

# EQUALITY CALIFORNIA



August 28, 2017

Doug Johnson, Chair  
Rocklin Academy Board of Directors  
and  
Robin Stout, Superintendent  
Rocklin Academy Charter Schools  
2204 Plaza Dr. Suite 200  
Rocklin, CA 95765

Eve Fabiaschi, Principal, TK-5th  
Rocklin Academy Gateway  
6550 Lonetree Blvd.  
Rocklin, CA 95765

## **OPEN LETTER RE: Transgender Students and Safe and Supportive School Index**

Dear Chair Johnson, Members of the Rocklin Academy Board of Directors, Superintendent Stout, and Principal Fabiaschi:

Equality California (EQCA) writes both to express our support for your efforts to create a safe and welcoming learning environment for all your students, including those who are transgender, and to ask you to commit to participating in the Safe and Supportive School Index, which we will send to school districts across the state by the end of the year. EQCA brings the voices of lesbian, gay, bisexual, transgender, and queer (LGBTQ) people and allies to institutions of power in California and across the United States, striving to create a world that is healthy, just, and fully equal for all LGBTQ people. We advance civil rights and social justice by inspiring, advocating, and mobilizing through an inclusive movement that works tirelessly on behalf of those we serve.

There are an estimated 150,000 transgender youth between the ages of 13 and 17 in America. GLSEN's 2015 National School Climate Survey found that 75 percent of transgender students felt unsafe at school because of their gender expression, 50 percent report being unable to use the name or pronoun that matches their identity and 70 percent report avoiding bathrooms. Every student deserves a fair chance to succeed in school and to be protected from discrimination. When schools fail to protect transgender students from being targeted, it becomes extremely difficult for transgender students to succeed in school and prepare for their future. In addition, when students who are not

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transgender are not provided with the opportunity to learn about transgender people, especially their transgender peers, they also face disadvantages as a result of their lack of understanding.

Thirteen states (including California), the District of Columbia, and local school districts across the country have proven that they can successfully implement laws and policies protecting transgender students from discrimination while still meeting the needs of all students. Here in California, laws such as the California Healthy Youth Act (Weber, 2015), the School Success and Opportunity Act (Ammiano, 2013), the FAIR Education Act (Leno, 2011), and Seth's Law (Ammiano, 2011) all either support or actually require discussion of LGBTQ people and families in the classroom with the goals of giving all students opportunities to learn about their forebears, their communities, their peers, and themselves. We applaud your efforts to comply with these laws and provide students with a venue to learn about what it means to be transgender in the context of their transgender classmate's own current experience.

We were alarmed at some of the media coverage of your recent Board of Directors meeting and the experience of a transgender student, her teacher, her classmates, and their families. We would like to express our unyielding support for this student and her family, and our support for her teacher, Kaelin Swaney. The books Ms. Swaney used to give context to this student's transition, *I Am Jazz* by Jessica Herthel and Jazz Jennings and *Red: A Crayon's Story* by Michael Hall, were both age-appropriate and provide different perspectives on the experience of being transgender geared toward young children. It is our understanding that the transgender student herself and her family took an active role in selecting these books and planning the students' interaction with her classmates. The approach Ms. Swaney took to addressing this student's transition, with the support of the student's family, complies with both the letter of the law in California and its spirit: to create learning environments where all students are supported and understood, including transgender students.

In addition, we were appalled to see some media coverage quote the American College of Pediatricians and present the views of this organization as if it were a legitimate or mainstream professional association when it is not: it is actually a socially conservative advocacy group estimated to have no more than 200 members and identified by the Southern Poverty Law Center as an anti-LGBTQ hate group. In stark contrast to the statements of this organization are those of the American Academy of Pediatrics (AAP), the national organization of 66,000 pediatricians committed to optimal physical, mental, and social health and well-being for all infants, children, adolescents, and young adults. AAP's official policy on transgender children "supports social transition at any age, following the lead of the child. The child should determine how private or public this transition is made, unless there are real threats to the child's physical safety that could result from a public disclosure, in which case parents/guardians should intervene."

We must point out that three other organizations with demonstrated histories of extreme anti-LGBTQ positions, Pacific Justice Institute, the California Family Council, and Capitol Resource Institute, have been involved in efforts to create a controversy at your

school and were quoted in the media as well. Pacific Justice Institute and the California Family Council's parent organization, the Family Research Council, also have been identified by the Southern Poverty Law Center as anti-LGBTQ hate groups. It is very clear that these groups have been organizing parents to attack your teacher, school, and district for actions that were in full compliance with the law using misinformation, extreme views, and heightened rhetoric. It would be heartbreaking to see these misguided efforts result in changes to your policies, which comply with the law and provide teachers with the tools they need to create safe and secure learning environments that are appropriate for their students. According to California Education Code, parents can only opt their children out of sex education, which does not include discussion in the classroom about gender, sexual orientation, or experiences of family life that reflect the diversity of our state. Policies that establish unnecessary barriers to teachers' discretion in shaping lesson plans, especially when they are specific to a particular student's life and created with the input of that student's family, only undermine the ability of teachers to respond to the needs of their students.

To provide background regarding our request for your commitment to participate in our Safe and Supportive School Index survey, the Index is designed to measure, assess, and make public the efforts of unified school districts to implement existing laws that protect LGBTQ students, to implement programs to protect LGBTQ students from bullying and violence, and to better serve at-risk LGBTQ students.

The Index is aimed at improving the lives of LGBTQ students and school staff by giving school districts the incentive of public transparency to implement programs to improve LGBTQ cultural competency among school employees at all levels. We will publicize the results of the survey, with the hopes of having a clear assessment of where districts are and how we can work together to improve scores in the future.

The survey was developed by a statewide advisory committee made up of LGBTQ organizations who focus on school climate for LGBTQ students, teachers' unions, school districts, civil rights organizations and school board members, with the cooperation of the State Superintendent of Public Instruction.

We hope that you will continue to demonstrate your dedication to supporting all your students, including those who are transgender, and providing them with safe learning environments that further their success in school. In reflection of your dedication to this goal, we ask for your commitment that the district will fully participate in our Safe and Supportive School Index survey, which will be sent to school districts throughout the state.

Thank you for your attention to this matter. If you have any questions or need any additional information, please contact us.

Sincerely,

A handwritten signature in blue ink that reads "Rick Zbur". The signature is fluid and cursive, with the first name "Rick" being more prominent than the last name "Zbur".

Rick Zbur  
Executive Director  
Equality California

cc: Members, Rocklin Academy Board of Directors  
Andrea Thompson, Executive Assistant to Robin Stout