

# FREE TO LEARN, FREE TO BE

## Questions to Ask School Board Candidates in California School District Races

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### Overview

California school boards are responsible for the operation of their school district and school board members have the authority to set the policies for their district and decide on funding priorities.

2024 is an election year and many Californians will see school board candidates on their ballot. This guide is for families, students, and advocates to engage these candidates on issues related to **equity, inclusion, access, and government transparency** in California schools. In this guide, we provide questions to ask school board candidates on several topics related to these issues and give ideas on policy solutions related to each question.

At the ACLU, we believe students in California's public schools have the freedom to learn, and the freedom to be themselves, and that school districts should be transparent and accountable to the people. This means:

- We recognize that policies and practices rooted in systems of oppression, including white supremacy,<sup>1</sup> settler colonialism,<sup>2</sup> and patriarchy,<sup>3</sup> are harmful to children and adults. We must prioritize policies and practices that dismantle these systems.
- All students, regardless of race, gender, sexual orientation, immigration status, disability, and economic status, deserve to be safe and supported in school.
- Schools should be centers of learning, where educators provide students with the education and resources they need to learn, be creative, be healthy, and feel safe.
- Classroom lessons, instructional materials (such as textbooks), and library resources should honestly and accurately reflect history and our world.
- Students' mental health and well-being is critical to student success. School policies, practices, and procedures should align with this important student need.
- School board meetings must be accessible to the public so students, families, school staff, and community members can attend and participate in public school board meetings.

1 **"White supremacy"** is the belief in the inherent superiority of white people over Black, Indigenous, and People of Color (BIPOC), which sustains a system of power that privileges white individuals. It involves practices and institutions that enforce this racial hierarchy, ensuring that white people receive economic, political, social, and cultural benefits at the expense of non-white individuals

2 **"Settler colonialism"** is an ongoing process upon which our entire society is structured. Settler-colonialism violently tears Indigenous people from the land and turns that land into property to be used as a resource and extracted from. That rupture from the land is ongoing violence against Indigenous people.

3 **"Patriarchy"** is "a political-social system that insists that males are inherently dominating, superior to everything and everyone deemed weak, especially females, and endowed with the right to dominate and rule over the weak and to maintain that dominance through various forms of psychological terrorism and violence." bell hooks, *The Will to Change: Men, Masculinity, and Love* (2004).

## Ask the Candidate

<b>Will you ensure that schools provide honest, accurate, and inclusive lessons and textbooks to students, especially in the social sciences, including history?</b>	
<b>Why this matters:</b>	<b>A good response:</b>
<p>The Fair, Accurate, Inclusive, and Respectful (FAIR) Education Act requires schools to teach about the historical role and contributions of people of all genders and different ethnic, cultural, religious, and socioeconomic groups, including Native Americans, African Americans, Latines, Asian Americans, Pacific Islanders, European Americans, LGBTQ+ people, and people with disabilities.</p> <p>Across the country, including in California, some school board members and interest groups are creating policies that would compel teachers to teach social sciences or history in ways that erase people, events, facts, or the voices of communities impacted by a historical event.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Acknowledges that students should learn about history without excluding diverse voices, historical figures from various communities, or events.</li> <li><input type="checkbox"/> Affirms students' right to a welcoming, safe, inclusive, and bias-free learning environment. It should also highlight that students learn better when they feel represented and seen in the work they are doing in the classroom and that learning about people with experiences different from their own equips students with critical thinking skills and builds empathy.</li> </ul>
<b>Will you ensure that our students have access to honest, accurate, and inclusive lessons and books related to LGBTQ+ people and topics?</b>	
<b>Why this matters:</b>	<b>A good response:</b>
<p>By ensuring that LGBTQ+ inclusive curricula and learning materials are accessible, and implementing policies that include and celebrate rather than stifle and stigmatize the LGBTQ+ community, California schools can create welcoming and inclusive learning environments for all students to succeed, as required by California law.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Denounces biased and harmful rhetoric that materials by LGBTQ+ authors and about LGBTQ+ communities are somehow inappropriate for students.</li> <li><input type="checkbox"/> A good response may also highlight the role and contributions LGBTQ+ people have made throughout history and continue to make today.</li> </ul>

**California law requires all public schools to teach unbiased, LGBTQ+ inclusive and comprehensive sex ed at least once in middle school and once in high school. Will you ensure that this sex ed is effectively taught in your district?**

**Why this matters:**

California students have the right to comprehensive sex ed that is medically accurate, inclusive, and unbiased. The California Healthy Youth Act (CHYA) requires all public schools to teach developmentally-appropriate comprehensive sexual health and HIV prevention education at least twice—once in middle and once in high school. California law also requires sex ed to include information for young people about rights and resources to access sexual and reproductive health care.

By providing students with high quality, medically accurate, and LGBTQ+ inclusive sex ed, school districts can give students the knowledge and confidence to recognize, build, and maintain relationships that are safe and based on mutual affection.

In doing so, school districts can improve the health and academic outcomes for all students.

**A good response:**

- Affirms both students’ right to quality, accurate, and inclusive sex ed and a school district’s duty to provide it; agrees that students are able to make healthy and safe decisions when they have access to sex education.
- Acknowledges that a quality and legally compliant sex ed program has to be inclusive and respectful of varying sexual orientations and gender identities, and appropriate for students with disabilities, English language learners, and students of all races and ethnic and cultural backgrounds.
- A great response might highlight the need for districts to go beyond basic compliance and teach sex ed before grade seven, to ensure students can build the knowledge and skills they need early to have positive and safe relationships and behaviors.

**What commitments will you make to retaining and hiring more mental health personnel – like psychologists, counselors, and social workers – and increasing wellness resources like peer counseling programs and wellness centers?**

**Why this matters:**

School counselors, nurses, social workers, and psychologists are frequently the first to see children who are sick, stressed, traumatized, may act out, or may hurt themselves or others. This is especially true in low-income districts where other resources are scarce. Students are 21 times more likely to visit school-based health centers for treatment than anywhere else. Schools that employ more school-based mental health providers see improved attendance rates, lower rates of suspension and other disciplinary incidents, expulsion, improved academic achievement and career preparation, and improved graduation rates. Data shows that school staff who provide health and mental health services to children not only improve the health outcomes for those students, but also improve school safety.

**A good response:**

- Acknowledges the important benefit of mental health programs in schools.
- Encourages retaining or hiring more school-based mental health staff such as counselors, psychologists, nurses, or social workers.
- Encourages student programs such as school-site student support teams, restorative justice programs, and positive behavior intervention and supports (PBIS).

**Research throughout the years has shown that law enforcement presence in schools does not increase school safety. What is your vision for school safety, and does it include police?**

**Why this matters:**

The role of police is to interrogate, detain, and arrest people alleged to have committed crimes. Their role in schools is no different.

Data shows that, despite school districts pouring millions of dollars into campus police programs, there is little to no credible evidence that they increase school safety and instead undermine school climate and criminalize students. The data also shows that police are called on very young children far too often; in 2019, for example, the 15 largest law enforcement agencies alone stopped 241 children who were age 9 or younger.

Children deserve schools where the priority is their education.

**A good response:**

- Acknowledges that police in schools harms students.
- Acknowledges that school safety efforts include having policies and practices that protect students from bullying and harassment and having personnel like counselors, psychologists to ensure students have trusted adults they can reach out to when problems arise.
- Acknowledges that law enforcement should only be called when there is a real and imminent threat of serious bodily injury or to life.

**If school staff become aware of a student’s LGBTQ+ identity, should they be required to notify the student’s parents even if the student is not ready or does not feel safe sharing that information?**

**Why this matters:**

Deciding how and when to come out is a deeply personal decision that every LGBTQ+ person deserves to make for themselves. This is reflected in over a decade of California law and guidance requiring schools to protect LGBTQ+ student safety and privacy, while also allowing limited disclosures to protect student-well-being.

Forced outing policies harm the entire school community—students, parents, families, and educators by removing opportunities to build trust. They also violate state antidiscrimination and privacy laws, as well as educators’ affirmative obligations to provide an affirming and inclusive learning environment. Additionally, while educators already work to support and encourage students to come out at home, forcing students to come out before they are ready can expose them to serious physical or emotional abuse and/or family rejection.

**A good response:**

- Affirms student privacy rights and especially those of trans, non-binary, and gender-nonconforming students.
- Affirms the variety of gender identities and expressions and a student’s right to explore and figure out what is best for them on their own time.
- Commits to following California law and guidance from the California Department of Education in protecting LGBTQ+ students, including their right to privacy.
- Asserts that school staff should never out a student without their consent, and should always honor a student’s request to use a different name or pronouns, and access school facilities that best match their gender.
- Understands the school’s role to support students where they are, including working with them towards coming out at home.

**Many teachers, students, and families find it difficult to attend school board meetings held during regular business hours. Will you commit to advocating for school board meeting times that accommodate the public, including teachers, as much as you can?**

**Why this matters:**

Teachers, students, and their families have a lot at stake in the decisions that school boards make. They also have important insight that can help guide school board meetings. When school board meetings are scheduled during school hours or when family members are most likely to be working, it deprives them of the opportunity to participate in the public comment process, and also deprives board members of the opportunity to learn the real consequences of their decisions.

**A good response:**

- Acknowledges that the Board needs to hear from teachers, students, and families at school board meetings and that they are critical voices that the board needs to hear when making policy decisions.
- Acknowledges that its common sense to hold meetings when most stakeholders and impacted members can attend the meetings.
- Acknowledges that increasing public engagement and participation is important. And one simple way to do that is by scheduling the meetings when most people can make them.

**Will you commit to making it easier for community members to participate in school board meetings by providing as many options for comment as possible, including the option to submit written comments before and during a school board meeting, remotely via online platforms, like Zoom, and providing in-person public comment?**

**Why this matters:**

School boards meetings must allow the public to weigh in on important issues through a public comment process. Sometimes, educators, students, and family members cannot attend school board meetings in person. Allowing them to submit written comments increases access for all. Limiting the written comment period to a time before the meeting starts would needlessly prevent community members from weighing in if they do not have time to prepare and submit their comments in advance.

During the pandemic, local governments allowed people to give comments at meetings from home, using platforms like Zoom or by phone. This made it easier for community members to participate in board meetings and increases access for all.

**A good response:**

- Acknowledges that public input in the form of public comments—whether written, virtual, or in person—is important and vital to the Board’s decision-making.
- Acknowledges that public participation at school board meetings is important and that not every parent, student, or community member can take time from work, find childcare, or find transportation to attend a meeting in person.
- Acknowledges that not everyone can participate in person or even over an online platform like Zoom, but may still want to provide public comment.



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