



## Kriss Worthington

Councilmember, City of Berkeley, District 7  
 2180 Milvia Street, 5<sup>th</sup> Floor, Berkeley, CA 94704  
 PHONE 510-981-7170 FAX 510-981-7177  
 kworthington@ci.berkeley.ca.us

### CONSENT CALENDAR

November 19, 2013

To: Honorable Mayor and Members of the City Council  
 From: Kriss Worthington, District 7, Berkeley City Council  
 Subject: Support Transgender Rights: Oppose the Deceptively Named Privacy for All Students Campaign

### RECOMMENDATION

Adopt a Resolution opposing the Privacy for All Students Campaign, a referendum effort to overturn AB 1266, the School Success and Opportunity Act, a bill that provides rights for transgender students.

### BACKGROUND

On August 12, 2013, Governor Jerry Brown signed AB 1266 into law. AB 1266: The School Success and Opportunity Act allows for transgender students equal access to facilities and activities that match their gender identity. This law is designed to remove fears for students who face obstacles when using facilities that match their identity. Overall, AB 1266 provides an environment that allows transgender students to succeed in their education.

The City of Berkeley has taken the lead in protecting the rights of the LGBT community. Berkeley was the first city in the United States to provide domestic partnership benefits to employees and to support marriage equality. Berkeley also celebrates National Coming Out Day and Bisexual Pride and Bi Visibility Day.

Privacy for All Students wants to create a referendum that will repeal AB 1266, which in turn would prevent transgender students from using facilities that match their identity. The City of Berkeley must oppose the deceptively titled Privacy for All Students campaign for a referendum.

This resolution is closely modeled on The City and County of San Francisco's resolution in support of AB 1266.

### FISCAL IMPACTS

None.

### CONTACT PERSON

Councilmember Kriss Worthington	981-7170
Stefan Elgstrand, Intern	981-7170

Attachment:

1. Resolution to support Transgender Rights by Opposing the Deceptively Named Privacy for All Students Campaign

RESOLUTION NO. ###,###-N.S.

SUPPORT TRANSGENDER RIGHTS BY OPPOSING THE DECEPTIVELY NAMED  
PRIVACY FOR ALL STUDENTS CAMPAIGN

WHEREAS, gender identity is a person's internal, deeply-rooted identification, and the freedom to express this identification is critical to a person's health, well-being, development and success; and

WHEREAS, despite current California law which prohibits discrimination against students based on their gender identity, many school districts are not presently in compliance with these requirements; and

WHEREAS, transgender youth must often overcome significant stigma and challenges when forced to participate in or be relegated to activities or facilities which are inconsistent with their gender identity; and

WHEREAS, the suppression, invalidation and undermining of a young person's gender identity is incongruous with our commitment to providing a healthy learning environment for our children; and

WHEREAS, the City of Berkeley recognizes the importance of giving our transgender and gender non-conforming youth equal opportunities for growth, respect, success and support; and

WHEREAS, Assembly Bill 1266: The School Success and Opportunity Act provides California School Districts with a clear understanding of the legal obligations to integrate transgender students into every aspect of schooling according to their gender identity; and

WHEREAS, Privacy for All Students aims to create a referendum repealing AB 1266.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley, does hereby support transgender rights by opposing the deceptively named Privacy for All Students Campaign.