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The Silent Minority Within a Minority: Focusing on the Needs of Gay Youth in Our Public Schools

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I. INTRODUCTION

Similar to the 1960's sexual revolution, the 1990's will usher in extensive changes pertaining to the way our society perceives sexuality. Even as early as 1993, some have labeled this decade "the gay 90's." Although this label is partially due to the debate over allowing homosexuals in the military, it is also due to a new wave of activism within the gay community. For example, on April 25, 1993 more than 300,000 people marched in favor of gay rights at the mall in Washington D.C., and on June 26, 1994, nearly one million gays, lesbians, and bisexuals are expected to flood New York City for the twenty-fifth anniversary of Stone-
wall — the beginning of the modern gay rights movement.

Beyond the protests and the marches, the gay rights movement has proven itself a strong political entity. In 1993 there were 120 openly gay officials in municipal offices. Eight states and 113 municipalities had some form of gay rights law or ordinance in effect by 1993. The 1992 election brought an increased number of openly gay elected or appointed public officials. This increase in political activism may be due to a new philosophy in young gays. There is "a certain sense of pride about being gay that middle-age gays don't have..." the gay political community has moved completely beyond any sense of apologizing.

Every Democratic nominee for President in 1992 actively sought the "gay vote," partially due to the increased financial status of gay and lesbian political action committees (PACs). In 1992 President Clinton received $3.5 million from groups rep-

5. Joseph P. Shapiro et al., Straight Talk About Gays, U.S. News & World Rep., July 5, 1993, at 42. This is twice the number of only a year ago. Id.
6. Six of these states passed their laws within the past three years. Id.
8. Shapiro et al., supra note 5, at 42. Some have said that in today's government the prerequisite to attaining a high position of authority for lesbians and gay men is to "be out." President Clinton appointed Roberta Achtenberg as the Assistant Secretary of Housing and Urban Development for Fair Housing and Equal Opportunity, making her the highest ranking "openly gay" lesbian in the federal government. Andrew Kopkind, The Gay Movement, The Nation, May 3, 1993 at 577. Representative Gerry Studds (D-Mass) and Representative Barney Frank (D-Mass) are "openly gay" congress members. Timeline Shows Decades of Struggle for Gay Rights, Gannett News Service (available in LEXIS, Nexis library, Wires file), Jan. 29, 1993. City council seats are held by open gays in San Francisco, Los Angeles, New York, Dallas, and Seattle. See Shapiro et al., supra, note 5, at 42.
10. Gabriel Rotello, Democrats Give Gay Rights a Belated but Heartfelt Embrace, Newday, July 14, 1992, at 79. Many elected officials, Barbara Boxer for example, stated they could not have won their offices without the support of the gay vote. Diane Feinstein's campaign manager has also emphasized the importance of the gay vote. Bettina Boxall, L.A.'s New Gay Muscle, L.A. Times, Mar. 28, 1993, at 27.
11. During the 1988 Presidential race, a group of gay activists had contacted the Dukakis campaign to "offer to raise $1 million dollars — and were turned down as too great a political liability... Clinton had no such qualms." Boxall, supra note 10, at 27.
resenting homosexuals. The Human Rights Campaign Fund, which is the largest gay PAC, donated $4.5 million to political candidates, which is more than almost any non-corporate PAC. Nine out of ten gay people cast their vote for Bill Clinton, and exit polls in the 1992 election found that acknowledged gays accounted for four percent of the National ballots, the same percentage as Jewish voters.

After years of gay organizations supporting other civil rights causes, gay rights have finally become a priority for the Leadership Conference on Civil Rights, Washington’s main civil rights coalition, which voted last year to make the passage of a gay civil rights bill a top priority. Bill Clinton has been the first President to openly sympathize with the gay cause, saying that he would support a gay civil rights law. Although sixty-five percent of Americans are in favor of equal rights for gay men and lesbians, approximately fifty percent are not in favor of extending current civil rights legislation to homosexuals. In order to avoid controversy the proposed bill would omit issues which would make it similar to the 1960’s civil rights legislation. Instead, the bill would give “general” rights, similar to the rights provided by the Americans with Disabilities Act, to “protect gays and lesbians from discrimination by employers, landlords, hotels, restaurants and other public places.”

12. Gay 90’s, Age of Post-AIDS Politics Confronts Clinton, ARIZONA REPUBLIC, April 28, 1993, at A17. [hereinafter, Gay 90’s]. This included $1 million dollars raised by ANGLE (Access Now for Gay and Lesbian Equality), a small, exclusive group of Los Angeles gay donors with ties to the entertainment industry. Boxall, supra note 10, at 27.
14. Shapiro et al., supra note 5, at 42.
15. David Gergen, The Commander’s First Minefield, U.S. NEWS & WORLD REP., Nov. 30, 1992, at 32 (noting that the percentage of gays and lesbians voting is equal to the typical percentage of Jewish voters).
16. Shapiro et al., supra note 5, at 42.
17. Bill Clinton may be particularly sympathetic because he has lost many friends to AIDS - over 60 in all. Rotello, supra note 10, at 27.
18. Gay 90’s, supra note 12, at A17. Such a bill has reportedly been worked on by Senator Edward Kennedy and Representative Henry Waxman. Kopkind, supra note 8, at 577.
19. Id.
20. Americans with Disabilities Act, 42 U.S.C. § 12112. Shapiro et al., supra note 5, at 42. Although sixty-five percent of people are in favor of equal rights for gay people, half of the people surveyed opposed extending current civil rights protection to gay people. Forty-three percent feared that extending protection to gay people would give the appearance of endorsing the gay lifestyle. Id.
21. Id.
As a result of this explosion of political power, the media, entertainment, and advertising industries have focused more than ever on gay communities. There are “half a dozen mainstream movies . . . in production with gay subjects” as well as positive gay characters and themes in numerous television shows. Since the median annual household income for a gay man or couple is approximately $13,000 higher than the average American household, more products are being targeted at homosexuals. Mail order catalogs, such as Banana Republic, focus their advertising toward gay readers. Even the Book-of-the-month-Club is selling books about gay subjects in their “triangle classics.” The reality is that homosexuality exists and the gay community is too wealthy and powerful to ignore any longer.

Although the “gay 90’s” have brought many issues of concern to gays and lesbians to the forefront, there are also many issues which have been kept hidden. Sexuality is one of those issues. Many have “acknowledged the simple fact that being sexually different in a society of sexual sameness exacts a heavy psychological toll” on homosexuals and the homosexual community. Still others have suggested that we are living in a time when the definition of sexuality is changing:

[B]isexural, gay, and lesbian communities should reject the image that we are a subculture on the margin of the mainstream heterosexual culture, for this internalizes the traditional assumption that we are deviants from the norm. Instead, legally as well as culturally, the norm is up for

23. Television shows such as Roseanne, LA Law, Thirtysomething, Melrose Place, Murphy Brown, Coach, Northern Exposure, Picket Fences, and The Simpsons have portrayed positive gay or lesbian characters and themes. Cory Jo Lancaster, Gay, Lesbian Youth Face Hatred, Rejection, ORLANDO SENTINEL TRIBUNE, Nov 7, 1993, at K1.
25. Shapiro et al., supra note 5, at 42.
26. Shapiro et al., supra note 5, at 42. Mainstream and university presses have also begun publishing gay titles. For example, “both Columbia and New York University presses have created a gay series, and St. Martin’s press has published more than 60 gay titles in the past 15 years.” Jonathan Mandell, Struggling Still: June is Gay Pride Month, But Not Everyone is Celebrating, NEWSDAY, June 22, 1992 at 44.
grabs, and as a community we must contribute to reformulation of the norm.\textsuperscript{28}

Although sexuality is an inherently private and personal issue, the gay community has begun to make it a political issue by publicly helping to reformulate the norms of our society.\textsuperscript{28} However, sexuality is still hidden in our public schools.

This article will consider the failure of our education system to truly deal with issues concerning sexuality and sexual orientation, the problems gay and lesbian teens face because of the system's silence, and the response of organizations and politicians to teen homosexuality. Part three will address some of the more successful programs which have been developed to meet the needs of teens dealing with homosexuality. Finally, part four will conclude by arguing for the implementation of comprehensive sexuality education and the enactment of legislation to deal with the needs and problems facing gay and lesbian teens in our public schools.

II. THE PLACE OF SEXUALITY IN EDUCATION

Children learn to develop norms concerning sexuality while attending school. School is a unique place because "although it is supposed to transmit widely accepted cultural norms and values to children, [it] is a process through which the child develops as an individual and grows into a mature and discerning adult."\textsuperscript{30} If information concerning sexuality is not taught in school, it will be learned outside of school from contact with other teen-agers. Teen culture encompasses a:

marked intolerance for differences and strong


\textsuperscript{29} Personal issues must often rise to the level of "the political" to finally become addressed. See, e.g., Kathleen Barry, \textit{From Violence To Values ... And Beyond, Women and the Law} 651-58 (Mary Joe Frug, ed. 1991) (analogizing the need for raising issues concerning prostitution to the political, much in the same way that issues regarding domestic violence have become political); see also Dennis L. Carlson, \textit{Conflict and Change in the Discourse on Sexuality Education}, 41 \textit{Edu. Theory} 343, 357 (1991) (concluding that sexuality is a public issue because it is an area the state regulates to a large degree).

homophobia, school is a place where “fag” and “queer” are everyday insults, where many older teens are vocal in their willingness to use violence against anyone suspected of being gay. Hostility is even found among some teachers and school executives themselves.31

Gay students learn from early contact with peers that survival means keeping silent and hidden.32 While gay adults are publicly celebrating “the gay 90’s,” gay teens are quietly watching — too scared of rejection and violence to express their feelings to anyone but themselves.33 The most important change which needs to occur to make gay rights a serious issue in the future is a reformulation of what is taught in our nation’s public schools.

A. SEXUALITY VALUES

Since the United States Supreme Court’s endorsement of a value based curricula,34 any restructuring of sexuality education will require a change in the values that are taught our students. While value based teaching is built on the idea that good education should instill values in students, many others believe public schools should be a forum for robust political and social debate.35

The problem with value based curriculum is determining what values should be taught.36 Critics of value based curricul-

32. Many lesbian and gay men identify their sexual orientation during adolescence even though they may not act on it for several years, if ever. Anthony D’Augelli, Teaching Lesbian/Gay Development: From Oppression to Exceptionality, 22 J. HOMOSEXUALITY 213, 213 (1992).
33. It is difficult for adolescents to join the larger gay community because most activities are of an adult nature. Deborah Zera, Coming of Age in a Heterosexist World: The Development of Gay and Lesbian Adolescents, 27 ADOLESCENCE 849, 851 (1992).
35. The depth of the controversy over value based curricula is too immense to discuss in this article. See Richard Roe, supra note 34; Comment, Developments in the Law - Sexual Orientation and the Law, 102 HARV. L. REV. 1508 (1989); William Senhauser, supra note 30 at 937.
36. Lee Gordon, Comment, Achieving a Student-Teacher Dialectic in Public Secondary Schools: State Legislatures Must Promote Value-Positive Education, 36 N.Y. L.
Lum have shown that there is a "hidden" curriculum which consists of those "unstated norms, values, and beliefs embedded in and transmitted to students through the underlying rules that structure the routines and social relationships in school and classroom life." Although teaching values is a way to help children adjust normally to their environment, only the teacher's values, beliefs, and perceptions of the child's world are being taught. We cannot assume that all children live in similar environments; nor can we assume that all, or most, children live in what schools would like to think of as traditional environments. The fact is that outside the sterile classroom environment, homosexuality is not only an issue in the forefront of the media, it is an issue in many peoples lives — yet many schools are keeping this very important issue hidden.

The problem schools have with teaching students about homosexuality may be rooted in what Adrienne Rich calls "Compulsory Heterosexuality." This theory is based on the concept that from early childhood we are continually bombarded by heterosexual images of sexual power which teach us what behavior and roles are acceptable between the sexes. Young boys learn that their strength is in their sex drive. Young girls place aside their female friends and their own female-centered identity and become male-identified when they learn that the locus of sexual power is male. This creates a power imbalance which is dependent on heterosexuality. Homosexuality, on the other hand, implicitly rejects all institutions premised on gender inequality and differentiation. Therefore, the conclusion is that homosexuality


38. Kevin Worthen, One Small Step for the Courts, One Giant Step for Group Rights, 71 N.C. L. Rev. 595, 613 (1993) (citing Brown v. Board of Education, 347 U.S. 483, 493 ("[education] is a principal instrument in awakening the child to cultural values . . . and in helping him to adjust normally to his environment."); see also Senhauser, supra note 30, at 939.

39. Teaching Inequalities, supra note 37, at 1332 (showing that separating students in elementary school into "ability groups" predetermines their success as adults).


41. Id. at 46 (quoting Kathleen Barry, International Feminism: Networking Against Female Sexual Slavery 218 (Kathleen Barry et al., eds. 1984).

42. These include the institutions of the family, economics, and political life when they are premised on inequality and differentiation. Bennett Capers, Sexual Orientation and Title VII, 91 Colum. L. Rev. 1158, 1166 (1991).
is rendered invisible to maintain the existing imbalance of heterosexual male power.\footnote{43}

Withholding education is one way of enforcing compulsory heterosexuality. By withholding knowledge of alternatives and the existence of diverging viewpoints, homosexuality is kept hidden. In reference to the lesbian existence, Rich states that lesbians live without access to any:

knowledge of a tradition, a continuity, a social underpinning. The destruction of records, memorabilia, and letters documenting the realities of lesbian existence must be taken very seriously as a means of keeping heterosexuality compulsory for women, since what has been kept from our knowledge is joy, sensuality, courage, and community, as well as guilt, self-betrayal, and pain.\footnote{44}

The failure to teach students about sexuality and the history of homosexuality keeps all students from knowing the joy, love and courage of those in the gay community, and dangerously keeps gay students from the knowledge that there are others who are feeling the same ignorance, confusion and pain.

B. The Problem

Change must occur in what is taught, tolerated, and accepted about sexuality in our public schools to create a safe place for teens who believe they may be gay or who have parents who are gay.\footnote{45} Although statistics reveal that homosexuals in general are the most frequent victims of hate crimes in the United States,\footnote{46} the statistics are even more shocking concerning

\begin{itemize}
  \item Id.; see also Marc Fajer, \textit{Can Two Men Really Eat Quiche Together?} 46 U. MIAMI. L. REV. 511, 635 (arguing homophobia is a method of enforcing gender norms and male superiority).
  \item Rich, supra note 40, at 52; see also Fajer, supra note 43, at 584 (stating that society ignores or actively represses information about gay issues).
  \item Tolerance is an attribute - something which we as a society take pride in and seek. "We are not an assimilative, homogeneous society, but a facilitative, pluralistic one, in which we must be willing to abide someone else's unfamiliar or even repellant practice because the same tolerant impulse protects our own idiosyncracies." Michael H. v. Gerald D., 491 U.S. 110, 141 (1989) (Brennan, J., dissenting).
  \item Denise Bricker, \textit{Fatal Defense: An analysis of Battered Woman's Syndrome Expert Testimony for Gay Men and Lesbians Who Kill Abusive Partners}, 58 BROOK. L. REV. 1379, 1435 (1993) (showing that gay and lesbian murder victims are usually not just killed, but "more apt to be stabbed a dozen times or more, mutilated or strangled, and
youth hate crimes. According to a study of gay students in New York, one in five reported being beaten because of his homosexuality.\textsuperscript{47} Attacks on gay youth in New York have quadrupled in the last five years\textsuperscript{48} and statistics show that eighty percent of the perpetrators of all hate crimes against gays are teen-agers.\textsuperscript{49}

The statistics concerning gay teen suicide are also alarming. Suicide is the number one cause of death among gay and lesbian youth.\textsuperscript{50} A 1989 U.S. Department of Health and Human Services report estimated that thirty percent of gay and lesbian teens attempt suicide and that they are three times more likely than heterosexual teens to succeed in suicide.\textsuperscript{51} The Journal of the American Pediatrics Society found that almost one out of three gay male teenagers has attempted suicide.\textsuperscript{52}

The shockingly high suicide rate is due, in part, to the unusual pressures of teens dealing with their feelings of homosexuality.\textsuperscript{53} One of the problems gay teens face is discussing their sometimes stabbed or mutilated even after being fatally shot.

\textsuperscript{47} Andrew Kurtzman, Gay Teens Harassed in New York Schools; Advocates Say Homophobia is the Last Form of Intolerance Allowed to Flourish, ATLANTA J. & CONST., May 5, 1992, at D5.

\textsuperscript{48} Interview with Frances Kunroyter, Director of the Hetrick Martin Institute for Gay and Lesbian Youth in New York, Weekend Edition, (available in LEXIS, NEXIS library, TRANSCRIPTS file), Nov. 8, 1992.


\textsuperscript{50} Renee Graham, A Bid to Help Gay, Lesbian Youths Embrace Life, BOSTON GLOBE, Dec. 14, 1991, at 22. "Many authorities believe this percentage is very conservative and that gay teens are 40% - 45% of teen suicide." John C. Roth, Gay Teens are Driven to Suicide by Hostile Environment, ST. PETERSBURG TIMES, July 4, 1991, at 2. A study by the Hetrick-Martin Institute for gay and lesbian youth revealed that almost half of its male students had attempted suicide. Kurtzman, supra note 48, at 901.

\textsuperscript{51} Kurtzman, supra note 48, at 901.

\textsuperscript{52} Roth, supra note 50, at 2.

\textsuperscript{53} David Robinson, Coming Out in the Home, TIMES, April 29, 1993, at Features.
sexuality with their parents. Twenty-six percent of gay teens are forced to leave their homes after revealing their sexuality, contributing to the large population of teen homelessness and teen prostitution. Physical and verbal abuse by parents is also not an unusual response. Students may try to seek counseling from their schools, but educators often feel uncomfortable speaking to students about homosexuality. Sixty-two percent of professionals feel that they lack the knowledge concerning homosexuality or bisexuality to speak to students. In addition, most teens believe counselors are unknowledgeable about sexuality issues or deal only with academic issues, and not emotional or personal questions. And finally, since “more than a third of all homosexual youth are either verbally or physically assaulted by their peers because they are gay or lesbian,” gay teens cannot turn to their peers for support.

When gay teens realize they cannot speak to their parents, their educators, or their peers about their feelings, they often “internalize at least some homophobic stereotypes, and some experience self-hatred resulting from their belief and fears about their homosexual feelings.” Many feel isolated so they turn to substance abuse. Others drop out of school completely — gay

55. Stover, supra note 31, at 36.
57. Zera, supra note 33, at 851.
59. Id; see also Treadway, supra note 57, at 352 (stating that twenty percent of school counselors would find counseling a gay youth not professionally gratifying).
62. Zera, supra note 33, at 850. There are also many gay teens that become over achievers in academics and social circles, in an attempt to set aside their sexual feelings or prove that they are “normal.” Virginia Uribe & Karen Harbeck, Addressing the Needs of Lesbian, Gay, and Bisexual Youth: The Origins of Project 10 and School Based Intervention, 66 J. OF HOMOSEXUALITY 9, 15 (1992).
63. Uribe & Harbeck, supra note 62, at 17 (explaining that research and other studies document an unusually high relationship between homosexuality and sexual abuse, drug abuse, homelessness, prostitution, feelings of isolation, family problems, and school
teens account for twenty-eight percent of the drop out rate in public schools.\textsuperscript{64}

While gay teens have little support or guidance concerning issues of sexuality, AIDS has uniquely made them the most in need of preventative education and support. AIDS is the sixth leading cause of death among people aged fifteen through twenty-four.\textsuperscript{66} In California it is the number one cause of death in men aged fifteen through twenty-four.\textsuperscript{66} AIDS is spreading fastest among teenagers and young adults aged twenty-four through thirty.\textsuperscript{67} Due to the long latency period of HIV, experts believe many twenty through thirty year olds contracted the virus while they were teenagers.\textsuperscript{68} Despite these disturbing statistics, eighty-five percent of teens report not using condoms during sex.\textsuperscript{69} Homosexual sex is still the highest risk behavior among teens leading to HIV infection.\textsuperscript{70} Although the AIDS prevention message has been well received in the adult gay population, there is a new generation of young people who have not seen the devastation caused by the AIDS epidemic.\textsuperscript{71} “Gay youth are practicing high-risk sex in significantly greater numbers than their elders, are more likely to have multiple partners and unprotected anal sex.”\textsuperscript{72} Unfortunately, of those teens infected with HIV, only seventeen percent are receiving medical care.\textsuperscript{73}

\begin{thebibliography}{9}
\bibitem{64} Nancie Katz, \textit{Massachusetts Urges Sensitivity to Gay Kids: Plan May be First Statewide Effort to Fight Harassment in Schools}, DALLAS MORNING NEWS, July 11, 1993, at 12A.
\bibitem{68} Jean A. Steitz \& Judith A. Munn, \textit{Adolescents and AIDS: Knowledge and Attitude}, 28 ADOLESCENCE 609, 609-10 (1993).
\bibitem{69} Parks, supra note 65, at 1.
\bibitem{70} Jean Latz Griffin, \textit{Two New AIDS Leaders Focusing on Teens}, CHICAGO TRIBUNE, May 2, 1992, at C5.
\bibitem{72} David Gelman et al., \textit{The Young and the Reckless}, NEWSWEEK, Jan. 11, 1993, at 60.
\end{thebibliography}
C. REACTIONS TO THE PROBLEMS FACED BY GAY AND LESBIAN TEENS

Organizations and government officials have reacted to these devastating statistics concerning gay youth. The National Education Association (NEA)\(^74\) adopted a number of resolutions in support of substantial changes in public school sex and health education curriculum in July, 1992.\(^75\) Concerning sexual education in general, the NEA stated that “it is the right . . . of every individual to live in an environment of freely available information, knowledge, and wisdom about sexuality.”\(^76\) The NEA further supported sex education which is “planned and implemented with careful attention to . . . [include] respect for individual differences,” and “urges its affiliates and members to support appropriately established sex education programs, including information on . . . diversity of sexual orientation.”\(^77\) Their specific resolution on student sexual orientation states:

The National Education Association believes that all persons, regardless of sexual orientation, should be afforded equal opportunity within the public educational system. The Association further believes that every school district should provide counseling by trained personnel for students who are struggling with their sexual/gender orientation.\(^78\)

In addition to the NEA, William Weld, Governor of Massachusetts, also responded to the disturbing statistics on gay teen suicide by creating the first commission on gay and lesbian

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\(^74\) The NEA is the nation's largest labor union for teachers. Jill Smolowe, Crusade for the Classroom, TIME, Nov. 1, 1993, at 34.

\(^75\) Although 47 states currently require or recommend sexuality education, many have pointed out that these programs concentrate only on what is bad about sex and talk “only about abstinence, and plumbing . . . [W]e're not giving students information they need to protect their health” states Debra Haffner, Executive Director of the Sex Information and Education Council of the United States. Unfortunately, fifty three percent of men and thirty three percent of women get their sex education from “the streets.” Tom Brazaitis, Learning About Sex the Old Fashioned Way, PLAIN DEALER, Oct. 24, 1993, at C2.

\(^76\) FRIENDS OF PROJECT 10, INC., PROJECT 10 HANDBOOK 1 (3d ed. 1991).

\(^77\) Id.

\(^78\) NATIONAL EDUCATION ASSOCIATION, POLICY C-11 (1992).
The purpose of the commission was to advise the Governor of services which gay teens might need. Governor Weld expressed his understanding that, "[T]he pressures on youth can be tremendous. For gay and lesbian teen-agers, in particular, those pressures may be multiplied a number of times over." He emphasized his commitment to ending:

once and for all violence and discrimination and hate crimes directed at any category of people. This is especially true for our young people because for them, the burden of prejudice and violence and discrimination all too often leads to tragic ends.

The commission's report endorsed a 4-point plan for the adoption of school policies "to promote sensitivity to gay and lesbian students and provide counseling for the youths and their families." Although the board's recommendations are not binding, the board "recommends that schools formulate specific policies to protect gay and lesbian students from harassment." Approximately half of the state's high schools have enrolled in sensitivity training for teachers which will "encourage schools to cover sexual orientation in their anti-harassment policies." However, the board did not suggest that any curriculum changes should be made. This was a deliberate attempt to avoid the problem the New York City "Children of the Rainbow" curriculum had with vocal parents and religious organizations.

The "Children of the Rainbow" curriculum was created in 1985 and adopted in 1989 by the New York Board of Education for the New York City School District. The curriculum's focus was on multiculturalism and included teaching primary school age children "tolerance in matters of race, religion, gender,

79. Locy, supra note 54, at 18.
80. Id.
81. Id.
82. Katz, supra note 64, at 12A.
83. David Gelman et al., Tune in, Come Out, NEWSWEEK, Nov. 8, 1993, at 70.
84. Id. In addition, more than 100 public and private schools in Massachusetts have some form of gay student organization, "including George Bush's alma mater, Andover." Id.
85. Katz, supra note 64, at 12A (quoting the chairman of the Massachusetts commission on gay and lesbian youth that they had deliberately avoided New York's "heavy handed" approach).
86. See Interview with Frances Kunroyter, supra note 48.
Opponents of the curriculum primarily lived in one district of the New York school system and were mainly concerned about the first grade curriculum which stated:

First graders will be taught to be aware of varied family structures, including two parent or single parent households, gay or lesbian parents, divorced parents, adoptive parents, or guardian or foster parents. Children are also taught the positive aspects of each type of household and the different varieties of love in families. 88

The first grade curriculum also included an optional list of books to deal with issues concerning children with same sex parents. 89 However, most of the first grade curriculum focused on “teaching children about the different holidays, art forms, and history of various ethnic backgrounds.” 90

Although references to gay and lesbian families appear in only three pages of a curriculum that is more than 400 pages long, opponents of the first grade curriculum claimed that “their children would be taught about sexuality and sodomy.” 91 Opponents of the curriculum created anti-gay videos with distortions of the curriculum and the gay lifestyle which were distributed to parents to lobby against the curriculum. The videos were produced by groups such as the Family Defense Council and Concerned Parents for Educational Accountability. 92

Schools which look at the real concerns and issues of students cannot help but discover reasons to consider teaching

87. Liz Willen, Rainbow Lite, NEWSDAY, Jan. 26, 1993, at 3; see also Interview with Frances Kunroyer, supra note 48.
88. Willen, supra note 87, at 3.
89. Id. Two of the most controversial books, out of a booklist of 600, were DADDY’S ROOMMATE and HEATHER HAS TWO MOMMIES. Daddy’s Roommate is about a boy whose parents divorce. His father then begins living, working, eating, and sleeping with a male companion. Heather Has Two Mommies is about a child who is conceived through artificial insemination and comes to realize that two mothers are just as good as a mother and a father. Michael Wilhoite, Daddy’s Roommate (1990); Leslea Newman, Heather Has Two Mommies (1989).
90. Minkowitz, supra note 49, at 901.
92. Minkowitz, supra note 49, at 901. Both of these organizations allegedly have ties to Pat Robertson’s Christian Coalition. Id.
about homosexuality. We can no longer excuse ignorance and apathy from school officials. The suicide rates, hate crimes statistics, HIV infection rates, and high number of gay teens reporting a feeling of isolation and depression can only dictate that serious changes in our education system must occur.\textsuperscript{93} Although a few states have contemplated changes in the statewide curriculum,\textsuperscript{94} most changes have come from lower level districts and cities.\textsuperscript{96} Advocates of change in sexuality curriculum passionately believe that:

changes in curriculum that would include discussions of gay and lesbian issues are crucial to combating intolerance because they serve to validate gays and lesbians as a natural and legitimate community in American society.\textsuperscript{98}

A number of organizations and school districts have developed complete sets of curricula dealing with homosexuality in almost every subject taught in public schools.\textsuperscript{97} A widely publicized research associate at the Harvard Department of Education, Arthur Lipkin,\textsuperscript{98} has promoted the theory that schools

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\item \textsuperscript{93} William G. Tierney, Building Academic Communities of Difference, 24 Change 40, 42 (1992).
\item \textsuperscript{94} Recently, the federal government has used United States Department of Health funds to promote sexual abstinence and homophobic curricula. The Sex Respect curricula was supported by President Reagan and has been "criticized as based on specific religious assumptions, conveying inaccurate information, ignoring reality, presenting distorted images of people of color, lesbian, gays, low-income groups," James J. Neutens, Sexuality Education in Comprehensive School Health Programs: Surviving the "Moral Smog," 62 J. Sch. Health 74, 74 (1992). However, President Clinton's administration may be more gay friendly. The new Assistant Secretary of Education, Thomas Payzant, was a controversial nominee not only because he is gay, but because of his decision as San Diego School superintendent to forbid the Boy Scouts from meeting during school hours because of their policy excluding homosexuals. Ana Puga, Education Secretary Slow to Make His Mark, Boston Globe, Dec. 13, 1993, at 12.
\item \textsuperscript{95} Tabor, supra note 61, at 41.
\item \textsuperscript{96} Diego Ribadeneira, Going to School on Bias, Boston Globe, Dec. 13, 1992, at 49.
\item \textsuperscript{97} Complete curricula on gay issues for the fields of art, literature, history, biology, and health have been developed by Arthur Lipkin. The Family Life Curriculum was developed for use by the Fairfax county school system in Virginia. Its coordinator supports the program as a way "to communicate the idea to our kids that people are different, and that we don't choose our sexual feelings — they choose us." Although parents are given the option to have their child removed from the program, only 1.5% of the children are excused because of parental disapproval. The Seattle public school system has also initiated a program for juniors and seniors in high school on sexual orientation. Richard Lacayo, Jack and Jack, and Jill and Jill, Time, Dec. 14, 1992, at 52.
\item \textsuperscript{98} See Tony Rogers, 'Why' of Homosexuality, Chicago Tribune, June 2, 1993, at
\end{enumerate}
should do more than simply teach about homosexuality in the public health curriculum. Instead, schools should “examine the contributions that gay men and women have made” to society as a whole. Issues about sexuality should be taught as a serious academic subject. If they are taught in a mature and candid manner, students will not reject them. Because a person's sexuality inspires a unique view of the world, under Lipkin's theory, both heterosexuality and homosexuality should be considered like any other motif used to criticize art, literature, music, or dance.

Changes in curricula will help to educate all teens about homosexuality, and help change homophobic tendencies in the public at large. By discussing the experiences of gays and lesbians there will be less fear, misunderstanding and hatred for those of a different sexual orientation. Those who object to sexuality issues in substantive courses are not only withholding from their children a deeper level of understanding and knowledge about diversity, but are in fact advancing hatred and homophobia in what is essentially a demand to teach their own moral beliefs.

Those states that have attempted to change the state wide curriculum plans have been met with intense controversy. Even California had trouble when it sought to redraft portions of its health curriculum to include gay issues. Opponents were concerned that the California curriculum would greatly influence children in California and in other states. Textbook authors

C2.

99. Fajer, supra note 43, at 586 (showing it is difficult for students to understand there are gays and lesbians in America due to silence concerning sexual preference in history books, fairy tales with only heterosexual characters, and obituaries of famous people which do not refer to lovers left behind).

100. Id.


102. Fajer, supra note 43, at 584 (arguing that Leonardo Da Vinci and Walt Whitman made significant contributions to society but their homosexual relationships are seldom revealed).

103. Lacayo, supra note 97, at 52.

104. Id.


tend to focus on bigger states like California because it is the nation’s largest textbook market. When California, Texas, or New York add new issues to their state sanctioned curriculum, those issues will eventually appear in the majority of textbooks used in the nation. Curricular and textbook changes only occur once or twice a decade. Thus when religious organizations succeed in opposing specific issues, they have a great influence on the education of a generation of students. The opposition in 1992 to California curriculum changes was led by the Reverend Louis Sheldon who had formed a coalition to protest the inclusion of gay families in a diversity plan in the new California curriculum. The original version of the curriculum stated:

The traditional family, with two married parents and one or more children, is a model. Others that are part of the contemporary society include blended families and families headed by grandparents, siblings, relatives, friends, foster parents, and parents of the same sex.

The amended version simply denounced name calling and other hurtful actions and affirmed the dignity of all individuals. The paragraph dedicated to the problem of gay teen suicide was reduced to one sentence, and the list of alternative types of families was changed to state “that children from nontraditional families can . . . develop successfully.” However, the health curriculum did state that homosexuality was one of many kinds of differences among students in public schools, and it also included a “call for a factual, substantiated discussion of homosexuality.”

109. See William Yarber, While We Stood By . . . The Limiting of Sexual Information to Our Youth, 23 J. HEALTH EDUC. 326 (1992). For example, religious groups in Alabama succeeded in eliminating 10 texts approved by the states textbook committee. Six of the ten health texts include HIV/AIDS issues leaving “the state without any approved textbooks for HIV/AIDS education.” Id. at 330.


111. The original version was 106 pages long and mentioned homosexuality or sexual orientation only three times. See Reynolds, supra note 106, at A3.


It is estimated that references to homosexuality could be incorporated into textbooks as soon as 1996.

When educators are allowed to use teaching tools which might be labeled controversial, incredible rewards can be accomplished. For example, a high school creative writing teacher named Marvin Hoffman introduced gay and lesbian issues found in literature, using the play Torch Song Trilogy. He asked his students to keep journals of their feelings and impressions concerning the book. The students' increased levels of tolerance and understanding were revealed in their journal entries. The journals also demonstrated proof of the students' ability to deal with and appreciate serious subjects. For example, one student stated: "The book seemed to clear up some thoughts for me. It opens up the mind of a homosexual and a bisexual and allows you to peek inside and see beyond the title gay." Another student wrote that a line in the play made him think about how "awkward it would be" if the world were reversed, and almost everyone in the world was gay, except him.

II. PROGRAMS

Although curricular changes are occurring, the effects of those changes are slow to reach students and educators who desperately need guidance. As a result of the immediate need for real educational changes, educators and activists across the country have created a number of different programs and services to help educate and assist gay youth, heterosexual youth and educators.

115. Id.
117. Torch Song Trilogy is a play (and a recent movie) written by Harvey Fierstein, detailing the life of a gay man in his "quest for love, . . . acceptance by his family, [and] for honesty in his relationships." Id.
118. Hoffman, supra note 116, at 56.
119. Id. at 57.
120. Id. at 58.
A. Project 10

The most comprehensive model attempting to meet the educational needs of gay and lesbian youth in the traditional school setting is Project 10 at Fairfax High School in Los Angeles, California. The program was developed in 1984 by Dr. Virginia Uribe, a counselor and science teacher, after learning that a student at her school had dropped out due to harassment from peers because he was gay.\textsuperscript{121} Dr. Uribe’s later research revealed that this same student had left four previous schools under similar circumstances.\textsuperscript{122} Dr. Uribe then began a lunch time “rap session” for gay and lesbian students in the school to talk about the student who had dropped out or other issues of concern to the students. The rap session rapidly grew to twenty five students during that first year.

After finding that no other program existed in the state or nation to address the needs of homosexual students in public schools, Dr. Uribe sought approval from her school to create a test project during the 1985-86 academic year.\textsuperscript{123} Since that time, Project 10 has “developed into an extensive undertaking involving teacher training, counseling for students, and discussion of gay issues in the curriculum.”\textsuperscript{124}

Project 10’s original vision was to act as an “in-school counseling program providing emotional support, information, resources, and referrals to young people who identified themselves as lesbian, gay, bisexual or who wanted accurate information on the subject of sexual orientation.”\textsuperscript{125} The program is not intended to be a “lesbian or gay club,” rather it is a serious program aimed at dropout prevention and improving the self esteem and high-risk behaviors of a “group that has been traditionally under served by the educational system.”\textsuperscript{126}

\textsuperscript{121} Quintanilla, supra note 110, at E20.  
\textsuperscript{123} Id. at 52.  
\textsuperscript{124} Stover, supra note 31, at 40. As of the 1992-93 school year, Project 10 was in 32 of the 50 schools within the Los Angeles School District. Kurt Chandler, Support Groups are Crucial for Silently Desperate Students, STAR TRIBUNE, Dec. 6, 1992, at 10S.  
\textsuperscript{125} Uribe & Harbeck, supra note 122, at 51.  
\textsuperscript{126} FRIENDS OF PROJECT 10, INC., supra note 76, at 1.
The second goal of the program attempts to focus on teachers, counselors, parents, and others in the school community to heighten their acceptance and sensitivity to gay, lesbian, and bisexual issues.\footnote{See Uribe & Harbeck, supra note 122, at 51.} The project attempts to "reduce the effect of anti-gay and lesbian discrimination by creating a model counseling program for both homosexual and heterosexual youth . . . consisting of education, school safety measures . . . and use of community resources."\footnote{Id.}

Although Dr. Uribe's program has been extremely successful and has a widespread national impact,\footnote{Dr. Uribe, director of Project 10, has personally counseled hundreds of young men and women, receives daily phone calls from runaway or throwaway youths, and speaks at schools, districts, and universities throughout the nation. In July of 1992, Dr. Uribe was presented with a human rights award by the NEA. Chandler, supra note 124, at 10S. Project 10 has also been featured on CBS's 48 Hours and the Sally Jesse Raphael Show. Friends of Project 10, Inc., supra note 76, at 2; see also Virginia Uribe, Project 10: Addressing Lesbian and Gay Youth in Our Schools (1991).} it has also been attacked by critics. The republicans in the California assembly in 1989 voted unanimously to withhold money from the Los Angeles District because of its support of Project 10. The Reverend Louis Sheldon\footnote{See supra note 100 and accompanying text.} asserts that Project 10 is a recruitment program for the homosexual lifestyle, that "homosexuality is only an underdeveloped stage of heterosexuality," and that the program presents a "one sided" view that taxpayers should not be required to subsidize.\footnote{Quintanilla, supra note 110, at E20.}

Despite the opposition, the program appears to be successful. The program costs the school district very little and has been generally accepted by the students at Fairfax High School.\footnote{The project costs the district half of Dr. Uribe's salary since she is assigned to the project half time. It is also sponsored by the Friends of Project 10, a non-profit support group, which helps to fund the project's literature and to provide scholarships for students. Roxana Kopetman, Lambda Club Hopes to Start School Counseling for Gay Teens, L.A. TIMES, Sept. 7, 1989 at 9-1.} A detailed survey conducted\footnote{The survey was conducted by Dr. Uribe and Dr. Karen Harbeck, an Attorney and Professor at Clark University and the University of Massachusetts. Uribe & Harbeck, supra note 62, at 9.} of both the participants of Project 10 and non-participating students at Fairfax High School revealed that "negative attitudes and stereotypes
toward homosexuals and bisexuals can be altered with educational intervention." When the general population at Fairfax was surveyed, sixty-one percent of the students stated that Project 10 had been widely discussed by teachers in their other classes. Fifty-six percent of the students reported knowing a gay, lesbian, or bisexual person and believed that there should be some outreach to gay and lesbian students on campus for those students. In general, the program was viewed positively by fifty-one percent of the students, and only eleven percent felt the effect had been negative, mainly because they believed the program gave the school a bad name.

Project 10 has been so successful that its format has been imitated on the East coast in Cambridge Massachusetts as “Project 10 East.” The East program is directed by Al Ferreira and is a “support group for gay, lesbian, bisexual, and cross gender youth, to provide education for the community at large about a community that in the past has been silent and invisible.”

B. SPEAKERS PANELS

Speakers panels are another way that students may be exposed to the issue of homosexuality. Speakers who are open about their sexuality can become role models to students and provide valuable resources for homosexual teens. They may also help teach heterosexual students about acceptance and tolerance of gays and lesbians. Studies have found speaker

134. Id. at 26.
135. Five hundred students in health and science classes were asked to fill out surveys and 342 were returned. Id. at 24.
136. Id.
137. Interview with Al Ferreira, Director of Project 10 East, Larry King Live: Education and the Gay Agenda, Nov. 24, 1993 (available in LEXIS, NEXIS library, TRANSCRIPTS file).
138. For example, Suzanne Westenoefer is a lesbian comedienne who also takes time to teach students about homosexuality in a humorous environment. Lindsey Gruson, Meeting Gay Bias Face to Face in Class, N.Y. TIMES, Oct. 15, 1993, at B1. In Dallas five epidemiologists visit schools in the Tarrant School District and six neighboring counties. Their program includes both heterosexuals, homosexuals, and former drug users to speak about AIDS education (stressing abstinence and monogamy) and illustrates how to use condoms. Kim North, AIDS Sufferer Hopes Students Heed Lessons, DALLAS MORNING NEWS, Nov 16, 1993 at 15A.
139. Statistics show that an individual’s tolerance and acceptance of gays and lesbians increases when they are acquainted with a gay person. Shapiro et al., supra note 5, at 42.
panels effective in reducing homophobia among college age students.\textsuperscript{140}

James Croteau, an Assistant Professor at Western Michigan University and Michael Kusek, an AIDS activist, have utilized their own experience, a number of research studies, and three unpublished speaker panel manuals to formulate a model approach to an effective panel on lesbian and gay issues.\textsuperscript{141} Croteau and Kusek suggest that the model panel consist of three segments: an introduction, personal narratives, and a question and answer period. In the introduction the panel speakers inform the audience of what to expect and encourage the audience to realize that as in the heterosexual community, the homosexual community has ethnic, racial, and gender diversity.\textsuperscript{142} Croteau and Kusek also recommend that the panelists state that they are not "recruiters" for the gay lifestyle, that the audience should feel free to ask questions "without hesitation at seeming to hold stereotypes," and that each panelist can only speak regarding their own experiences, since the gay and lesbian experience is as diverse as the heterosexual experience.\textsuperscript{143}

In the personal narrative section, the focus should not be on debate, but rather on establishing "commonalities between the speaker and the audience."\textsuperscript{144} This should provide the audience a positive experience with a lesbian or gay person, which in turn increases their tolerance and contradicts any possible negative attitude the audience might have.\textsuperscript{145}

In the question and answer period the panelists should be prepared to relate accurate answers with an education purpose. Even the most personal or simple questions from the audience

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\item \textsuperscript{140} James Croteau \& Michael T. Kusek, Gay and Lesbian Speakers Panels: Implementation and Research, 70 J. COUNSELING \& DEV. 396, 399 (1992).
\item \textsuperscript{141} Id. at 397.
\item \textsuperscript{142} Id. Project 10's diversity stance includes discussion of the intersection of discrimination - specifically, that because the ethnic family is more often extended, religious, or the recipient of a number of different types of discrimination (economic, racial, religious), the family typically cannot understand why a teen would want to "bring upon" him or herself another form of discrimination. FRIENDS of PROJECT 10 Inc., supra note 76, at 33.
\item \textsuperscript{143} Croteau \& Kusek, supra note 140, at 397 (citing the speakers panel manual from Community United Against Violence (CUAV)).
\item \textsuperscript{144} Id.
\item \textsuperscript{145} Id.
\end{itemize}
can often be used, from a non-confrontational perspective, as a spring board to address the bigger problems of homophobia, prevention of AIDS, or the issue of teen sexuality.\footnote{Id. at 398.}

\section{School Support Groups}

Another program which may be useful to students who believe they may be gay or lesbian is the creation of a support group on the high school campus. The creation of a place where students can find others like themselves to discuss "being gay" is necessary to avoid self-destructive behavior like suicide, substance abuse, and dropping out of school.\footnote{Tabor, supra note 61, at 41.} Unfortunately, support groups are seldom found outside larger metropolitan areas.\footnote{Treadway & Yoakam, supra note 56, at 356.} A model support group was started by a group of health care workers at Central High School in St. Paul, Minnesota, after a student expressed a desire to meet other kids like herself for support. The health care workers then began planning for the implementation of what would become HUG — Humans Unafraid of Gays.\footnote{Kay Williams et al., Addressing Sexual Orientation in a Public High School, 62 J. Sch. Health 154, 155 (1992).}

The organizers had the support of the St. Paul Public School District, which had issued a statement in the fall of 1990 supporting diversity, including homosexuality:

[affirming] the diversity of the students, staff and parents that make up the stakeholders of our schools. The current policies and practices of the District support this diversity and any prejudicial behavior toward any of our minorities or ethnic populations including gays and lesbians, will not be tolerated.\footnote{See id. at 154.}

In addition to the support of the district, the organizers informed the principal, the support staff and the parents of their intention to begin the support group for any student interested in gay or lesbian issues. In all, there was no negative feedback.\footnote{Id. at 398.}

\begin{footnotesize}
\begin{enumerate}
\item Id. at 398.
\item Tabor, supra note 61, at 41.
\item Treadway & Yoakam, supra note 56, at 356.
\item See id. at 154.
\item Id.
\end{enumerate}
\end{footnotesize}
The organizers advertised using posters and a public address system. To keep the time and place of the meeting anonymous and safe, interested students were instructed to speak with a planning team member who would speak to the student and then tell him or her where and when the meeting was to be held. Although the teachers and administrators in the school had already attended sensitivity training on gay and lesbian issues, the organizers of the support group encouraged teachers to respond if any homophobic remarks were heard concerning the support group.

The support group "has been described as something between psychotherapy and a party at the home of a friend whose parents are out of town." The organizers of the group asked speakers from the gay and lesbian community to come speak on issues like "religion, homophobia-heterosexism, gay and lesbian development, AIDS risk reduction, and how to meet other gay, lesbian, and bisexual people." The group created a resource file containing information on the needs of gay and lesbian students and their parents, took a field trip to the Quatrefoil Library in St. Paul and went to see a play about growing up gay. The group wrote positive articles in the school newspaper, created a high school clinic newsletter which gave health information to both heterosexual and homosexual students, and designed and distributed a HUG button. The students in the support group see each other as "family, brought together by their shared difference," and for some it is "the only place they allow themselves to be openly homosexual."

The HUG support group is the perfect example of a supportive school district and an educated faculty combining their efforts to encourage the development of gay and lesbian youth.

152. Id.
153. Id. at 155.
154. Id. at 154.
156. Williams et al., supra note 148, at 155.
157. The Quatrefoil Library is one of the largest lending libraries of gay, lesbian, and bisexual books. Id.
158. Id.
159. Stover, supra note 31. Perhaps it is most amazing that the HUG support group accomplished all these things without the support of an openly gay or lesbian staff or faculty member. Id.
Unfortunately, in many schools, teachers and counselors have an inadequate knowledge of homosexuality. Teachers and counselors may feel uncomfortable discussing the subject of homosexuality, safe sex, and AIDS with students. However, a study of high school teachers and counselors found that when teachers are educated on the issues of HIV and homosexuality, they are more likely to feel comfortable using strategies which incorporated those issues into their teaching and counseling.

D. EQUITY TRAINING

One model used to teach educators about diversity in general, and specifically homosexuality, is equity training. Equity training is a program which attempts to "foster in educators an appreciation of the diversity of school populations." It looks at "difference as something to learn from and accept, not to change or "normalize.""

The training consists of four six-hour segments. Each segment was individually devoted to gender, race, disability, and sexual orientation, as well as to the inter-relationship between the four. The four day training included lectures, demonstrations, group discussions, audiovisual materials, and readings. During the following academic year the educators participated in three days of "skill building and action planning for culture change within the 'back home' school environment.”

Throughout the training, the educators were encouraged to use both reactive and proactive approaches to create a "culture change" in their home schools. Proactive approaches might include teachers incorporating gay issues into their teaching, inclusion of books and resources for student use in the library, and changing discriminatory policies. Reactive strategies teach edu-

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160. Remafedi, supra note 58, at 153.
161. Id.
163. Id. at 66.
164. Id. at 63.
165. Id.
166. Id.
167. Id.
cators techniques on how to react to anti-gay jokes, comments, or statements concerning other students.168

E. PEER TRAINING

Another form of counseling which might be established is peer counseling or peer training sessions. The Hetrick-Martin school in Manhattan for example, uses peer training because it "promote[s] tolerance of homosexuals among straight teen-agers and . . . provide[s] role models for gay ones."169 The Hetrick-Martin Institute is a non-profit New York organization dedicated to the needs of gay youth. The Institute includes the Harvey Milk High School which was started due to the large number of gay teens dropping out of school because of extreme harassment.170 The Institute has "grown from a handful when it opened its doors in 1983 to 1,500 today."171 One of the purposes of promoting peer training is to mainstream gay education into the public schools so that the students will "less often have . . . to leave their neighborhoods and families to get help."172

Additionally, in Phoenix, Arizona about 500 students between the ages of nine and fifteen have been helped by a Boys and Girls Club peer counseling program called "HIV . . . Ask Me."173 The program is helpful according to Jonathan Haley, a high school sophomore and peer counselor, because other students "can take my word because I have no reason to lie to them . . . Adults can't speak our language. . . . I just tell them how it is."174

168. Id.
170. Harvey Milk High School is an alternative public high school for lesbian and gay students. It was named after Harvey Milk, a San Francisco city supervisor, who was murdered in 1978. Mandell, supra note 4, at 44. The Institute was the recent recipient of a $250,000 grant from Vogue magazine which conducted a benefit to help the Institute move from its old and overcrowded space to a new facility in the East Village. Dan Fein­stein, Style Calendar, NEWSDAY, July 25, 1993, at 26.
171. Green, supra note 169, at 13.
172. Id.
173. A USA Today Survey of students shows that teens are most influenced about AIDS prevention from listening to a person who has HIV. Who Influences Teens About Preventing Aids, USA TODAY, June 14, 1993, at D1.
School health personnel recognize that human sexuality education proves most effective when offered within the context of a comprehensive school health program.\textsuperscript{178}

A comprehensive program is one which incorporates issues regarding sexual orientation into the every day curricula of the school in substantive areas as well as school health programs. In order to meet the various needs of all students, the successful program must focus on gay and lesbian students, heterosexual students, and educators. It should support the emotional, intellectual, and sexual needs of students who believe they may be homosexual. It should teach heterosexual students about diversity and tolerance of sexual preferences to equip them to deal with peers, relatives and friends who may be homosexual, and to deter the number of hate crimes committed by heterosexual youths against gays and lesbians. Finally, it should equip teachers and administrators to counsel both homosexual and heterosexual students in a way that encourages diversity and acceptance of others.

If one part of the program is missing, it will weaken the effectiveness of other attempts to increase tolerance concerning sexual orientation. Although efforts to change school curricula are commendable, if there is no peer outlet for students to discuss being gay, students will continue to internalize society's homophobia concerning their sexuality, which leads to suicide, safety and dropout issues our education system should attempt to prevent. If educators are equipped to counsel gay students and discourage homophobic attitudes, it logically follows that it would be hypocritical to prohibit them from addressing homosexuality in health courses, or discussing the sexuality of an author, artist, or musician in conjunction with other substantive issues.

A good example of a district's failure to help gay students because it lacked the goal of comprehensive education, is Fountain Valley High School in Orange County California. In October

\textsuperscript{175} Neutens, \textit{supra} note 94, at 74.
of 1993, a group of students from Fountain Valley high school persuaded the school to allow them to meet after school as a support group.176 The group, named the Fountain Valley Student Alliance, had five gay students and a number of heterosexual students in attendance.177 The purpose of the group was “to try and bring some sense of understanding and tolerance to campus.”178 Less than a month after the group began meeting, another group named the Future Good Boys of America began distributing flyers calling for the ban of the new group.179

Although the school quickly stopped the flyer distribution, the school board later decided to examine the elimination or modification of the district’s equal access policy which allows non-academic groups to meet on campus. On January 11, 1994, the school board voted 4-1 to keep the equal access policy in place.180 This victory was hollow, however, since a recent United States Supreme Court case181 essentially required the board either to allow the gay group to meet or forbid any non-curricular group from meeting on the school’s property.182

Many of the problems facing the school district would have been alleviated if instead of only focusing on one need — support for gay students — they had taken the more bold step of initiating a comprehensive program.183 Unfortunately, in 1990,

177. Id.
179. The flyers, distributed by the Future Good Boys, contained numerous incorrect statements about the Alliance group. The flyers also stated that homosexuality is “abnormal, immoral, deviant, and queer,” that “these people lead to the societal and moral decay of our community and must be stopped” and that “if it is normal [homosexuality] then there is no need for a support group.” Id.
182. Forbidding all groups to meet would mean excluding approximately thirty-two other student groups, including religious and service groups and sports clubs. Debra Cano, Trustees Debate Policy Allowing Gay Support Group, L.A. TIMES, Dec. 9, 1993, at B6.
183. The focus of the support group was uncertain. Wilgoren, supra note 178, at B7. Thus, although the purpose of the Alliance group was to “try and bring some sense of understanding and tolerance to campus,” the principal stated that the group did not talk about sex. One wonders what kind of support can be given to gay students when they cannot talk about important issues like the transmission of HIV and communication is-
another school in the district wanted to begin Project 10, but the school board "quietly" refused to give permission after protest from parents and others. The school board is neglecting their responsibility to address the overwhelmingly serious problems gay students must deal with in schools. In addition, it is abhorrent to believe that a school board would even contemplate forbidding thirty-two groups from meeting on campus to eliminate one support group for five homosexual students. The school board's message may indicate that it is not important to protect the needs of gay students, and that intolerance and discrimination against a powerless minority group will be rewarded.

Schools need to understand that the failure to address issues pertaining to gay students will not make the issues disappear. Our society has changed in such a way that youth are no longer ignorant or naive concerning issues of sexuality. Students are sexually aware and sexually active at younger ages. Many are aware of their attraction for peers of the same sex. Our educators, health care professionals, and gay activists cannot conscionably continue to stand by simply pretending gay and lesbian teens do not exist. Neither can they stand by while heterosexual teens come to believe that sexuality is a legitimate reason to harass, abuse and murder.

While many leaders in the education fields do not acknowledge what is an obvious cry for help and education, a well organized religious opposition is creating a "moral smog" in an attempt to monopolize the effectiveness of school board sexuality education decisions. The religious opposition's focus on abstinence and the morality of homosexuality "is misguided in idealizing and romanticizing a past that was, for many if not most people, overly repressive and oppressive." The focus of reli-

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186. Id. at 61.
188. See Smolowe, supra note 74, at 34; but see Laura Pappano, New Group Targets Religious Rights: Advocates of Sex Education Publish Manual on Strategy, Boston Globe, Feb. 6, 1994 at 1 (discussing the Lighthouse Institute for Public Policy, an organization created to challenge attempts by conservative groups to "halt comprehensive sex and AIDS education in [Massachusetts] public schools.").
189. Dennis L. Carlson, Conflict and Change in the Discourse on Sexuality Educa-
igious leaders has little to do with the real educational needs of students, and more to do with advancing their own particular religious beliefs. Schools boards have a responsibility to deal with real issues affecting students, regardless of how divisive or value laden the issues may appear to the public. School boards must see that every time they capitulate to religious activists, large numbers of students suffer.

Educators need to realize that they are "surrounded by every imaginable lifestyle among the families of the children [they] teach." Research has estimated that one out of every ten persons will eventually lead a gay lifestyle. The failure to address homosexuality in schools tells the ten percent of students who will eventually become gay that "the life they will eventually lead is not part of the human program."

Even among the ninety percent of students that will not be gay, there will be many who will have gay and lesbian parents, siblings or friends. There are eight to ten million children who have been born to gay men or lesbians in this country. Between one and a half to four million children are being raised by gay male or lesbian couples. About 10,000 babies have been conceived by artificial insemination to lesbian mothers. The failure to teach heterosexual students about homosexuality inhibits their ability to fully interact with a growing part of the world.

By avoiding debate of controversial issues, school boards and teachers are able to conceal their personal biases. However,
even education that "purports to be neutral is actually promulgating value-laden messages, if only by teaching students through a hidden curriculum to accept the [hierarchical] status quo." Educators' unrevealed biases still injure. In the absence of a positive educational experience concerning homosexuality, students will accept society's negative impression of gay life as their own.

Every state should follow the lead of Massachusetts and its Governor, who supported and signed the first anti-discrimination legislation against gay and lesbian students in public education. The bill had been stalled in committee for two years, but was finally passed due to the extraordinary lobbying of over 1000 gay and lesbian teens. The new law "will require schools to allow same-sex couples to attend high school proms, to back students who wish to form gay support groups, and to include discussion of gay issues in health curriculums and sex education classes." It will also allow students to sue the school district if they suffer harassment and violence. The new law has been hailed as a remarkable piece of legislation which finally gives gay and lesbian students freedom to fully participate in adolescent life.

By recognizing that gay and lesbian students exist and have a right to accurate information about homosexuality, school professionals can create an atmosphere of acceptance and growth. The sexual orientation issues students face are serious and must be addressed. The suicide and HIV infection rates, the drug and alcohol abuse, and the drop out rates are cries from our nation's gay youth which can no longer morally be silenced.

198. Gordon, supra note 36, at 399.
199. Roe, supra note 34, at 1311.
202. Id.
204. Rimer, supra note 201, at A18.
205. Id.
206. Treadway & Yoakam, supra note 56, at 357.