

US Rights Group Sues Florida School for Rejecting Gay-Straight Club

The American Civil Liberties Union has sued a central Florida school district for denying a seventh-grader the right to form an on-campus club that promotes a safe and welcoming environment for students regardless of their sexual orientation, court documents showed.

Filed in U.S. District Court in Ocala, Florida, on Thursday, the complaint marks the second time this year the ACLU has taken up the cause of the Gay-Straight Alliance, as the club is called, at Carver Middle School in Leesburg, 45 miles northwest of Orlando.

Lake County School District spokesman Chris Patton said the district had yet to be served with the complaint on Friday so he could not comment.

The ACLU sued the school district for the first time in May on behalf of then-eighth grader Bayli Silberstein, 14, who fought for a year to establish a Gay-Straight Alliance at the middle school.

At the time, according to Patton, school board policy left decisions about on-campus clubs to the discretion of school principals.

A day after the ACLU filed its previous lawsuit, the school board capitulated and allowed the club to meet until the end of the 2012-2013 school year.

A student identified only as 12-year-old "H.F." was elected vice president of the club for the 2013-2014 school year, but her application for the club to operate in the new school year

was rejected by the school district superintendent on December 5, according to the lawsuit.

“This denial violates the federal Equal Access Act, which protects students’ ability to form and run clubs, as well as the First and Fourteenth Amendments to the United States Constitution,” the lawsuit said.

The Equal Access Act, a federal law passed in 1984, requires publicly funded secondary schools to provide equal access to extracurricular clubs.

The act was originally promoted by religious groups to ensure that students had the right to conduct Bible study programs during lunch and after school. It has since been cited frequently in litigation supporting the rights of students to form gay-straight alliances.

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