

**RESOLUTION AFFIRMING SUPPORT OF STUDENTS AND FAMILIES
REGARDING LGBTQ+ PROTECTIONS AT SCHOOL**

**SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION No. 2457-8**

WHEREAS, the Declaration of Independence recognizes every individual's inalienable rights to life, liberty, and the pursuit of happiness, which form the foundation of equality and justice for all people; and

WHEREAS, public schools in California are subject to all federal and state laws and constitutional protections prohibiting discrimination on the basis of national origin, race, color, gender, sexual orientation, gender identity, transgender status, religion, ancestry, age, marital status, pregnancy status, veteran status, or disability, ensuring an equitable and inclusive learning environment for every student; and

WHEREAS, [Title IX of the Education Amendments of 1972](#), a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity, has included protections for sexual orientation, gender identity, and gender expression, ensuring vital civil rights protections for LGBTQ+ youth; however, recent federal changes threaten to roll back these protections, jeopardizing the rights and safety of LGBTQ+ students in schools across the country; and

WHEREAS, [Title IX of the Education Amendments of 1972](#), a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity, has included protections for sexual orientation, gender identity, and gender expression, ensuring vital civil rights protections for LGBTQ+ youth; and

WHEREAS, California has enacted laws that explicitly center and protect LGBTQ+ youth, including but not limited to:

- The [Fair, Accurate, Inclusive, and Respectful \(FAIR\) Education Act \(SB 48\)](#), requiring California public schools to include the contributions of LGBTQ+ individuals in history and social studies curricula;
- The [School Success and Opportunity Act \(AB 1266\)](#), ensuring that transgender students have access to facilities and programs consistent with their gender identity;
- The [California Healthy Youth Act \(AB 329\)](#), mandating comprehensive, inclusive, and medically accurate sexual health education that affirms all sexual orientations and gender identities;
- The [Equal Restroom Access Act \(AB 1732\)](#), requiring single-user restrooms in public spaces, including schools, to be designated as gender-neutral; and

- The [Gender Nondiscrimination Act \(AB 887\)](#) and related statutes, prohibiting discrimination based on gender identity and gender expression in all public settings, including schools;
- The [Support Academic Futures and Educators for Today's Youth \(SAFETY\) Act \(AB 1955\)](#) is a privacy law that protects LGBTQ+ students from being forced out without their consent. It also protects educators who support LGBTQ+ students.

WHEREAS, regardless of federal changes, in California discrimination, harassment, intimidation, or bullying against any protected group as identified under California *Education Code (EC)* sections 200 and 220, including gender, gender identity, and gender expression, remain against state law and are subject to the Universal Complaint Procedures, which are reportable following the local educational agencies' complaint procedures, outlined in SCCOE in AR 5145.3 / SP 5145.3; and

WHEREAS, the Santa Clara County Office of Education (SCCOE) has been a leader in fostering inclusivity and support for LGBTQ+ youth, families, and educators by providing resources, training, and advocacy, including professional development on the FAIR Act, use of pronouns, and safe school initiatives; and

WHEREAS, the SCCOE has established [resources and supports](#) for youth, educators, and families including training on the Fair Act, Out for Safe Schools, and the use of pronouns as well as a number of resource guides; and

WHEREAS, the SCCOE was one of the first county offices of education to make a commitment to fly the pride flag daily and not only during Pride Month, as a symbol of support and solidarity with LGBTQ+ youth and families; and

WHEREAS, the SCCOE organizes and participates in annual events to promote LGBTQ+ inclusivity, such as the LGBTQ+ Flag Raising and Resource Fair, the Silicon Valley Pride Parade, and the Queer Silicon Valley History Project traveling exhibit, which showcase the resilience and achievements of the LGBTQ+ community; and

WHEREAS, the SCCOE provides student wellness programs and services that foster safe, welcoming spaces for LGBTQ+ youth and allies, ensuring that every student can thrive in a supportive environment; and

WHEREAS, the SCCOE remains committed to supporting districts and schools in creating and sustaining inclusive spaces that promote a sense of belonging for all students, regardless of sexual orientation or gender identity; now

THEREFORE, BE IT RESOLVED, that the Santa Clara County Board of Education and the Interim County Superintendent of Schools do hereby adopt this resolution reaffirming their

commitment to supporting LGBTQ+ students, families, and allies by ensuring protections, equitable opportunities, and affirming practices that create inclusive school environments.

BE IT FURTHER RESOLVED, that the Santa Clara County Board of Education recognizes the vital role of federal and state laws, policies, and programs in safeguarding LGBTQ+ students and ensuring that all schools under its jurisdiction uphold these protections, advancing equity and justice for all students.

PASSED AND ADOPTED by the County Board of Education at a meeting held on February 5, 2025, by the following vote:

AYES: Jessica Speiser, Raeena Lari, Don Rocha, Maimona Afzal Berta, Victoria Chon, Jorge Pacheco, Tara Sreekrishnan

NOES: none

ABSTAIN: none

ABSENT: none



Maimona Afzal Berta, President
Santa Clara County Board of
Education



Charles Hinman, Ed.D.
Interim County Superintendent of
Schools