

2003

Anti-Lesbian High School Teacher Fired

Arthur S. Leonard



News

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Lengthy hearing process results in official upholding young women’s complaints

A New York State Education Department hearing officer, Dr. Joel M. Douglas, upheld the firing of Terence Brunson, a tenured social studies teacher at Morris High School in the Bronx, for his anti-lesbian speech and actions at the school.

According to Douglas, Brunson’s actions violated Education Department diversity policies.

The Brunson case came to public attention on November 17, when the New York Post published a sensational story detailing the charges against Brunson, and pointing out that he had a record of sexual harassment complaints against him long before the anti-lesbian incidents.

The hearing officer heard from about 50 witnesses during 32 days of testimony stretching from October 2002 through June 2003. Cutting through the volumes of conflicting testimony, Douglas concluded that Brunson was not a credible witness in his own defense, and that testimony, mainly by students, as well as Brunson’s own admissions, indicated that many of the charges against him were true and sufficient to justify his termination.



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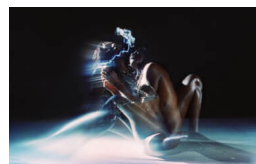
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The case was complicated by Brunson’s status as a leader in the teacher’s union. Brunson had claimed that there was a conspiracy among students, other teachers, and administrators to get him fired because he was a somewhat abrasive chapter chairperson for the teachers at Morris High School, but Douglas found that this seemed irrelevant to the nature of the charges.

Although Douglas’ written opinion falls far short of providing a coherent chronological narrative, it appears from piecing things together that Brunson’s anti-lesbian activities were set off when a lesbian student in one of his classes wore a rainbow flag pin to class. This led Brunson to question the student, and to make inflammatory statements in front of his students.

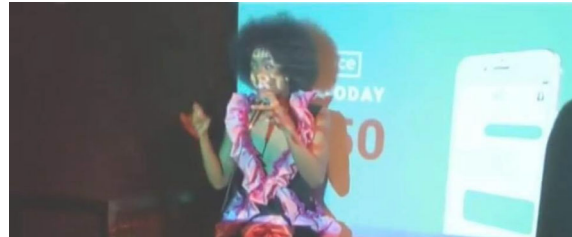
According to Douglas’ findings, Brunson had told students that gay people would not go to heaven, because “God made Adam and Eve, not Alecia and Eve.” He told a classroom that all gay students in the class should raise their hands and publicly identify themselves, and he demanded, in writing, the “immediate” transfer of three lesbian students from one of his social studies classes because they had “views upon which I disagreed with.”

Brunson also told another lesbian student, whose gender he had questioned, that he would “find a guy to turn her straight.”

Commenting on Brunson’s reference to “Alecia and Eve,” Douglas wrote: “While respondent is certainly entitled to his own belief about the hereafter life of homosexuals, its vocalization in a classroom, or any other educational setting, is unwarranted. If this was a class in religious studies, then perhaps linkage to curriculum and free expression may have been attempted. To make this statement to

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teen-age students who openly profess to a homosexual life style is irresponsible and precipitous and rises to the level of actionable misconduct.”

The city’s department of education “subscribes to a policy of tolerance and acceptance of multifariousness for all students,” wrote Douglas. “For a social studies teacher of Mr. Brunson’s seniority and training to make such statements regarding gay students goes against the very precepts of tolerance and diversity.”

While noting that Brunson had a past record of disciplinary problems based on allegations that he had sexually harassed female students and staff dating back to the early 1990s, Douglas approved Brunson’s firing on the anti-lesbian incidents, which occurred during the 2001-2 school year.

Brunson was suspended from classroom teaching after the charges were made, but the hearing process stretched things out, so it was years before he could actually be discharged.

Schools Chancellor Joel Klein, when asked to comment about the case, cited it as an example of how long it takes to discharge a tenured teacher, even when credible allegations of outrageous conduct are made.

Arthur S. Leonard is a professor at New York Law School and editor of Lesbian/Gay Law Notes.

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