



AB 1955 – Support Academic Futures & Educators for Today’s Youth (SAFETY) Act

PROPOSED BILL

Assembly Bill (AB) 1955, the Support Academic Futures & Educators for Today’s Youth Act (SAFETY Act), would strengthen existing California protections against forced outings of LGBTQ+ students in schools; provide critical resources for parents and families of LGBTQ+ students to support them in working towards family acceptance on their own terms; and provide additional protections to educators who face retaliatory actions from administrators and school boards for seeking to create an inclusive and safe school environment.

BACKGROUND

Choosing when to come out and to whom is a deeply personal decision that every LGBTQ+ young individual has the right to make for themselves.

Many parents and families understand this and want to support their children coming out to them on their own terms. Unfortunately, not all young people are welcomed or safe being their authentic selves at home, and in those cases schools can be a critical source of support.

Many studies have shown that affirming school environments significantly reduce the odds of transgender youth attempting suicide. The Trevor Project’s 2019 National Survey on LGBTQ Youth Mental Health found that LGBTQ+ youth who had at least one accepting adult in their life were 40% less likely to report a suicide attempt in the previous year.

A 2020 study by The Trevor Project’s researchers, published in the *Journal of Adolescent Health*, found that transgender and non-binary youth were 2 to 2.5

times as likely to experience depressive symptoms, seriously consider suicide, and attempt suicide compared to their cisgender LGBTQ+ peers.

However, since July 2023, multiple school boards in California have voted to pass “forced outing” policies requiring teachers to notify parents, if their child identifies as transgender. These policies also require schools to notify parents if their child changes their name or pronouns, or requests access to a gender-based restroom, changing room, or sport that corresponds with their gender identity rather than the sex they were assigned at birth. These policies not only run contrary to academic research, they also openly defy state and federal law.

Under current California law, schools are required to support and affirm LGBTQ+ students, including respecting their privacy. Additionally, the right of transgender students to keep their gender identity private is grounded in California’s anti-discrimination laws, as well as federal and state laws. Courts have affirmed that students have a right to keep personal information private. Despite this, a growing number of school boards have continued to propose forced outing policies.

This puts educators in a legally ambiguous, and potentially consequential situation where they must either comply with an unlawful policy and face liability for violating state law or comply with the law and risk retaliation — up to and including firing — for violating school policy. This has created a chilling effect on one of the most basic obligations of any teacher, creating a safe and supportive learning environment.

Teachers and school staff can be critical allies to young people and can play an important role in encouraging students to seek and find appropriate support. Policies requiring educators to forcibly out students without their consent harm educators' relationships with students by requiring them to violate student trust.

Parental involvement in their children's lives is desirable and often necessary, however a student's gender identity is generally a matter to be discussed between the child and their parents in the time and manner chosen by the family. No teacher, administrator, or others outside of the family should be forcing families to have conversations.

SOLUTION

AB 1955, the SAFETY Act, would affirm existing law prohibiting any employee or contractor of a public school from being required to disclose any information related to a pupil's gender identity, sexual orientation, or gender expression to any other person without the pupil's consent, unless required by law to protect the student's safety.

An individual's decision of when and how to come out as a member of the LGBTQ+ community is a deeply personal and private matter, especially for youth. As such, this bill provides critical support and resources for parents, guardians, and families of LGBTQ+ students in order to support the family members in working towards family acceptance on their own terms, without interference from teachers, school staff, and governmental entities.

Additionally, this bill would protect teachers from any retaliation on the basis that the employee supported a pupil in the exercise of rights, or provide instruction to students consistent with current standards, curriculum frameworks, and instructional materials. Also, it would prohibit the enactment or enforcement of any policy, rule, or administrative regulation that would require forced disclosure between families.

AB 1955 does not limit students' ability to discuss their gender identities with their own families in the manner

they choose, nor does it prohibit a teacher from disclosing information when they feel it is appropriate or necessary, such as in order to protect the student's safety. Overall, this bill ensures that teachers, school staff, and governmental entities are not forcing families to have conversations.

SUPPORT

ACLU California Action
California Teachers Association (CTA)
CFT
Equality California
GLSEN
Los Angeles LGBT Center
National Center for Lesbian Rights (NCLR)
Our Schools USA
PFLAG National
PFLAG Danville/San Ramon Valley
PFLAG Fresno
PFLAG Greater Placer County
PFLAG Los Angeles
PFLAG Manhattan Beach/South Bay
PFLAG Newport Beach
PFLAG Oakland/East Bay
PFLAG Pasadena
PFLAG Riverside
PFLAG Sacramento
PFLAG San Diego County
PFLAG San Francisco
PFLAG San Gabriel Valley/API
PFLAG San Jose
PFLAG Santa Barbara
PFLAG Santa Clarita
PFLAG Tri-Valley
PFLAG Tulare & Kings Counties
PFLAG Ventura
Planned Parenthood Affiliates of California
Rob Bonta, Attorney General of California
Tony Thurmond, Superintendent of Public Instruction
TransFamily Support Services
TransLatin@ Coalition
TransYouth Liberation

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