

A Checklist for Evaluating Your School

AB 537, the California Student Safety and Violence Prevention Act of 2000, protects students from harassment and discrimination on the basis of actual or perceived sexual orientation and gender identity. State-funded, non-religious schools must follow this law.

At a minimum, schools must comply with the law.

The following are things your school must do under state law. If your school isn't doing these things, you and your GSA should take steps to make sure your school knows about the law and that they change their actions and policies to follow it.

- Your school must not discriminate on the basis of sexual orientation or gender identity.
- Your school must not exclude students from sports or other school activities on the basis of their sexual orientation or gender identity.
- Your school must not discriminate against your Gay-Straight Alliance or any other similar club.
- Your school must not allow a hostile climate of pervasive (continuous) harassment at your school.
- Your school must ensure that people who harass others on the basis of their sexual orientation or gender are disciplined in ways that are likely to lead them to stop this behavior. We recommend that effective discipline in these situations involve a combination of education, counseling, support, and discipline.
- Your school must have someone designated to handle complaints of harassment and discrimination who is knowledgeable about current law.
- Your school must keep complaints confidential as appropriate and must not punish the student who complained.
- Your school must respond to incidents of anti-LGBT violence or threats of violence effectively.
- Your school's counselor or counseling program must not discriminate on the basis of sexual orientation or gender identity.

Schools should do more than merely comply with the letter of the law.

If your school does comply with the law by doing all of the items in the first checklist, there is more your school can do under the spirit of AB 537 to prevent harassment and discrimination. Here are some other policies your school should implement that you and your GSA can ask them to do.

- Your school should have a written harassment policy that clearly includes sexual orientation and gender identity. It should include education, support or counseling as part of the guidelines for discipline rather than using a zero tolerance policy.
- Your school should have a standard complaint form that includes sexual orientation and gender.
- Your school should train teachers and staff about sensitivity to LGBT issues, diversity, harassment, and discrimination.
- Your school should take active steps to educate students about LGBT issues, diversity, harassment, and discrimination.
- Your school should train counselors on LGBT issues, so that they are sensitive to the needs of LGBT students.
- Your school should provide specific counseling and support for LGBT students.
- Your school should encourage and support Gay-Straight Alliances, Project 10s or other similar groups that deal with LGBT issues on campus.

