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California Student Safety & Violence Prevention

California students are protected from discrimination or harassment based on sexual orientation or gender identification.

Assembly Bill 537

Under the [California Student Safety and Violence Prevention Act of 2000 \(AB 537\) - Full Text](#) (PDF), all California public schools have a duty to protect students from discrimination and/or harassment on the basis of sexual orientation or gender identity.

In the Spring of 2000, former State Superintendent Delaine Eastin established an advisory task force to identify ways to implement the [California Safety and Violence Prevention Act of 2000](#) (PDF; 2MB). The California Student Safety and Violence Prevention Act of 2000 (Assembly Bill 537) was enacted to amend California *Education Code* specifically prohibiting 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. This law added the provision that all students and staff in public schools have the same right to a safe learning environment, regardless of their sexual orientation or gender identity.

Senate Bill 1234

The Legislature has recently defined "gender" for purposes of identifying hate crimes and eliminating unlawful discrimination in public schools in SB 1234, amending Penal Code Section 422.58 as follows:

"Gender" means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

[Senate Bill \(SB\) 1234](#) - Full text of Senate Bill 1234 (Chapter 70, Stats of 2004).

Other Resources

Education Code that specifically addresses gender discrimination is listed below:

[Education Code sections 200-201](#)

[Education Code sections 210-214](#)

[Education Code sections 220-221.1](#)

[Education Code sections 221.5-231.5](#)

Visit the following Web site for testimony before the Senate Select Committee on School Safety on "Sexual Orientation, Gender Identity Discrimination, and School Safety": [School Safety Committee - Hearings](http://www.senate.ca.gov/ftp/SEN/COMMITTEE/SELECT/SCHOOL_SAFETY/_home/hearings.htm) [http://www.senate.ca.gov/ftp/SEN/COMMITTEE/SELECT/SCHOOL_SAFETY/_home/hearings.htm].

Questions: Executive Office | 916-319-0800

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GENDER & CHILDREN: A PLACE TO BEGIN

Children receive formal and informal messages about gender from a multitude of sources. Many of the messages empower them, and many of the messages limit them. It is important for all children to see the range of human behaviors as possible and positive ways to be, regardless of their gender.

At school it is important for educators to create gender-expansive environments where children can be whole by expressing every part of their personality: their strengths, their emotions, their quiet side, their active side, their introspective self and their extroverted self.

Creating schools that nurture academic achievement, provide physical and emotional safety and welcome all students are common goals for all educators.

GUIDELINES FOR EDUCATORS

- Create a safe, gender-expansive space for children. Create an atmosphere of acceptance in the classroom and school that affirms all children and allows them to express their interests.
- Look at the individual qualities and gifts each child brings to your classroom. Do not automatically accept assumptions of what is appropriate behavior for boys or for girls.
- Provide opportunities for students to look at the qualities that all children share and to think about the messages they receive about male and female identity.
- Develop classroom messages that emphasize “All Children can...” rather than “Boys don’t..., Girls don’t...” Increasingly put more emphasis on the inclusive term “children.”
- Organize students by different categories, such as: students whose birthdays fall between January and July, students whose last names begin with A-H and those whose last names begin with I-Z, or students who are sitting in a particular part of the room, etc. Avoid situations that force children to make gendered choices, such as boys lining up here and girls lining up there.
- Avoid using the phrase “boys and girls” as a way to address your class. Try to use more inclusive phrases to address the class as a whole like children, students, learners, young people or Room No. __. You can also choose a name for your class that brings to mind positive attributes — like the Dolphins, Owls or Peacemakers.
- Interrupt hurtful teasing and name-calling. When students use words like “gay,” “sissy,” “girl,” “tomboy” or “queer” as put-downs, they are using these words to hurt, exclude, intimidate or bully. To create a safe atmosphere, ensure this kind of talk is stopped.
- Be aware of and intervene when students are policing each other on gender. If a child says to a young boy, “Bobby, that’s a girl’s shirt/toy,” or “You run like a girl,” or, to a young girl, “You look like a boy,” interrupt the behavior. Emphasize that it is ok for children to dress in a way that they feel comfortable.
- Be aware of whether students feel safe outside of the classroom. In the lunchroom? Recess? Gymn class? Special education classes? In the bathroom? On the school bus or at bus stops? Engage the adults in charge of these areas in a conversation about gender expression.

- Expand children’s range of possibilities through literature. Review stories, books, games and other messaging for gender stereotypes. Include books in your classroom and school library that show a wide range of activities, emotions and achievements for all children.
- Provide role models for both girls and boys that show a wide range of occupations and achievements. Read biographies, develop classroom or hallway displays and invite guest speakers who expand children’s vision of ways to achieve and thrive.
- Encourage children to find activities that they enjoy and that respect their interests. This will help them connect to other children with similar interests and fit in socially.
- Children are more resilient and able to cope when they feel that someone understands them and is on their side. Let students know that you see their strengths and that you can appreciate their unique qualities.
- Be ready to support parents. Many parents will be deeply concerned about their child. Use language that supports their child. Help parents see their child’s strengths whether they are academic, artistic, athletic, dramatic or interpersonal. Model inclusive and expansive language for other parents who comment about a particular child.
- Identify support systems for you and children within the school. Create community. Talk with other teachers, counselors and administrators. Agree on professional and developmentally appropriate language when discussing children’s gender expression.
- Establish a gender-neutral bathroom in your school that students can use, such as one in the nurse’s office. Allow students to use the bathrooms associated with their gender identity.
- Become aware of any negative gender-related messages that you received, so you do not pass on messages that limit a child’s potential and development.
- Be prepared to raise questions in team meetings. Find colleagues who are similarly committed to assuring a gender-expansive school. Create a community of adult learners.
- Remember you are not alone. Other teachers are facing similar issues.

ADDITIONAL RESOURCES ON THE WELCOMING SCHOOLS WEBSITE

- [Lesson Plans - Looking at Gender, Ending Bullying & Name-calling, Discussing Family Diversity](#)
- [Using LGBT-Inclusive Children’s Books & Looking at Gender Through Books](#)
- [Books to Engage Students—Bibliographies](#)
Including Books to Help Discuss Bullying and Gender, Books Featuring Gender Expansive Children, Books that Look at Gender Stereotypes, and Books on Gender Identity and Children for adults and students.
- [Looking at Gender: A Short Annotated Bibliography](#)
- [Gender Identity Resources](#)
- [Gender Identity & Stereotypes: The Impact on Children](#)



A GUIDE TO AGE-APPROPRIATE DEFINITIONS FOR STUDENTS

When children ask questions, they want simple and direct answers. Don't answer more than they asked for. You might choose to answer a child's question with another question in order to figure out what the child is asking. Additionally, don't give answers you aren't comfortable with — using your own words will seem more genuine. It is also helpful to use examples; they usually help students understand definitions. For instance: "Prejudice is when someone dislikes everyone who is African-American just because their skin is black, or dislikes lesbians because they are women who love women."

As an educator or parent, when you have to answer questions or handle something that is new, you may fall back on what you learned about something when you were younger. However, since there has been so much silence around gay and lesbian people, especially at the elementary level, people are often at a loss for what to say. These simple definitions are a place to start to help you find the words.

This list of definitions is not here to say that you should define all of these words for students. However, if the need arises, these definitions will give you a place to start. There are two sets of definitions: one for grades K – 3 and one for grades 4 – 5.

GRADES K – 3

GAY: Being gay means that a person loves, in a very special way, someone who is the same gender. A gay man loves or wants to be involved with another gay man. A gay person might choose to have a special relationship with someone and share their home and have a family together. [Keep it simple. Focus on relationships and family.]

BULLYING: When you are trying to be mean to someone else by hitting, using mean words or by not letting them play — especially if you do it over and over again and it is done by someone larger, older or more popular.

HOMOSEXUAL: Another word for "gay" or "lesbian."

LESBIAN: A woman who loves another woman in a very special way.

PREJUDICE: Not liking someone because they look a certain way or they belong to a particular group — like a certain religion.

STEREOTYPE: An idea that all the people in one group behave the same way or have the same characteristics.

TEASING: Teasing can be playful if both people think it is funny. Playful teasing usually happens between good friends or family. But teasing can be mean and hurtful when you are making fun of someone. It can also be mean if you talk about things in a mean way that you know might hurt such as the color of their skin, their religion or if they are acting like a boy or a girl.

GRADES 4 – 5

BISEXUAL: A person who is romantically attracted to either a man or woman.

BULLYING: When one person or a group of people is repeatedly and intentionally aggressive toward another person or tries to put another person down. This can be done physically, verbally or indirectly, such as through exclusion. It is usually done by someone larger, older or more popular.

IN THE CLOSET or CLOSETED: An expression that means a gay or lesbian person is hiding a part of who he or she is and not telling anyone about being gay or lesbian because he or she is afraid to do so. For example: someone who is gay might avoid saying who his or her partner is or who he or she really likes because that person is of the same gender.

COMING OUT: When someone tells other people that they are gay or lesbian. When children tell other people that their parents are gay or lesbian.

DYKE: A slang term for “lesbian.” It is usually used as an insult. However, you may hear some lesbians use the word in a positive way to describe themselves.

FAG: A slang term for “gay.” It is usually used as an insult.

GAY: Men who are attracted to or have romantic relationship with men. Or, women who are attracted to or have romantic relationships with women. This word is sometimes used just to refer to men. Women who are gay are also called “lesbians.” A gay person might choose to have a special relationship with someone and share their home and have a family together.

GLBT: Initials that stand for “gay, lesbian, bisexual or transgender.” Also abbreviated as “LGBT.”

HETEROSEXUAL: A person who is romantically attracted to a person of the other sex. In other words, a man who is attracted to women or a woman who is attracted to men

HOMOPHOBIA: Putting down or thinking less of people because they *are* gay or lesbian or because you *think* they are gay and lesbian. (Note: actually means fear of gay or lesbian people and fear for being gay oneself.)

HOMOSEXUAL: Another word for “gay” or “lesbian.” Usually used in medical or scientific references.

LESBIAN: A woman who is attracted to or has romantic relationships with women.

OUTING: Telling other people that someone is gay or lesbian when that person is not open about it and doesn't want other people to know.

PREJUDICE: A feeling or attitude about a person or group simply because the person or group belongs to a specific religion, race, nationality, etc. Usually a negative opinion formed before knowing all the facts.

QUEER: A slang term for “gay” or “lesbian.” When it used as an insult it is hurtful. More recently some people use it in a positive light to describe people who are lesbian or gay or who expand traditional gender roles.

SEXUAL ORIENTATION: Everyone has a sexual orientation. A person's sexual orientation is based on whether he or she is attracted to someone of a different sex, the same sex, or both sexes.

STEREOTYPE: An idea that all the people in one group behave the same way or have the same characteristics.

STRAIGHT: Another word for “heterosexual.”

TEASING: Teasing can be playful if both people think that it is funny. Playful teasing usually happens between good friends or family. But teasing can become mean and hurtful if you are making fun of someone or you touch on sensitive issues such as race, body image or acting like a boy or a girl.

TRANSGENDER: Someone who on the outside might seem to be one gender but on the inside feels like the other gender. For example: a person who has the body of a man but deep inside feels like a woman.



WHAT DO YOU SAY TO 'THAT'S SO GAY'

STOP IT:

- Keep it simple with quick responses. You could say:
 - "Remember, we don't use put-downs in this class."
 - "It's not OK to say 'That's so gay.'"
 - "It's not OK to use that phrase."
 - "What did you mean by that?"
 - "Do you know what 'gay' means?"
 - "You may not have meant to be hurtful, but when you use the word 'gay' to mean something is bad or stupid, it is hurtful."
 - "Do you know why it is hurtful?"
- If you have the time and opportunity to educate on the spot, do it. If you don't, make time later.

EDUCATE:

- If you have been hearing the phrase "That's so gay" used to mean that something is bad or stupid, take the time during a class meeting or group time to make sure that your students know what "gay" means and know why it is hurtful to use it as an insult.
- Be clear with students that when they use the word "gay" in a negative way they are being disrespectful. Also be clear that using the phrase "That's so gay" is hurtful to other students who may have parents, siblings, aunts, uncles, neighbors, friends or other family members who are gay.
- In lessons on respect, stereotypes or prejudice include information about discrimination against gay, lesbian, bisexual and transgender people.

BE PROACTIVE:

- Develop an environment of respect and caring for all students in your class and school.
- Establish clear schoolwide and classroom policies against name-calling and hurtful teasing.
- If you have been hearing the phrase "That's so gay" in the school, be explicit that rules against name-calling include that phrase and other anti-gay put-downs.

DON'T IGNORE IT:

- Ignoring name-calling and hurtful teasing allows it to continue and possibly get worse. If other students do not see action, they get the message that there is nothing wrong with it.
- Harassment does not go away on its own.

DON'T BE AFRAID OF MAKING THE SITUATION WORSE

- Almost any response is better than ignoring the situation. You may not know exactly what to say, but you must stop the harassment.
- Taking action reaffirms limits. Interrupting name-calling isn't always easy. With experience you will become more comfortable in handling it.

DON'T EXCUSE THE BEHAVIOR

- Saying "Josh doesn't really know what it means," or "Sarah was only joking," excuses hurtful behavior.

DON'T TRY TO JUDGE HOW UPSET THE TARGET IS:

- We have no way of knowing how a student is really feeling. Often, targets are embarrassed and pretend that they were not offended or hurt. Saying "Michael didn't seem upset by Laura's remark" trivializes the child's feelings. It tells the harasser that it is OK to make hurtful comments. It teaches not only the child targeted but also anyone in hearing range that they will not be protected from harassment.

DON'T BE IMMOBILIZED BY FEAR:

- Making a mistake is far less serious than not acting at all. You can always go back to the student and say or do something else if you feel you did not respond well.