

Straight pride shirt allowed

Sophomore sued his high school in Minnesota

By Elianna Marziani
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A 16-year-old Minnesota high school student is free to display his straight pride at school, even though it offends some other students, a federal district court judge ruled Thursday.

Judge Donovan Frank issued a preliminary injunction in favor of Elliott Chambers, a sophomore at Woodbury High School who sued his school after the principal told him he could not wear a "Straight Pride" sweat shirt. According to Judge Frank, there is a "strong likelihood" that the school's banning of the shirt was unconstitutional.

Stephen Crampton, chief legal counsel for the American Family Association's Center for Law and Policy, which represented Elliott in his lawsuit, applauded the decision.

"This is a tremendous victory for student free speech," he said. "The court recognized that true tolerance means tolerance of all, and not only a select few."

It all began at a George W. Bush support rally in December. While listening to a speaker at the state Capitol building in St. Paul, Elliott saw another teen wearing a shirt proclaiming "Straight Pride" on the front. It had a picture of a stick man and woman holding hands on the back. He went online to www.straightpride.com to order his own.

"I thought it was cool," he said. "My motto is: 'Why be politically correct when you can be right?'"

Twice in December, Elliott wore his shirt to his high school in Woodbury, a suburb about eight miles southeast of St. Paul. He received only positive comments from friends. When he wore it to school Jan. 16, however, he was summoned to the office of an assistant principal, Jill Moes. Mrs. Moes, he said, informed him that a girl, representing several homosexual students, had told her she found the shirt offensive.

The next day, Woodbury High School Principal Dana Babbitt called Elliott into his office and told him that since his shirt was offensive to homosexual students, he could no longer wear it at school.

The school designates certain classrooms as "safe zones" for homosexual students and prides itself on its inclusivity. Teachers participating in the safe-zones program hang large posters with an inverted pink triangle with the words "safe zone" on it. The posters list the names of staff members who have volunteered to hand out referrals to groups such as Parents and Friends of Lesbian and Gay Students (PFLAG) and the Min-



Photo by Elianna Marziani/ Special to The Washington Times

A judge ruled Elliott Chambers may wear his sweat shirt, overruling high school administrators in Woodbury, Minn.

neapolis Gay/Lesbian Community Action League.

When Elliott's mother and father, Kendal and Lana Chambers, accompanied their son to the principal's office, Mr. Babbitt again explained the shirt was offensive to homosexual students. He added another reason for the ban was that the shirt might incite violence. A fight had broken out earlier in the year between a black student and a white student wearing a Confederate bandanna.

The parents accused the school of having a double standard by allowing homosexual students to talk about their sexuality in "safe zones," while denying their son the right to express his sexuality. They offered a compromise: They would stop Elliott from wearing his shirt if Mr. Babbitt would take down the "safe zone" signs.

Mr. Babbitt declined.

Angered, the parents sought advice from the American Family Association's Center for Law and Policy, an organization that represents Christians free of charge in First Amendment cases.

"I don't really care what an individual does in their private life," Mrs. Chambers said. "But when homosexuals choose to cross the line and begin to use my tax dollars to indoctrinate my children into accepting a lifestyle that I believe is morally wrong and . . . extremely harmful and dangerous to their health, then it becomes my business."

Chief Counsel Stephen Crampton agreed to take their case and filed the lawsuit in April.

"The whole idea of rule of law is to guard the minority against the majority when it involves certain fundamental rights," he said. "In this particular case, you have sort of the shoe on the other foot. You have oppressive acts by official people, the school, and they're trampling the rights in this case of the minority view that straight pride is wor-

thy of note as well."

David Smith of the Human Rights Campaign, a Washington-based homosexual rights lobbyist group, said Elliott's shirt was inflammatory.

"I think that pride is a very good thing and should be encouraged. I would just question his motives," he said. "His motives are anti-gay. The reason why he's doing it is to convey a message against gay people."

Elliott denies that charge.

"I don't [see why it is offensive]. It's not bashing them," he said. "It's just pride in the way God made me."

A statement on the school district's Web site explained Elliott "was asked to refrain from wearing a sweat shirt that the administration believed contained a message that could be disruptive within our school."

"The courts have ruled that schools have the authority to place reasonable regulations on student dress, particularly where the attire can cause a disruption to the educational process."

Elliott said he would never start a fight with someone over his sexual orientation.

The case was argued on Tuesday, and Judge Frank rendered his decision Thursday. He found there was no "genuine threat of violence or disruption," so the school "exceeded its bounds" by banning the shirt based on an "irrational fear."

The Chambers family still awaits a trial in which they will challenge the constitutionality of several other school policies, but Mr. Crampton is confident the shirt ruling at least is here to stay.

Many of Elliott's friends joined him in wearing "Straight Pride" shirts to school yesterday.

"He is elated at the reality of wearing his shirt again and being vindicated in his stand against the administration," said Mr. Crampton.

• Joyce Price contributed to this report.

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