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The Story Behind W.V.'s New Anti-Bullying Law

The young director of West Virginia's gay rights organization tells us how he helped his state enact an LGBT-inclusive anti-bullying law
By Neal Broverman

Fairness West Virginia executive director

Bradley Milam, the young executive director of Fairness West Virginia, thought it would be a challenge to convince his state's **Board of Education** to pass an **LGBT-inclusive bullying law**. It turned out to be easier than he thought.

Back in the spring, the West Virginia legislature passed a new law adding anti-bullying language to Board of Education policy, but it didn't say that students would be protected from harassment due to their sexual orientation or gender identity. Milam's LGBT rights organization sent over research on gay and transgender bullying to the Office of Healthy Schools at the state Board of Education. Milam followed the information up in meetings with BOE staff.

"In all our interactions, the staff were remarkably supportive," Milam tells *The Advocate*. "They looked at our research and were convinced [the new policy] was the best kind of policy."

The Office of Healthy Schools drafted LGBT-inclusive language for the existing bullying law and recommended it to the full Board of Education. The BOE then opened the policy to the public to comment on the proposed change—33 county boards of education and more than 800 school officials shared their thoughts on the policy.

"The Family Research Council affiliate here—the Family Policy Council of West Virginia—expressed their viewpoints time and time again with officials," Milam says. Unsurprisingly, the antigay group railed against the LGBT language.

Nonetheless, the BOE president remained supportive, even writing an op-ed in a local newspaper that assuaged fears that the new bullying law would trample religious freedoms.

At the BOE meeting on Wednesday, a delegation of four students was in attendance and one spoke candidly about her bullying experience.

"She's a sophomore and ended up moving to her current school because of the bullying experience she had at her previous high school," Milam says. She talked a lot about the administration, faculty, and other students at her present school being supportive. But that's not the case at the school she attended before and that's not the case for the majority of high school students in West Virginia.

The BOE approved the new policy unanimously. It goes into effect July 1 and categorizes bullying based on sexual orientation and gender identity expression as a disciplinary offense.

"Punishments for harassment can range from detention to suspension from school for 10 days," according to the *Charleston Gazette*. "Students punished for 'vulgar or offensive speech' online if it disrupts school learning."

Even though state officials were incredibly helpful through this process, Milam says he won't be surprised if the Family Policy Council of West Virginia tricks up their sleeves. The group already put out a call on a radio show asking for anyone aggrieved by the new LGBT policy to reach out to Milam says.

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