TRANSADVOCATE

AB1266 Referendum Drive: So Far, Not So Good For Privacy For All Students Coalition

By Autumn Sandeen

Published November 22, 2013 | Updated March 31, 2026
https://www.transadvocate.com/ab1266-referendum-drive-so-far-not-so-good-for-privacy-for-all-students-coalition_n_10895.htm

Abstract

The Secretary of State's office described the process and procedure for qualifying the School Success And Opportunity Act (AB1266) for referendum on the November, 2014 ballot: Once the requisite number of signatures has been collected, they must be filed with the appropriate county elections official(s). Counties then have eight working days to report the raw [...]

Article

The Secretary of State's office described the process and procedure for qualifying the School Success And Opportunity Act (AB1266) for referendum on the November, 2014 ballot:

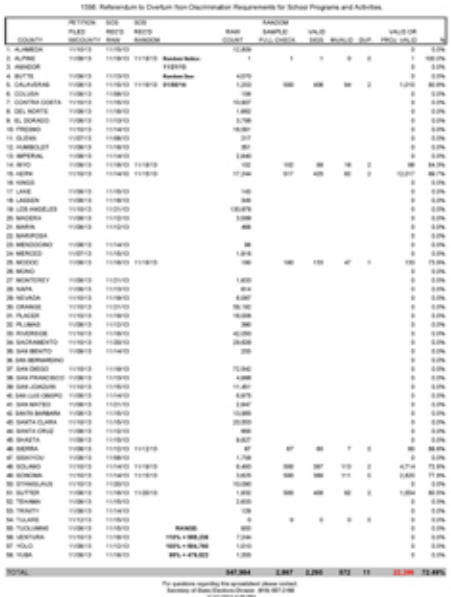

Figure 1. Thumbnail link: California Secretary Of State Report On Referendum to Overturn Non-Discrimination Requirements for School Programs and Activities (November 21, 2013)

Once the requisite number of signatures has been collected, they must be filed with the appropriate county elections official(s). Counties then have eight working days to report the raw count of signatures to the Secretary of State.

If the raw count of signatures equals 100% or more of the total number of signatures needed to

qualify the initiative measure, the Secretary of State notifies the county elections officials that they will have to randomly sample signatures for validation, to ensure petitions were signed by registered voters. If the result of the random sample indicates that the number of valid signatures represents between 95% and 110% of the required number of signatures to qualify the initiative measure for the ballot, the Secretary of State directs the county elections officials to verify every signature on the petition. This process is referred to as a full check of signatures. If the total number of valid signatures is less than 95% of the number of signatures required to qualify the initiative measure, the initiative measure will fail to qualify for the ballot. If the number of valid signatures is greater than 110% of the required number of signatures, the initiative measure is considered qualified without further verification. Spreadsheets containing the progress of an initiative in the signature verification stage are updated regularly.

The most recent spreadsheet was released on November 21, 2013.

So with the process and procedures in mind, to qualify California's AB1266 for a referendum in November of 2014, the Privacy For All Students coalition {which includes the Pacific Justice Institute (PJI)}needed to turn in petitions with 504,760 valid signatures of registered California voters. The coalition reported that they turned in petitions with about 620,000 signatures.

The numbers posted by the Secretary Of State's office spreadsheet show that 547,984 petition signatures have been raw counted to date, and random checking of petitions so far has indicated a signature validity rate of 72.49%. To succeed, the Privacy For All Students coalition would need a final validity rate of 81.4% to reach the 504,760 valid signatures of registered voters mark to qualify AB1266 for a referendum.

"With only 5 counties yet to report the raw number of signatures turned in, the total raw number is 547,984." said one of the number-crunching LGBT advocates watching this signature count closely. "Four of the remaining counties are small. Amador County has a population of 38,091. Kings County has a population of 151,364. Mariposa County has a population of 17,905. Mono County has a population of 14,348. Only yet-to-report San Bernardino County is a population center, with a population slightly over 2 million."

The advocate noted that Kern County (where the city of Bakersfield is located), was "a particular fail." That county only had a signature validity rate of 69.7%.

Qualification of a November, 2014 referendum to repeal AB1266 looks to be depending heavily on 1.) the raw count of signatures provided to the Secretary of State from San Bernardino County and 2.) the signature validity rate of those signatures in that county. If the signature validity rate out of San Bernardino County isn't high enough to raise the overall validity rate up by 9 percentage points, then the effort to put AB1266 up for referendum will have failed.

It's far, far too soon to say that the petition drive to put AB1266 up for a vote has failed, but at this point it's not looking good for the Privacy For All Students coalition.

And, should the referendum signature drive to repeal AB1266 fail, that would be very, very good news for California's trans youth.

Update: The Secretary of State's office released a new spreadsheet dated November 22, 2013. The new report has a raw number count for San Bernardino County of 63,348 signatures. The new report updated the overall signature validity rate to 75.46%.

Again quoting my the number-crunching LGBT advocate source:

> *If the repeal people turned in 620,000 signatures as they said (right now it stands at 613,120), they will need a final validity rate of 81.41% to hit the required 504,760 valid signatures.*
> *If the random checks come in at under 95% of 504,760 valid signatures, it's over and we won.*
> *If the random checks come in at above 110% of 504,760 (essentially impossible), this part is over and we go to the ballot.*
> *In between those two percentages, the state will force an actual count of every single signature (as opposed to a random check) to see if 504,760 of the approximately 620,000 are valid.*

Suggested citation

Autumn Sandeen. "AB1266 Referendum Drive: So Far, Not So Good For Privacy For All Students Coalition." TransAdvocate, November 22, 2013.
https://www.transadvocate.com/ab1266-referendum-drive-so-far-not-so-good-for-privacy-for-all-students-coalition_n_10895.htm