

AB 1955 SAFETY Act FAQs

1. What does AB 1955, SAFETY Act, do?
 - a. **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 supports and resources for parents and families of LGBTQ+ students to support families 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.**

2. What are “forced outing” policies?
 - a. **Forced outing policies require teachers to notify parents if their child identifies as transgender, with no exceptions. These policies are often enacted without regard for whether doing so would likely threaten and/or harm the safety of the child.**

3. Does this bill require teachers to deceive parents?
 - a. **No. It allows students and their parents to decide when they are ready to initiate conversations with one another about gender and sexual orientation. This lets teachers focus on doing their job of supporting and affirming students at school, and is already what California law and the vast majority of school district policies require.**
 - b. **Teachers know that kids do better when they can talk things through with their parents, and in most cases, teachers will continue to share information with parents with the student's consent or when required by law to protect the student’s safety. However, sometimes an LGBTQ+ student isn’t welcomed or safe being their authentic self at home – in those cases, students need the option of seeking out resources at school or support from a trusted teacher without fear for their own well-being.**

4. Does the SAFETY Act take control away from local authorities?
 - a. **This bill does not subject school districts to new requirements. It simply codifies longstanding law and guidance into statute. Local control does not give school districts the right to discriminate or invite discrimination, nor does local control give politicians and other actors the right to force families to have important conversations before they are ready. This bill affirms that local governments should not impose rigid policies that interfere in our unique personal and private lives.**

5. Does the SAFETY Act take away parental rights or erase the ability of parents to raise their children?

- a. **Every parent wants to be informed about their child’s life – and in the overwhelming majority of cases, that’s exactly what happens, with young people coming out to and seeking support from family members. But policies that forcibly out a student without their consent remove opportunities for LGBTQ+ youth to build up the trust and confidence to have those important family conversations when they are ready and in ways that strengthen the relationship between parent and child.**
 - b. **The SAFETY Act takes away the ability of outside actors to intrude in the parent-child relationship. Parents are always free to have important conversations with their children at home and seek out resources to support their children. This bill simply prevents politicians and local governments from inappropriately intervening in family matters and attempting to control if, when, and how families have those deeply personal conversations.**
 - c. **Nothing in the SAFETY Act will change existing law around the limited circumstances when a school may disclose a student’s LGBTQ+ identity without their consent or a parent’s ability to request records that they are legally entitled to access.**
6. **Is CDE’s guidance around parental notification enforceable? Does it make sense to pass a law now given that there is so much ongoing litigation around this issue?**
 - a. **CDE’s guidance is simply that—guidance on how to draft and implement policies that are compliant with state law. However, the antidiscrimination and privacy laws that inform the guidance are enforceable, and both the Attorney General and the California Department of Education have demonstrated that they are ready and willing to take action to enforce them.**
 - b. **The fact that multiple courts have been considering this issue and reaching different outcomes underscores the need for the legislature to act now to ensure that students, parents, and educators get the clarity they need and that California schools remain safe spaces for students and staff.**
7. **Doesn’t existing law already prohibit school districts from outing students without their consent? If so, why do we need the SAFETY Act?**
 - a. **Yes, students have a constitutional right to privacy when it comes to sensitive information about them, and courts have affirmed that young people have a right to keep personal information private. Under existing law, school staff are prohibited from outing students unless they have the student’s consent or are required to in a limited set of circumstances under state or federal law. The California Department of Education has issued guidance to help school districts ensure they are developing and implementing policies that comply with the law.**
 - b. **The SAFETY Act is necessary now because there has been a significant increase in policies and actions targeting LGBTQ+ students and the school personnel who support them. Some of these policies would require school staff to out students to their parents/guardians, in violation of existing law. Passing**

the SAFETY Act will send a clear message that California schools should be safe spaces for students and staff.

8. Who supports AB 1955, SAFETY Act?
 - a. **AB 1955, SAFETY Act, is supported by a diverse coalition – including parents, families, teachers and labor, LGBTQ+ individuals, and civil rights organizations. Specifically, over 140 organizations support AB 1955, SAFETY Act.**

9. Who should I contact if I have questions?
 - a. **If you have legislative-related questions regarding AB 1955, SAFETY Act, please contact Natalia Garcia at Natalia.Garcia@asm.ca.gov and Jacob Fraker at Jacob.Fraker@sen.ca.gov. If you have media-related questions regarding AB 1955, SAFETY Act, please contact Mike Blount at Mike.Blount@asm.ca.gov.**