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August 3, 2004

**VIA FEDERAL EXPRESS**

Ms. Diane Lenning  
NEA Republican Educators Caucus  
19227 Seabrook Lane  
Huntington Beach, CA 92648

Dear Ms. Lenning:

We write as counsel to the Gay Lesbian Straight Education Network ("GLSEN") to object to your comments in an article published in *The Washington Times* on July 3, 2004. In that article, you are quoted as falsely accusing Kevin Jennings, the Executive Director of GLSEN, of engaging in allegedly "unethical practice" because he failed to report "sexual victimization of a student." Your comments are false and libelous, and you have besmirched the reputation of both Mr. Jennings and GLSEN. We demand that you immediately retract your statements and cease and desist from making any such statements in the future.

In *The Washington Times* article, entitled "NEA Groups Protest Award to Gay Studies Activist," written by George Archibald, you were quoted as stating: "Is it a good idea for NEA to honor as exemplary *a teacher who engages in unethical practice?*" (See *Washington Times*, July 3, 2004 at A04.) It is clear in the article that the teacher to whom you are referring is Mr. Jennings, a former teacher. You continue and accuse Mr. Jennings of failing to "report sexual victimization of a student." (*Id.* at A04.) There is no factual basis whatsoever for you to claim that Mr. Jennings engaged in unethical practices, or that he was aware of any sexual victimization of any student, or that he declined to report any sexual victimization at any time.

Your wholly unfounded allegations are based on a distortion of an excerpt from a book written by Mr. Jennings and a misconstruction of the language of a Massachusetts statute. The law referenced in the article provides that if a teacher has "reasonable cause to believe that a child . . . is suffering serious physical or emotional injury resulting from abuse . . ." then he must report such abuse either to his supervisors or to certain government authorities. (Mass. General Laws, ch. 335 § 51A. (1988)). You contend that Mr. Jennings allegedly violated this provision because in 1988 he failed to report his conversation with a sixteen-year-old student, who told Mr. Jennings of his "involvement" with a man in Boston. You are wrong.

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Nowhere in the book does Mr. Jennings state that he understood the student was being abused or victimized, or that he suffered injury from any abuse, or indeed that the student was even having sex. Based on the plain meaning of the words in the book, it is clear that Mr. Jennings had no "reasonable cause to believe" that the student was being abused in any way. Because there was no abuse and no "sexual victimization," the statute does not apply. Thus, Mr. Jennings had no duty to report anything to anyone.

Accordingly, GLSEN demands that you:

- (1) *Immediately* issue a retraction of your libelous statement accusing Mr. Jennings of engaging in "unethical practice," as reported in *The Washington Times* on July 3, 2004 in the article entitled "NEA Groups Protest Award to Gay Studies Activist." After GLSEN has approved of a draft retraction, we demand that you request *The Washington Times* to publish the retraction, as written; and
- (2) *Immediately* cease and desist from making other false and misleading statements in the future that Mr. Jennings allegedly engaged in "unethical practice."

If you fail to issue a retraction or continue to make similarly false and misleading statements about Mr. Jennings, GLSEN will consider pursuing other remedies.

Very truly yours,



Constance M. Boland

cc: Reg Weaver (VIA FACSIMILE)  
Executive Director