

STANDING UP TO BULLIES

Community allies work to end youth harassment, while Oregon earns an F for its laws to protect all students

by Karen Kudej
Photos by Marty Davis

Mom, you can't throw a stick at MLC without hitting a queer person," said Joel Smith, cover model for this story. He wanted to reassure his mom that posing for a photo for *Just Out* was unlikely to cause problems for him at his school, Metropolitan Learning Center in Northwest Portland. Not that anyone is throwing sticks—or insults—at MLC, a progressive K-12 school that stresses justice and compassion, among other values.

When it comes to harassment and bullying not all students in Oregon are as lucky as Smith. The national Gay, Lesbian and Straight Education Network released its first *State of the States* report June 28. Oregon got an F.

The GLSEN report evaluated all 50 states and the District of Columbia in the areas of general education, state safe schools laws to protect queer students, state nondiscrimination laws, sexuality education and local safe schools policies. Only eight states and the District of Columbia received passing grades. New Jersey and Minnesota, scoring 95 and 91 out of 100 points, received the report's only A's. Mississippi was the only state to end with negative points (-3 overall), in part because of a law that specifically prohibits any positive portrayal of queer issues or people in schools.

Oregon, earning only 28 points, ranked 29th and, along with 41 other states, received a failing grade. Most states, including Oregon, fell short when it came to a

statewide safe schools law and nondiscrimination law that included sexual orientation and gender identity.

Bonnie Tinker, executive director of Love Makes a Family, is not surprised that Oregon received a poor mark. She notes, "Although Oregon has a bully law, it doesn't go very far in actual implementation."

Flimsy legislation

Oregon legislation defines bullying as "any act that substantially interferes with a student's educational benefits, opportunities or performance" and involves physical harm to the student or the student's property, generates fear of harm or creates a hostile environment. Oregon law mandates that each school district "shall adopt a policy prohibiting harassment, intimidation or bullying."

The law provides suggestions to what should be included in district policies but stops short of making requirements. School districts are "encouraged to develop the policy after consultation with parents and guardians, school employees, volunteers, students, administrators and community representatives." School districts are also "encouraged" to have a description of the type of behavior expected from each student, a statement of consequences and a procedure for investigating reports of bullying. However, such policies are not required.

Instead of general guidelines, GLSEN and other national advocacy organizations such as

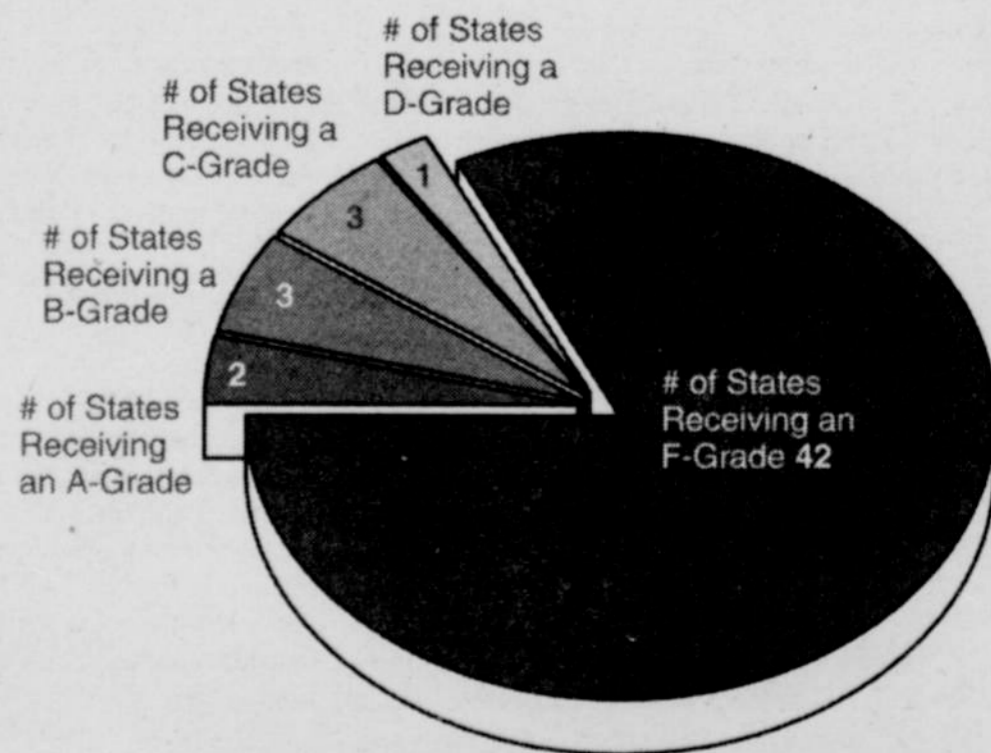
Human Rights Watch and Lambda Legal would like to see statewide legislation that offers concrete protection for sexual minority students. Some Oregon school districts such as Beaverton, Salem-Keizer and Portland do have such protections in place on a local level. Portland's policy states that the school district "is committed to maintaining a learning environment that is free of harassment. Harassment against persons on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex, political affiliation or sexual orientation will not be tolerated."

GLSEN would like to see policies that go one step further to include gender identity.

While statewide anti-bullying laws would be helpful by providing a course of legal action and by acknowledging homophobia as a problem, safe school advocates recognize the need for grassroots change. Tinker explains: "There's

still a cultural expectation that homosexuality should not be talked about. The whole point of bullying is to intimidate and to keep people closeted. We must recognize that bullying is easy because teachers themselves are intimidated by it."

Even in districts such as Portland where the employee contracts have an anti-discrimination law that includes sexual orientation, many teachers are reluctant to be open



GLSEN's *State of the States* 2004 grade distribution for the 50 states and the District of Columbia