

## Statement of Christine P. Sun

I am Christine P. Sun, staff attorney at the ACLU of Southern California, and co-counsel in *Paramo v. Kern High School District*.

These courageous high school students, both the staff of East Bakersfield High's newspaper, *The Kernal*, and the students they interviewed have found themselves in the middle of an important struggle for both civil rights and civil liberties.

Their quest to publish an important suite of articles about gay students at a California high school intersects many important fights. Half of them are not even 18, yet they are standing up for the freedom of the press, gay rights and student rights.

Unfortunately, this is not the only instance that we've heard of where public school administrators have stepped in and told high school journalists what they can and cannot publish to the detriment of the students. In California we have a powerful education code that grants student journalists broad free expression rights, even greater than the First Amendment. We want to send a positive message to student journalists throughout the state that they shouldn't be afraid to report on issues that matter to teens.

The East High students took an important step in promoting tolerance and understanding. They picked up where the school did not venture to go.

We are challenging the high school principal's efforts to stop gay students, the parents of those students, and student newspaper editors from engaging in an open and honest dialogue about sexual orientation issues. The safety of the students interviewed, the student journalists and all students in Bakersfield is our first priority. No incidents in the past have led us to believe that these students, especially those interviewed who are already open about their sexual orientation, have anything to fear at East High. We hope the school administration will work to ensure that safety is maintained and that to foster an environment in which all students continue to feel comfortable at school.

Not only does this censorship violate rights to free expression, equal educational opportunities, and non-discrimination, it sends an unmistakable message that the school officials would rather students keep their identities closeted. The silencing of these articles works in favor of ignorance and intolerance.

Rather than promoting tolerance and respect, the principal's censorship has the opposite effect. The censorship falsely and illegally tells the school community that it is inappropriate for gay and lesbian students, as opposed to heterosexual students, to express themselves in the school context and that they must hide their identities for the sake of student safety.

We are demanding that the articles be printed in the next and last issue of the year and that the school meet its obligations to provide a tolerant and welcoming learning environment for all students, including lesbian, gay, bisexual and transgender students, through measures designed to solve, and not ignore, homophobia and anti-gay attitudes.