



FAIR Education Act (SB 48) FACT SHEET

The Fair, Accurate, Inclusive, and Respectful (FAIR) Education Act would prohibit discriminatory instruction and discriminatory materials from being adopted by the State Board of Education. This bill also amends the Education Code to include instruction on the contributions of lesbian, gay, bisexual, and transgender (LGBT) Americans in the social sciences.

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Sponsors: Equality California, Gay-Straight Alliance Network

PURPOSE OF THE PROPOSED LAW

The FAIR Education Act would ensure that LGBT people are included in instructional materials, which studies have shown is linked to greater student safety and lower rates of bullying. The FAIR Education Act would require that lesbian, gay, bisexual, and transgender (LGBT) Americans are included and recognized for their important historical contributions to the economic, political, and social development of California. Specifically, this legislation would add LGBT to the existing list of underrepresented cultural and ethnic groups, which are covered by current law related to inclusion in textbooks and other instructional materials in schools. This inclusion will help to ensure that students get a fair and accurate picture of the people and events that have shaped our society, and that fair and accurate portrayals of LGBT people are no longer excluded from classroom discussions. The FAIR Education Act will bring classroom instruction into alignment with non-discrimination laws passed by the California Legislature and adopted by the State Board of Education a decade ago, by prohibiting the adoption of discriminatory instructional materials and textbooks.

BACKGROUND

Sharing accurate and inclusive information is a vital step to setting a climate of respect and keeping our schools safe. Schools that perpetuate silence or harmful stereotypes about LGBT people can be breeding grounds for the fear and ignorance that fuel bullying during the early grades and hate violence or even suicide by the time students reach high school. By middle school, studies show that students who are bullied based on actual or perceived sexual orientation feel so unsafe that they skip school and their grades suffer compared to their peers.¹ Accurate depictions of LGBT Americans in classroom materials teach all students to respect each other's differences, thereby increasing students' sense of belonging and ability to learn. Fair, inclusive, and age-appropriate lessons can make LGBT students feel less isolated, improving their ability to stay in school and graduate. SB 48 will improve student safety, reduce bullying, enrich the learning experiences of all students, and promote an atmosphere of safety and respect in California schools.

EXISTING LAW

Existing law requires social sciences instructions of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these

groups in contemporary society. Current law prohibits instruction or school-sponsored activities that reflect adversely upon persons because of their race, sex, color, creed, ability, national origin, or ancestry.

Current law also prohibits the adoption of instructional materials that reflect negatively on any person because of their race, sex, color, creed, disability, national origin or ancestry. It also requires schools and governing boards to include only instructional materials that, in their determination, accurately portray the cultural and racial diversity of our society.

RESEARCH

The LGBT community represents a significant and indelible part of the history and social fabric of California. An analysis of the 2000 U.S. Census revealed that there are more than 92,000 LGBT households in California (not including single LGBT people or LGBT couples who do not cohabitate), and about 6% of voters in a 2000 statewide election identified as LGBT.ⁱⁱ

While LGBT people represent a sizable and important part of the state, mention of the LGBT community's role in California history and contemporary society is virtually non-existent in textbooks and other school instructional materials.

In schools where LGBT people are included in classroom discussions, results have been positive. The Preventing School Harassment Survey in California found that schools where the majority of youth report having learned about LGBT people in the curriculum, only 11% of students report being bullied, but that number more than doubles to 24% if the majority of students in a school say they haven't learned about LGBT people.ⁱⁱⁱ

Furthermore, the 2003 Preventing School Harassment Survey found that students who have learned about LGBT people at school were more likely to feel they have a voice at school and make positive contributions at school.

A 2004 survey of 359 California school districts found that many school districts already have LGBT-inclusive curriculum and many more are interested in doing so. More than 83% of school districts report including LGBT issues in their anti-bias lessons for some or all of their high school students; 64% do so for middle school; and 54% do so for elementary school students.^{iv}

FOR MORE INFORMATION

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ⁱ O'Shaughnessy, M., Russell, S.T., Heck, K., Calhoun, C., and Laub, C. (2004). *Safe Place to Learn: Consequences of Harassment Based on Actual or Perceived Sexual Orientation and Gender Non-Conformity and Steps for Making Schools Safer*. San Francisco, CA: California Safe Schools Coalition and 4-H Center for Youth Development, University of California, Davis.

ⁱⁱ Romero, A. P., Rosky, C. J., Badgett, M.V. Lee, Gates, G. J. (2008). *Census Snapshot: California*. Los Angeles, CA: The Williams Institute.

ⁱⁱⁱ California Safe Schools Coalition (2006). *LGBT Issues in the Curriculum Promotes School Safety*. (California Safe Schools Coalition Research Brief No. 4). San Francisco, CA.

^{iv} Russell, S.T., Kostroski, O., McGuire, J. K., Laub, C., and Manke, E. (2006). *District Policies and Trainings*. (California Safe Schools Coalition Research Brief No. 1). San Francisco, CA: California Safe Schools Coalition.