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Mississippi court: School violated lesbian student's rights

By Pepe Lozano

A Mississippi federal court ruled Tuesday, March 23rd, that officials at Itawamba Agricultural High School violated a lesbian student's First Amendment rights when it canceled the school prom rather than let the student attend with her girlfriend.

Constance McMillen, an 18-year-old senior, made national headlines when she sued the school district for the right to bring her girlfriend to the prom. School officials had told her she could not wear a tuxedo and had to bring a male date instead.

"It feels really good that the court realized that the school was violating my rights and discriminating against me by canceling the prom," McMillen said in a statement. "All I ever wanted was for my school to treat me and my girlfriend like any other couple that wants to go to a prom."

In the ruling the court wrote, "The record shows Constance has been openly gay since eighth grade and she intended to communicate a message by wearing a tuxedo and to express her identity through attending prom with a same-sex date. The Court finds this expression and communication of her viewpoint is the type of speech that falls squarely within the purview of the First Amendment."

The federal court said the school board does



not have to reschedule the dance because parents have already organized an alternative private prom that will be open to all students on April 2.

McMillen said she plans to attend the private prom as well as the Mississippi Safe Schools Coalition's Second Chance Prom, a dance open to all LGBT students in the state as well as straight students who are LGBT-supportive.

"Now we can all get back to things like pick-

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ing out our prom night outfits and thinking about corsages," said McMillen.

The American Civil Liberties Union, which represented McMillen in the case, hailed the ruling as "a win for all lesbian, gay, bisexual and transgender students who just want to be able to be themselves at school without being treated un-

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fairly.”

“Public schools can't just stomp on students' free expression rights just because they don't want to deal with these students, and if schools do try to do that they'll be dealing with us,” said Kristy Bennett, legal director for the Mississippi ACLU.

Christine P. Sun, senior counsel at the ACLU's national LGBT Project who also represented McMillen, said, “These school officials should be ashamed of themselves for trying to scapegoat a young girl and then trying to lay the blame for their bad behavior at her feet.”

McMillen first approached school officials about bringing her girlfriend to the prom in December, and again in February. They said no.

The prom was canceled after the ACLU and supporters demanded the school board reverse its decision to prohibit McMillen from bringing her girlfriend. School officials told McMillen she could not arrive at the prom with her girlfriend and said they would be thrown out if other stu-

dents complained about their presence.

Both the ACLU and the the Mississippi Safe Schools Coalition say they deal with complaints every year from LGBT students all over Mississippi who face resistance from their schools about bringing same-sex dates to proms. Some students don't feel safe going to their own proms, they note.

LGBT activists hope McMillen's story sheds light on the problem and encourages school districts everywhere to accept students for who they are regardless of their sexual orientation.

About 715 students attend McMillen's high school in the town of 4,000 in rural northern Mississippi.

Since McMillen's case was filed, a Facebook page set up for her case has attracted over 400,000 supporters. McMillen was also a recent guest on the Ellen DeGeneres talk show and received a \$30,000 university scholarship.



Pepe Lozano writes for the People's World.

Health care victory

By PW Editorial Board

Here are ten immediate benefits from the health care law (from USHealthCrisis.com):

1. Adult children may remain as dependents on their parents' policy until their 26th birthday
2. Children under age 19 may not be excluded for pre-existing conditions
3. No more lifetime or annual caps on coverage
4. Free preventative care for all
5. Adults with pre-existing conditions may buy into a national high-risk pool until the exchanges come online. While these will not be cheap, they're still better than total exclusion and get some benefit from a wider pool of insured people.
6. Small businesses will be entitled to a tax credit for 2009 and 2010, which could be as much as 50% of what they pay for employees' health insurance.
7. The “donut hole” closes for Medicare patients, making prescription medications more affordable for seniors.
8. Requirement that all insurers must post their

balance sheets on the Internet and fully disclose administrative costs, executive compensation packages, and benefit payments.

9. Authorizes early funding of community health centers in all 50 states (Bernie Sanders' amendment). Community health centers provide primary, dental and vision services to people in the community, based on a sliding scale for payment according to ability to pay.

10. Effective immediately, you can't lose your insurance because you get sick.

This legislation will save lives, begin curbing the insurance industry, and takes a giant first step to further reforms that will provide quality, affordable health care for every person.

The fight isn't over. The corporate-backed far right will continue to use racism, lies and anti-government conspiracy theories to try to scare and confuse people.

While we celebrate the persistence and tenacity of the people's movement for progressive change, let's remember there are many more battles ahead.



Even organizations and individuals critical of the bill have acknowledged its importance and far-reaching implications.

If Daddy doesn't have a job

By John Rummel

Sedrick Staten's family came here to Detroit from Alabama in 1969. He's been driving a Detroit school bus for 18 years. A member of Teamsters Local 214, his livelihood is being threatened because of the school privatization efforts of Robert Bobb, emergency financial manager of Detroit Public Schools, appointed by Gov. Jennifer Granholm.

Staten's story is moving. "I've been a loyal Detroit public school person all my life," he said. "My mother was a custodian for 30 years, my brothers, my sisters, my whole family have always been affiliated with Detroit public schools. If I lose my job, it's going to make me think about moving out of Detroit. My kids love their schools. But if Daddy doesn't have a job, what am I supposed to do?"

Staten joined hundreds of other school workers, many with similar stories, at a rally at Bobb's office.

Rose Gant is a secretary at Webster Elementary School, and a member of the Detroit Association of Educational Office Employees, an affiliate of the American Federation of Teachers. She is fighting hard against the drastic cuts Bobb is pushing. "He wants us to take pay cuts, insurance cuts and retirement cuts," Gant said.

A special education aide who has worked for 10 years at the Mae C. Jemison School said Bobb wants her and her coworkers to take a 10 percent pay cut. "We don't make any money now and he's trying to take more," she said. "It's going to be harder, much harder if they take more and give us less."



Beth Thoreson, from AFT Michigan, said Bobb has threatened to privatize office employees, the first people anybody sees when coming into a school. "The people who are rallying today are the people that hold the whole school system together - the teachers wouldn't be able to do their job if it weren't for them," she said.

Privatization is not the answer because in the long run it doesn't save money, she said. "

Former Detroit Federation of Teachers President Virginia Cantrell, who now serves on the school board advisory council, said, "We need to get the class size down, books and supplies in the classroom, and we need to stop moving teachers around, four, five, six times a year."

Russ Bellant, a retired labor and community activist long engaged in the fight to preserve public education, said Bobb is embarking on a systematic plan to dismantle public education in the city. Up to 45 schools are scheduled to close.

Michael Mulholland, secretary treasurer of AFSCME Local 207 representing Detroit's water and sewage workers, came to the rally because his union is also fighting a privatization effort that could affect upwards of 13,000 workers.

Privatization is not the answer because in the long run it doesn't save money.

Charter school teachers unionize

By John Bachtell

One hundred teachers at four charter schools run by ASPIRA, Inc., of Illinois filed for union recognition March 19. Two-thirds of teachers at the schools signed authorization cards.

The teachers are seeking to organize with Chicago Alliance of Charter Teachers and Staff (Chicago ACTS).

George Smith, a math teacher at ASPIRA's Mirta Ramirez Computer Science High School since it was established in 2003, said teachers at his school were ready for a union two years ago.

"What really drove this was the desire for transparency in how ASPIRA was spending money and a greater active voice in curriculum, schedule and professional development," said Smith. The charter school management has frozen teachers and parents out of the decision making process, he said.

James Thindwa, civic engagement coordinator with Chicago ACTS, said the unionization of charter school teachers will bring "transparency and an expanded set of eyes. Chicago ACTS is part of a growing new education reform movement which rejects the "simple narrative that lays problems at the doorstep of teachers and unions," says Thindwa. "There is a growing recognition that the education crisis takes place within a complex economic and social environment."

The union authorization cards, signed by two-thirds of the teachers at the four ASPIRA schools, have been presented to the Illinois Education Labor Relations Board. State law requires 50 percent plus one vote of teachers to unionize.

Marcha pro derechos inmigrantes: Éxito tremendo

Por Emile Schepers

El domingo 21 de marzo, el primer día realmente cálido en Washington, D.C. la "Marcha por América," organizada por la coalición amplia "Reform Immigration for America" alcanzó y sobrepasó la meta de sus organizadores, de reunir a 100.000 manifestantes en el mall.

Aunque eran latinos la mayoría de los manifestantes, había muchos Afonorteamericanos, Asiáticos y otros. Se podía oír a gente platicando en inglés y español, pero también en chino, árabe y otros idiomas, y había un contingente que hablaba el Quiché Maya, un idioma guatemalteco.

La marcha fue organizada para presionarles tanto a la administración Obama que al Congreso, a que comiencen a mover sobre la reforma migratoria. Mucha gente en el movimiento pro derechos migratorios ha expresado su preocupación y frustración por el hecho de que la administración ha parecido relegar a la reforma migratoria a baja prioridad.

Ya se ha propuesto en el Congreso una ley que busca una reforma migratoria comprensiva (la HR 4321), medida diseñada por el representante federal Luis Gutiérrez, Demócrata por Illinois, y patrocinada por el representante Solomon Ortiz, Demócrata por Texas. La semana pasada los senadores Charles Schuman, Demócrata por Nueva York, y Lindsey Graham (Republicano por Carolina del Sur), anunciaron el bosquejo de una propuesta "bipartidaria" bien a la derecha de la propuesta Ortiz-Gutiérrez.

El presidente Obama, quien se hizo presente de sorpresa a la manifestación por medio de un enlace de video, prometió seguir apoyando una reforma comprensiva, pero indicando indirectamente que prefiere la propuesta Schumer-Graham. A pesar de todas las dudas, cuando apareció su cara en las pantallas gigantes, evocaba vítores tremendos por parte de la muchedumbre.

Gutiérrez, que se dirigía a la manifestación, declaraba a los presentes que "la movilización de hoy es solo el comienzo," y los recordaba la meta de esta lucha: "Quiero que brille la luz [de la justicia] sobre todo y cada inmigrante".

Estaba presente entre los oradores el movimiento sindical de los trabajadores en la persona de la vicepresidenta ejecutiva de la AFL-CIO, Arlene Holt Baker, entre otros. Su federación sindical ha apoyado a la legalización y la propuesta del representante Gutiérrez, pero ha expresado su oposición a la inclusión de una propuesta para trabajadores huéspedes en el bosquejo Schumer-Graham.

Hasta había un contingente de inmigrantes que fueron arrestados pocos días antes en una redada dirigida en contra de trabajadores de restaurantes en Maryland. Aparecían estos con sus brazaletes de tobillo puestos y activados y, según reportes del Washington Post, tuvieron que salir temprano porque necesitaban recargar las pilas de sus brazaletes. Ellos tienen que reportarse pronto a sus audiencias de deportación.

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