

**NATIONAL news**

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**COLORADO**

For the first time ever, the Denver Public School System has said trans and gender-nonconforming students will be protected under policies unanimously adopted by the board at a recent meeting. The board voted to add the term "gender identity" to the list of those afforded protection under the policy that describes "Equal Educational Opportunities" for students.

"We made a promise four years ago to get this done, and now we've finally fulfilled that promise," said Keith Lucero of the Lesbian, Gay, Bisexual, Transgender Education Advisory Council. His group has worked with district advisers as well as lawyers from the Colorado Legal Initiatives Project for the past two years to develop policies and protections for those students whose gender expression is not traditional.

"I grew up in a Denver suburb and by middle school I was harassed and physically attacked, sometimes as a daily event," council member Zia Klamm said. "When I asked for help, adults told me it was my fault for these attacks because I didn't 'act normal.' I did not know any other way to act. By adding gender identity to the school policy, my hope is that other kids will not have to go through the kind of harassment that I experienced."

**CALIFORNIA**

The Morgan Hill Unified School District, where queer students have suffered years of harassment and discrimination, including physical violence, has agreed to a wide-ranging staff and student training program and policy protections. This ends a five-year federal lawsuit brought by the American Civil Liberties Union and the National Center for Lesbian Rights.

As part of the settlement, which was announced Jan. 6, district employees will take part in a mandatory annual training program devoted exclusively to harassment and discrimination based on sexual orientation and gender identity. The district also is implementing an age-appropriate training program for students and an anti-discrimination policy barring harassment based on sexual orientation or gender identity. Substantial damages will be paid to the plaintiffs.

The lawsuit was brought on behalf of six students—five girls and one boy—who charged that school officials did not protect them from ongoing anti-gay abuse. One student, Freddie Fuentes, had to go to the hospital after a group of male students beat and kicked him while shouting "faggot" at a school bus stop in full view of the driver.

Another student, Alana Flores, found a pornographic picture taped to her locker. A handwritten note attached to it read: "Die, Die...Dyke bitch, Fuck off. We'll kill you." When Flores asked for help, the assistant principal brushed her off and told her to go back to class, saying: "Don't bring me this trash anymore. This is disgusting."

The case had been appealed to the 9th Circuit Court of Appeals by the district. The court issued a historic ruling holding that officials must take steps to eliminate harassment when they learn that queer students are abused at school.



U.S. Rep. Barney Frank, D-Mass., is demanding answers from the nation's largest academic internship organization, which has been accused of anti-gay discrimination

The San Diego City Council has agreed to a settlement in the American Civil Liberties Union's 2000 lawsuit challenging the city's subsidy of the Desert Pacific Boy Scout Council through preferential leases for public land in Balboa Park and Fiesta Island Aquatic Park.

In July 2003, Federal District Court Judge Napoleon Jones ruled that the Balboa Park lease violates First Amendment guarantees of separation of church and state. The city has given the Scouts nearly 70 years of exclusive use of 18 acres of prime park property in city-owned Balboa Park for \$1 a year and free use of an aquatic facility on city-owned Fiesta Island in Mission Bay through preferential leases.

The Balboa Park lease contains a provision that terminates the lease if any court issues a final judgment finding the lease illegal. The city attorney will ask Jones for such a final judgment based on the court's finding that the lease is unconstitutional and will then notify the Scouts that the termination clause has been triggered, paving the way for the removal of the Boy Scouts from the park.

"The Boy Scouts cannot have it both ways," attorney M.E. Stephens said. "Having gone to great lengths to establish that discrimination against gays and nonbelievers is essential to their mission, and therefore protected by the First Amendment, they cannot now turn around and ask the people of San Diego to foot the bill for that discrimination."

**NATIONAL**

The nation's largest academic internship organization, the Washington Center for Internships and Academic Seminars, was served with a lawsuit Jan. 9 for illegal sexual orientation discrimination and retaliation in violation of the District of Columbia Human Rights Act. It was sued for refusing to place an intern with the office of openly gay U.S. Rep. Barney Frank, D-Mass., because the student's college did not want him there based on the congressman's sexual orientation.

The plaintiff in the lawsuit, David Halpern, was a program supervisor whose job entailed placing interns on Capitol Hill. He was fired because he objected to the center's discriminatory conduct.

In accord with regular practice at the center, Halpern placed the intern with a member of Congress who shared the student's interests—which in this case was gay rights. However, a faculty adviser at Calvin College, the Christian university that the student attended, did not want him interning in a "homosexual environment."

When supervisors directed Halpern to assign the student to work elsewhere, he protested and was fired the next day. He was told that he was let go because of staffing reductions, but he believes that no other employee was terminated and that in fact new employees were subsequently added.

One month earlier, Halpern had come out to his supervisors that he was gay after receiving reports that a gay intern had felt unwelcome. In order to help future interns feel more comfortable, he requested that a reference to his volunteer work for the Human Rights Campaign be added to the staff biographies available to incoming stu-

dents. Supervisors told him they did not want him to become a "poster child" for gay rights.

In a letter to center president William Burke, Frank demanded an explanation. He is still awaiting a response.



National Park Service director Fran Mainella has been urged to keep queer civil rights march scenes in a Lincoln Memorial tourism video

According to press reports, the National Park Service has been repeatedly pressured to remove footage of queer civil rights marches, as well as pro-choice demonstrations, in a tourism video that has been running at the Lincoln Memorial since 1995. In a letter sent Jan. 9, the Human Rights Campaign urged NPS director Fran Mainella to leave the scenes intact.

"There is no justice in trying to rewrite history or erase parts of it," HRC president Cheryl Jacques wrote. "To do so would not only be a betrayal to the thousands of visitors who go to the memorial each day, but it would be a direct assault on the integrity of the values and teachings of Abraham Lincoln."

Press reports in late December indicated the NPS was going to remove the footage. Speaking with HRC officials Dec. 23, an NPS representative said the video was being "updated" but ardently assured HRC that the NPS would not be removing scenes of queer civil rights or pro-choice marches. The spokesperson added that the NPS believed it would be "dishonest" to take out the scenes and that the agency wanted to depict an "accurate historical portrayal" of what occurred at the monument.



President Bush (right) appointed racist Judge Charles Pickering on the eve of Martin Luther King Day weekend

President Bush made a recess appointment of Mississippi Judge Charles Pickering to the 5th U.S. Circuit Court of Appeals, the White House announced Jan. 16.

He is opposed by the National Association for the Advancement of Colored People, the Leadership Conference on Civil Rights and dozens of other mainstream civil rights groups.