

100% MORE
Dykes to Watch Out For
page 25



Former editor takes
the Pushcart and runs
page 32



AUTUMN
Travel
page 36

WLB
HQ75
0971

VERMONT'S FORUM FOR LESBIAN, GAY, BISEXUAL, AND TRANSGENDER ISSUES

OUT IN THE MOUNTAINS

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New Community Standards for Same-Gender Custody Disputes

A new publication by an ad hoc alliance of LGBT legal and family-oriented organizations is offering guidelines for handling child custody matters when a family breaks apart.

The recommended standards are contained in *Protecting Families: Standards for Child Custody Disputes in Same-Sex Relationships*. Originally written by Boston-based legal group Gay & Lesbian Advocates and Defenders with local parents, attorneys, mediators, and therapists, the final project includes contributions from Lambda Legal Defense & Education Fund, the National Center for Lesbian Rights, the ACLU Lesbian and Gay Rights Project, Family Pride Coalition, and Children of Lesbians and Gays Everywhere.

The standards aim to address the increasing prevalence of controversies — inside and outside the courtroom — about whether particular family members can maintain a relationship with their child when the family separates.

The problems stem from the law's elevation of biology over actual parent-child relationships. Regardless of the actual role a person plays, most established law does not recognize as 'parents' those who are not related to a child by biology or adoption, as is the case with many gay and lesbian parents.

In addition, since there is no divorce process to constrain the strong emotions that often accompany a break-up, some birth and adoptive parents who have the impulse to cut off the relationship between the children and the former partner succeed in doing so by claiming a superior legal status.

"Sound judgment is often clouded by the strong emotions that accompany break-ups. It causes terrible lasting injury if the children and adults are permanently torn apart at that unfortunate moment," said Mary Bonauto, GLAD's Civil Rights Director, "The law fails lesbian and gay families by not helping them regain a more level-headed

STANDARDS, P7

Ex-Awareness Week Troubles at Mount Mansfield Union

■ Discrimination Charges Filed with Vermont Human Rights Commission

BY BARBARA DOZETOS

JERICHO CENTER — A Vermont high school has been charged with discrimination after it cancelled a diversity awareness event that was to include a presentation by GLBTQA youth agency Outright Vermont.

Chittenden East Supervisory Union, the governing body of Mount Mansfield Union High School, faces charges of committing an unlawful discriminatory act in a place of public accommodation.

Students say they were led to believe by administrators at the high school in Jericho Center that an ex-gay deprogrammer should also be invited to participate in the presentation.

Since Outright Vermont has a policy of not engaging in debate with ex-gay ministries, it declined its invitation and suggested that the appropriate forum for the issue the school had raised would be a panel concerning religious responses to homosexuality. Outright's Executive Director Tami Eldridge said, "We recommended a list of local GLBTQ affirmative clergy."

According to Eldridge, Outright then contacted a group

of approximately 70 supporters from the community surrounding the school. Many contacted school administrators in an effort to educate them on the subject of conversion therapy.

Eldridge also forwarded a comprehensive package of information about Outright, its educational programs, and ex-gay reparative therapy to Joseph Corsaniti, Mount Mansfield's assistant principal.

In the midst of this controversy, administrators cancelled Awareness Week, which had been scheduled for the first week of May. On April 21, Nat Harrison, whose son Abram is the student council president, a member of the school's Gay Straight Alliance, and one of the Awareness Week organizers, filed the charges of discrimination with the Vermont Human Rights Commission.

In his written response to the charges, Chittenden East Superintendent Gail Conley claimed that the cancellation was due to lack of preparation and organization on the students' part as well as conflicts with mandatory tests and spring break.

At a public meeting on May 3, many members of the student body and faculty said this was

MMUHS, P10



photo Max Stroud

"Go Ask Alice" about this year's Vermont GLBT Pride Day on June 19th in Burlington. Jamie West (right) got some help serenading the crowd Karaoke-style at the Pride Committee's silent auction fundraiser at Jeff's Maine Seafood in St. Albans on May 16.

Legislative Hits, Near Misses and Bullets Still to Dodge

MONTPELIER — This year's session of the Vermont General Assembly was significant to gays and lesbians both for what was enacted into law—and what wasn't.

Three significant bills were approved and forwarded to the governor, whose staff said he planned to sign them: an expanded hate crimes statute, a law authorizing needle exchange programs, and a system for the unique identification of HIV cases.

Meanwhile, a proposal by Rep. George Schiavone (R-Shelburne) that would have forbidden same-sex marriage was never taken up.

The hate-crimes statute

enjoyed wide support and will greatly expand the ability of victims to get relief. Basically, the law would give hate crime victims the same rights offered to domestic violence victims. For example, the attorney general will be authorized to go to court on behalf of a victim to seek a relief-from-abuse order, as well as compensatory and punitive damages. Violation of the injunction would be a criminal offense.

The hate-crimes law itself was further amended to protect people based on their gender identity, as well as sexual orientation.

Backers hailed the legislation regarding needle exchange programs as an important step to help prevent the spread of HIV

through the use of dirty intravenous needles.

Although the bill did not provide for any state-backed needle exchange programs, it authorized private plans by exempting any needle exchange program from the laws preventing the possession and distribution of drug paraphernalia.

Adding to HIV protections, the legislature also passed a program for identifying those with the virus by a unique code rather than using their names.

The Health Department proposed a reporting system based on people's names. But advocates and the federal Centers for Disease Control called for the unique identifier because it

encourages testing by protecting confidentiality. Access to anonymous HIV testing has proven to increase the number of individuals who seek HIV testing by guaranteeing the privacy of test results.

Although those three initiatives passed and were victories for the lesbian and gay community, Schiavone's bill limiting marriage to unions between one man and one woman still poses a threat.

It remains alive for consideration when the Legislature reconvenes in January for the second half of its two-year session. By that time, it is expected that the Vermont Supreme Court will have given its ruling on gay marriages. ▼