Safe Schools Laws: Nondiscrimination

No updates required since April 30, 2021

Alabama
- No law protecting LGBTQ students

Alaska
- State agency explicitly interprets existing protections against discrimination in public services based on sex to include both sexual orientation and gender identity
- See Alaska State Commission for Human Rights (2020), including agency social media posts

Arizona
- No law protecting LGBTQ students

Arkansas
- No law protecting LGBTQ students

California
- Law prohibits discrimination in schools on the basis of association with someone with a listed characteristic

Colorado

Connecticut

Delaware
- No law protecting LGBTQ students

District of Columbia

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

Indiana
- No law protecting LGBTQ students

Iowa

Kansas
- No law protecting LGBTQ students

Kentucky
- No law protecting LGBTQ students

Louisiana
- No law protecting LGBTQ students

Maine

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).
Massachusetts

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

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

New Jersey
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

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

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

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 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

Wyoming
- No law protecting LGBTQ students
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.