

**Gender Equity
and
Sexual Harassment
Advisory Committee
(GESHAC)**

November 13, 2024

Advisory Committee Purpose, Roles and Responsibilities



Advisory committees serve the Berkeley Unified School District in an **advisory** capacity on matters pertaining to various aspects of the district plans and budgets in collaboration with district staff and other committee members. The scope of which varies depending on committee (see [District Training Committee Resource Website](#))

- ❑ Function as a **thought and accountability partners** to BUSD
- ❑ Focus on **advisement and collaboration** with district staff
- ❑ **Review and monitor implementation** of respective plans, budget and implementation/impact metrics
- ❑ **Provide recommendations** to the Superintendent as appropriate
- ❑ **Liaison and represent** your school communities
 - ❑ Share Information out
 - ❑ Bring Information in

Agenda

- 6:00 - 6:10** Roll Call of Committee Members
- 6:10 - 6:30** California State of Affairs & BUSD
Federal Funding
- 6:30 - 6:50** BUSD Policy and Regulation
- 6:50 - 7:10** Trans & Gender Expansive Needs
Assessment
- 7:10 - 7:25** School Site Supports
- 7:25 - 7:30** Next Steps



Our Mission

Enable and inspire our diverse student body to achieve academic excellence and make positive contributions to our world.

Superintendent's Gender Equity and Sexual Harassment Advisory Committee (GESHAC)

The Superintendent's Gender Equity and Sexual Harassment Advisory Committee (GESHAC) plays a key role in supporting the district to achieve its mission by providing an open forum for discussing issues related to gender equity that affect students in BUSD. The Committee receives updates on BUSD programs and initiatives, reviews anonymous data on equity issues, and makes annual recommendations to the Superintendent on areas of growth in the district's ongoing efforts to create an equitable learning environment for all students.



A message from me!



ENIKIA FORD-MORTHEL

Superintendent

Berkeley Unified School District

"Redwood tree roots do not spread enough to support their stature. Alone, a storm would knock them over easily. In order to survive & thrive, Redwood roots interlock with neighboring roots, creating an unbreakable bond that can withstand the strongest of storms - together." *#BerkeleyTogether*



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EXCELLENCE

EQUITY

ENGAGEMENT

ENRICHMENT

**Resolution 25-011 Reaffirming Support for
Transgender and Gender Expansive Children and Youth**

WHEREAS, Title IX of the Education Amendments of 1972 prohibits exclusion or discrimination on the basis of sex under any education program; and,

WHEREAS, Executive Order 13988 issued on January 20, 2021 affirms that discrimination against transgender individuals is discrimination on the basis of sex and that, "Children should be able to learn without worrying about whether they will be denied access to the restroom, the locker room, or school sports;" and,

WHEREAS, the U.S. Supreme Court in its June 15, 2020 decision in *Bostock v. Clayton County* held that discrimination on the basis of an individual's status as gay or transgender constitutes sex discrimination within the meaning of Title VII of the Civil Rights Act of 1964; and,

WHEREAS, the U.S. Department of Education and the U.S. Department of Justice have recognized that the Supreme Court's reasoning in the *Bostock* decision applies to Title IX of the Education Amendments of 1972 (Title IX), and that Title IX prohibits discrimination against and harassment of students and school employees based on their gender identity and sexual orientation; and,

WHEREAS, California Education Code § 201(b) obliges California public schools to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity; and,

WHEREAS, California Education Code § 220 prescribes that no person shall be subjected to discrimination on the basis of gender, gender identity, gender expression, and/or sexual orientation in any program or activity conducted by Berkeley Unified School District as an educational institution that receives, or benefits from, state financial assistance; and,

WHEREAS, California Education Code § 221.5(f) requires that students be permitted to participate in sex-segregated school programs, activities, and use facilities consistent with their gender identity, without respect to the gender listed in a students' records; and,

WHEREAS, California Fair, Accurate, Inclusive and Respectful (FAIR) Education Act as outlined in California Education Code § 51204.5 requires inclusion of the contributions of LGBTQ+ Americans 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; and,



THEREFORE BE IT RESOLVED that Berkeley Unified School District affirms, supports, and values the gender identities and gender expressions of all our students and will continue to further efforts in our schools to create a welcoming, safe, and inclusive learning environment for our transgender, nonbinary, and all LGBTQ+ students; and,

BE IT FURTHER RESOLVED that Berkeley Unified School District reaffirms its commitment to supporting transgender and gender expansive children and youth...

BE IT FURTHER RESOLVED, that Berkeley Unified School District commits to ensuring that all-gender facilities are priorities in the design and construction of all future facilities projects; and,

BE IT FURTHER RESOLVED, that Berkeley Unified School District will build upon Berkeley Unified School District Resolution 21-041 Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month by designating October as LGBTQ+ history month and recognizing March 31 as International Transgender Day of Visibility; and,

BE IT FURTHER RESOLVED, that Berkeley Unified School District approves students' participation in the Day of Silence, a demonstration against bullying and harassment of LGBTQ students in schools held on a Friday in April every year; and,

IT IS FINALLY RESOLVED that Berkeley Unified School District rejects any legislation or action that dehumanizes, marginalizes, or violates the rights of transgender, nonbinary, and all LGBTQ+ students in our community and beyond.



California State of Affairs



- Cal Ed Code 202: California schools must create an equitable learning environment where all pupils, including lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils and Black, Indigenous, and other pupils of color feel welcome, including through honest discussions of racism, the history of slavery in our society and in California, and the diversity of gender and sexual orientation that reflects the lived reality of those pupils. Censorship of LGBTQ authors or materials is violatio of law.
- Cal Ed Code 220: prohibits discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic ... including immigration status.
- Cal Ed Code 221.5 (f) permits students to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with their gender identity, irrespective of the gender listed on the pupil's records.
- Cal Ed Code 35292.5: On or before July 1, 2026, each school district... for each of its schoolsites...Provide and maintain at least one all-gender restroom for pupil use
- Cal Ed Code Sex Equity in Education Act [221.5 - 231.7] - incorporates Title IX

California State of Affairs




- Cal Ed Code 51204.5: Also known as the Fair, Accurate, Inclusive, and Respectful (FAIR) Education Act, this section requires the inclusion of LGBTQ Americans in California and U.S. history.
- Cal Ed Code 51932: sex ed opt out provision does not apply to instruction, materials, presentations, or programming that discuss gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and do not discuss human reproductive organs and their functions
- Cal Ed Code 51933: sex ed shall affirmatively recognize that people have different sexual orientations and inclusive of examples of same-sex relationships. It shall also teach pupils about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes.
- Cal Ed Code 218.3: commencing with 25/26 school year, districts will be required provide at least one hour of annual training to teachers and other certificated employees on LGBTQ cultural competency.
- AB 1955: commencing January 1, 2025, An employee or a contractor of a school district...shall not be required to disclose any information related to a pupil's sexual orientation, gender identity, or gender expression to any other person without the pupil's consent unless otherwise required by state or federal law.

What we know so far:

- Governor Newsom convenes a special session of the Legislature to protect California values
 - The special session will begin December 2
- California schools chief Tony Thurmond pledges to resist cuts in funding if Trump axes U.S. Dept. of Education
 - First line of defense is Congress and recommitment to public education
 - California Department of Education is also preparing for a worst-case scenario: prepared to introduce legislation that would backfill funding for special education programs, Title I programs and programs that are similar in its scope
- ATIXA does not foresee any actual dismantling of the U.S. Dept. of Education in the next four years
 - underfunding and politicization - yes!
 - However, even if DoE were dismantled, the federal government is still obligated to carry out the DoE programs that have been authorized by Congress.
 - Even if the commitment to civil rights falters at the federal level, we still have state civil rights laws

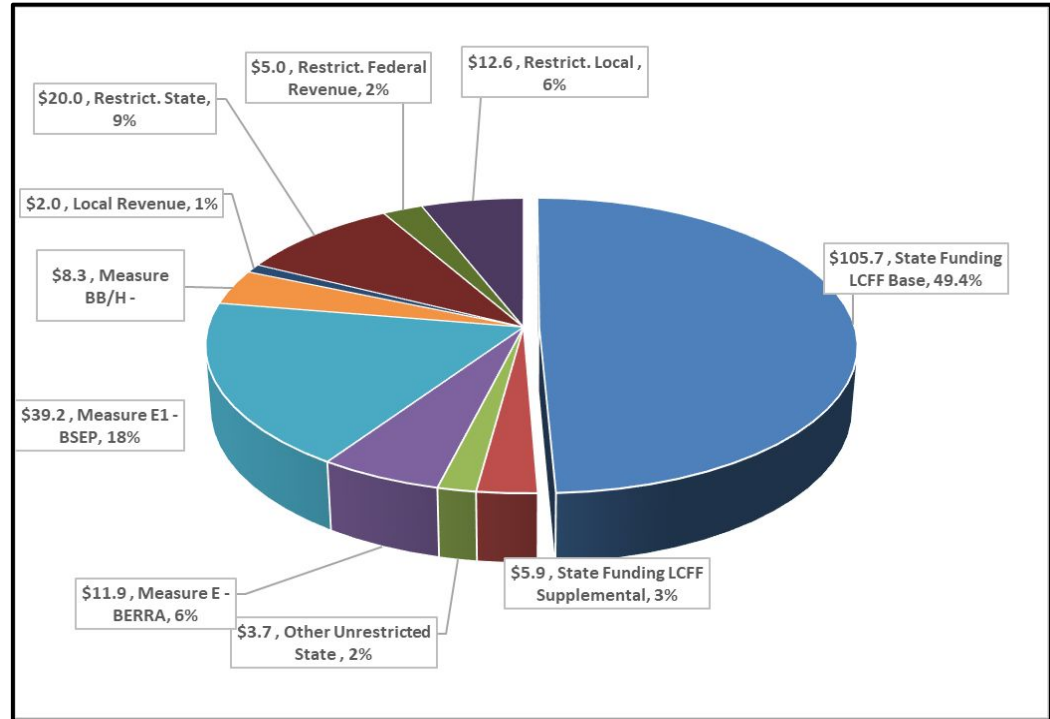


Understanding Federal Funding

- Title I: Economically Disadvantaged
 - IDEA: Special Education Services
 - Head Start: Early Education
 - Title II: Professional Development for Educators
 - Title III: English Language Learners
 - Title IV: Student Support and Academic Achievement
 - ESSA: Every Student Succeeds Act
 - Nutrition & Safety
 - E-Rate Technology
- 

BUSD's General Fund Budget

BUSD Revenue 2024-25 Adopted Budget		
LCFF Revenue	\$111.5	52.1%
State Funding LCFF Base	\$105.7	49.4%
State Funding LCFF Suppleme	\$5.9	2.7%
Other State Revenue	\$23.7	11.1%
Other State	\$3.7	1.7%
Restrict. State	\$20.0	9.3%
Parcel Taxes	\$59.3	27.7%
Measure E - BERRA	\$11.9	5.5%
Measure E1 - BSEP	\$39.2	18.3%
Measure BB/H - Maint.	\$8.3	3.9%
Local Revenue	\$14.6	6.8%
Other Local Revenue	\$2.0	0.9%
Restrict. Local	\$12.6	5.9%
Federal Revenue	\$5.0	2.3%
Total	\$214.1	100.0%



BUSD Federal Funding

Description	Resource Codes	Object Codes	2023-24 Estimated Actuals			2024-25 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
FEDERAL REVENUE									
Maintenance and Operations		8110	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Special Education Entitlement		8181	0.00	2,348,831.00	2,348,831.00	0.00	2,009,207.00	2,009,207.00	-14.5%
Special Education Discretionary Grants		8182	0.00	201,931.00	201,931.00	0.00	134,960.00	134,960.00	-33.2%
Child Nutrition Programs		8220	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Donated Food Commodities		8221	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Forest Reserve Funds		8260	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Flood Control Funds		8270	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Wildlife Reserve Funds		8280	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
FEMA		8281	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Interagency Contracts Between LEAs		8285	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Pass-Through Revenues from Federal Sources		8287	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Title I, Part A, Basic	3010	8290		1,272,076.00	1,272,076.00		1,230,000.00	1,230,000.00	-3.3%
Title I, Part D, Local Delinquent Programs	3025	8290		0.00	0.00		0.00	0.00	0.0%

BUSD Federal Funding (Cont.)

Description	Resource Codes	Object Codes	2023-24 Estimated Actuals			2024-25 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Title II, Part A, Supporting Effective Instruction	4035	8290		303,745.00	303,745.00		265,000.00	265,000.00	-12.8%
Title III, Immigrant Student Program	4201	8290		27,972.00	27,972.00		27,500.00	27,500.00	-1.7%
Title III, English Learner Program	4203	8290		221,284.00	221,284.00		131,200.00	131,200.00	-40.7%
Public Charter Schools Grant Program (PCSGP)	4610	8290		0.00	0.00		0.00	0.00	0.0%
Other NCLB / Every Student Succeeds Act	3040, 3060, 3061, 3110, 3150, 3155, 3180, 3182, 4037, 4123, 4124, 4126, 4127, 4128, 5630	8290		264,728.00	264,728.00		71,116.00	71,116.00	-73.1%
Career and Technical Education	3500-3599	8290		66,363.00	66,363.00		58,038.00	58,038.00	-12.5%
All Other Federal Revenue	All Other	8290	0.00	2,478,033.00	2,478,033.00	0.00	1,026,244.00	1,026,244.00	-58.6%
TOTAL, FEDERAL REVENUE			0.00	7,184,963.00	7,184,963.00	0.00	4,953,265.00	4,953,265.00	-31.1%

BUSD Policy and Regulation



- [BP 0410 – Nondiscrimination in District Programs and Activities](#)
- [BP 5145.7 – Sex Discrimination and Sex-Based Harassment \(retitled\)](#)
- [AR 5145.7 – Sex Discrimination and Sex-Based Harassment \(retitled\)](#)
- [AR/E\(1\) 5145.71 – Sex Discrimination and Sex-Based Harassment Complaint Procedures](#)
- [BP 5157 Gender Identity and Access](#)
- [AR 5157 Gender Identity and Access](#)
- [BP 5159 Transgender and Gender Non-Conforming Students](#)
- [AR 5145.3 Transgender and Gender Non-Conforming Students](#)

Trans & Gender Expansive Needs Assessment

- Pilot conducted in May of 2024 @ BHS
 - *What would you say are the top three current needs of trans and nonbinary students in the BUSD?*
 - *What are the main obstacles to your learning in school as a trans or nonbinary student?*
 - *What feels difficult/makes your life challenging at school?*
 - *What resources or individuals are currently helping to address your needs at school?*
 - *Do you have suggestions for actions the district can take to better meet the needs of trans and nonbinary students?*
 - *What do you hope for?*
- Looking ahead
 - *Expand to include more students & more schools*
 - *Determine how to use data already collected*



School Site Supports



- Welcoming Schools site liaisons @ elementary schools
 - Promoting the Teaching of WS Lessons
 - Parent Education
 - Staff Professional Development
 - Bulletin Board
 - Commemorate Pride - Rainbow Fridays and special days!
 - Attend monthly coordination meetings with TSA - Wellness
- Expand Welcoming Schools to middle schools?
- Support establishment of student clubs, where they do not exist?
- Build allyship / establish school ally?



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

LGBTQ School Liaison

Goal: To Create a welcoming and supportive environment for LGBTQ students in Oakland.

LGBTQ Liaison will complete the following tasks by the end of the school year.

Attend meetings

- Orientation: September
- Mid-Year: January
- GSA Day: May

Lead and hold weekly (or bi-weekly) GSA Meetings

- Advertise Gender and Sexuality Alliance (GSA) club
- Identify regular time/location for GSA meetings
- Facilitate meetings; whenever possible co-facilitate with GSA student leader

With the GSA Coordinate 1 School Event

- 1 classroom educational/awareness event OR
- 1 school-wide awareness event.

Possible Event Themes:

- | | |
|----------------------------------|-----------------------|
| ▪ National Coming Out Day | ▪ Mix it up Day |
| ▪ Transgender Day of Remembrance | ▪ Harvey Milk Day |
| ▪ LGBTQ History Month | ▪ Day of Silence |
| | ▪ GSA Developed Event |

Administrative Duties

- Complete online logs to document activities *
- Provide a presentation at a faculty meeting regarding the goal and expectations of the LGBTQ Liaison and laws and policies that support the work. Slides provided.

Assist in Communication and Support of the following Policies:

- Seth's Law
- District Transgender Policy
- CA Student Safety and Violence Prevention Act (AB537)



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Welcoming School Liaisons

Attend meetings:

- Monthly coordination meetings

Coordinate School Event:

- Provide resources to celebrate LGTBQ history month, Harvey Milk Day
- Initiate Rainbow Friday
- Help organize Rainbow families and friends groups
- Commemorate Pride
- Maintain WS Bulletin Board

Professional Development:

- At least two professional development days on Welcoming Schools training
- Support teachers in making WS lessons
- Work with librarian to feature books on WS-related topics

Family Supports:

- At least one parent education night

Add on:

- Be a resource on District policies and procedures

School Site Focal Points

Berkeley Arts Magnet	Rainbow Families	Jacob Zaragoza (WSL) Ruby Palmer Ghose (WSL)
Craigmont		Stefanie Wissman (WSL)
Emerson	No club	Elizabeth Medina (WSL)
John Muir	Rainbow Families	Zoe Williams (WSL)
Malcolm X	Rainbow Families	Jayna Milan - Club support Georgia Martin (WSL)
Oxford	No club	Kelley Schwartz (WSL)
Rosa Parks	Rainbow Families	Bridget Brown Kesha McNaulty (WSL)
Ruth Acty	Rainbow Families	Nick Williams (WSL)
Silvia Mendez	Rainbow Families	Erika Englund (WSL)
Thousand Oaks	No club	
Washington	No club	Ashleigh Talbott (WSL)

Upcoming Meetings: December 18, 2024





Berkeley
PUBLIC SCHOOLS

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**THANK
YOU**

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