

sprinkled her personal opinions throughout: "When did the biblical commandment 'Honor thy father and thy mother' become a threat to children's emotional well-being?"

"This story is based on unidentified sources and rumors," Garry said. "The school's statements that gay concerns were only one part of its decision are brushed aside in favor of gay-baiting conjecture."

The first lawsuit in the nation challenging anti-gay policies in university housing went before New York state's highest court April 24, as the Court of Appeals in Albany heard arguments in the American Civil Liberties Union's lawsuit against Yeshiva University.

Like many universities nationwide, Yeshiva offers subsidized housing for graduate students and their spouses. Also like many universities, Yeshiva requires that students be married to have access to this housing, thus excluding lesbian and gay couples—who pay hundreds of dollars a month in extra rent and commuting costs to live off-campus.

"Under policies like Yeshiva's, 100 percent of straight couples have access to this housing, but 0 percent of gay couples do," said Matt Coles, ACLU Lesbian and Gay Rights Project director. "Under any reasonable definition, that's discrimination."

The ACLU alleges that Yeshiva's housing policy violates New York City law barring discrimination based on sexual orientation as well



ifying that the state's nondiscrimination laws protect trans people as well. The legislation codifies federal and state court decisions that have held that it is impermissible to discriminate against individuals simply based on traditional notions of masculinity and femininity.

"This is a tremendously important piece of legislation that updates Rhode Island law to make it consistent with our modern understanding of sex discrimination prohibitions," said Jennifer Levi, staff attorney at Gay and Lesbian Advocates and Defenders, which was instrumental in helping draft the language of the bill. "Unfortunately, because of some poorly reasoned old cases, there is a misperception that transgender people are excluded from sex discrimination laws. This bill clarifies that no such exclusion exists."



Like many universities nationwide, Yeshiva's housing policy discriminates against same-sex couples

as state law prohibiting marital status discrimination. Because Yeshiva is not a religious institution (with the exception of certain programs), attorneys for the university have not made any claims that the anti-gay housing policy has anything to do with religion.

In addition to the direct impact the case will have in New York, Coles said the lawsuit is spurring efforts to change similar policies nationwide. Comprehensive data do not exist, but the ACLU estimates about half of the universities that offer couples housing discriminate against same-sex couples. Campus groups actively are working to change policies at University of California in Berkeley, University of Texas in Austin, University of Kansas in Lawrence, Iowa State University in Ames, Ohio University in Athens, University of Kentucky in Lexington and elsewhere.

RHODE ISLAND

By a 46-41 margin, the Rhode Island House of Representatives passed a bill May 1 clar-

ARIZONA

Gov. Jane Hull signed legislation May 8 repealing the state's century-old sex laws. The bill, sponsored by openly gay Rep. Steve May, repeals laws that make cohabitation, sodomy and nonprocreational sex acts illegal.

"Keeping archaic laws on the books does not promote high moral standards," Hull wrote in a one-page letter explaining her decision. "Instead, it teaches the lesson that laws are made to be broken."

Hull received almost 1,000 calls urging a veto, a spokesman said. The Arizona Human Rights Fund, the state's gay and lesbian civil rights organization, issued action alerts urging members to ask her to sign the bill.

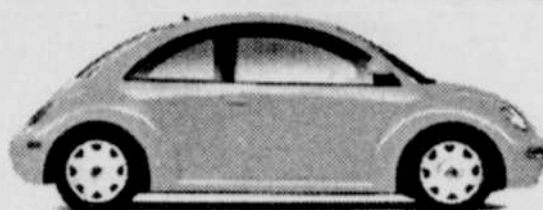
TEXAS

Gov. Rick Perry signed the James Byrd Jr. Hate Crimes Act into law May 11. The passage of this legislation means that, for the first time in U.S. history, a majority of the 50 states have hate crimes laws covering sexual orientation.

"This is a historic moment for gay and lesbian Texans—it is the first time we've been legally recognized and protected by Texas law," said Dianne Hardy-Garcia, Lesbian Gay Rights Lobby of Texas executive director. "It took years of continuous work, but at last the pendulum of justice swings our way." □

Compiled by Copy Editor JIM RADOSTA, who can be reached at jim@justout.com.

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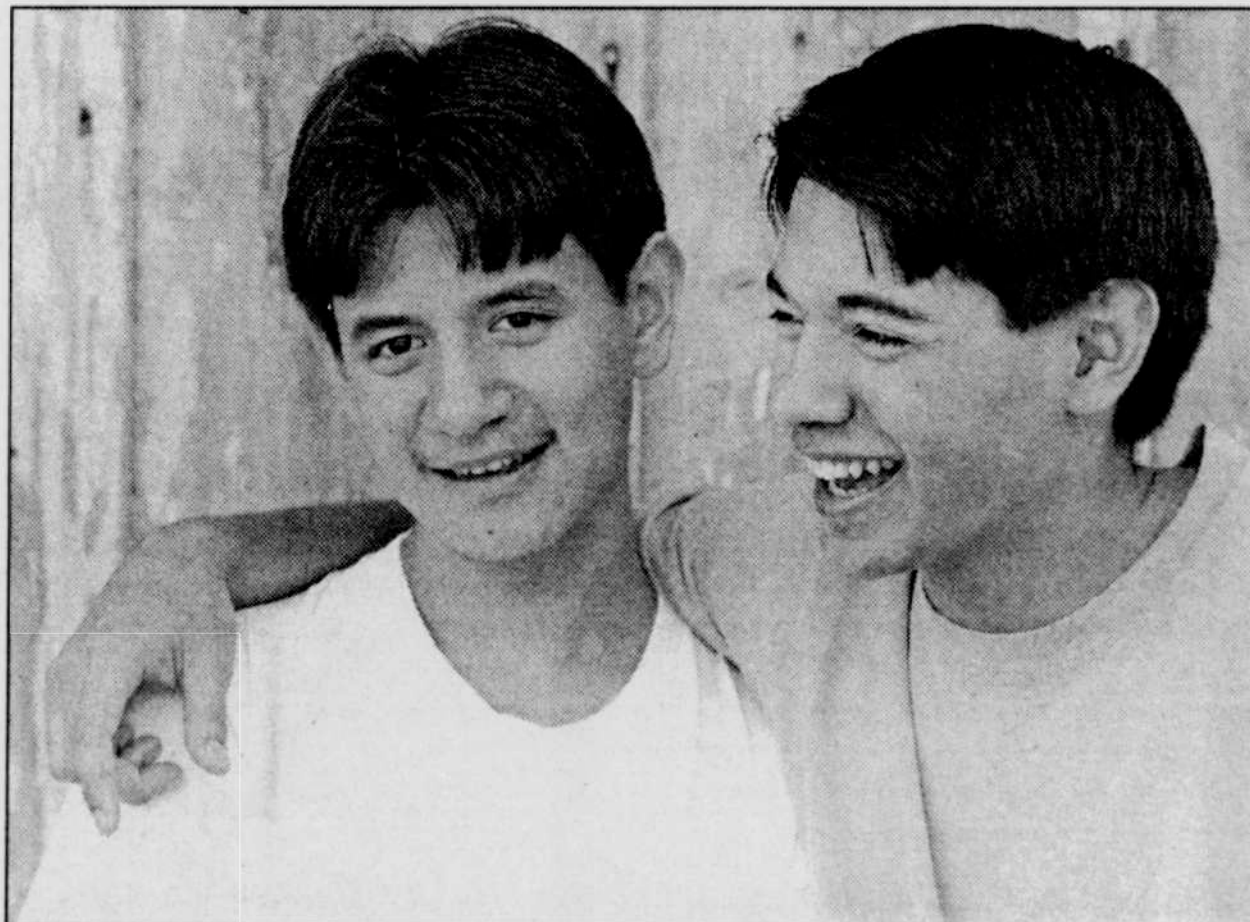


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