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Safe Schools Laws: Nondiscrimination

No updates required since December 10, 2020

Alabama

- No law protecting LGBTQ students

Alaska

- No law protecting LGBTQ students

Arizona

- No law protecting LGBTQ students

Arkansas

- No law protecting LGBTQ students

California

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [Cal. Ed. Code § 234](#) (2011).
- Law prohibits discrimination in schools on the basis of association with someone with a listed characteristic

Colorado

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [SB 08-200](#) (2008).

Connecticut

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [Conn. Gen. Stat. 10-15c](#), amended to include sexual orientation in 1997 and amended to include gender identity in 2011.

Delaware

- No law protecting LGBTQ students

District of Columbia

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [D.C. Code § 2-1402.41](#) (2012).

Florida

- No law protecting LGBTQ students

Georgia

- No law protecting LGBTQ students



Hawai'i

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity, by explicitly interpreting federal Title IX prohibitions against sex discrimination to include sexual orientation and gender identity. See [H.B. 1489](#) (2018).
- School regulation or teacher code prohibits bullying on the basis of sexual orientation and gender identity. See the Hawaii State Board of Education's [Student Safety and Welfare Policy 4211](#) (2008).

Idaho

- No law protecting LGBTQ students

Illinois

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [S.B. 3266](#) (2010).

Indiana

- No law protecting LGBTQ students

Iowa

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [Iowa Code § 216.9](#) (2007).

Kansas

- No law protecting LGBTQ students

Kentucky

- No law protecting LGBTQ students

Louisiana

- No law protecting LGBTQ students

Maine

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [5 M.R.S. § 4552](#) (2005).

Maryland

- School regulation prohibits discrimination on the bases of sexual orientation and gender identity. See [COMAR 13A.01.06 Educational Equity](#), Maryland Department of Education's [nondiscrimination statement](#), and MDOE's ["Providing Safe Spaces for Transgender and Gender Non-Conforming Youth: Guidelines for Gender Identity Non-Discrimination"](#) (2015).



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Massachusetts

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [Mass. Gen. Laws, chapter 76, § 5](#), amended to include sexual orientation in 1993 and amended to include gender identity in 2011.

Michigan

- No state law explicitly protecting LGBTQ students
- State agency explicitly interprets existing sex protections to include both sexual orientation and gender identity (2018). See Michigan Civil Rights Commission's [Interpretive Statement](#).

Minnesota

- Law prohibits bullying on the bases of sexual orientation and gender identity. See [Minn. Stat. § 363A.13](#) (1993).

Mississippi

- No law protecting LGBTQ students

Missouri

- No law protecting LGBTQ students
- State law prohibits schools or districts from adding LGBTQ protections to their anti-bullying and anti-discrimination policies. See [Mo. Rev. Stat. § 160.775.3](#) (SB 894; 2006).

Montana

- No law protecting LGBTQ students

Nebraska

- No law protecting LGBTQ students

Nevada

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See definition of public accommodations in [NRS 651.050.3\(k\)](#) (SO added by [SB217](#) in 2009, GI added by [SB331](#) in 2011), and see also [SB188](#) (2017).

New Hampshire

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [SB263](#) (2019).

New Jersey

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [N.J. Stat. § 10:5-1](#) and [10:5-5](#), amended to include sexual orientation in 1991 and amended to include gender identity in 2006.



New Mexico

- School regulation or teacher code prohibits discrimination on the basis of sexual orientation only. See [NM Administrative Code 6.60.9.9](#).

New York

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [A.B. 3661](#) (2010).

North Carolina

- No law protecting LGBTQ students

North Dakota

- State agency explicitly interprets existing protections against discrimination in public services based on sex to include both sexual orientation and gender identity
- See [North Dakota Department of Labor and Human Rights statement](#) (2020)

Ohio

- No law protecting LGBTQ students

Oklahoma

- No law protecting LGBTQ students

Oregon

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [ORS § 659.850](#) (2007).

Pennsylvania

- State agency explicitly interprets existing sex protections to include both sexual orientation and gender identity (2018). See Pennsylvania's Human Relations Commission's [Guidance on Discrimination on the Basis of Sex Under the Pennsylvania Fair Educational Opportunities Act \(PFEOA\)](#).
- School regulation or teacher code prohibits discrimination on the basis of sexual orientation only

Rhode Island

- Law prohibits bullying on the bases of sexual orientation and gender identity. See [16 R.I. Gen. Laws § 16-21-33 \(2011\)](#).

South Carolina

- No law protecting LGBTQ students



South Dakota

- No law protecting LGBTQ students
- State law prohibits schools or districts from adding LGBTQ protections to their anti-bullying and anti-discrimination policies. See [S.D. Codified Laws § 13-32-14](#) (2012).

Tennessee

- No law protecting LGBTQ students

Texas

- No law protecting LGBTQ students

Utah

- No law protecting LGBTQ students
- School regulation or teacher code prohibits discrimination on the basis of sexual orientation only. See [Utah Administrative Code Rule R277-515](#).

Vermont

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity. See [Vt. Stat. Ann. tit. 9, § 4502](#), amended to include sexual orientation in 2001 and amended to include gender identity in 2007.
- Law prohibits discrimination in schools on the basis of association with someone with a listed characteristic

Virginia

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity.
- See [SB 868](#) (2020) and definition of public accommodations

Washington

- Law prohibits discrimination in schools on the bases of sexual orientation and gender identity
- See [RCW 28A.642.010](#), amended to include sexual orientation in 2002 and amended to include gender identity in 2009.

West Virginia

- No law protecting LGBTQ students

Wisconsin

- Law prohibits discrimination in schools on the basis of sexual orientation only. See [Wis. Stat. § 118.13](#) (2001).

Wyoming

- No law protecting LGBTQ students



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U.S. Territories

American Samoa

- [No educational laws or regulations](#) that enumerate sexual orientation or gender identity

Guam

- No nondiscrimination laws enumerate sexual orientation or gender identity

Northern Mariana Islands

- State Board of Education regulations [prohibit discrimination and harassment](#) based on sexual orientation (2002).

Puerto Rico

- In 2012, Puerto Rico passed the [Students' Bill of Rights](#), which guarantees equal educational opportunity to all students and explicitly includes sexual orientation and gender identity. The Puerto Rico Department of Education, which operates all public schools has adopted a [policy prohibiting discrimination and bullying](#) based on sexual orientation and gender identity (2017).

U.S. Virgin Islands

- In 2017, the [Attorney General provided guidance](#) requested by the education commissioner clarifying that under federal civil rights laws, transgender students should use facilities according to their gender identity.