the diction of one trained in the theater, and enough spunk to make Mary Tyler Moore jealous. Now attending community college, she is the lead plaintiff in *Flores vs. Morgan Hill*.

The lawsuit challenges the anti-gay peer harassment that her high school allowed to take place, explains Shannon Minter, an attorney with the National Center for Lesbian Rights in San Francisco. The center filed suit on Flores' behalf last April. The suit is scheduled for trial in federal court in San Jose, Calif., in September.

"I wanted to feel safe and secure. I wanted to have the rights that everyone else took for granted," Flores says. "I was told [by school officials] to stop complaining, stop crying, go back to class.... Those were my 'golden years' in high school."

The young woman related her experiences during a presentation titled *Hostile Hallways: Anti-gay Peer Harassment in Schools*, which was held March 4 during the second annual Gender, Sexuality and the Law Symposium sponsored by the *Georgetown Journal of Gender and the Law*, a project of Georgetown University law students.

Kimberlee Ward, the journal's editor in chief, says few law journal articles have been written on the 1996 case of Jamie Nabozny, who successfully sued his former high school for failure to protect him from anti-gay abuse. The symposium, says Ward, will hopefully begin to fill that void.

Georgetown law professor Mari Matsuda echoes the sentiment, saying the discussion "is making visible a form of child abuse that we are told does not exist."

She adds: "There is a cost imposed on being different. The cost is exacted through physical

torment and social threats. We teach that in schools."

Rea Carey, executive director of the National Youth Advocacy Coalition agrees. "We cannot underestimate the power and the use of the word *fag*," she says. "It is the single most frequently used derogatory statement in our schools today."

She cites numerous surveys, including one conducted by the American Association of University Women that shows 86 percent of students surveyed would be very upset if they were called a fag. Male students feared no other form of harassment more.

"In fact, they preferred to be physically beaten than to be called a fag," Carey says. "Being called a fag or a lezzie on the playground is just a warning shot of the harassment and the violence down the road in their future."

Carey says young queer people may respond to their situations in a variety of ways: They may follow a self-destructive path toward substance abuse and suicide; overachievers use activity as a smoke screen to hide their sexual orientation from others and sometimes from themselves; while some queer activists, she says, "refuse to fall into the victim role" and create their own support networks—folks like Nabozny, who fought back.

Carey believes the Nabozny case has forever altered the playing field.

She says, "Immediately we started getting calls from school administrators" eager to shield themselves from financial liability.

Kate Frankfurt, policy director of the Gay, Lesbian and Straight Education Network, says specialized schools for gay and lesbian youth—such as the Harvey Milk School in New York City—are evidence of the failure of school systems to provide protection for their students.

"On a very basic level, we need to take a look at zero tolerance for name-calling," she says, adding that verbal harassment often precedes physical violence.

Flores, meanwhile, says she wants to see all of the abuse end: "I can't take back the years that I suffered, but I can give someone justice, maybe a queer kid like me. And so can you."

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