

Information: Inclusive Training for Teachers and Staff

May 2, 2024

Some Legal Foundations of Professional Responsibilities

Federal Laws:

- Title VI of the Civil Rights Act of 1964: Prohibits discrimination based on race, color, or national origin in programs or activities receiving federal financial assistance.
- Title IX of the Education Amendments of 1972: Prohibits sex discrimination in educational programs or activities receiving federal funding.
- Individuals with Disabilities Education Act (IDEA): Ensures that students with disabilities receive a free appropriate public education.
- Section 504 of the Rehabilitation Act of 1973: Prohibits discrimination against individuals with disabilities in any program or activity receiving federal funding.



Protections for LGBTQ+ Students

California Department of Education - Legal Advisory regarding application of California's antidiscrimination statutes to transgender youth in schools.

California Department of Education - School Success and Opportunity Act (Assembly Bill 1266) Frequently Asked Questions.

The screenshot shows the California Department of Education website. The header includes the state logo and navigation tabs for Learning, Accountability, Finance, State of California, Special Programs, Learning Support, and Professional Learning. The main content area is titled "Legal Advisory" and "Legal Advisory regarding application of California's antidiscrimination statutes to transgender youth in schools." The text explains that the advisory replaces CDE 144, dated April 30, 2004, and provides guidance on compliance with California's prohibition on gender identity discrimination. It states that state and federal law generally prohibit discrimination, harassment, intimidation and bullying of students based on actual or perceived sex, gender, sexual orientation, gender identity or expression, race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability or genetic information, or association with a person or group with one or more of these actual or perceived characteristics. It also mentions Education Code sections 220.224.1, 42 U.S.C. sections 20056-20090a-17, 20090-20090b-1, and Education Code Section 224.1, as amended by AB 9 (Ch. 725, Statutes of 2011) and Section 224.1, mandating that school districts ("districts"), including charter or alternative schools, adopt a policy prohibiting discrimination, harassment, intimidation and bullying based on the above categories at school or in any school activity related to school attendance or under the authority of the district. Education Code Section 224.1 further requires districts to adopt a process regarding school personnel to immediately intervene, when it is safe to do so, whenever they witness acts of discrimination, harassment, intimidation or bullying based on the characteristics specified in Education Code sections 220 or 224.1 or Penal Code Section 422.25, including gender identity.

The screenshot shows the California Department of Education website. The header includes the state logo and navigation tabs for Learning, Accountability, Finance, State of California, Special Programs, Learning Support, and Professional Learning. The main content area is titled "Frequently Asked Questions" and "School Success and Opportunity Act (Assembly Bill 1266) Frequently Asked Questions." The text states that consistent with its mission to provide world-class education for all students, the state of California, through the California Department of Education, issues the following Frequently Asked Questions in order to promote an educational environment that is safe and free from discrimination for all students, regardless of sex, race, sexual orientation, gender identity or gender expression, and (2) associated District Administrative actions to be taken in response to policy changes related to AB 1266 and transgender student privacy, safety, and well-being in K-12 schools and districts. These FAQs are provided to promote the goals of ensuring the implementation of a safe learning environment, integration of transgender and gender nonconforming students, maintaining the privacy of all students, and supporting healthy communication between educators, students, and parents to ensure the best educational and social development and well-being of every student. Below the text is a list of links: "Contact Us", "Student Privacy & Transparency", "Transgender Policy Guidelines", "District Contacts", and "Enrollment Opportunities".

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The screenshot shows the California Department of Education website. The header is identical to the previous page. The main content area is titled "Frequently Asked Questions" and "School Success and Opportunity Act (Assembly Bill 1266) Frequently Asked Questions." The text states the department's mission to provide world-class education for all students and its commitment to ensure an educational environment that is safe and free from discrimination for all students, regardless of sex, race, sexual orientation, gender identity or gender expression, and to assist school districts with implementing policies and procedures related to AB 1266 and transgender student privacy, safety, and well-being. It also mentions that these FAQs are provided to promote the goals of ensuring the participation of all students in the educational integration of transgender and gender nonconforming students, maintaining the privacy of all students, and supporting healthy communication between educators, students, and parents. A sidebar on the right contains social media sharing options and a "Trending in Department Information" section with links for Contact Us, Student Records & Transcripts, Frequently Asked Questions (This Page), and District Directories.

AB 1266 School Success & Opportunity Act

Assembly Bill 1266, also known as the “School Success and Opportunity Act,” was approved by the CA Legislature on August 12, 2013.

AB 1266 amends [CA Education Code Section 221.5\(f\)](#) to provide that “a pupil shall be permitted to participate in sex-segregated school programs and activities, 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.”

The California Department of Education published [FAQs](#) on AB 1266.

AB 1266 School Success & Opportunity Act - FAQ

AB 1266 FAQ #6 - May a student's gender identity be shared with the student's parents, other students, or members of the public?

“A transgender or gender nonconforming student may not express their gender identity openly in all contexts, including at home. Revealing a student's gender identity or expression to others may compromise the student's safety. Thus, preserving a student's privacy is of the utmost importance. The right of transgender students to keep their transgender status private is grounded in California's antidiscrimination laws as well as federal and state laws. Disclosing that a student is transgender without the student's permission may violate California's antidiscrimination law by increasing the student's vulnerability to harassment and may violate the student's right to privacy.”

Words and Terminology - Common Understanding

- Gender
- Gender Identity
- Gender Expression
- Cisgender
- Transgender
- Nonbinary
- Gender Fluidity

Importance of Name and Pronoun Use

- To learn how a student identifies, ask!
 - Inconspicuously and without assumptions
 - “What is your name?”
- If peers ask why a classmate now uses a new name, a supportive response is
 - “Because that is his/her/their name, I think it’s a great name!”
 - The more ease you have in responding, classmates will pick up on that cue and move on as well
 - Acknowledge and quickly pivot
- Errors and mistakes will happen, that’s okay
 - Own the mistake and say something such as “I am sorry I said X, I am working on getting this right and will keep practicing.”

Affirming and Inclusive Language

- Shift from gender specific strategies (e.g. “boys and girls please line up.”)
 - Consider using:
 - i. “Students please line up.”
 - ii. “Students with a first name that starts with the letter A-K please line up; students with a first name that starts with the letter L-Z please line up”
- Consider use shifting from of gender specific language on documents with parents/guardians
 - Does it read “your mom and dad?” Consider using “parent and parent” or “parent” or “parents” or “guardian”

Actions that Reject Gender-Diverse Students

- Expressing disagreement with our legal obligation within the school setting
 - “I don’t think we need a gender neutral bathroom.”
- Refusal to use the personal pronouns of the student
- Maintain binary gender classifications/activities when an identified transgender student is in the class
- Ignoring slurs or teasing
 - GSA students shared “gay” is commonly used and is hurtful
- Resisting professional development to expand one’s knowledge and skill set about gender diversity

Affirming Actions

- ▶ Students may identify with pronouns different than those that reflect their sex at birth
- ▶ Understand a student's name and pronouns, and know in what settings to disclose this information



He
Him
His
Himself



She
Her
Hers
Herself



They
Them
Their
Theirs
Themselves

Intervening and Awareness

- ▶ Student-to-student behaviors/talk in your classroom
- ▶ Staff behaviors
- ▶ Changing Zoom names
- ▶ Creating an affirming classroom environment
- ▶ Your affirming actions **WILL** be supported by administration and the district

CDE Antibias Education Grant

The purpose of the Antibias Education Grant Program is to prevent, address, and eliminate racism and bias in all California public schools, and making all public schools inclusive and supportive of all people.





Anti-Defamation League (ADL) -

Anti Bias Educator Training

- Identity
- Examine Biases
- Challenge Biases
- Action Planning

Epoch Education - *Cultivating & Sustaining Equity*

RIR Protocol™

 Recognize	 Interrupt	 Repair
What happens in my body? What do I feel? What do I believe? 	What questions can I ask? What impact can I share? What perspective can I offer?	How will I stay connected and in relationship with myself and others?

Restorative Practices

VCOE administrator training for middle school and elementary principals (October 2022- January 2023). Introduction.

IIRP administrator, counselor, teacher training (April 2023 - Current). Training for sustainability.



