

# Bloomberg

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## Schools May Lose Funding for Ignoring Bullying of Gay Students, U.S. Says

By Jeffrey Young - Oct 26, 2010

Schools that fail to address the bullying of gay students may lose U.S. funds for not enforcing gender-discrimination laws, the federal Department of Education said.

Federal officials for the first time encouraged schools to address such behavior as harassment using civil-rights [statutes](#) enacted from 1964 to 1990 that protect students from discrimination based on race, religion, national origin, disability or gender, the department [said](#) today.

The announcement clarifies that protections extend to gay, lesbian, and transgender students who are harassed for “failing to conform to sex stereotypes,” Russlynn Ali, the assistant education secretary for civil rights, said during a conference call yesterday. “We are not creating new policy,” she said.

Courts have held that gender stereotyping of gay people may be a violation of civil-rights law, Ali said.

“It’s certainly unprecedented as far as I can remember,” [Kristen Amundson](#), former chairwoman of the Fairfax County, Virginia, school board, said in a telephone interview.

Amundson, a Democrat who served five terms in the Virginia legislature, is communications director for [Education Sector](#), a policy organization based in Washington.

“It does, to me, feel very different” from previous U.S. administrations’ interpretation of the law, she said.

### Rutgers Death

Suicides of students such Tyler Clementi, who was a freshman at [Rutgers University](#) in New Brunswick, New Jersey, have sparked campaigns against bullying.

Clementi plunged from the George Washington Bridge into the Hudson River on Sept. 22, three days after live video of a sexual encounter between him and another man was transmitted on the Internet, according to Middlesex County, New Jersey, prosecutor Bruce J. Kaplan. Two persons were charged with invasion of privacy in the incident.

Such occurrences “contribute to our sense of urgency,” said Ali, adding the Education Department isn’t investigating the Clementi case or others like it.

The Education Department told elementary schools, secondary schools and colleges that they must establish antidiscrimination plans after an incident occurs or face the loss of federal aid, Ali said.

### First Bullying Guidance

“A school must take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring,” the agency said in a [letter](#) it sent schools.

Federal education officials based their interpretation on legal precedent and on guidance offered by the administration of [George W. Bush](#) addressing harassment because of religion and gender, Ali said.

“What’s new here is that we are putting it all in one place,” she said. “This is the first time the department is issuing guidance on bullying.”

The White House will convene a conference on bullying and harassment in schools early next year, the Department of Education said. The Department of Education will hold a series of workshops for school administrators around the U.S. on antibullying measures.

The federal government can play an important role setting precedent, Amundson said, citing the success of U.S. programs in promoting girls’ and women’s sports and other extracurricular activities.

### Changing Attitudes

“It’s always easier to change behaviors than it is to change attitudes, and that’s what the federal government does and that’s what it’s trying to do in this case,” she said before the announcement

The government is responding to “what we sensed was a growing problem within schools,” Ali said. The civil-rights office received more than 800 harassment complaints during the fiscal year that ended Sept. 30, she said.

The Obama administration has taken other steps to highlight and address bullying, including staging an August [summit](#) on the issue.

In a [video address](#) released on Oct. 21, Obama said he “was shocked and saddened” by the suicides. He joined Democratic New York Governor [David Paterson](#), talk-show host [Ellen DeGeneres](#), and [employees](#) of Mountain View, California-based [Google Inc.](#) in submitting videos to the [It Gets Better Project](#), a public campaign targeting gay, lesbian, bisexual and transgender youths.

The initiative, organized by [Dan Savage](#), a syndicated columnist and the editorial director of a Seattle newspaper named the Stranger, features testimonials of adults urging young people not to commit suicide over bullying. The page on Google’s YouTube.com has been viewed more than 1.8 million times.

Legislators in New Jersey have proposed strengthening the state's eight-year-old antibullying law, the Associated Press [reported](#) yesterday.

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