



AB 5 (Zbur) – Safe & Supportive Schools Act

SUMMARY

Every child deserves to attend a safe and supportive school where they have the greatest possible opportunity to learn and succeed. AB 5 will ensure that public school teachers and staff, who are on the front lines of supporting students, have the training and resources they need to better serve LGBTQ+ and all students.

BACKGROUND

Despite much progress, LGBTQ+ students still experience harassment, violence, and lack of affirmation in school settings far too often. According to GLSEN’s 2021 National School Climate Survey, 49% of LGBTQ+ students in California regularly hear school staff make homophobic remarks, with 67% regularly hearing negative comments from school staff about students’ gender expression. These remarks pose a risk of immediate harm to students’ well-being and suggest that students may be learning anti-LGBTQ+ language and perspectives while at school, perpetuating the societal cycle of anti-LGBTQ+ stigma that feeds the negative health, economic, and other disparities that LGBTQ+ people experience.

Beyond remarks, most LGBTQ+ students in California have experienced anti-LGBTQ+ harassment or assault. Two thirds of LGBTQ+ students did not report the harassment or assault for a variety of reasons, including a fear of escalation, a belief that school staff would not effectively intervene, shame, and the fact that school staff were involved in the harassment or

assault. When students did report incidents, 64% of them said the response was ineffective.

GLSEN’s data shows that these experiences can have a harmful effect on school performance. Nationwide, one third of LGBTQ+ students reported missing school because they felt unsafe or uncomfortable. LGBTQ+ students who were targeted because of their sexual orientation missed school nearly three times more often, had lower GPAs, were less likely to pursue post-secondary education, were twice as likely to have been disciplined at school, had lower self-esteem, and had higher levels of depression than their peers. These disparities are similar for students targeted because of their gender or gender expression, and for LGBTQ+ youth who are also targeted because of their race, immigration status, zip code, religion, or ability, the disparities are likely even greater. Lack of adequate support in schools has become part of the cycle that contributes to high rates of poverty, homelessness, and engagement with the criminal justice system for LGBTQ+ people.

California schools face an urgent need for professional development to increase the number of school staff who are equipped to intervene in, and effectively respond to, incidents of bullying or harassment and to increase the number of school staff available to support LGBTQ+ students. High-quality and comprehensive LGBTQ+ cultural competency training is also critical to ensure that supportive policies not only exist but are properly implemented.

A safe and supportive school environment not only helps to ensure that students can succeed

while in school. It also ensures that students complete their education and are equipped for economic success in adulthood. Many LGBTQ+ youth who experience homelessness are fleeing family rejection or abuse and turn to teachers and other school employees to create a safe haven in which they can thrive – it is important that staff be prepared to respond when they do.

California’s 2021-2022 budget included \$3,000,000 in one-time funding for the creation of an online training on resources and strategies to increase support for LGBTQ+ pupils and thereby improve overall school climate. The training is being developed by the Department of Education – in partnership with an advisory committee consisting of representatives from a range of LGBTQ+ organizations and other nonprofits that provide services to LGBTQ+ students – and will be designed for use by teachers and other certificated employees in schools operated by a school district or county office of education and charter schools.

The training will cover, at a minimum:

- Creating safe and supportive learning environments for LGBTQ+ students and those with intersecting identities (for example those who are also people of color, immigrants, and/or people living with HIV)
- Identifying LGBTQ+ students at risk of harassment or lack of support at home
- Obligations under school policies relating to bullying, harassment, complaint procedures, suicide prevention, use of school facilities, and procedures to protect privacy
- The importance of identifying local community-based organizations as well as physical and mental health providers that support LGBTQ+ youth
- The formation of peer support clubs
- And more

SOLUTION

AB 5 takes the next step toward ensuring that public school teachers and staff, who are on the front lines of supporting students, have the training and resources they need to support LGBTQ+ and all students. Among other things, the bill:

- Sets a date by which the Department shall complete the creation of the online training
- Mandates that teachers and other certificated staff serving grades 7 through 12 complete one hour of training annually, with a sunset in five years
- Allows schools that are already providing LGBTQ+ cultural competency training to meet this requirement through in-person training so long as it is substantially similar to, and meets the same standards as, the online training
- Contains reporting and accountability measures

SUPPORT

- CFT (Sponsor)
- California Teachers Association (Sponsor)
- Equality California (Sponsor)
- State Superintendent of Public Instruction Tony Thurmond (Sponsor)
- ACLU California Action
- American Federation of State, County, and Municipal Employees (AFSCME), AFL-CIO
- API Equality-LA
- Brothers of the Desert
- California Association for Health, Physical Education, Recreation, & Dance
- California Association of Local Conservation Corps
- California Charter Schools Association
- California LGBTQ Health & Human Services Network
- California School-Based Health Alliance
- Central California 2SLGBTQ+ Collaborative
- El/La Para TransLatinas
- Fresno Spectrum Center
- Gender Spectrum
- LGBTQ Center OC
- The LGBTQ Community Center of the Desert
- LGBTQ+ Rural Resource Center
- Los Angeles County Board of Supervisors
- Los Angeles County Office of Education
- Lyon-Martin Community Health Services
- NextGen California
- NorCal OUTreach Project Center
- Rainbow Pride Youth Alliance
- The San Diego LGBT Community Center
- San Diego Pride
- Santa Clarita Valley Democrats
- Santa Monica Democratic Club
- SEIU California

- Somos Familiar Valle
- The Source LGBT+ Center
- Stonewall Alliance of Chico
- Transgender Health & Wellness Center
- TransYouth Liberation
- TransFamily Support Services

FOR MORE INFORMATION

Tami Martin, *Legislative Director*

Email: tami.martin@asm.ca.gov

Phone: (916) 319-2051