

File No. 131132

Committee Item No. _____

Board Item No. 40

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date November 26, 2013

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Budget Justification |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Agreement/Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Joy Lamug

Date November 21, 2013

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Supporting Assembly Bill 1266 - The School Success and Opportunity Act]

2
3 **Resolution supporting Assembly Bill 1266, authored by Assemblymember Tom**
4 **Ammiano, set to take effect on January 1, 2014, which restates existing State law**
5 **prohibiting discrimination against transgender students in public education and**
6 **permitting students to participate in sex-segregated facilities and activities based**
7 **on their gender identity.**

8
9 WHEREAS, Transgender students - whose sex at birth is opposite from their
10 gender identity - experience more frequent exclusion, discrimination, bullying, verbal
11 harassment and physical assaults at school in comparison with straight, or even their
12 LGBTQ (Lesbian, Gay, Bisexual and Questioning) peers, impeding their ability to feel
13 safe at school and thrive academically and socially; and

14 WHEREAS, State and Federal anti-discrimination laws are already in place that
15 guarantee transgender students equal access, and yet due to lack of awareness of how to
16 support transgender students in some school districts, transgender students are often
17 improperly excluded from participating in school-based activities, programs and facilities; and

18 WHEREAS, This exclusion can lead to increased isolation of transgender students,
19 susceptibility to violence, and an inability to the earn the credits they need to graduate; and

20 WHEREAS, The Legislature enacted AB 1266, on file with the Clerk of the Board of
21 Supervisors in File No. 131132, in order to spell out exactly how school administrators,
22 teachers, parents and students should interpret existing state law which requires schools to
23 treat transgender students fairly by ensuring that they are allowed to participate in sex
24 segregated school programs and use facilities consistent with their gender identity; and

25 WHEREAS, AB 1266 was signed into law on August 12, 2013 by Governor Brown; and

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WHEREAS, the San Francisco Unified School District was the first district in the state to enact a policy similar to AB 1266, in 2004, and that policy has been effective in ensuring that all students are able to participate fully in school activities and succeed in school, now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors supports the implementation of AB 1266, and applauds the Legislature and the Governor for their affirmation of transgender students' rights in California.

AMENDED IN ASSEMBLY APRIL 25, 2013

CALIFORNIA LEGISLATURE—2013—14 REGULAR SESSION

ASSEMBLY BILL

No. 1266

Introduced by Assembly Member Ammiano
(Coauthor: Assembly Member Atkins)
(Coauthors: Senators Lara and Leno)

February 22, 2013

An act to amend Section 221.5 of the Education Code, relating to pupil rights.

LEGISLATIVE COUNSEL'S DIGEST

AB 1266, as amended, Ammiano. Pupil rights: sex-segregated school programs *and activities*.

Existing law prohibits public schools from discriminating on the basis of specified characteristics, including gender, gender identity, and gender expression, and specifies various statements of legislative intent and the policies of the state in that regard. Existing law requires that participation in a particular physical education activity or sport, if required of pupils of one sex, be available to pupils of each sex.

This bill would require that a pupil be permitted to participate in sex-segregated school programs; *and activities, and facilities*, including athletic teams and competitions, *and use facilities* consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.

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

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

1 SECTION 1. Section 221.5 of the Education Code is amended
2 to read:

3 221.5. (a) It is the policy of the state that elementary and
4 secondary school classes and courses, including nonacademic and
5 elective classes and courses, be conducted, without regard to the
6 sex of the pupil enrolled in these classes and courses.

7 (b) A school district may not prohibit a pupil from enrolling in
8 any class or course on the basis of the sex of the pupil, except a
9 class subject to Chapter 5.6 (commencing with Section 51930) of
10 Part 28 of Division 4 of Title 2.

11 (c) A school district may not require a pupil of one sex to enroll
12 in a particular class or course, unless the same class or course is
13 also required of a pupil of the opposite sex.

14 (d) A school counselor, teacher, instructor, administrator, or
15 aide may not, on the basis of the sex of a pupil, offer vocational
16 or school program guidance to a pupil of one sex that is different
17 from that offered to a pupil of the opposite sex or, in counseling
18 a pupil, differentiate career, vocational, or higher education
19 opportunities on the basis of the sex of the pupil counseled. Any
20 school personnel acting in a career counseling or course selection
21 capacity to a pupil shall affirmatively explore with the pupil the
22 possibility of careers, or courses leading to careers, that are
23 nontraditional for that pupil's sex. The parents or legal guardian
24 of the pupil shall be notified in a general manner at least once in
25 the manner prescribed by Section 48980, in advance of career
26 counseling and course selection commencing with course selection
27 for grade 7 so that they may participate in the counseling sessions
28 and decisions.

29 (e) Participation in a particular physical education activity or
30 sport, if required of pupils of one sex, shall be available to pupils
31 of each sex.

32 (f) A pupil shall be permitted to participate in sex-segregated
33 school programs; *and* activities, ~~and facilities~~, including athletic
34 teams and competitions, *and use facilities* consistent with his or
35 her gender identity, irrespective of the gender listed on the pupil's
36 records.

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Campos, Mar, Avalos, Yee, Weiner

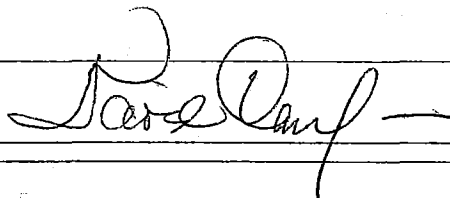
Subject:

Supporting Assembly Bill 1266- The School Success and Opportunity Act

The text is listed below or attached:

Please see attached

Signature of Sponsoring Supervisor:



For Clerk's Use Only: