

**PROTECTING THE HUMAN RIGHTS OF LGBT (LESBIAN,
GAY, BISEXUAL AND TRANSGENDER) AMERICAN
SECONDARY SCHOOL STUDENTS: A LEGAL AND POLITICAL
STRUGGLE OF DENIAL, ENGAGEMENT, AND
ABANDONMENT**

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**A THESIS SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR
THE DEGREE OF MASTER OF ARTS
(HUMAN RIGHTS)
FACULTY OF GRADUATE STUDIES
MAHIDOL UNIVERSITY**

2007

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M.A. (HUMAN RIGHTS)

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ABSTRACT

This thesis focuses on bullying in U.S. secondary schools to assess its impact on students who are identified as lesbian, gay, bisexual, or transgender (LGBT), actual or perceived, and students with an LGBT parent(s). A documentary textual study, the thesis investigated statistical data, academic research, laws, two precedent-setting court cases, news reports, personal statements, and conversations of LGBT teenagers from Internet chats. Analysis of these documents determined the seriousness of school bullying directed toward LGBT students as a violation of their human rights. The past decade saw two issues engage the American electorate: integration of gays and lesbians in the U.S. military and same-sex marriage. Political lobbies, NGOs and religious ministries in taking sides for or against these two issues organized into LGBT advocates and their allies versus the religious right. The study found that protection for LGBT students from school bullying is an equally contested issue though rarely highlighted in national politics. The thesis analyzed the effects on LGBT students by the ubiquitous slur, "That's so gay," name-calling, and sexual and physical harassment. These violations also contributed to the denial of the right to education and development guaranteed by the UN Convention for the Rights of the Child (CRC). Looking toward ratification of CRC by the U.S. is a strategy with little chance of immediate success. The study found that the political strategies of GLSEN (Gay, Lesbian, Straight Educators Network) are creating positive effects. GLSEN's Gay-Straight Alliance Clubs bring needed support, break down isolation, create allies, and empower students. The online GSA chats showed similar results. The thesis analyzed the world-renowned Olweus school antiviolence program and compared it to category-specific programs that designate sexual orientation and gender expression as protected classes and concluded that a category-specific program offers more protection. State anti-bullying and school safety laws were also analyzed and generally found lacking in consistent and comprehensive approaches. A federal law modeled on Title IX was recommended for future passage and implementation with reporting requirements and specified staff responsibilities. School shootings, the history of evangelicals in U.S. politics, and the proposed abandonment of the public schools for homeschooling by prominent religious right leaders were also critiqued in the thesis.

KEY WORDS: UNITED STATES/BULLYING/HUMAN RIGHTS/
LESBIAN/GAY/BISEXUAL/TRANSGENDER/RELIGIOUS
RIGHT/OLWEUS/GAY-STRAIGHT ALLIANCES/SCHOOL
SHOOTINGS/HOMESCHOOLING

192 pp.