

Pleasanton Unified School District

AB1266 Fact Sheet

Assembly Bill 1266, the School Success and Opportunity Act, is a piece of legislation that was signed into law by Governor Jerry Brown in August of 2013. The law has gone into effect.

The law prohibits public schools from discriminating on the basis of specified characteristics, including gender, gender identity, and gender expression. Transgender youth face unique challenges and obstacles in schools that may inhibit a student's ability to learn. The School Success and Opportunity Act was written to provide these youth with equal access to educational programs.

Summary of AB 1266 – the School Success and Opportunity Act

- Under AB 1266, a student must be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities, including bathroom facilities, consistent with his or her gender identity and irrespective of the gender listed on the student's records.
- AB 1266 makes clear that students have a right to participate in school extracurricular and athletic activities based upon their gender identity, regardless of their biological sex.
- AB 1266 thus extends existing protections and rights for students based upon gender identity, while also implicitly narrowing Education Code section 231's directive that schools may maintain separate restrooms, and other facilities, and require use of such facilities on the basis of a student's biological sex.
- AB 1266 provides a statutory right for a student to use the relevant facilities based solely upon gender identity.

The text of the School Success and Opportunity Act does not address what conditions, if any, may be placed upon a student's use of bathroom and locker room facilities when students of the opposite biological sex are present. The District will ensure that sites will provide access to use of a private area in the public area (i.e. a nearby restroom stall with a door, an area separated by a curtain, a P.E. instructor's office in the locker room, or a nearby gender neutral restroom) for *any students* who express a need for additional privacy. Requests will be handled on a case by case basis. The District will take all necessary steps to ensure student safety.

Several districts in the state have implemented these practices before the passage of AB 1266, some for many years, and report no problems or incidents as a result. The District expects that will be the case here, as well. For any additional questions or concerns regarding the School Success and Opportunity Act, please contact Student Services at 925 426-4290.