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SB-857 Advisory task force: LGBTQ+ pupil needs. (2023-2024)

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Senate Bill No. 857

CHAPTER 228

An act to add Section 219 to the Education Code, relating to pupils.

[Approved by Governor September 23, 2023. Filed with Secretary of State September 23, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 857, Laird. Advisory task force: LGBTQ+ pupil needs.

Existing law requires the State Department of Education to develop resources or, as appropriate, update existing resources for in-service training on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils, and strategies to increase support for LGBTQ pupils and thereby improve overall school climate. Existing law requires those resources to be designed for use in schools operated by a school district or county office of education and charter schools serving pupils in grades 7 to 12, inclusive.

This bill would require the Superintendent of Public Instruction, on or before July 1, 2024, to convene an advisory task force to identify the needs of lesbian, gay, bisexual, transgender, queer, questioning, and plus (LGBTQ+) pupils and to make recommendations to assist in implementing supportive policies and initiatives to address LGBTQ+ pupil education and well-being, as provided. The bill would require advisory task force members to be selected by the Superintendent, as provided. The bill would require the advisory task force to, on or before January 1, 2026, report their findings and recommendations to the Legislature, the Superintendent, and the Governor.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 219 is added to the Education Code, immediately following Section 218, to read:

219. (a) On or before July 1, 2024, the Superintendent shall convene an advisory task force to identify the needs of lesbian, gay, bisexual, transgender, queer, questioning, and plus (LGBTQ+) pupils and to make recommendations to assist in implementing supportive policies and initiatives to address LGBTQ+ pupil education and well-being, including, but not limited to, all of the following:

- (1) Pupil mental health and feelings of safety and support.
- (2) Inclusive and safe access to school facilities.
- (3) Inclusive instructional material and school curriculum.

(4) Prevention of, response to, and oversight of, bullying and harassment to determine the effectiveness of policies and programs.

(5) Inclusive participation in campus activities.

(b) The advisory task force members shall include, at a minimum, 15 members representative of all of the following groups:

(1) Eight pupils identifying as members of the LGBTQ+ community who are enrolled in a California high school.

(2) One public school administrator currently employed by a local educational agency.

(3) Two certificated public school teachers currently employed by a local educational agency.

(4) Two mental health professionals, with a preference for those who practice LGBTQ+ affirming care.

(5) One community LGBTQ+ advocate, with a preference for one with programmatic expertise.

(6) One representative from the Office of Health Equity established by the State Department of Public Health.

(c) (1) To the extent practicable, the members of the advisory task force shall represent the geographical, racial, ethnic, socioeconomic, cultural, physical, and educational diversity of California's LGBTQ+ community.

(2) Members of the advisory task force shall be selected by the Superintendent or their designee.

(d) (1) On or before January 1, 2026, the advisory task force shall report their findings and recommendations to the Legislature, the Superintendent, and the Governor. At the request of any member of the advisory task force, the report may include minority findings and recommendations.

(2) The requirement for submitting a report imposed under paragraph (1) is inoperative on January 1, 2028, pursuant to Section 10231.5 of the Government Code.

(3) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.