

AMENDED IN ASSEMBLY MAY 4, 2015

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 827

Introduced by Assembly Member O'Donnell

February 26, 2015

An act to add Article 2.5 (commencing with Section 218) to Chapter 2 of Part 1 of Division 1 of Title 1 of the Education Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

AB 827, as amended, O'Donnell. Teachers: in-service training: lesbian, gay, bisexual, transgender, and questioning pupil resources.

Existing law establishes the system of public elementary and secondary schools in this state and provides for the establishment of local educational agencies to operate these schools and provide instruction to pupils. Existing law states the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, equal rights and opportunities in the educational institutions of the state.

This bill would require each school operated by a school district or county office of education and each charter school to provide in-service training every school year to teachers of pupils in grades 7 to 12, inclusive, *and to all other certificated employees at that school*, on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, and questioning pupils, as specified. By imposing

additional duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (a)
4 (1) All pupils deserve and need safe and supportive school
5 environments in which to learn.
6 (b)
7 (2) Despite much progress, California lesbian, gay, bisexual,
8 transgender, and questioning (LGBTQ) pupils often face verbal,
9 physical, and online harassment, which has significant effects on
10 their academic achievement.
11 (c)
12 (3) In the Gay Lesbian & Straight Education Network’s
13 (GLSEN) 2013 National School Climate Survey, 91 percent of
14 California LGBTQ pupils reported hearing anti-LGBTQ remarks,
15 7 in 10 reported being called names or threatened based on their
16 sexual orientation, nearly one-third reported physical harassment
17 or assault, and 46 percent reported cyberbullying.
18 (d)
19 (4) These problems have direct effects on pupils’ school
20 performance. GLSEN survey data shows that the average grade
21 point average for LGBTQ pupils who have experienced harassment
22 is significantly lower than for LGBTQ pupils who have not, and
23 that 30 percent of LGBTQ pupils report frequently skipping class
24 or missing whole days of school because they felt unsafe at school.
25 (e)

1 (5) In spite of these problems, research has shown that LGBTQ
2 pupils who are harassed or assaulted in school do not report these
3 incidents to school staff, primarily because they believe school
4 staff will not do anything about the problem.

5 ~~(f)~~

6 (6) Creating supportive learning environments for LGBTQ
7 pupils improves pupil performance. Pupils in schools with peer
8 support clubs report less harassment and assault, are more likely
9 to report incidents when they occur, and are less likely to miss
10 school because of safety concerns.

11 ~~(g)~~

12 (7) The federal Centers for Disease Control and Prevention
13 (CDC) monitors and funds local efforts to provide professional
14 development for educators on safe and supportive environments
15 for LGBTQ pupils, foster schoolsite resources such as Gay Straight
16 Alliance clubs and “safe spaces” for LGBTQ pupils, and promote
17 referrals to school and community health professionals with
18 experience providing support to LGBTQ pupils.

19 ~~(h)~~

20 (8) CDC data shows that only 50 percent of California schools
21 facilitate access to schoolsite and community health resources for
22 LGBTQ pupils, and only 39 percent have peer support clubs.

23 *(b) The Legislature therefore encourages schools to conduct*
24 *the in-service training required by Article 2.5 (commencing with*
25 *Section 218) of Chapter 2 of Part 1 of Division 1 of Title 1 of the*
26 *Education Code as part of a more comprehensive effort to educate*
27 *school staff on the support of LGBTQ pupils.*

28 SEC. 2. Article 2.5 (commencing with Section 218) is added
29 to Chapter 2 of Part 1 of Division 1 of Title 1 of the Education
30 Code, to read:

31
32 Article 2.5. In-Service Training: Lesbian, Gay, Bisexual,
33 Transgender, and Questioning Pupil Resources
34

35 218. Within the first six weeks of every school year, as part of
36 a regularly scheduled staff meeting, each school operated by a
37 school district or county office of education and each charter school
38 shall provide in-service training to teachers of pupils in grades 7
39 to 12, inclusive, *and to all other certificated employees at that*
40 *school*, on schoolsite and community resources for the support of

1 lesbian, gay, bisexual, transgender, and questioning (LGBTQ)
2 pupils.

3 (a) As used in this section, schoolsite resources for the support
4 of LGBTQ pupils include, but are not limited to, all of the
5 following:

6 (1) Peer support or affinity clubs and organizations.

7 (2) Safe spaces for LGBTQ pupils.

8 (3) Antibullying and harassment policies and related complaint
9 procedures.

10 (4) Counseling services.

11 (5) School staff who have received antibias or other training
12 aimed at supporting LGBTQ youth.

13 (6) Health and other curriculum materials that are inclusive of,
14 and relevant to, LGBTQ youth.

15 (b) As used in this section, community resources for the support
16 of LGBTQ pupils include, but are not limited to, all of the
17 following:

18 (1) Community-based organizations that provide support to
19 LGBTQ youth.

20 (2) Physical and mental health providers with experience in
21 treating and supporting LGBTQ youth.

22 SEC. 3. If the Commission on State Mandates determines that
23 this act contains costs mandated by the state, reimbursement to
24 local agencies and school districts for those costs shall be made
25 pursuant to Part 7 (commencing with Section 17500) of Division
26 4 of Title 2 of the Government Code.