

LGBTQI+ Student Rights

Harassment and discrimination against LGBTQI+ students is unlawful. All students, including LGBTQI+ students, are protected by federal laws, including Title IX (the federal civil rights statute that prohibits sex discrimination in education), and the Equal Protection Clause of the U.S. Constitution. Despite this, many LGBTQI+ students still experience harassment and discrimination simply because of who they are, in addition to being targeted by discriminatory state laws that aim to take away the federal rights they are entitled to. Here's what you need to know.

As an LGBTQI+ student, you have the right under federal laws:

To Choose if, When, and How to Come Out

You have the right to be out and proud, when and how you choose. You also have the right to keep your gender identity, sexual orientation, and variations in your physical sex characteristics private. If your school outs you — even to your parents — it might be breaking the law unless there is a strong justification, or unless the information is in your official school record.

To Live in Accordance With Your Gender Identity

You have the right to dress, use school restrooms and changing rooms, and participate in sports and other activities according to your gender identity. If you're not a boy or a girl, for example if you are nonbinary, and there are only boys' and girls' options, you have the right to say which option is most appropriate for you.

To Express Who You Are and What You Believe

You have the right to express yourself through your speech and appearance, and to speak about your beliefs, as long as you're following school rules and not harassing others. Schools can adopt rules about student dress, appearance, and conduct but they cannot single out LGBTQI+ students or mandate compliance with sex stereotypes by, for example, requiring girls to wear dresses or boys to have short hair.

To Date Who You Want

You have the right to date who you want, regardless of gender, and go with your date to school events. Your school can't treat you differently than other student couples because you identify as LGBTQI+.

To Form a Student Group

You have the right to form a GSA (Gay Straight Alliance or Gender Sexuality Alliance) or any other other type of LGBTQI+ student-initiated club and have it be recognized and treated the same as any other student clubs at your school. If your school allows even one student club that is not about academic learning ("curriculum"), they must allow an LGBTQI+ student club as well.

Not to be Harassed, Bullied, or Experience a Hostile School Climate Because You Are LGBTQI+

Your school is responsible for stopping anti-LGBTQI+ harassment and bullying, including name-calling, pushing, shoving, kicking, or punching. Your school is also responsible for preventing and addressing a hostile school climate connected to its policies, practices, or related discussions, such as proposals to remove books by or about LGBTQI+ people from school libraries.

Not to be Misgendered or Dead Named

Your legal name is only required to appear in very limited circumstances, and your affirmed name should be used everywhere else. Your school is responsible for stopping harassment, including if someone repeatedly and intentionally misgenders or deadnames you.

To Report Harassment and Bullying

Take notes of any incident of discrimination, harassment, or bullying. Write down dates, people involved, and exactly what happened — the more detail, the better. Put your school on notice in writing right away that it has to protect you.

To Receive Supportive Measures

If you report harassment or discrimination, your school must provide you with supportive measures to give you the help you need so that your education is not disrupted. These might include, but are not limited to: changing your class schedule, giving you extra time to finish assignments, allowing you to take time off from school, or making sure you have a counselor to talk to.

Not to be Punished for Reporting Harassment or Discrimination

If you report harassment or discrimination or participate in an investigation of harassment or discrimination, you can't be threatened, mistreated, discriminated against, or otherwise punished by your school for doing so.

If you experience any problems at school, first reach out to your principal or another trusted adult at school. Consider using a [template letter](#) from the ACLU's National LGBTQ Project . If they don't address the issue, it's time to get help.

File A Civil Rights Complaint

If you have experienced school-based bullying, harassment, or discrimination because you are LGBTQI+, you can file a complaint with [your school's Title IX Coordinator](#), or directly with the U.S. Department of Education's Office of Civil Rights (ED OCR) today. Learn more about how to file a complaint with ED OCR by reading GLSEN and PFLAG's [Claim Your Rights](#) fact sheet. You can file a complaint for bullying, harassment, or discrimination based on race, color, national origin, age, disability, sex, sexual orientation, gender identity, transgender status, variations in sex characteristics (including intersex traits), and/or pregnancy and parental status.

To find information about filing a complaint with a local Title IX Civil Rights Coordinator, check your student handbook, your school's website, or the website for your school district or agency.

Your state may provide additional protections. [GLSEN Navigator](#) interactive maps can help you identify if your state separately prohibits anti-LGBTQI+ bullying, harassment, or discrimination.

Get Help

If you have questions on how to take action, please do not hesitate to contact us.

For general questions:

policy@gsen.org • gsen.org

PFLAG National:

Diego Miguel Sanchez, APR, Director of Advocacy, Policy & Partnerships
202-657-6997 • dsanchez@pflag.org • www.pflag.org

For legal advice or assistance:

ACLU's National LGBTQ Project helplgbtq@aclu.org

National Women's Law Center Fund's Legal Network for Gender Equity:

www.nwlc.org/legal-assistance

National Center for Lesbian Rights Legal Help Line:

(800) 528-6257 • <https://www.nclrights.org/get-help/>