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The Honorable Josh Newman Chair, Senate Committee on Education 1021 O Street, Suite 6740 Sacramento, California 95814

Re: Support for AB 1955 (Ward, LGBTQ Caucus) – SAFETY Act

Dear Chair Newman,

On behalf of California's leading LGBTQ+, civil rights, student, teacher, and parent organizations, we write in strong support of AB 1955 (Ward, LGBTQ Caucus), the Support Academic Futures & Educators for Today's Youth (SAFETY) Act. The SAFETY Act will strengthen existing California protections against school policies that forcibly out LGBTQ+ students, provide critical resources to parents and families of LGBTQ+ students as they work towards acceptance on their own terms, and protect educators who face retaliatory actions from administrators and school boards for creating inclusive school environments for their students. The SAFETY Act is essential and timely legislation to ensure that LGBTQ+ and ALL California students are safe and supported for who they are at school.

Coming out often marks an empowering step for an LGBTQ+ person towards living authentically. However, choosing when to come out and to whom are extremely consequential decisions and every LGBTQ+ person should be given the opportunity to make these decisions for themselves. While LGBTQ+ young people often thrive when they have parental support and feel safe sharing their authentic selves at home, it can be harmful to force young people to share their full identities before they are ready. Giving LGBTQ+ young people time to build trust and confidence to come out when they are ready can lead to healthier conversations that strengthen the relationship between parent and child. Many parents understand this and want to support their children in coming out to them on their own terms. Teachers and school staff can be critical allies as LGBTQ+ young people work towards family acceptance and can also play an important role in encouraging students to seek and find appropriate support.

Under current California law and policy, schools are required to create a safe and supportive environment for LGBTQ+ students, including respecting their privacy. Studies show that LGBTQ+ students who feel safe and supported at school have better mental health outcomes and improved academic performance. Courts have affirmed that students have a right to keep personal information private, including information about their LGBTQ+ identity. Despite this, since July 2023, a wave of school boards in California have adopted policies that explicitly require teachers and school staff to notify parents if their

child identifies as transgender, with no exceptions. These forced outing policies not only run counter to existing state law and guidance, but they also insert the government into sensitive conversations that students and their parents should be having on their own terms and, in some cases, may cause harm to LGBTQ+ young people who are not yet safe or welcomed to be their authentic selves at home. Additionally, forced outing policies put 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 alternatively comply with the law and risk retaliation, up to and including firing, for violating school policy.

The SAFETY Act will strengthen existing law to prevent extremist politicians and school boards from inappropriately intervening in family matters and attempting to control if, when, and how families have deeply personal conversations about gender and sexual orientation. Specifically, the bill will prohibit teachers and school staff from being required to disclose information related to a student's sexual orientation, gender identity, or gender expression without the student's consent, unless required by law to protect the student's safety. Nothing in the bill will change existing law around the limited circumstances when a school may disclose a student's LGBTQ+ identity without their consent to protect the student's safety or a parent's ability to request records that they are legally entitled to access. This is what the vast majority of California schools already require, and the SAFETY Act will allow teachers and school staff to continue to focus on their all-important job of providing a high-quality education and creating a safe and supportive school environment.

Every California student deserves to feel safe and supported for who they are at school. The SAFETY Act will help to ensure that LGBTQ+ students are safe from isolation and bullying, support parents and families in working towards family acceptance on their own terms, and provide additional protections to educators who face retaliation for ensuring a safe and supportive school environment. For these reasons and more, we strongly support AB 1955, the SAFETY Act, and respectfully request your "AYE" vote when it comes before you in committee.

Sincerely,

Tony Hoang

Executive Director

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