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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** AB 2153 **Hearing Date:** June 20, 2018  
**Author:** Thurmond  
**Version:** May 25, 2018  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources.

## SUMMARY

This bill requires all public schools to annually provide in-service training to teachers on school site and community resources available for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students.

## BACKGROUND

Existing law:

- 1) Prohibits discrimination on the basis of sexual orientation, gender, gender identity, or gender expression in any educational program or activity by an educational institution receiving state funds.
- 2) Requires the California Department of Education (CDE), as part of its compliance monitoring, to assess whether local educational agencies (LEAs) have provided information to certificated staff serving grades 7-12 on school site and community resources for LGBTQ students.
- 3) Requires the CDE to monitor LEAs for adoption of policies prohibiting discrimination, harassment, intimidation, and bullying on the basis of sexual orientation, gender, gender identity, or gender expression.
- 4) Requires the CDE to monitor LEAs for adoption of processes for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying, and establishes complaint procedures.
- 5) Requires the inclusion of the contributions of lesbian, gay, bisexual, and transgender Americans in instruction on California and United States history, and prohibits, in instructional materials, matter which reflects adversely upon persons because of their sexual orientation, gender, gender identity, or gender expression.

## ANALYSIS

This bill requires all public schools to annually provide in-service training to teachers on school site and community resources available for the support of LGBTQ students. Specifically, this bill:

- 1) Requires, that each school operated by a school district or county office of education, and each charter school, provide in-service training to teachers of students in grades 7 to 12 on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students, as well as strategies to increase support for LGBTQ pupils and thereby improve overall school climate.
- 2) Requires this training occur annually, as part of a regularly scheduled staff meeting.
- 3) Defines schoolsite resources for the support of LGBTQ students to include:
  - a) Peer support or affinity clubs and organizations.
  - b) Safe spaces for LGBTQ students.
  - c) Anti-bullying and harassment policies, and related complaint procedures Counseling services.
  - d) School staff who have received anti-bias or other training aimed at supporting LGBTQ youth.
  - e) Health and other curriculum materials that are inclusive of, and relevant to, LGBTQ youth.
- 4) Defines community resources for the support of LGBTQ students to include, but not be limited to:
  - a) Community-based organizations that provide support to LGBTQ youth.
  - b) Physical and mental health providers with experience in treating and supporting LGBTQ youth.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “LGBTQ students often face verbal, physical, and online harassment, which affects their academic achievement. LGBTQ students often do not report that harassment to school staff because they doubt that effective intervention will occur. In fact, 91% of California LGBTQ students have reported hearing anti-LGBTQ remarks, 7 in 10 reported being called names or threatened based on their sexual orientation, nearly one-third reported physical harassment or assault, and 46% report cyberbullying. LGBTQ students have higher dropout rates than their non-LGBTQ peers and continue to report missing school because of safety concerns at higher rates than non-LGBTQ students.

At the same time, research has shown that LGBTQ students who are harassed or assaulted in school often do not report these incidents to school staff, primarily because they believe school staff will not address their reports. This creates an

environment where students do not feel safe and teachers are not equipped with the tools to be the best educators they can be.

Schools are on the front line of providing a safety net against the effects of discrimination and lack of acceptance for the LGBTQ community, which can result in higher dropout rates, lower economic success, higher rates of homelessness, higher rates of substance abuse and suicide, and all the disparities in health and well-being that LGBTQ people face. If LGBTQ students have support in school, their likelihood of overcoming these disparities and succeeding later in life increases significantly.”

- 2) ***National School Climate Survey Findings and Recommendations.*** Research suggests that bias against lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students can have a harmful effect on school performance.

The Gay Lesbian Straight Education Network’s (GLSEN) 2015 National School Climate Survey of found that 87 percent of California LGBTQ students report hearing anti-LGBTQ remarks, 63 percent report verbal harassment based on their sexual orientation, 24 percent report physical harassment, and or assault. Of those, 62 percent of students never reported the harassment or assault to school staff. Of those who did, only 39 percent of those students who reported incidents said it resulted in effective staff intervention.

GLSEN’s national data suggest that these experiences have an effect on academic behavior and outcomes. The 2015 report found that LGBTQ students who experienced higher levels of victimization because of their sexual orientation:

- a) Were more than three times as likely to have missed school in the past month than those who experienced lower levels.
- b) Had lower grade point averages than students who were less often harassed.
- c) Were twice as likely to report that they did not plan to pursue any post-secondary education than those who experienced lower levels.
- d) Were more likely to have been disciplined at school, and had lower self-esteem and school belonging and higher levels of depression.

GLSEN’s survey also included the following recommendations for states:

- a) Increasing student access to appropriate and accurate information regarding LGBT people, history, and events through inclusive curricula and library and Internet resources;
- b) Supporting student clubs, such as GSAs, that provide support for LGBTQ students and address LGBT issues in education;

- c) Providing professional development for school staff to improve rates of intervention and increase the number of supportive teachers and other staff available to students;
  - d) Ensuring that school policies and practices, such as those related to dress codes and school dances, do not discriminate against lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) students; and
  - e) Adopting and implementing comprehensive bullying/harassment policies that specifically enumerate sexual orientation, gender identity, and gender expression in individual schools and districts, with clear and effective systems for reporting and addressing incidents that students experience.
- 3) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would create annual Proposition 98 General Fund cost pressures likely in the hundreds of thousands of dollars to reimburse state-mandated costs to school districts to provide in-service professional development training to employees. Exact costs would depend on the depth of the training. For example, there are roughly 2,600 middle and high schools in the state. Were each school to spend \$100 annually to pay for staff time for the training, the costs would be roughly \$260,000. Costs would be higher if schools hired trainers or required existing staff to perform the training.

**SUPPORT**

Equality California (sponsor)  
American Civil Liberties Union of California  
Bay Area Student Activists  
California Association of School Counselors  
Common Sense Kids Action  
San Francisco Unified School District  
School Employers Association of California

**OPPOSITION**

None received

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