

\_\_\_\_\_ **BOARD OF EDUCATION**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, it is the right of every child, regardless of gender identity, gender expression, intersex traits, or sexual orientation, to access a free public K-12 education and the District welcomes and supports all students;

**WHEREAS**, the District has a responsibility to ensure that all students who reside within its boundaries, regardless of gender identity, gender expression, intersex characteristics or sexual orientation, can safely access a free public K-12 education;

**WHEREAS**, the District recognizes that there are employees and educators of the highest caliber who are gay, lesbian, and transgender, and that all employees are valued members of the school community regardless of their gender identity, gender expression, intersex characteristics or sexual orientation;

**WHEREAS**, the District recognizes that the families in our community come in many different forms and the District values all our families and students' caregivers, regardless of gender identity, gender expression, or sexual orientation;

**WHEREAS**, [state or local law \_\_\_\_\_] prohibits discrimination, including discrimination based on gender identity, gender expression, and sexual orientation;

**WHEREAS**, in a landmark opinion, *Bostock v. Clayton County*, decided in 2020, the United States Supreme Court recognized that discriminating on the basis of actual or perceived sexual orientation or gender identity is always a form of sex discrimination, and federal law prohibits sex discrimination in employment and education;

**WHEREAS**, even prior to the decision in *Bostock*, decisions by federal courts and guidance by the U.S. Department of Education recognized that discrimination against LGBTQ+ individuals in schools is illegal;

**WHEREAS**, Title IX and other federal civil rights laws prohibiting discrimination on the basis of gender identity and sexual orientation preempt local and state laws that conflict, and failure to comply with the requirements of these federal civil rights laws may expose the District to legal liability;

**WHEREAS**, Lesbian, Gay, Bisexual, Transgender, Queer/Questioning ("LGBTQ+"), as well as students with intersex characteristics and students who do not conform to certain cultural binary gender "norms" students experience high rates of bullying, victimization, and harassment at school on the basis of their actual or perceived sexual orientation or gender identity, or that of their associates;

**WHEREAS**, this bullying, victimization, and harassment has led to negative educational outcomes for LGBTQ+ students, including higher rates of dropping out, higher rates of absenteeism, and lower postsecondary school aspirations, and significant increases in anxiety, depression and suicidality;

**WHEREAS**, school-age years are a critical time for LGBTQ+ youth as they often "come out" or disclose their LGBTQ+ identities to others during that time;

**WHEREAS**, creating a welcoming and safe school environment for our LGBTQ+ students, staff, families, and caregivers makes our school community more welcoming and safer for all;

**WHEREAS**, the District supports education that celebrates our different identities; integrity and kindness in how we treat others; and courage to do what's right by listening to, learning from, and respecting diverse viewpoints;

**AND WHEREAS**, educational personnel are often the primary sources of support, resources, and information to assist and support students and student learning, which includes their social and emotional well-being;

**NOW, THEREFORE, BE IT RESOLVED** that the District prohibits discrimination against all persons, whether student, family/caregiver of a student, or District employee, on the basis of actual or perceived sexual orientation, gender identity, gender expression, or intersex characteristics, or the actual or perceived sexual orientation, gender identity, gender expression, or intersex characteristics of their associates;

**BE IT FURTHER RESOLVED**, that the District prohibits bullying and harassment against all persons, whether student or District employee, on the basis of actual or perceived sexual orientation, gender identity, gender expression, or intersex characteristics, or the actual or perceived sexual orientation, gender identity, gender expression, or intersex characteristics of their associates;

**BE IT FURTHER RESOLVED**, that the Board declares the District to be a Safe Space for its students, meaning that the District is a place for students to learn, to thrive, and to seek assistance, information, and support free from discrimination and bullying;

**BE IT FURTHER RESOLVED**, that every School within the District shall, within 30 days of the date of this Resolution, take steps to create a safe climate for LGBTQ+ students, including designating an LGBTQ+ liaison and providing support for any LGBTQ+ student groups including Gay-Straight Alliances or Gender and Sexuality Alliances ("GSAs");

**BE IT FURTHER RESOLVED**, that the District shall, within 30 days of the date of this Resolution, create procedures to address anti-LGBTQ+ bullying and harassment which will include procedures for how students may report bullying and harassment, prohibit retaliation against any student for reporting bullying and harassment, ensure that Title IX coordinators and all employees charged with implementing antidiscrimination policies receive appropriate training on LGBTQ+ issues, and require schools to track and report data on incidents of anti-LGBTQ+ bullying and harassment;

**BE IT FURTHER RESOLVED**, that the District shall, within 30 days of the date of this Resolution, review and modify its antidiscrimination policies to ensure that those policies prohibit LGBTQ+ discrimination;

**BE IT FURTHER RESOLVED**, that the District shall, shall within 30 days of the date of this resolution, work with the relevant exclusive bargaining representatives to determine how LGBTQ+ anti-discrimination policies can best be incorporated in existing or future collective bargaining agreements;

**BE IT FURTHER RESOLVED**, that the District shall within 30 days of the date of this

Resolution, create a plan for Professional Development related to anti-LGBTQ+ bullying and harassment, so that all District employees are trained to recognize and respond to anti-LGBTQ+ bullying and harassment;

**BE IT FURTHER RESOLVED**, the District shall allow students and staff to use requested names and pronouns without requiring a legal name change or medical diagnosis; provide equal access to all programs and facilities, including access to bathroom and locker room facilities as needed for all students and staff that align with the students' and staff members' gender identity, and provide at least one gender-neutral bathroom; respect the privacy of all staff and students who are in transition; and allow students to participate in all physical education, athletics, and other extracurricular activities according to their gender identity, without requiring legal or medical documentation;

**BE IT FURTHER RESOLVED**, that any dress code for District employees or students should be gender neutral;

**BE IT FURTHER RESOLVED**, that the District and schools shall incorporate LGBTQ+ people and issues in school curricula, including in health and sex education; school libraries shall include materials that portray LGBTQ+ figures in a positive light; Districts and schools shall ensure that the curricula include diverse perspectives, especially LGBTQ+ people of color and issues specific to communities of color;

**BE IT FURTHER RESOLVED**, that Schools shall provide students with access to LGBTQ+ resources;

**BE IT FURTHER RESOLVED**, that the District shall designate October as LGBTQ+ history month and June as LGBTQ+ Pride Month. [Districts may consider recognizing March 31 as International Transgender Day of Visibility and approving students' participation in the Day of Silence, a demonstration against bullying and harassment of LGBTQ+ students in schools held on a Friday in April every year.]

**BE IT FURTHER RESOLVED**, the District shall post this Resolution at every school site and distribute it to District staff, students, and parents/guardians using usual means of communication, and that the Resolution will be translated into all languages spoken by students at home;

**BE IT FURTHER RESOLVED**, the Superintendent shall report back on compliance with this Resolution to the Board at its next meeting;

**BE IT FURTHER RESOLVED**, the Board affirms that certificated District employees have the academic freedom to discuss this Resolution during class time provided it is age-appropriate; and students are to be made aware that District counselors are available to discuss the subjects contained in this Resolution; and

**BE IT FURTHER RESOLVED**, after-school providers and other vendors and service providers who contract with the District shall be notified of this Resolution within 30 days and required to abide by it.

[FOLLOWED BY SCHOOL BOARD SIGNATURE PAGE]