

Mountain View Whisman School District Board of Trustees

RESOLUTION NO. 01-032025

AFFIRMING COMMITMENT TO LGBTQ+ STUDENT RIGHTS, PROTECTIONS, AND INCLUSIVITY

WHEREAS, every student has the right to a safe, inclusive, and affirming educational environment, free from discrimination, harassment, and marginalization, as protected under the United States Constitution, the California Constitution, and the California Education Code; 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; and

WHEREAS, in January of 2025, a federal district court judge vacated the extension of Title IX protections for sexual orientation, gender identity, and gender expression, jeopardizing the rights and safety of LGBTQ+ students in schools across the country; 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 Uniform Complaint Procedures, which are reportable following the local educational agencies' complaint procedures, outlined at Mountain View Whisman School District in AR/BP 5145.3; and

WHEREAS, the Mountain View Whisman School District provides equal access to sports, extracurricular activities, facilities, resources and educational programs without discrimination; and

WHEREAS, the Mountain View Whisman School District 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 Mountain View Whisman School District remains committed to supporting our 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 Mountain View Whisman School District Board of Trustees hereby reaffirm their commitment to supporting LGBTQ+ students, families, and allies by ensuring protections, equitable opportunities, and affirming practices that create inclusive school environments;

BE IT FINALLY RESOLVED, that Mountain View Whisman School District remains a steadfast advocate for equity, justice, and the right of all individuals to thrive as their most authentic selves, rejecting any efforts to erase or undermine the existence of LGBTQ+ identities.

PASSED AND ADOPTED by the Mountain View Whisman School District Board of Trustees on this 20 day of March 2025, by the following vote:

AYES: Devon Conley, Charles DiFazio, Lisa Henry, William Lambert, Ana Reed

NOTES: 0

ABSENT: 0

President of the Board of Trustees
Mountain View Whisman School District
Santa Clara County, California