

OAK GROVE SCHOOL DISTRICT

RESOLUTION NO. 1475-06/24

A RESOLUTION Recognizing the Month of June as National LGBTQ+ Pride Month

WHEREAS, members of the Oak Grove School District Board of Education support the rights, freedoms, and equality of those who are lesbian, gay, bisexual, transgender, and queer (LGBTQ+) as expressed through the Board's unanimous passage of Resolution No. 1403-05/22 during the regular Board Meeting of May 19, 2022 and Resolution No. 1443-06/23 during the Board Meeting of June 15, 2023 titled, "Supporting the rights, freedoms, and equality of those who are lesbian, gay, bisexual, transgender, and queer (LGBTQ+)"; and

WHEREAS, those who took a stand for human rights and dignity at the Stonewall Inn in New York City on June 28, 1969, are among the pioneers within this movement; and

WHEREAS, the LGBTQ+ Stonewall protestors were subject to police harassment and invidious discrimination based on sexual orientation and gender identity; and

WHEREAS, this decisive moment in history was followed by the creation of gay rights organizations in every major city in the United States within two years of the Stonewall uprising; and

WHEREAS, the Stonewall uprising has been followed by many positive progressive historic moments; and

WHEREAS, in December of 1973, the board of the American Psychiatric Association voted to remove homosexuality from its list of mental illnesses; and

WHEREAS, in 1975, the Civil Service Commission eliminated the ban on the employment of the gay community in most Federal jobs; and

WHEREAS, in October of 1979, 75,000 people participated in the National March on Washington for Lesbian and Gay Rights to demand equal civil rights; and

WHEREAS, in May of 1996, in *Romer v. Evans*, the United States Supreme Court decided that a Colorado constitutional amendment preventing the enactment of protections for gays and lesbians in that State was unconstitutional; and

WHEREAS, at the turn of the century in 2000, Vermont became the first State in the country to legally recognize civil unions between gay and lesbian couples; and

WHEREAS, on April 8, 2003, the federal Ninth Circuit Court of Appeals ruled, in a case brought by local, Santa Clara County students (*Flores v. Morgan Hill Unified School District*, 324 F.3d 1130 [9th Cir. 2003]), that school district staff were responsible for maintaining safe school environments and for equitable enforcement of nondiscrimination statutes and policies; and

WHEREAS, on June 26, 2003, the Supreme Court of the United States ruled in *Lawrence v. Texas*, that under the 14th amendment, States could not criminalize the private, intimate relationships of same-sex couples; and

WHEREAS, on October 28, 2009, the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was passed by Congress and signed into law by President Obama; and

WHEREAS, the bill expanded existing Federal hate crimes laws to include crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity, or disability; and

WHEREAS, in December of 2010, Congress approved and President Obama signed the repeal of the “Don't Ask, Don't Tell” law, allowing gays, lesbians, and bisexuals to serve openly in the United States Armed Forces; and

WHEREAS, the FAIR Education Act, SB 48 (Leno), was signed into law on July 14, 2011, and went into effect on January 1, 2012. It amends the California Education Code to include the Fair, Accurate, Inclusive and Respectful reference to contributions by people with disabilities and members of the LGBTQ community in history and social studies curriculum; and

WHEREAS, the year 2012 marked the first year that all 50 States in the United States had at least one openly LGBTQ+ elected official; and

WHEREAS, on June 26, 2013, the United States Supreme Court ruled, in *United States v. Windsor*, that section 3 of the Defense of Marriage Act (DOMA) was unconstitutional and that the Federal Government cannot discriminate against married lesbian and gay couples for the purposes of determining Federal benefits and protections; and

WHEREAS, on July 21, 2014, President Obama took action to protect LGBTQ+ workers by signing an Executive order prohibiting Federal contractors from discriminating on the basis of sexual orientation or gender identity; and

WHEREAS, on June 9, 2015, the United States military's equal opportunity policy was updated to protect LGBTQ+ service men and women from harassment and discrimination; and

WHEREAS, on June 26, 2015, the United States Supreme Court in the case of *Obergefell v. Hodges* decided by a vote of 5–4 that the 14th amendment requires all States to license marriages between same-sex couples and to recognize all marriages that were lawfully performed out of State; and

WHEREAS, on July 2015, the Equality Act was introduced on July 23, 2015, by Congressman David Cicilline with bipartisan support, as the first comprehensive civil rights bill, which amends the Civil Rights Act of 1964 to include sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation in places of public accommodation; and

WHEREAS, on July 17, 2015, the United States Equal Employment Opportunity Commission ruled that discrimination based on sexual orientation is sex discrimination as outlined in title VII of the Civil Rights Act; and

WHEREAS, on May 13, 2016, the U.S. Departments of Justice and Education released joint guidance to help provide educators the information they need to ensure that all students, including transgender students, can attend school in an environment free from discrimination based on sex; and

WHEREAS, in the 2017-2018 school year, Franklin-McKinley School District, a comparable and neighboring K-8 district to the Oak Grove School District, updated restroom signage across all schools to create all-inclusive restrooms for children; and

WHEREAS, on June 1, 2018, Franklin-McKinley School District, a comparable and neighboring K-8 district to the Oak Grove School District, raised the Pride flag; and

WHEREAS, on June 17, 2021, President Biden and the Department of Justice moved to protect the rights of Transgender young people against discriminatory state legislation; and

WHEREAS, on June 16, 2021, Department of Education says Title IX protections apply to LGBTQ+ students; and,

WHEREAS, in accordance with Assembly Bill 493 (AB 493), on school site and community resources for the support of LGBTQ+ students improves overall school climate; and

WHEREAS, LGBTQ+ students deserve a safe educational space and schools are responsible for creating an educational environment that promotes a sense of belonging for all students including LGBTQ+ students, and,

WHEREAS, the 2017 Project Cornerstone data reported that 7% of Santa Clara County students identified as LGBTQ+ and LGBTQ+ youth were found to be 3 times more likely to attempt suicide, 1.5 times more likely to abuse drugs and alcohol, and only 11% felt valued by the community; and

WHEREAS, in 2019, a GLSEN school climate report revealed that 86% of LGBTQ+ youth reported being harassed or assaulted at school; and,

WHEREAS, the Oak Grove School District created the district-wide Diversity, Equity, Inclusion and Belonging (DEIB) Committee in 2019 to advance equity throughout the district and increase the sense of belonging for all students and staff through DEIB initiatives and policy recommendations as well as the LGBTQ+ subcommittee to advance the needs of Oak Grove School District LGBTQ+ staff and students in 2022; and

WHEREAS, the Oak Grove School District adopted a revised Equity Board Policy in 2022 to help the Oak Grove School District Board of Education “make decisions with a deliberate awareness of the unique supports needed by historically marginalized and underrepresented groups, such as, but not limited to LGBTQ+ students, students of all abilities, students of color and students from diverse cultural, linguistic, religious, or socio-economic backgrounds”; and

THEREFORE, BE IT RESOLVED, that the Oak Grove School Board of Education does hereby proclaim the month of June 2024 as Pride Month and every June in perpetuity and that all educational sites be encouraged to recognize the contributions of LGBTQ+ Americans through our curriculum and activities throughout the year in compliance with California law such as the FAIR Education Act of 2011; and.

BE IT FINALLY RESOLVED, that the Oak Grove School District renews its commitment to the safety, well-being, and teaching of LGBTQ+ Americans.

PASSED AND ADOPTED by the governing Board of the Oak Grove School District this 13th day of June, 2024, by the following vote:

AYES: C. Hernandez, D. Martinez, J. Pacheco Jr, Berja Gonzalez

NOES: None

ABSENT: T. Jacob

ABSTAIN: None

I hereby certify that the above is a true copy of a resolution adopted by the Oak Grove School District Board of Trustees at a regular meeting as stated above.



Board President/Clerk

Board of Trustees

Oak Grove School District