

STATEMENT REGARDING LGBT STUDENT-ON-STUDENT VIOLENCE

U.S. COMMISSION ON CIVIL RIGHTS

WASHINGTON, DC

MAY 13, 2011

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Hi, my name is Tammy Aaberg. Last July, I found out my son Justin died by suicide when my oldest son age 18, my youngest son age 7, and I found Justin hanging from his futon frame in his bedroom. This was the most tragic day of our lives and a traumatic vision that will never leave our minds. Justin was 15 years old when he died and also happened to be born gay. Justin was a wonderful, very smiley kid who loved to play his cello and compose his own songs. He loved his pet chinchillas and loved making sand castles at the beach and lying out in the sun.

Justin had many friends who he liked to hang out with and he never judged anybody for who they were. I found out after Justin died from many of his friends that Justin was the one many came to about their problems. He was always a trusting ear who many considered a "true friend." Unfortunately though, it seems Justin didn't want to bother his friends too often with his own problems, and it seems it took him great pains to keep this hurt from me in order to protect me. The two of us were very close and he always looked so happy and I honestly thought he had the perfect life, but I was wrong.

Soon after Justin took his life, his friends began to describe what life at school was like for Justin. We were aware of one incident but had no idea just how relentless the bullying and harassment was. We never realized how unprepared and unwilling his school was to ensure that something would be done to address the bullying and harassment he faced because of his sexual orientation. I found out from a very close friend of Justin's, after he died, who told me of a very serious incident that happened to Justin in 8th grade. An incident that sent me into a very deep depression for days and made me seriously realize just what my son had went through emotionally as well as physically.

This friend of his told me that in 8th grade 2 boys went up to Justin in the hallway at school and grabbed his genitals and said "you like that don't you?" This friend and a school counselor found Justin crying in the hallway minutes later. Justin was afraid to say what happened as he was afraid to rat the boys out and I never got a phone call telling me something might be wrong. The next day the counselor called Justin's friend down to her office and asked the friend what had happened to Justin. The friend told the counselor "things like this happen to gay kids all the time, but this time it wasn't just mental, it was physical." She emphasized the word "physical." The counselor thanked the friend for telling her what had happened to Justin because Justin was at the top of her worry list. However, the counselor never asked any more questions regarding what physically had happened to Justin and I NEVER got a phone call about anything physically happening to my son nor was I ever told that Justin was at the top of the counselor's worry list.

I was very angry with the counselor when I first found this out but then students, staff members and parents began to describe how bad the school climate was in the district for LGBT students as there is a policy in place which people refer to as the “neutrality policy,” due to the neutral position staff need to take regarding sexual orientation in curriculum. Unfortunately, this policy, which is actually called the “sexual orientation curriculum policy,” confuses teachers and staff and they feel like their hands are tied as they don’t know what should or shouldn’t be considered neutral. I believe this is what happened with the counselor. Once she heard the word “gay” she didn’t ask Justin’s friend any further questions and I never received a phone call. I believe that no matter what the situation is, if the student is hurt, especially physically, the parents have the right to know what happens to their child while entrusting their child’s care to school staff while they are at school. I paid thousands of dollars in property taxes to help pay the salaries of the school staff. I think I at least deserved the right to know that my son was physically and sexually assaulted at school.

Other reasons staff do not intervene is that they don’t want to lose their jobs as many are warned that they are breaking the neutrality policy when they intervene, so teachers and staff end up turning a blind eye. I guess they figure if they don’t see or hear the bullying it didn’t happen; therefore, they are not putting their job at risk. This makes things worse as it shows the bullies that it is okay to treat LGBT students any way they want as they won’t get reprimanded for it. In fact, some teachers were saying mean things to the

LGBT students and getting away with it so I'm sure they figure it must be an acceptable thing to do.

In the months after Justin's death, I learned more about the effects of the school district's "sexual orientation curriculum policy" from many students and also a few supportive staff who noticed and felt the harmful school climate against LGBT students. I found out that this so-called "curriculum neutrality policy" regarding sexual orientation affected a lot more than just the curriculum and is anything but neutral. I heard tragic story after story of things that happened to students that had NOTHING to do with curriculum. It also states that students should address such matters within individual family homes, churches or community organizations. Many students don't have this. As a matter of fact, I learned after Justin died that he saved his friend's life when her parents found out she was gay and sent her to reparative therapy and then tried to get the demons out of her. She didn't have home, church, organizations or school personnel to talk to. If your parents and school staff believe something is wrong with you then you start to believe it, and since you know you can't change yourself you think you are better off dead. No one sees you as the entire person you are just because of this small part of you. You are not hurting anyone, but people want to hurt you just because of who you love.

I learned from the many LGBT students around the country who have contacted me via Facebook that they feel like they don't belong in this world. They begin to feel like nobody cares or wants to listen. Why tell anyone what happens to you as they won't do anything to stop it anyway. They start to feel like they deserve it as they hear such awful

things about themselves, and they want to fix themselves, but how do you fix your very heart and soul? Students tell me that everything starts to weigh down on you and things pile up until eventually it becomes too much and you want the pain to end, so many start considering suicide as they believe it will save them and their loved ones the pain life brings them or they feel they have no hope of things ever getting better for them.

Unfortunately, I found out too late that we lived in a very homophobic area throughout most of Justin's life. It's so sad that the misguided intentions of some in the community have led to policies that are harmful to the young people in the school district who happen to be Lesbian, gay, bisexual or transgender.

Even now, after 8 months of me and others in the community pleading with the school board in the district Justin died in to please get rid of their harmful "neutrality policy" and to please get proper training for teachers and staff regarding addressing LGBT bullying and harassment, they still keep saying that this is not a problem in their schools. Even with 7 suicides happening in the district within a 1 year timeframe, in which at least 3 were known to be bullied or harassed due to their perceived sexual orientation or gender identity, they still say they have no problem. This does not even include the MANY LGBT suicide attempts that have been made this year alone, especially since the superintendent in the district stated publicly this past December that there was no evidence of any bullying happening in any of these suicides. Many kids and staff members in the district know that this isn't true. Many reports were made regarding an 8th grade student who completed suicide, by her friends, and also some staff members

who did grief counseling for students after Justin died know they submitted reports. Some kids were mutual friends with Justin and this other student. I don't know what happened to the reports that were filed but obviously according to the superintendent's public statement regarding an investigation they said they did they mentioned finding no evidence. They also never contacted me or any of Justin's friends nor did they contact the mother or friends of the student mentioned above during their investigation.

I'm here today not only to tell you of my son's story but also to make a plea to the commission to please consider helping to pass a federal law that includes bullying and harassment for ALL K-12 public schools across the entire country. This law would definitely need to be an enumerated law to include race, gender, sexual orientation, gender identity, religion, socioeconomic status, and disability. It is not right that kids in one part of the country have laws that protect them more than others. In some areas kids barely have any protections at all or if they have a policy in place it is not enforced.

For example, I grew up in Minneapolis where people are more open-minded and people treated more fairly. My husband, kids and I moved just 20 miles away from Minneapolis 12 years ago and I had NO CLUE until after Justin died that people were this homophobic and able to push to enforce policies that don't protect our kids when they're at school. People move to different areas of the state and/or country constantly. All of our kids should have the same protections across the country no matter what city or state they live in.

The federal government should also have laws in place to enforce staff training in all schools so teachers learn how to handle all aspects of bullying and harassment. I believe the training should be relatively the same across the country as Justin's school district did an "optional" 12 page PowerPoint as their training, which I don't consider to be training. Although, the school district I'm in now, just one school district over from Justin's, they have 4 hour staff trainings every other month regarding different aspects of bullying and harassment and what procedures they need to take to report it to the superintendent and confront it. I believe this shows that all schools should have blanket coverage across the country to have laws in place to be more proactive and not just reactive when harmful incidents happen to our kids. I believe the federal government should also enforce that each school turn in a yearly report of the incidents of bullying and harassment being reported to make each school accountable. No reports should ever end up missing in order to protect mistakes by a school staff person. The reports should be made in order to take appropriate action to make each student feel safer in their learning environment.

LGBT bullying, whether the student is LGBT or perceived to be, not only happens in Minnesota but I've met other mothers across the country that have lost children to suicide. In these cases, many attempts were made by the parents to have the schools do something about the harassment their child was going through only to fall on deaf ears. A few of these children include: Asher Brown age 13 from Texas, Seth Walsh age 13 from California and Carl Hoover-Walker age 11 from Massachusetts.

These children are dead. My son is dead. Justin is gone from this earth and I will never be able to give him a hug, see his smile, hear his beautiful cello playing or tell him I love him because some people believed he deserved fewer protections than others. My son was a very kind, gentle spirit who helped make the world a better place and I believe he would've continued to do so if he had been given the chance. All of these children, and too many others across the country, all died too young as a result of bullying and harassment and will be forever missed by their friends and families. Life for us will never be the same again without them. The current level of federal involvement in our schools is not sufficient enough. Let's get federal protections in schools to include all kids across the country so no more students or families need to be put in our position.

Attachment: Sexual Orientation Curriculum Policy

SEXUAL ORIENTATION CURRICULUM POLICY

It is the primary mission of the Anoka-Hennepin School District to effectively educate each of our students for success. District policies shall comply with state and federal law as well as reflect community standards. As set forth in the Equal Education Opportunity Policy, it is the School District's policy to provide equal educational opportunity and to prohibit harassment of all students. The Board is committed to providing a safe and respectful learning environment and to provide an education that respects the beliefs of all students and families.

The School District employs a diverse and talented staff committed to serving students and families from diverse backgrounds. The School District acknowledges that one aspect of that diversity regards sexual orientation. Teaching about sexual orientation is not a part of the District adopted curriculum; rather, such matters are best addressed within individual family homes, churches, or community organizations. Anoka-Hennepin staff, in the course of their professional duties, shall remain neutral on matters regarding sexual orientation including but not limited to student led discussions. If and when staff address sexual orientation, it is important that staff do so in a respectful manner that is age-appropriate, factual, and pertinent to the relevant curriculum. Staff are encouraged to take into consideration individual student needs and refer students to the appropriate social worker or licensed school counselor.

Anoka-Hennepin District No. 11
Coon Rapids, MN 55433
Adopted February 9, 2009