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THIRD READING

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Bill No: AB 10  
Author: Lowenthal (D), et al.  
Amended: 9/1/23 in Senate  
Vote: 21

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SENATE EDUCATION COMMITTEE: 7-0, 6/14/23  
AYES: Newman, Ochoa Bogh, Cortese, Glazer, McGuire, Smallwood-Cuevas,  
Wilk

SENATE APPROPRIATIONS COMMITTEE: 7-0, 9/1/23  
AYES: Portantino, Jones, Ashby, Bradford, Seyarto, Wahab, Wiener

ASSEMBLY FLOOR: 74-0, 5/18/23 (Consent) - See last page for vote

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**SUBJECT:** Pupils: body shaming model policy and resources

**SOURCE:** Author

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**DIGEST:** This bill requires the California Department of Education (CDE), in consultation with stakeholders, on or before June 30, 2024, to develop and post on its internet website a model policy and resources about body shaming that local educational agencies (LEA) may use to educate staff and pupils about the issue of body shaming.

**ANALYSIS:**

Existing law:

- 1) Requires the CDE to display current information, and periodically update information, on curricula and other resources that specifically address bias-related discrimination, harassment, intimidation, cyber sexual bullying, and bullying on its website. (Education Code (EC) § 234.2)

- 2) Requires the CDE to develop, and post on its website, a model handout describing the policies addressing bias-related discrimination, harassment, intimidation, and bullying in schools. (EC 234.3)
- 3) Requires LEA to adopt procedures for preventing acts of bullying, including cyberbullying, by December 31, 2019. (EC 234.4)
- 4) Requires the Superintendent of Public Instruction to post, and annually update, on the CDE's website and provide to each school district a list of statewide resources, including community-based organizations, that provide support to youth, and their families, who have been subjected to school-based discrimination, harassment, intimidation, or bullying on the basis of religious affiliation, nationality, race, or ethnicity, or perceived religious affiliation, nationality, race, or ethnicity. (EC § 234.5)
- 5) Requires a LEA that serves pupils in grades 7 to 12, inclusive, to adopt at a regularly scheduled board meeting, a policy on pupil suicide prevention, developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts. Requires that the policy, at a minimum, address procedures relating to suicide prevention, intervention, and postvention. (EC § 215)

This bill:

- 1) Requires CDE, in consultation with the California Health and Human Services Agency (CHHS), the Mental Health Services Oversight and Accountability, and other relevant stakeholder, to, on or before June 30, 2024, develop and post on its internet website a model policy and resources about body shaming that LEA's may use to educate staff and pupils about the issue of body shaming.
- 2) Encourages LEAs to inform teachers, staff, parents, and pupils about the resources developed by the CDE, including, but not limited to, providing information in pupil and employee handbooks and making the information available on each schoolsite's internet website.
- 3) Permits CDE to use existing resources or frameworks, or both, about body shaming or body image, or both.
- 4) Defines "Body shaming" means the action or practice of mocking or stigmatizing a person by making critical comments or observations about the shape, size, or appearance of the person's body.

- 5) Defines “Local educational agency” means a school district, county office of education, or charter school.

### Comments

- 1) *Need for the bill.* According to the author “AB 10 requires the California Department of Education to develop a model policy and resources about body shaming for local educational agencies (LEAs), so that they are adequately equipped to address this issue with students and their parents, in order to reduce instances of body shaming amongst student populations. The bill also encourages LEAs to inform staff, teachers, parents, and students of the resources. While LEAs are required to have policies about how to handle and address bullying, they are not currently required to have resources to address body shaming, which is not always characterized by bullying. Body shaming frequently leads to negative impacts on student mental health, which can cause students to withdraw from their friends, activities, classroom participation, and result in increased absenteeism, sadness, depression, and can even lead to suicidal thoughts and actions. By requiring CDE to develop and make available policies and resources to address this issue, LEAs should be able to reduce instances of body shaming amongst student populations and ensure that teachers, faculty, and parents are prepared to the address the topic with students when it does arise.”
- 2) *Childhood Obesity.* Childhood obesity is a serious health problem in the United States, affecting 1 in 5 children and adolescents. More than one-third (35%) of U.S. children ages 2-19 are overweight or obese, according to a 2017-2018 survey from the Centers for Disease Control and Prevention. Compared with children at a healthy weight, children with obesity are at higher risk for a range of health problems, including asthma, high blood pressure, high cholesterol, and type 2 diabetes; they also are more likely to become obese as adults. In addition, childhood obesity is linked to social and emotional difficulties, such as anxiety, depression, stigmatization, bullying, and low self-esteem. Obesity's impact also extends beyond the individual. U.S. medical care costs related to adult obesity have been estimated at about \$190 billion annually; in California, estimates indicate that a 5% reduction in average adult BMI could save more than \$80 billion in obesity-related health costs by 2030.



- 3) *Effects of Body Shaming and Its Impact on Students.* According to the Merriam-Webster dictionary, “body-shaming” is “the act or practice of subjecting someone to criticism or mockery for supposed bodily faults or imperfections.”

Research shows that much of the discussion on obesity on social media involves “fat shaming”, which often turns into harassment and cyberbullying — especially against women. Recent behavioral science research has documented widespread stigmatization and negative stereotyping of overweight individuals in media and public discourse, and such stigma is detrimental to those struggling with weight issues. The growth of social media offers another way to document public attitudes about obesity, posing whether weight stigma may be exacerbated in user-generated online interactions. In a study published by the National Library of Medicine, researchers in *Obesity in Social Media: A Mixed Methods Analysis* found that “Negative weight-based characterizations in the media have been consistently documented, whereby obese individuals are portrayed as unintelligent and undisciplined architects of their own condition. Furthermore, overweight people are underrepresented in entertainment programs, but those who do appear are portrayed as unattractive, shown engaging in stereotypical eating behavior, and the target of ridicule and derision. The news media also contribute to weight bias by portraying overweight individuals in stigmatizing ways and by focusing primarily on individual-level causes (e.g., diet) and solutions rather than on social or genetic factors. Even in some obesity prevention campaigns, fat shaming continues to be a theme.”

Over the past decade, social media have allowed Internet users to interact with one another on unlimited topics, including health and weight. Recent studies have noted the presence of weight stigma in social media dialogue. On YouTube, for example, personal causes of and responsibility for obesity were dominant themes, and individual-level behavioral changes were often recommended. The user-generated videos frequently contained weight-based teasing and ridicule, and videos with a derogatory stance toward overweight individuals received more views, ratings, and user comments than those without a teasing tone. Researchers further found that “victims of weight-based prejudice are at higher risk for mental health comorbidities, including depression, body dissatisfaction, loneliness, anxiety, and low self-esteem. Weight-based teasing and peer victimization can also contribute to unhealthy behaviors such as disordered eating and decreased physical activity.”

- 4) *Let's Get Healthy California (LGHC)*. In 2012, the California Health and Human Services (CHHS) Agency convened the LGHC Task Force to develop a 10-year plan for improving the health and wellbeing of California. The Task Force brought together a diverse group of leaders from across the state – including representation from state and local government, health systems and insurers, philanthropic organizations, academia, community organizations, and a range of other partners to develop a shared vision.

In 2014, the California Department of Public Health (CDPH) adopted LGHC as the state's health assessment and improvement plan (SHA/SHIP). With the California Health and Human Services (CHHS) Agency spearheading the initiative and CDPH serving as the backbone organization, the LGHC collaborative puts health and equity at the forefront of program and policy planning.

In 2016, CDPH launched LetsGetHealthy.ca.gov, a data dashboard where users can view progress in key areas, to allow anyone to explore data visualizations across the state. In addition to presenting data around key issues, the LGHC website also links that data with strategies and interventions, serving as a valuable tool to inform, connect and empower communities and partners.

- 5) *Improving School Climate*. All LEAs are required to address school climate as one of the key priorities within their Local Control and Accountability Plan (LCAP), as informed by measures such as suspension and expulsion rates, as well as surveys of students, parents and teachers on the sense of safety and school connectedness. The behavioral health module of the California Healthy Kids Survey includes questions on body image and disordered eating, as well as social isolation, responses to trauma, and self-harm behavior. Although body shaming and other factors influencing body image among children and youth are important, many other forms of peer behavior contribute to negative outcomes and mental health issues.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, “The CDE could incur one-time General Fund costs in the tens of thousands of dollars to develop and post the model policy on its website. The California Department of Public Health and the Mental Health Services Oversight and Accountability Commission may also incur similar General Fund costs to consult with CDE on the development of the model policy and resources.”

**SUPPORT:** (Verified 9/1/23)

California Medical Association  
California Teachers Association  
Highlands Community Charter and Technical Schools  
Long Beach Unified School District

**OPPOSITION:** (Verified 9/1/23)

None received

**ARGUMENTS IN SUPPORT:** According to the California Medical Association, “Though most often associated with societal stigmatization towards obesity and as a form of bullying, body shaming is a complex issue that often does not fall into either of these categories. Body shaming can be directed at anybody’s characteristics, including height, weight, hair or disability, which are fundamental to personal identity. Body shaming, whether done intentionally or in the form of innocent comments not intended as hurtful, can have dangerous effects on the lives of those who are being subjected to it. For children and adolescents, who are still developing their identities, the impacts of body shaming can have devastating and long-lasting effects that can carry over to adulthood. Negative impacts of body shaming are also compounded by the portrayal of body images that are unrealistic and unhealthy, which can warp children’s perception of their own body and what is considered healthy. In the school setting, body shaming can lead to negative impacts on student mental health, which can cause students to withdraw from their friends, activities and classroom participation, and result in increased absenteeism, depression or suicidal thoughts or actions. It is important to educate school children and those around them on the harmful effects that body shaming can have on their friends and classmates.”

**ASSEMBLY FLOOR:** 74-0, 5/18/23

**AYES:** Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Wallis, Ward, Weber, Wicks, Wood, Zbur, Rendon

NO VOTE RECORDED: Cervantes, Vince Fong, Friedman, Villapudua,  
Waldron, Wilson

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9/2/23 16:47:04

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