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California State Senate

**SENATOR
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CHAIR
NATURAL RESOURCES AND WILDLIFE COMMITTEE



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INVESTIGATE PRICE MANIPULATION OF THE WHOLESALE ENERGY MARKET
JOINT COMMITTEE ON THE ARTS

December 18, 2002

Dear School Superintendent:

All of us in the education community share the very important job of ensuring that all students receive equal protection from potentially violent discrimination and harassment, which can disrupt learning and leave lifetime scars. As you know, the California Student Safety and Violence Prevention Act of 2000 (AB 537) is now part of our California law (Education Code, §§200-220). As the author of the bill, I can tell you with assurance that this law was enacted in order to take an important step in offering protection from such discrimination and harassment.

Unfortunately, tens of thousands of students and thousands of teachers and building administrators are not yet aware of the law or their responsibilities under the law. More importantly, we know that there is still substantial and documented harassment and discrimination against students who actually are or are perceived to be gay, lesbian, bisexual, or transgender, even though the law was first enacted more than two and one-half years ago. I believe this is, in part, due to the fact that the law has not, yet, been implemented or directly applied in many local school districts in California.

Before Assembly Bill (AB)537 was enacted, the California Education Code specifically prohibited discrimination against and harassment of students and staff in schools on the basis of sex, ethnic group identification, race, national origin, religion, color, or mental or physical disability. The new law added the provision that all students and staff in public education facilities have the same right to a safe learning environment, regardless of their sexual orientation or gender identity/expression.

Shortly after the law was passed, State Superintendent Delaine Eastin convened the AB 537 Advisory Task Force to develop recommendations for school districts as they work with their communities to ensure that policies and strategies are in place that fulfill the law's provisions. In Spring 2001, that Task Force submitted its recommendations.

Since that time, there has been a lot of press coverage, public discussion, and possibly even confusion about the law and the recommendations of the Task Force. Various organizations and many individuals have provided information about the law and conducted trainings for school staff, students, parents, and community members. Some of this information may, at times, seem contradictory. Understandably, many of you may not be entirely clear about your legal responsibilities nor the steps you must take to ensure effective administration of the law. Perhaps even a few of you know nothing about the law.

Representing the cities of Agoura Hills, Beverly Hills, Calabasas, Hidden Hills, Malibu, Santa Monica, West Hollywood and Westlake Village and the communities of Bel Air, Brentwood, Canoga Park, Encino, Hollywood, Mt. Olympus, Pacific Palisades, Sherman Oaks, Studio City, Tarzana, Topanga, West Los Angeles, West Hills, Westwood and Woodland Hills.



The attached School Safety & Violence Prevention For Lesbian, Gay, Bisexual & Transgender Students: A Question & Answer Guide for California School Officials & Administrators was specifically developed by the California Safe Schools Coalition to provide you with answers to many of your questions about your own responsibilities and options with regard to enforcing this law in your school districts.

In addition to this general question and answer guide on AB 537 I also wanted to share with you a Question & Answer Guide On California's Parental Opt-Out Statutes. This guide addresses parents' and schools' legal rights and responsibilities regarding public school curricula and was developed to address recent concerns regarding parental notification and opt-out in relationship to tolerance and diversity training in schools.

I urge you to read through these documents and to apply them to your work in your school district. I also urge you to share these guides with each of your school administrators and staff so that they are fully aware of their responsibilities under this law.

Any incident that harms a student, or makes him or her feel unsafe, should be prevented and addressed. We must continue the important task of fostering and promoting programs that ensure our students' safety and enhance the learning environment of our schools. I know that as a school superintendent, you share my vision for safe and supportive schools for all students.

Thank you,



SHEILA JAMES KUEHL
Senator, District 23