

Date of Hearing: March 20, 2024

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 2046 (Bryan) – As Introduced February 1, 2024

**SUBJECT:** Educational programs: single gender schools and classes

**SUMMARY:** Authorizes a school district with an average daily attendance (ADA) of 250,000 or more to maintain any single gender schools and classes that were enrolling pupils as of July 1, 2017, provided specified conditions are met, until July 1, 2035. Specifically, **this bill:**

- 1) Authorizes a school district with an ADA of 250,000 or more pupils, and a charter school authorized by a school district with an ADA of 250,000 or more to maintain any single gender schools and classes that were enrolling pupils as of July 1, 2017, provided that the governing board of the school district has adopted a policy that addresses how the school district will ensure compliance with Title IX regulations. (34 C.F.R. Part 106)
- 2) Extends the authorization to maintain any single gender schools and classes, as specified, until July 1, 2035.

**EXISTING LAW:**

Federal law:

- 1) Prohibits discrimination on the basis of sex in any federally funded educational program or activity. (Title IX of the Education Amendments of 1972)
- 2) Makes an exception to the general prohibition against sex discrimination for non-vocational classes or extracurricular activities in an elementary or secondary school if:
  - a) Each single-sex class or extracurricular activity is based on the recipient's important objective to:
    - i) Improve educational achievement of its students, through a recipient's overall established policy to provide diverse educational opportunities, provided that the single-sex nature of the class or extracurricular activity is substantially related to achieving that objective; or
    - ii) Meet the particular, identified educational needs of its students, provided that the single-sex nature of the class or extracurricular activity is substantially related to achieving that objective.
  - b) The school implements its objective in an evenhanded manner;
  - c) Student enrollment in a single-sex class or extracurricular activity is completely voluntary; and

- d) The recipient provides to all other students, including students of the excluded sex, a substantially equal coeducational class or extracurricular activity in the same subject or activity. (34 CFR 106.34)
- e) Provides an exception to (d) for a non-vocational public charter school that is a single school local educational agency (LEA) under state law.

State law:

- 1) Authorizes a school district with an ADA of 250,000 or more pupils to maintain any single gender schools and classes that were enrolling pupils as of July 1, 2017, provided that the governing board of the school district has adopted a policy that addresses how the school district will ensure compliance with Title IX regulations (34 C.F.R. Part 106), as they read on October 25, 2006. (Education Code (EC) 232.2)
- 2) Authorizes a charter school authorized by a school district with an ADA of 250,000 or more pupils to be maintained as a single gender school or may maintain single gender classes, only if, as of July 1, 2017, the school operated as a single gender school or operated single gender classes, provided that the governing body of the charter school has adopted a policy that addresses how the charter school will ensure compliance with Title IX regulations (34 C.F.R. Part 106), as they read on October 25, 2006. (EC 232.2)
- 3) States that these requirements remain in effect only until January 1, 2025, and as of that date are repealed. (EC 232.6)
- 4) Requires a school continuing to operate as a single gender school, as specified, to not have a total pupil enrollment exceeding 700 pupils.
- 5) Requires a coeducational school maintaining existing single gender classes, as specified, to not have a total pupil enrollment exceeding 1,000 pupils.
- 6) Requires any corrective action ordered by the California Department of Education (CDE) before July 1, 2017, and applicable to a school maintained, as specified, to remain in effect.
- 7) Requires a policy adopted pursuant (1) and (2), above, to include, but not necessarily be limited to, all of the following requirements:
  - a) The single gender aspect of the school or classes will serve an important school district or charter school objective to do either of the following:
    - i) Improve the educational achievement of its pupils through the school district's or charter school's overall established policy to provide diverse educational opportunities, provided that the single gender nature of the school or classes is substantially related to achieving that objective; or
    - ii) Meet the particular, identified educational needs of its pupils, provided that the single gender nature of the school or classes is substantially related to achieving that objective.

- b) The school district or charter school will implement its objective in an evenhanded manner;
  - c) Pupil enrollment in a single gender school or classes will be voluntary; and
  - d) The school district or charter school will provide to pupils of both genders a substantially equal coeducational class, extracurricular activity, or program in the same subject, except a nonvocational charter school that is a single school that is not part of a network or chain of charter schools or a charter school management organization that has more than one school. (EC 232.2)
- 8) Requires a school district that maintains an existing single gender school or classes or a charter school that is an existing single gender school or that continues existing single gender classes, as specified, to conduct the following evaluations at least once every two years:
- a) An evaluation of whether the single gender aspect of the school or classes is based upon genuine justifications and does not rely on overly broad generalizations about the different talents, capacities, or preferences of either gender and that the single gender nature of the school or classes is substantially related to the achievement of the important objective for the school or classes;
  - b) An evaluation that examines whether the single gender school or class has been effective as compared to coeducational schools; and
  - c) An evaluation of the impact of the single gender school or class on pupils who identify as lesbian, gay, bisexual, transgender, questioning, or gender nonconforming.
- 9) Requires the metrics that the school district or charter school will use to evaluate the single gender school or class to be included in the policy adopted pursuant (1), above, and requires the evidence in the evaluation to include, but not be limited to, the evidence described in the United States Department of Education's Office for Civil Rights "Questions and Answers on Title IX and Single-Sex Elementary and Secondary Classes and Extracurricular Activities" of December 1, 2014.
- 10) Requires the school district or charter school to submit the findings of the evaluations required pursuant to (1), above, to the Senate Committee on Education, the Assembly Committee on Education, the Assembly Committee on Judiciary, the Senate Committee on Judiciary, and the CDE. In the event that the CDE finds that one or more of the single gender schools or single gender classes fails to comply with the requirements of Title IX regulations (34 C.F.R. Part 106), as they read on October 25, 2006, requires the CDE to order corrective action up to and including requiring that the school or classes become coeducational.
- 11) Requires, except as specified, that no public elementary or secondary school, including a charter school, to operate as a single gender school or with single gender classes. (EC 232.4)
- 12) Prohibits discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code,

including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid. (EC 220)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***Need for the bill.*** According to the author, “In 2017, AB 23 paved the way for single-gender classes and schools as a pilot program in Los Angeles. This innovative approach expanded educational opportunities and aligned with community goals by creating focused school programs. These programs aimed to enhance the representation of women and minorities in critical fields such as science, technology, engineering, mathematics, and leadership—for both boys and girls. Unfortunately, during the years 2020-2022, the pilot program was affected by the COVID-19 pandemic.

“AB 23 initially allowed single-gender schools to operate until January 1, 2025, with evaluations conducted at least once every two years. The evidence from these independent evaluations demonstrates great results. GALA students consistently outperform their peers on standardized assessments, BALA students achieve higher GPAs, and both GALA and GALS LA foster an inclusive environment where LGBTQ+ students feel accepted. Student surveys reveal higher levels of happiness and belonging within these schools compared to other co-ed schools in the district.

“AB 2046 will continue to empower students, promote diversity, and contribute to educational excellence by providing the pilot program more time to collect data.”

***Single gender schools in the Los Angeles Unified School District (LAUSD).*** AB 23 (Ridley-Thomas), Chapter 654, Statutes of 2017, authorizes a school district with an ADA of 400,000 or more (note: this was reduced to an ADA of 250,000 or more by SB 913 (Hertzberg), Chapter 920, Statutes of 2022) to maintain any single gender schools and classes that were enrolling pupils as of July 1, 2017, provided specified conditions are met. Therefore, in effect, the LAUSD is the only school district authorized to maintain a single gender school.

The LAUSD maintains the following single gender school sites, all of which existed when the law passed, three of which are LAUSD schools and one is an independent charter school authorized by the LAUSD. In total, the four schools included in the evaluation enrolled 1,787 students, which included 487 males in two of the schools and 1,300 females in three of the schools in 2022-23.

- Boys Academic Leadership Academy (BALA) serves all male students, is co-located on the campus of Washington Preparatory High School, and describes itself as a “STEAM academy with an emphasis on mentorship, leadership and a college pathway in the related fields of STEAM learning.”
- Girls Academic Leadership Academy (GALA) serves all female students, is co-located on the campus of Washington Preparatory High School, and describes itself as a “STEAM academy with an emphasis on mentorship, leadership and a college pathway in the related fields of STEAM learning.”

- Girls Athletic Leadership School Los Angeles (GALS LA) is a charter school serving all female students, is co-located on the campus of Panorama High School with plans to move into a new facility of its own in 2023-24, and describes itself as a “Health and wellness approach in a small school environment to provide a rigorous college-prep middle school program for girls.”
- Young Oak Kim Academy (YOKA) serves male and female students, who are separated by gender in their core academic and physical education classes, and describes itself as a “STEAM middle school focused on college and career readiness.”

Name of School	Year Established	Grade Levels	2022-23 Enrollment	2022-23 % Free or Reduced-Priced Meal	2022-23 Demographics	2021-22 % Chronic Absenteeism
BALA	2017-18	6-12	86	88%	72% African American 26% Hispanic 2% Two or more races	29.2%
GALA	2016-17	6-12	758	38%	26% Hispanic 14% African American 35% White 10% Asian 9% Two or more races 6% Other	14.5%
GALS LA	2016-17	6-8	157	86%	80% Hispanic 11% African American 3% White 0% Asian 1% Two or more races 5% Other	8.7%
YOKA	2009-10	6-8	768	99%	93% Hispanic 0% African American 1% White 1% Asian 0% Two or more races 5% Other	14.1%
LAUSD		TK-12	290,773	81%	76% Hispanic 4% African American 5% White 2% Asian 1% Two or more races 12% Other	40.3%

**Student outcomes.** Student performance is mixed at the single gender schools in the LAUSD, with student groups at some school sites performing better than their matched peers, particularly for female students. According to the 2023 statutorily required evaluation report, *AB 23 (2017)*

*Single Gender Schools Final Evaluation Report*, students at the four LAUSD single gender schools produced the following academic outcomes:

#### Girls Academic Leadership Academy (GALA)

- In 2022, students outperformed their matched peers' English Language Arts (ELA) scores at 6th, 7th, 8<sup>th</sup>, and 11th grades, and were statistically significant for 6th and 7th graders, but not 8th and 11 graders.
- In 2022, students outperformed their matched counterparts in math. In 7th and 11th grade, all average scores (with the exception of 8th grade) met or exceeded the standard.
- In 2021-22, students in 11th and 12th grades took significantly more math or science courses than their matched counterparts.

#### Girls Athletic Leadership School Los Angeles (GALS LA)

- In 2022, students performed substantially better than their matched peers in 7th and 8th grades and met or exceeded standards for ELA.
- In 2022, 6th graders performed better than their peers but had not met the grade level standard in ELA.
- Students performed at higher levels that were statistically significant compared to their matched peers in all grades, though the scores for both groups were below the grade level standard in math.

#### Boys Academic Leadership Academy (BALA)

- In 2022, students performed slightly better than their matched peers in 6th and 7th grades for ELA but the differences were not statistically significant and well below the grade level standard.
- In 2022, for math, while students outperformed their matched peers at all grade levels, both groups were scoring well below the grade level standard.

#### Young Oak Kim Academy (YOKA)

- In 2022, 8th grade male student performance in ELA was higher and statistically significant compared to their matched peers though still somewhat below grade level.
- In 2022, female student performance at YOKA in 2022 indicated that all grades performed no better than their matched peers in ELA and in math, with 8th grade girls at YOKA underperforming their matched peers.

Authors of the 2023 evaluation report noted, "Gaps in statewide testing that were the result of the pandemic were challenges to both data collection and interpretation of assessment data from year to year. In addition, the results from 2022 reflect a wide range of pandemic-related learning issues prevalent across the education sector."

***Evidence of commitment to meeting the needs of individual students.*** According to the 2023, *AB 23 (2017) Single Gender Schools Final Evaluation Report*, student engagement and wellness were strongly supported in single gender schools during the pandemic by utilizing small groups, some of the extracurricular clubs, and offering increased mental health supports. "Though the effect of the pandemic could be felt in all schools, the single gender schools' approach to making adaptations to it demonstrated how a commitment to a vision and mission for student engagement, resulted in strengthened school communities. Enrollment data and [LAUSD] School Experience Survey (SES) results show in large part a trajectory that is sustained over

time, with plans to increase recruitment and enrollment in two of the four schools continuing in 2023-24.” *The Committee may wish to consider* that the SES, administered to students, staff, and parents annually and, according to the LAUSD, is an important aspect of the district’s internal data analysis and school performance measurement system. SES results are used to report on the district’s California Dashboard as its school climate measure. SES student survey results provide a point of comparison to other schools and the district as a whole demonstrating these differences.

According to the evaluation report, throughout the existence of the four LAUSD pilot schools, including the period of distance learning during the COVID-10 pandemic, the vision for the schools is aligned with current practice – as evidenced by the supports provided for the social and emotional learning of students, and an engaged school community. Structural supports embedded in each school’s day-to-day approach (such as strong and very connected advisory groups, the GALS LA series, and BALA’s house system) each show the school’s commitment to how the student community is structured and how well being is emphasized.

**School Experience Survey Student Data.** The following table reflects the results of three components of the 2021-22 SES:

- **Belongingness Composite:** The authors of the evaluation report created a composite measure called “school belongingness,” which consists of an average percentage of students who agree or strongly agree on six related items from the survey. These include:
  - I am happy to be at this school.
  - I feel like I am part of this school.
  - Teachers care if I’m absent from school.
  - I feel accepted for who I am at this school.
  - I feel safe at this school.
  - Kids at this school are kind to each other.
  
- **LGBTQIA+ Acceptance:** LGBTQIA+ (lesbian, gay, bisexual, transgender, and/or queer) students at this school are accepted.
  
- **Overall Social Awareness Composite:** The authors of the evaluation report created a composite measure called “overall social awareness,” which consists of an average percentage of students who agree or strongly agree on five related items from the survey. These include:
  - How often did you compliment others' accomplishments?
  - How well did you get along with students who are different from you?
  - When others disagreed with you, how respectful were you of their views?
  - How clearly were you able to describe your feelings?
  - How carefully did you listen to other people's points of view?

	2021-22 SES Student % Agree or Strongly Agree		
	Belongingness Composite	LGBTQIA+ Acceptance	Overall Social Awareness Composite
BALA	68%	47%	59%

GALA	72%	95%	77%
GALS LA	65%	88%	64%
YOKA	65%	70%	62%

***The research on single gender schools is mixed.*** Some studies indicate that students in single gender schools perform better academically than students in coeducational schools, some support the superiority of coeducational schools, and some find no difference. Most research on the topic of single gender schools in the United States took place in the 1990s and early 2000s.

According to a 2004 British Journal of Sociology of Education article, *Effects of Single-Sex Versus Co-Educational Classes and Schools on Gender Differences in Progress in Language and Mathematics Achievement*, of the sample of approximately 4,000 pupils, 330 classes (190 single-sex), 180 teachers and 50 schools (20 single-sex) the results indicated that for boys the gender composition of the *classes* had more impact than the gender composition of the schools, whereas for girls the gender composition of the *schools* was more important. Further, boys made more progress in language (and not in mathematics) in co-educational classes even after taking into account the selective nature of the classes. Girls made more progress for mathematics (but not in language) in single-sex than in co-educational schools. On the other hand, a 2005 American Psychology review of research, *The Gender Similarities Hypothesis*, concluded that single gender schools are based on an “overinflated claim of gender differences” that is not supported by the research and that can reinforce gender stereotypes and biases.

According to a 2014 Psychological Bulletin meta-analysis of 184 studies of both U.S. and international students, *The Effects of Single-Sex Compared with Coeducational Schooling on Students’ Performance and Attitudes*, “Results from the highest quality studies, then, do not support the view that [single gender] schooling provides benefits compared with [coeducational] schooling.” Of the U.S. studies available at the time of the meta-analysis, the study results failed to find substantial advantages of single gender schooling for African Americans and Latinos...there is no evidence of an advantage for SS schooling for U.S. ethnic minorities, but the authors acknowledge that the issue has not been sufficiently studied with high-quality methods.

According to a 2005 document from the U.S. Department of Education, Office of Planning, Evaluation, and Policy Development, *Single-Sex Versus Coeducational Schooling: A Systemic Review*, a “preponderance of studies...yields results lending support to [single gender] schooling,” while a “limited number...provide evidence favoring [coeducational] schooling.” Other studies found no difference. However, the review found that the studies suffered from a “dearth of quality...across all outcomes.” Specifically, many studies had “conceptual or interpretive flaws,” “lacked well-developed hypotheses,” and had hypotheses that “were often not linked directly to the outcomes being studied.”

***Prior pilot program.*** In his 1996 State of the State address, Governor Pete Wilson called for the creation of single gender academies. Later that year, the education budget trailer bill appropriated \$5 million to establish the California Single Gender Academies Pilot Program. The program provided start-up funding for 10 pairs of single gender schools (each pair consisted of one school for boys and one for girls) at the rate of \$500,000 per pair. Grant recipients were authorized to expend the funds over a two-and-a-half period. Although the budget provided



funding for 10 pairs of schools, the CDE received and funded only six proposals for six pairs, or a total of 12 schools.

In the next year, the Governor proposed to re-appropriate \$2 million for second-year funding for the established schools and another \$3 million to expand the program. A staff analysis of the budget request by the Senate Budget Subcommittee #1 on Education questioned the need to appropriate funds for the ongoing costs of the established schools when the pilot program was intended to provide only start-up funding. Moreover, allocating funds on a per-school basis, rather than a per-student basis, resulted in large differences in the amount of funding per student, which ranged from \$8,000 per student for one district to \$2,700 per student in another. The staff analysis also noted that the grant funds tended to be used for ongoing, rather than start-up costs and were typically used for purposes that are not unique to a single gender environment. For these reasons, the Governor's request was denied and no further funding was provided for the pilot program.

The only evaluation of the pilot program was conducted with support from the Ford and Spencer Foundations. According to the 2001 report, *Is Single Gender Schooling Viable in the Public Sector? Lessons from California's Pilot Program*, four pairs of schools closed after two years and one more closed the next year. It is not known when the last pair of schools closed. The report states that the program was hampered by implementation challenges: “[Recipients] had very little time to think about the plan for the single gender academies, engage the support of constituencies, recruit qualified teachers, and advertise the new schooling option for students.” The report also concluded that “single gender academies were not sustainable under California's policy framework.” Specifically, “Most district administrators, concerned about improved literacy, high stakes accountability, and Title IX threats, were quick to terminate their support for single-sex schools.”

***Gender equity and gender stereotyping.*** The 2001 Ford Foundation report also considered the impact of single gender schools on gender equity and gender stereotyping. They found that the teachers and schools in the pilot program attempted to achieve gender equity by offering the same curriculum to boys and girls. But they also found that instructional practices were different, based on perceived differences in learning styles and modalities between boys and girls and questioned whether single gender instruction accommodates gender differences or reinforces gender stereotypes.

***Related legislation.*** SB 913 (Hertzberg), Chapter 920, Statutes of 2022, reduces the threshold of ADA, from 400,000 to 250,000, which provides very large school districts some flexibility relative to several provisions in the EC, thereby reflecting the drop in enrollment in the state's largest school district.

AB 23 (Ridley-Thomas), Chapter 654, Statutes of 2017, authorizes a school district with an ADA of 400,000 or more to maintain any single gender schools and classes that were enrolling pupils as of July 1, 2017, provided specified conditions are met.

SB 416 (Huff), Chapter 538, Statutes of 2015, repeals numerous provisions of the EC for categorical programs that are considered obsolete or unnecessary in light of the passage of the Local Control Funding Formula (LCFF) legislation, including the Single Gender Academies Pilot Program.

*Arguments in support.* The LAUSD, the sponsor of this bill, writes, “AB 23 authorized any school district with an enrollment of at least 400,000 (later reduced to 250,000 through a different bill unrelated to this issue) to offer single gender education until January 1, 2025, as long as certain provisions were met. Among those provisions was the requirement for regular reports to the Legislature assessing the ongoing justification for offering a single gender school, the effectiveness of single-gender schools compared to their co-educational counterparts and the impact of single-gender schools on LGBTQIA+ students. While the results from these reports are promising, the evaluations were substantially impacted by the disruptions of the COVID-19 pandemic. For this reason, we believe it is appropriate to extend the authorization until 2035 to allow for a longitudinal assessment.”

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Charter Schools Development Center  
International Coalition of Girls' Schools  
Los Angeles Unified School District

### **Opposition**

None on file

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