LGBTQ Youth: Anti-Bullying Laws

No updates required since January 1, 2024

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Background

Anti-Bullying Laws: These laws protect students from being bullied by other students, teachers, and school staff on the bases of characteristics such as, but not limited to, sexual orientation and gender identity. Some states also prohibit bullying on the basis of association with someone with a listed characteristic, such as bullying a non-LGBTQ student because they have a friend or family member who is LGBTQ.

While some states, districts, and schools have non-enumerated anti-bullying laws or policies—policies that generally prohibit bullying, but do not list specific characteristics like race or sexual orientation upon which a student might be bullied—research by GLSEN finds that such general laws have no impact on rates of bullying. Therefore, only policies that explicitly enumerate sexual orientation and/or gender identity are included here.

Anti-Enumeration Laws: These laws prevent schools and districts from listing or enumerating any type of protected classes (such as sexual orientation, gender identity, race, disability, and more) in their anti-bullying or nondiscrimination policies. Research shows that such generic laws are not effective at protecting marginalized students from bullying or discrimination.

Equality Map & Additional Resources

- See our Equality Map: Anti-Bullying Laws, which is updated and maintained in real time alongside this document.
- StopBullying.Gov. Includes state-by-state information.
- GLSEN. 2019. The 2019 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender and Queer Youth in Our Nation’s Schools.
## Summary Table

<table>
<thead>
<tr>
<th>Category</th>
<th>States</th>
<th>Bill</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>State law prohibits bullying on the bases of sexual orientation and gender identity (20 states + D.C.)</td>
<td>Arkansas</td>
<td>SB 892</td>
<td>2011</td>
</tr>
<tr>
<td></td>
<td>California</td>
<td>AB 9</td>
<td>2011</td>
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<td></td>
<td>Colorado</td>
<td>HB 11-1254</td>
<td>2011</td>
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<tr>
<td></td>
<td>Connecticut</td>
<td>SB 1138</td>
<td>2011</td>
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<td></td>
<td>District of Columbia</td>
<td>Law 19-167</td>
<td>2012</td>
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<td></td>
<td>Illinois</td>
<td>SB 3266</td>
<td>2010</td>
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<td></td>
<td>Iowa</td>
<td>SF 61</td>
<td>2007</td>
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<tr>
<td></td>
<td>Maine</td>
<td>LD 1237</td>
<td>2012</td>
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<tr>
<td></td>
<td>Maryland</td>
<td>HB 199</td>
<td>2008</td>
</tr>
<tr>
<td></td>
<td>Massachusetts</td>
<td>H 3909</td>
<td>2014</td>
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<tr>
<td></td>
<td>Minnesota</td>
<td>HF 826</td>
<td>2014</td>
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<td></td>
<td>Nevada</td>
<td>SB 504</td>
<td>2015</td>
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<tr>
<td></td>
<td>New Hampshire</td>
<td>HB 1523</td>
<td>2010</td>
</tr>
<tr>
<td></td>
<td>New Jersey</td>
<td>A 1874</td>
<td>2002</td>
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<td></td>
<td>New Mexico</td>
<td>SB 288</td>
<td>2019</td>
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<td></td>
<td>New York</td>
<td>A3661</td>
<td>2010</td>
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<td></td>
<td>North Carolina</td>
<td>SB 526</td>
<td>2009</td>
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<td></td>
<td>Oregon</td>
<td>HB 2599</td>
<td>2009</td>
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<tr>
<td></td>
<td>Rhode Island</td>
<td>S 732</td>
<td>2011</td>
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<tr>
<td></td>
<td>Vermont</td>
<td>§ 313 (sexual orientation)</td>
<td>1994</td>
</tr>
<tr>
<td></td>
<td></td>
<td>§ 57 (gender identity)</td>
<td>2007</td>
</tr>
<tr>
<td></td>
<td>Washington</td>
<td>HB 1444 (sexual orientation)</td>
<td>2002</td>
</tr>
<tr>
<td></td>
<td></td>
<td>HB 1059/SB5952 (gender identity)</td>
<td>2009</td>
</tr>
<tr>
<td>State law prohibits bullying on the basis of sexual orientation only (2 territories)</td>
<td>Guam</td>
<td>Bill 41-31</td>
<td>2011</td>
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<tr>
<td></td>
<td>U.S. Virgin Islands</td>
<td>Bill 30-0013</td>
<td>2014</td>
</tr>
<tr>
<td>State regulation or teacher code, but not state law, prohibits bullying on the bases of sexual orientation and gender identity (3 states + 2 territories)</td>
<td>Hawai‘i</td>
<td>Policy 305-10</td>
<td>2008 (as Policy 4211, updated 2015)</td>
</tr>
<tr>
<td></td>
<td>Northern Mariana Islands</td>
<td>Regulations CR33-06 31720</td>
<td>2011</td>
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<tr>
<td></td>
<td>Puerto Rico</td>
<td>Dept of Education Policy</td>
<td>2017</td>
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<tr>
<td></td>
<td>Utah</td>
<td>R277-613</td>
<td>2018</td>
</tr>
<tr>
<td></td>
<td>West Virginia</td>
<td>Rule 126-099</td>
<td>2011, updated 2019</td>
</tr>
<tr>
<td>No state law or policy regarding anti-bullying for LGBTQ students (25 states + 1 territory)</td>
<td>All others</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Negative law: State law prevents schools or districts from adding LGBTQ protections to anti-bullying policies (2 states)</td>
<td>Missouri</td>
<td>SB 894</td>
<td>2006</td>
</tr>
<tr>
<td></td>
<td>South Dakota</td>
<td>SB 130</td>
<td>2012</td>
</tr>
</tbody>
</table>
Chronology

Order of Laws (Not Including Regulations)
(by date of governor signature; not by effective date)

Note, in this list, a state is not counted in the numbering until it has both sexual orientation and gender identity protections. Bills include both sexual orientation and gender identity unless otherwise specified. This list does not include regulatory protections.

1994
Vermont – S313 – May 26, 1994 – sexual orientation only

2002
Washington – HB1444 – March 27, 2002 – sexual orientation only
1. New Jersey – A1874 – September 6, 2002

2007
2. Iowa – SF61 – March 5, 2007

2008

2009

2010
10. New York – A3661 – September 13, 2010

2011
Guam – Bill 41-31 – March 9, 2011 – sexual orientation only
11. Arkansas – SB892 – April 1, 2011
15. California – AB9 – October 9, 2011

2012
2014
18. Minnesota – HF826 – April 9, 2014
19. Massachusetts – H3909 – April 24, 2014
   U.S. Virgin Islands – Bill 30-0013 – April 24, 2014 – sexual orientation only

2015

2019
21. New Mexico – SB288 – April 3, 2019

State-by-State Sources & More Detail

Alabama
- State anti-bullying law does not enumerate sexual orientation or gender identity

Alaska
- State anti-bullying law does not enumerate sexual orientation or gender identity

Arizona
- State anti-bullying law does not enumerate sexual orientation or gender identity

Arkansas
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See ACA § 6-18-514 and SB892 (2011)

California
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See Cal. Edc. Code § 234.1(b) and AB9 (2011, effective 7/1/2012)

Colorado
- State law prohibits bullying on the bases of sexual orientation and gender identity
- See CRS 22-32-109.1, CRS 22-32-109(1)(l)(i)(A) (characteristics), and HB11-1254 (May 2011)

Connecticut
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
Delaware
- State anti-bullying law does not enumerate sexual orientation or gender identity
- However, HB 268 (2012) requires that school staff investigate whether bullying incidents were motivated by particular characteristics, including sexual orientation and gender identity (DCA Title 14 § 4161, DCA Title 14 § 4164(b)(2)f). This is not itself an anti-bullying law, but focuses on bullying-related investigation and data. The law also requires the state to create a model bullying prevention policy, but that model policy is generic (non-enumerated). See also the U.S. Department of Education’s StopBullying analysis, noting that the state’s anti-bullying law has no protected or enumerated categories.

District of Columbia
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See DC Code § 2–1535.01 and Bill 19-743/Law 19-167 (2012)

Florida
- State anti-bullying law does not enumerate sexual orientation or gender identity

Georgia
- State anti-bullying law does not enumerate sexual orientation or gender identity

Hawai`i
- State anti-bullying law does not enumerate sexual orientation or gender identity
- School regulation or teacher code prohibits bullying on the bases of sexual orientation and gender identity. See HAC §8-19-2 (see definition of harassment), Hawai`i State Board of Education’s Policy 305-10, and Student Safety and Welfare Policy 4211 (2008)
- Note, HB 688 (2011) requires the state department of education to report on bullying-related regulations, but is not itself an anti-bullying law.

Idaho
- State anti-bullying law does not enumerate sexual orientation or gender identity

Illinois
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See 105 ILCS 5/27-23.7 and SB3266 (2010)

Indiana
- State anti-bullying law does not enumerate sexual orientation or gender identity

Iowa
- State law prohibits bullying on the bases of sexual orientation and gender identity
- See Iowa Code § 280.28 and SF61 (2007)
Kansas
- State anti-bullying law does not enumerate sexual orientation or gender identity

Kentucky
- State anti-bullying law does not enumerate sexual orientation or gender identity

Louisiana
- State anti-bullying law does not enumerate sexual orientation or gender identity

Maine
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See MRS 20-A §6554 and LD1237 (2012).

Maryland
- State law prohibits bullying on the bases of sexual orientation and gender identity
- See MCA §7-424 and HB199 (2008).

Massachusetts
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See MGL 71 § 37O and H3909 (2014)

Michigan
- State anti-bullying law does not enumerate sexual orientation or gender identity

Minnesota
- State law prohibits bullying on the bases of sexual orientation and gender identity
- See Minn. Stat. § 363A.08 and SF783/HF826 (2014)

Mississippi
- State anti-bullying law does not enumerate sexual orientation or gender identity

Missouri
- State anti-bullying law does not enumerate sexual orientation or gender identity
- State law prohibits schools or districts from adding LGBTQ (and other) protections to their anti-bullying and anti-discrimination policies. See Mo. Rev. Stat. § 160.775.3 and SB894 (2006)

Montana
- State anti-bullying law does not enumerate sexual orientation or gender identity

Nebraska
- State anti-bullying law does not enumerate sexual orientation or gender identity
Nevada
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See NRSA § 388.122 and SB504 (2015)

New Hampshire
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See NH RSA §193-F and HB1523 (2010)

New Jersey
- State law prohibits bullying on the bases of sexual orientation and gender identity

New Mexico
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See NMAC 6.12.7.7 and SB288 (2019)
- Formerly, school regulation or teacher code prohibited bullying on the basis of sexual orientation only. See New Mexico Administrative Code § 6.12.7 (2006)

New York
- State law prohibits bullying on the bases of sexual orientation and gender (defined to include gender identity)
- See NY EDN § 11 and AB 3661 (2010)

North Carolina
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of association with someone with a listed characteristic
- See NC General Statutes § 115C-407 and SB526 (2009)

North Dakota
- State anti-bullying law does not enumerate sexual orientation or gender identity

Ohio
- State anti-bullying law does not enumerate sexual orientation or gender identity

Oklahoma
- State anti-bullying law does not enumerate sexual orientation or gender identity
Oregon
- State law prohibits bullying on the bases of sexual orientation, defined to include gender identity
- See ORS § 339.351-339.364, HB3403 (2001, establishing anti-bullying law), HB2637 (2007, adding cyberbullying) and HB2599 (2009, adding sexual orientation, defined in state law to include gender identity)

Pennsylvania
- State anti-bullying law does not enumerate sexual orientation or gender identity

Rhode Island
- Law prohibits bullying on the bases of sexual orientation and gender identity

South Carolina
- State anti-bullying law does not enumerate sexual orientation or gender identity

South Dakota
- State anti-bullying law does not enumerate sexual orientation or gender identity
- State law prohibits schools or districts from adding LGBTQ (and other) protections to their anti-bullying and anti-discrimination policies. See S.D. Codified Laws § 13-32-14 and SB130 (2012)

Tennessee
- State anti-bullying law does not enumerate sexual orientation or gender identity

Texas
- State anti-bullying law does not enumerate sexual orientation or gender identity

Utah
- State anti-bullying law does not enumerate sexual orientation or gender identity

Vermont
- State law prohibits bullying on the bases of sexual orientation and gender identity
- State law prohibits bullying on the basis of a family member with a listed characteristic
Virginia

- State anti-bullying law does not enumerate sexual orientation or gender identity
- State law (HB 145/SB 161 (2020)) requires school boards to adopt a policy “consistent with” or “more comprehensive than” the state’s model policy on the treatment of transgender students, which includes “prevention of and response to bullying and harassment” (§22.1-23.3 (2020)). The VA Department of Education’s 2021 model policy was evidence-based and explicitly included both sexual orientation and gender identity in its anti-bullying protections. However, within that first year, relatively few school districts fully adopted the model policy (see here), and in September 2022, the newly elected governor rescinded those protections and proposed a new 2022 model policy that omitted protections for sexual orientation and gender identity and instead specifically requires that students’ participation in school programs and facilities should be based on biological sex. After public feedback, a revised 2023 model policy (enacted July 2023) retains these discriminatory provisions, including banning transgender students from playing sports according to their gender identity, as well as requiring the outing of transgender students to their parents, among other provisions.

Washington

- State law prohibits bullying on the bases of sexual orientation and gender identity
- See RCW 28A.300.285 and RCW 9A.36.080. See HB1444 (2002), defining bullying to include characteristics in RCW 9A.36.080(3), which at the time included sexual orientation (see HB 1569, 1993). In 2009, HB1059 added gender identity to the definition of sexual orientation, and SB5952 clarified this new definition also applied to RCW 9A.36.080 (effectively adding gender identity to the anti-bullying law protections).

West Virginia

- State anti-bullying law does not enumerate sexual orientation or gender identity
- School regulation or teacher code prohibits bullying on the bases of sexual orientation, gender identity, and association with someone with a listed characteristic
- See 126 CSR 099, also known as Policy 4373 (initially filed Dec 2011, effective July 1, 2012; see p51 for enumeration) (updated July 2019 but still including SOGI, see p25)

Wisconsin

- State anti-bullying law does not enumerate sexual orientation or gender identity

Wyoming

- State anti-bullying law does not enumerate sexual orientation or gender identity

U.S. Territories

American Samoa

- Territory anti-bullying law does not enumerate sexual orientation or gender identity
- See American Samoa’s Compilation of School Discipline Laws and Regulations (as of 2021)
Guam
- Territory law prohibits bullying based on sexual orientation only
  - See Bill 41-31, p18 (2011)

Northern Mariana Islands
- Territory anti-bullying law does not enumerate sexual orientation or gender identity
- Territory regulation prohibits bullying on the bases of sexual orientation and gender identity
  - See Admin Code § 60-20-40, p29, and Regulations CR33-06 31720 (2011; starting on pdf page 82, numbered page 031720)

Puerto Rico
- Territory anti-bullying law does not enumerate sexual orientation or gender identity
- Territory agency policy prohibits bullying on the bases of sexual orientation and gender identity
  - See Puerto Rico Department of Education’s policy prohibiting discrimination and bullying, including based on sexual orientation and gender identity (2017). See also Puerto Rico’s Students’ Bill of Rights (2012) which guarantees equal educational opportunity to all students and explicitly includes sexual orientation and gender identity, though it does not explicitly prohibit bullying. See also Stopbullying.gov’s Puerto Rico page, which also describes the territory as only listing specific groups (e.g., sexual orientation or gender identity) in its departmental policy on bullying, not in the territory’s law.

U.S. Virgin Islands
- Territory law prohibits bullying based on sexual orientation only
  - See 17 V.I.C. §782 and Bill 30-0013 (2014)